Comox Valley REGIONAL DISTRICT

Staff Report

DATE: January 25, 2021

FILE: 6410-01 / PJ 1CV 20

TO: Chair and Directors
Electoral Areas Services Committee

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

RE: Amendment to the Rural Comox Valley Zoning Bylaw No. 520, 2019

Purpose
To seek Comox Valley Regional District (CVRD) Board support on external agency and First Nations referrals for a Zoning Bylaw Amendment (Appendix A) to fix broken map links and general amendments discovered after adoption of the Rural Comox Valley Zoning Bylaw No. 520, 2019.

Recommendation from the Chief Administrative Officer:
THAT the Comox Valley Regional District Board endorse the agency referral list as outlined in Appendix C of staff report dated January 25, 2021 and direct staff to start the external agency referral process for Bylaw No. 602, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 3";

AND FINALLY THAT Comox Valley Regional District staff consult with First Nations in accordance with the referrals management program dated September 25, 2012.

Executive Summary

- Bylaw No. 520, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019" was adopted on October 29, 2019. After adoption, staff discovered opportunities for refinements.
- These proposed amendments include:
  - Relaxing restrictions on chickens and beekeeping as domestic agriculture uses
  - Correcting broken hyperlink to maps
  - Revising zoning maps to reflect the consolidation of the Residential One B (R-1B) zone to Residential One (R-1) zone
  - Clarifying the definition of Front lot Line for consistent interpretation
  - Accounting for the placement of carriage houses on slopes
  - Including the campground use back into a sub-district of Mount Washington Comprehensive Development (MTW-CD) zone.
- The CVRD Board is recommended to conduct First Nations and external agency referrals for this Zoning Bylaw amendment. Once feedback is gathered, staff will report back and provide a recommendation.

Prepared by:	Concurrence:	Concurrence:
B. Chow	***T. Trieu***	***S. Smith***
Brian Chow, RPP, MCIP Planner II	Ton Trieu, RPP, MCIP Manager of Planning Services	Scott Smith, RPP, MCIP General Manager of Planning and Development Services

Government Partners and Stakeholder Distribution (Upon Agenda Publication)

None	✔

Background/Current Situation

Bylaw No. 520 was adopted on October 29, 2019. After adoption, planning staff discovered opportunities for refinements and corrections. Therefore, staff propose an amending bylaw with these changes, and fulfills a board request to reduce the minimum lot area requirement for keeping of chickens and beekeeping on residential lots.

Planning Analysis

Domestic Agriculture

The Zoning Bylaw lists Domestic Agriculture as a permitted accessory use in the Residential One (R-1), Residential Rural (R-RU) and Country Residential One (CR-1) zones where the lot is at least 0.2 hectares in area. Section 304 limits Domestic Agriculture to the keeping of chickens, beekeeping and produce stands. Concerning the keeping of chickens, the regulations include a limit to the number of chickens, enclosure requirements, minimum lot line setbacks and prohibitions on on-site slaughter and disposal. Concerning beekeeping, the regulations include a limit to the number of colonies, hive entrance orientation requirements and minimum lot line setbacks. The proposed amendment eliminates the minimum 0.2 hectare lot area requirement, and proposes the maximum numbers of chickens and bee colonies on lots less than 0.2 hectares to four chickens and two colonies. For lots 0.2 hectares or greater in area, the current maximum numbers of chickens and bee colonies remain at six chickens and four colonies.

iMap Hyperlink

In several zones, under Subdivision Requirements, the text includes a hyperlink intended to open a map of properties within the Settlement Expansion Areas (a land use designation in the Regional Growth Strategy (RGS) and Official Community Plan). Instead, the hyperlink opens to the main page of iMap. Two options were available, to update the hyperlink or create a PDF map. A PDF map is preferable, as it eliminates future risk of a broken hyperlink.

Residential One B (R-1B) Zone

As part of the zoning bylaw review, several residential zones were consolidated into the R-1 zone. The R-1B zone was removed from the bylaw, but the mapping does not reflect this change. The amendment will change all R-1B zoned properties to R-1. No negative impacts on property owners will result from this correction. The only difference between the R-1 and R-1B zones is an additional provision in the R-1 zone that allows a minimum lot size of 600 square metres for subdivision if connected to community water and sewer.

Front Lot Line Definition

A portion of the definition of Front Lot Line causes confusion. The current definition reads (underline added):

"Front lot line means the lot line which is common to the lot and a highway or in a case of lots with water access only, the lot line at the natural boundary. Where two or more lot lines are common to a lot and a highway, they shall be deemed to be the front lot line."

It is proposed to be replaced with:

"Front lot line means the lot line which is common to the lot and a highway or in a case of lots with water access only, the lot line at the natural boundary. Where two or more lot lines are common to a lot and a highway, the shortest lot line along a highway shall be deemed to be the front lot line."

This correction is consistent with the previous zoning bylaw. The current definition creates confusion on corner lot and has negative implications on the required setbacks. Bylaw No. 520 has a provision for setbacks from roads; therefore, calling all lots lines adjoining a highway the front lot line is not beneficial.

Carriage House and Grade

Carriage house is a form of accessory dwelling unit. The residential unit is on the second storey and accessory use is on the first storey. Currently, its definition and regulation indicate that the first storey of a carriage house has to be at grade, which means that a carriage house has to be on flat ground and not on any slope. The original intent is to prohibit the second storey to be at or below grade, so that first storey with vehicle parking is accessible and that there is a relative building scale between a carriage house and single detached dwelling on a property. The proposed changes are to clarify the definition and regulation of carriage house to prohibit the second storey of a carriage house to be at or below grade.

Commercial One (C-1) Zone Conditions of Use Section

In the C-1 zone, Section 901(4)(ii) is the second half of Conditions of Use, but is located within the Density section. It is recommended that this section be moved back to the right location. In addition, this second half has an outdated reference (i.e. referencing itself), and therefore, this reference should be corrected.

Mount Washington Comprehensive Development Zone

The MTW-CD zone has several districts, and each district has different set of permitted uses. In the RFW district, the Campground use was replaced with Tourist Accommodation. The intent of the change was to provide options for the travelling public, as tourist accommodation permits cabins, lodges, motels, inns, hostels, park model trailers or resorts. In communication with the resort owner, the Campground use should be retained, and therefore would need to be reinstated. This change would help with future planning of the resort, as Mount Washington is a Settlement Node, where growth is encouraged in electoral areas. This would be considered as a minor change, as the campground use was in the previous Zoning Bylaw.

An example of the draft consolidated Zoning Bylaw with all of the proposed changes is attached as Appendix B.

Policy Analysis

Part 14, Planning and Land Use Management, of the *Local Government Act* (RSBC, 2015, c. 1) (LGA) provides that a local government may regulate zoning. Section 479 of the LGA authorizes a local government to regulate the use, density, size and shape of land, buildings and structures. Section 464 states that a local government must hold a public hearing before adopting a Zoning Bylaw. Section 466 outlines the procedures to be followed in respect to public notification of the proposed bylaw.

Options

The board has the following options:

1. Refer the bylaw amendment to external agencies and First Nations for review.
2. Send the bylaw amendment to staff for changes.

Based on the discussion contained within this report, staff recommends the first option.

Financial Factors

Costs associated with the amendment include staff time, which is covered by the Electoral Areas planning function.

Legal Factors
This report and the recommendation contained herein are in compliance with the LGA and CVRD bylaws. The LGA authorizes a local government to regulate through zoning, the use, density, size and shape of land, buildings and structures.

Regional Growth Strategy Implications
Section 445 of the LGA requires that all bylaws and services undertaken by the board be consistent with the RGS, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010". The proposed corrections are consistent with the RGS.

Intergovernmental Factors
Appendix C contains a list of agencies and First Nations, to which staff recommends referring the bylaw amendment. Feedback from the referral will be reported at a future Electoral Areas Services Committee meeting.

Interdepartmental Involvement
Planning staff is leading this application. There will be referrals to internal departments at the same time as the external agency and First Nations referrals take place.

Citizen/Public Relations
Staff recommends that the application be referred to all three Advisory Planning Commissions. If the bylaw amendment proceeds to bylaw preparation, community consultation will be held in accordance with Bylaw No. 328, being the "Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014" (i.e. newspaper advertising and public hearing).

Attachments: Appendix A – "Bylaw No. 602"
Appendix B – "Draft Consolidated Zoning Bylaw"
Appendix C – "Agency List"

Comox Valley REGIONAL DISTRICT

Appendix A
Bylaw Status Report

BYLAW NO. 602	
Bylaw Name:	Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 3
Applicant:	Comox Valley Regional District
Electoral Area:	All Electoral Areas (Except Denman and Hornby Islands)
File Number:	PJ 1CV 20
Participants:	All Electoral Areas
Purpose:	To amend the Rural Comox Valley Zoning Bylaw by fixing broken map links, correct errors and eliminate the minimum lot area requirement for keeping of chickens and beekeeping.
Amends Bylaw:	No. 520
Repeals Bylaw:	N/A
Staff Contact:	Brian Chow

STATUS	
Application Received	N/A
Electoral Areas Services Committee Approval:	Date Recommendation:
Comox Valley Regional District Board:	**1st Reading:**
Comox Valley Regional District Board:	**2nd Reading:**
Public Hearing:	
Comox Valley Regional District Board:	**3rd Reading:**
Ministry of Transportation and Infrastructure:	**Required:** Yes **Date Sent:** **Date Approved:**
Comox Valley Regional District Board:	**Final Adoption:**

Comox Valley Regional District
Bylaw No. 602

A Bylaw to Amend the "Rural Comox Valley Zoning Bylaw No. 520, 2019" being Bylaw No. 602

The board of the Comox Valley Regional District, in open meeting assembled, enacts the following amendments to the "Rural Comox Valley Zoning Bylaw No. 520, 2019," being Bylaw No. 520.

Section One Text Amendment

1) Bylaw No. 520, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019," is hereby amended as set out in Schedule A attached to and forming part of this bylaw.

Section Two Title

1) This Bylaw No. 602 may be cited as the "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 3."

Read a first time this	**day of**	**202X.**
Read a second time this	**day of**	**202X.**
Public hearing held this	**day of**	**202X.**
Read a third time this	**day of**	**202X.**

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 602, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 3," as read a third time by the board of the Comox Valley Regional District on the XX day of XX 202X.

_____
Corporate Legislative Officer

Approved by the Ministry of Transportation and Infrastructure this	**day of**	**202X.**
Adopted this	**day of**	**202X.**

_____
Chair

_____
Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 602, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 3," as adopted by the board of the Comox Valley Regional District on the XX day of XX 202X.

_____
Corporate Legislative Officer

Schedule A

Section One Text Amendments

1) Section Two Application be amended by inserting the following item to the end of the list:

"3. Schedule B attached to this bylaw forms part of this bylaw."

2) Part 200 Interpretation be amended by replacing the definition of Carriage House from:

"means a two storey building with up to 90.0 square metres of residential floor area on the second storey and non-residential floor area at grade. A carriage house is one form of accessory dwelling unit (see Section 315)."

To:

"means a two storey building with up to 90.0 square metres of residential floor area on the second storey and non-residential floor area on the first storey. A carriage house is one form of accessory dwelling unit (see Section 315)."

3) Part 200 Interpretation be amended by replacing the definition of Domestic Industrial Use from:

"means a use accessory to a principal residential use comprising the storage, parking, maintenance, service and repair of vehicles and equipment other than vehicles and equipment for agricultural use and includes service establishment, fabricating, manufacturing, testing, service, repairing, and maintenance of goods or materials and wholesale and retail sales accessory to the fabricating, manufacturing, warehousing, testing, service repairing, or maintenance activity but does not include motor vehicle salvage, scrap salvage, wrecking yards and bulk storage in compliance with Section 309 of this bylaw."

To:

"means a use accessory to a principal residential use comprising the storage, parking, maintenance, service and repair of vehicles and equipment other than vehicles and equipment for agricultural use and includes service establishment, fabricating, manufacturing, testing, service, repairing, and maintenance of goods or materials and wholesale and retail sales accessory to the fabricating, manufacturing, warehousing, testing, service repairing, or maintenance activity but does not include motor vehicle salvage, scrap salvage, wrecking yards and bulk storage in compliance with Section 307 of this bylaw."

4) Part 200 Interpretation be amended by replacing the definition of Home Occupation" from:

"means any trade, occupation, profession or craft carried on for remuneration or financial gain and which is accessory to the principal residential use of a lot in compliance with Section 309 of this bylaw."

To:

"means any trade, occupation, profession or craft carried on for remuneration or financial gain and which is accessory to the principal residential use of a lot in compliance with Section 305 of this bylaw."

5) Part 200 Interpretation be amended by replacing the definition of Lot line, Section 1 from:

"1. Front lot line means the lot line which is common to the lot and a highway or in a case of lots with water access only, the lot line at the natural boundary. Where two or more lot lines are common to a lot and a highway, they shall be deemed to be the front lot line."

To:

"1. Front lot line means the lot line which is common to the lot and a highway or in a case of lots with water access only, the lot line at the natural boundary. Where two or more lot lines are common to a lot and a highway, the shortest lot line along a highway shall be deemed to be the front lot line."

6) All instances of the following sentence be amended by replacing it from:

"The minimum permitted lot area for lands shown in the Zoning Bylaw layer at http://imap2.comoxvalleyrd.ca/imapviewer/ is 4.0 hectares."

To:

"The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares."

7) All instances of the following phrase be amended by replacing it from:

"On any lot 2000 square metres in area or larger: a) Domestic agriculture"

To:

"Domestic agriculture" in the same section following the last item listed under "On any lot:" and the lists be re-numbered accordingly.

8) Section 304(1)(i) be amended by replacing the regulation from:

"A maximum of six (6) chickens are permitted per lot."

To:

"A maximum of six (6) chickens are permitted to be kept on lots 0.2 hectares or larger. A maximum of four (4) chickens are permitted to be kept on lots under 0.2 hectares."

9) Section 304(2)(i) be amended by replacing the regulation from:

"A maximum of four (4) colonies and four (4) nucleus colonies are permitted per lot."

To:

"A maximum of four (4) colonies and four (4) nucleus colonies are permitted on lots 0.2 hectares or larger. A maximum of two (2) colonies and two (2) nucleus colonies are permitted on lots under 0.2 hectares."

10) Section 305(2)(ii) be amended by replacing the regulation from:

"On a lot which is 1 hectare or greater no more than two commercial vehicles with a maximum gross vehicle weight of 26,100 kg or greater, associated with the homebased business. Commercial vehicles must be screened from adjacent lots and public roads by either vegetation, fencing, berms, or any combination thereof, which creates a solid screen."

To:

"On a lot which is 1 hectare or greater no more than two commercial vehicles with a maximum gross vehicle weight of 26,100 kg, associated with the homebased business. Commercial vehicles must be screened from adjacent lots and public roads by either vegetation, fencing, berms, or any combination thereof, which creates a solid screen."

11) Section 315(2)(v) be amended by replacing the regulation from:

"A carriage house shall not contain any floor area below grade level."

To:

"The second storey of a carriage house shall not be at or below natural grade level."

12) Section 901(4)(ii) be amended by moving this section:

"ii) All permitted uses listed in Section (3), Conditions of Use, shall be subject to the following conditions:

a) No parking, loading or storage areas shall be located within 1.5 metres of any lot line.

b) All outdoor storage use shall be screened from any abutting property zoned under Part 700, Residential Zone, in accordance with Section 310."

To follow Section 901(3)(i) and by updating the reference text, so it becomes:

"ii) All other permitted uses shall be subject to the following conditions:

a) No parking, loading or storage areas shall be located within 1.5 metres of any lot line.

b) All outdoor storage use shall be screened from any abutting property zoned under Part 700, Residential Zone, in accordance with Section 310."

13) Section 1101(1)(iv) be amended by inserting Campground as item (j) and renumbering the remaining items of the list, so that this section be changed from:

"iv) In District RFW (Resort Facilities West)
a) Resort recreation
b) Resort recreation facility
c) Performing arts facility
d) Trade, convention and conference facility
e) Service establishment
f) Office
g) Restaurant
h) Liquor Licensed establishment
i) Retail
j) Tourist accommodation
k) Emergency Services, including accommodation for emergency services personnel"

To:

"iv) In District RFW (Resort Facilities West)
a) Resort recreation
b) Resort recreation facility
c) Performing arts facility
d) Trade, convention and conference facility
e) Service establishment
f) Office
g) Restaurant
h) Liquor Licensed establishment
i) Retail
j) Campground
k) Tourist accommodation
l) Emergency Services, including accommodation for emergency services personnel"

Section Two <u>Map Amendment</u>

1) The map in Appendix 1 of this bylaw is inserted as Schedule B of Bylaw No. 520, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019."

2) Map Schedules "A-1" to "A-13" of Bylaw No. 520, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019." be replaced by maps with the same schedules in Appendix 2.

Subdivision Requirements For Specific Properties

Properties subject to a minimum lot size of 4 hectares for subdivision

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Comox Valley REGIONAL DISTRICT

Schedule B
Rural Comox Valley Zoning Bylaw, No. 520, 2019

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Zoning Map Index

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UR
A-3
A-2

Strathcona Regional District
Powell River
Powell River Regional District
Courtenay
Comox
Cumberland
Denman Island
Hornby Island
Alberni-Clayoquot Regional District

PARTICIPANTS: All Electoral Areas, Except Denman & Hornby Islands

Bylaw History
Bylaw 520 - Oct 29, 2019 (parent bylaw)
Bylaw 568 - Amd #2 - Apr 7, 2020 (RZ4C18-Pajak) (intro to R-1-9)
Bylaw 593 - Amd #1 - May 12, 2020 (RZ5C18-Unger) (intro to R-1-10)
Bylaw 609 - Amd #4 - Jun 23, 2020 (RZ 1C 19-Zimmerman) (CR-1 to IL)
Bylaw 619 - Amd #5 - Sep 15, 2020 (RZ 1c 19 - Sturdi Construction Ltd.) (CR-1 to CR-1-11)

Comox Valley REGIONAL DISTRICT

Map 'A-1'

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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See Map Schedule 'A-3'

See Map Schedule 'A-1'

Refer to Nanaimo Regional District

Refer to Nanaimo Regional District

Comox Valley Regional District

Nanaimo Regional District

30 metre Bathymetric Contour Line

Refer to Islands Trust

Cougar Smith Creek
Waterloo Creek
Wilfred Creek
Rosewall Creek
McNaughton Creek
Roaring Creek
Cook Creek
Thames Creek
Mud Bay
Deep Bay
Sandy Creek
Chef Creek
MacAulay Creek
Bonsay Creek
Cook Creek Rd
Inland Island Hwy
Island Hwy S
E & N Railway
Cook Creek Loop

BLK 1363, BLK 274, BLK 801, BLK 617, BLK 1365, BLK 276, BLK 1330, BLK 872, BLK 1366, BLK 1104, BLK 986, BLK 253, BLK 267, BLK 198, BLK 256, BLK 1364, BLK 223, BLK 30, BLK 454, BLK 164, BLK 420, BLK 1363

DL 79, DL 5G, DL 87, DL 12, DL 6, DL 225, DL 107, DL 24, DL 108, DL 77, DL 50, DL 15, DL 35, DL 95, DL 29, DL 149, DL 3960

UR (40ha), UR (400ha), RU-20, RU-ALR, RU-20DB, TU-1, CR-1, C-1A, TC-2, SP-1, C-1, IM, IL, UAF, AQ

Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

- Residential One (R-1)
- Residential Rural (R-RU)
- Country Residential One (CR-1)
- Mobile Home Park (MHP)
- Residential Multiple (RM)

Part 800 - Rural/Resource Zones

- Rural Eight (RU-8)
- Rural Twenty (RU-20)
- Rural Twenty Density Bonus (RU-20DB)
- Rural ALR (RU-ALR)
- Upland Resource (UR)
- Water Supply and Resource Area (WS-RA)
- Drinking Water Protection (DWP)
- Aquaculture (AQ)
- Upland Aquaculture Facility (UAF)

Part 900 - Commercial/Industrial Zones

- Commercial One (C-1)
- Commercial One A (C-1A)
- Tourist Commercial One (TC-1)
- Tourist Commercial Two (TC-2)
- Rural Recreation One (RR-1)
- Industrial Light (IL)
- Industrial Heavy (IH)
- Industrial Marine (IM)
- Industrial Storage (IS)
- Seafood Processing One (SP-1)
- Seafood Processing Aquaculture Facility One (SPAF-1)
- Commercial Agriculture (CA)
- Saratoga-Commercial Industrial (S-CI)

Part 1000 - Assembly Zones

- Assembly One (A-1)
- Transportation Utility One (TU-1)

Part 1100 - Comprehensive Development Zones

- Mt.Washington Comprehensive Development Zone (MTW-CD)
- Kensington Comprehensive Development Zone (K-CD)
- Saratoga Beach Estates Comprehensive Development Zone (SBE-CD)

Part 1200 - Exceptions to Zone Designations

- Exception to Parent Zone

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N W E S

This bylaw shall be applicable to Electoral Areas A (excluding Denman and Hornby Islands), B and C of the Comox Valley Regional District.

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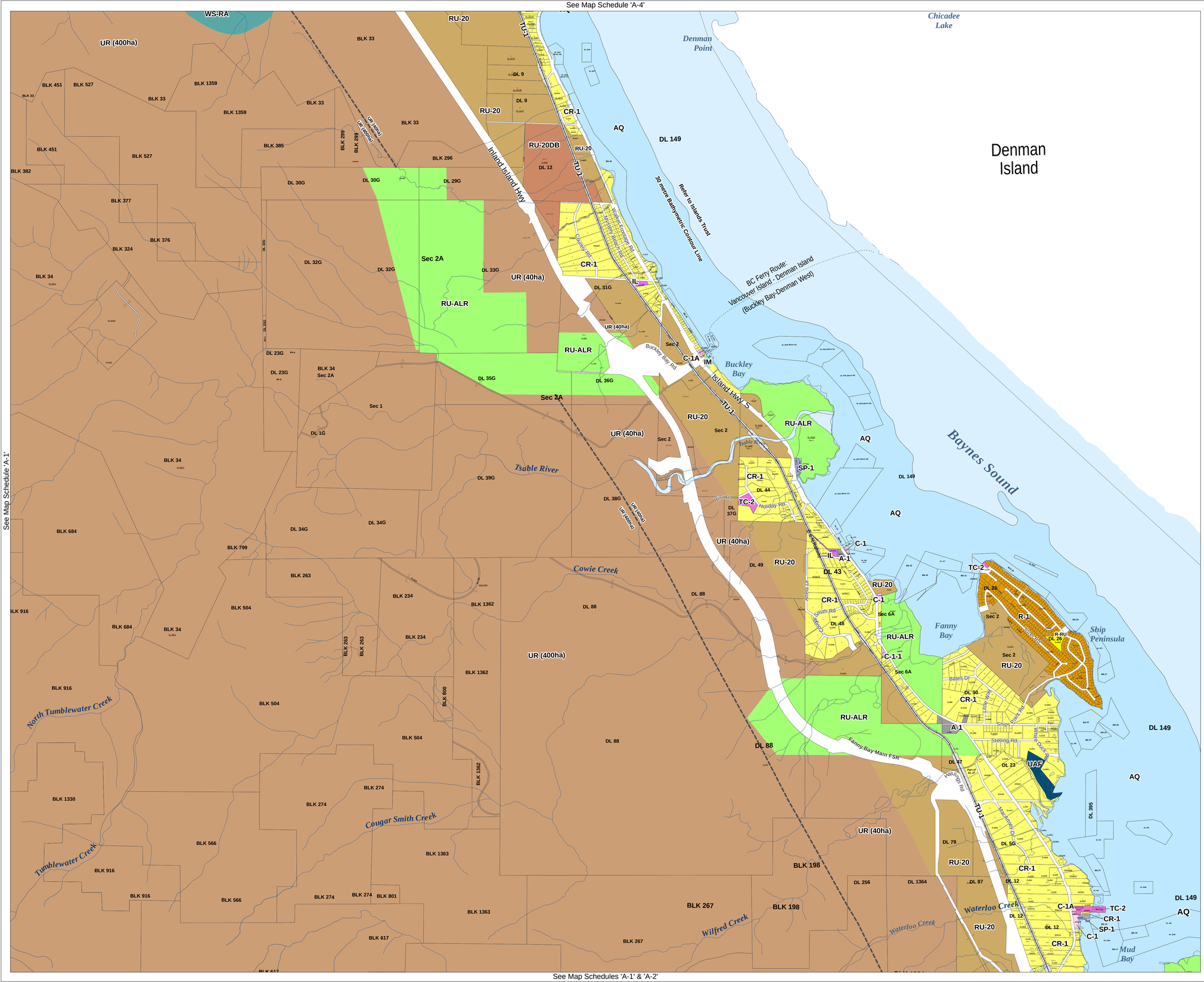
Map Schedule 'A-2'

See Map Schedule 'A-4'



See Map Schedules 'A-1' & 'A-2'

See Map Schedule 'A-1'

See Map Schedule 'A-1'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

- Residential One (R-1)
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- Mobile Home Park (MHP)
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- Upland Aquaculture Facility (UAF)

Part 900 - Commercial/Industrial Zones

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- Commercial One A (C-1A)
- Tourist Commercial One (TC-1)
- Tourist Commercial Two (TC-2)
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- Industrial Heavy (IH)
- Industrial Marine (IM)
- Industrial Storage (IS)
- Seafood Processing One (SP-1)
- Seafood Processing Aquaculture Facility One (SPAF-1)
- Commercial Agriculture (CA)
- Saratoga-Commercial Industrial (S-CI)

Part 1000 - Assembly Zones

- Assembly One (A-1)
- Transportation Utility One (TU-1)

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- Mt.Washington Comprehensive Development Zone (MTW-CD)
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Part 1200 - Exceptions to Zone Designations

- Exception to Parent Zone

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Kilometres

This bylaw shall be applicable to Electoral Areas A (excluding Denman and Hornby Islands), B and C of the Comox Valley Regional District.

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Map Schedule 'A-3'

path: I:\gis\mxmaps\bylaw\zoning\bylaw_maps\A3_TileMap\A3-3.mxd Date: 2019/07/11 Time: 2:29:27 PM User: Tracy_Cyr

See Map Schedule 'A-6'

See Map Schedule 'A-5'

See Map Schedule 'A-1'

See Map Schedules 'A-1' & 'A-3'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

- Residential One (R-1)
- Residential Rural (R-RU)
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Part 1000 - Assembly Zones

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Part 1100 - Comprehensive Development Zones

- Mt.Washington Comprehensive Development Zone (MTW-CD)
- Kensington Comprehensive Development Zone (K-CD)
- Saratoga Beach Estates Comprehensive Development Zone (SBE-CD)

Part 1200 - Exceptions to Zone Designations

- Exception to Parent Zone

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This bylaw shall be applicable to Electoral Areas A (excluding Denman and Hornby Islands), B and C of the Comox Valley Regional District.

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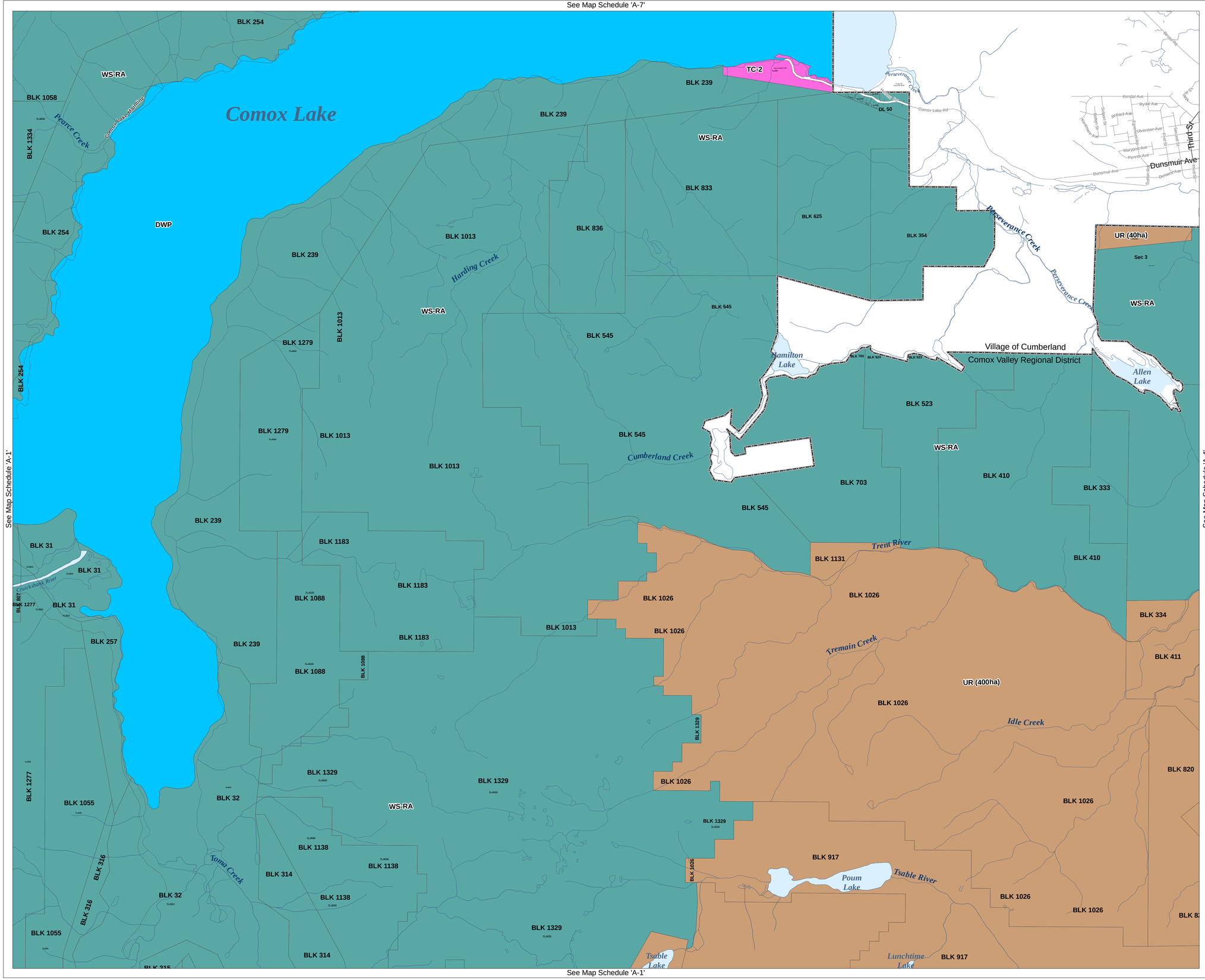
Map Schedule 'A-4'

Document Path: R:\Landuse\Bylaws\Bylaw520\Consol\Sch_YYYYMMDD_Zoning_Sch_A-2 to A-13\ZoningMap_BylawsMinor\mxd\SchemaMapPrint.mxd

See Map Schedule 'A-7'



See Map Schedule 'A-1'

See Map Schedule 'A-1'

See Map Schedule 'A-4'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

- Residential One (R-1)
- Residential Rural (R-RU)
- Country Residential One (CR-1)
- Mobile Home Park (MHP)
- Residential Multiple (RM)

Part 800 - Rural/Resource Zones

- Rural Eight (RU-8)
- Rural Twenty (RU-20)
- Rural Twenty Density Bonus (RU-20DB)
- Rural ALR (RU-ALR)
- Upland Resource (UR)
- Water Supply and Resource Area (WS-RA)
- Drinking Water Protection (DWP)
- Aquaculture (AQ)
- Upland Aquaculture Facility (UAF)

Part 900 - Commercial/Industrial Zones

- Commercial One (C-1)
- Commercial One A (C-1A)
- Tourist Commercial One (TC-1)
- Tourist Commercial Two (TC-2)
- Rural Recreation One (RR-1)
- Industrial Light (IL)
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- Commercial Agriculture (CA)
- Saratoga-Commercial Industrial (S-CI)

Part 1000 - Assembly Zones

- Assembly One (A-1)
- Transportation Utility One (TU-1)

Part 1100 - Comprehensive Development Zones

- Mt.Washington Comprehensive Development Zone (MTW-CD)
- Kensington Comprehensive Development Zone (K-CD)
- Saratoga Beach Estates Comprehensive Development Zone (SBE-CD)

Part 1200 - Exceptions to Zone Designations

- Exception to Parent Zone

0 0.5 1 1.5 2
Kilometres

This bylaw shall be applicable to Electoral Areas A (excluding Denman and Hornby Islands), B and C of the Comox Valley Regional District.

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Map Schedule 'A-5'

Document Path: R:\Land\Kelly\Bylaw\Bylaw520\Comox520_YYYYMMDD_Zoning_Sch_A_2 to 4-15(2)\Maps_EN\MXD_Bylaw520Sch05Overview(Ph3B).mxd

See Map Schedule 'A-8'

See Map Schedule 'A-7'

See Map Schedule 'A-1'

See Map Schedule 'A-4'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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Map Schedule 'A-6'

See Map Schedule 'A-9'

See Map Schedule 'A-1'

See Map Schedule 'A-6'

See Map Schedule 'A-5'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

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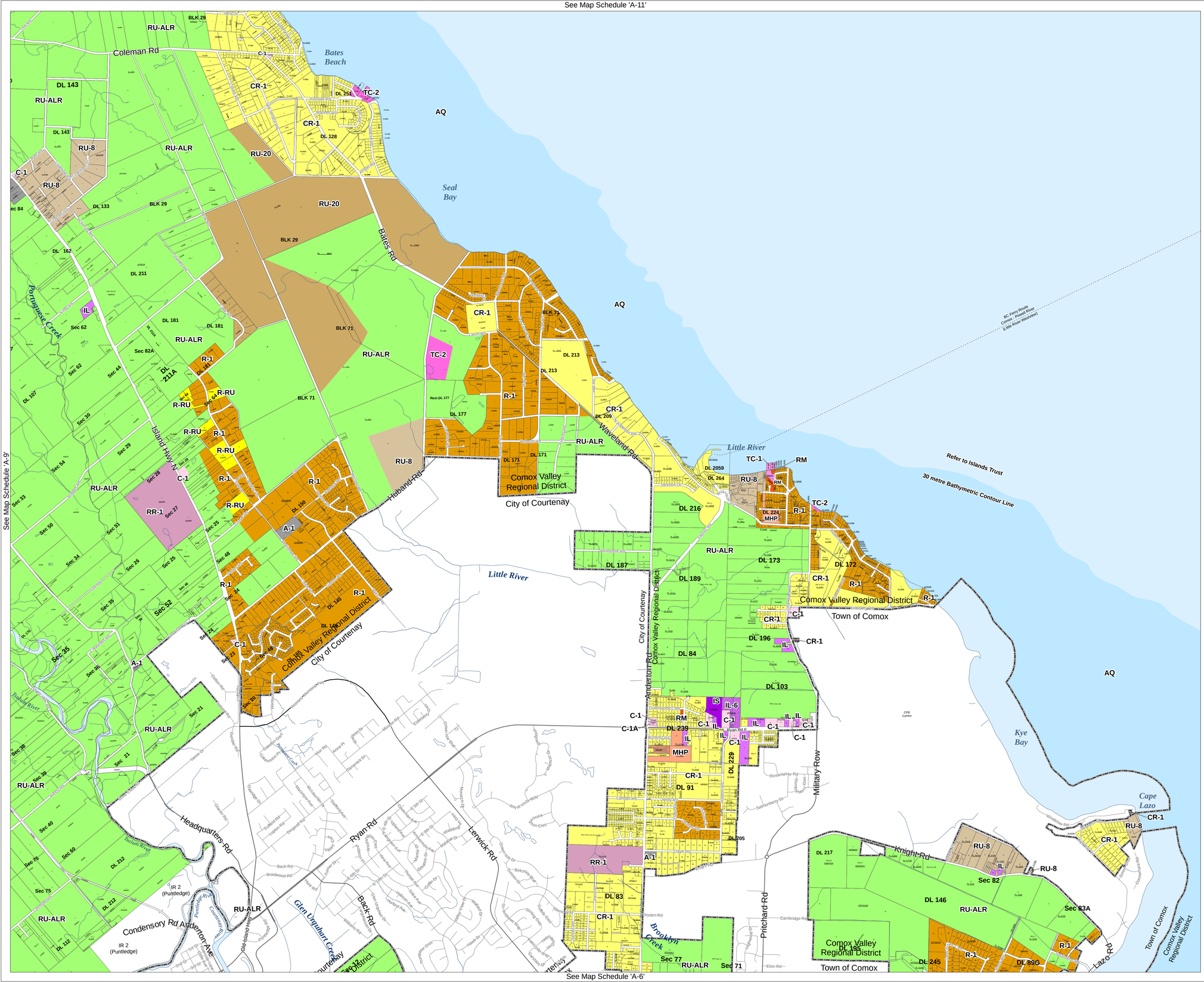
Map Schedule 'A-7'

See Map Schedule 'A-11'

See Map Schedule 'A-9'

See Map Schedule 'A-10'

See Map Schedule 'A-6'



Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

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Map Schedule 'A-8'

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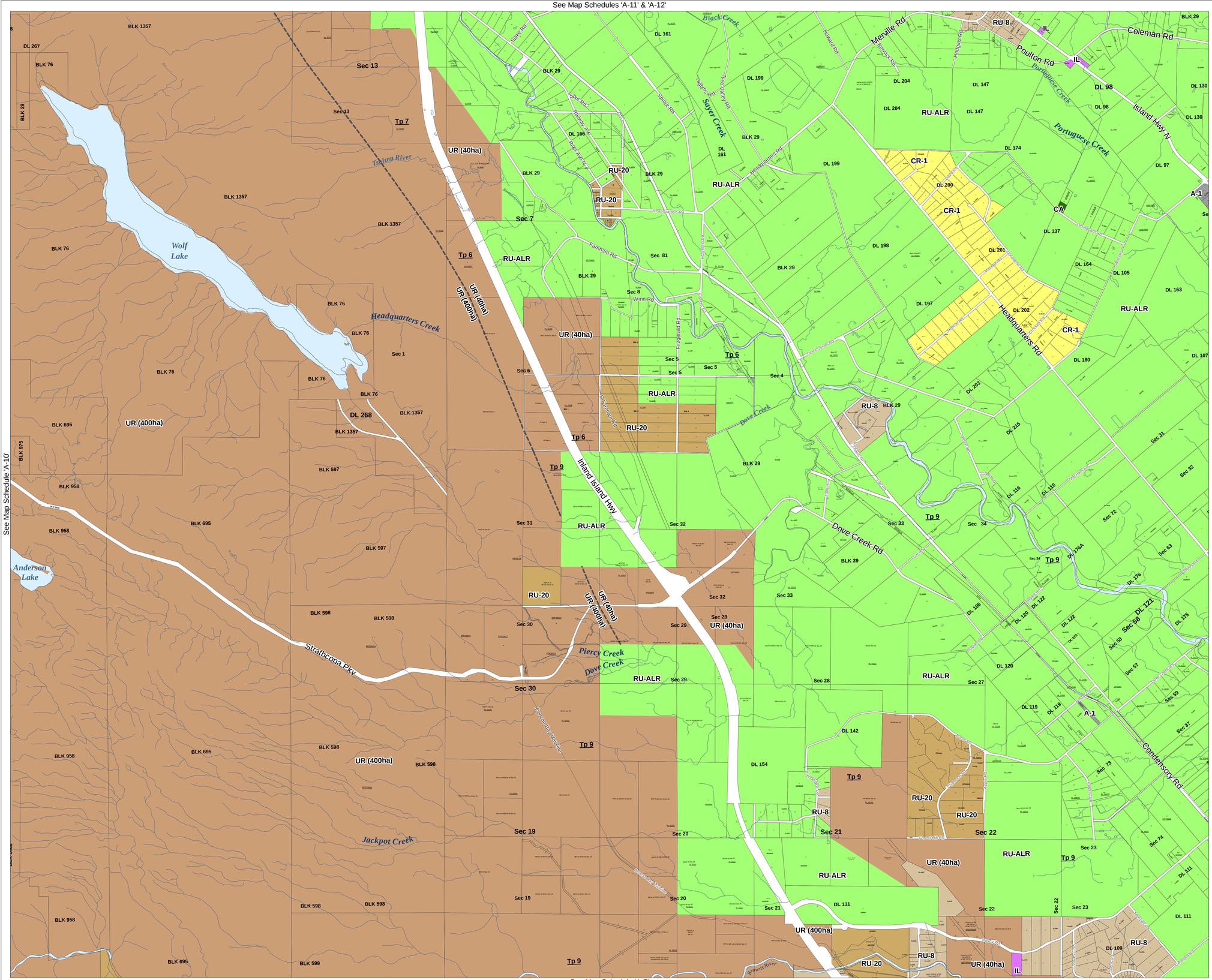
See Map Schedules 'A-11' & 'A-12'



See Map Schedule 'A-10'

See Map Schedule 'A-8'

See Map Schedule 'A-7'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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Part 1200 - Exceptions to Zone Designations

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N W E S

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Map Schedule 'A-9'

Path: I:\gis\Projects\Zoning\Zoning_Update_2017\MXD\Zoning_Update_Maps\Zoning_Update_Maps.aprx
Layout: Map Schedule 'A-9'

See Map Schedules 'A-1' & 'A-12'

See Map Schedule 'A-1'

See Map Schedule 'A-9'

See Map Schedule 'A-1'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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Part 1200 - Exceptions to Zone Designations

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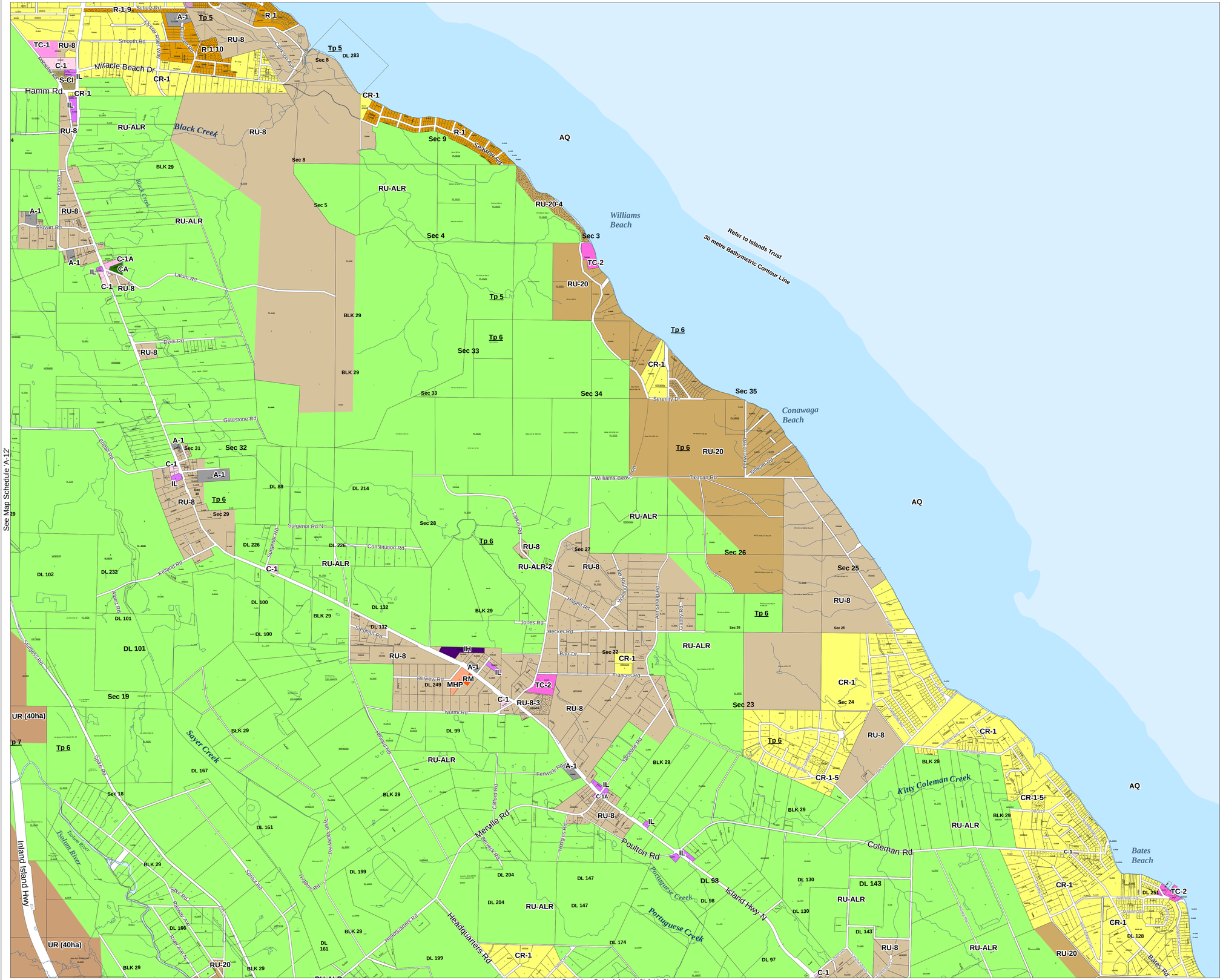
Map Schedule 'A-10'

See Map Schedule 'A-13'

See Map Schedule 'A-12'



See Map Schedules 'A-8' & 'A-9'

See Map Schedule 'A-1'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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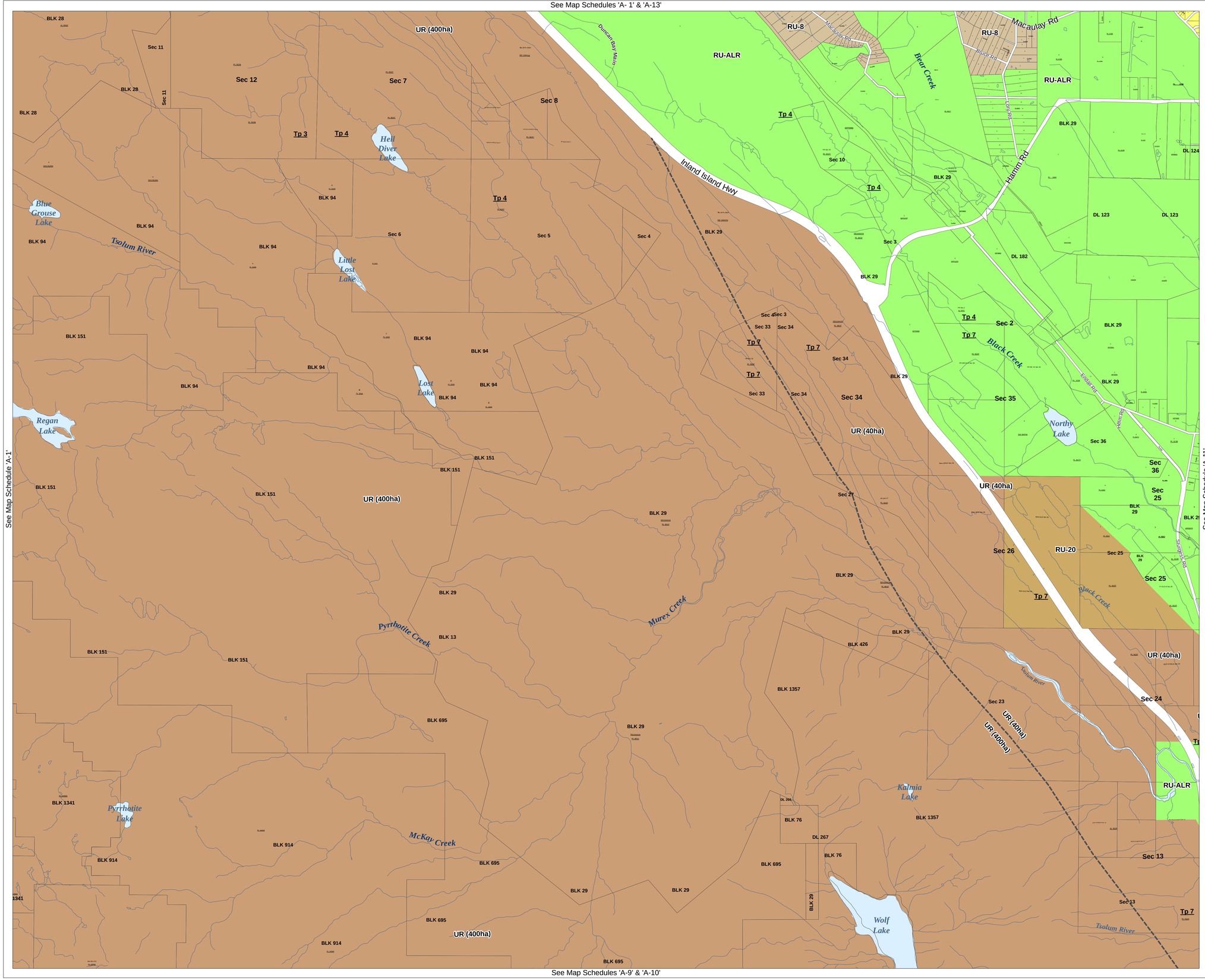
Map Schedule 'A-11'

See Map Schedules 'A- 1' & 'A-13'

See Map Schedule 'A-1'

See Map Schedule 'A-11'

See Map Schedules 'A-9' & 'A-10'



Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

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Map Schedule 'A-12'

Document Path: R:\Land Use\Bylaws\Bylaw 520\Zoning_Bylaw_520_2019_Consolidated_Bylaw\GIS\mxd\520Schedule A-12.mxd

Refer to Strathcona Regional District

See Map Schedule 'A-1'

See Map Schedules 'A-11' & 'A-12'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

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Part 1200 - Exceptions to Zone Designations

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0 0.5 1 1.5 2 Kilometres

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Map Schedule 'A-13'

Comox Valley
REGIONAL DISTRICT

Draft Consolidated
Bylaw No. 520

"Rural Comox Valley Zoning Bylaw, No. 520, 2019"

The Proposed amendments are highlighted.

DRAFT

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required

LIST OF AMENDMENTS

This copy is consolidated for convenience only
and includes the following amendments:

Bylaw No.	Amendment No.	Electoral Area	Adopted	Applicant	Type
520		A, B and C	October 29, 2019	CVRD	Text & Map
568	2	C	April 7, 2020	Pajak	Text & Map
593	1	C	May 12, 2020	Unger	Text & Map
609	4	C	June 23, 2020	Zimmerman	Text & Map
619	5	C	September 15, 2020	Sturdi Construction	Text & Map

DRAFT

Comox Valley Regional District
Bylaw No. 520

A bylaw to regulate land use and subdivision within the Comox Valley area (Electoral Areas A, B and C) of the Comox Valley Regional District

The board of the Comox Valley Regional District in open meeting assembled, enacts the following**:**

Section One: Title

1. This bylaw may be cited for all purposes as Bylaw No. 520 being the "Rural Comox Valley Zoning Bylaw, No. 520, 2019."

Section Two: Application

1. This bylaw shall be applicable to Electoral Areas A (excluding Denman and Hornby Islands), B and C (Comox Valley) of the Comox Valley Regional District**.**
2. Schedule A and Map Schedules A-1 through A-13 attached to this bylaw form part of this bylaw.
3. Schedule B attached to this bylaw forms part of this bylaw.

Section Three: Enactment and Repeal

1. Bylaw No. 2781, being the "Comox Valley Zoning Bylaw, 2005" and all amendments thereto, is hereby repealed.

DRAFT

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Part 100 Administration

101 Application

1. The provisions of this bylaw apply to that part of the Comox Valley Regional District contained within Electoral Areas A (excluding Denman and Hornby Islands), B and C shown on Schedules A-1 to A-13 which are attached hereto and form part of this bylaw.

2. Where a zone boundary is designated as following a road allowance or watercourse, the centre line of such road allowance or watercourse shall be the zone boundary.

3. Where a zone boundary does not follow a legally defined line and where the distances are not specifically indicated on Schedules A-1 to A-13, the location of the boundary shall be determined by scaling from the schedules.

4. Where a lot contains more than one zone:

i) Each zoned area shall be treated to be a separate lot for the purpose of determining compliance with the provisions of its zone.

ii) The zone that permits the greater residential density shall be used to determine the maximum number of dwellings that may be permitted on the lot.

5. Where a zone boundary abuts the sea, the natural boundary is the zone boundary.

6. Where two or more regulations within this bylaw conflict, the more restrictive regulation shall apply.

102 Permitted Uses

1. No land, surface of water, building, or structure in any zone shall be used for any purpose other than those specified for the zone in which it is located. Uses not expressly listed as a principal or accessory use within a zone are prohibited.

2. Existing lots with less than the required minimum lot area and frontage for subdivision may be used for the permitted uses in any zone, subject to compliance with other provisions identified in this bylaw.

3. Nothing in this bylaw exempts any person from complying with the applicable requirements of:

i) Any other bylaws of the Comox Valley Regional District.

ii) Any enactment of the federal or provincial government.

103 Buildings and Structures

1. No building or structure shall be constructed, reconstructed, altered, moved or extended by the owner, occupier or other person such that it contravenes the provisions of this bylaw.

2. No lot shall have constructed or placed upon it by the owner, occupier or other person, a greater density of buildings and structures than that permitted in the zone in which the lot is located.

104 Subdivision

1. No land, building or structure shall be subdivided in contravention of this bylaw.

105 Enforcement

1. The Chief Administrative Officer, Corporate Legislative Officer, Comox Valley Regional District officers, General Manager of Planning and Development Services Branch, Senior Manager of Sustainability and RGS, Manager of Planning Services, Planners, Manager of Building Services, Building Officials, Manager of Bylaw Compliance, Bylaw Compliance Officers and their delegates, are hereby appointed by the board pursuant to the *Local Government Act (RSBC, 2015, c. 1)* to administer this bylaw.

2. Persons referred to in Subsection (1) may enter at all reasonable times on any property that is subject to this bylaw to ascertain whether the requirements of the bylaw are being met or the regulations are being observed.

106 Violation

A person who is an owner or occupier of land commits an offence under this bylaw if that person does any of the following:

1. Uses land, the surface of water, a building or structure other than for a purpose specified for the zone in which the land, surface of water, building or structure is located.

2. Constructs, reconstructs, alters, moves or extends a building or structure so that the building or structure contravenes the provisions of this bylaw.

3. Constructs or places on a lot buildings or structures which exceed the density permitted by this bylaw in the zone in which the lot is located.

4. Causes or permits any act or thing to be done in contravention of any provision of this bylaw.

5. Fails to comply with an order, direction or notice given under this bylaw or prevents or obstructs or attempts to prevent or obstruct a person authorized under Section 105(1) from entering onto property.

107 Penalty

1. Any person who violates a provision of this bylaw, or who allows any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and:

i) On Summary conviction is liable to a fine of not less than $5,000 and not more than $10,000; or

ii) On conviction of a ticket offence under the Comox Valley Regional District Municipal Ticket Information Bylaw.

2. If an offence is a continuing offence, each day that the offence is continued constitutes a separate and distinct offence.

108 Appeals, Amendments and Permits

1. Exemptions, variances, permits and amendments may be approved pursuant to this bylaw or to the "Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014," and amendments thereto being Bylaw No. 328.

109 Severability

1. If any section or subsection of this bylaw is found to be invalid, it may be severed without affecting the validity of the remainder of the bylaw.

Part 200 Interpretation

The following definitions shall be used to interpret this bylaw. Those definitions of terms defined in the *Local Government Act* (RSBC, 2015, c. 1), *Interpretation Act* or *Community Charter* that are identical to the statutory definitions are deemed to be amended if the statutory definition is amended.

"Abattoir" means a building or structure specially designed to accommodate the penning and slaughtering of animals and the preliminary processing of animal carcasses and may include the packing, treating, storing and sale of the product on the premises.

"Accessory" means customarily incidental and subordinate to a principal use of land, building or structure permitted on the same lot, or strata lot in the same strata plan if the accessory use is located on the common property in a strata plan.

"Accessory building" means a building or structure, the use of which is accessory to the principal permitted use of the lands, buildings or structures located on the same lot as the accessory use, or, in the case of common property in a strata plan, a principal use, building or structure on a strata lot within the same strata plan but excludes farm buildings where agricultural use is a principal use.

"Accessory dwelling unit" means an additional self-contained dwelling unit which is secondary to a principal dwelling unit which is located on the same legal lot as the principal dwelling unit. An accessory dwelling unit can take the built form of a secondary suite, carriage house or a secondary dwelling and is intended for residential use.

"Additional residence for farm use" means a building on a farm used as a home or residence by:

1. A full-time employee of the farm and his/her spouse and children.
2. A member of the land owner's immediate family, as defined in the Agricultural Land Reserve Use Regulation.
3. Temporary farm worker(s).

"Affordable housing" means housing that is affordable to low and moderate income households. The commonly accepted standard of affordability is that housing costs do not exceed 30 per cent of a household's gross income.

"Aggregate materials and products" includes processed aggregate materials such as sand and gravel, or related finished products such as bark mulch, soils, or composted materials. No onsite composting, processing, gravel crushing or screening is permitted.

"Agri-accommodation sleeping unit" means:

1. A bedroom or other area used as a bedroom within an agri-tourism accommodation cabin.
2. A tent or recreational vehicle on an agri-tourism accommodation campground.

"Agri-tourism" means a tourist activity, service or facility accessory to the agricultural use of the land that is classified as a 'farm' under the *Assessment Act*.

"Agricultural" means the use of land, buildings or structures for the growing, rearing, producing, packing, storing and harvesting and wholesaling of agricultural crops or raising livestock; includes processing crops grown on the land, the storage and repair of farm machinery and implements of husbandry used on that farm, and the storage, sale and processing of agricultural products harvested, reared or produced by the agricultural use. For the purpose of this bylaw, Agriculture also includes apiculture and aquaculture, but excludes cannabis production.

"Animal kennel" means any structure or premises in which animals are kept, boarded, bred, or trained for compensation.

"Applicant" means the owner of the property, or an agent of the owner, who has made an application under Bylaw No. 328, and amendments thereto, being the "Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328.

"Approving officer" means Approving Officer designated as such pursuant to the *Land Title Act* or the *Strata Property Act* or other such regulations or legislation as may from time to time be adopted by the provincial government.

"Aquaculture" means the growing, cultivation and harvesting of aquatic plants, fish or invertebrates such as sea cucumbers or shellfish for commercial purposes, in any water and on land environment, including man-made containers of water.

"Assembly use" means the use of lands, buildings or structures which provides for the gathering of persons for religious, charitable, political, social, entertainment, philanthropic, recreational, cultural or educational purposes; may include places of worship, auditoria, community halls, daycare centres and similar uses.

"Assisted living" means a residential development that provides for primarily independent living, with limited service establishment, such as housekeeping and laundry services.

"Automobile body shop" means a premise used or intended to be used for the repair and replacement of automobile body parts, and painting of automobiles but does not include the demolition of vehicles and storage of parts from derelict vehicles for this purpose.

"Automobile service station" means a premise used or intended to be primarily used for the selling and dispensing of vehicular fuels, electric energy and other automotive fluids. The sale of automotive parts and accessories, as well as the washing or servicing and repair of vehicles, excluding body repairs is permitted in conjunction with an automobile service station.

"Automobile wrecking yard" means a place where two or more derelict vehicles are stored, kept, disassembled or repaired and where parts from derelict vehicles may be salvaged, purchased or reused.

"Average natural grade level" means that the average natural grade level at the perimeter of a building or structure, calculated by averaging the natural grade levels at the midpoints of all the exterior walls.

"Barge facilities" means an area on the surface of water together with a ramp facility at an adjacent upland location or a dock facility from an upland location extending into the water which allows for the movement of equipment or goods between a floating barge and the upland.

"Bed and Breakfast" means a home occupation use that provides bedrooms within a principal dwelling unit and the first meal of the day for the travelling public, but does not include boarding house and involves stays less than 30 consecutive days in compliance with Section 306 of this bylaw.

"Bee" means the honey producing insect *Apis mellifera*.

"Beehive" means an enclosed, manmade structure which house a colony or worker-bees with a queen and drones.

"Boarding house" means a residential dwelling, in which furnished sleeping accommodations, with or without furnished meals, are provided for residential accommodation.

"Boat" means a vessels used for recreation or the transportation of people or goods but does not include any permeant residential or commercial accommodation.

"Buffer" means an area within a lot, generally adjacent to and parallel with a property line, consisting of either existing vegetation or created by use of trees, shrubs, berms and fencing, and designed to obscure views from adjacent lots or public roads by at least 50 per cent of the see-through visibility.

"Building" means a structure wholly or partly covered by a roof or roofs supported by walls or columns which is permanently affixed to the land and is intended for supporting or sheltering any use or occupancy.

"Bulk storage" means the storage of chemicals, petroleum products, water, and other materials in above-ground or below-ground containers for subsequent resale to distributors, retail dealers or outlets.

"Campground" means an area of land in which spaces are provided, occupied and managed for the temporary accommodation of the travelling public for a maximum length of stay of six (6) months in a 12 month period, in tents or recreational vehicles, which have been brought to the site. It does not include cabins, hotels, mobile homes, or mobile home parks, motels and park model trailers.

"Cannabis" has the same meaning as in the *Cannabis Act* (Canada), subject to any prescribed modifications.

"Cannabis production" means the commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storing and distribution of plants or scientific research of cannabis or cannabis products under the *Cannabis Act*.

"Camping site" means an area within a campground that accommodates two tents or one recreational vehicle.

"Carriage house" means a two storey building with up to 90.0 square metres of residential floor area on the second storey and non-residential floor area on the first storey. A carriage house is one form of accessory dwelling unit (see Section 315).

"Chicken" means a domesticated female chicken that is at least four months old.

"Chicken coop" means the part of a chicken enclosure constructed of solid walls on all sides and covered with a solid roof.

"Chicken enclosure" means an enclosed structure designed for the keeping of chickens and includes a run and a chicken coop.

"Commercial use" means an occupation, employment, personal service or enterprise that is carried on for gain or monetary profit by any person.

"Commercial moorage" means moorage which is used as part of the operation of a business or commercial service, or where a fee is charged or collected to moor or berth on a temporary basis.

"Commercial vehicle" means any self-propelled or towed vehicle engaged in carrying or designed to carry passengers, goods, wares or merchandise and is licensed as a commercial vehicle.

"Community care facility" means a facility that is licensed or is under permit by the Province of BC pursuant to the *Community Care and Assisted Living Act*.

"Community garden" means the use of land for the growing and harvesting of plants, vegetable, or fruits for the sole use, donation or consumption by the individual or individuals growing or working the community garden. It shall not be considered as a required landscaping area or required landscaping.

"Community sewerage system" means a system of liquid waste collection, treatment, and disposal, which serves two or more dwelling units and is authorized under the *Environmental Management Act* or *Public Health Act*.

"Community water system" means a system for the carriage, distribution or supply of potable water, which serves two or more dwelling units and is authorized under the *Drinking Water Protection Act*.

"Conference facilities" means a building or structure designed and built to host conferences, exhibitions, large meetings, seminars and training sessions. A conference centre may also include offices and provides for a range of leisure activities.

"Congregate care" means a residential facility that provides a variety of health care and personal services, such as, but not limited to skilled nursing, housekeeping, personal care, meal preparation and service in a communal dining area.

"Craft beverage processing" means a building or structure used for processing, storing and retail sales of beer, cider, spirits, mead or wine produced by a micro-brewery, cidery, craft distillery, meadery or winery, and may include areas for sampling of beverage alcohols that are manufactured on site, retail display and sales for off-site consumption that complies with provincial liquor laws.

"Density bonus" means an incentive based planning tool that permits developers to increase the maximum allowable development on a property in exchange for helping the community achieve public policy goals. Increased density may be in the form of developed square footage, the number of developed units, or the number of created lots which can be used either on site or transferred off site.

"Depth" means the distance between the front lot line and the rear lot line or, in the case of a lot with water frontage, between the two front lot lines.

"Derelict vehicle" means the storage, collection or accumulation of all or part of any vehicle, including any recreational vehicle, camper, boat, or trailer, or any part thereof, which:

1. Is physically wrecked or disabled; or
2. Is not capable of operating under its own power; and
3. Is not validly registered and licensed in accordance with the *Motor Vehicle Act*.

"Domestic agriculture" means the agricultural use which satisfies the requirements of Section 304 of this bylaw.

"Domestic industrial use" means a use accessory to a principal residential use comprising the storage, parking, maintenance, service and repair of vehicles and equipment other than vehicles and equipment for agricultural use and includes service establishment, fabricating, manufacturing, testing, service, repairing, and maintenance of goods or materials and wholesale and retail sales accessory to the fabricating, manufacturing, warehousing, testing, service repairing, or maintenance activity but does not include motor vehicle salvage, scrap salvage, wrecking yards and bulk storage in compliance with Section 307 of this bylaw.

"Duplex dwelling" means a building divided into two dwelling units neither of which is a mobile home or secondary suite.

"Dwelling unit" means a self-contained room or suite of rooms within a building that is operated as a housekeeping unit, or intended for use as residential premises for one household with sleeping and sanitary facilities and not more than one kitchen facility, but excludes recreational vehicles. An additional kitchen facility may be permitted where required by a provincial health agency to operate a home occupation or domestic industrial use involving food products.

"Emergency services" means the use of land, buildings, or structures for the provision of police, fire, ambulance, medical, first-aid and rescue services.

"Environmentally sensitive areas" means areas of land, or land and water, which contain fish or wildlife habitat, or terrain or vegetation which may be sensitive to development or disturbance including but not limited to wetlands, riparian areas, leave strips, remnants of old-growth forest, larger patches of mature forest, herbaceous communities, woodlands, vegetated coastal bluffs, and scarcely vegetated areas such as cliffs, sand dunes and spits, and sensitive ecosystems mapped under the *Sensitive Ecosystems Inventory* as produced by Environment Canada and the Ministry of Environment.

"Fairground" means an area used for the placement of stalls, booths or amusements for public entertainment and the sale of goods displayed in stalls, booths or outdoor display areas.

"Farm" means one or more lots operated as a farm business and assessed as a "Farm" by the *Assessment Act*.

"Farm building" means a building or part thereof which does not contain a residential occupancy and which is associated with and located on, land devoted to the practice of agriculture, and used for the housing of equipment or livestock, or the production, storage or processing of agricultural or horticultural produce or feeds.

"Farm product" means a commodity that is produced from an agricultural use as classified within the *Agricultural Land Commission Act* and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. No. 171/2002*.

"Fence" means a constructed barrier of any material or combination of material erected to enclose or screen areas of land. For the purpose of calculating fence height, any archway, arbour, trellis or pergola affixed to or supported by a fence shall be deemed part of the fence.

"Fish hatchery" means a use providing for the incubation, hatching or rearing of fish.

"Fish hatchery, community based" means a salmonid enhancement project providing for the incubation, hatching or rearing of fish, involving non-profit societies, members of the public or community groups and typically located on private lands.

"Float home" means a structure built on a floatation system, which is used for residential use and which is not intended for navigation, or useable as a navigable craft.

"Floor area" means the space on a storey of a building measured between exterior walls and required firewalls, but does not include exits and vertical service spaces that pierce a storey.

"Floor area ratio" means the gross floor area of all buildings on a lot divided by lot area.

"Foreshore" means that land lying between the level of high tide and the level of the mean low tide.

"Front yard" means the area of a lot between the front lot line to a line drawn parallel to the front lot line equal to the minimum required building setback from the front lot line as illustrated in Figure 3. (See "Setback".)

"Frontage" means the total length of all lot lines which adjoin a highway or access route in a strata plan and includes, in the case of a lot with water access only, that lot boundary fronting on a body of water.

"Fuel" includes any liquefied petroleum gas, automotive diesel, liquefied natural gas, compressed natural gas, ethanol, biodiesel and any substance that is sold or represented as vehicular fuel.

"Gaming" means the operating, carrying on, conducting and maintaining of games of chance and includes bingos, video lottery terminals, slot machines, roulette, craps tables, black jack, poker and similar games played for money or other consideration.

"Gaming, charity" means gaming ancillary to a scheme of charitable fund-raising operated by or on behalf of a charity registered under the *Income Tax Act (Canada)*.

"Gambling establishment" means the use of land, buildings or structures for gaming.

"General contractor services and storage yard" means the use of land, buildings or structures to store equipment, construction supplies, building equipment, landscaping equipment, and contractor trailers for an individual or for a contractor engaged in building or other construction businesses including but not limited to: heating, plumbing, electrical, structural, finishing, demolition, transportation, concrete, masonry, excavating, landscaping, paving, road construction, or similar services of a construction nature which requires on-site storage space for construction equipment or vehicles normally associated with the contractor service. Normal maintenance and repair of associated contractor equipment, vehicles and machinery is allowed within an enclosed building. The storage of derelict vehicles and equipment is not permitted.

"Golf course" means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar ancillary facilities necessary for golf purposes and which may include buildings necessary for the maintenance and administration of the golf course. This excludes indoor and outdoor recreation facilities such as, but not limited to, squash, racquetball, tennis, and swimming pools and any commercial use other than ancillary uses that are normally associated with a golf course facility.

"Grade level" see "Natural grade level".

"Gross floor area" means the total area of all floors in a building measured between exterior walls and required firewalls. The following are excluded: the areas of canopies, sundecks, outside stairs, separate and attached carports, covered entranceway to a maximum of 10 square metres in area, attic spaces and floor space devoted to a storey having a height of 1.5 metres or less.

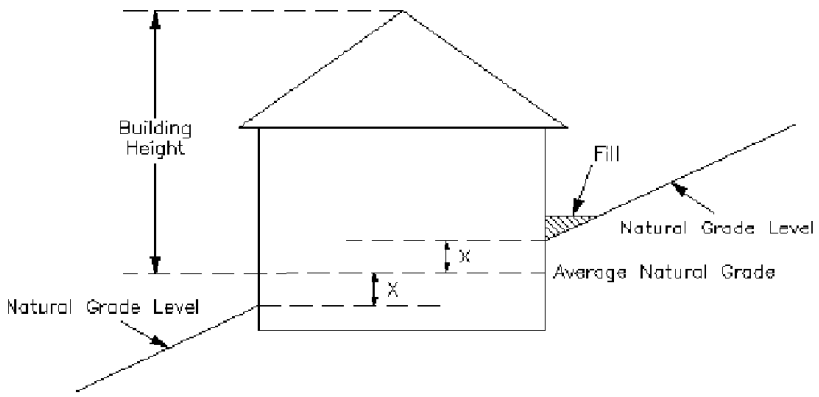
"Habitat" means the attributes of an area that, in combination, influence or create the conditions under which animal and plant organisms live and develop.

"Health club/spa" means an establishment containing exercise equipment and facilities for general health, fitness, relaxation and personal treatments, and may contain pool facilities.

"Heavy industrial use" means wholesaling, processing, fabricating, testing, assembling, service, repairs, manufacturing, distribution or maintenance of goods or materials including bulk storage, scrap salvage, motor vehicle salvage, wood processing, meat and seafood processing, automobile service stations, and retail sales accessory to a principal use.

"Height" in respect of a building or structure means the vertical distance from the natural grade level of the building footprint to the highest part of the roof surface. See Figure 1.

Figure 1: Height of Building



"Highway" means a public street, road, lane, bridge, viaduct, and any other way open to public use, but does not include a private right-of-way on private property.

"Home occupation" means any trade, occupation, profession or craft carried on for remuneration or financial gain and which is accessory to the principal residential use of a lot in compliance with Section 305 of this bylaw.

"Hostel" means a facility used as a temporary place of lodging for the travelling public which may include common areas for washing, cooking, dining and socializing and which may also contain an accessory dwelling unit intended for permanent residential use by one household.

"Industrial equipment maintenance and repair" means enclosed premises used for the maintenance and repair of operable industrial vehicles and equipment and the storage of parts.

"Industrial equipment sales & services" means the use of land, buildings or structures for the display, sale, or rental of assembled, operable industrial vehicles and equipment. Storage of parts, repair of vehicles and equipment, vehicle and equipment salvage, or wrecking operations not within an enclosed building are excluded.

"Institutional use" means the use of land, buildings or structures for providing governmental functions; includes but is not limited to government offices and storage yards, schools, hospitals, community centres, parks, playgrounds, fire halls, cemeteries, arts, cultural and heritage uses including artists' studios, galleries, arts and cultural program space and associated shops and cafes.

"Intensive agricultural use" means the use of land, buildings and structures for the confinement, growing, producing, harvesting, slaughtering, processing of poultry, livestock or fur bearing animals, including the operation of feedlots, or for the growing of mushrooms.

"Interpretive / cultural centre" means a premises that may include display areas, kiosks, and viewing areas intended to provide information on geographic, environmental, cultural or habitat features; retail, and accessory sales of prepared food.

"Kitchen facilities" means facilities intended or used for the preparation or cooking of meals, and includes any room or portion of a room containing counters, cabinets, sinks and appliances, including stove, oven and, hotplates, used for such purposes, or supplied with electrical wiring for the installation of such appliances.

"Land" means any interest in land, including any right, title or estate in it of any tenure, with all buildings, unless there are words to exclude building and houses, or to otherwise restrict the meaning.

"Leave strips" means the areas of land and vegetation adjacent to watercourses containing fish or wildlife habitats that are designated to remain in an undisturbed state throughout and after the development process.

"Light industrial use" means fabricating, manufacturing, testing, service, repairs, or maintenance of goods or materials and includes wholesale and retail sales accessory to the light industrial use but excludes motor vehicle salvage, scrap salvage, wrecking yards, bulk storage and wood, meat, and seafood processing.

"Liquor licensed establishment" means an establishment where the consumption of alcoholic beverages is permitted under license issued by the Province of BC.

"Limited neighbourhood commercial" means a commercial development that provides service to a residential neighbourhood, such as a farmers market, veterinary establishment and service establishment but excludes automobile service stations and automotive repair.

"Livestock" means any animal raised or used in an agricultural operation.

"Log handling" means log dumping, storage, sorting, booming, barging and hauling.

"Lot" means any lot, block or other area in which land is held or into which it is subdivided.

"Lot area" means the area of land within the boundaries of a lot.

"Lot coverage" means the total horizontal area of all buildings and structures on a lot measured to the outside of the exterior walls including the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a structure with no exterior wall, measured to the drip line of the roof.

"Lot line" means a line which marks the boundary of a lot and in particular:

1. Front lot line means the lot line which is common to the lot and a highway or in a case of lots with water access only, the lot line at the natural boundary. Where two or more lot lines are common to a lot and a highway, the shortest lot line along a highway shall be deemed to be the front lot line.
2. Rear lot line means the lot line opposite to and most distant from the front lot line and where the rear portion of a lot is bounded by intersecting side lot lines, the point of intersections shall be deemed to be the rear lot line.
3. Side lot line means a lot line other than a front or rear lot line.

"Low impact recreation" means activities of sport or leisure such as hiking, hunting, fishing, snowshoeing, skiing, canoeing, kayaking, and windsurfing which do not involve the use of motorized vehicles or equipment or require the construction of buildings or structures.

"Manufacturing" means mechanical or chemical transformation of materials or substances into new products, and the processing of such products.

"Marina" means a facility for berthing, fueling, launching, mooring, securing, servicing and storing boats, float planes and other marine vessels, including accessory uses such as administrative offices, public facilities for showering and laundry, restaurants, retail and rental shops, and tourist kiosks but does not include permanent or indefinite moorage or berthing of vessels occupied as a residence.

"Medical health officer" means the Medical Health Officer appointed under the *Health Act* who has jurisdiction over the area in which land is located.

"Mini-storage" means a building or structure containing separate individual storage units, designed to be rented or leased to the general public for storage of personal goods, materials and equipment.

"Mixed use" means permitting more than one type of land use in a building or set of buildings, including but not limited to residential, commercial and institutional. Residential not to be located on the first floor.

"Mobile home" means a factory built manufactured home that conforms to the Canadian Standards Association's Z240 MH standard, but excludes recreational vehicles.

"Mobile home area" means that part of a mobile home park used primarily for installed mobile homes, including additions, permitted by this bylaw, and which is not used for buffer area, leave strips, owner's residential plot, the procuring and treatment of water, sewage treatment, effluent disposal from a collective sewage treatment plant, garbage disposal, or ancillary buildings.

"Mobile home park" means a lot used for the accommodation of two or more mobile homes.

"Mobile home space" means an area of land in a mobile home park used for the installation of one mobile home with additions permitted by this bylaw and situated within a mobile home area.

"Mobile vendor" means a vendor who sells goods, food or food products from a mobile vending unit which is capable of being moved on its own wheels and is fully self-contained with no service connection required in compliance with Section 308 of this bylaw.

"Modular home" means a factory built manufactured home certified under the Canadian Standards Association's A277 standard.

"Moorage" means a place where vessels and float planes can be tied up or otherwise secured.

"Motor vehicle" excludes vehicles designed to be used exclusively on stationary rails or tracks, vehicles moved by human power, mobility scooters, and motor-assisted bicycles.

"Multi-residential dwelling" means a building divided into three or more dwelling units such as an apartment, townhouse or row house where each unit is occupied or intended to be occupied as the permanent home or residence of one household**.**

"Natural boundary" means the visible high watermark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks, in vegetation, as well as in the nature of the soil itself, and also includes the edge of dormant side channels of any lake, river, stream, or other body of water.

"Natural grade level" means the level of the natural ground elevation adjoining each exterior wall of a building or structure.

"Natural ground elevation" means the undisturbed ground elevation prior to the placement of fill and excavation activities.

"Nucleus colony" means a small honeybee colony created from a larger colony and can consist of up to five frames used for rearing and storing of queen bees.

"Office" means the occupancy or use of a building for the purpose of carrying out business, financial or professional activities including financial institutions, travel or real estate agencies, insurance or legal offices, government offices, medical or dental offices, physical therapy, and chiropractor or acupuncture clinics.

"Open space" means the gross area of the subject lot less the gross area of all buildings, exterior areas dedicated to parking, and other hard-surfaced facilities. Open space includes roadways, trails and paths, tennis courts, and public areas such as patios associated with a restaurant.

"Outdoor recreation" means activities of sport and leisure that primarily take place outdoors, such as riding academies, golf courses, waterslides and auto racing and which may include related buildings or structures.

"Outdoor storage" means the keeping of any goods or materials, equipment, or vehicles associated with the principal use in the open air.

"Park" means any area of land or water which is officially designated, or recognized, as an ecological reserve, conservation area, or as an area intended to be used by the public for recreational purposes, all of which are administered by a government agency.

"Park model trailer" means a recreational unit that conforms to the Canadian Standards Association's Z241 Series-03 (2013).

"Parking space" means an open area of land used for the parking of one vehicle but does not include streets or driveways or areas providing access to a parking space.

"Performing arts facility" means an establishment where musical, dance and theatrical performances are conducted for public audiences.

"Plant nursery and greenhouse" means the use of land or buildings for growing, cultivating, harvesting, storing and sale of flowers, trees, bushes, bedding plants, and the sale of related gardening products and materials but excludes cannabis production.

"Portable sawmill" means small wood sawing equipment mounted on tires and designed to be pulled or towed from site to site.

"Poultry" means any domestic fowl, exotic fowl, turkey, goose or duck.

"Principal building" means the buildings and structures on a lot which are used for the principal permitted uses of that lot.

"Principal use" means the main purpose for which a lot, principal building or structure is used.

"Private moorage" means temporary non-commercial moorage associated with the private use of an adjacent upland lot.

"Public moorage" means temporary moorage available for use by the general public.

"Public road right-of-way" see "Highway".

"Railway" means any railway under the jurisdiction of the *Railway Act*, which includes all branches, sidings, bridges and works connected with the railway.

"Real estate sales centre" means a temporary building or structure used for the marketing of real estate on the site on which the real estate is being developed.

"Rear lot line" see "Lot line, rear lot line".

"Rear yard" means the area of a lot between the rear lot line to a line drawn parallel to the rear lot line equal to the minimum required building setback from the rear lot line as illustrated in Figure 3. (See "Setback".)

"Recreation facility" means a facility used and equipped for the conduct of sports, leisure and entertainment activities, instructional courses, equipment rentals, showers and storage but excludes outdoor riding academies, golf courses and outdoor water slides.

"Recreation vehicle" means any structure, trailer, or motorized vehicle, used or designed to be used for temporary living or sleeping purposes and which is designed or intended to be mobile on land, whether or not self-propelled, and includes travel trailers, motor homes, side-in campers, chassis-mounted campers and tent trailers but excludes mobile homes and park model trailers.

"Recreational vehicle (RV) park" means an area of land in which spaces are provided, occupied and managed for the temporary accommodation of the travelling public for a maximum length of stay of Six (6) months in a 12 month period in recreation vehicles, which have been brought to the site.

"Recycling Drop-off centre" One-or more bins for the deposit by general public of household paper, cardboard, cans, glass bottles, or plastics for removal and re-use.

"Regional District" means the Comox Valley Regional District and shall also include the regional board as the governing and executive body.

"Residential use" means the occupancy and use of a dwelling.

"Resort" means commercial tourist accommodation where the primary attraction is generally recreational feature(s) or activities and accommodation is in a lodge, separate accommodation units or a combination of both.

"Resort recreation" means activities of sport or leisure such as hiking, cycling, snowshoeing, climbing and skiing, and may include events or activities for social, cultural and educational purposes.

"Resort recreation facilities" means the use of land, buildings, or structures for the conduct of, and training or instruction in, sports, leisure, social, cultural and educational activities; and may include accessory uses such as, but not limited to, service establishment, equipment sales, rental and repair and accommodation for resort recreation visitors, athletes and staff.

"Restaurant" means an eating establishment providing for the sale of prepared foods and beverages to be primarily consumed on the premises, but may include establishments providing take-out food only. Restaurant does not include premises where food is sold but to which minors are not allowed entry.

"Retail sales" means the sale of goods other than vehicular fuels and cannabis to the general public and the accessory maintenance and repair of goods sold.

"Retaining wall" means a vertical structure used to retain soil for the purpose of altering the natural grade by either excavating from or adding fill to the natural grade.

"Riding academy" means an establishment where horses are boarded and cared for and where instruction in riding, jumping and showing may be offered and the general public may, for a fee, hire horses for riding and includes horse-related events or shows where no paid admission to view the event is required.

"Right-of-way" means a legal right of passage over another's land for a variety of reasons. Rights-of-way may be registered as a charge against a title so as to run with the land.

"Riparian area" means the area adjacent to a stream that may be subject to temporary, frequent or seasonal inundation, and supports plant species that are typical of an area of inundated or saturated soil conditions, and that are distinct from plant species on freely drained adjacent upland sites because of the presence of water.

"Road allowance" see "Highway".

"Roadway" means a private road, street or lane intended primarily for vehicular use.

"Rural resource centre" means the use of buildings and land for conducting scientific research directly related to natural resource uses such as agriculture, aquaculture or forestry, which may include instruction directly related to this research.

"Sawmill" means a facility affixed to the land used for the sawing of logs into dimensional lumber including a planer, a kiln used for the drying of lumber sawn on the lot and other equipment accessory to the production of finished lumber products.

"Scrap salvage yard" means a premises where used articles, waste or discarded material including but not limited to rubber tires, metal, plastics items, glass, papers, sacks, wire, ropes, rags, machinery, cans, and any other scrap or salvage including derelict vehicles, are stored or kept, for private or commercial purposes, or as part of a trade or calling.

"Screening" means a continuous solid fence, wall, berm, compact evergreen hedge, or other densely planted vegetation of sufficient height to visually shield or obscure one abutting structure, building or lot from another, broken only by access drives and walks.

"Seafood processing" means the gutting of finfish, the shucking of mollusks or crustaceans, the freezing, salting, smoking or packaging of aquatic organisms, or the mechanical or chemical transformation of any aquatic organism after it is harvested.

"Seasonal" means a use or activity that fluctuates according to one or more seasons (spring, summer, fall and winter) (but not all seasons) or available or taking place during one or more seasons (but not all season) or at a specific time of the year.

"Seasonal agri-accommodation" means the of agri-accommodation sleeping unit for less than 12 months of the year.

"Secondary suite" means an accessory dwelling unit located within a building which is a single real estate entity used for residential use and which contains only one other dwelling unit (see Section 315).

"Service area" means any part of the regional district within which the Regional District provides a service, established by Bylaw or operated pursuant to the Letters Patent of the Regional District.

"Service establishment" means an establishment where professional or personal services are provided and goods, wares, merchandise, articles or things accessory to the provision of such services are sold. Without restricting the generality of this definition, service establishments may include barbershops, beauty salons, catering, dry cleaning, engineering, fitness centres, health care, tattoo parlours, launderette, legal offices, photographic studios, animal grooming services and shoe repair, but excludes automobile repair.

"Setback" means the required minimum horizontal distance measured from the respective lot line or other feature as may be identified to any building or structure or part thereof.

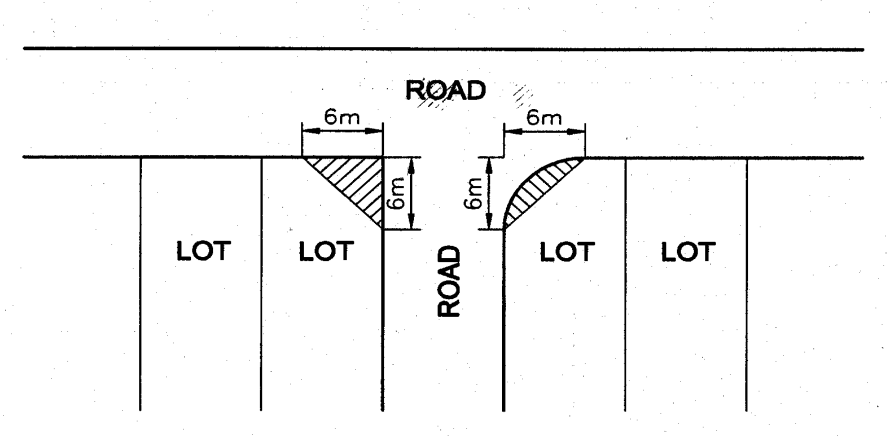
"Shoreline protection device" means breakwaters, seawalls, bulkheads, riprap, deposition of materials such as stone and concrete rubble, bluff stabilization projects, and similar measures employed to protect property from erosion or wave action.

"Side lot line" see "Lot line, side lot line".

"Side yard" means the area of a lot between the side lot line to a line drawn parallel to the side lot line equal to the minimum required building setback from the side lot line as illustrated in Figure 3. (See "Setback".)

"Sight triangle" means the area formed by a triangle in the angle formed by the right-of-way boundaries or boundaries produced and two points on those boundaries 6.0 metres from the point of intersection. See Figure 2.

Figure 2: Sight Triangle



"Sign" means any object, device, display, structure, surface area, or part thereof, which is used to advertise, identify, display, direct or attract attention to an object, service, event or location by any means including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images.

"Site area" means the horizontal area within the boundaries of a lot, or the total horizontal area within the outer lot lines of a number of lots comprising a single development site. In the case of aquaculture site areas, any combination of lots under common tenure that are located within 1 kilometre radial distance of each other shall be considered a site area. In the case of a strata lot, site area shall mean the area of the parent lot prior to the creation of strata lots.

"Silviculture" means all activities related to the development and care of forests, including forestry field training and the removal of harvestable timber stocks, but does not include the processing of wood or wood products.

"Single detached dwelling" means a free-standing residential building or mobile home comprising a single dwelling unit.

"Soil" means topsoil, sand gravel, rock, silt, clay, peat, or any other substance of which land is composed, or any combination thereof that is clean, without contamination, natural, and non-compostable.

"Special event" means any outdoor event within any electoral area in the Regional District, as defined under the Special Events Bylaw.

"Stock pile" means a man-made accumulation of soil held in reserve for future use, distribution or removal.

"Storage and works yard" means the use of land for storage, repairs, maintenance and vehicle parking.

"Street" see "Highway".

"Structure" means anything that is constructed or erected, supported by or sunk into land or water, and includes swimming pools, mobile home pads, and improvements accessory to the principal use of land, but excludes landscaping, paving improvements, signs under 1.0 metre in height, retaining walls under 1.5 metres in height, fencing under 2.5 metres in height unless otherwise provided in this bylaw.

"Subdivision" includes a subdivision under the *Land Title Act* or the *Strata Property Act*.

"Tourist accommodation" means a permanent building providing temporary accommodation for the travelling public, such as, cabins, lodges, motels, hotels, inns, hostels, park model trailers or resorts, which may include common public facilities, such as a dining room, restaurant, liquor licensed establishments, retail; service establishment, or spa; but shall not include recreational vehicles or mobile homes.

"Trade, convention and conference facilities" means a facility for display of equipment merchandise and services, and assembly of persons for the purpose of meetings, conventions or conferences or attending a performing arts production and may include as an accessory use offices, food service facilities and liquor licensed establishments.

"Travelling public" means any person or persons staying at a location other than their permanent home or address.

"Upland finfish aquaculture" means the rearing and harvesting of cultivated fish for commercial purposes on land, but excludes seafood processing except for the stunning and bleeding of fish grown onsite.

"Upland invertebrate hatchery" means a land-based use providing for the incubation, hatching or rearing of mollusks, crustaceans, echinoderms and marine flora.

"Utility service building" means a building or structure providing for utility facilities for water, sewer, electrical, natural gas, communications, information and similar services.

"Utility use" means the use of land for the establishment of utility facilities and associated appurtenances for the provision of water, sewer, electrical, natural gas, communication, fire protection and/or transportation services.

"Veterinary establishment" means premises used for the care, grooming, treatment, or hospitalization of animals of any species, sales of accessory supplies, but does not include the keeping or boarding of animals not receiving care, treatment or hospitalization.

"Warehousing" means the use of a building for bulk storage of material, products, goods or merchandise which will be sold elsewhere or, subsequently, transported to another location for sale or consumption, but excludes mini-storage.

"Watercourse" means any natural or man-made depression with well-defined banks and a bed 0.6 metres or more below the surrounding land serving to give direction to a current of water at least six months of the year or more upstream of the point of consideration.

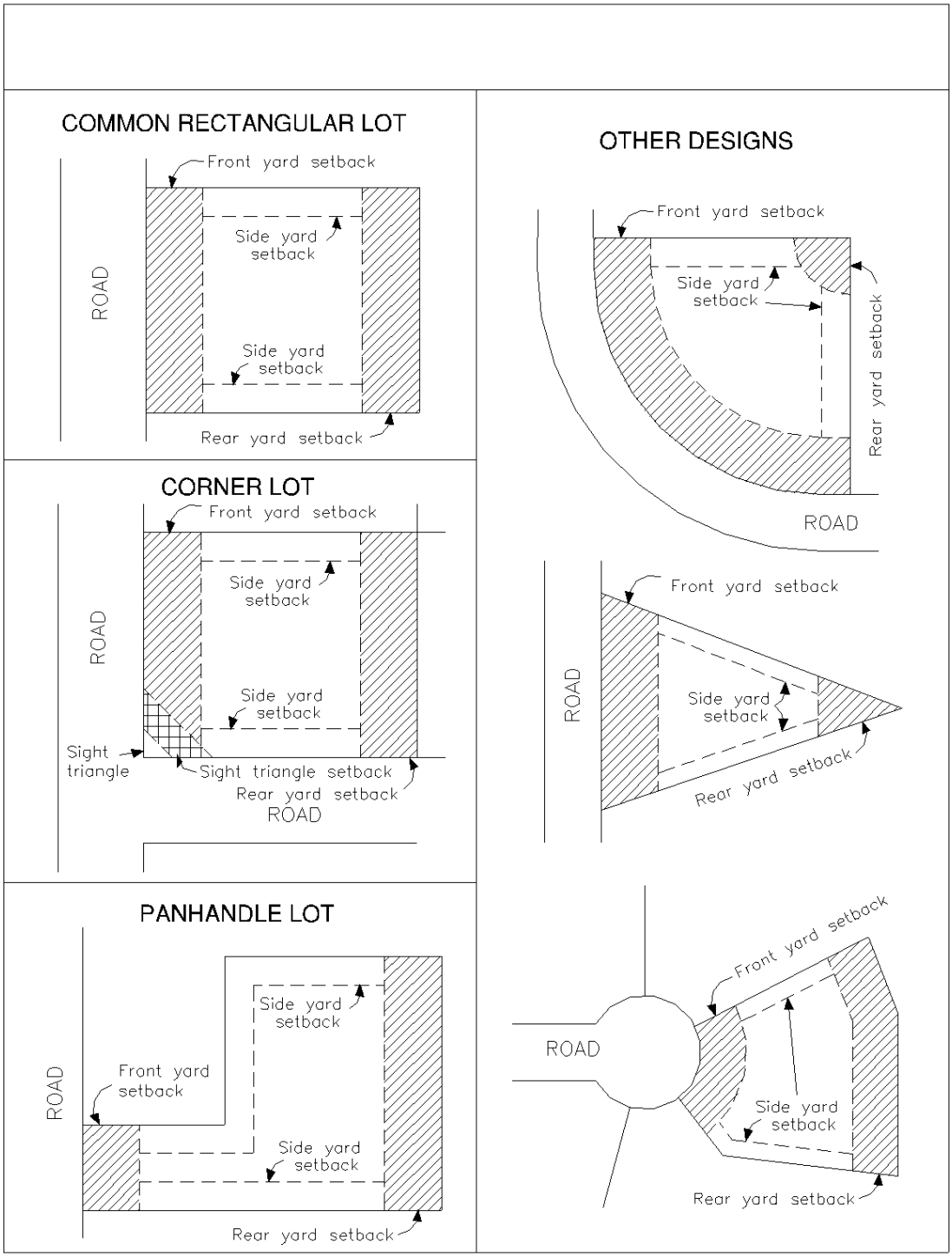
"Wetland" means land seasonally or permanently covered by water and dominated by water-tolerant vegetation including swamps, marshes, bogs and fens and excluding lands periodically flooded for agricultural purposes.

"Wharf" means a structure attached to a shore to which vessels and float planes can be tied or secured.

"Wholesale" means establishments or places of business primarily engaged in selling merchandise other than cannabis to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies and includes the maintenance and repair of such goods that are sold. This does not include cannabis wholesale.

Wood processing means the production of value added wood items such as mouldings, shakes, fencing, furniture, doors, windows and other wood products.

Figure 3: Setbacks



Part 300 General Regulations

301 Uses Permitted in All Zones

1. In addition to the uses specifically listed in particular zones as a principal use or an accessory use, the following uses are permitted in all zones:

i) Utility use

ii) Recycling drop-off centre

iii) Parks, recreational trails and associated structures and equipment

iv) Ecological reserves

v) Community based fish hatcheries

vi) Community gardens

vii) Composting of waste generated on-site

viii) Low impact recreational use.

302 Uses Prohibited in All Zones

1. Any use not expressly permitted in this bylaw is prohibited in every zone and where particular use is expressly permitted in one zone, such a use is prohibited in every zone where it is not also expressly permitted.

2. The following uses are prohibited in all zones unless otherwise permitted in this bylaw:

i) The use of a houseboat, float home, float camp, or other vessel for tourist accommodation or residential use on land and water.

ii) The use of a recreational vehicle as a residential dwelling unit.

iii) The use of an accessory building or structure for a residential dwelling unit.

iv) Automobile wrecking yard, storage of waste, or salvage material.

v) The wrecking or storage of more than one derelict vehicle on any lot.

vi) The storage of a single detached dwelling, mobile home or accessory building which is being moved from one lot to another.

vii) The parking of more than one commercial or industrial vehicle on a lot not zoned for commercial or industrial use.

viii) Gaming and gambling establishments, other than charity gaming.

ix) Water and beverage bottling facility.

x) Cannabis production, or any component thereof.

xi) Wholesale or retail sale of cannabis.

xii) Cannabis dispensaries, compassion clubs, and all other premises in which any cannabis product is kept or offered for sale or consumption on the premises.

xiii) The production of synthetic pesticides.

303 Agricultural Use

1. Agricultural Use

i) For the purposes of this Section 303, terms that are not otherwise defined in this bylaw have the same meaning as in the *Local Government Act*, the *Farm Practices Protection (Right to Farm) Act* and the Agricultural Land Reserve Regulation.

ii) On lands located outside the Agricultural Land Reserve on which "agricultural use" is expressly permitted by this bylaw all processing and retail sales associated with an agricultural use shall be carried out in accordance with, and restricted to the limitations of, the Home Occupation and Domestic Industrial Use provisions of this bylaw.

2. Farm Use Regulations

Pursuant to Part 2 of the Agricultural Land Reserve Use Regulation, on lands located within an Agricultural Land Reserve, the following activities designated as farm use under the Regulation are subject to the following regulations:

i) **Farm Retail Sales**

The retail sales area shall consist of the following:

a) At least 80 per cent of the retail sales area is to be devoted to the sales of processed farm products and/or a farm product produced on the farm or from another farm located within the Comox Valley Regional District.

b) No more than 20 per cent of the total retail sales area may be devoted to the sales of off-farm products.

ii) **Indoor Riding Arenas**

Indoor riding arenas shall be sited a minimum of 30.0 metres from all lot lines.

iii) **Intensive Agriculture**

a) All buildings and structures that house livestock associated with intensive agriculture shall be sited a minimum of 30.0 metres from all lot lines.

b) All building and structures that house any livestock associated with intensive agriculture shall be sited a minimum of 30.0 metres from any domestic well, spring, and the natural boundary of any watercourse.

c) All composting activities associated with mushroom production shall be sited a minimum of 30.0 metres from all lot lines.

iv) **Agri-Tourism Activities**

Agri-tourism activities, other than accommodation, are permitted on land that is classified as 'farm' under the *Assessment Act*.

v) **Cannabis Production**

The establishment of cannabis production on Agricultural Land Reserve lands in relation to farming for consistency within the *Agricultural Land Commission Act*, its regulations and orders of the Commission must not be permitted unless by a rezoning of the land.

3. <u>Uses Permitted On Conditions</u>

Pursuant to Parts 3 and 4 of the *Agricultural Land Reserve Use Regulation*, on lands located within an Agricultural Land Reserve, the following uses are permitted as long as the regulations set out herein for each of the named uses are met:

i) **Agri-Tourism Accommodation**

General Conditions

a) Agri-tourism accommodation use must be accessory to a principal agricultural use of the property.

b) Agri-tourism accommodation use must be for rental only.

c) Up to five (5) agri-tourism accommodation sleeping units, including seasonal campsites or cabins are permitted on lots less than or equal to 8.0 hectares in area.

d) A maximum of ten (10) agri-tourism accommodation sleeping units including seasonal campsites or cabins are permitted on lots greater than 8.0 hectares in area.

e) In order to not interfere with productive agricultural areas located on a farm, agri-tourism accommodation uses shall be sited in areas of poorer quality soils as outlined within the Land Capability Classification for Agriculture system.

ii) **Agri-Tourism Accommodation Campground**

An agri-tourism accommodation campground is subject to the following regulations:

a) Every recreational vehicle (RV) site or camper site shall be unpaved and not exceed 150.0 square metres in area.

b) Every tent campsite shall be unpaved and not exceed 75.0 square metres.

c) One freestanding sign is permitted for each street frontage of an agri-tourism accommodation campground. Freestanding signs shall be placed in landscaped areas only, on the same lot as the agri-tourism accommodation campground. The height of the sign, including any support structures shall not exceed 1.8 metres and the area of any one face shall not exceed 0.4 square metres.

d) A maximum stay of three (3) months per visitor, consecutive or non-consecutive, is permitted in any twelve (12) month period within any campground regardless of which campsite is being occupied.

iii) **Agri-Tourism Accommodation Cabins**

An agri-tourism accommodation cabin is subject to the following regulations:

a) The floor area of a cabin may not exceed 45.0 square metres.

b) One freestanding sign is permitted for each street frontage on the lot where the cabins are located. Freestanding signs shall be placed in landscaped areas only, on the same lot as the agri-accommodation tourism cabins. The height of the sign, including any support structures shall not exceed 1.8 metres and the area of any one face shall not exceed 0.4 square metres.

c) A maximum stay of three (3) months per visitor, consecutive or non-consecutive, is permitted in any twelve (12) month period within any cabin regardless of which cabin is being occupied.

d) One (1) off-street parking space per agri-tourism accommodation cabin is required.

iv) **Temporary Sawmills**

a) The sawmill, including all associated storage and work areas, shall be sited a minimum of 30.0 metres from all lot lines.

b) At least 80 per cent of the volume of the timber processed in the sawmill is to be harvested from the farm or lot on which the sawmill is located.

c) The operation of a temporary sawmill on any one lot shall be limited to 180 days in any calendar year.

v) **Animal Kennels**

An animal kennel is subject to the following specific requirements as well as all other applicable provisions of this bylaw:

a) Animal kennels must be located on lots which are 2.0 hectares or larger in area.

b) A minimum setback of 15.0 metres from all lot lines is required for all animal kennels.

c) All structures and areas utilized in association with the animal kennel, shall be sited at least 30.0 metres from any lot line abutting a lot zoned under Part 700, Residential Zones.

d) All structures and area utilized in association with the animal kennel, shall be sited at least 30.0 metres from the boundary of any lake, sea or watercourse.

e) Screening shall be provided of not less than 1.5 metres in height for all structures and areas utilized in association with a kennel on a lot abutting a lot zoned under Part 700, Residential Zones.

f) A single sign not exceeding 1.0 square metre in area on each side may be placed on the lot on which the animal kennel use is operated.

vi) **Golf Courses**

Golf courses are prohibited on lands within the Agricultural Land Reserve.

304 Domestic Agriculture

1. The keeping of chickens (hen) as a domestic agriculture use is subject to the following requirements:

i) A maximum of six (6) chickens are permitted to be kept on lots 0.2 hectares or larger. A maximum of four (4) chickens are permitted to be kept on lots under 0.2 hectares.

ii) No roosters are permitted.

iii) A chicken enclosure is not an accessory building for the purposes of this Bylaw.

iv) A chicken enclosure shall be set back from the lot lines as follows:

a) A minimum distance of 1.5 metres from side lot line.

b) A minimum distance of 1.2 metres from a rear lot line.

c) A minimum distance of 4.5 metres from lot lines fronting a highway.

v) A chicken enclosure shall not be sited within 3.0 metres of any dwelling unit.

vi) A chicken enclosure is not permitted within any front yard.

vii) A chicken enclosure shall have a maximum height of 2.0 metres.

viii) A chicken enclosure shall have a minimum floor area of 0.4 square metres per chicken to a total maximum floor area of 9.0 square metres, and at least 1 square metre of outdoor chicken run per chicken.

ix) Meat from the chicken must not be sold from the property.

x) The destruction or disposal of chickens on the lot is prohibited.

2. Beekeeping as a domestic agriculture use is subject to the following requirements:

i) A maximum of four (4) colonies and four (4) nucleus colonies are permitted on lots 0.2 hectares or larger. A maximum of two (2) colonies and two (2) nucleus colonies are permitted on lots under 0.2 hectares.

ii) Beehives must be located in accordance with all of the following requirements:

a) Entrance to the beehive must face away from adjacent lots.

b) Beehives must be located a minimum of 7.5 metres from any lot line, unless the beehive is situated either:

1) 2.5 metres or more above the adjacent natural grade level, or

2) Behind a solid fence or hedge more than 2.0 metres in height running parallel to any lot line and extending at least 6.0 metres beyond the hive in both directions.

c) No beehive shall be located within 4.5 metres of lot line fronting a highway.

3. A produce stand is permitted as part of a domestic agriculture use, subject to the following requirements:

i) Produce stand use shall be limited to the sale of products grown on the lot.

ii) The maximum floor area of a produce stand is 9.0 square metres.

iii) The produce stand shall have a maximum height of 2.5 metres.

305 Home Occupations

Where home occupations are permitted the following requirements shall apply:

1. The parking of vehicles in connection with a home occupation use shall take place only on the lot used for the home occupation.

2. Where the home occupation involves the use of a commercial vehicle:

i) On a lot less than 1 hectare in area, no more than one commercial vehicle with a maximum gross vehicle weight of 26,100 kg, associated with the home-occupation business. Commercial vehicle must be screened from adjacent lots and public roads by either vegetation, fencing, berms, or any combination thereof, which creates a solid screen.

ii) On a lot which is 1 hectare or greater no more than two commercial vehicles with a maximum gross vehicle weight of 26,100 kg, associated with the homebased business. Commercial vehicles must be screened from adjacent lots and public roads by either vegetation, fencing, berms, or any combination thereof, which creates a solid screen.

3. No scrap salvage may be operated as a home occupation.

4. Cannabis production, or any component thereof, is prohibited as a home occupation.

5. All uses shall be conducted entirely within a completely enclosed building permitted by this bylaw with no external storage of materials, equipment, containers, or finished products, except for daycare use.

6. Land must not be used for a home occupation which involves the salvaging or repair of motor vehicles of persons other than an owner or occupier of the lot.

7. No more than 20 per cent of the total floor area permitted for home occupation use may be used for retail sale of articles not manufactured, repaired or refinished on site.

8. More than one home occupation may operate from any lot subject to compliance with conditions (2), (7) and (9) of this section.

9. The maximum floor area per lot that may be used for home occupation use including storage, processing and retail sales, shall be as follows unless specified otherwise in a particular zone designation:

i) 75.0 square metres for lots zoned under Part 700, Residential Zones.

ii) 125.0 square metres for lots zoned under Part 800, Rural/Resource Zones.

iii) 100.0 square metres for lots located in the Agricultural Land Reserve unless otherwise approved by the Provincial Agricultural Land Commission.

10. The area used may be located in either a dwelling unit, an accessory building or combination thereof.

11. A maximum of three (3) persons, of whom at least one resides on the lot on which the home occupation is carried out, may be employed in a home occupation.

12. Home occupations shall be limited to a maximum of eight (8) patrons or students at any one time.

13. Any person intending to operate a home occupation shall obtain written approval from the Regional District and the Health Authority, prior to commencing the home occupation on any lot.

14. No more than one daycare is permitted on a lot.

15. Daycares of no more than eight (8) children may be operated as a home occupation where licensed pursuant to the *Community Care and Assisted Living Act*.

16. Daycares providing care for no more than two (2) unrelated children or six (6) unrelated adults may be operated as a home occupation.

306 Bed and Breakfast

Where a Bed and Breakfast is permitted the following requirements shall apply:

1. The maximum number of bedrooms which may be used for Bed and Breakfast accommodation per lot shall be as follows unless otherwise specified in a particular zone designation:

i) No more than three bedrooms for lots zoned under Part 700, Residential Zones.

ii) No more than three bedrooms for lots zoned under Part 800, Rural/Resource Zones.

iii) No more than three bedrooms for lots zoned under Part 1100, Comprehensive Development Zones.

iv) No more than four bedrooms for any lot within the Agricultural Land Reserve.

2. All bedrooms used for Bed and Breakfast must be located in the principal dwelling unit.

3. At least one automobile parking space shall be provided on the same lot for each room available for accommodation, in addition to the parking requirements for the residence.

4. Meals may be provided to customers of a Bed and Breakfast operation only. No kitchen facilities beyond the one set permitted per dwelling unit shall be permitted unless specifically required by a provincial health agency.

5. Persons employed as part of a Bed and Breakfast are limited to those residing in the dwelling unit in which the Bed and Breakfast is located.

6. There shall be no external indication that a Bed and Breakfast is in operation excluding permitted signage and required parking.

7. Any person intending to operate a Bed and Breakfast shall obtain prior written approval from the Regional District and the Health Authority regarding water and sewer servicing.

307 Domestic Industrial Use

Where domestic industrial use is permitted the following requirements shall apply:

1. The minimum lot area for domestic industrial use is 2.0 hectares unless otherwise permitted in this bylaw.

2. No more than one domestic industrial use is permitted on a lot.

3. Uses shall not generate more than three client visits at any one time.

4. The maximum permitted floor area for domestic industrial use shall be 200.0 square metres.

5. The 200.0 square metres of domestic industrial use maybe located in either a dwelling unit, an accessory building or combination thereof.

6. One designated outdoor area, no greater than 75.0 square metres, is permitted in association with the domestic industrial use.

7. The designated outdoor area must be screened from adjacent lots and public roads by either vegetation, fencing, berms, or any combination thereof, which creates a solid screen.

8. Outdoor storage, maintenance, service and repair of vehicles and equipment operations undertaken as domestic industrial use shall be subject to the following requirements unless otherwise specified:

i) The minimum setback from all lot lines of domestic industrial use that is contained within a building or structure shall be 15.0 metres.

ii) The minimum setback from all lot lines of domestic industrial use that is not contained within a building or structure shall be 20.0 metres.

iii) No designated outdoor area, parking, loading or storage areas shall be located in any required front, rear, or side yard setback area.

iv) No designated outdoor storage area shall be located within 30.0 metres of a watercourse.

v) Domestic industrial uses shall be screened from adjacent properties through the use of a solid screened fence, berming or coniferous vegetation being not less than 2.3 metres in height.

9. The parking of vehicles in connection with domestic industrial use shall take place only on the lot used for domestic industrial.

10. A lot on which a domestic industrial use is carried out shall not be used for outdoor storage except for the following:

a) Three pieces of equipment, including trucks and trailers, and on lots larger than 2.0 hectares in area, two additional pieces of equipment.

b) A maximum of two fuel tanks.

c) Outside storage of other material, or containers must be within the designated work area. See (6), (7) and (8(v)) above.

11. Cannabis production, or any component thereof, is prohibited as a domestic industrial use.

12. The bulk mixing, processing or storage of soil mixtures for commercial resale is prohibited as a domestic industrial use.

13. There shall be no external indication that any building is utilized for a purpose other than residential use.

14. All goods sold through a domestic industrial use must be produced or manufactured on site. Up to 20 per cent of the total floor area may be used for such sales.

15. A maximum of three persons, including at least one person who resides on the lot on which the domestic industrial use is carried out, may be employed in connection with a domestic industrial use.

16. A service establishment may be operated as a domestic industrial use.

17. Any person intending to operate a domestic industrial use shall obtain prior written approval from the Regional District and local Health Authority.

308 Mobile Vendors

Mobile vending shall be a permitted use in all zones subject to the following conditions:

1. The vending of any goods by a mobile vendor shall not be carried out on any highway or foreshore area.

2. The vending of any goods by a mobile vendor shall not be carried out for more than two hours per 24 hour period on any lot which does not permit retail sales.

3. The mobile vending unit shall be removed from the site by the mobile vendor at the end of the mobile vending period (2 hours).

4. No structure shall be placed or erected in association with the vending operation.

5. One freestanding sign no larger than 1.0 square metre may be displayed on each side of a mobile vending unit.

6. Vending of any goods within Regional District park boundaries requires the issuance of a Park Use Permit from the Regional District.

309 Buildings and Structures

1. No person shall erect an accessory building or structure on any lot unless the principal building to which the building is accessory has already been erected or has been authorized by a building permit and is being erected simultaneously with the accessory building.

2. The maximum height of all accessory buildings is 7.0 metres except in RU-8, RU-20 and RU-ALR zones where the maximum height is 8.0 metres.

3. No accessory building or structure shall include kitchen facilities unless otherwise permitted in this bylaw.

4. The following shall not be subject to the height restrictions of this bylaw unless otherwise specified:

i) Antennas, church spires, belfries, farm buildings including silos, utility service buildings, flagpoles, monuments, transmission towers, utility poles, towers for ski lifts and similar recreational infrastructure, rooftop mechanical equipment provided that the equipment is screened, cell towers warning devices, water tanks, chimneys, solar energy devices, wind turbines used for the production of energy, ventilation machinery and elevators.

ii) No structure or building feature listed in 309.4.(i), except solar energy devices, shall cover more than 20 per cent of the area of the lot or, if located on a building, no more than 10 per cent of the roof area of a building.

310 Fences

Except as otherwise specifically permitted by this Bylaw:

1. Fence height shall be measured vertically from the natural grade level measured 1.0 metre from either side of the proposed fence location to the highest part of the fence.

2. Despite 310.1., the height measured for a fence constructed on top of a retaining wall or berm shall include the combined height of the fence and the retaining wall or berm, measured from the bottom of the retaining wall or berm.

3. Maximum fence height for fences in zones regulated by Part 700, Residential Zones, is:

i) 2.0 metres if located in a front yard or side yard abutting a road.

ii) 2.3 metres if located in the rear or side yard.

4. Maximum fence height in zones regulated by Part 800, Rural and Resource Zones, is 2.5 metres unless specified elsewhere in this bylaw.

5. Minimum fence height in zones regulated by Part 900, Commercial, Industrial and Institutional Zones, is 2.5 metres and the maximum height is 3.0 metres.

6. Fences and hedges may not be constructed or grown within a required sight triangle.

7. Fence gates are exempted from the maximum fence height.

311 Renewable Energy Devices

1. Renewable energy devices are permitted in all zones.

2. In all zones, solar energy devices shall be permitted:

i) When the device is located on either the principal or accessory building and does not extend beyond the outermost edge of the roof or exceed the height of the building by more than 0.6 metres.

ii) As a freestanding structure, if it meets the siting requirements for the principal building or structure on the lot where the device is located.

3. In all zones, wind energy devices shall be permitted as long as:

i) Any wind energy device tower shall has a minimum horizontal separation of 150 per cent of the total height of the devices (including support and blades) from any dwelling unit on an adjacent lot.

ii) The height of a wind energy device, measured to the uppermost point of a blade in a vertical position does not exceed 20.0 metres measured from the natural grade level.

iii) No such device is located within 60.0 metres of a Bald eagle nest tree or a Great Blue heron nest site, as determined by a Qualified Environmental Professional, measured from the base of the nesting tree to the base of the wind energy device.

312 Temporary Occupation of Additional Dwelling

1. In all zones which permit single detached dwellings, when a property owner wishes to construct a dwelling unit on a lot that already has the maximum permitted number of dwellings units, the owner may continue to occupy one of the existing dwelling units during the construction of a proposed replacement dwelling unit, provided that the owner:

i) Provides to the Regional District a $5,000 security deposit in the form of cash or an unconditional, irrevocable and automatically renewing letter of credit issued by a chartered bank or credit union.

ii) Grants to the Regional District a covenant, in priority to all financial charges, to demolish, remove or convert to a non-residential use, a designated dwelling unit on the lot, within a time specified in the covenant. The covenant shall include a rent charge in the amount of $5,000 against the land title of the subject property to ensure that the dwelling unit is demolished, removed or converted to a non-residential use.

2. Any one of the Comox Valley Regional District Officers may execute the registerable covenant provided all conditions listed in Section 312 are met.

313 Temporary Residential Occupancy of Recreational Vehicles

Occupancy of recreational vehicles for residential purposes shall be permitted subject to the following:

1. In all zones, as on-site accommodation during the course of construction for a dwelling unit pursuant to, where applicable, a building permit issued by the Regional District provided that:

i) An on-site sewage disposal system complying with the *Sewerage System Regulation* under the *Public Health Act* has been installed prior to occupancy of the recreational vehicle.

ii) The recreational vehicle is sited to permit direct discharge of effluent into the septic tank of the sewage disposal system.

iii) The recreational vehicle is sited in accordance with the siting requirements of the Zoning Bylaw for principal buildings.

iv) The period of occupancy of the recreational vehicle must not exceed 365 days.

v) The owner of the property has provided to the Regional District:

a) A site plan showing the dimensions, location and setbacks of the recreational vehicle on the lot.

b) A statutory declaration sworn before a notary or solicitor declaring that the recreational vehicle will not be used as a residence following the expiry of the 365 day period and that the recreational vehicle will be removed from the lot or, where permitted, placed into storage on the lot.

c) A $1,000 security deposit in an irrevocable letter of credit or other form satisfactory to a Comox Valley Regional District Officer. If an irrevocable letter of credit is chosen, it shall be automatically renewable unless cancelled, and shall be redeemable locally.

2. On any lot zoned Rural Eight (RU-8), Rural Twenty (RU-20), Rural-ALR (RU-ALR) or Upland Resource (UR) for a maximum duration of 60 days, consecutive or non-consecutive within any 12 month period. There shall be no more than one recreational vehicle occupied on a lot.

3. Within any other zone, for a maximum duration of 30 days, consecutive or non-consecutive in any 12 month period. There shall be no more than one recreational vehicle occupied on a lot.

314 Residential Use

1. Neither a secondary dwelling, carriage house nor secondary suite carry with them the privilege of separate ownership in fee simple or building strata and further, permission for the above forms of residential units is not to be construed in any way as a justification for future subdivision or change in land use designation. All subdivision requirements and land use designations are applicable.

315 Secondary Residential Use

1. Where permitted in this bylaw, secondary suites must meet the following criteria:

i) Secondary suite means an additional dwelling unit.

ii) A secondary suite shall be located only within a principal dwelling unit containing only one other dwelling unit and shall have a total floor area of not more than 90.0 square metres exclusive of the areas used for common storage, common laundry facilities or common areas used for access.

iii) A secondary suite shall have a floor area less than 40 per cent of the habitable floor area of the building excluding the area of any attached garage.

iv) The entrance to the secondary suite from the exterior shall be separate from the entrance to the principal dwelling unit.

v) One off-street automobile parking space shall be provided for the exclusive use of the secondary suite.

2. Where permitted in this bylaw, carriage houses must meet the following criteria:

i) The siting of carriage houses shall be in accordance with principal structure setbacks.

ii) The maximum height for a carriage house is 8.0 metres.

iii) The residential use of a carriage house must be located within the second storey of a building accessory to an existing residential dwelling on the same lot.

iv) The second storey floor area occupied by the residential use may contain interior access to any part of the accessory use below. The interior entryway, landing or similar space must not exceed 2.8 square metres in area.

v) The second storey of a carriage house shall not be at or below natural grade level.

vi) The total floor area occupied by the residential use must not exceed 90.0 square metres.

vii) The total floor area of the ground level of the building must not exceed 90 square metres.

viii) The carriage house cannot be subdivided from the building it is part of under the *Strata Property Act*.

ix) One off-street automobile parking space shall be provided for the exclusive use of the occupants of the carriage house.

x) A minimum of one automobile parking space shall be provided within the ground level of the carriage house.

3. Where permitted in this bylaw, a secondary dwelling unit must meet the following criteria:

i) The siting of a secondary dwelling unit shall be in accordance with the principal structure setbacks.

ii) The maximum height of a secondary dwelling unit is 8.0 metres.

iii) The total floor area occupied by the secondary dwelling is for residential use only and the total floor area shall not exceed 90.0 square metres.

iv) One off-street parking space shall be provided for the exclusive use of the secondary dwelling unit.

316 Portable Sawmills

Portable sawmills are permitted only:

1. On a lot on which it is used solely to saw logs from trees grown and harvested on the lot on which the portable sawmill is located; or

2. As a Domestic Industrial Use where permitted in this bylaw subject to the requirements of Section 307.

317 Gravel Pits: Equipment Storage and Maintenance

Where gravel, sand or soil extraction occurs within or abutting an area zoned under Part 700, Residential Zones, and not within the Agricultural Land Reserve, the storage and maintenance of vehicles and equipment used on the lot shall be subject to the following conditions unless otherwise specified:

1. Buildings, structures, and outdoor areas used for storage and maintenance of equipment and vehicles shall have a minimum setback of 100.0 metres from all lot lines.

2. Buildings, structures, and outdoor areas used for storage and maintenance of equipment and vehicles shall be effectively screened and buffered from adjacent lots by a screen not less than 2.0 metres in height. Solid fencing may be as high as 3.0 metres. All screening shall be well maintained.

3. Gravel extraction areas, buildings, structures, and outdoor areas used for storage and maintenance of equipment and vehicles shall be buffered from adjacent watercourses by a minimum 50.0 metres vegetated setback.

318 Cannabis Production

1. The establishment of cannabis production, or any component thereof, on non-Agricultural Land Reserve lands must not be permitted unless by a Temporary Use Permit or rezoning of the land, in accordance with Official Community Plan policies.

319 Off-Street Parking and Loading areas

1. **General Requirements**

i) For every building or structure to be erected or enlarged, off-street automobile parking spaces having unobstructed access to a public street shall be provided and maintained on the subject property or an abutting property within the same zone.

ii) Buildings conforming as to use but non-conforming as to required off-street parking spaces may be occupied, but shall not be extended unless the required off-street parking is provided for the entire building.

iii) When off-street parking is required, a plan of the proposed parking arrangement, drawn at a scale of 1:500 metric, showing the off-street parking spaces and access driveways shall be filed with the planning services department.

iv) All parking areas shall be required with adequate driveways to facilitate vehicular movement to and from all parking spaces. Parking areas on adjoining lots may be served by common exits and entrances.

v) No parking space in a parking area shall gain access directly from a highway.

vi) No parking space shall be located within 1.5 metres of any lot line.

vii) Parking and loading areas and other impervious surfaces shall not be located within 30.0 metres of the natural boundary of Comox Lake

viii) Where 10 or more off-street automobile parking spaces are provided under this bylaw in connection with a use, building or structure, bicycle parking facilities shall be provided at a ratio of one bicycle space for every 10 automobile spaces.

320 Buffers and Screening for Existing Industrial and Commercial Operations

1. Where residential or commercial use is developed adjacent to or abutting an existing industrial operation, any buffers or screening required between the two uses shall be provided on the lot or lots where residential or commercial use is being established.

2. Where an industrial use is developed adjacent to or abutting an existing residential or commercial use, any buffers or screening required between the two uses shall be provided on the lot or lots where the industrial use is being established.

321 Farm Buildings

1. Any building used to accommodate domesticated, exotic or display animals, other than household pets, shall be sited not less than 30.0 metres from the boundary of any lake, sea, watercourse or wetlands.

322 Signage

1. **General Regulations**

i) The following signs may be located on any lot:
   a) Signs identifying or giving directions to a public facility, or utility use.
   b) Political signs.
   c) Special event signs.

ii) The following types of signs are prohibited in all zones:
   a) Animated signs, being signs that use any form of movement to attract attention.
   b) Inflatable signs, being signs displayed on a balloon or other inflatable device.
   c) Flashing signs, being signs that use any variation or interruption in light intensity to attract attention or convey a message.
   d) Portable/temporary signs, being signs that are displayed on a structure, device or vehicle that is designed to be moved from place to place.
   e) Converted vehicle sign, being signs displayed on a vehicle that is being used primarily as an advertising device rather than a means of transportation.
   f) Roof signs, being signs erected on the roof of or above the parapet or cornice line of any building.
   g) Signs attached to utility poles.

iii) Maintenance
   a) All signs shall be maintained so as to prevent any danger to the public and so as to address any deterioration on account of damage, weather or other environmental conditions, or deterioration of materials.
   b) Any signs located on a property which becomes vacant and unoccupied for a period of six months and any sign which pertains to a time, event or purpose

which has passed or is otherwise obsolete, shall be removed by the owner of the land within thirty days of a receipt of a written notification by the Regional District.

iv) Setbacks

a) The setback of every part of a free standing sign from all lot lines shall be at least 1.5 metres.

b) No free standing sign shall be located within 6.0 metres of the intersection of two highways.

v) For Home Occupation, Bed and Breakfast and Domestic Industrial uses.

a) One non-illuminated sign is permitted on any lot.

b) Sign area:

1) Shall not exceed 0.6 square metres for a Home Occupation sign.

2) Shall not exceed 1.5 square metres for a Bed and Breakfast, or Domestic Industrial Use sign.

c) The height of a free-standing sign shall not exceed 1.5 metres.

vi) In Commercial and Industrial, Public and Institutional zones, except as otherwise specifically permitted in this bylaw:

a) The maximum number of free standing signs is one per lot.

b) The maximum sign area is 6.0 square metres.

c) The height of a free standing sign shall not exceed 1.8 metres unless the sign is located on a frontage abutting Island Highway 19A, Comox Road or Ryan Road where a height of up to 5.0 metres is permitted.

d) A free standing sign may be illuminated.

Part 400 Siting Specifications

401 Sight Triangles

1. No person, being the owner, occupier or lessee of any land at the intersection of two highways shall place or permit to be placed or grow any tree, shrub, plant, fence or other structure with any horizontal dimension exceeding 0.6 metres within the sight triangle above an elevation such that an eye 0.9 metres above the surface of one highway cannot see an object 0.9 metres above the surface of the other highway.

2. All buildings and structures shall be setback a minimum of 4.5 metres from the sight triangle.

402 Road Setbacks

1. **Island Highway No. 19A**

i) No part of any building or structure shall be located within 22.5 metres of the centre line of the Island Highway except that in Electoral Area A on the ocean side of the Island Highway a minimum setback of 19.5 metres from the centre line of the highway is required.

ii) An additional 7.5 metres setback for frontage road purposes will be required where specified by the Ministry of Transportation and Infrastructure. Unless otherwise required by this Ministry, the road right-of-way for this highway is 30.0 metres.

2. **Local Roads**

i) No part of any building or structure shall be located within 4.5 metres of a property line that abuts a highway.

3. **Exceptions**

i) Where the siting requirements of any zone specify a larger setback than is provided for in this section, the most restrictive applies.

403 Siting Exemptions

The setback requirements of this Bylaw shall not apply with respect to the following features only:

1. Bay windows, eaves and gutters, cornices, rainwater leaders, ornamental features including pilasters, service station canopies, sills, stairs, sunlight control projections including sunshades, and other similar features not incorporating floor area, provided that such projections does not exceed 0.6 metres measured horizontally into the setback area or 0.76 metres in the case of eaves and gutters. Where eaves and gutters and sunlight controls project beyond the face of a building, the minimum distance to an abutting front, rear and side lot line required elsewhere in this bylaw may be reduced by not more than 50 per cent of such distance up to a maximum of 2.0 metres, provided that such reduction shall apply only to the projecting feature.

2. Open terraces, decks or patios without a roof structure, not exceeding 0.6 metres above the finished grade.

3. Free standing light poles, warning devices, antennas, utility poles, wires required for a public utility use, flagpoles, shoreline protection devices and retaining walls less than 2.0 metres in height.

4. Uncovered swimming pools provided that the pool is at a least 3.0 metres to any lot lines unless the pool is constructed with its surface at finished grade, in which case, the swimming pool shall be at least 1.5 metres from any lot line.

Part 500 Subdivision Regulations

501 Subdivision Standards

1. Area and Frontage Requirements

i) The minimum lot area requirements for subdivision within each zone shall be as specified in Parts 700, 800, 900, 1000 and 1100 of this bylaw except that where minimum lot areas are described as minimum average lot areas, lots smaller than otherwise required may be created subject to the following:

a) The number of lots created by a plan of subdivision shall not exceed the number of lots that could be otherwise created at the required minimum lot area; and

b) The owner of the land to be subdivided has first caused to be registered in the Land Title Office a covenant under Section 219 of the *Land Title Act* in favour of the Regional District, prohibiting the further subdivision of any lot having an area greater than twice the minimum lot area.

ii) The minimum lot area requirements for subdivision specified in Parts 700, 800, 900, 1000 and 1100 of this bylaw apply to any building strata plan that creates a strata lot for an entire building.

iii) The minimum frontage of a lot created by subdivision shall be 10 per cent of the perimeter of the lot unless specified otherwise elsewhere in this bylaw. For this purpose, the water boundary of any lot that abuts a water body or the sea is deemed to be frontage.

iv) Lots that abut a water body or the sea must have a frontage to depth ratio of at least 1:3 in the case of rectangular lots and an average width to average depth ratio of at least 1:3 in the case of irregularly shaped lots.

2. Lot Area Exemption

i) The minimum lot area requirement shall not apply to a subdivision:

a) Where lot lines are relocated or removed to facilitate an existing development or improve a subdivision pattern provided:

1) No additional lots are created;

2) The lots are contiguous;

3) No parcel shall be enlarged to a size permitting further subdivision unless each parcel included in the boundary revision is of an area large enough to satisfy the size requirements applied to the subject lands.

b) Where a Crown lease is granted.

c) Lots which consist of two (2) or more parts physically separated by the following:

1) A highway, which was dedicated prior to the adoption of this bylaw;

2) A railway under the jurisdiction of the *Railway Act* and amendments thereto may be subdivided along the dividing highway or the railway in

spite of the fact that the newly created lots fail to meet the minimum lot area requirements of this bylaw. All newly created lots shall be required to meet the requirements of other authorities having jurisdiction with respect to the provision of water, method of sewage disposal and access. Areas marked "Return to Crown" as indicated on a registered plan shall not be exempt from this provision.

ii) The minimum lot area requirement shall not apply to building strata subdivisions created under the *Strata Property Act* within the following zones, where higher density is permitted: C-1, C-1A, TC-1 and TC-2 zones only. This provision is subject to the parent lot meeting the required minimum lot area as stated within the applicable lot area requirement section of the zone prior to strata subdivision.

iii) A lot being created to be used for utility, park or trail use or for the installation of equipment necessary for the operation of community water, sewer or drainage systems.

3. <u>Subdivision to Provide Residence for a Relative</u>

i) No subdivision is permitted under Section 514 of the *Local Government Act*, on lands not within the Agricultural Land Reserve, unless the lot being subdivided is at least two times the minimum lot area specified for the applicable zone.

4. <u>Works and Services</u>

i) Where the proposed subdivision is situated within a Service Area, the Regional District, as a condition of subdivision, shall require the applicant or owner of the proposed subdivision:

a) To submit a plan of subdivision to the Regional District for approval respecting a waterworks system and/or sewer system.

b) To retain at their expense, a Professional Engineer who will design the required services, prepare specifications covering installation of the work, carry out all necessary surveys in connection with design and installation of services and upon completion of the design and specification, shall submit drawings to the Regional District Engineer or such person as designated. All aspects of this work shall be carried out in accordance with good engineering practices, and to the water supply standards and/or sewer standards, as set by the Regional District. No work shall commence until all plans and specifications are approved by the Regional District Engineer or such person as designated, and a Certificate of Approval has been received from the Ministry of Health or appropriate government agency.

c) To install at their own expense and at no cost to the Regional District, upon approval of the Regional District Engineer or such person as designated and under the supervision of the applicant's consulting Engineer, all water mains, fire hydrants, meters, and other fittings and appurtenances deemed necessary by the Regional District to provide an adequate supply of water for domestic and commercial use and fire protection for the future growth or expansion of said subdivision and shall pay for all engineering costs. The said water mains,

hydrants, meters, fittings and appurtenances shall become the property of the Regional District.

d) To comply with the requirements of the Service Area in regard to payment of development cost charges as set out by separate bylaw.

ii) The subdivision plan will not be given final approval until the design of works and services has been approved and the works and services installed and tested.

iii) A notice of acceptance shall not relieve the applicant or owners of responsibility for faulty materials or defective workmanship. The applicant or owner guarantees to maintain the work against any defects arising from faulty installation, faulty materials supplied or faulty workmanship which may appear within one year of the date of acceptance.

Part 600 Mobile Home Park Regulations and Standards

Mobile home parks shall not be established or extended except in accordance with the following regulations and standards.

601 General Requirements

1. No person shall construct or extend a mobile home park until a mobile home park permit has been issued by the Regional District.

2. The issuance of a mobile home park permit shall not relieve any person from obtaining the necessary building permits and other necessary approvals for the siting and construction of buildings and structures, and the alteration of land.

3. All provisions of this schedule shall apply to mobile home parks established after the date of adoption of this Bylaw, and to any additional mobile home pads or alteration or addition of services to existing mobile home parks.

602 Occupancy

1. No land may be used or occupied as a mobile home park until all requirements of the mobile home park permit have been completed.

2. Where a mobile home park permit indicates a phased program of construction, the Regional District may authorize occupancy of each phase of development once the requirements of the mobile home park permit for that phase have been completed.

3. The Regional District may require as a condition of the issuance of a mobile home park permit that the holder provide a performance bond or other security in the amount and form prescribed in the permit to ensure that the development of additional phases is completed in accordance with the permit. Any interest earned on the security shall accrue to the holder of the permit.

4. A mobile home park owner shall not permit occupancy of a mobile home space until all the requirements of this bylaw have been satisfied.

603 Standards

1. **Mobile Home Space**

i) The minimum area and width of each mobile home space in a mobile home park is:

a) 325.0 square metres and 12.0 metres for spaces intended for a single wide mobile home.

b) 460.0 square metres and 14.5 metres for spaces intended for double-wide mobile homes.

ii) Each mobile home space shall be clearly marked off by permanent, flush stakes, markers or other suitable means.

iii) All mobile home spaces shall:

a) Be drained to a storm sewer or other system constructed in accordance with generally accepted engineering practice.

b) Be clearly numbered.

c) Have a clearly discernible mobile home pad constructed in accordance with the *BC Building Code*.

2. <u>Mobile Home Standards, Provisions and Installation Requirements</u>

i) All mobile homes shall meet or exceed the Canadian Standards Association Standard Z240, as the case may be.

ii) In mobile homes located in a mobile home park:

a) The installation and maintenance of all oil burners and oil-burning equipment and appliances using inflammable liquids as fuel; and

b) The storage and disposal of inflammable liquids and oils; and

c) The installation, maintenance, carriage, and use of compressed gas systems shall be in accordance with the regulation of the *Fire Services Act* or the *Safety Standard Act,* as the case may be.

iii) No mobile home shall be located elsewhere in a mobile home park than in a mobile home area on a mobile home pad authorized by a mobile home park permit.

iv) No more than one mobile home shall be located in a mobile home space.

v) Notwithstanding Subsection (iii), no more than one unoccupied mobile home for every 10 mobile home spaces in a park may be located in a designated storage area.

3. <u>Setbacks and Height</u>

i) No mobile home shall be located within 6.0 metres of another mobile home, or 1.5 metres of an accessory building.

ii) No part of any mobile home or any addition shall be located:

a) Within 2.0 metres of any internal access road right-of-way or common parking area.

b) Within 1.5 metres of any boundary of the mobile home space.

iii) No building or structure in a mobile home park shall exceed 4.5 metres in height with the exception of an owner's residence which may be as high as 10.0 metres when the residence is a conventional site-built dwelling unit.

4. <u>Skirting</u>

i) Skirting's shall be installed within sixty days of installation of a mobile home on a mobile home pad, and shall have one easily removable access panel of a minimum width of 1.2 metres for inspecting or servicing the service connections to the mobile home. Such an access panel shall be located close to the point at which such services are located under the mobile home.

ii) Skirting's shall be factory prefabricated or of equivalent quality and shall be painted or pre-finished so that the design and construction complement the design and construction of the mobile home.

5. Permissible Structural Additions

i) Only the following additions to mobile homes are permitted:

a) Carports and garages

b) Shelters against sun or rain (ramadas)

c) Vestibules

d) Rooms

6. Parking (Off-Roadway)

i) One level easily accessible automobile parking space shall be provided near each mobile home. In addition, for every two mobile homes spaces abutting a collector or distributor road, one additional automobile parking space shall be provided and for every one mobile home located adjacent to a minor roadways, one additional automobile parking space shall be provided.

ii) Parking spaces shall be graded for proper drainage and be paved or have a compacted gravel surface.

iii) Each parking space shall be a minimum of 2.5 metres wide by 6.0 metres long.

7. Owner's Residential Plot

i) An owner's residential plot shall be permitted within a mobile home park if the area of the plot is not less than 325.0 square metres when the residence is a mobile home unit, and 560.0 square metres when the residence is a site-built dwelling unit.

ii) An owner's residential plot shall include sufficient area to provide one off-street automobile parking space for the owner's use and a minimum of two parking spaces for visitors and customers, in each case with a minimum width of 2.5 metres and a minimum length of 6.0 metres, properly drained and paved or having a compacted gravel surface.

8. Tenant's Storage

i) One storage building may be constructed on each mobile home space, provided that:

a) It has a maximum floor area of 9.0 square metres.

b) It does not exceed 2.5 metres in height.

ii) No tenant storage building shall be located within 1.5 metres of another building, mobile home or structure, or within 2.0 metres of any internal access road, right-of-way, or common parking area.

9. Service Buildings and Storage Areas

i) At least one outdoor storage area having a surface area of at least 27.0 square metres for each mobile home space must be provided within each mobile home park. The storage area shall be located in a section of the park where it will not create a nuisance as to siting, sound, or smell, be adequately landscaped, provide adequate security, and not be located in any buffer or recreation area required by this bylaw. Site coverage of that part of a lot required for the storage area shall not exceed 50 per cent.

ii) Each mobile home park shall be equipped with a park office or other suitable facility including a designated mobile home staffed by a mobile home park operator, in which a copy of the mobile home park permit is posted, for:

a) The reporting of problems of tenants concerning park facilities or other matters for which the operator is responsible.

b) The delivery of mail for each mobile home occupant where individual postal delivery to each mobile home is not available.

10. Recreation Areas

i) Not less than five per cent of the site area of the mobile home park shall be provided for tenants' recreational uses, in a convenient and accessible location. For the purpose of calculating recreational space provided, any indoor recreational space provided shall be counted as double its actual area.

ii) The recreation areas shall not include the area of any mobile home space, parking area, outdoor storage area or building area other than indoor recreation space.

iii) In mobile home parks where more than 1,000.0 square metres of recreation space is required, two or more recreational areas may be provided.

iv) Recreation areas in the mobile home park, except indoor recreation facilities, shall be of a grass, concrete or asphaltic surface and shall be properly landscaped.

v) Swimming pools, if provided, shall be enclosed by a fence not less than 1.5 metres in height complying with all Mobile Home Park (MHP) zone setbacks.

11. Access, Roadways and Walkways

i) **Access**

At least two accesses from a public highway separated by at least 60.0 metres, shall be provided to each mobile home park containing 50 or more mobile home spaces.

ii) **Roadways and Walkways**

a) All mobile home spaces, owner's residential plot, storage areas, and service buildings as well as other facilities where access is required shall have access by internal road systems.

b) Minimum roadway width requirements shall be as follows:

1) Collector or Distributor roads shall have a minimum paved width of 6.5 metres and a minimum right-of-way width of 12.0 metres.

2) Minor Roadways:

i) Cul-de-sacs and two-way minor roads shall have a minimum paved width of 4.9 metres and a minimum right-of-way width of 9.0 metres.

ii) One-way minor roads shall have a minimum paved (surfaced) width of 4.3 metres and a right-of-way of 9.0 metres.

iii) One-way minor roads shall not exceed 150.0 metres in length.

iv) Cul-de-sacs shall not exceed 100.0 metres in length.

v) Dead-end roads and cul-de-sacs shall have a turning circle right-of-way at the dead-end with a radius of at least 12.0 metres.

c) Individual walkways shall be provided for access to each mobile home space from a street or parking space connected to the street.

12. Drainage

i) Paved gutters, drain lines or other necessary surface drainage structures shall be constructed in accordance with generally accepted engineering practice where erosion due to a high run-off velocity can occur or where fish habitat could be affected. Where run-off quantities exceed natural drainage limitations, catch basins, storm sewers and detention ponds shall be constructed in accordance with accepted engineering practice to mitigate impacts on fish habitat by limiting the increase in rate of water run-off to the hydraulic capacity of the natural drainage system.

ii) Paved gutters shall be of brick, concrete, or other durable material of adequate depth and width for the intended use and installed in such a manner that they will provide permanent drainage with reasonable maintenance.

13. Water Supply

i) The owner of the mobile home park shall supply the Regional District with proof of adequate water quantity and quality.

ii) Waterworks systems shall be designed, fabricated and installed in accordance with generally accepted engineering practice.

iii) Potable water shall be distributed to:

a) Each mobile home space

b) Standpipes or hydrants, if required

iv) Water shall not be distributed to any point other than an approved plumbing fixture, hose bib, stand pipe or hydrant.

v) Each water service line serving a mobile home space shall have a minimum diameter of 19.0 millimetres.

vi) The design and installation of the waterworks system requires the approval of the Regional District.

14. Sewage Treatment and Disposal Systems

i) The owner of a mobile home park shall provide for the disposal of all wastewater effluent that is generated within the mobile home park by providing a sewage system connected to all plumbing fixtures and sewer service lines in the mobile home park and either connected to a community sewer system or complying with the Sewerage System Regulations.

ii) In each mobile home space a sewer service connection shall be gas-tight, protected from mechanical damage and protected from rainwater infiltration.

iii) For the purpose of determining pipe sizes, each mobile home space shall be considered as having a hydraulic load according to requirements of the *BC Plumbing Code*.

15. Garbage Disposal

i) The owner of a mobile home park shall dispose or arrange for disposal of garbage or refuse.

ii) If the owner of a mobile home park establishes one or more garbage disposal areas within the park for the collection of garbage and refuse, the owner shall:

a) Provide bear-proof metal containers in adequate number to accommodate the garbage from all occupied mobile home spaces in the park.

b) Maintain the containers so that they shall not become foul-smelling, unsightly, or a breeding place for flies.

c) Screen the areas from adjacent mobile home spaces with shrubs, trees or fencing.

iii) If garbage is to be disposed of on the site, the methods and locations shall be in accordance with the *Environmental Management Act*.

16. Fire Hydrants

i) Fire hydrants shall be installed and connected to the internal water supply of a mobile home park such that no mobile home space is beyond 120.0 metres from a fire hydrant, as measured along the internal and/or external roadway system.

17. Street Lighting

i) Street lighting shall be installed and maintained to adequately illuminate the traveled portion of the mobile home park roadway at the following locations:

a) The intersection of access roads and public highways.

b) All internal intersections.

c) The turning circle of cul-de-sacs.

d) Any point at which an internal roadway changes direction 30° or more.

18. Buffer

i) Every mobile home park shall have immediately within all its boundaries, a buffer of a minimum of 4.5 metres in width within which:

a) No recreation, automobile parking or storage areas shall be located, except for recreation areas abutting a water of body.

b) No mobile home space or owner's residential plot shall be located.

c) No building or structure shall be erected or placed, except a sign, fence or walk.

d) No garbage disposal area and no part of any sewage disposal system, other than such parts of such systems as may be underground, shall be located.

e) Except to mitigate an immediate hazard, no plant material shall be removed nor any substance of which land is composed be deposited or removed, except as a part of a scheme to improve the buffering or aesthetic effect of the area.

ii) No internal access roadways shall be constructed within the buffer other than those which are required to provide access to a highway. Such access roadway shall be as

close to right angles to the highway as is practical and shall not provide direct access to the highway from any mobile home space.

Part 700 RESIDENTIAL ZONES

701 Residential One (R-1)

1. Principal Use

i) **On any lot:**

a) Single detached dwelling

ii) **On any lot over 4000 square metres:**

a) Agriculture use

2. Accessory Uses

i) **On any lot:**

a) Carriage house
b) Secondary suite
c) Secondary dwelling
d) Home occupation
e) Bed and Breakfast
f) Domestic agriculture

ii) **On any lot 2.0 hectares in area or larger:**

a) Domestic industrial use

3. Density

i) **Residential density is limited to two dwelling units:**

a) **On any lot:** one single detached dwelling and one carriage house, secondary suite, or secondary dwelling limited in area to 90.0 square metres are permitted.

4. Siting and Height of Buildings and Structures

The maximum height of single detached dwellings is 10.0 metres and the maximum height of accessory buildings is 7.0 metres.

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback			
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	10.0m	4.5m	4.5m	1.75m	4.5m
Accessory	4.5m or less	4.5m	1.0m	1.0m	4.5m
Accessory	7.0m - 4.6m	4.5m	4.5m	1.75m	4.5m

5. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 35 per cent.

6. Floor Area Requirements

i) The combined floor area of all accessory buildings excluding the floor area of any secondary residential use shall not exceed 200.0 square metres.

7. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Lot Area for All Other Lands:**

a) If connected to community water and sewer, minimum lot area: 600 square metres.
b) If connected to either community water or sewer, minimum lot area: 4000 square metres.
c) If connected to well and approved septic system, minimum lot area: 1.0 hectares.

End • R-1

702 Residential Rural (R-RU)

1. Principal Use

i) **On any lot:**

a) Single detached dwelling

ii) **On any lot over 4000 square metres in area:**

a) Agricultural use

2. Accessory Uses

i) **On any lot:**

a) Carriage house
b) Secondary suite
c) Secondary dwelling
d) Home occupation
e) Bed and Breakfast
f) Domestic agriculture

ii) **On any lot 2.0 hectares in area or larger:**

a) Domestic industrial use

3. Density

Residential density is limited to two dwelling units:

i) **On any lot:** one single detached dwelling and one carriage house, secondary suite, or secondary dwelling limited in area to 90.0 square metres are permitted.

4. Siting and Height of Buildings and Structures

The maximum height of single detached dwellings is 10.0 metres and the maximum height of accessory buildings is 7.0 metres.

The minimum setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback				
Type of Use	**Height**	**Front Yard**	**Rear Yard**	**Side Yard** Front Lot Line <31m	Front Lot Line >31m	**Side Yard Abutting Road**
Principal	10.0m	7.5m	7.5m	1.75m	3.5m	4.5m
Accessory	4.5m or less	7.5m	1.0m	1.0m	1.0m	4.5m
Accessory	7.0m - 4.6m	7.5m	7.5m	1.75m	3.5m	4.5m

5. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 35 per cent.

6. Floor Area Requirements

i) The combined floor area of all accessory buildings excluding the floor area of any secondary residential use shall not exceed 200.0 square metres.

7. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Lot Area for All Other Lands:**

The minimum lot area for subdivision is 0.8 hectare.

End • R-RU

703 Country Residential One (CR-1)

1. Principal Use

i) **On any lot:**

a) Single detached dwelling

iii) **On any lot over 4000 square metres in area:**

a) Agricultural use

2. Accessory Uses

i) **On any lot:**

a) Carriage house
b) Secondary suite
c) Secondary dwelling
d) Home occupation use
e) Bed and Breakfast
f) Domestic agriculture

ii) **On any lot 2.0 hectares in area or larger:**

a) Domestic industrial use
b) Animal kennel

3. Conditions of Use

i) **Animal kennels shall be subject to the following conditions:**

a) A minimum setback for buildings and structures of 15.0 metres along all lot lines.
b) A minimum setback for buildings and structures of 30.0 metres from any lot line abutting a lot zoned under Part 700, Residential Zones.
c) All structures and area utilized in association with the animal kennel, shall be sited at least 30.0 metres from the boundary of any lake, sea, watercourse or wetlands.
d) No loading or storage areas shall be located in any required setback.
e) Screening shall be provided of not less than 1.5 metres in height for animal kennel use abutting a lot zoned under Part 700, Residential Zones.
f) No more than one sign, not exceeding 1.0 square metre in area on each side may be placed on the lot on which the animal kennel use is carried out.

4. Density

i) **Residential density is limited to two dwelling units:**

a) **On any lot:** one single detached dwelling and one carriage house, secondary suite, or secondary dwelling limited in area to 90 square metres are permitted.

b) **On a lot 1.0 hectare or larger:** two single detached dwellings.

5. Siting and Height of Buildings and Structures

The maximum height of single detached dwellings is 10.0 metres and the maximum height of accessory buildings is 7.0 metres.

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback				
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard** Front Lot Line <31m	Front Lot Line>31m	**Side Yard Abutting Road**
Principal	10.0m	7.5m	7.5m	1.75m	3.5m	4.5m
Accessory	4.5m or less	7.5m	1.0m	1.0m	1.0m	4.5m
Accessory	7.0m - 4.6m	7.5m	7.5m	1.75m	3.5m	4.5m

6. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 35 per cent.

7. Floor Area Requirements

i) The combined floor area of all accessory buildings excluding the floor area of any secondary residential use shall not exceed 200.0 square metres.

8. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Lot Area for All Other Lands:**

The minimum lot area for subdivision is 2.0 hectares.

For property legally described as Lot 1 and 2, Section 6, Plan EPP56666, a subdivision with lots smaller than 2.0 hectares may be created provided that the average lot area within the subdivision is a minimum of 2.0 hectares.

End • CR-1

704 Mobile Home Park (MHP)

1. Principal Use

i) **On any lot:**

a) Mobile home park

2. Accessory Uses

i) **On any lot:**

a) Home occupation

3. Conditions of Use

i) Development of Mobile Home Parks shall comply with the requirements of Part 600, "Mobile Home Park Regulations and Standards".

4. Siting of Structures

i) Except where otherwise specified in this bylaw, no building or structure shall be located within:

a) 7.5 metres of a front lot line

b) 7.5 metres of a rear lot line

c) 7.5 metres of a side lot line

5. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 40 per cent.

6. Density

i) The maximum density for a Mobile Home Park is 20 mobile homes per 1.0 hectare.

7. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Minimum Lot Area for All Other Lands:**

The minimum lot area permitted is 2.0 hectares.

End • MHP

705 Residential Multiple (RM)

1. Principal Use

i) **On any lot:**

a) Boarding house

b) Duplex dwelling

2. Conditions of Use

i) Parking areas shall be located at least 6.0 metres away from habitable rooms at or below grade.

3. Density

i) **Residential density is limited to:**

a) **On any lot:** 30 units per hectare

4. Siting and Height of Buildings and Structures

The maximum height of duplex dwellings is 10.0 metres and the maximum height of accessory buildings is 6.0 metres.

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback			
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	10.0m	7.5m	7.5m	3.5m	4.5m
Accessory	4.5m or less	4.5m	1.0m	1.0m	4.5m
Accessory	6.0m - 4.6m	4.5m	4.5m	3.5m	4.5m

5. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 40 per cent.

ii) The lot coverage of all buildings and structures, driveways, and parking areas, shall not exceed 60 per cent.

6. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Minimum Lot Area for Other All Lands**:

The minimum lot area for subdivision is 4000 square metres.

End • RM

PART 800 RURAL / RESOURCE ZONES

801 Rural Eight (RU-8)

1. Principal Use

i) **On any lot:**

a) Single detached dwelling
b) Agricultural use
c) Plant nursery and greenhouse
d) Riding academy
e) Silviculture
f) Aquaculture
g) Veterinary establishment
h) Fish hatchery (including community based)

ii) **On any lot 2.0 hectares in area or larger:**

a) Animal kennel

iii) **On any lot 8.0 hectares in area or larger:**

a) Wood processing or permanent sawmills occupying an area of not more than 1000.0 square metres including vehicle parking, and log sort and lumber storage areas.
b) Crushing and screening of sand and gravel.

2. Accessory Uses

i) **On any lot:**

a) Carriage house
b) Secondary suite
c) Secondary dwelling
d) Home occupation
e) Bed and Breakfast
f) Domestic industrial use
g) Pet crematorium

3. Conditions of Use

i) **Animal kennel shall be subject to the following conditions:**

a) Minimum setback of buildings and structures of 15.0 metres along all lot lines.
b) All structures and area utilized in association with the animal kennel, shall be sited at least 30.0 metres from the boundary of any lake, sea, watercourse or wetland.

c) No parking, loading or storage areas shall be located in any required setback area.

d) Screening shall be provided at not less than 1.5 metres in height.

e) No more than one sign, not exceeding 1.0 square metre in area on each side may be placed on the lot on which the animal kennel use is carried out.

ii) **All sawmill uses or portable sawmill uses shall be subject to the following conditions:**

a) Minimum setback of buildings and structures of 30.0 metres along all lot lines.

b) Uses shall be screened and buffered from adjacent properties through maintenance of natural vegetation of not less than 2.0 metres in height.

c) All structures and area utilized in association with sawmill uses or potable sawmill uses, shall be sited at least 30.0 metres from the boundary of any lake, sea or watercourse.

d) No parking, loading or storage areas shall be located in any required setback area.

e) Uses abutting an area zoned under Part 700, Residential Zones, shall be screened and buffered from adjacent properties through the use of fencing, berming or evergreen vegetation being not less than 2.0 metres in height. Solid fencing may be as high as 3.0 metres.

iii) **All gravel, sand crushing and screening operations shall be subject to the following conditions:**

a) Minimum setback of buildings and structures of 30.0 metres along all lot lines.

b) Minimum yard clearance of 60.0 metres from any lot where gravel, sand or soil extraction occurs within or abutting an area zoned under Part 700, Residential Zones.

c) Minimum setback requirement for stockpiles shall be 15.0 metres along all lot lines.

d) No parking, loading or storage areas shall be located in any required setback area.

e) Uses shall be screened and buffered from adjacent properties through maintenance of natural vegetation of not less than 2.0 metres in height.

f) Uses abutting an area zoned under Part 700, Residential Zones, shall be screened and buffered from adjacent properties through the use of fencing, berming or evergreen vegetation being not less than 2.0 metres in height. Solid fencing may be as high as 3.0 metres.

g) All structures and area utilized in association with gravel, sand crushing and screening operation, shall be sited at least 30.0 metres from the boundary of any lake, sea, watercourse or wetland.

4. <u>Density</u>

i) **Residential density is limited to two dwelling units:**

a) **On any lot:** one single detached dwelling and one carriage house, secondary suite, or secondary dwelling limited in area to 90.0 square metres are permitted.

b) **On any lot greater than 1.0 hectare in area:** two single detached dwellings.

5. Floor Area Requirements

i) The combined floor area of all accessory buildings excluding the floor area of any secondary residential use shall not exceed 300.0 square metres.

6. Siting and Height of Buildings and Structures

The maximum height of principal buildings is 10.0 metres and the maximum height of accessory buildings is 8.0 metres, or 10.0 metres in the case of an aquaculture building.

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback				
Type of Use	**Heights of Structure**	**Front Yard**	**Rear Yard**	**Side Yard Front Lot Line <31m**	**Front Lot Line >31m**	**Side Yard Abutting Road**
Principal	10.0m	7.5m	7.5m	1.75m	3.5m	7.5m
Accessory	4.5m or less	7.5m	1.0m	1.0m	1.0m	7.5m
Accessory	8.0m - 4.6m	7.5m	7.5m	1.75m	3.5m	7.5m
Aquaculture	10.0m	7.5m	7.5m	7.5m	7.5m	7.5m

7. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 15 per cent.

8. Subdivision Requirements

i) **Minimum lot area**: 8.0 hectares

End – RU-8

802 Rural Twenty (RU-20)

1. Principal Use

i) **On any lot:**

a) Single detached dwelling
b) Agricultural use
c) Veterinary establishment
d) Plant nursery and greenhouse
e) Silviculture
f) Fish Hatchery (including community based)

ii) **On any lot greater than 2.0 hectares in area the following uses are also permitted:**

a) Animal kennel
b) Riding academy

iii) **On any lot greater than 4.0 hectares in area the following uses are also permitted:**

a) Wood processing
b) Sawmill including portable sawmill
c) Gravel, mineral or peat extraction, gravel crushing and screening, excluding manufacturing or sales of concrete or concrete products

iv) **On any lot 4.0 hectares in area or larger classified as private managed forest land or farm pursuant to the *Assessment Act* or within a license area under the *Forest Act* the following uses are also permitted:**

a) Research and teaching facility
b) Rural resource centre to a maximum floor area of 300.0 square metres

2. Accessory Uses

i) **On any lot:**

a) Carriage house
b) Secondary suite
c) Secondary dwelling
d) Bed and Breakfast
e) Home occupation
f) Domestic industrial use
g) Retail and wholesale sales of agricultural and forestry products to a maximum floor area of 100.0 square metres

3. Conditions of Use

i) **Animal kennels shall be subject to the following conditions:**

a) Maintain a minimum setback of buildings and structures of 15.0 metres along all lot lines.

b) All structures and area utilized in association with the animal kennel, shall be sited at least 30.0 metres from the boundary of any lake, sea or watercourse.

c) No parking, loading or storage areas shall be located in any required setback area.

d) Screening shall be provided at not less than 1.5 metres in height for animal kennel.

e) No more than one sign, not exceeding 1.0 square metre in area on each side may be placed on the lot on which the animal kennel use is carried out.

ii) **Wood processing, gravel, sand and mineral extraction (including crushing and screening of aggregate extracted onsite), research and teaching facilities, and rural resource centres shall be subject to the following conditions:**

a) A minimum setback for buildings and structures of 15.0 metres along all lot lines.

b) Minimum setback requirement for stockpiles shall be 15.0 metres along all lot lines.

c) A minimum setback for buildings and structures of 30.0 metres from any lot line abutting a lot zoned Residential or Country Residential.

d) No loading or storage areas shall be located in any required setback.

e) Screening of not less than 2.0 metres in height shall be provided for wood processing uses and a rural resource centre abutting a lot zoned Residential.

f) Screening of not less than 1.5 metres in height shall be provided for wood processing uses and a rural resource centre abutting a lot zoned Country Residential.

4. <u>Density</u>

i) **Residential density is limited to two dwellings units:**

a) **On any lot:** one single detached dwelling and one carriage house, secondary suite, or secondary dwelling limited in area to 90.0 square metres are permitted.

b) **On a lot greater than 1.0 hectare in area:** two single detached dwellings.

5. <u>Siting and Height of Buildings and Structures</u>

The maximum height of principal buildings is 10.0 metres and the maximum height of accessory buildings is 8.0 metres.

i) The setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback				
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard Front Lot Line <31m**	**Front Lot Line >31m**	**Side Yard Abutting Road**
Principal	10.0m	7.5m	7.5m	1.75m	3.5m	7.5m
Accessory	4.5m or less	7.5m	1.0m	1.0m	1.0m	7.5m
Accessory	8.0m - 4.6m	7.5m	7.5m	1.75m	3.5m	7.5m

6. Floor Area Requirements

i) The combined floor area of all buildings and structures shall not exceed 15 per cent.

7. Subdivision Requirements

i) **Minimum lot area**: 20.0 hectares

End • RU-20

802.1 Rural Twenty Density Bonus (RU-20DB)

1. Principal Use

i) **On any lot:**

a) Single detached dwelling

b) Agricultural use

2. Accessory Uses

i) **On any lot:**

a) Home occupation

b) Domestic industrial

c) Riding academy

d) Silviculture

e) Shellfish aquaculture

f) Upland finfish aquaculture

g) Fish hatchery (including community-based)

h) Animal kennel

i) Carriage house

j) Secondary suite

k) Secondary dwelling

3. Density

i) **Residential density is limited to two dwellings units:**

a) **On any lot:** one single detached dwelling and one carriage house, secondary suite, or secondary dwelling are permitted.

b) **On a lot greater than 10.0 hectare in area:** two single detached dwellings.

4. Conditions of Use

i) **Riding academy, silviculture, aquaculture, and fish hatchery uses are subject to the following conditions:**

a) No merchandise to be displayed outdoors.

b) Loading areas to be screened to a height of 2.5 metres by coniferous vegetation or solid screen fence, or combination of the two.

c) Refuse and recycling facilities to be housed within a building or within an outdoor screened enclosure. Outdoor, screened enclosures are to be a minimum 2.5 metres in height.

d) No parking, loading or storage areas to be located within 4.5 metres of a property line.

ii) **Animal kennels shall be subject to the following conditions:**

a) Maintain a minimum setback of buildings and structures of 15.0 metres along all lot lines.

b) All structures and area utilized in association with the animal kennel, shall be sited at least 30.0 metres from the boundary of any lake, sea or watercourse.

c) No parking, loading or storage areas shall be located in any required setback area.

d) Screening shall be provided at not less than 1.5 metres in height for animal kennel.

e) No more than one sign, not exceeding 1.0 square metre in area on each side may be placed on the lot on which the animal kennel use is carried out.

5. Floor Area Requirements

i) The combined floor area of all accessory buildings excluding the floor area of any secondary residential use shall not exceed 400.0 square metres.

ii) No single accessory building shall exceed 200.0 square metres.

6. Siting and Height of Buildings and Structures

The maximum height of principal buildings is 10.0 metres and the maximum height of accessory buildings is 8.0 metres.

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback				
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard** Front Lot Line <31m	Front Lot Line >31m	**Side Yard Abutting Road**
Principal	10.0m	7.5m	7.5m	3.0m	4.0m	7.5m
Accessory	4.5m or less	7.5m	3.0m	1.75m	1.75m	7.5m
Accessory	8.0m - 4.6m	7.5m	7.5m	1.75m	3.5m	7.5m

7. Lot Coverage

i) On any lot 4.0 hectares in area, the lot coverage of all buildings and structures shall not exceed 25 per cent.

ii) On any lot 4.0 hectares in area or larger, the lot coverage of all buildings and structures shall not exceed 15 per cent.

8. Subdivision Requirements

i) **Lot Area:**

The minimum lot area: 20.0 hectares.

For property described as Lot 4, District Lot 12 (situated partly within District Lots 31G, 33G and 40G of Section 2) Nelson District, Plan 46828, Except Part in Plan

VIP68043 and a portion of Lot 33, Section 2A Nelson District except Plan VIP66877, except part in District Lots 12, 23 and 27 and except part in Plan VIP69915:

A density bonus to permit a maximum of 11 lots (each with a minimum lot area of 4.0 hectares) with provision of all community amenity contributions listed below:

	Community Amenity Contributions
a)	Donation to the CVRD of the approximately 1.8 hectare portion of Lot 4 east of the E&N rail corridor accessed from Rayne Road (Mystery Beach extension) for use as a public park.
b)	Construction of a gravel parking area in the southeast corner of the park space designed in accordance with CVRD specifications.
c)	Registration of a conservation covenant over Hindoo Creek and its area as defined through a RAR assessment prepared by a qualified environmental professional. To be registered over all proposed parcels, or part thereof, located within the riparian area of Hindoo Creek. The covenant will be held by a third party qualified to hold a conservation covenant to the satisfaction of the CVRD.
d)	Provision of a rainwater management plan (prepared by a qualified professional), to ensure that rainwater is managed on-site to prevent increases in potential flooding and erosion risks on adjacent and downstream properties, as required by provincial guidelines. The report should achieve Ministry of Transportation and Infrastructure design requirements, including reference to Stormwater Planning, A Guidebook for British Columbia, and the Water Balance Model for British Columbia. The report will be registered via restrictive covenant on the property (and on the titles of the future subdivided parcels).
e)	Construction of approximately 1.6 km of multi-use trails within existing road rights-of-way (i.e. "roadside greenway" on Brean and Rayne/Mystery Beach Roads) and proposed internal public road right-of-way, including rail crossings and a trail crossing over Hindoo Creek and culverts and/or crossings over the smaller watercourses that are identified on the CVRD sensitive habitat atlas, as required. Note that failing Ministry of Transportation approval for roadside greenways, the trails would be located adjacent to the public right-of-way on the subject property and public access secured through a statutory right-of-way.
f)	Construction of a 1.0 km section of multi-use trail within the E&N rail corridor (i.e. "off road greenway") including watercourse crossings and culverts as required. Trail to be constructed in accordance with CVRD specifications.

End • RU-20DB

803 Rural ALR (RU-ALR)

1. Principal Use

i) **On any lot:**

a) Single detached dwelling
b) Agricultural use
c) Intensive agriculture
d) On any lot in the Agriculture Land Reserve any other use specifically permitted under the *Agricultural Land Commission Act*, regulations and orders

2. Accessory Uses

i) **On any lot:**

a) Secondary suite
b) Home occupation

3. Conditions of Use

i) Any conditions or limitations imposed elsewhere in this Bylaw (See Section 303).

4. Density

i) **Residential density is limited to:**

a) **On any lot:** one single detached dwelling and one secondary suite plus additional dwelling units (attached or detached) where the additional dwelling units are specifically permitted under the *Agricultural Land Commission Act*, regulations and orders.

5. Siting and Height of Buildings and Structures

The maximum height of principal buildings is 10.0 metres and the maximum height of accessory buildings is 8.0 metres.

i) The setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback				
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard Front Lot Line <31m**	**Front Lot Line >31m**	**Side Yard Abutting Road**
Principal	10.0m	7.5m	7.5m	1.75m	3.5m	7.5m
Accessory	4.5m or less	7.5m	1.0m	1.0m	1.0m	7.5m
Accessory	8.0m - 4.6m	7.5m	7.5m	1.75m	3.5m	7.5m

6. Lot Coverage

i) The lot coverage of all buildings and structures, excluding greenhouses, shall not exceed 35 per cent.

7. Subdivision Requirements

i) Minimum lot area: 8.0 hectares

End • RU-ALR

804 Upland Resource (UR)

1. Principal Use

i) **On any lot:**

a) Silviculture
b) Agricultural use
c) Fish hatchery
d) Explosives sales, storage manufacturing and distribution
e) Firearm range
f) Wood processing
g) Gravel, mineral or peat extractions, gravel crushing and screening, bulk mixing, processing of soil mixtures for commercial resale
h) On any lot in the Agriculture Land Reserve any other use specifically permitted by the *Agricultural Land Commission Act*, regulations and orders

2. Accessory Uses

i) **On any lot:**

a) Single detached dwelling

3. Conditions of Use

i) **All wood processing, gravel, sand and mineral extraction (including crushing and screening of aggregate extracted onsite), bulk mixing, processing of soil mixtures shall be subject to the following conditions:**

a) A minimum setback of 15.0 metres along all lot lines.
b) A minimum setback of 30.0 metres from any lot line abutting an area zoned under Part 700, Residential Zones, and Water Supply and Resource Area zones.
c) No loading or storage areas shall be located in any required setbacks.
d) Uses abutting an area zoned under Part 700, Residential Zones, shall be screened and buffered from adjacent properties through the use of fencing, berm and evergreen vegetation being not less than 2.0 metres in height.
e) All structures and area utilized in association with wood processing, gravel, sand and mineral extraction (including crushing and screening of aggregate extracted onsite), bulk mixing, processing of soil mixtures shall be sited at least 30.0 metres from the boundary of any lake, sea, watercourse or wetland.

4. Density

i) **Residential density is limited to:**

a) **On any lot:** One single detached dwelling.

5. Lot Coverage

i) The lot coverage of all buildings and structures is 35 per cent to a maximum of 1000.0 square metres.

6. Siting and Height of Buildings and Structures

The maximum height of principal buildings and accessory single detached dwellings is 10.0 metres and the maximum height of accessory buildings is 7.0 metres.

i) The setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback				
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard Front Lot Line <31m**	**Front Lot Line >31m**	**Side Yard Abutting Road**
Principal	10.0m	7.5m	7.5m	1.75m	3.5m	7.5m
Accessory	4.5m or less	7.5m	1.0m	1.0m	1.0m	7.5m
Accessory	7.0m - 4.6m	7.5m	7.5m	1.75m	3.5m	7.5m

7. Subdivision Requirements

i) The minimum lot area for subdivision shall be as follows:

a) 40.0 hectares for the area east of the most westerly boundary of the BC Hydro transmission right-of-way Plans 509, 510, 511, 512, 914, 932, 933 and 934.

b) 40.0 hectares for the area within 1.0 kilometre west of the most westerly boundary of the said rights-of-way, with measurement made perpendicularly to the boundary of the said rights-of-way, except as modified in Clause (e).

c) 40.0 hectares for the areas approximately 1.0 kilometre east, south, and west of the Village of Cumberland, except as modified in Clause (e).

d) 400.0 hectares for the area more than 1.0 kilometre west of the most westerly boundary of the said right-of-way's, with measurement made perpendicularly to the boundary of the said rights-of-way except as modified in Clause (e).

e) Where a lot is subject to both the 40.0 and 400.0 hectare minimum lot area, the minimum lot area which applies to the greatest portion of the lot shall be the minimum lot area for creation of that lot. Where a lot is divided into portions of equal area, the minimum lot area in respect of the entire lot shall be 40 hectares.

ii) The minimum permitted highway frontage for lots created by subdivision shall be 100.0 metres.

End • UR

805 Water Supply and Resource Area (WS-RA)

1. Principal Use

i) **On any lot:**

a) Silviculture use

2. Accessory Uses

i) Single detached dwelling

3. Condition of use

i) No boat launch or docks are permitted, except for property that is water access only.

4. Density

Residential density is limited to:

i) **On any lot:** one single detached dwelling

5. Lot Coverage

i) The lot coverage of all buildings and structures shall be 35 per cent of the total lot area to a maximum of 1000.0 square metres.

6. Siting and Height of Buildings and Structures

The maximum height of principal buildings is 10.0 metres and the maximum height of accessory buildings is 7.0 metres.

i) The setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback			
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	10.0m	7.5m	7.5m	7.5m	7.5m
Accessory	4.5m or less	7.5m	1.0m	7.5m	7.5m
Accessory	7.0m - 4.6m	7.5m	7.5m	7.5m	7.5m

7. Subdivision Requirements

i) The minimum lot area for subdivision shall be 400.0 hectares.

ii) The minimum permitted highway frontage for lots created by subdivision shall be 100.0 metres.

End • WS-RA

806 Drinking Water Protection (DWP)

1. Principal Use

i) Utility use

2. Condition of Use

i) No boat launch or docks are permitted.

ii) No houseboat, float home, float camp, or other vessel for tourist accommodation or residential use.

End • DWP

807 Aquaculture (AQ)

1. Principal Use

i) **On any lot:**

a) Shellfish aquaculture

2. Condition of Use

i) No structures, excluding navigational aids or wharves, shall extend more than 1.0 metres in height above the surface of the water at any point in time.

ii) Any wharves use shall be directly associated with shellfish aquaculture.

End • AQ

808 Upland Aquaculture Facility (UAF)

1. Principal Use

i) **On any lot:**

a) Upland Invertebrate hatchery
b) Upland Finfish aquaculture
c) Shellfish aquaculture
d) Saltwater and freshwater storage for aquaculture and hatchery purposes
e) Agriculture

2. Accessory Uses

i) **On any lot:**

a) Office
b) Outdoor storage
c) Warehousing
d) Single detached dwelling

3. Conditions of Use

i) Seafood processing is not permitted except for the stunning and bleeding of fish grown on site.

ii) No floating or fixed structures may prevent access by an upland owner to water or over the surface of water to navigable areas.

iii) No parking, loading or storage areas shall be located within 1.5 metres of any lot line.

iv) All outdoor storage or supply yards shall be screened from any abutting property.

v) All permitted uses listed in "upland invertebrate hatchery" shall be subject to the following conditions:

a) No merchandise shall be displayed outdoors on any upland aquaculture facility.
b) No mechanized processing is permitted on site.
c) No retail sales are permitted on site.

vi) Upland aquaculture facilities shall be subject to the following parking requirements:

a) All required off-street parking spaces should be used only for the purposes of accommodating the vehicles of customers and employees and shall require 1.0 parking space for every 100.0 square metres of gross floor area.
b) Off-street parking, loading areas and ingress and egress points shall be located so as not to interfere with other on-site vehicular and off-site traffic movements abutting the streets.

vii) Upland aquaculture facilities shall be subject to the following landscaping requirements:

a) Except for points of ingress and egress, landscaping is required for the screening and enhancement of every upland aquaculture facility. The landscaping shall be maintained with lawns, shrubs, trees or other suitable landscaping of a type and location to the satisfaction of any one of the Comox Valley Regional District officers.

b) All landscaping should constitute a minimum of 5 per cent of the site subject to such minor variations as any one of the Comox Valley Regional District officers may approve.

c) Loading areas, garbage containers and recycling containers shall be screened to a height of at least 2.5 metres by a landscaping screen, a solid decorative fence, or a combination thereof.

d) Where the upland aquaculture facility is situated on a lot having a boundary in common with any abutting property zoned under Part 700, Residential Zones, and/or the Agricultural Land Reserve on and along the full length of such boundary or portion of the boundary: a solid fence and/or a landscaped area measuring no less than 3.5 metres in width throughout its length and used only for the purpose of cultivating ornamental trees, shrubs, flowers and grass to the satisfaction of any one of the Comox Valley Regional District officers.

e) Each UAF zone shall be allowed one freestanding sign for each street frontage of the business. The freestanding sign shall be permitted in landscaped areas only and located on the same lot as the facility. The height of the sign, including support structures, shall not exceed 6.0 metres and the area of any one face shall not exceed 4.5 square metres. The freestanding sign should not be illuminated.

4. Density

i) **Residential density is limited to two dwelling units**:

a) On any lot: two single detached dwellings.

5. Siting and Height of Building and Structures

i) The maximum height and minimum setbacks required for buildings and structures shall be as set out in the table below:

		Required Setback			
Type of Use	**Maximum Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	12.0m	7.5m	7.5m	7.5m	7.5m
Dwelling unit	10.0m	7.5m	7.5m	3.5m	4.5m
Accessory	7.0m	7.5m	7.5m	7.5m	7.5m

6. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 50 per cent.

7. Subdivision Requirements

i) The minimum lot area for subdivision is 2.0 hectares.

End • UAF

PART 900 COMMERCIAL & INDUSTRIAL ZONES

901 Commercial One (C-1)

1. Principal Use

i) **On any lot:**

a) Service establishment
b) Retail and wholesale sale
c) Office
d) Veterinary establishment
e) Tourist accommodation
f) Restaurant
g) Craft beverage processing
h) Liquor licensed establishment
i) Assembly use
j) Institutional use
k) Recreation facility
l) Mini-storage

2. Accessory Uses

i) **On any lot:**

a) Residential use limited one dwelling unit
b) Warehousing
c) Outdoor recreation use
d) Outdoor storage

3. Conditions of Use

i) **Any fairgrounds associated with Assembly use shall be subject to the following conditions:**

a) Camping site associated with fairground use must be in conjunction with an event sponsored by a non-profit cause, organization or society taking place on the lot on which the use is carried out.

ii) **All other permitted uses shall be subject to the following conditions:**

a) No parking, loading or storage areas shall be located within 1.5 metres of any lot line.

b) All outdoor storage use shall be screened from any abutting property zoned under Part 700, Residential Zone, in accordance with Section 310.

4. Density

i) **Tourist Accommodation:**

a) Minimum tourist accommodation unit area is 40.0 square metres.

b) For Tourist Accommodation uses, maximum of twenty-four (24) tourist accommodation units per 1.0 ha.

c) A minimum of 25 per cent of the lot area shall be retained as open space.

d) Occupancy shall be temporary in nature with a minimum of 50 per cent of the total units limited to a maximum stay of six months per visitor for any 12 month period.

e) Residential occupancy of up to 50 per cent of the total units is permitted where:
A surveyor's site certificate identifying all tourist accommodation units is provided indicating the location of the proposed residential occupancies.

f) At least three of the following uses are in operation on the site:

1) Restaurant
2) Service establishment
3) Offices
4) Retail sales
5) Liquor licensed establishment
6) Outdoor recreation use

5. Siting of Buildings and Structures

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

	Required Setback			
Type of Use	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	4.5m	4.5m	1.75m	4.5m
Accessory	4.5m	1.0m	1.0m	4.5m

6. Height of Structures

i) The maximum permitted height of principal structures shall be:

a) At and beyond required side yard setback: 8.0 metres

b) At and beyond 7.5 metres from any lot line: 10.0 metres

c) At and beyond 12.0 metres from any lot line: 12.0 metres

ii) The maximum permitted height of accessory buildings and structures shall be 8.0 metres.

7. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 50 per cent.

8. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Minimum Lot Area for All Other Lands:**

The minimum average lot area permitted shall be 2000 square metres.

End • C-1

902 Commercial One A (C-1A)

1. Principal Use

i) **On any lot:**

a) Service establishment
b) Retail sale
c) Restaurant
d) Craft beverage processing
e) Liquor licensed establishment
f) Veterinary establishment
g) Automobile service station

2. Accessory Uses

i) **On any lot:**

a) Residential use limited to one dwelling unit
b) Outdoor storage
c) Office

3. Conditions of Use

i) **Automobile service stations shall be subject to the following conditions:**

a) Fuel service pumps or pump islands shall be located a minimum of 4.5 metres from any lot line. Canopies over the fuel service pumps or pump islands shall be located within 1.5 metres of any lot line. No canopy is to be longer than 33 per cent of the length of the street boundary of the yard in which it is located, to a maximum of 12.0 metres.

b) Automobile service stations shall be subject to the following parking and loading area requirements:

1) Off-street parking, loading areas and ingress and egress points shall be located so as not to interfere with other on-site vehicular and off-site traffic movements abutting the streets.

2) No parking, loading or storage areas shall be located within 1.5 metres of any lot line.

c) Automobile service stations shall be subject to the following landscaping requirements:

1) Loading areas, garbage containers and recycling containers shall be screened to a height of at least 2.5 metres by a landscaping screen, a solid decorative fence, or a combination thereof.

Where the automobile service station is situated on a lot having a boundary in common with any abutting property zoned under Part 700, Residential Zones, there shall be provided and maintained on and along the full length of such boundary or portion of the boundary, a landscaped area measuring no less than

3.0 metres in width throughout its length comprised of properly maintained trees, shrubs, flowers and grass.

d) One freestanding sign is permitted for each street frontage of any lot used for an automobile service station. The freestanding sign shall be permitted in landscaped areas only. The height of the sign, including support structures, shall not exceed 6.0 metres and the area of any one face shall not exceed 6.5 square metres. A freestanding sign may be illuminated.

ii) **All other permitted uses shall be subject to the following conditions:**

a) No parking, loading or storage areas shall be located within 1.5 metres of any lot line.

b) All outdoor storage shall be screened from any abutting property zoned under Part 700, Residential Zones, there shall be provided and maintained on and along the full length of such boundary or portion of the boundary, a landscaped area measuring no less than 3.0 metres in width throughout its length comprised of properly maintained ornamental trees, shrubs, flowers and grass.

4. Siting of Buildings and Structures

i) The minimum setbacks required for buildings and structures shall be as set out in the tables below.

	Required Setback for Principal Uses			
Type of Use	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	4.5m	4.5m	1.75m	4.5m

	Required Setback for Accessory Uses			
Type of Use	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Accessory (Adjacent to Part 700 zones)	4.5m	4.5m	4.5m	4.5m
Accessory (Adjacent to non - Part 700 zones)	4.5m	1.0m	1.0m	4.5m

5. Height of Structures

i) The maximum permitted height of principal buildings and structures shall be:

a) At and beyond required side yard setback: 8.0 metres

b) At and beyond 7.5 metres from any lot line: 10.0 metres

c) At and beyond 12.0 metres from any lot line: 12.0 metres

ii) The maximum permitted height of accessory buildings and structures shall be 8.0 metres.

6. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 50 per cent.

7. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Lot Area:**

The minimum average lot area permitted shall be 2000 square metres.

End • C-1A

903 Tourist Commercial One (TC-1)

1. Principal Use

i) **On any lot:**

a) Campground
b) Recreational vehicle (RV) park
c) Tourist accommodation
d) Recreation facility
e) Marina

2. Accessory Uses

i) **On any lot:**

a) Restaurant
b) Liquor licensed establishment
c) Retail
d) Office
e) Outdoor recreation use
f) Wharves and moorage use excluding: permanent or indefinite berthing, and berthing of vessels occupied as a dwelling unit or as tourist accommodation
g) Outdoor storage
h) Residential use limited to one dwelling unit

3. Conditions of Use

i) **All Campgrounds and recreational vehicle park uses, shall be subject to the following conditions:**

a) Every camping site shall have a minimum area of 110.0 square metres.
b) No camping site shall be located within 3.0 metres of an internal access road.
c) Washrooms shall be provided for in accordance with Ministry of Health requirements.
d) A minimum of one container for every two camping sites shall be provided for purposes of garbage disposal or a garbage collection facility of suitable capacity. Each container must be durable, insect-tight, water-tight, and rodent proof.
e) Occupancy shall be temporary in nature. At least 50 per cent of the camping site shall be limited to a maximum stay of six months in a 12 month period. The relocation of RVs within the campground does not constitute the start of a new stay.
f) Structural additions to recreational vehicles in campgrounds are not permitted.

4. Density

i) **Tourist Accommodation**

a) Minimum tourist accommodation unit area is 40.0 square metres.

b) For Tourist Accommodation uses, maximum of twenty-four (24) tourist accommodation units per hectare.

c) A minimum of 40 per cent of the lot area shall be retained as open space.

d) Occupancy of tourist accommodation units shall be limited to temporary occupancy. At least 50 per cent of the tourist accommodation units shall be limited to a maximum stay of six months in a 12 month period.

e) Residential occupancy of up to 50 per cent of the total units is permitted where:

1) A surveyor's site certificate identifying all campsites and other tourist accommodation units is provided indicating the location of the proposed residential occupancies.

2) At least three of the following uses are in operation on the site:

i) Campground
ii) Hotel
iii) Restaurant
iv) Liquor licensed establishment
v) Marina
vi) Wharves and moorage
vii) Outdoor recreation use

5. Siting of Buildings and Structures

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

	Required Setback			
Type of Use	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	4.5m	4.5m	3.5m	4.5m
Accessory	4.5m	1.0m	3.5m	4.5m

6. Height of Structures

i) The maximum permitted height of principal buildings and structures shall be:

a) At and beyond required side yard setback: 8.0 metres
b) At and beyond 7.5 metres from any lot line: 10.0 metres
c) At and beyond 12.0 metres from any lot line: 12.0 metres

ii) The maximum permitted height of accessory buildings and structures shall be 8.0 metres.

7. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Minimum Lot Area for All Other Lands:**

The minimum average lot area permitted shall be 4000 square metres.

End • TC-1

904 Tourist Commercial Two (TC-2)

1. Principal Use

i) **On any lot:**

a) Campground
b) Recreational vehicle (RV) park
c) Tourist accommodation
d) Recreation facility

ii) **On any lot within the Agricultural Land Reserve where approved by the Provincial Agricultural Land Commission:**

a) Campgrounds (excluding RV parks)

2. Accessory Uses

i) **On any lot:**

a) Restaurants
b) Liquor licensed establishment
c) Retail
d) Office
e) Outdoor recreation use
f) Marinas
g) Residential use limited to one dwelling unit

3. Conditions of Use

i) **All Campgrounds shall be subject to the following conditions:**

a) Every camping site shall have a minimum area of 110.0 square metres.
b) No camping site shall be located within 3.0 metres of an internal access road.
c) A minimum of one container for every two camping sites shall be provided for garbage disposal or a centralized garbage collection facility of suitable capacity. Each container must be durable, insect-tight, water-tight, and rodent proof.
d) Occupancy shall be temporary in nature. At least 50 per cent of the camping site shall be limited to a maximum stay of six months in a 12 month period. The relocation of RVs within the campground does not constitute the start of a new stay. The remaining 50% of total occupancy is to be limited to stays of with durations shorter than 6 months. The relocation of RV's to other RV sites within the lot does not constitute the start of a new stay.

4. Density

i) **Tourist Accommodation**

a) Minimum tourist accommodation unit area is 40.0 square metres.

b) For Tourist Accommodation uses, maximum number of twenty-four (24) tourist accommodation units per hectare.

c) A minimum of 50 per cent of the lot area shall be retained as open space.

d) Occupancy of tourist accommodation units shall be limited to temporary occupancy. At least 50 per cent of the tourist accommodation units shall be limited to a maximum stay of 6 months in a 12 month period. The remaining 50 per cent of the total possible occupancy for tourist accommodation units only, and specifically excluding RV sites, are permitted permanent residential use through full time occupancy, where occupancy of 12 months per calendar year is permitted.

5. Siting of Buildings and Structures

i) The setbacks required for buildings and structures within the Tourist Commercial Two zone shall be as set out in the table below.

	Required Setback			
Type of Use	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	7.5m	7.5m	3.5m	7.5m
Accessory	7.5m	1.0m	3.5m	7.5m

6. Height of Structures

i) The maximum permitted height of principal structures shall be:

a) At and beyond required side yard setback: 8.0 metres

b) At 7.5 metres from any lot line: 10.0 metres

c) At 12.0 metres from any lot line: 12.0 metres

ii) The maximum permitted height of accessory buildings and structures shall be 8.0 metres.

7. Lot Coverage

i) The maximum permitted coverage of all buildings and structures shall not exceed 25 per cent of the site area.

8. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Minimum Lot Area for All Other Lands:**

The minimum average lot area permitted shall be 4000 square metres.

End • TC-2

905 Rural Recreation One (RR-1)

1. Principal Use

i) **On any lot:**

a) Outdoor recreation
b) Recreation facility
c) Interpretive / cultural centre
d) Special events

ii) **On any lot within the Agricultural Land Reserve:**

a) Residential use limited to one dwelling unit
b) Agricultural use
c) Special events

2. Accessory Uses

i) Residential use limited to one dwelling unit
ii) Campground
iii) Recreational vehicle (RV) park

3. Conditions of Use

i) All permitted uses listed in Section (1), "Principal Uses" and Section (2), "Accessory Uses", excluding residential use, shall be subject to the following conditions:

a) Landscaped areas with the following characteristics shall be provided:

1) Landscaped areas shall be planted and maintained with trees, shrubs and grasses.

2) Where a property abuts a road right-of-way, a landscaped area at least 3.0 metres in width running the length of the right-of-way, except for points of ingress and egress, shall be provided.

b) No parking, loading or storage areas shall be located within 1.5 metres of any property line.

c) All outdoor storage shall be screened. Screening not less than 2 metres in height, and on landscaped areas not less than 7.5 metres in width, shall consist of solid wood fencing, evergreen hedging or an earth berm. All screening, including fencing and hedging, shall be well maintained and fencing shall be painted as required.

ii) All Campgrounds and recreational vehicle park uses, shall be subject to the following conditions:

a) Every camping site shall have a minimum area of 110.0 square metres.
b) No camping site shall be located within 6.0 metres of any lot line abutting a zoned under Part 700, residential Zone.
c) No camping site shall be located within 3.0 metres of an internal access road.

d) A minimum of one container for every two camping sites shall be provided for garbage disposal or a centralized garbage collection facility of suitable capacity. Each container must be durable, insect-tight, water-tight, and rodent proof.

e) Occupancy shall be temporary in nature. At least 50 per cent of the camping site shall be limited to a maximum stay of six months in a 12 month period. The relocation of RVs within the campground does not constitute the start of a new stay.

iii) Only One freestanding sign for each street frontage of the business. The freestanding sign shall be permitted in landscaped areas only. The height of the sign, including support structures, shall not exceed 6.0 metres and the area of any one face shall not exceed 6.5 square metres. A freestanding sign may be illuminated.

iv) One fascia sign shall be allowed on each building. The maximum area of fascia signs shall be 6 square metres. Fascia signs may be illuminated.

4. Siting and Height of Buildings and Structures

The maximum height of principal buildings and structures is 12.0 metres and the maximum height of accessory buildings is 10.0 metres.

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback			
Type of Use	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	12.0m	30.0m	30.0m	30.0m	30.0m
Accessory	4.5m or less	30.0m	30.0m	30.0m	30.0m
Accessory	4.6m or higher	30.0m	30.0m	30.0m	30.0m

5. Lot Coverage

i) The maximum lot coverage of all buildings and structures, excluding greenhouses for agricultural uses, shall not exceed 5 per cent.

6. Subdivision Requirements

i) **Minimum Lot Area:**

a) The minimum lot area in the Rural Recreation One (RR-1) zone shall be 50.0 hectares.

End • RR-1

906 Industrial Light (IL)

1. Principal Use

i) **On any lot:**

a) Light industrial
b) Wood processing
c) General contractor services and storage yard
d) Retail and wholesale sales
e) Industrial equipment, sales and service
f) Automobile body shop
g) Plant nursery and greenhouse
h) Veterinary establishment
i) Water and beverage bottling only at the properties legally described as Lot A, District Lot 50, Newcastle District, Plan 49534 and That Part of Lot 2, District Lot 50, Newcastle District, Plan 9853 Lying To The West of Berray Road As Said
j) Mini-storage only at the properties legally described as Lot A, Block 29, Comox District, Plan 18686; Lot 1, District Lot 114, Comox District, Plan 2280; Lot B, Plan 13432, District Lot 103, Comox District and Lot 5, District Lot 249, Comox District, Plan VIP20040

2. Accessory Uses

i) **On any lot:**

a) Residential use limited to one dwelling unit
b) Offices
c) Warehousing
d) Outdoor storage
e) Pet crematorium

3. Conditions of Use

i) **All uses listed in Section (1), Principal Uses, shall be subject to the following conditions:**

a) No parking, loading or storage areas shall be located within 1.5 metres to any lot line.
b) All outdoor storage or supply yards shall be screened from any abutting property zoned under Part 700, Residential Zones, in accordance with Section 310.
c) Retail sale floor area shall not exceed 1,000 square metres on any lot.
d) Permitted F.A.R. = 0.5

For each 10 per cent increase in Open Space, above the 25 per cent required for the zone, to a maximum of 60 per cent, maximum F.A.R. is increased by 0.05.

e) A minimum of 25 per cent of the lot area shall be retained as open space.

ii) All general contractors services and storage yard operations shall be subject to the following conditions:

a) No storage yard, equipment service areas or any other outdoor storage used in conjunction with a principal or accessory use shall be located within 15.0 metres of any lot line abutting a lot zoned under Part 700, Residential Zones.

b) No storage yard, equipment service areas or any other outdoor storage used in conjunction with a principal or accessory use shall be located within 7.5 metres of any lot line abutting a lot under any other zone.

c) No parking or loading areas shall be located within 7.5 metres of any lot line and all such areas shall be incorporated within a landscaped area.

d) All storage yards, outdoor storage, or outdoor equipment maintenance and repair areas used in conjunction with a principal or accessory use must be screened from any abutting property zoned under Part 700, Residential Zones.

e) Screening details for storage yards, outdoor storage, or outdoor equipment maintenance and repair areas are as follows:

1) Along any lot line, which immediately joins a highway, the lot shall be fully screened from view with an evergreen hedge not less than 2.4 metres in height and not less than 1.0 metre in width.

2) The hedge shall be included within a fully landscaped area of not less than 7.5 metres in width along the inside of the lot lines, or as prescribed by the development permit. Landscaping shall be incorporated within all setback areas.

3) Solid wood fencing or evergreen hedging, not less than 2.0 metres in height, shall be erected along portions of lot lines between all storage yards, outdoor storage or equipment maintenance areas and lots used for residential purposes. Solid fencing may be as high as 3.0 metres.

4) All screening, including hedging and fencing shall be well maintained.

5) If a property is adjacent to the Agricultural Land Reserve boundary, a fence and landscaped buffer area of at least 8.0 metres in width shall be provided along the inside of the lot line.

4. Siting and Height of Buildings and Structures

The maximum height of principal buildings is 10.0 metres and the maximum height of accessory buildings is 8.0 metres.

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback			
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal		7.5m	7.5m	7.5m	7.5m
Accessory	4.5m or less	7.5m	7.5m	7.5m	7.5m
Accessory	8.0m - 4.6m	7.5m	7.5m	7.5m	7.5m

5. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 50 per cent.

6. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Minimum Lot Area for All Other Lands:**

The minimum lot area permitted shall be:

a)	When connected to community water and sewer:	2,000 square metres
b)	When connected to either community water or sewer:	4,000 square metres
c)	When serviced by well and approved septic disposal:	1.0 hectare

End • IL

907 Industrial Heavy (IH)

1. Principal Use

i) **On any lot:**

a) Heavy industrial use
b) Light industrial use
c) Log handling and storage facility
d) Processing of sand and gravel
e) General contractor services and storage yard
f) Industrial equipment maintenance and repair
g) Mini-storage only at the property legally described as Lot A, DL 239, Plan VIP50810 (1754 Ryan Road)

2. Accessory Uses

i) **On any lot:**

a) Retail and wholesale sales
b) Offices
c) Residential use limited to one dwelling unit
d) Industrial equipment maintenance and repair
e) Warehousing
f) Storage and sale of aggregate material and products
g) Outdoor storage

3. Conditions of Use

i) All sawmills or portable sawmills shall be subject to the following conditions:

a) Minimum yard setback along all lot lines of 30.0 metres. Uses shall be screened and buffered from adjacent properties through maintenance of natural vegetation of not less than 2.0 metres in height. Uses abutting an area zoned under Part 700, Residential Zones, shall be screened and buffered from adjacent properties through the use of fencing, berming or evergreen vegetation being not less than 2.0 metres in height. Solid fencing may be as high as 3.0 metres.

ii) All gravel, sand, mineral or peat processing operations shall be subject to the following conditions:

a) A minimum setback of 30.0 metres from any lot line abutting a lot zoned under Part 700, Residential Zones.
b) No loading or storage areas shall be located in any required yards.
c) Uses shall be screened and buffered from adjacent properties through maintenance of natural vegetation of not less than 2.0 metres in height.
d) Uses abutting an area zoned under Part 700, Residential Zones, shall be screened and buffered from adjacent properties through the use of fencing,

berming or evergreen vegetation being not less than 2.0 metres in height. Solid fencing may be as high as 3.0 metres.

e) A single sign not exceeding 1.0 square metre in area may be located on the lot on which the use is carried out.

iii) All general contractors services and storage yard operations shall be subject to the following conditions:

a) No storage yard, equipment service areas or any other outdoor storage used in conjunction with a principal or accessory use shall be located within 15.0 metres of any lot line abutting a lot zoned under Part 700, Residential Zones.

b) No storage yard, equipment service areas or any other outdoor storage used in conjunction with a principal or accessory use shall be located within 7.5 metres of any lot line abutting a lot under any other zone.

c) No parking or loading areas shall be located within 7.5 metres of any lot line and all such areas shall be incorporated within a landscaped area.

d) All storage yards, outdoor storage, or outdoor equipment maintenance and repair areas used in conjunction with a principal or accessory use must be screened from any abutting property zoned under Part 700, Residential Zones.

e) Screening details for storage yards, outdoor storage, or outdoor equipment maintenance and repair areas are as follows:

1) Along any lot line, which immediately joins a highway, the lot shall be fully screened from view with an evergreen hedge not less than 2.4 metres in height and not less than 1.0 metre in width.

2) The hedge shall be included within a fully landscaped area of not less than 7.5 metres in width along the inside of the lot lines, or as prescribed by the development permit. Landscaping shall be incorporated within all setback areas.

3) Solid wood fencing or evergreen hedging, not less than 2.0 metres in height, shall be erected along portions of lot lines between all storage yards, outdoor storage or equipment maintenance areas and lots used for residential purposes. Solid fencing may be as high as 3.0 metres.

4) All screening, including hedging and fencing shall be well maintained.

5) If a property is adjacent to the Agricultural Land Reserve boundary, a fence and landscaped buffer area of at least 8.0 metres in width shall be provided along the inside of the lot line.

iv) Except where otherwise specified, all lots shall be screened from any abutting lots by screening that is not less than 2.0 metres in height.

v) All outdoor storage or supply yards shall be screened from any abutting property zoned under Part 700, Residential Zones, in accordance with Section 310.

vi) No loading or storage areas shall be located in any required yards.

4. <u>Siting and Height of Buildings and Structures</u>

The maximum height of principal buildings is 12.0 metres and the maximum height of accessory buildings is 8.0 metres.

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback			
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal		7.5m	7.5m	7.5m	7.5m
Accessory	4.5m or less	7.5m	7.5m	7.5m	7.5m
Accessory	8.0m - 4.6m	7.5m	7.5m	7.5m	7.5m

5. Lot Coverage

i) The lot coverage for all buildings and structures shall not exceed 50 per cent.

ii) The maximum site coverage shall not exceed 75 per cent.

6. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **Minimum Lot Area for All Other Lands:** 2.0 hectares

End • IH

908 Industrial Marine (IM)

1. Principal Use

i) **On any lot:**

a) Boat building and repairs and service and sales
b) Seafood processing and sales
c) Marina
d) Barge facility
e) Waterfront freight handling facility
f) Log handling and storage facility
g) Storage and works yard and warehousing
h) Offices

2. Accessory Uses

i) **On any lot:**

a) Residential use limited to one dwelling unit

3. Conditions of Use

i) No parking, loading or storage areas shall be located within 1.5 metres of any property line except in the case when the area abuts or is within a water area, in which case no minimum applies.

ii) Boat building, repairs, service and sales shall be subject to the following conditions:

a) No loading or storage areas shall be located within 15.0 metres of any property line abutting a lot zoned under Part 700, Residential Zones.

iii) Barge or waterfront freight handling facilities shall be subject to the following conditions:

a) No loading or storage areas shall be located within 15.0 metres of any property line abutting a lot zoned under Part 700, Residential Zones.

iv) Storage yards and warehouse facilities shall be subject to the following conditions:

a) No loading or storage areas shall be located within 15.0 metres of any property line abutting a lot zoned under Part 700, Residential Zones.

v) All properties shall be screened from any abutting properties by screening not less than 2.0 metres in height.

4. Siting of Buildings and Structures

The maximum height of principal buildings is 12.0 metres and the maximum height of accessory buildings is 7.0 metres.

i) The minimum setbacks required for buildings and structures shall be as set out in the table below.

		Required Setback			
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal		7.5m	7.5m	7.5m	7.5m
Accessory	4.5m or less	7.5m	7.5m	7.5m	7.5m
Accessory	7.0m - 4.6m	7.5m	7.5m	7.5m	7.5m

5. Lot Coverage

i) The maximum lot coverage for all buildings and structures shall not exceed 50 per cent.

6. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **The Minimum Lot Area Permitted Shall Be:**

a) When connected to community water and sewer: 2,000 square metres

b) When connected to either community water or sewer: 4,000 square metres

c) When serviced by well and approved septic disposal: 1 hectare

End • IM

909 Industrial Storage (IS)

1. Principal Use

i) **On any lot:**

a) General contractor services and storage yard
b) Warehousing
c) Mini-storage
d) Outdoor storage
e) Retail and wholesale establishments
f) Offices

2. Accessory Uses

i) **On any lot:**

a) Residential use limited to one dwelling unit
b) Industrial equipment maintenance and repair
c) Storage and sale of aggregate materials and products

3. Condition of Use

i) All uses listed in Section (1), "Principal Uses" and Section (2), "Accessory Uses", excluding residential use, shall be subject to the following conditions:

a) Scrap salvage yards, bulk storage, motor vehicle repair and salvage, vehicular fuel sales, wood, gravel, meat or seafood processing, and compost facilities are prohibited in this zone.
b) No storage yard, equipment service areas or any other outdoor storage used in conjunction with a principal or accessory use shall be located within 15.0 metres from any lot line abutting a lot zoned under Part 700, Residential Zones.
c) No storage yard, equipment service areas or any other outdoor storage used in conjunction with a principal or accessory use shall be located within 7.5 metres from any lot line abutting a lot under any other zone.
d) No parking or loading areas shall be located within 7.5 metres to any property line and shall be incorporated within a landscaped area.
e) All storage yards, outdoor storage, or outdoor equipment maintenance and repair areas used in conjunction with a principal or accessory use must be screened from any abutting property zoned under Part 700, Residential Zones.
f) Screening details for storage yards, outdoor storage, or outdoor equipment maintenance and repair areas:

1) Along any lot line, which immediately joins a highway, the property shall be fully screened from view with an evergreen hedge not less than 2.4 metres in height and not less than 1.0 metre in width.

2) The hedge shall be included within a fully landscaped area of not less than 7.5 metres in width along the inside of the property lines, or as prescribed on a landscape plan as part of the development permit. Landscaping shall be incorporated within all setback areas.

3) Solid wood fencing or evergreen hedging, not less than 2.0 metres in height, shall be erected along portions of property lines between all storage yards, outdoor storage or equipment maintenance areas and properties used for residential purposes.

4) All screening, including hedging and fencing shall be well maintained and fencing shall be painted as required.

5) If a property is adjacent to the Agricultural Land Reserve boundary, a fence and landscaped buffer area of at least 8.0 metres in width shall be provided along the inside of the property line.

g) Retail floor space shall not exceed 1000 square metres.

4. Siting and Height of Buildings and Structures

The maximum height of principal buildings is 10.0 metres and maximum height of accessory buildings is 6.0 metres.

i) The minimum setbacks required for buildings and structures shall be set out in the table below.

ii) Despite 5(i) above, a 15.0 metre setback of all buildings, structures and outdoor storage area is applicable where a lot line is adjacent to an Agricultural Land Reserve boundary.

		Required Setback			
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal		7.5m	7.5m	7.5m	7.5m
Accessory	4.5m or less	7.5m	7.5m	7.5m	7.5m
Accessory	6.0m - 4.6m	7.5m	7.5m	7.5m	7.5m

5. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 50 per cent.

6. Subdivision Requirements

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) **The Minimum Lot Area Permitted Shall Be:**

a) When connected to community water and sewer: 4,000 square metres

b) When connected to either community water or sewer: 8,000 square metres

c) When serviced by well and approved septic disposal: 1.0 hectare

End • IS

910 Seafood Processing One (SP-1)

1. Principal Use

i) **On any lot:**

a) Seafood processing and sales

2. Accessory Uses

i) **On any lot:**

a) Residential use limited to one dwelling unit

3. Conditions of Use

i) Any buildings or structures located on the foreshore or floating on the surface of water shall have a maximum height of 4.5 metres.

ii) Any buildings or structure located in upland areas shall have a maximum height of 10.0 metres.

4. Lot Area

i) No minimum lot area shall apply.

5. Setbacks

i) All uses in upland locations shall be setback a minimum of 7.5 metres from all property lines or boundaries of lease areas except that there shall be no required setback from property or lease lines abutting the sea.

End SP-1

911 Seafood Processing Aquaculture Facility One (SPAF-1)

1. Principal Use

i) **On any lot:**

a) Seafood processing

b) Seafood retail sales

c) Upland Invertebrate hatchery

2. Accessory Uses

i) **On any lot:**

a) Outdoor storage

b) Offices

c) Residential use limited to one dwelling unit

3. Conditions of Use

i) All uses listed in Section (1), "Principal Uses", and Section (2), "Accessory Uses", shall be subject to the following conditions:

a) Any building and structure located in the upland area shall have a maximum height of 10.0 metres.

b) Seafood retail sales floor space shall not exceed 150 square metres.

c) No parking or loading areas shall be located within 1.5 metres of any property line abutting the highway.

d) One freestanding sign shall be permitted for each street frontage of the business. The freestanding sign shall be permitted in landscaped areas only, located on the same lot as the facility. The height of the sign, including support structures, shall not exceed 6.0 metres and the area of any one face shall not exceed 6.5 square metres. A freestanding sign may be illuminated.

e) One fascia sign shall be permitted for each development. The maximum area of fascia signs shall not exceed 6.0 square metres. Facia signs may be illuminated and should be integrated into the design of the building and may not extend above the top wall of a building. Billboards and roof signs are not permitted.

f) Seafood processing aquaculture facilities shall be subject to the following landscaping requirements:

1) Except for points of ingress and egress, landscaping is required for the screening and enhancement of every seafood processing aquaculture facility. The landscaping shall be maintained with native, salt-tolerate plant species or other suitable landscaping of a type and location to the satisfaction of any one of the Comox Valley Regional District officers.

2) An enhanced landscape buffer adjacent to the Old Island Highway (19A) corridor.

g) Screening details for outdoor storage areas:

1) All outdoor storage areas used in conjunction with Section (1), "Principal Uses", and Section (2), "Accessory Uses", must be screened from the highway.
2) Fencing or other suitable hedging, not less than 2.0 metres in height shall be used to screen all outdoor storage areas. Solid fencing may be as high as 3.0 metres.
3) Loading areas, garbage containers and recycling containers shall be screened to a height of at least 2.5 metres by a landscaping screen, a solid decorative fence, or a combination thereof.
4) All outdoor storage shall be screened from any highway.
5) All screening, including hedging and fencing shall be well maintained.

4. <u>Lot Area</u>

i) No minimum lot area shall apply.

5. <u>Setbacks</u>

i) All uses in upland locations shall be setback a minimum of 7.5 metres from all property lines or boundaries of lease areas except that there shall be no required setback from the property or lease lines abutting the sea.

End • SPAF-1

912 Commercial Agriculture (CA)

1. Principal Use

i) **On any lot:**

a) Plant nursery and greenhouse
b) Agricultural use
c) Retail sales of farm and feed supplies
d) Retail sales of agricultural products
e) Abattoirs

2. Accessory Uses

i) **On any lot:**

a) Outdoor storage
b) Residential use limited to one dwelling unit

3. Conditions of Use

i) No areas used for outdoor storage, display, parking or loading shall be located within 3.5 metres of any lot line except where the abutting or adjacent lot is zoned any Commercial or Industrial zone, in which case a setback of 1.5 metres is permitted.

ii) Plant nursery and greenhouse and retail/sales establishments shall be landscaped to a minimum depth of 3.5 metres with natural vegetation consisting of a dense combination of shrubs, evergreen trees and plants to create a solid screen not less than 1.8 metres in height where a rear or side yard abuts a lot zoned under Part 700, Residential Zones.

4. Siting of Buildings and Structures

The maximum height of a principal building is 10.0 metres and the maximum height of accessory buildings is 8.0 metres.

i) The minimum setback required for buildings and structures shall be as set out in the table below.

		Required Setback				
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard Front Lot Line <31m**	**Front Lot Line >31m**	**Side Yard Abutting Road**
Principal		4.5m	4.5m	1.75m	3.5m	4.5m
Accessory	4.5m or less	4.5m	1.0m	1.0m	1.0m	4.5m
Accessory	8.0m - 4.6m	4.5m	4.5m	1.75m	3.5m	4.5m

5. Lot Coverage:

i) The maximum permitted coverage of all buildings and structures shall not exceed 50 per cent of the site area excluding greenhouses used in plant nurseries or for agricultural uses.

6. Subdivision Requirements:

i) Minimum lot area: 4000 square metres

End • CA

913 Saratoga - Commercial Industrial (S-CI)

1. Principal Use

i) **On any lot:**

a) Retail and wholesale sales
b) Service establishments
c) Offices
d) Restaurants
e) Liquor licensed establishments
f) Recreation facilities
g) Automobile service station, excluding washing of vehicles
h) Veterinary establishment
i) Light industrial
j) General contractor services and storage yard
k) Industrial equipment, sales and service
l) Boat building, repairs, service and sales
m) Mini-storage only on properties legally described as Lot B, Block 29, Plan EPP81926, Lot C, Block 29, Plan EPP81926 and Lot D, Block 29, Plan EPP81926

2. Accessory Uses

i) **On any lot:**

a) Outdoor storage
b) Residential use

3. Conditions of Use

i) All permitted uses listed in Section (1), "Principal Uses" and Section (2), "Accessory Uses", excluding residential use, shall be subject to the following conditions:

a) Landscaped areas with the following characteristics shall be provided:

1) Landscaped areas shall be planted and maintained with trees, shrubs and grasses.
2) Where a property abuts a road right-of-way, a landscaped area at least 3.0 metres in width running the length of the right-of-way, except for points of ingress and egress, shall be provided.
3) Where a property abuts the Island Highway or a frontage road to the Island Highway, a landscaped area at least 4.5 metres in width running the length of the right-of-way, except for points of ingress and egress, shall be provided.
4) Additional or specific landscaping shall be in accordance with the conditions of the required Development Permit.

b) No parking, loading or storage areas shall be located within 1.5 metres of any

property line.

c) All outdoor storage, supply yards, and outdoor equipment maintenance and repair areas shall be screened. Screening not less than 2.0 metres in height, and on landscaped areas not less than 7.5 metres in width, shall consist of solid wood fencing, evergreen hedging or an earth berm. All screening, including fencing and hedging, shall be well maintained.

d) A minimum of 25 per cent of the lot area shall be retained as open space.

ii) "**Automobile Service Station**" use, shall be subject to the following conditions:

a) Fuel service pumps or pump islands shall be located a minimum of 4.5 metres from any property line. No canopy is to be longer than 33 per cent of the length of the street boundary of the yard in which it is located, to a maximum of 12.0 metres.

b) Automobile service stations shall be subject to the following parking requirements:

1) Off-street parking, loading areas and ingress and egress points shall be located so as not to interfere with other on-site vehicular and off-site traffic movements abutting the streets.

2) No parking, loading or storage areas shall be located within 1.5 metres of any property line.

c) Automobile service stations shall be subject to the following landscaping requirements:

1) All landscaping should constitute a minimum of 5 per cent of the site.

2) Loading areas, garbage containers and recycling containers shall be screened to a height of at least 2.5 metres.

3) Where the automobile service station is situated on a lot having a boundary in common with any abutting property zoned under Part 700, Residential Zones, there shall be provided and maintained on and along the full length of such boundary or portion of the boundary, a landscaped area measuring no less than 3.0 metres in width throughout its length and used for the purpose only of cultivating therein ornamental trees, shrubs, flowers and grass.

iii) "**Mini-storage**" uses, shall be subject to the following conditions:

a) The maximum lot coverage of all buildings and structures shall not exceed 10 per cent of the lot area.

b) No more than two buildings.

c) Notwithstanding any other setbacks provision of this bylaw, the minimum setback for mini-storage buildings and structures to the Island Highway or a frontage road to the Island Highway is 15.0 metres.

d) Mini-storage shall be subject to the following landscaping requirements:

1) Loading areas, garbage containers and recycling containers shall be screened to a height of at least 2.5 metres.

iv) Each property shall be allowed one freestanding sign for each street frontage of the business to a maximum of two freestanding signs. The freestanding sign shall be permitted in landscaped areas only. The height of the sign, including support

structures, shall not exceed 6.0 metres and the area of any one face shall not exceed 6.5 square metres. A freestanding sign may be illuminated.

v) One fascia sign shall be allowed on each building. The maximum area of a fascia sign shall be 6.0 square metres. Fascia signs may be illuminated.

4. Density

i) Residential use is limited to one dwelling unit.

5. Siting of Buildings, Structures and Uses

i) The setbacks required for buildings and structures within the Saratoga Commercial-Industrial zone (S-CI) zone shall be as set out in the table below.

	Required Setback			
Type of Use	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	7.5m	7.5m	4.5m	7.5m
Accessory	7.5m	7.5m	4.5m	7.5m

ii) Despite 5 i) above, pump islands and canopies associated with an automobile service station may be setback as follows:

	Required Setback			
Type of Use	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Pump Island	4.5m	4.5m	4.5m	4.5m
Canopies	1.5m	1.5m	1.5m	4.5m

6. Height of Structures

The maximum permitted height of principal structures shall be:

i) At 12.0 metres from any lot line: 12.0 metres

ii) At 7.5 metres from any lot line: 10.0 metres

iii) In an area less than 7.5 metres from any lot line: 8.0 metres

7. Lot Coverage

i) The maximum lot coverage of all buildings and structures shall not exceed 50 per cent of the lot area.

8. Subdivision Requirements

i) Minimum lot area: 2.0 hectares.

If connected to community water, minimum lot area: 4000 square metres.

End • S C-I

914 Community Waste Management (CWM)

1. Principal Use

i) **On any lot:**

a) Composting and composting facility as defined by, and carried out in compliance with, the *Organic Matter Recycling Regulation*

b) Refuse disposal site

2. Accessory Uses

i) **On any lot:**

a) Residential use

3. Conditions of Use

i) All refuse disposal sites shall be subject to the following conditions:

a) Minimum yard setback along all property lines of 30.0 metres.

b) Uses shall be screened and buffered from adjacent properties through the maintenance of natural vegetation where of sufficient height and opacity to visually obscure or shield the use, or through the use compact deer-proof hedging or solid fencing.

4. Density

i) **Residential use is limited to:**

a) **On any lot:** Residential use is limited to one dwelling unit.

5. Siting of Buildings and Structures

i) The distance between the external boundary of a composting operation and the natural boundary of a watercourse such as a river, stream, marsh, or estuary must not be less than 100.0 metres.

ii) The distance between the external boundary of a composting operation and the boundary of a community watershed must not be less than 200.0 metres.

iii) The distance between the external boundary of a composting operation and the property boundary must not be less than 50.0 metres of which the 15.0 metres closest to the property boundary must be reserved for natural or landscaped screening (berms or vegetative screens).

iv) The setbacks required for buildings and structures not directly involved in refuse disposal or composting operation activities, but which are within the Community Facility zone, shall be as set out in the table below.

		Required Setback			
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	12.0m	See Sections (i) to (iv) above			
Accessory	4.5m or less	7.5m	7.5m	7.5m	7.5m
Accessory	6.0m - 4.6m	7.5m	7.5m	7.5m	7.5m

6. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 35 per cent.

7. Subdivision Requirements

Lot Area

i) The minimum lot area permitted shall be 8.0 hectares

End • CWM

PART 1000 ASSEMBLY ZONE

1001 Assembly One (A-1)

1. Principal Use

i) **On any lot:**

a) Assembly use

b) Institutional use

2. Accessory Uses

i) **On any lot:**

a) Residential use limited to one dwelling unit

b) Special events

3. Siting of Principal Buildings and Structures

i) The setbacks required for buildings and structures within the Assembly zone shall be as set out in the table below.

		Required Setback				
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road Frontage <31m**	**Frontage >31m**
Principal	12.0m	4.5m	4.5m	1.5m	4.5m	7.5m
Accessory	10.0m or less	4.5m	4.5m	1.5m	4.5m	7.5m

4. Accessory Buildings

i) Accessory buildings shall have a floor area not exceeding 10 per cent of the lot area.

5. Lot Coverage

i) The maximum lot coverage of all buildings and structures shall not exceed 60 per cent of the total lot area.

6. Minimum lot area and frontage

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) A lot shall have a minimum area of 325.0 square metres and a minimum frontage of 10 per cent, but in no case less than 12.0 metres.

End • PA

1002 Transportation Utility One (TU-1)

1. Principal Use

i) **On any lot:**

a) Railway
b) Railway loading and unloading terminal
c) Railway passenger station
d) Transportation and facilities corridor

2. Siting of Principal Buildings and Structures

i) The setbacks required for buildings and structures within the Transportation Utility One zone shall be as set out in the table below.

		Required Setback			
Type of Use	**Height of Structure**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	10.0m	4.5m	4.5m	3.5m	4.5m
Accessory	6.0m or less	4.5m	1.5m	3.5m	4.5m

3. Lot Coverage

i) The lot coverage of all buildings and structures shall not exceed 10 per cent.

4. Minimum Lot Area

i) The minimum permitted lot area for lands identified as "Properties subject to a minimum lot size of 4 hectares for subdivision" in Schedule B is 4.0 hectares.

ii) A lot shall have a minimum area of 2.0 hectares.

End • TU-1

PART 1100 COMPREHENSIVE DEVELOPMENT ZONES

1101 Mt. Washington Comprehensive Development Zone (MTW-CD)

Note 1) Within the Mt. Washington Comprehensive Development Zone the permitted uses are different for different locations within the zone.

Note 2) The Mt. Washington Comprehensive Development Zone is divided into the following districts: Resort Recreation (RR), Resort Accommodation (RA), Resort Facilities (RF), Resort Facilities West (RFW), Resort Industrial (RI), and Resort Emergency Services (RES).

1. Principal Use

The following uses are permitted in the following districts:

i) **In District RR (Resort Recreation)**

a) Resort recreation
b) Research and teaching facility
c) Ski lifts, towers, and support equipment related to activities of sport or leisure such as skiing, snowboarding, biathlon, luge, cycling, and climbing

ii) **In District RA (Resort Accommodation)**

a) Residential use

iii) **In District RF (Resort Facilities)**

a) Hostel
b) Tourist accommodation
c) Lodge
d) Liquor licensed establishment
e) Craft beverage processing
f) Office
g) Performing arts facility
h) Resort recreation facility
i) Residential use
j) Resort condominium
k) Restaurant
l) Retail
m) Service establishment
n) Trade, convention and conference facilities

iv) **In District RFW (Resort Facilities West)**

a) Resort recreation
b) Resort recreation facility

c) Performing arts facility
d) Trade, convention and conference facility
e) Service establishment
f) Office
g) Restaurant
h) Liquor Licensed establishment
i) Retail
j) Campground
k) Tourist accommodation
l) Emergency Services, including accommodation for emergency services personnel

iv) **In District RI (Resort Industrial)**

a) Propane distribution centre
b) Emergency Services

v) **In District RES (Resort Emergency Services)**

a) Emergency Services

2. Accessory Uses

The following accessory uses are permitted within the Mt. Washington Comprehensive Development Zone:

i) **On any lot:**

a) Storage and works yards
b) Parking

ii) **In District RA (Resort Accommodation)**

a) Bed and Breakfast
b) Secondary suite

iii) **In District RES (Resort Emergency Services)**

a) Accommodation for emergency service personnel

3. Density

The following densities are permitted in the following zones.

i) **In District RA (Resort Accommodation)**

a) Sub-District RA-1
10 units per hectare average, to a maximum of 150 units.
b) Sub-District RA-2
20 units per hectare maximum.
c) Sub-District RA-3
25 units per hectare average, to a maximum of 164 units.
d) Sub-District RA-4

40 units per hectare average, to a maximum of 424 units.

e) Sub-District RA-5

55 units per hectare average, to a maximum of 938 units.

ii) **In District RF (Resort Facilities)**

a) Floor Area Ratio (F.A.R.) is defined as (see Part 200, Interpretation): "The gross floor area of all buildings on a lot divided by the gross area of subject lot."

Permitted Floor Area Ratio shall not exceed 2.2.

b) The lot coverage of all buildings and structures may not exceed 55 per cent.

4. Accommodation Units

i) To calculate unit density and to ensure Comfortable Carrying Capacity on Mt. Washington the following table shall be used for the conversion of beds to units.

Type of Accommodation Unit	No. of Beds Equivalent to 1 Unit
Hotel Room, Lodge Room, or Hostel Room	2
Condominium	4
Resort Condominium	4
Single Detached Dwelling (floor area <232m^2)	6
Single Detached Dwelling (floor area > 232m^2	10
Secondary Suite	2
Recreational Vehicle	2

5. Siting and Heights of Buildings and Structures

i) Except where otherwise specified in this Bylaw, no building or structure shall be located within:

a) 3.0 metres of a front lot line

b) 1.75 metres of a rear lot line

c) 1.75 metres of a side lot line

ii) Strata Lots 1 through 181 of Phase 1, 799SP, Blk. 1450, Comox Land District are exempt from the setback requirements identified above in 5) (i) (a) through (c).

iii) The height of all principal buildings and structures within Sub-District RA-1 shall not exceed 10.0 metres.

iv) The height of all accessory buildings and structures within Sub-District RA-1 shall not exceed 6.0 metres."

End • MTW-CD

1102 Kensington Comprehensive Development Zone (K-CD)

This Comprehensive Development Zone is to permit a Master Planned Community comprised of a variety of mixed uses including residential, commercial, institutional, recreational and resort amenities.

General Provisions:

1. The Kensington Comprehensive Development (K-CD) zone is divided into the following Comprehensive Development Areas (CDAs) as shown in the table below:

CDA	Corresponding Zone
Comprehensive Development Area 1 (CDA-1)	Golf Course-Residential (GCR)
Comprehensive Development Area 2 (CDA-2)	Residential-Public Facilities (RPF)
Comprehensive Development Area 3 (CDA-3)	Mixed-Use Commercial-Residential (MUCR)
Comprehensive Development Area 4 (CDA-4)	Mixed-Residential (MR)
Comprehensive Development Area 5 (CDA-5)	Mixed-Residential-Institutional (MRI)

2. The Comprehensive Development Areas (CDAs) are shown on the map attached as Appendix 1 to this zone.

3. The required number of off-street parking spaces within the K-CD zone are listed in Appendix 2.

4. The Kensington comprehensive development shall be carried out in compliance with the Master Development Agreement.

5. For the purposes of interpreting and regulating the K-CD Zone, 34083 Yukon Inc., shall be known as the Developer.

6. Within the K-CD zone, the permitted uses are different for each CDA.

7. Maximum number of residential units shall not exceed 2,889 units, including carriage houses, affordable housing and secondary suites. With the addition of density bonusing provisions, the maximum can increase to 2,949.

8. For the purposes of density bonus provisions dispersed though CDA-2 and CDA-3 of the K-CD, where density bonus provisions are permitted, the maximum number of donated lots for single detached residential shall be 30 lots. Density bonus provisions are expressed in Appendix 3 to this zone.

9. All lots shall be connected to a community water system and a sanitary sewer system.

10. All buildings and structures related to the real estate sales centre are subject to the following conditions:

i) Real estate sales centres are permitted within K-CD, which must be located on the site where real estate sales are occurring; and

ii) The real estate sales centre must be removed or converted to a permitted use when real estate sales are completed for the specific development.

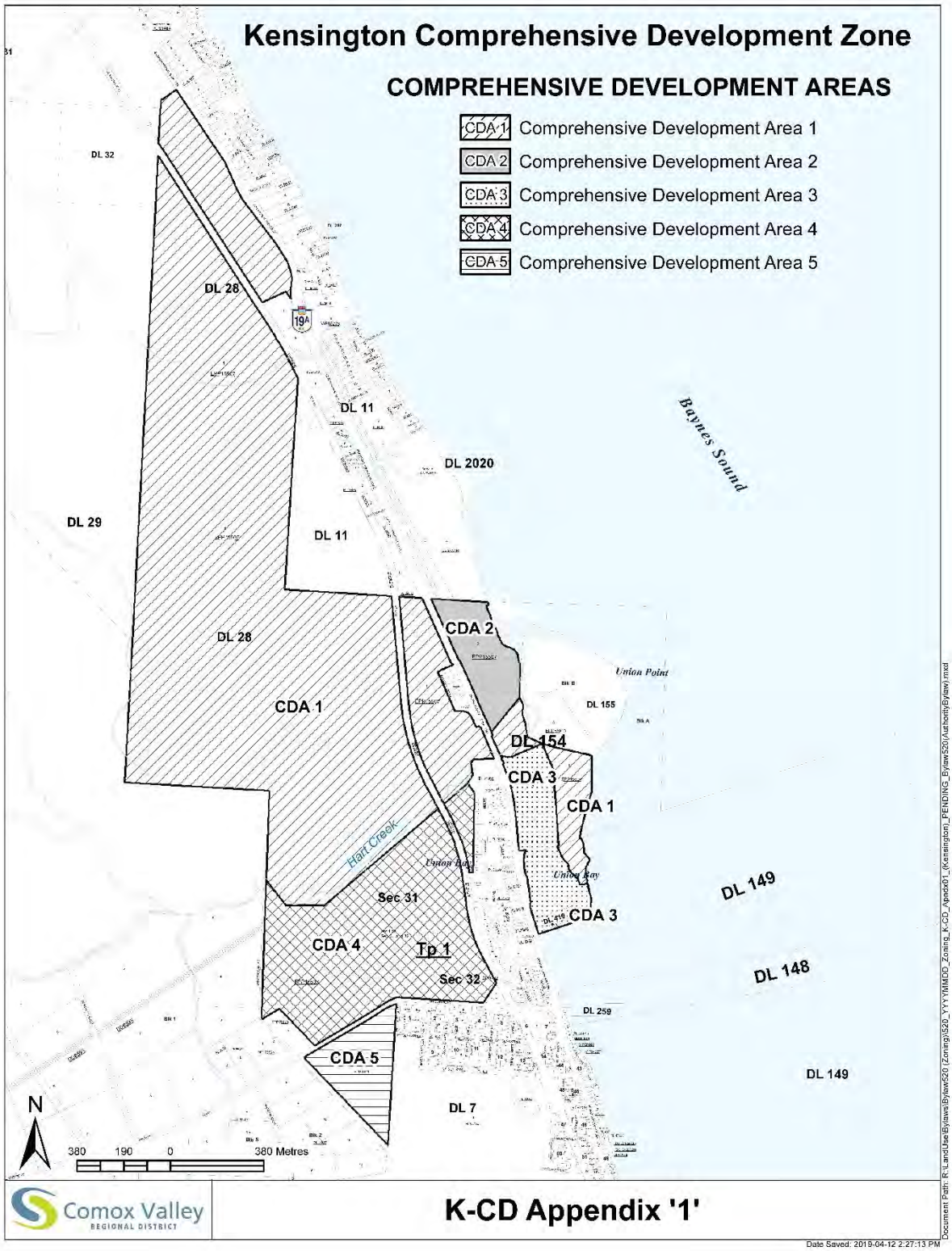
11. Gravel or sand crushing and screening operations shall be subject to the following conditions:

i) Gravel, sand and soil crushing and screening are permitted on temporary basis for on-site development only, and all equipment must be removed once the development has been completed; and

ii) Completed gravel, sand and soil crushing and screening operation areas and extraction areas must be remediated.

12. Accessory buildings shall not be in the front yard.

Appendix 1 K-CD Areas



Appendix 2 Off-Street Parking

Required Number of Off-Street Parking Spaces

The required number of off-street parking spaces for a specific use within the Kensington Comprehensive Development Zone (K-CD) is listed in Table 1 below. When a specific use is not listed, the number of parking spaces required for the most similar use shall apply.

Table 1 - Off-Street Parking Requirements

Land Use Category	Minimum Number of Parking Spaces
Assembly	1 space per 5 seats (minimum of 1 space per 14 m² gfa)
Carriage house	1 parking space per unit
Congregate Care	1 space per 6 dwelling units, of which 1 must be designed and designated as a handicap accessible space
Fire hall	1 space per 40 m² gfa
Golf course	2 spaces per golf hole
Health club/spa	1 space per 50 m² gfa
Interpretive / cultural centre	1 space per 25 m² gfa
Liquor licensed establishment	1 space per 8 seats
Marina	1 space per employee plus 1 space per each 5 boat slips
Medical Services	1 space per 50 m² gfa
Mixed-Use commercial residential	1 space per 150 m² gfa (50% parking reduction if vehicles are under the building or behind and screened from view)
Multi-residential	1.25 parking spaces per dwelling
Limited Neighbourhood commercial	1 space per 30 m² gfa (25% parking reduction if vehicles are under the building or behind and screened)
Office	1 space per 50 m² gfa
Park (active-sports playing fields)	25 spaces per playing field
Park (passive)	5 spaces per 1.0 hectare
Public	1 space per 30m² gfa
Real estate sales centre	2 spaces plus 1 per employee
Recreation facilities	1 space per 50 m² gfa
Restaurant	greater of 1 space per 6 seats or 1 space per 30 m² gfa
Retail establishments	1 space per 50 m² gfa
School (elementary)	2 spaces plus 1 space per employee
Secondary suite	1 parking space per unit
Service establishments	1 space per 50 m² gfa
Single detached dwelling residential	2 parking spaces per dwelling
Tourist Accommodation	1 spaces per room
Tourist Accommodation with conference facilities	.50 spaces per room plus 1 space per 8 seats of conference facility
Townhouse	1.25 parking spaces per dwelling unit (of which 0.25 spaces per unit is assigned for visitors)

(gfa = gross floor area)

Appendix 3 Density Bonus Provisions

Single Detached Dwelling Residential:

1. For every single detached dwelling lot donated by the Developer to the Comox Valley Regional District for affordable housing in accordance with the terms of the Master Development Agreement and this Zoning Bylaw, the Developer is entitled to excess density to be used in Comprehensive Development Area 2 (CDA-2) or Comprehensive Development Area 3 (CDA-3) calculated by multiplying the permitted density on the donated single detached dwelling lot by two (2), up to a maximum of sixty (60) additional single detached dwelling lots.

2. The developer will service each donated single detached dwelling lot to the lot line, which means the provision of all utility services, including road, water, sewer and storm, power and phone to the lot line of the lot in question.

3. The donated single detached dwelling lot or lots will be used for the purposes of constructing affordable housing and will be subject to the developer's building design restrictions including a statutory building scheme, provided that such is in general accordance with the design characteristics of the remainder of the Development.

4. Upon transfer of title of each donated single detached dwelling lot, the developer will not have any remaining obligation, except where set out in Comox Valley Regional District Bylaws and the Master Development Agreement, in respect of the use thereof:

i) Price at which the lot may be sold;

ii) Whether the Comox Valley Regional District enters into a housing agreement with Habitat for Humanity or another non-profit agency;

iii) Whether the Comox Valley Regional District, another non-profit agency elects to or does build thereon; or

iv) Whether any improvements constructed thereon comply with any bylaw provisions of the Comox Valley Regional District or other applicable legislation or the Master Development Agreement.

5. The Comox Valley Regional District will, upon receipt of a registerable discharge of the Master Development Agreement from the developer for the fee simple single detached dwelling lot or lots donated in accordance with the Master Development Agreement, execute said discharge concurrently with the developer transferring title thereto.

6. If a total of thirty (30) fee simple single detached dwelling lots have not been donated and transferred to the Comox Valley Regional District for any reason whatsoever prior to December 1, 2027, the Developer will transfer to the Comox Valley Regional District the balance of the thirty (30) fee simple single detached dwelling lots, serviced to the lot line.

7. Notwithstanding the clause 1 to 6 above, in lieu of donating any one or more of the fees simple single detached dwelling lots, the Developer may elect to pay the Comox Valley

Regional District the cash equivalent of the value of such to be donated fee simple single detached dwelling lot or lots, serviced to the lot line, having regard to the value of the other fee simple single detached dwelling lots being developed in the vicinity of the to be donated fee simple single detached dwelling lot or lots. For greater certainty, the Developer may make the payment in lieu for any number of the fees simple single detached dwelling lots that the Developer is otherwise obligated to donate to the Comox Valley Regional District.

8. Donating lots and providing additional density under these provisions in no ways fetters the legislative discretion of the Comox Valley Regional District.

Summary: The developer will donate up to 30 single detached dwelling lots and receive up to 60 single detached dwelling lots in additional density.

End • K-CD

1102.1 Golf Course - Residential (GCR)

Golf Course-Residential (GCR) is a zone for Comprehensive Development Area 1 (CDA-1), as shown on Appendix 1. GCR is a zone created to permit golf course use, residential use, tourist accommodations, assembly and limited neighbourhood commercial development.

1. Principal Use

i) **On any lot:**

a) Golf course
b) Interpretive / cultural centre
c) Multi-residential
d) Limited neighbourhood commercial
e) Assembly use
f) Institutional use
g) Real Estate sales centre
h) Assisted living
i) Community care facility
j) Institutional use
k) Liquor licensed establishment
l) Craft beverage processing
m) Recreation facility
n) Health club / spa
o) Residential (single detached dwelling)
p) Tourist accommodation

2. Accessory Uses

i) **On any lot:**

a) Carriage house
b) Bed and Breakfast
c) Secondary suite
d) Home occupation

3. Conditions of Use

i) Any fairgrounds associated with Assembly use shall be subject to the following conditions:

a) Any camping associated with fairground use must be in conjunction with an event sponsored by a non-profit cause, organization or society taking place on the lot on which the use is carried out.

4. Permitted Density

i) **Single Detached Residential**

a) Maximum of fifteen (15) residential units per 1.0 ha.

b) One carriage house or secondary suite to a maximum floor area of 90 square metres is permitted per single detached dwelling lot as per Section 315, except that the siting for a carriage house shall be in accordance with Section 5(i) of this part.

ii) **Multi-Residential**

a) Maximum of forty (40) residential units per 1.0 ha.

iii) **Non-Residential**

a) **Limited Neighbourhood Commercial**

1) Maximum floor area shall not exceed a total combined floor area of 3,251.5 square metres, with no single building to exceed 929 square metres.

b) **Golf Course – Excluding Maintenance Facilities**

1) Maximum floor area shall not exceed a total combined floor area of 3,716 square metres.

c) **Real Estate Sales Centre**

1) The total combined floor area of all Real Estate Sales Centres within the GCR zone shall not exceed 464.5 square metres.

5. Siting and Height of Buildings and Structures

The setbacks required for buildings and structures within the GCR zone shall be as set out in the tables below:

i) Single Detached Dwelling Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	2-storey maximum [11.0m]	4.5m	4.5m	1.5m	4.5m
Carriage House	2-storey maximum [8.0m]	4.5m	1.5m	1.5m	4.5m
Accessory	4.5m	4.5m	1.5m	1.5m	4.5m

ii) Multi-Residential Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	3-storey maximum 13.7m	4.5m	3.0m	4.5m	4.5m
Accessory	4.5m	4.5m	1.5m	4.5 m	4.5m

iii) Non-Residential Buildings Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	3-storey maximum	4.5m	1.5m	3.0m	4.5m
Accessory	4.5m	4.5m	1.5m	3.0m	4.5m

6. <u>Lot Coverage</u>

i) The maximum lot coverage for all buildings and structures shall not exceed the following:

a) The maximum lot coverage for all single detached dwellings and structures is 40 per cent, 35 per cent if single detached dwellings and structures are greater than 280.0square metres.

b) The maximum lot coverage for all multi-residential dwellings and structures is 60 per cent.

c) The maximum lot coverage for all non-residential buildings and structures is 60 per cent.

7. <u>Subdivision Requirements</u>

i) The minimum lot area for a single detached dwelling shall be 400 square metres subject to connection to a community water system and a community sewer system.

End • GCR

1102.2 Residential Public Facilities (RPF)

Residential Public Facilities (RPF) is a zone for Comprehensive Development Area 2 (CDA-2), as shown on Appendix 1. RPF is a zone created to permit residential use, recreation facilities and assembly uses.

1. Principal Use

i) **On any lot**:

a) Multi-residential
b) Assembly use
c) Institutional use
d) Golf course
e) Real Estate sales centre
f) Recreation facilities;
g) Residential (single detached dwelling)
h) Tourist accommodation
i) Congregate care
j) Assisted living

2. Accessory Uses

i) **On any lot:**

a) Carriage house
b) Bed and Breakfast
c) Secondary suite
d) Home occupation

3. Condition of Use

i) Any fairgrounds associated with Assembly use shall be subject to the following conditions:

a) Any camping associated with fairground use must be in conjunction with an event sponsored by a non-profit cause, organization or society taking place on the lot on which the use is carried out.

4. Permitted Density

i) **Single Detached Residential**

a) Maximum of twenty (20) residential units per 1.0 ha.
b) One carriage house or secondary suite to a maximum floor area of 90 square metres is permitted per single detached dwelling lot as per Section 315, except that the siting for a carriage house shall be in accordance with Section 5(i) of this part.

ii) **Multi Residential**

a) Maximum of sixty (60) residential units per 1.0 ha.

iii) **Non Residential**

Real Estate Sales Centre

a) The total combined floor area of all Real Estate Sales Centres within the RPF zone shall not exceed 464.5 square metres.

5. Siting and Height of Buildings and Structures:

The setbacks required for buildings and structures within the RPF zone shall be as set out in the tables below:

i) Single Detached Residential Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	2-storey maximum (11.0m)	4.5m	4.5m	1.5m	4.5 m
Carriage House	2-storey maximum (8.0 m)	4.5m	1.5m	1.5m	4.5m
Accessory	4.5m	4.5m	1.5m	1.5m	4.5m

ii) Multi-Residential Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	3-storey maximum (13.7m)	4.5m	3.0m	3.0m	4.5m
Accessory	4.5m	4.5m	1.5m	3.0m	4.5m

6. Lot Coverage

i) The maximum lot coverage for all buildings and structures shall not exceed the following:

a) The maximum lot coverage for all single detached dwellings and structures is 40 per cent, 35 per cent if single detached dwellings and structures are greater than 278.7square metres.

b) The maximum lot coverage for all multi-residential dwellings and structures is 60 per cent.

c) The maximum lot coverage for all non-residential buildings is 70 per cent.

7. Subdivision Requirements

i) The minimum lot area for a single detached dwelling shall be 400 square metres subject to connection to a community water system and a community sewer system.

End • RPF

1102.3 Mixed - Use Commercial / Residential (MUCR)

Mixed-Use Commercial-Residential (MUCR) is a zone for Comprehensive Development Area 3 (CDA-3), as shown on Appendix 1. MUCR is a zone created to permit a "Village Core" which includes a variety and a mix of land uses on the same site or within a common building, and includes multi-residential, commercial, tourist accommodation, marina, retail, offices and assembly uses.

1. Principal Use

i) **On any lot:**

a) Marina
b) Golf course
c) Mixed use
d) Multi-residential
e) Assisted living
f) Community care
g) Congregate care
h) Interpretive / cultural centre
i) Liquor licensed establishment
j) Craft Beverage Processing
k) Commercial
l) Assembly use
m) Institutional use
n) Real Estate sales centre
o) Recreation facilities
p) Tourist accommodation

2. Accessory Uses

i) **On any lot:**

a) Accessory to tourist accommodation use:
    1) Conference facilities
    2) Meeting rooms
    3) Ancillary service and retail services
b) Health club / spa

3. Condition of Use

i) Any fairgrounds associated with Assembly use shall be subject to the following conditions:

a) Any camping associated with fairground use must be in conjunction with an event sponsored by a non-profit cause, organization or society taking place on the lot on which the use is carried out.

4. Permitted Density

i) **Single Detached Residential**

a) Not permitted.

ii) **Multi-Residential and Mixed Use Residential**

a) Maximum of ninety (90) units per 1.0 ha.

iii) **Non Residential**

a) The total floor area of all commercial uses within the MUCR zone shall not exceed 30,000 square metres. The total commercial floor area within any single building shall not exceed 2,787 square metres.

5. Siting and Height Buildings and Structures

The setbacks required for buildings and structures within the MUCR zone shall be as set out in the tables below:

i) Multi-Residential Setbacks and Height:

		Required Setback			
Type of Use	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	4-storey maximum (13.7m)	4.5m	3.0m	1.5m	4.5 m
Accessory	4.5m	4.5m	1.5m	1.5m	4.5 m

ii) Commercial and Mixed-Use Buildings Setbacks and Height:

		Required Setback			
Type of Use	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	4-storey maximum (13.7m)	4.5m	0.0m	0.0m	4.5m
Accessory	4.5m	4.5m	0.0m	0.0m	4.5m

6. Lot Coverage

i) The maximum lot coverage for all buildings and structures shall not exceed the following:

a) The maximum lot coverage for multi-residential and mixed-use buildings and structures is 75 per cent.

b) The maximum lot coverage for non-residential buildings and structures is 90 per cent.

End • MUCR

1102.4 Mixed - Residential (MR)

Mixed-residential (MR) is a zone for Comprehensive Development Area 4 (CDA-4), as shown on Appendix 1. MR is a zone created to permit a variety of residential use, congregate care, recreation facilities and assembly uses.

1. Principal Use

i) **On any lot:**

a) Congregate care
b) Multi-residential
c) Assisted living
d) Community care facilities
e) Assembly use
f) Institutional use
g) Interpretive / cultural centre
h) Golf course excluding buildings and structures
i) Limited neighbourhood commercial
j) Real Estate sales centre
k) Recreation facilities
l) Single detached dwelling

2. Accessory Uses

i) **On any lot:**

a) Carriage house
b) Bed and Breakfast
c) Home occupation
d) Secondary suite

3. Condition of Use

i) Any fairgrounds associated with Assembly use shall be subject to the following conditions:

a) Any camping associated with fairground use must be in conjunction with an event sponsored by a non-profit cause, organization or society taking place on the lot on which the use is carried out.

4. Permitted Density

i) **Single Detached Residential**

a) Maximum of twenty (20) residential units per 1.0 ha.
b) One carriage house or secondary suite to a maximum floor area of 90 square metres is permitted per single detached dwelling lot as per Section 315, except

that the siting for a carriage house shall be in accordance with section 5(i) of this part.

ii) **Multi Residential**

a) Maximum of forty (40) residential units per 1.0 ha.

iii) **Non Residential**

a) **Limited Neighbourhood Commercial**

1) The total floor area of all limited neighbourhood commercial uses within the MR zone shall not exceed 1,858 square metres. The total limited neighbourhood commercial floor area within any single building shall not exceed 500 square metres.

b) **Real Estate Sales Centre**

1) The total combined floor area of all real estate centres within the MR zone shall not exceed 464.5 square metres.

5. <u>Siting and Height of Buildings and Structures</u>

The setbacks required for buildings and structures within the MR zone shall be as set out in the tables below:

i) Single Detached Dwelling Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	2-storey maximum (11.0m)	4.5m	4.5m	1.5m	4.5m
Carriage House	2-storey maximum (8.0m)	4.5m	1.5m	1.5m	4.5m
Accessory	4.5m	4.5m	1.5m	1.5m	4.5m

ii) Multi-Residential Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	3-storey maximum (13.7m)	4.5m	3.0m	3.0m	4.5m
Accessory	4.5m	4.5m	1.5m	3.0m	4.5m

iii) Non-Residential Buildings Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	3-storey maximum (13.7m)	4.5m	1.5m	3.0m	4.5m
Accessory	4.5m	4.5m	1.5m	3.0m	4.5m

6. Lot Coverage

The maximum lot coverage for all buildings and structures shall not exceed the following:

i) The maximum lot coverage for all single detached dwellings and structures is 40 per cent, 35 per cent if single detached dwellings and structures are greater than 278.7 square metres.

ii) The maximum lot coverage for all multi-residential dwellings and structures is 60 per cent.

iii) The maximum lot coverage for all non-residential buildings and structures is 60 per cent.

7. Subdivision Requirements

i) The minimum lot area for a single detached dwelling shall be 350 square metres subject to connection to a community water system and a community sewer system.

End • MR

1102.5 Mixed - Residential / Institutional (MRI)

Mixed Residential/Institutional (MRI) is a zone for Comprehensive Development Area 5 (CDA-5), as shown on Appendix 1. MRI is a zone created to permit a variety of residential use, institutional and assembly uses.

1. Principal Use

i) **On any lot or portion of any lot zoned MRI only the following principal uses are permitted:**

a) Institutional use
b) Multi-residential
c) Assembly use
d) Institutional use
e) Assisted living
f) Congregate care
g) Community care facility
h) Recreation facility
i) Limited neighbourhood commercial
j) Real Estate sales centre
k) Single detached dwelling

2. Accessory Uses

i) **On any lot or portion of any lot zoned MRI only the following accessory uses are permitted:**

a) Carriage house
b) Home occupation
c) Secondary suite
d) Bed and Breakfast

3. Condition of Use

i) Any fairgrounds associated with Assembly use shall be subject to the following conditions:

a) Any camping associated with fairground use must be in conjunction with an event sponsored by a non-profit cause, organization or society taking place on the lot on which the use is carried out.

4. Permitted Density

i) **Single Detached Residential**

a) Maximum of twenty (20) residential units per 1.0 ha.

b) One carriage house or secondary suite to a maximum floor area of 90 square metres is permitted per single detached dwelling lot as per Section 315, except that the siting for a carriage house shall be in accordance with section 5(i) of this part.

ii) **Multi Residential**

a) Maximum of forty (40) residential units per 1.0 ha.

iii) **Non Residential**

a) **Limited Neighbourhood Commercial**

1) The total floor area of all limited neighbourhood commercial uses within the MRI zone shall not exceed 929 square metres. The total limited neighbourhood commercial floor area within any single building shall not exceed 500 square metres.

b) **Real Estate Sales Centre**

1) The total combined floor area of all real estate centres within the MRI zone shall not exceed 464.5 square metres.

5. <u>Siting of all Buildings and Structures</u>

The setbacks required for buildings and structures within the MRI zone shall be as set out in the tables below:

i) Single Detached Residential Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	2-storey maximum (11.0m)	4.5m	4.5m	1.5m	4.5m
Carriage House	2-storey maximum (8.0m)	4.5m	1.5m	1.5m	4.5m
Accessory	4.5m	4.5m	1.5m	1.5m	4.5m

ii) Multi-Residential Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	3-storey maximum [13.7m	4.5m	3.0m	3.0m	4.5m
Accessory	4.5m	4.5m	1.5m	3.0m	4.5m

iii) Non-Residential Buildings Setbacks and Height:

		Required Setback			
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**	**Side Yard Abutting Road**
Principal	3-storey maximum (13.7m)	4.5m	1.5m	3.0m	4.5m
Accessory	4.5m	4.5m	1.5m	3.0m	4.5m

6. <u>Lot Coverage</u>

i) The maximum lot coverage for all buildings and structures shall not exceed the following:

a) The maximum lot coverage for all single detached dwellings and structures is 40 per cent, 35 per cent if single detached residential buildings and structures are greater than 278.7 square metres.

b) The maximum lot coverage for all multi-residential dwellings and structures is 60 per cent.

c) The maximum lot coverage for all non-residential buildings and structures is 60 per cent.

7. <u>Subdivision Requirements</u>

i) The minimum lot area permitted for single detached dwelling shall be 350 square metres.

End • MR

1103 Saratoga Beach Estates Comprehensive Development Zone (SBE-CD)

1. General Provisions

i) The Saratoga Beach Estates comprehensive development shall be carried out in compliance with the Master Development Agreement.

ii) All lots shall be connected to a community water and sanitary sewer system.

iii) The minimum parking requirements per lot are specified in Section 4(ii) of this SBE-CD zone. Any additional parking spaces provided above and beyond the minimum requirement, may be provided on the subject property or in the street to serve as a traffic calming measurement; with the provision of leaving a 6 metre wide street surface open for fire trucks to pass vehicles parked on the street.

2. Principal Use

i) **On any lot zoned SBE-CD only the following principal uses are permitted:**

a) Single detached dwelling

b) Duplex dwellings

3. Accessory Uses

i) **On any lot zoned SBE-CD only the following accessory uses are permitted:**

a) Secondary suite

b) Home occupation

c) Bed and Breakfast

4. Conditions of Use

i) **Residential use shall be subject to the following:**

a) Duplex dwellings are permitted only on corner lots and shall be designed to provide pedestrian and vehicles access to each unit from separate frontages provided that:

1) The building shall be oriented so that one unit faces the front street and the other unit faces the flanking side street.

2) Each duplex unit has a separate driveway.

3) Neither duplex unit has a secondary suite; or secondary dwelling on the lot.

4) The setbacks specifications of this zone is met with the understanding that although two (2) separate civic frontages for each lot is allowed; there will be only one (1) legal frontage to the lot in accordance with the definition and Figure 3 of Bylaw No. 500 being the "Rural Comox Valley Zoning Bylaw, No. 500, 2019".

ii) **Parking:**

a) The required minimum number of parking spaces for each use accommodated on a lot is listed in the table below:

Land Use	**Minimum Number of On-Site Parking Spaces Required**
Single detached dwelling home	One (1) on-site parking space per dwelling.
Duplex home	One (1) on-site parking space for each duplex unit.
Secondary suite	One (1) on-site parking space for the exclusive use of the secondary suite.
Home occupation	The parking of vehicles in connection with a home occupation use shall take place only on the lot used for the home occupation. Only one (1) commercial vehicle may be parked or stored on any lot in conjunction with home occupation use, notwithstanding that there may be more than one approved home occupation operating on the lot.
Bed and Breakfast	In addition to the parking requirements for the residence at least one (1) automobile parking space shall be provided on the same lot for the exclusive use of each room available for accommodation.

iii) **The development of Saratoga Beach Estates phase one:**

a) Schedule A-1 is attached hereto and forms a part of the Saratoga Beach Estates Comprehensive Development Zone One (SBE-CD). Development of the Saratoga Beach Estates phase one shall be in accordance with Schedule A-1, showing the general layout, the provision of public and private open spaces and trails and where storm water will be collected.

5. <u>Density</u>

i) **Residential density is limited to:**

a) On any lot: one single detached dwelling; or one single detached dwelling and one secondary suite limited in area to 90.0 square metres; or one duplex dwelling provided that these three different lot configurations meet the conditions specified in this zone.

6. <u>Siting and Height of Buildings and Structures</u>

i) The setbacks required for buildings and structures within the SBE-CD zone are as set out in the table below:

		Required Setback		
Type of Structure	**Height**	**Front Yard**	**Rear Yard**	**Side Yard**
Principal	10.0m	4.5m	4.5m	The side yard setbacks shall total no less than 4.5m; with a minimum side yard setback on each side of 1.5m except where a side yard flanks a street in which case the minimum distance shall be 4.5m
Accessory	4.5m or less	4.5m	1.0m	1.0m
Accessory	7.0m - 4.6m	4.5m	4.5m	1.75m

ii) **Height**

a) The height of a building will be measured from the average natural grade as defined in "Height of Building" in this bylaw.

b) The height of any principal and or accessory uses are restricted to one "storey" above the "first storey" as defined as follows in the British Columbia Building Code 2006:

1) "Storey' means that portion of a *building* which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

2) 'First Storey' means the uppermost *storey* having its floor level not more than 2 m above *grade*."

iii) **Siting Specifications**

a) The location of buildings on each lot will be orientated to best practices available to:

1) Capture and retain snow fall and rainwater on site.

2) Maximize solar orientation – the heat and light generated from the sun

b) No accessory building(s) shall be extended beyond any portion of a principal residential building facing a street.

c) In addition to the setbacks mentioned in the table above, the following siting specifications apply:

1) Part 400 of this bylaw.

2) Section 302 2) f) and g) Flood Construction Levels; and Section 303 1) c) and d), Floodplain Setbacks of Bylaw No. 2782 being the "Floodplain Management Bylaw, 2005" which will affect all lots adjacent to the watercourse running through the subject land and the existing man-made pond adjacent to and north of some of the proposed lots.

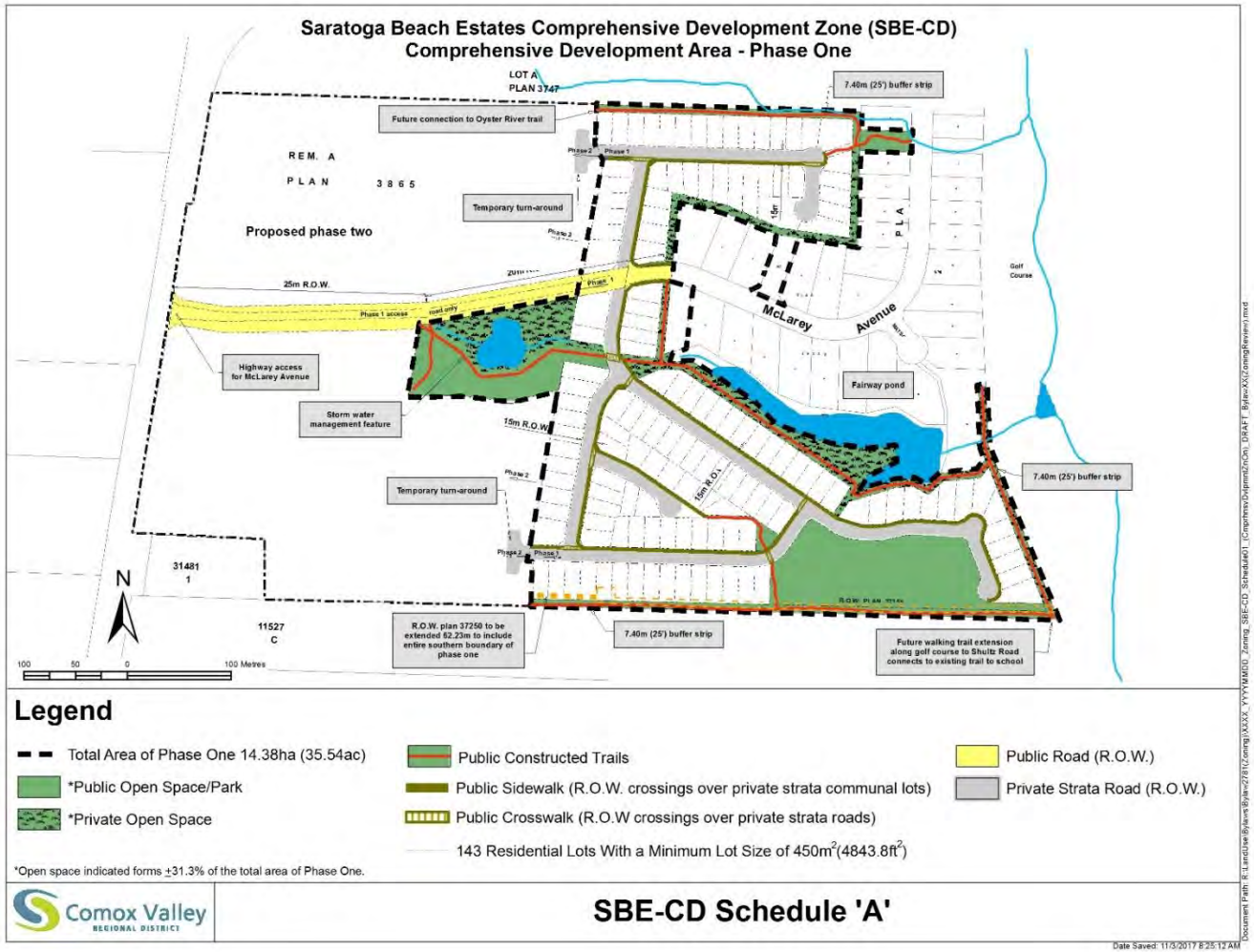
iv) **Lot Coverage**

a) The maximum lot coverage of all buildings and structures shall not exceed 35 per cent of the total lot area.

v) **Subdivision Requirements**

a) Lot Area – The minimum lot area permitted for single detached dwelling residential shall be 450 square metres.

Appendix 1 SBE-CD



End ● SBE-CD

Part 1200 Exceptions to Zone Designations

1201 Introduction

1. The provisions contained in the following exceptions shall have effect, notwithstanding anything else in this Bylaw and all other provisions of this Bylaw shall be deemed to be amended insofar as is necessary to give effect thereto.

2. Part 301 "Uses Permitted in All Zones" shall apply to lands having an exception to the zone designation unless the use is specifically prohibited by the exception.

3. The following exceptions to zone designations shall apply to specific properties in Parts 600, 700, 800, 900, 1000 and 1100.

Exception 1

Exception	Zone	Map	Amendment	Enacted
1	**C-1**	**Schedule A-3**	**N/A**	**With Bylaw No. 520**

For Property Legally Described As:

Lot 1-A, Section 6A, Newcastle District, Plan 4761, PID 000-264-903

1. Principal Use

i) **On any lot or portion of any lot zoned C-1-1 only the following principal uses are permitted:**

a) Retail establishment
b) Service establishment
c) Licensed establishment
d) Restaurant

2. Accessory Uses

i) **On any lot or portion of any lot zoned C-1-1, the following accessory uses are permitted:**

a) Outdoor storage
b) Residential use (single detached dwelling)

3. Conditions of Use

i) All uses listed in Section (1), "Principal Uses," and Section (2), "Accessory Uses," shall be subject to the following conditions:

a) No parking, loading or storage areas shall be located within 1.5 metres of any property line.

ii) Residential use is limited to:

a) **On any lot:** one dwelling unit.

Except as amended herein, all other provisions of this Bylaw, as amended, shall apply.

Notwithstanding these exceptions, all other regulations of the C-1 zone apply.

End • C-1 Exception 1

Exception 2

Exception	Zone	Map	Amendment	Enacted
2	**RU-ALR**	**Schedule A-11**	**N/A**	**With Bylaw No. 520**

For Property Legally Described As:

Lot 1, Section 27, Township 6, Comox District, Plan 42292, PID 001-597-906

1. Siting of Buildings and Structures

i) Rear yard: 5.8 metres for a principal structure containing a residential use.

Notwithstanding this exception, all other regulations of the RU-ALR zone apply.

End • RU-ALR Exception 2

Exception 3

Exception	Zone	Map	Amendment	Enacted
3	RU-8	Schedule A-11	N/A	With Bylaw No. 520

For Property Legally Described As:

Lot 2, Block 29, Comox District, Plan VIP81361, PID 026-840-502; and

Lot 3, Block 29, Comox District, Plan VIP81361, PID 026-840-511

1. Principal Use

i) On any lot or portion of any lot zoned RU-8-3, the following additional principal use is permitted:

a) Interpretive/cultural centre

2. Accessory Uses

i) On any lot or portion of any lot zoned RU-8-3, the following additional accessory use is permitted:

a) Special events

Notwithstanding these exceptions, all other regulations of the RU-8 zone apply.

End • RU-8 Exception 3

Exception 4

Exception	Zone	Map	Amendment	Enacted
4	RU-20	Schedule A-11	N/A	With Bylaw No. 520

For Property Legally Described As:

The Fractional North West ¼ of Section 3, Township 5, Comox District, Plan 552D, Except That Part in Plan 27939, PID 008-810-630

1. Conditions of Use

i) Despite Section 803(1)(i)(b), on lands located outside the Agricultural Land Reserve and where Agricultural Use is expressly permitted as a use, agri-tourism accommodations are permitted to a maximum of one yurt and four recreational vehicle stalls.

Notwithstanding this exception, all other regulations of the RU- 20 zone apply.

End • RU-20 Exception 4

Exception 5

Exception	Zone	Map	Amendment	Enacted
5	CR-1	A-11	N/A	With Bylaw No. 520

For Properties Legally Described As:

Lot 1, Sections 23 and 24, Township 6, Comox District, Plan EPP79185, PID 030-436-460;

Lot 2, Sections 23 and 24, Township 6, Comox District, Plan EPP79185, 030-436-478; and

Lot C, Block 29, Comox District, Plan 32630, PID 000-168-882

1. Subdivision Requirements

i) Notwithstanding any other provision of this Bylaw, the minimum lot size for a lot created under Section 514 of the *Local Government Act* (RSBC, 2015, c. 1) (Subdivision to Provide Residence for a Relative) is 1.2 hectare.

2. Density

i) On lots less than 2 hectares, density is limited to one dwelling unit.

Notwithstanding this exception, all other regulations of the CR-1 zone apply.

End • CR-1 Exception 5

Exception 6

Exception	Zone	Map	Amendment	Enacted
6	**IL**	**A-8**	**N/A**	**With Bylaw No. 520**

For Property Legally Described As:

Lot 2, District Lots 229 and 239, Comox District, Plan VIP85435, Except Plan EPP78295, PID 027-590-887

1. Principal Use

i) **Only the following:**

a) Plant nursery and greenhouse
b) Industrial equipment, sales, and services
c) Light industrial
d) Warehousing
e) Wholesale establishments
f) Mini-storage

2. Accessory Uses

i) **On any lot:**

a) Industrial equipment, maintenance and repair
b) Offices
c) Residential use limited to one dwelling unit
d) Outdoor storage
e) Retail and wholesale sales

All other provisions of the industrial light zone apply.

End • IL Exception 6

Exception 7

Exception	Zone	Map	Amendment	Enacted
7	UR-400ha	A-7	N/A	With Bylaw No. 520

For Properties Legally Described As:

Lot 1, Sections 32 and 33, Township 10, Comox District, Plan EPP56506, Except Plan EPP90548, PID 029-762-103;

Lot 1, Section 33, Township 10, Comox District, Plan VIP78343 Except Part in Plan EPP56506, PID 026-200-881; and

That Part of Section 28, Township 10, Comox District, Plan 552H, Included within the Area Shown Outlined in Red on Plan 788 RW, PID 000-864-889

1. Principal Use

i) In addition to the principal uses of the UR-400ha zone, the following principal uses are permitted:

a) Recreational facilities
b) Dock
c) Boat launch
d) Interpretive/cultural centre
e) Campground

2. Accessory Uses

i) Only the following accessory uses are permitted:

a) Special events
b) Wood processing

3. Setbacks

i) Notwithstanding any other setback provision of this bylaw, the minimum setback for structures, except structures containing or related to utility use, to Comox Lake is 30m and to any other watercourse is 15m.

ii) Except for the 55 campsites shown on Exception 7 - Schedule 1, the minimum setback of a campsite (including Recreational Vehicle and tent sites) to Comox Lake is 30m and to any other watercourse is 15m. The setback to Comox Lake and any other watercourse for the 55 campsites shown on Exception 7 – Schedule 1 is 15m.

4. Conditions of Use

i) All recycling/compost/waste shall be stored in a centralized and contained location(s). No recycling/compost/waste shall be stored within 30m of a watercourse.

ii) Each campsite, with the exception of the 55 campsites shown on Exception 7 – Schedule 1, shall have a minimum area of 110m^2.

iii) Centralized wash station(s) (i.e. facility for dishwashing, showering) shall be provided for patrons of the campground. Wash station(s) shall adhere to the requirements of the health authority (i.e. discharge).

Except as amended herein, all other provisions of this Bylaw as amended, shall apply.

Notwithstanding this exception, all other regulations of the Upland Resource (UR) zone apply.

End • UR-400ha Exception 7

Exception 8

Exception	Zone	Map	Amendment	Enacted
8	**CR-1**	**A-6**	**N/A**	**With Bylaw No. 520**

For Property Legally Described As:

Lot A, District Lot 136, Comox District, Plan 8418, PID 005-548-926

1. **Subdivision Requirements**

   i) Notwithstanding any other provision of this Bylaw, the minimum parcel size for a parcel created under Section 514 of the *Local Government Act* (RSBC, 2015, c. 1) (subdivision to provide residence for a relative) is 1.0 hectare.

2. **Density**

   i) On parcels less than 3.5 hectares, density is limited to one dwelling unit.

Notwithstanding this exception, all other regulations of the CR-1 zone apply.

End • CR-1 Exception 8

Exception 9

Exception	Zone	Map	Amendment	Enacted
9	R-1	A-13	No. 2	April 7, 2020

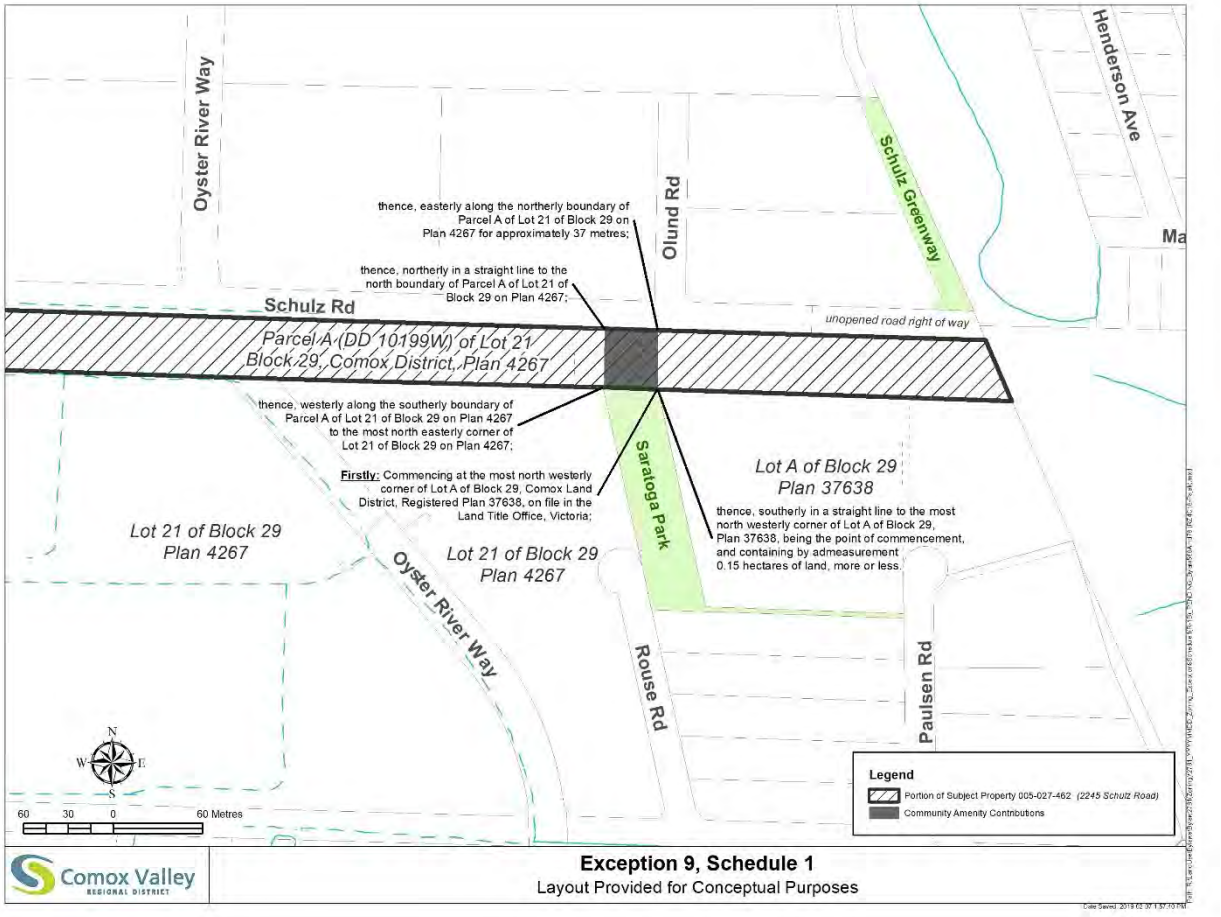
Subdivision Requirements

a) The minimum lot area permitted shall be 2.0 hectares;

b) Notwithstanding any other provision of this bylaw, a density bonus to permit the minimum lot area of 0.4 hectares with provision of a donation to the Comox Valley Regional District of the following lands described below and shown on Schedule 1.

Firstly, commencing at the most north westerly corner of Lot A of Block 29, Comox Land District, Registered Plan 37638, on file in the Land Title Office, Victoria;
Thence, westerly along the southerly boundary of Parcel A of Lot 21 of Block 29 on Plan 4267 to the most north easterly corner of Lot 21 of Block 29 on Plan 4267;
Thence; northerly in a straight line to the north boundary of Parcel A of Lot 21 of Block 29 on Plan 4267;
Thence, easterly along the northerly boundary of Parcel A of Lot 21 of Block 29 on Plan 4267 for approximately 37 metres;
Thence, southerly in a straight line to the most north westerly corner of Lot A of Block 29, Plan 37638, being the point of commencement, and containing 0.15 hectares of land, more or less.

Notwithstanding this exception, all other regulations of the R-1 zone apply.



End • R-1 Exception 9

Exception 10

Exception	Zone	Map	Amendment	Enacted
10	R-1	A-13	No. 1	May 12, 2020

Subdivision Requirements

a) The minimum lot area permitted shall be 8.0 hectares;

b) Notwithstanding any other provision of this bylaw, a density bonus to permit the minimum lot area of 1.0 hectare with provision of the following to the Comox Valley Regional District described below and shown on Schedule 1.

i. Donation of Land

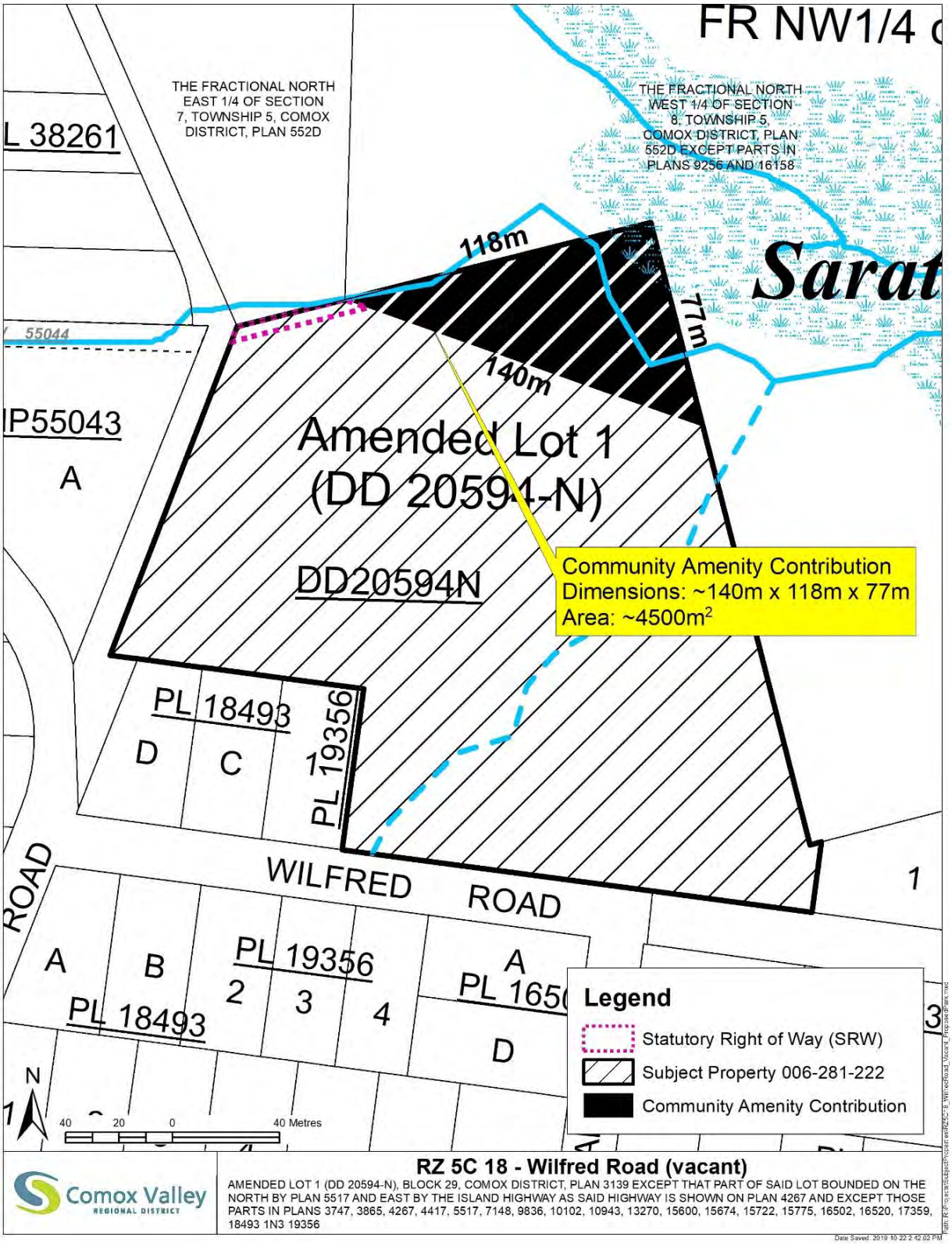
Firstly, commencing at the most south easterly corner of The Fractional Northeast ¼ of Section 7, Township 5, Comox District, Plan 552D, on file in the Land Title Office, Victoria;
Thence, north easterly along the "Amended Lot 1 (DD 20594-N), Block 29, Comox District, Plan 3139 Except That Part of Said Lot Bounded on the North by Plan 5517 and East by the Island Highway as Said Highway is Shown on Plan 4267 and Except Those Parts in Plans 3747, 3865, 4267, 4417, 5517, 7148, 9836, 10102, 10943, 13270, 15600, 15674, 15722, 15775, 16502, 16520, 17359, 18493 1N3 19356" to the most north easterly corner of said lot;
Thence, south easterly along said lot for approximately 77 metres; Thence, north westerly in a straight line to the most south easterly corner of The Fractional Northeast ¼ of Section 7, Township 5, Comox District, Plan 552D, being the point of commencement, and containing 0.45 hectares of land, more or less.

ii. Statutory Right of Way to Provide Access to the Donated Land

Firstly, commencing at the most south westerly corner of The Fractional Northeast ¼ of Section 7, Township 5, Comox District, Plan 552D, on file in the Land Title Office, Victoria;
Thence, south westerly along the most westerly boundary of "Amended Lot 1 (DD 20594-N), Block 29, Comox District, Plan 3139 Except That Part of Said Lot Bounded on the North by Plan 5517 and East by the Island Highway as Said Highway is Shown on Plan 4267 and Except Those Parts in Plans 3747, 3865, 4267, 4417, 5517, 7148, 9836, 10102, 10943, 13270, 15600, 15674, 15722, 15775, 16502, 16520, 17359, 18493 1N3 19356" for approximately 5 metres;
Thence, north easterly and parallel to the most southern boundary of The Fractional Northeast ¼ of Section 7, Township 5, Comox District, Plan 552D, for approximately 53 metres;
Thence, a straight line to the most south easterly corner of said lot;
Thence, south westerly along said lot to the most south westerly corner, being the point of commencement.

Notwithstanding this exception, all other regulations of the R-1 zone apply.

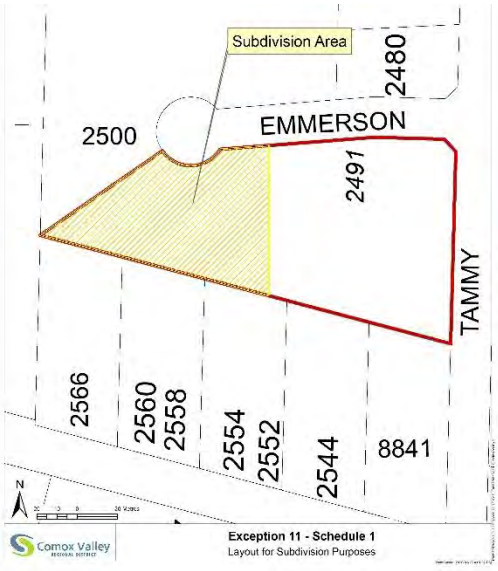
Schedule 1


FR NW1/4
THE FRACTIONAL NORTH EAST 1/4 OF SECTION 7, TOWNSHIP 5, COMOX DISTRICT, PLAN 552D
THE FRACTIONAL NORTH WEST 1/4 OF SECTION 8, TOWNSHIP 5, COMOX DISTRICT, PLAN 552D EXCEPT PARTS IN PLANS 9256 AND 16158
L 38261
55044
IP55043
A
118m
77m
140m
Amended Lot 1
(DD 20594-N)
DD20594N
Community Amenity Contribution
Dimensions: ~140m x 118m x 77m
Area: ~4500m²
PL 18493
D
C
PL 19356
WILFRED ROAD
ROAD
A
B
PL 19356
2
3
4
PL 18493
A
PL 165
D
1
Legend
Statutory Right of Way (SRW)
Subject Property 006-281-222
Community Amenity Contribution
N
40 20 0 40 Metres
Comox Valley
REGIONAL DISTRICT
RZ 5C 18 - Wilfred Road (vacant)
AMENDED LOT 1 (DD 20594-N), BLOCK 29, COMOX DISTRICT, PLAN 3139 EXCEPT THAT PART OF SAID LOT BOUNDED ON THE NORTH BY PLAN 5517 AND EAST BY THE ISLAND HIGHWAY AS SHOWN ON PLAN 4267 AND EXCEPT THOSE PARTS IN PLANS 3747, 3865, 4267, 4417, 5517, 7148, 9836, 10102, 10943, 13270, 15600, 15674, 15722, 15775, 16502, 16520, 17359, 18493 1N3 19356

Exception 11

Exception	Zone	Map	Amendment	Enacted
11	CR-1	A-13	No. 5	September 15, 2020

1. Subdivision Requirements
   a) Except for the Subdivision Area shown on Exception 11 – Schedule 1, the minimum lot area for subdivision is 2.0 hectares;
   b) The minimum lot area in the "Subdivision Area" shown on Exception 11 – Schedule 1 is 0.4 hectares.



2. Density
   a) On any lot less than 1.2 hectares, density is limited to one single detached dwelling;
   b) On any lot 1.2 hectares or larger: two dwelling units.

Notwithstanding this exception, all other regulations of the CR-1 zone apply."

Zoning Map Index

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WS-RA
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PARTICIPANTS: All Electoral Areas, Except Denman & Hornby Islands

Bylaw History
Bylaw 520 - Oct 29, 2019 (parent bylaw)
Bylaw 568 - Amd #2 - Apr 7, 2020 (RZ4C18-Pajak) (intro to R-1-9)
Bylaw 593 - Amd #1 - May 12, 2020 (RZ5C18-Unger) (intro to R-1-10)
Bylaw 609 - Amd #4 - Jun 23, 2020 (RZ 1C 19-Zimmerman) (CR-1 to IL)
Bylaw 619 - Amd #5 - Sep 15, 2020 (RZ 1c 19 - Sturdi Construction Ltd.) (CR-1 to CR-1-11)

Comox Valley REGIONAL DISTRICT

Map 'A-1'

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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See Map Schedule 'A-3'

See Map Schedule 'A-1'

Refer to Nanaimo Regional District

Refer to Nanaimo Regional District

Comox Valley Regional District

Nanaimo Regional District

30 metre Bathymetric Contour Line

Refer to Islands Trust

Cougar Smith Creek
Waterloo Creek
Wilfred Creek
Rosewall Creek
McNaughton Creek
Roaring Creek
Cook Creek
Thames Creek
Mud Bay
Deep Bay
Sandy Creek
Chef Creek
Cook Creek Rd
Inland Island Hwy
Island Hwy S
MacAulay Dr
Bonsay Rd
Bonsay Rd
Schoolhouse Dr
Cook Creek Loop

BLK 1363, BLK 274, BLK 801, BLK 617, BLK 1365, BLK 276, BLK 1330, BLK 1366, BLK 1104, BLK 986, BLK 253, BLK 872, BLK 454, BLK 267, BLK 198, BLK 256, BLK 1364, BLK 223, BLK 30, BLK 164, BLK 420

DL 79, DL 5G, DL 12, DL 87, DL 6, DL 107, DL 108, DL 24, DL 77, DL 50, DL 15, DL 35, DL 95, DL 29, DL 149, DL 256, DL 1364, DL 225, DL 3960

RU-20, RU-ALR, CR-1, C-1A, TC-2, SP-1, C-1, IM, IL, UAF, AQ, TU-1

UR (40ha), UR (400ha)

Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

- Residential One (R-1)
- Residential Rural (R-RU)
- Country Residential One (CR-1)
- Mobile Home Park (MHP)
- Residential Multiple (RM)

Part 800 - Rural/Resource Zones

- Rural Eight (RU-8)
- Rural Twenty (RU-20)
- Rural Twenty Density Bonus (RU-20DB)
- Rural ALR (RU-ALR)
- Upland Resource (UR)
- Water Supply and Resource Area (WS-RA)
- Drinking Water Protection (DWP)
- Aquaculture (AQ)
- Upland Aquaculture Facility (UAF)

Part 900 - Commercial/Industrial Zones

- Commercial One (C-1)
- Commercial One A (C-1A)
- Tourist Commercial One (TC-1)
- Tourist Commercial Two (TC-2)
- Rural Recreation One (RR-1)
- Industrial Light (IL)
- Industrial Heavy (IH)
- Industrial Marine (IM)
- Industrial Storage (IS)
- Seafood Processing One (SP-1)
- Seafood Processing Aquaculture Facility One (SPAF-1)
- Commercial Agriculture (CA)
- Saratoga-Commercial Industrial (S-CI)

Part 1000 - Assembly Zones

- Assembly One (A-1)
- Transportation Utility One (TU-1)

Part 1100 - Comprehensive Development Zones

- Mt.Washington Comprehensive Development Zone (MTW-CD)
- Kensington Comprehensive Development Zone (K-CD)
- Saratoga Beach Estates Comprehensive Development Zone (SBE-CD)

Part 1200 - Exceptions to Zone Designations

- Exception to Parent Zone

0 0.5 1 1.5 2
Kilometres

This bylaw shall be applicable to Electoral Areas A (excluding Denman and Hornby Islands), B and C of the Comox Valley Regional District.

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Map Schedule 'A-2'

See Map Schedule 'A-4'

See Map Schedule 'A-1'

See Map Schedules 'A-1' & 'A-2'

Denman Island

Chicadee Lake

Denman Point

Baynes Sound

Buckley Bay

Fanny Bay

Ship Peninsula

Mud Bay

Table River

Cowie Creek

North Tumblewater Creek

Tumblewater Creek

Cougar Smith Creek

Wilfred Creek

Waterloo Creek

Inland Island Hwy

Island Hwy S

30 metre Bathymetric Contour Line

Refer to Islands Trust

BC Ferry Route: Vancouver Island - Denman Island (Buckley Bay-Denman West)

Fanny Bay Main FSR

Buckley Bay Rd

Denman Island Rd

Henry Rd

Walker Frontage Rd

Quang Rd

Fern Rd

Holiday Rd

Smith Rd

Bates Dr

Little Mac Rd

Ship Point Rd

Stelling Rd

Hastings Rd

Macdonald Rd

Table Rock Rd

Fanny Bay Rd

WS-RA

UR (400ha)

UR (40ha)

RU-20

RU-20DB

RU-ALR

CR-1

C-1

C-1A

C-1-1

IL

IM

IS

A-1

SP-1

TC-2

R-1

R-RU

RR-1

UAF

TU-1

AQ

Sec 2A

Sec 1

Sec 2

Sec 6A

DL 149

DL 88

DL 1G

DL 9

DL 12

DL 30G

DL 29G

DL 32G

DL 33G

DL 31G

DL 23G

DL 35G

DL 36G

DL 34G

DL 38G

DL 39G

DL 37G

DL 44

DL 43

DL 49

DL 48

DL 26

DL 30

DL 47

DL 23

DL 395

DL 79

DL 5G

DL 87

DL 256

DL 1364

BLK 33

BLK 451

BLK 527

BLK 1359

BLK 385

BLK 299

BLK 291

BLK 296

BLK 382

BLK 377

BLK 376

BLK 324

BLK 34

BLK 34 Sec 2A

BLK 684

BLK 799

BLK 263

BLK 234

BLK 504

BLK 916

BLK 1362

BLK 800

BLK 1330

BLK 274

BLK 566

BLK 1363

BLK 801

BLK 267

BLK 198

BLK 617

Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

- Residential One (R-1)
- Residential Rural (R-RU)
- Country Residential One (CR-1)
- Mobile Home Park (MHP)
- Residential Multiple (RM)

Part 800 - Rural/Resource Zones

- Rural Eight (RU-8)
- Rural Twenty (RU-20)
- Rural Twenty Density Bonus (RU-20DB)
- Rural ALR (RU-ALR)
- Upland Resource (UR)
- Water Supply and Resource Area (WS-RA)
- Drinking Water Protection (DWP)
- Aquaculture (AQ)
- Upland Aquaculture Facility (UAF)

Part 900 - Commercial/Industrial Zones

- Commercial One (C-1)
- Commercial One A (C-1A)
- Tourist Commercial One (TC-1)
- Tourist Commercial Two (TC-2)
- Rural Recreation One (RR-1)
- Industrial Light (IL)
- Industrial Heavy (IH)
- Industrial Marine (IM)
- Industrial Storage (IS)
- Seafood Processing One (SP-1)
- Seafood Processing Aquaculture Facility One (SPAF-1)
- Commercial Agriculture (CA)
- Saratoga-Commercial Industrial (S-CI)

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- Transportation Utility One (TU-1)

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- Kensington Comprehensive Development Zone (K-CD)
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Part 1200 - Exceptions to Zone Designations

- Exception to Parent Zone

0 0.5 1 1.5 2

Kilometres

This bylaw shall be applicable to Electoral Areas A (excluding Denman and Hornby Islands), B and C of the Comox Valley Regional District.

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Map Schedule 'A-3'

See Map Schedule 'A-6'

See Map Schedule 'A-5'

See Map Schedule 'A-1'

See Map Schedules 'A-1' & 'A-3'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

Part 700 - Residential Zones

- Residential One (R-1)
- Residential Rural (R-RU)
- Country Residential One (CR-1)
- Mobile Home Park (MHP)
- Residential Multiple (RM)

Part 800 - Rural/Resource Zones

- Rural Eight (RU-8)
- Rural Twenty (RU-20)
- Rural Twenty Density Bonus (RU-20DB)
- Rural ALR (RU-ALR)
- Upland Resource (UR)
- Water Supply and Resource Area (WS-RA)
- Drinking Water Protection (DWP)
- Aquaculture (AQ)
- Upland Aquaculture Facility (UAF)

Part 900 - Commercial/Industrial Zones

- Commercial One (C-1)
- Commercial One A (C-1A)
- Tourist Commercial One (TC-1)
- Tourist Commercial Two (TC-2)
- Rural Recreation One (RR-1)
- Industrial Light (IL)
- Industrial Heavy (IH)
- Industrial Marine (IM)
- Industrial Storage (IS)
- Seafood Processing One (SP-1)
- Seafood Processing Aquaculture Facility One (SPAF-1)
- Commercial Agriculture (CA)
- Saratoga-Commercial Industrial (S-CI)

Part 1000 - Assembly Zones

- Assembly One (A-1)
- Transportation Utility One (TU-1)

Part 1100 - Comprehensive Development Zones

- Mt.Washington Comprehensive Development Zone (MTW-CD)
- Kensington Comprehensive Development Zone (K-CD)
- Saratoga Beach Estates Comprehensive Development Zone (SBE-CD)

Part 1200 - Exceptions to Zone Designations

- Exception to Parent Zone

0 0.5 1 1.5 2
Kilometres

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Map Schedule 'A-4'

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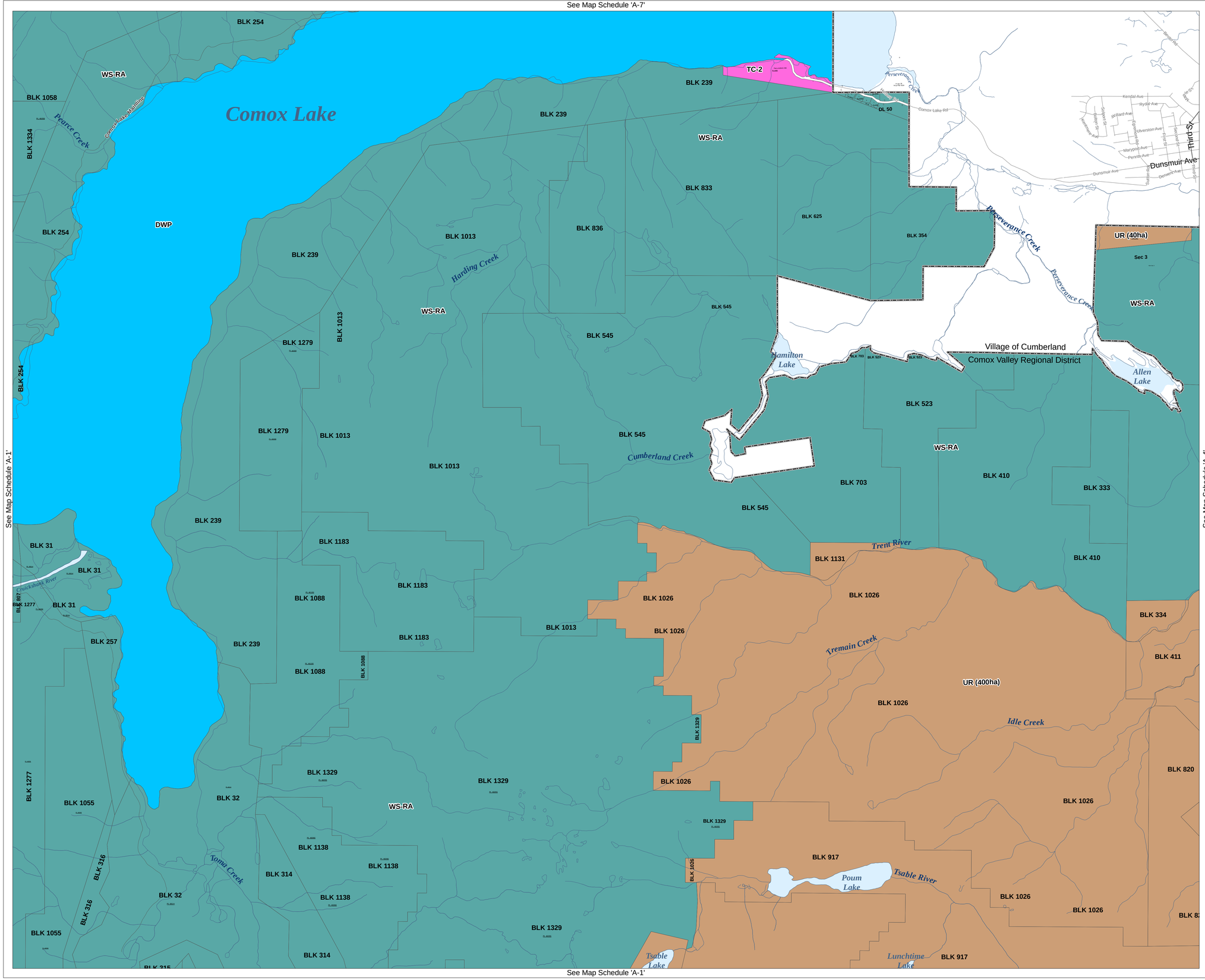
See Map Schedule 'A-7'



See Map Schedule 'A-1'

See Map Schedule 'A-1'

See Map Schedule 'A-4'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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Map Schedule 'A-5'

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See Map Schedule 'A-8'

See Map Schedule 'A-7'

See Map Schedule 'A-1'

See Map Schedule 'A-4'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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Map Schedule 'A-6'

See Map Schedule 'A-9'

See Map Schedule 'A-1'

See Map Schedule 'A-6'

See Map Schedule 'A-5'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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Map Schedule 'A-7'

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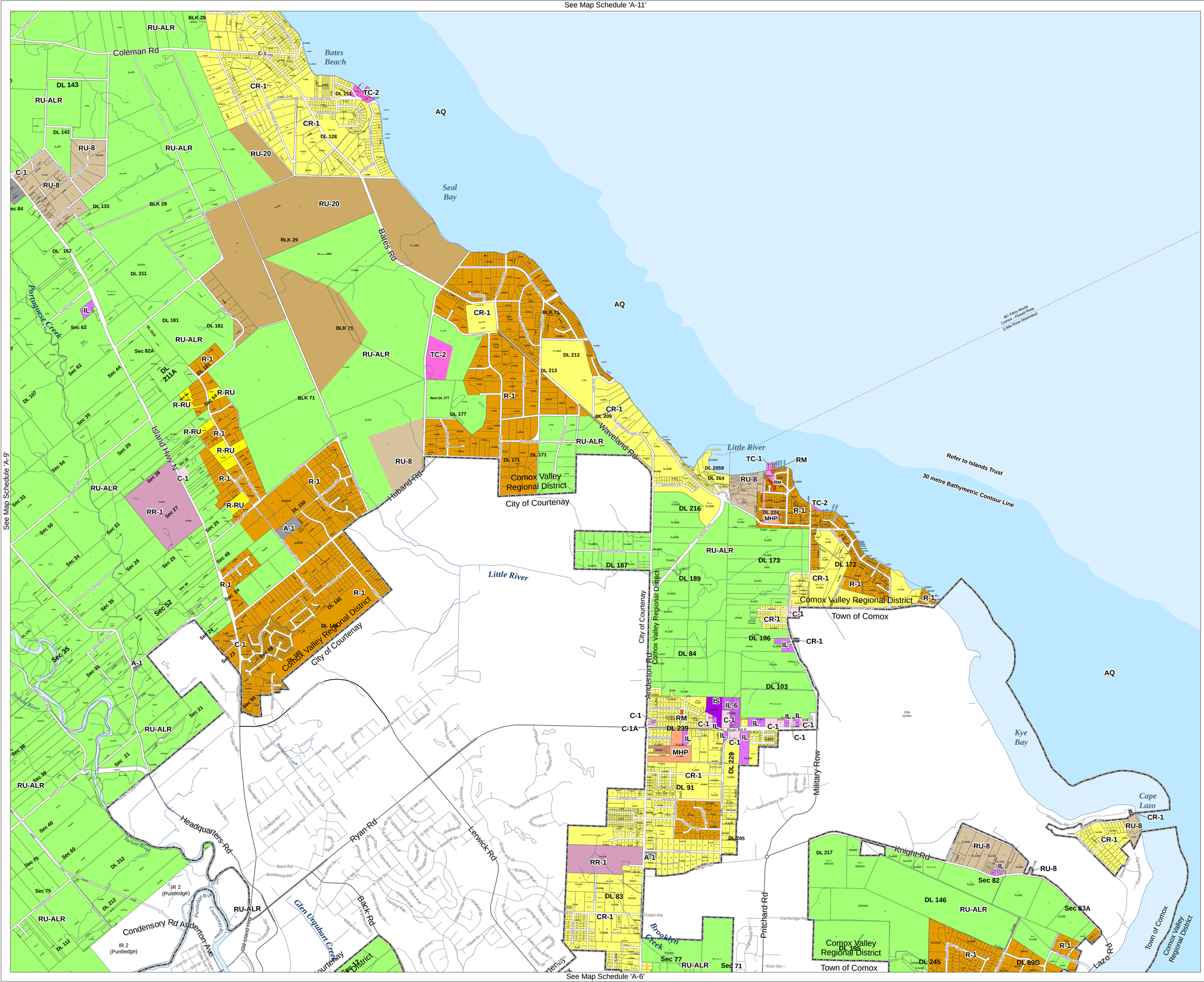
See Map Schedule 'A-11'

See Map Schedule 'A-9'

See Map Schedule 'A-10'

See Map Schedule 'A-6'



See Map Schedule 'A-1'

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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Map Schedule 'A-8'

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See Map Schedules 'A-11' & 'A-12'

See Map Schedule 'A-10'

See Map Schedule 'A-8'

See Map Schedule 'A-7'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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Map Schedule 'A-9'

See Map Schedules 'A-1' & 'A-12'

See Map Schedule 'A-1'

See Map Schedule 'A-9'

See Map Schedule 'A-1'

Comox Valley REGIONAL DISTRICT

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Map Schedule 'A-10'

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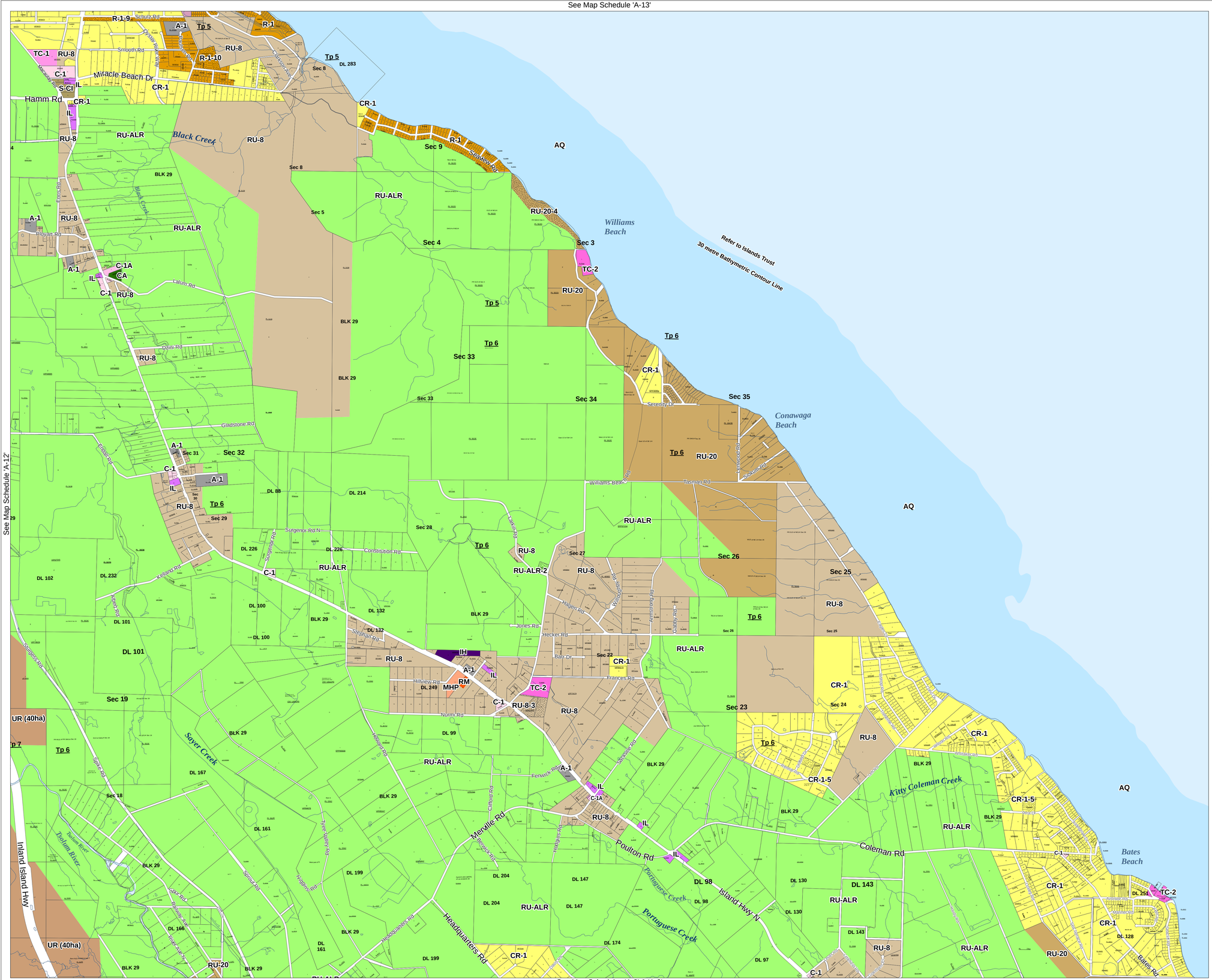
See Map Schedule 'A-13'

See Map Schedule 'A-12'



See Map Schedules 'A-8' & 'A-9'

See Map Schedule 'A-1'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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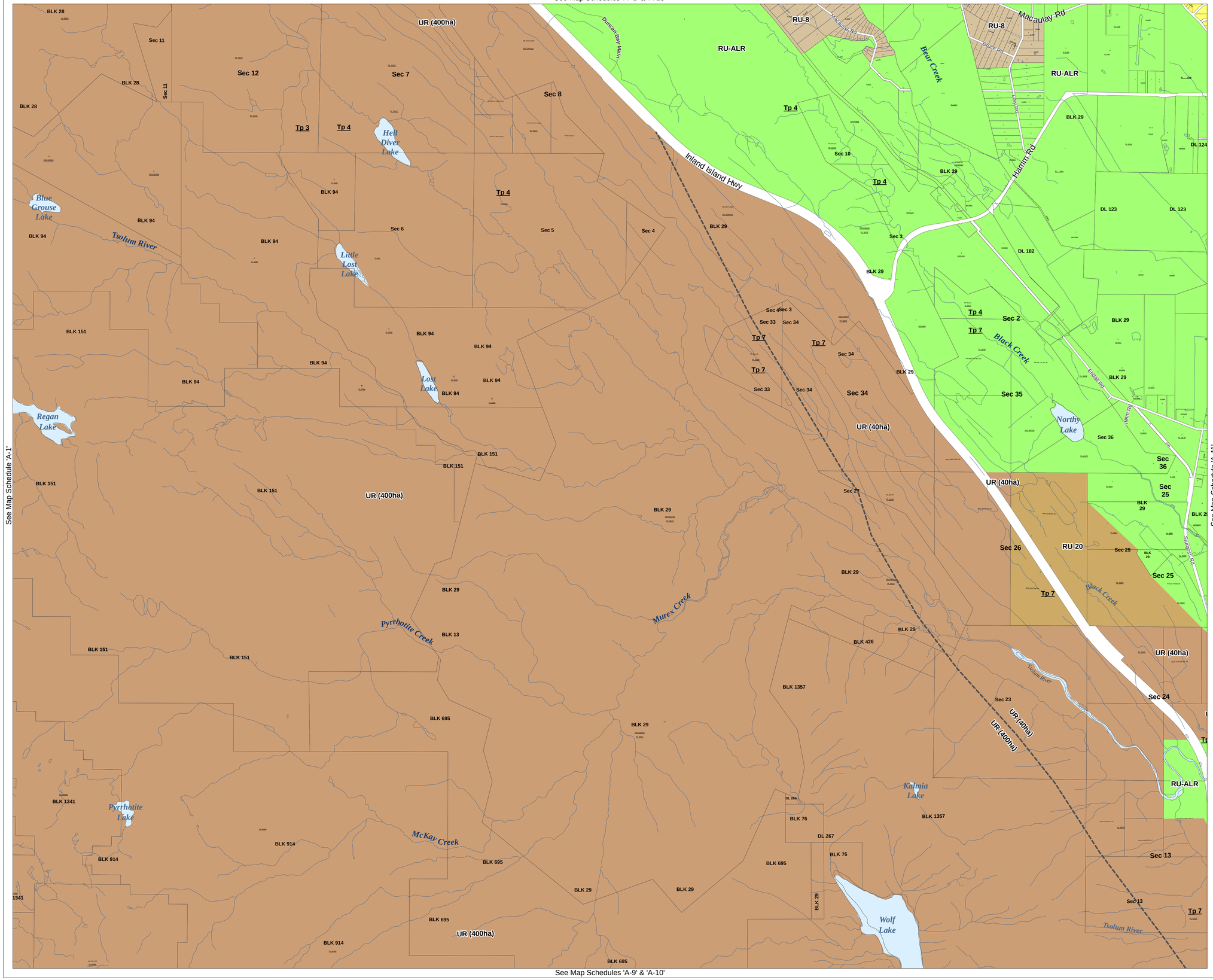
Map Schedule 'A-11'

See Map Schedules 'A- 1' & 'A-13'

See Map Schedule 'A-1'

See Map Schedule 'A-11'

See Map Schedules 'A-9' & 'A-10'



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Map Schedule 'A-12'

Document Path: R:\Land Use\Bylaws\Bylaw 520\Zoning_Bylaw_520_2019_Consolidated_Bylaw\GIS\mxd\520schmap (A1-A13).mxd

Refer to Strathcona Regional District

See Map Schedule 'A-1'

See Map Schedules 'A-11' & 'A-12'

Comox Valley REGIONAL DISTRICT

Rural Comox Valley Zoning Bylaw, No. 520, 2019

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0 0.5 1 1.5 2 Kilometres

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Map Schedule 'A-13'

Subdivision Requirements For Specific Properties

Properties subject to a minimum lot size of 4 hectares for subdivision

0 0.5 1 1.5 2
Kilometres

Comox Valley REGIONAL DISTRICT

Schedule B
Rural Comox Valley Zoning Bylaw, No. 520, 2019

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AGENCY AND FIRST NATIONS REFERRAL LIST

The following agencies will receive a referral of the proposal. ☒

First Nations

☒	K'ómoks First Nation	☒	Homalco First Nation
☒	We Wai Kai First Nation	☒	We Wai Kum First Nation of the Kwiakah Treaty Society
☒	Laich-Kwil-Tach Treaty Society		

Federal Departments and Agencies

☐	Canadian Coast Guard	☐	Public Services and Procurement Canada
☐	Department of National Defence (CFB Comox)	☐	RCMP
☐	Fisheries and Oceans Canada	☐	Transport Canada Navigable Waters
☐	Indigenous and Northern Affairs Canada		

Provincial Ministries and Agencies

☐	Agricultural Land Commission	☐	Ministry of Municipal Affairs
☒	BC Assessment	☒	Ministry of Forests, Lands and Natural Resource Operations & Rural Development
☐	BC Parks	☐	Ministry of Energy, Mines and Low Carbon Innovation
☐	BC Ferry Services Inc.	☐	Ministry of Environment & Climate Change Strategy
☐	BC Transit	☐	Ministry of Tourism, Arts, Culture and Sport
☐	Ministry of Indigenous Relations & Reconciliation	☒	Ministry of Transportation and Infrastructure
☐	Ministry of Agriculture, Food and Fisheries	☐	Ministry of Forests, Lands and Natural Resource Operations BC Wildfire Services

Local Government

☒	Comox (Town of)	☐	Alberni-Clayoquot Regional District
☒	Courtenay (City of)	☐	Strathcona Regional District
☒	Cumberland (Village of)	☐	Regional District of Mount Waddington
☐	Islands Trust	☐	Regional District of Nanaimo

Other

☐	Agricultural Advisory Planning Commission	☐	Comox Valley Economic Development Society
☐	School District No. 71 (Comox Valley)	☒	Vancouver Island Health Authority (Environmental Health)
☒	Advisory Planning Commission A Baynes Sound – Denman/Hornby Islands	☒	Advisory Planning Commission B (Lazo North)
☒	Advisory Planning Commission C (Puntledge-Black Creek)		