



BYLAW NO. 1404

Campbell River Area Zoning Bylaw, 1991

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BYLAW NO. 1404
REGIONAL DISTRICT OF COMOX-STRATHCONA

STATUS

TITLE: Campbell River Area Zoning Bylaw, 1991

APPLICANT: Regional District

ELECTORAL AREA: D

FILE NO.: RZ 2CR 91

PURPOSE: To replace Bylaw No. 954, being the "Campbell River Area Zoning Bylaw, 1987", with a new bylaw to reflect the changes as a result of the amalgamation of Electoral Areas 'E' and 'F' into the District Municipality of Campbell River.

**GREATER CAMPBELL RIVER
PLANNING COMMITTEE:**

Date: November 12, 1991

Recommendation 1st and 2nd reading; proceed to public hearing.

REGIONAL BOARD:

Date: November 25, 1991

Decision: 1st and 2nd reading.

**GREATER CAMPBELL RIVER
PLANNING COMMITTEE:**

Date: January 14, 1992

Recommendation: Proceed to public hearing.

REGIONAL BOARD:

Date: January 27, 1992

Decision: Proceed to public hearing.

PUBLIC HEARING:

Date: February 12, 1992

PUBLIC HEARING COMMITTEE:

Date: February 12, 1992

Recommendation: Amend R-3, CR-3, CR-4, CR-5, RU-1 zones at 2nd reading; Adjourn Public Hearing Committee until 3:00 p.m. February 24, 1992.

PUBLIC HEARING COMMITTEE:

Date: February 24, 1992

Recommendation: "That the Regional Board consider Bylaw No. 1404 as amended at 2nd reading for 3rd reading and final adoption."

REGIONAL BOARD:

Date: March 30, 1992

Decision: Amend at 2nd reading; 3rd reading and final adoption.

REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 1404

A bylaw to regulate the location and use of buildings and structures and the use and subdivision of land, including the surface of water in the Regional District of Comox-Strathcona.

The Board of the Regional District of Comox-Strathcona, in open meeting assembled, enacts as follows:

PART A TITLE

This bylaw may be cited for all purposes as Bylaw No. 1404, being the "***Campbell River Area Zoning Bylaw, 1991***".

PART B APPLICATION

1. This bylaw shall be applicable to Electoral Area "D" (Oyster Bay-Buttle Lake) and a portion of Electoral Area "H" (Sayward-Bloedel) as identified in Schedules A-1 to A-12 attached to and forming part of this Bylaw.

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2. Any forestry management activity relating to the production and harvesting of timber on any land that is classified as managed forest land pursuant to the *Assessment Act* or any land within a license area under the *Forest Act* shall not be restricted by any terms or conditions of this bylaw so long as the land continues only to be classified for that purpose.

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3. Where land is classified as "Agricultural Land Reserve" pursuant to the *Agricultural Land Commission Act*, the provisions of those regulations shall take precedence over this bylaw.

4. For the purpose of this bylaw, Schedule "A" is attached to and forms an integral part of this bylaw and bears the words "Schedule "A".

5. All mining and mineral exploration activities subject to the *Mines Act* and *Mineral Tenure Act* shall not be restricted by any terms or conditions of this Bylaw. Where these activities have been proposed in an upland resource area, the activities will be subject to the policies and procedures being developed by the appropriate Provincial agency (Ministry of Employment and Investment, Mineral Resources Division for mineral exploration in community watersheds).

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PART C ENACTMENT

The following bylaws are hereby repealed upon adoption of this bylaw:

Bylaw No. 954 being the "**Campbell River Area Zoning Bylaw, 1987**" and all amendments thereto.

PART D ADOPTION

READ A FIRST AND SECOND TIME THIS	25th	DAY OF November	1991.
PUBLIC HEARING HELD THIS	12th	DAY OF February	1992.
READ A THIRD TIME THIS	30th	DAY OF March	1992.
RECONSIDERED, FINALLY PASSED AND ADOPTED THIS	30th	DAY OF March	1992.

Chairperson

Secretary

I HEREBY CERTIFY this to be a true and correct copy of Bylaw No. 1404 being the "Campbell River Area Zoning Bylaw, 1991", as adopted by the Board of the Regional District of Comox-Strathcona on the 30th day of March, 1992.

Secretary

LIST OF AMENDMENTS

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

BYLAW NO.	AMENDMENT #	ADOPTION DATE	TEXT REFERENCE
RD DCS 1458	1	July 27, 1992	To amend the nuisance clause found in each zone; to define "motel"; to appoint additional staff under Part 1 "Administration" and to amend the side lot line setbacks.
RD DCS 1469	2	August 31, 1992	To amend Schedule A-9 to incorporate amendments to the zoning boundaries.
RD DCS 1499	3	Not Adopted	
RD DCS 1509	4	February 22, 1993	To amend Map A-5 to incorporate amendments to the zoning boundaries, more particularly described as Lot 10, Plan 18511, Section 19, "Township 5, Comox Land District, rezoned from Commercial Two (C-2) to Residential Two (R-2).
RD DCS 1510	5	February 22, 1993	To add a definition for "shoreline protection device"; to amend the siting requirements for accessory buildings; and to increase the height limitation.
RD DCS 1511	6	February 22, 1993	To create a new Country Residential Three A (CR-3A) zone and to rezone the subject property from Country Residential Four (CR-4) to Country Residential Three A (CR-3A to permit subdivision
RD DCS 1551	8	Rescinded	
RD DCS 1606	9	November 29, 1993	To amend Schedule A-10 to incorporate amendments to the zoning areas.
RD DCS 1537	7	January 31, 1994	To amend Section 5.1.3 regarding subdivision fees.
RD DCS 1626	10	Rescinded	

LIST OF AMENDMENTS

RDCS 1689	12	February 27, 1995	To rezone a portion of the subject property from Rural One (RU-1) to Country Residential Four (CR-4) to permit a development of twenty (20) 2 hectare (4.984 acre) lots.
RDCS 1645	11	June 26, 1995	To add Administration Officer
RDCS 1772	18	August 26, 1995	To amend the CR-4 zone to permit the creation of a lot in return for the dedication of an additional 0.34 hectares (0.8 acres) of land to Hagel Park
RDCS 1817	19	February 26, 1996	To initiate the rezoning of the subject property from Residential One (R-1) to Residential Two (R-2) to recognize a duplex built on the property in 1981.
RDCS 1827	20	March 25, 1996	To initiate the rezoning of the subject property from Residential Three (R-3) to Residential Two (R-2) to recognize a duplex built on the property in 1979.
RDCS 1723	15	April 29, 1996	To create a Commercial Five (C-5) zone and rezone the Strathcona Park lodge properties from Community Watershed (CW) to Commercial Five (C-5)
RDCS 1744	16	Not Adopted	
RDCS 1755	17	April 29, 1996	<ol style="list-style-type: none">1. To delete the Community Watershed (CW) in the Upland Resource (UR) zone;2. To rezone the area presently zoned Community Watershed (CW) in the Campbell/Buttle Lake watershed to Upland Resource (UR).3. To rezone the area presently zoned Rural One (RU-1) in the Quinsam and Oyster River Watersheds to Upland Resources (UR).4. To rezone managed forest land in the York Road and Oyster Bay area from Rural One (RU-1) to Upland Resource (UR).
RDCS 1692	13	Not Adopted	
RDCS 1719	14	Not Adopted	
RDCS 1850	21	June 24, 1996	To amend the Rural One (RU-1) zone to allow research and teaching facilities and rural resource centres on the parcel forming UBC Research Farms.

LIST OF AMENDMENTS

RDCS 1859	22	October 28, 1996	To rezone a portion of the subject property from Country Residential Four (CR-4) to Commercial One (C-1)
RDCS 1908	23	August 25, 1997	To amend Bylaw 1404 to correct an apparent zoning mistake.
RDCS 1836	Floodplain Bylaw Repeals	September 29, 1997	Floodplain Bylaw which amends Section 4.5.3 "Elevations" and Section 4.5.4 Setbacks sub (a)(i), (b) and (c).
RDCS 2163	24	June 28, 1999	To add bed and breakfast regulations to the zoning bylaw.
RDCS 2171	25	July 26, 1999	To add sign regulations, to amend the height limit and setback requirements for accessory buildings and to add second kitchens to home occupations.
RDCS 2172	26	August 30, 1999	To rezone the subject property for Country Residential Four (CR-4) to Residential One (R-1) to allow greater lot coverage (25% rather than 15%)
RDCS 2321	27	Not Adopted	
RDCS 2323	28	July 30, 2001	To rezone Lot 2, Plan 18649, DL 193, Land District 15, Island Hwy. from Country Residential Four (CR-4) to Country Residential Two (CR-2)
RDCS 2423	29	May 27, 2002	To amend Section 4.6.7 (iv) & (vi) of the CR-4 zone to allow for increased accessory building floor area and total lot coverage allowance for lots less than 2,500 square metres (0.62 acre).
RDCS 2483	30	May 26, 2003	To amend the definition of "Public Utility Use".
RDCS 2503	31	Not Adopted	
RDCS 2567	32	September 29, 2003	To rezone property from Country Residential Four (C-4) to Residential One (R-1) to allow for subdivision (Lot 3, DL 90, Comox District, Plan 4944).
RDCS 2710	33	Rescinded	
RDCS 2725	34	December 9, 2004	To rezone property (Oyster Bay, S. Island Hwy.) from Commercial One (C-1) to Country Residential Four (C-4)

LIST OF AMENDMENTS

RDCS 2885	35	April 24, 2006	To amend the zoning bylaw by inserting a new residential zone entitled Residential Three A (R-3A).
RDCS 2886	36	April 24, 2006	To rezone property located at 250 McGimpsey Rd. legally described as Lot 1, District Lot 89, Comox District, Plan 3003, Except Parts in Plans 934R, 6408, 18038, 36984, VIP51940 and VIP51965, from Residential One (R-1) to Residential Three A (R-3A).
RDCS 2934	37	Rescinded	
RDCS 2940	38	October 30, 2006	To limit accessory buildings to one storey within the maximum height permitted.
CSR 2948	39	January 29, 2007	To amend the definition of utility use and siting requirements for communication towers.
CSR 2958	40	Rescinded	
CSR 2967	41	April 26, 2007	To rezone the subject property from Commercial One (C-1) to Country Residential Four (CR-4) to permit residential use.
CSR 3006	42	Rescinded	
CSR 3045	43	October 25, 2007	To amend the Country Residential Three A (CR-3A) zone to limit lot coverage of all buildings and structures to 15%.
CSR 3047	44	October 25, 2007	To rezone the property legally described as Lot 3, Section 34, Township 4, Comox District, Plan 42409 except part in Plan ViP54090 from Country Residential Four (CR-4) to Country Residential Three A (CR-3A)
CSR 3058	45	Not Adopted	
CSR 3060	46	Not Adopted	
SRD 10	47	August 28, 2008	To rezone the property legally described as Lot 1, District Lot 193, Comox District, Plan 6466 Except that part in Plan 7651 from Commercial One (C-1) to Country Residential Four (CR-4).
SRD 12	48	October 2, 2008	To rezone the property legally described as Lot C, Section 34, Township 4, Comox District, Plan VIP61244 from Commercial One (C-1) to Country Residential Four (CR-4).

LIST OF AMENDMENTS

SRD 27	49	May 28, 2009	To rezone the property legally described as Lot 2, Section 32, Township 4, Comox District, Plan 36331, Except part in Plan VIP51932 from Rural One (RU-1) to Country Residential Four (CR-4).
SRD 33	50	Defeated at 3 rd Reading	
SRD 57	51	January 28, 2010	To rezone property legally described as Lot 4, Plan VIP19325, Block 29, Comox District from Mobile Home Park (MHP) to Country Residential Four (CR-4).
SRD 84	52	April 26, 2012	To amend Part 2 Interpretation, Part 4 Land Use Regulations and Part 4.5 General Regulations.
SRD 199	53	August 28, 2014	To inserting a new zone Country Residential Four A (CR-4A) and rezoning property legally described as Lot D, Section 3, Township 1 and Section 34, Township 4, Comox District, Plan ViP61244 from Public Assembly One (PA-1) to country Residential Four A (CR-4A).

PART 1 ADMINISTRATION

1.1 Administration

1. The Director of Planning, Chief Building Inspector, Senior Planner, Planner II, Planner I, Planning Assistant, Planning Technician, Secretary, Deputy Secretary and Administration Officer are hereby appointed by the Regional Board pursuant to Section 299(1) of the *Municipal Act* to administer this bylaw.
2. Persons appointed under Subsection 1 may enter any building or premises at all reasonable times for the purpose of administering or enforcing this bylaw.

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1.2 Violation

1. It shall be unlawful for any person to cause, suffer or permit any building or structure to be constructed, reconstructed, altered, moved, extended, or used, or land to be occupied or used in contravention of this bylaw or otherwise to contravene or fail to comply with this bylaw except as provided for under Sections 962, 970 and Division 5 of the *Municipal Act*.
2. It shall be unlawful for any person to prevent or obstruct any official appointed under Part 1, Subsection 1.1 from the carrying out of his duties under this bylaw.
3. Nothing in this bylaw shall exempt any person from complying with the requirements of the Building Bylaw or any other bylaws in force within the Regional District or from obtaining any license, permission, permit authority, or approval required by this or any other bylaw of the Regional District of Comox-Strathcona.
4. No occupancy of any building or structure shall occur or any change in permitted use unless the building or structure is constructed in accordance with the Building Code requirements for the intended use.

1.3 Penalty

1. Any person who violates the provisions of this bylaw is liable on summary conviction to a penalty not exceeding One Thousand Dollars (\$1,000.00) or imprisonment for a period not exceeding thirty (30) days.
2. Each day during which such violation is continued shall be deemed to constitute a new and separate offence.
3. Upon conviction, the Provincial Court Judge may direct that no prosecution under Subsection 2 may be made, with respect to the continuance of the violation, for such period of time as he directs.

1.4 Remedial Authority

1. **The Regional District may, by bylaw, authorize:**

- i) the demolition, removal or bringing up to standard specified in the bylaw of a building, structure or thing, in whole or in part, that contravened this bylaw or that the Regional District believes is in an unsafe condition;
- ii) the filling in, covering over or alteration in whole or in part of an excavation that contravened this bylaw or that the Regional District believes is in an unsafe condition.
- iii) The Regional District shall give the affected land owners thirty (30) days notice of any action contemplated under this section.

1.5 Appeal

The Board of Variance established under the Board of Variance Bylaw of the Regional District of Comox-Strathcona shall hear and determine any appeal pursuant to Section 962 of the *Municipal Act*.

1.6 Severability

If any provision of this bylaw is found invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

PART 2 INTERPRETATION

AGRICULTURAL USE	means a use providing for the growing, rearing or harvesting of primarily agricultural products harvested, reared or grown on that lot.
ANCILLARY BUILDING	means a building for the common use of the tenants and includes recreation buildings, laundry and other service facilities.
ANIMAL KENNEL	means any structure or premises in which animals are kept, boarded, bred or trained for commercial gain.
APPLICANT	means any person applying for the Approval of a Subdivision, Board of Variance Appeal, Rezoning, Development Permit, Development Variance Permit, Building Permit, or Mobile Home Park Permit, whether as the owner of the property or as agent of the owner.
APPROVAL	means approval in writing from the authority having jurisdiction.
APPROVING OFFICER	means approving officer designated as such pursuant to the <i>Land Titles Act</i> or the <i>Condominium Act</i> .
AQUACULTURE	means the cultivation, rearing and harvesting of aquatic organisms, on land or in the water, but specifically excludes seafood processing.
AUTOMOBILE BODY SHOP	means a premise used or intended to be used for the repair/replacement of parts and painting of automobiles
AUTOMOBILE SERVICE STATION	means a premise used or intended to be used for the retail dispensing or sales of vehicular fuels and/or includes the sale and/or installation of lubricants, tires, batteries, and similar accessories and/or the washing, servicing and repair of vehicles.
AUTOMOBILE WRECKING YARD	means a place where two or more derelict vehicles are stored, kept, disassembled, and/or repaired and where parts from derelict vehicles may be salvaged, purchased, or reused subject to compliance with the <i>Motor Vehicle Act</i> and pursuant regulations.
BED AND BREAKFAST	means the use of a dwelling unit for the provision of temporary accommodation for the travelling public.
BOARDING HOUSE	means a dwelling or part thereof in which furnished sleeping accommodations with or without furnished meals are provided for consideration to more than four (4) persons as permanent accommodation.
BOUNDARY	means the visible higher high water mark of any lake, river, stream or other body of water where the presence and action of the water has

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marked upon the soil or upon the surrounding vegetation, a distinct indication of its presence, as determined by the Building Inspector.

BUILDING

means a structure located on the ground, which is designated, erected or intended for the support, enclosure or protection of any use, person or property.

**BUILDING
Accessory**

means a building or structure, the use of which is ancillary to that of the principal permitted use of the lands, buildings or structures located on the same parcel, but specifically excludes buildings used for residential use or agricultural buildings.

**BUILDING,
Agricultural**

means a building, the use of which is primarily for the growing, rearing or harvesting of agricultural products on properties where the land is eligible for farm classification pursuant to the *Assessment Act*, and can include a building which is used for processing of agricultural products where such agricultural products are harvested, reared or grown on that farm or a building for the storage of farm machinery implements and agricultural supplies necessary for the operation of that farm. An agricultural building can also mean a structure for the sale of agricultural products grown, reared or produced on that farm where the floor area of the structure, and any display area, does not exceed 12 m² (129.17 ft²)

BULK STORAGE

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

CAMPGROUND

means premises occupied and maintained for temporary accommodation of travelers in licensed trailers, tents or licensed recreation vehicles. It does not include a mobile home park, cabin, hotel, or autocourt.

**COMMUNITY
CARE FACILITY**

means a facility that is licensed or is under permit by the Provincial Government as a community care facility or like establishment that serves more than four (4) persons.

**COMMUNITY
SEWER SYSTEM**

means a common sewer or a system of laterals, collectors, mains, trunks, and appurtenances, including treatment and disposal facilities approved by the Waste Management Branch of the Ministry of Health and Regional District.

**COMMUNITY
WATER SYSTEM**

means a system or waterworks within the meaning of Section 21 of the *Heath Act* which is owned, operated and maintained by an Improvement District under the *Water Act* or *Municipal Act*, or by the Regional District within a Water Specified Area, or by the owner of a mobile home park or by a strata corporation. This System must be approved by the Regional District and by the authority having jurisdiction.

**DERELICT
VEHICLE**

means any vehicle pursuant to the *Motor Vehicle Act* and amendments thereto, which is not licensed and which is not housed in a garage or carport.

DEVELOPMENT

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means any of the following associated with or resulting from the local government regulation or approval of residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 26 of the *Local Government Act*:

- (a) removal, alteration, disruption or destruction of vegetation;
- (b) disturbance of soils;
- (c) construction or erection of buildings and structures;
- (d) creation of non-structural impervious or semi-impervious surfaces;
- (e) flood protection works;
- (f) construction of roads, trails, docks, wharves and bridges;
- (g) provision and maintenance of sewer and water services;
- (h) development of drainage systems;
- (i) development of utility corridors;
- (j) subdivision as defined in section 872 of the *Local Government Act*.

**DWELLING,
Apartment**

means any building divided into not less than three (3) dwelling units each of which is occupied or intended to be occupied as a permanent home or residence of one family as distinct from a hotel, motel, autocourt or similar transient accommodation.

**DWELLING,
Duplex**

means any building divided into two dwelling units which are either placed one above the other; or side by side, sharing a common wall and under one roof, each unit of which is occupied or intended to be occupied as the permanent home or residence of one family and shall not include a mobile home(s).

**DWELLING,
Single Family**

means a detached building or mobile home used exclusively for residential use for one family consisting of one dwelling unit, and containing not more than one set of cooking equipment.

**DWELLING,
Townhouse or
Row House**

means a block of at least three side by side family dwelling units where each family dwelling unit is separated from each other by a party (common) wall.

DWELLING UNIT

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means a self-contained unit with a separate entrance occupied as a permanent home or residence with complete living facilities for one or more persons, including permanent provisions for living, sleeping, cooking, eating and sanitation. A second set of kitchen and cooking facilities may be permitted where required by a provincial health agency to operate a home occupation or bed and breakfast.

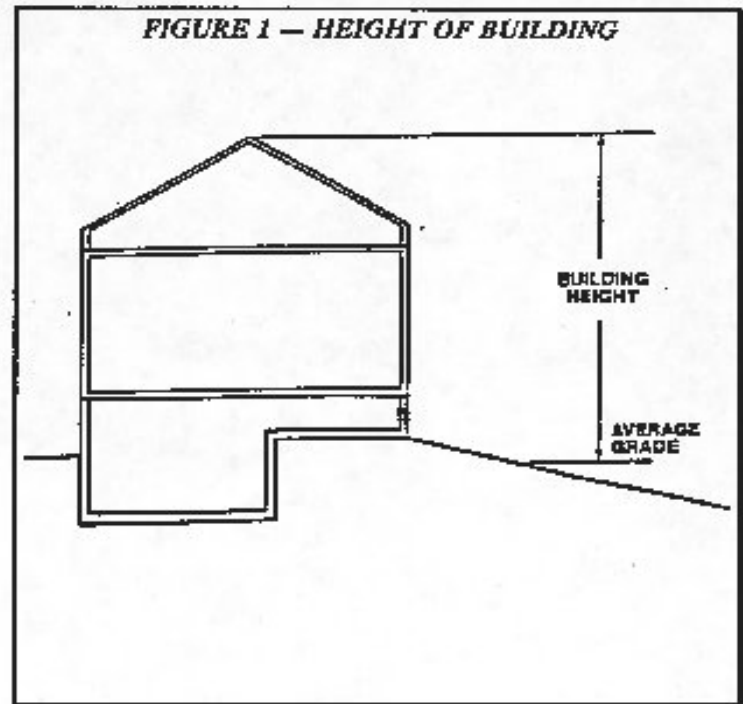
- FABRICATING** means assembling from standardized parts of a distinct object differing from the individual components. Materials must be of form and substance (as opposed to liquid and gas) with a physical as opposed to chemical mating or joining of parts.
- FAMILY** means one person or two or more persons who are interrelated by bonds of marriage, legal adoption or consanguinity, or a group of not more than five (5) unrelated persons occupying a dwelling unit.
- FLOOR AREA** means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions.
- FORESTRY** means the science, art and practice of managing and using the natural resources that occur on an in association with forest lands. For the purposes of this bylaw, "Forestry" includes the conservation and management of sustainable forests and forest lands for the continuing use and enjoyment of their forest elements and resources guided by, but not necessarily limited to, the rules, regulations and policies of Federal and Provincial agencies.
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- FRONTAGE** means that length of a lot line which immediately adjoins a highway, and where two or more lot lines adjoin a highway, only one length being the shortest length of a lot line fronting a highway as illustrated in Figure 2 shall be considered as frontage. In the case of a panhandle lot, the frontage shall be the line separating the body of the lot from a panhandle as illustrated in Figure 2.
- GARDEN NURSERY** means an area used only for the display and sale of wholesale and retail nursery stock, fertilizers, insecticides, herbicides, seeds, and small garden hand tools.
- 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 improved with tees, greens fairways, and hazards, 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 not normally associated with a golf course facility.
- HABITABLE AREA** means any space or room, including a mobile home, that is used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater

**HEIGHT
OF BUILDING**

Means the vertical distance from the natural grade level to the highest part of the roof surface, as illustrated in Figure 1.

HIGHWAY

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



**HOME
OCCUPATION**

means any occupation for gain or support clearly incidental to the principal residential use of a property, provided that:

Part A For parcels of 4000 m² (0.99 acres) or less:

1. The following occupations only are permitted:
 - i) **Home crafts** (sewing, artificial flower arrangements, hobby crafts and related crafts).
 - ii) **Private music, dancing and related lessons** providing that the number of pupils on the premises at any one time is four (4) or less.
 - iii) **Office.**
 - iv) **Small appliance repairs** where appliances serviced have a maximum volume of eight (8) cubic feet (.23 cubic metres).

Notwithstanding the above, the use of a dwelling unit as the mailing address or registered office of a business, no part of which is actually carried out in or about the dwelling, shall be permitted.

2. **Persons employed** in a home occupation are limited to those residing on the property in the dwelling unit in which that home occupation or practice is located and one non-resident employee.
3. **The premises must not be used for manufacturing, welding or any other light industrial use**, and the home occupation carried on therein shall not produce noise, vibration, smoke, dust,

odour, litter, or heat, other than normally associated with a dwelling, nor shall it create or cause a fire hazard, glare, electrical interference or traffic congestion on the street.

4. **Such home occupation shall not involve the use of mechanical equipment** save as is similar to that ordinarily employed in purely private domestic and household use or for recreational hobbies.
5. **No part of the premises shall be used as a warehouse or retail outlet.**
6. **Not more than one home occupation shall be permitted per dwelling unit**, and no home occupation shall occupy more than 20 square metres (215 square feet) or twenty five (25%) percent of the dwelling unit whichever is the lesser.
7. **The premises must give no exterior indication of the home occupation** either by stored materials, displays, floodlighting, or otherwise, or by any variation from the residential character of the dwelling unit.
8. **Materials and commodities shall not be delivered to or from the residence** in such bulk or quantity as to require regular or frequent delivery by commercial vehicle or trailer.
9. **All uses shall be conducted entirely within the dwelling unit, except for daycare use** and there shall be no external storage of materials, equipment, containers or finished products.
10. **All articles sold through a home occupation must be produced or manufactured on site** with an exception allowing for the incidental selling of goods not manufactured on site but directly related to other activity on the site.
11. **Articles manufactured off site may be sold through a home occupation provided that** all distribution of articles will be carried out off site by persons employed in the home occupation.
12. **In the case of daycare use**, 14 square metres (150.7 square feet) of usable outdoor activity space per child in care shall be provided up to a maximum care of four (4) children. Daycare of more than four (4) children is not a home occupation.
13. **Any person intending to carry out a home occupation shall obtain written approval** from the Regional District prior to commencing the home occupation on the lot.

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Part B For parcels greater than 4000 m² (0.99 acres):

1. **No use shall create** any off-site parking, excessive customer or service traffic nor shall it become or create a nuisance to the surrounding area by reasons of unsightliness, odour emission, liquid effluent, dust, noise, fumes, smoke or glare.
2. **All uses shall be conducted entirely within a completely enclosed building** permitted in this bylaw, except for daycare use and there shall be no external storage of materials, equipment, containers, or finished products.

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3. **All articles sold through a home occupation must be produced or manufactured on site** with an exception allowing for the incidental selling of goods not manufactured on site but directly related to other activity on the site.
4. **Articles manufactured off site may be sold through a home occupation provided that** all distribution of articles will be carried out off site by persons employed in the home occupation.
5. **The maximum floor area per lot** that can be used for home occupation use including storage, processing or sale, shall not exceed 50 square metres (538 square feet).
6. **In the case of daycare use**, 14 square metres (150.7 square feet) of usable outdoor activity space per child in care shall be provided up to a maximum care of four (4) children. Daycare of more than four (4) children is not a home occupation.
7. **Persons employed in a home occupation are limited to those residing on the property** in the dwelling unit in which that home occupation or practice is located and one non-resident employee.
8. **Any person intending to carry out a home occupation shall obtain written approval** from the Regional District prior to commencing the home occupation on the lot.

HOTEL includes motels, resorts or lodges and associated accessory uses such as pubs, lounges, restaurants, and gift shops incidental to the principal use but specifically excludes condominiums.

INSPECTOR means the Director of Planning and Development or his designate of the Regional District.

INDUSTRIAL USE, Heavy means a use providing for the wholesale, manufacturing except for wood processing, fabricating, warehousing, testing, assembling, service, repairs, distribution or maintenance of tools or materials and can include bulk storage, junkyards, meat and fish processing and automobile service stations.

INDUSTRIAL USE, Light means a use providing for the wholesaling, fabricating, warehousing, testing, service, repairs, maintenance of goods or materials and includes retail sales accessory to the principal use but specifically excludes junkyards or bulk storage.

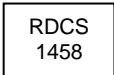
INDUSTRIAL USE, Medium means a use providing for the fabricating, testing, service, repairs, warehousing, manufacturing, wholesaling, or maintenance of goods or materials but specifically excludes junkyards, wood processing, meat and fish processing or bulk storage.

INSTITUTIONAL USES means a non-profit or quasi public use or institution such as a church, library, public or private school or hospital.

- JUNKYARD** is a place where old articles, waste or discarded material are stored or kept, whether or not for commercial purposes or as part of a trade or calling, and such materials shall include rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage, and includes Automobile Wrecking Yards.
- LIVESTOCK** means animals used for agricultural purposes, which are used or the products of which are used for eventual consumption and in addition includes animals for work or are capable of work such as horses, donkeys or mules.
- LOT** means an area of land designated as a separate and distinct parcel that is shown as illustrated in Figure 2 on a legally recorded subdivision plan or description filed in the Land Titles Office but does not include a strata lot.
- LOT AREA** means the area of land within the boundaries of the lot but excludes the panhandle area.
- LOT COVERAGE** means the total horizontal area measured to the outside of the exterior walls of the buildings on a lot, expressed as a percentage of the lot area.
- LOT LINE** means a line which marks the boundary of a lot as shown in Figure 2 and in particular:
- a) **Front Lot Line**
means the lot line that divides the lot from the highway. In the case of a corner lot the shorter lot line that abuts the highway shall be deemed to be the front lot line but shall not include lines that create a site triangle. In the case of a panhandle lot, not bordering the sea, the line separating the body of the lot from a panhandle shall be considered the front lot line.
 - b) **Rear Lot Line**
means the lot line opposite to and most distant from the front line. Where the rear portion of the lot is bounded by two intersecting side lot lines, it shall be the point of such intersection;
 - c) **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 camping, hiking, hunting, fishing, canoeing, kayaking and windsurfing which do not require the construction of buildings or structures.

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- MANUFACTURING** means mechanical or chemical transformation of materials or substances into new products, can also mean processing.
- MARINA** means moorage and launching facilities including the sale, rental and maintenance of boats and accessory marine equipment and moorage for seaplanes, and allows as an accessory use the sale of fuel directly to boaters or seaplanes and may include laundromat or laundering facilities and public shower facilities as accessory uses.
- MOBILE HOME** means a dwelling unit designed to be moved from time to time, which arrived at the site where it is to be occupied complete and ready for occupancy except for placing on foundation supports, connections of utilities, and some incidental assembly, and meets or exceeds Canadian Standards Associations Z-240 Standards, but specifically excludes recreational vehicle.
- MOBILE HOME AREA** means that part of a mobile home park used primarily for installed mobile homes, including permissible additions, and which is not used for buffer area, owner's residential plot, the procuring and treatment of water, collective sewage treatment, effluent disposal from a collective sewage treatment plan, garbage disposal, or ancillary buildings.
- MOBILE HOME PAD** means that portion of a mobile home space designated, designed and prepared for the support of a mobile home. It may contain service connections.
- MOBILE HOME PARK** means land used or occupied by any person for the purposes of providing spaces for the accommodation of two or more mobile homes on land zoned for mobile home park use, and for imposing a charge or rental for the use of such space, and shall include mobile home strata subdivisions pursuant to the *Condominium Act*.
- MOBILE HOME SPACE** means an area of land for the installation of one mobile home with permissible additions and situated within a mobile home area, and can mean one strata lot pursuant to the *Condominium Act*.
- MOTEL** means a building on the lands used and operated commercially for gain to provide temporary transient residential accommodation to the travelling public and excludes the use or occupation of residential accommodation as a permanent, seasonal, or secondary residence.
- NEIGHBOURHOOD PUB** means an establishment operating under a "D" type license issued pursuant to the *Liquor Control and Licensing Act* and amendments thereto, but shall also include a Legion, Club, or other similar society registered pursuant to the *Society Act* that operates under an "A" type license issued pursuant to the *Liquor Control and Licensing Act* and amendments thereto.



NON-CONFORMING BUILDING OR USE	means any building or use which does not conform with all the regulations of this bylaw or any amendments thereto, for the zoning district in which such building or use is located.
OFFICE	means the occupancy or use of a building for the purpose of carrying out business or professional activities, but specifically excludes retail activities and personal service use.
OWNER	means an owner, agent, lessor, or manager of a lot or any person who operates a mobile home park.
PANHANDLE	means a strip of land not less than 10 metres (32.8 feet) in width and not exceeding 20 metres (65.62 feet) in width which extends along a side of a lot and which provides access and highway frontage to a parcel, and which forms part of that parcel as illustrated in Figure 2.
PARCEL	see "LOT"
PARK	means a tract of land or water designated and used by the public for active and passive recreation.
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.
PERMITTED ACCESSORY USE	means a use that is ancillary to the permitted principal use of the land, building or structure located on the same parcel or on a parcel contiguous to a parcel on which the principal use is situated when both parcels are owned by the same person and both parcels have the same zoning.
PERMITTED PRINCIPLE USE	means the principle permissible purpose for which land, buildings or structures may be used, and for the purpose of this bylaw all uses not listed as permitted shall be deemed to be a prohibited use in that zone.
PRINCIPAL BUILDING	means the main building or structure on a parcel of land which reflects the primary use of that land.
PRINCIPAL USE	means the main purpose for which a lot, principal building or structure is ordinarily used.
POTABLE WATER	means water which is approved for drinking purposes by the Ministry of Health.
PUBLIC ASSEMBLY USE	means the use of land, buildings or structures for religious institutions, cemeteries, hospitals, community care facilities, institutional uses, government offices, daycare centres, schools, museums, community halls, auditoriums, publicly funded recreation facilities, community water or sewer service, and public works yards with related facilities.

QUALIFIED ENVIRONMENTAL PROFESSIONAL

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means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if:

(a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,

(b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal; and

(c) the individual is acting within that individual's area of expertise.

RECREATION FACILITIES

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means a facility used and equipped for the conduct of sports, leisure and entertainment activities which may include instructional courses, equipment rentals, showers and storage.

REGIONAL DISTRICT

means the Regional District of Comox-Strathcona.

RESEARCH AND TEACHING FACILITY

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

RESIDENTIAL USE

means the permanent occupancy and use of a dwelling unit by a family.

RESTAURANT

means an eating establishment providing for the sale of prepared foods and beverages to be consumed on the premises, but specifically excludes neighbourhood pubs.

RETAIL

means the sale of goods to the general public and the maintenance and repair of such goods that are sold.

RIDING ACADEMY

means an establishment where horses are boarded and cared for and where instruction in riding, jumping and showing is 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.

RIPARIAN AREA

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means a Streamside Protection and Enhancement Area (SPEA).

**RIPARIAN ASSESSMENT
AREA**

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means:

- (a) for a stream, the 30.0 metre strip on both sides of the stream, measured from the high water mark,
- (b) for a ravine less than 60.0 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 10.0 metres beyond the top of the ravine bank.
- (c) for a ravine 60.0 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10.0 metres beyond the top of the ravine bank.

ROADWAY

means an allowance within a mobile home park part or all of which is made suitable for normal vehicular use so vehicles can gain access to abutting spaces.

**RURAL RESOURCE
CENTRE**

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means the use of buildings and land for conducting scientific research and teaching directly related to natural resource uses such as agriculture, aquaculture or forestry, and may include as accessory uses accommodation for up to 25 guests, administrative officers, meeting facilities for up to 80, and food and beverage services for community events, conferences, tours and student research and teaching.

SCREENING

means a continuous fence, wall, compact evergreen hedge, or other densely planted vegetation, of sufficient height, supplemented with landscape planting that would visually shield or obscure one abutting structure, building or lot from another, broken only by access drives and walks.

**SEAFOOD
PROCESSING**

means the storage, drying, cooking, packing or preparation, of any aquatic organism.

**SERVICE
ESTABLISHMENT**

means an establishment whereby professional or personal services are provided and the sale of goods, wares, merchandise, articles or things accessory to the provision of such services and includes health, legal, engineering and other professional services, and without restricting the generality of this definition, also includes barber shop, beauty salon, shoe repair shop, dry cleaning shop, launderette, photographic studios and other miscellaneous services.

SETBACK

means the required minimum horizontal distance measured from the respective lot line or natural boundary to any building or structure or part thereof as illustrated in Figure 2 except that: greater requirements may apply under sections of the British Columbia Building Code regulating building separations by use, size, height, type of construction, accessibility, and percentage of openings, to assure adequate fire safety provisions.

SIGN

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means any object, device, display, structure, 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.

**SIGN
Community Event**

means a sign advertising an event being held by a not for profit organization.

**SIGN
Fascia**

means a sign which does not project more than 15 centimetres (6 inches) from the building or structure to which it is attached.

**SIGN
Public Service**

means a government sign, or sign directing attention to a community service club or similar organization.

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**SIGN
Real Estate**

means a sign indicating the parcel or structure where the sign is located is for lease, rent or sale.

**SIGN
Third Party**

means a sign which directs attention to a business, product, service or entertainment which is conducted, sold or offered at a location other than the parcel on which the sign is located.

**SHORELINE PROTECTION
DEVICE**

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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 the sea and watercourses which can be sited up to a property line.

SITE AREA

means the same as lot area where only one lot is involved and means the total horizontal area within the lot lines of all the lots to be covered by a use. In the case of a strata lot, site area shall mean the area of the parent lot prior to the creation of strata lots.

SITE TRIANGLE

means the area formed by the intersection of the tangents to the lot lines that form the corner of a lot at the intersection of two highways and the curve or straight line cut that joins the lot lines as illustrated in Figure 2.

SILVICULTURE

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

STRATA LOT

means a strata lot as defined by the *Condominium Act* and amendments thereto, of the Province of British Columbia.

STREAM

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includes any of the following that provides fish habitat:
(a) a watercourse, whether it usually contains water or not;
(b) a pond, lake, river, creek or brook;
(c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

STREAMSIDE PROTECTION AND ENHANCEMENT AREA (SPEA) means an area:
(a) adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream, and
(b) the size of which is determined according to this regulation on the basis of an assessment report provided by a qualified environmental professional in respect of a development proposal.

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STRUCTURE means anything that is constructed or erected, and includes swimming pool, mobile home space, camping space and major improvements accessory to the principal use of land, but specifically excludes landscaping, paving improvements, signs and fences under 2.0 metres (6.56 feet) in height.

SUBDIVISION means any change in existing size, shape, number or arrangement of a parcel registered in the Land Title Office so as to require that a new Certificate of Indefeasible Title be issued.

TENANT means a person or persons who occupy a mobile home within a mobile home space or mobile home strata lot.

UTILITY SERVICE BUILDING means a building or structure providing for public utility facilities for water, sewer, electrical, telephone and similar services, established by a municipality, Regional District, by another government body or by a company regulated by statute.

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 transportation; where such use is established by a local, provincial or federal government, an improvement district, a Crown corporation or by a company regulated by a government commission. This definition of "utility use" specifically excludes reservoirs, dams, sewage treatment plants, sewage lagoons, water treatment plants, power generating plants, including grid connected wind turbines (wind farms), power distribution stations and power distribution stations.

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WATERCOURSE means any natural or man-made depression with well-defined banks and a bed zero point six (0.6) metres (1.97 feet) or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of two (2) square kilometres (0.77 square miles) or more upstream of the point of consideration, or as required by a designated official of the Ministry of Environment of the Province of British Columbia.

WETLAND

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includes land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries and similar areas that are not part of the active floodplain of a stream.

WHOLESALE

means establishments or places of business primarily engaged in selling merchandise 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.

YARD, Front

means the distance from 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 2.

YARD, Rear

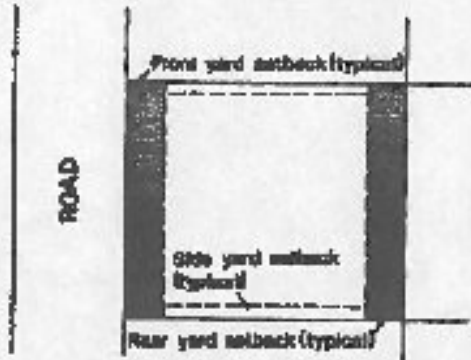
means the distance from the rear lot line to a line drawn parallel to the rear lot line equal to the minimum required building setback from the rear lot line as illustrated in Figure 2.

YARD, Side

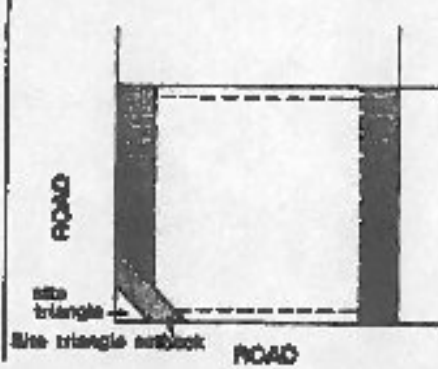
means the distance from the side lot line to a line drawn parallel to the side lot line equal to the minimum required building setback from the side lot line as illustrated in Figure 2.

FIGURE 2 • SETBACKS

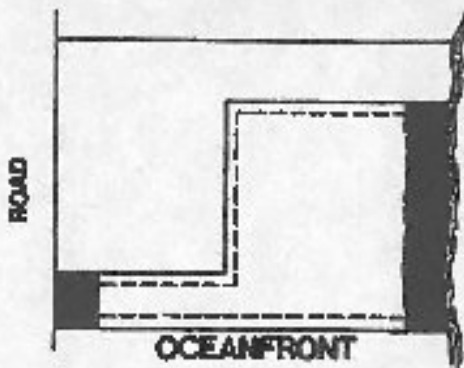
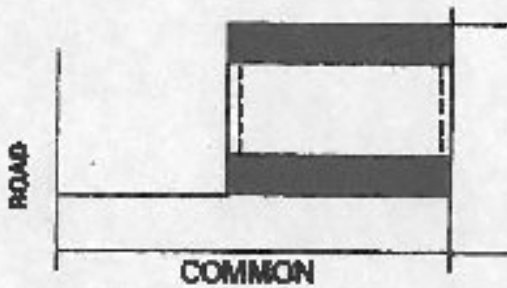
COMMON RECTANGULAR LOT



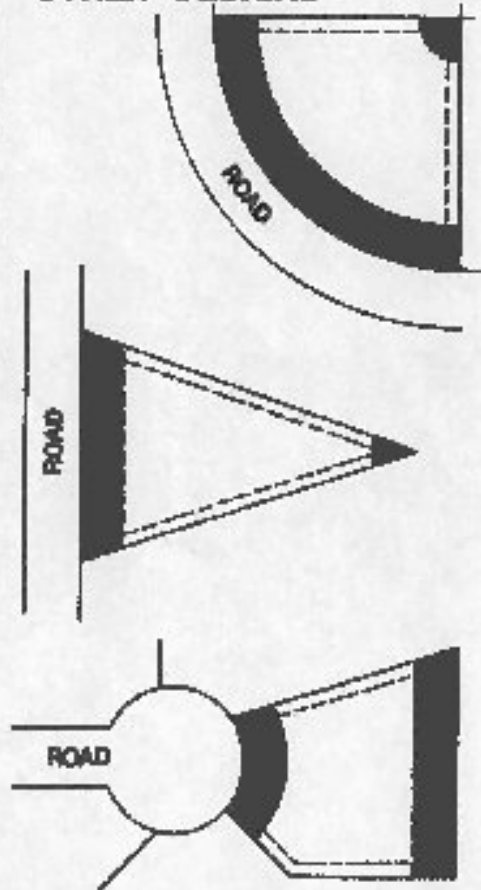
CORNER LOT



PANHANDLE LOTS



OTHER DESIGNS



PART 3 AMENDMENT AND PERMITS

This bylaw can be amended and permits issued pursuant to Bylaw No. 1244, and amendments thereto, being the Bylaw Amendment, Permit Procedure and Fee Bylaw, 1990" of the Regional District of Comox-Strathcona.

PART 4 LAND USE REGULATIONS

4.1 Zone Designations

For the purpose of this bylaw, the areas described in Part B, "Application", of this bylaw are hereby divided into zones designated and described by the following classifications and their short title equivalents.

	<u>ZONE</u>	<u>SHORT TITLE</u>	<u>MINIMUM LOT SIZE</u>
RDCS 2885	R-1	Residential One	2500 m ²
	R-2	Residential Two	2500 m ²
	R-3	Residential Three	2500 m ²
	R-3A	Residential Three A	2500 m ²
RDCS 1511	CR-1	Country Residential One	4000 m ²
	CR-2	Country Residential Two	4000 m ²
	CR-3	Country Residential Three	1 ha
	CR-3A	Country Residential Three A	1 ha
	CR-4	Country Residential Four	2 ha
SRD 199	CR-4A	Country Residential Four A	2 ha
	CR-5	Country Residential Five	8 ha
	RU-1	Rural One	8 ha
	RR-1	Rural Recreation One	20 ha
	RM	Residential Multiple	1 ha
	MHP	Mobile Home Park	2 ha
RDCS 1723	C-1	Commercial One	4000 m ²
	C-2	Commercial Two	1 ha
	C-3	Commercial Three	1 ha
	C-4	Commercial Four	1 ha
	C-5	Commercial Five	4.0 ha
RDCS 1755	PA-1	Public Assembly One	None
	UR	Upland Resource	40.0 and 400.0 ha

4.2 Extent

- 1) The extent of each zone is shown on Schedules inclusive which are attached to and form part of this bylaw.
- 2) When the zone boundary is designated as following a road allowance or creek, the centre line of such road allowance or creek 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, the location of the boundary shall be determined by scaling from the zoning maps referred to in Subsection 1.
- 4) Where a parcel is divided by a zone boundary, the areas created by such division shall be deemed to be separate lot areas for the purpose of determining the requirements of this bylaw.

4.3 General Provisions

- 1) No land, surface of water, building, or structure in any zone shall be used for any purpose other than that specified for the zoning in which it is located as identified in the schedules attached in this part and in the applicable zone as specified in this bylaw.
- 2) Off-street parking shall be provided in accordance with Schedule '2A' of this part.
- 3) Minimum lot size requirements are stipulated for each zone. The general subdivision regulations of Part 5 of this bylaw shall be adhered to.

4.4 Non-Conforming Uses

- 1) A lawful use of land, buildings or structures existing at the time of enactment of this bylaw, although the use does not conform to this bylaw, may continue as a non-conforming use, but if the non-conforming use is discontinued for a continuous period of six (6) months, any subsequent use of the land, building or structure becomes subject to the bylaw. Seasonal uses or agricultural uses shall not be discontinued as a result of normal seasonal or agricultural practices including:
 - a) seasonal, market or production cycles;
 - b) the control of disease or pests; **or**
 - c) the repair, replacement, or instruction of equipment to meet standards for the health or safety of people or animals.
- 2) A building or structure that is lawfully under construction at the time of the enactment of this bylaw, shall, for the purpose of this bylaw, be deemed to be a building or structure existing at that time, and to be then in use for its intended purpose as determined from the Building Permit authorizing its construction.
- 3) When a non-conforming use of part of a building or structure may continue then the whole of that building or structure may be used for that non-conforming use. Non-conforming use of land may not be continued on a scale or to an extent or degree greater than that at the time of adoption of this bylaw.
- 4) A structural alteration or addition, except one that is required by an enactment or permitted by a Board of Variance shall not be made in or to a building or structure while the non-conforming use is continued in all or any part of it.
- 5) Where a building or a structure, the use of which does not conform to the provisions of this bylaw, is damaged or destroyed to the extent of 75% or more of its value above its foundations,

as determined by the Inspector, it shall not be repaired or reconstructed except for a conforming use in accordance with this bylaw.

- 6) Where the siting, size or dimensions of a building or structure or off-street parking or loading spaces or the number of off-street parking or loading spaces do not meet the requirements of this bylaw, they may be repaired, extended or altered, but only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of this bylaw beyond the contravention that existed at the time that the repair, extension or alteration was commenced.
- 7) A change of owners, tenants or occupants of any land, or of a building or structure, does not, by reason only of the change, affect the use of the land or building or structure.
- 8) No parcel or area of land shall be alienated, and no use shall be initiated, and no building or structure shall be sited in a manner which thereby renders non-conforming any existing use or building or structure on that parcel.
- 9) **Where the use and density of buildings and structures conform to this bylaw but,**
 - (a) the siting, size or dimensions of:
 - (i) a building or structure;
 - (ii) off-street parking or loading spaces; or
 - (b) the number of off-street parking or loading spaces

do not meet the requirements of this bylaw that is adopted after they were constructed or provided, they may be maintained, extended or altered, but only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of the bylaw beyond the contravention that existed at the time that the repair, extension or alteration was commenced.

4.5 General Regulations

1) ***Accessory Buildings and Structures***

- a) Buildings and structures accessory to the permitted use of a parcel are permitted in each zone, unless otherwise specified, provided that:
 - i) the principal use is being performed on the parcel; **or,**
 - ii) a building for the purpose of the principal use has been constructed on the parcel; **or,**
 - iii) a building for the purpose of the principal use is in the process of being constructed on the parcel.
- b) The maximum height of all accessory buildings is 4.5 metres (14.76 feet).

- c) Notwithstanding the above, an accessory building may be situated on a parcel where no principal residential building exists provided the building is no greater than 50 square metres (538.2 square feet) and is used only for the storage of goods and materials owned by the owner of the same parcel.

2) **Height of Buildings and Structures**

- a) The maximum height of all principal buildings and structures shall not exceed 9.0 metres (29.5 feet), except for public utility use and commercial or industrial zoned uses which shall not exceed 15.0 metres (49.21 feet) and accessory buildings which shall not exceed 6.0 metres (19.7 feet) unless otherwise specified in this bylaw. Accessory buildings are limited to one storey.
- b) The maximum height of all fences shall not exceed 2.0 metres (6.6 feet) except where provided for in other parts of this bylaw.
- c) The following shall not be subject to the height requirements of this bylaw unless otherwise specified: church spires, flagpoles, water tanks, monuments, transmission towers, and farm buildings including silos.

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3) **Repealed by Bylaw No. 1836 Floodplain Management Bylaw, 1997**

4) **Riparian Area Regulation (RAR) Requirements**

In accordance with the provincial RAR, where development, as defined by RAR, is proposed to take place within 30.0 metres of a stream connected to fish habitat, an assessment report, prepared by a qualified environmental professional (QEP) in accordance with the Riparian Areas Regulation (RAR) is required. The QEP report must be prepared by the QEP who has carried out the assessment and that:

- a) certifies that the qualified environmental professional is qualified to carry out the assessment,
- b) certifies that the assessment methods have been followed, and
- c) provides the professional opinion of the qualified environmental professional that:
 - i) If the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area, or
 - ii) if the streamside protection and enhancement areas identified in the report are protected from the development, and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.

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5) **Setbacks**

a) Stream Setbacks

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1. Where the siting of buildings and structures is proposed adjacent to streams and where the Riparian Areas Regulation (RAR) applies, the siting of buildings and structures adjacent to streams shall be determined by the Qualified Environmental Professional's Riparian Area Assessment Report that is filed with and acknowledged by MOE. However, notwithstanding the QEP's assessment report, this bylaw further requires that no building or structure shall be sited closer than 7.5 metres of a stream.
2. Where RAR is not applicable and where the definition of stream pursuant to RAR does not apply, no building or structure shall be sited within 7.5 metres of a water feature.
3. Notwithstanding the above, the regional district floodplain management bylaw also specifies floodplain setback requirements that may further regulate siting of buildings and structures adjacent to streams.

b) Watercourse Setbacks

- i) *Repealed by Bylaw No. 1836 Floodplain Management Bylaw, 1997*
- ii) No houseboat, float camp or other building, structure or vessel used or intended to be used for temporary or permanent residence shall be located on any lake or stream.
- iii) No building used to accommodate domesticated or display animals other than household pets shall be sited less than 75.0 metres (246.06 feet) from the boundary of any lake or stream.

c) *Repealed by Bylaw No. 1836 Floodplain Management Bylaw, 1997*

d) *Repealed by Bylaw No. 1836 Floodplain Management Bylaw, 1997*

e) Site Triangles Setbacks

- i) No person, being the owner, occupier or lessee of any land at the intersection of any highway and any other highway shall place or permit to be placed or grow any tree, shrub, plant, fence or other structure with horizontal dimension exceeding 0.6 metres (1.97 feet) within the site triangle above an elevation such that an eye 0.9 metres (2.95 feet) above the surface of one highway cannot see an object 0.9 metres (2.95 feet) above the surface of the other highway.
- ii) All buildings and structures shall be set back a minimum of 4.5 metres (15.76 feet) from the site triangle.

f) Road Setbacks

i) Island Highway and Gold River Highway (#28)

No part of any building or structure shall be located within a minimum of 22.5 metres (73.82 feet) of the centre line of the road right-of-way. An exception to this setback requirement will be in Electoral Area 'D' on the ocean side or eastern side only of the Island Highway in the area north of Section 26, Township 4, Comox District, in which case a minimum setback of 19.5 metres (63.98 feet) from the centre line of the road right-of-way is required.

An additional 7.5 metres (24.6 feet) setback for frontage road purposes will be required where specified by the Ministry of Transportation and Highways unless otherwise required by this Ministry. The road right-of-way requirement for this highway is 30 metres (98.43 feet).

ii) Other Major Roads

These roads include:

Ocean Grove Road	York Road
McGimpsey Road	Iron River Road

No part of any building or structure shall be located within a minimum of 20 metres (65.62 feet) of the centre line of the road right-of-way. The right-of-way for these roads is 25 metres (82.02 feet).

iii) Local Roads

- 1) No part of any building or structure shall be located within 7.5 metres (24.6 feet) of a local public road right-of-way that abuts a front or rear lot line.
- 2) **Where a side lot line abuts a public road right-of-way, the minimum yard setback shall be as follows:**
 - i) Where the width of the lot is 31 metres (101.71 feet) or less at the front yard setback, measured along the front yard setback line, the minimum side yard abutting the road shall be 4.5 metres (14.76 feet).
 - ii) Where the width of the lot is greater than 31 metres (101.71 feet) at the required front yard setback, measured along the front yard setback line, the minimum side yard abutting the road shall be the same as the front yard setback.

Notwithstanding the requirement of this section, where the siting requirements of each applicable zone require a larger setback than is provided for in this section, the provisions of that zone shall prevail.

6) Siting Exceptions

- a) Where chimneys, cornices, leaders, gutters, pilasters, sills, bay windows or ornamental features project beyond the face of a building, the minimum distance to an abutting lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metres (1.97 feet) provided that such reduction shall apply only to the projecting feature and except for a zero lot line in which case no feature shall project over the lot line.
- b) Where eaves project beyond the face of a building, the minimum distance to an abutting front, rear and side lot line as permitted elsewhere in this bylaw may be reduced by not more than 50% of such distance up to a maximum of one metre, provided that such reduction shall apply only to the projecting feature.
- c) Freestanding lighting poles, warning devices, signs, utility poles, wires, and flagpoles may be sited on any portion of a lot.

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7) **Storage**

a) **Parking of Commercial and/or Industrial Vehicles**

Unless specified elsewhere in this bylaw, the parking of commercial and/or industrial vehicles on a property is limited to one licenced vehicle with one trailer and one piece of equipment.

- b) In all zones no parcel of land shall be used for the wrecking or storage of more than one derelict vehicle or as a junkyard.

8) **Temporary Occupation of Additional Dwelling**

- a) In all zones which permit single family dwellings, whenever an owner receives a building permit to construct a single family dwelling on a parcel which already has the maximum permitted number of single family dwellings and the owner makes application to the Regional District for permission to occupy an existing single family dwelling during the construction of a new single family dwelling, it shall be lawful to have an extra single family dwelling on the parcel simultaneously notwithstanding any other provision of this bylaw, provided that the owner:

- i) **first enters into a registerable covenant in a form acceptable to the Regional District:**

- 1) covenanting to demolish or remove the existing single family dwelling, or where permitted elsewhere in this bylaw, to convert it to a non-residential accessory building forthwith upon the approved occupancy, or two years from the date of the issuance of the building permit of the new single family dwelling, or at the request of the Regional District, whichever event is earlier; and
- 2) authorizing the Regional District to cause the demolition, removal or conversion if for any reason the owner neglects or refuses to do so within 30 days of being requested to do so and undertaking to

indemnify the Regional District for all costs incurred in so doing;
and

- ii) **provides a negotiable security** in the form of a certified cheque, cash, irrevocable letter of credit, or similar security to the Regional District in the amount of \$1,500.00 to ensure that the existing single family dwelling is removed upon occupancy of the new single family dwelling and the site is maintained in a safe and sanitary condition when the building permit expires.
- b) The provisions of subsection (a) shall apply to lands within the Agricultural Land Reserve only to the extent that the policies and regulations of the B.C. Land Commission will allow.

9) **Residential Use**

A second dwelling, where permitted by this bylaw, does not carry with it the privileges of ownership in fee simple and permission for a second dwelling is not to be construed in any way as a justification for future subdivision.

10) **Bed and Breakfast**

Where a bed and breakfast is permitted the following requirements shall apply:

- a) The maximum number of bedrooms that 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 2 bedrooms for parcels zoned Residential or Country Residential;
 - ii) No more than 3 bedrooms for parcels zoned Rural or Commercial.
 - iii) No more than 3 bedrooms for parcels located in the Agricultural Land Reserve unless otherwise approved by the Provincial Agricultural Land Commission.

The bedrooms used must be located in a dwelling unit. Use of an accessory building to provide bed and breakfast accommodation is not permitted.

- b) At least one automobile parking space shall be provided on the same lot of each room available for accommodation, in addition to the parking requirements for the residence.
- c) Meals may be provided to customers of a bed and breakfast operation only. No cooking facilities beyond the one set permitted per dwelling unit shall be permitted unless specifically required by a provincial health agency.
- d) 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 and 2 non-resident employees.
- e) No external indication shall exist that any building is utilized for any purpose other than normally associated with a residential building except for a single sign not exceeding 1.5

square metres (16.0 square feet) in total area and located on the parcel where the bed and breakfast is operated. The posting of a Tourism BC accreditation sign in addition to the above noted sign shall be considered a permitted use.

- f) Any person intending to operate a bed and breakfast shall obtain prior written approval from the Regional District and Community Health Services Society, where required.

11) Sign Regulations

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- a) Permitted Locations
 - i) Signs advertising a business, product or service, including home occupations and bed and breakfast operations shall be permitted only on the parcel where the advertised business, product or service is operated or offered.
- b) Maximum Permitted Sizes
 - i) The total area of all signs on a parcel shall not exceed the following maximum permitted sizes, with the exception of fascia signs in Sign Districts “B” and “C”:

SIGN DISTRICTS	HOME OCCUPATION BED & BREAKFAST SIGNS m ² (ft ²)	OTHER SIGNS (i.e. retail stores) m ² (ft ²)
“A”	1.5 (16)	3 (32)
“B”	1.5 (16)	6 (64)
“C”	3 (32)	7.4 (80)

SIGN DISTRICTS	ZONING
A (Residential)	CR-1, CR-1A, CR-2, CR-3, CR-3A, CR-4, CR-5, MHP, R-1, R-2, R-3, RM
B (Commercial)	C-1, C-2, C-3, C-4, C-5, PA-1, RR-1
C (Highway or Large Acreage)	RU-1, UR, Any parcel abutting the Island Highway, Inland Island Highway and Jubilee Parkway

- ii) In Sign Districts “B” and “C”, fascia signs are allowed in addition to the maximum area permitted under subsection (i) above. The maximum size of any one fascia sign in Sign Districts “B” and “C” shall not exceed 25% of the wall area upon which it is attached.

- c) Measurement of Sign Area
 - i) The area of a sign shall be determined from the outside edges of the sign.
 - ii) The area of a sign composed of only letters, words or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters, words or symbols.
- d) Maintenance and Removal
 - i) All signs shall be maintained so that at all times they are structurally sound and free from all hazards caused or resulting from decay or failure of structural members, fixtures, or lighting. All sign area, background, copy, lighting and embellishment shall be maintained in a readable, clean and painted condition.
 - ii) The Regional District may require a sign to be removed where
 - 1. The business has ceased operations;
 - 2. The sign does not comply with this bylaw.
 - iii) All signs must satisfy the requirements of the *Regional District of Comox-Strathcona Building Bylaw No. 1915* and the section 214 of the *Motor Vehicle Act*.
- e) Prohibited Signs
 - i) Third party signs of any type are not permitted on any parcel or structure.
 - ii) Roof-top, flashing, oscillating or animated signs are not permitted on any building, structure or site.
- f) Exempt Signs
 - i) Bus shelter, community event, public service and real estate signs are exempt from the above requirements.

4.6 Regulations for Each Zone

(For detailed regulations respecting each zone, see Sections 4.6.1 to 4.6.22 in the following pages.)

4.6.1

**RESIDENTIAL ONE
(R—1)**

i) PERMITTED PRINCIPAL USE

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupation use;
- 2) Agricultural use excluding the keeping of livestock;
- 3) Accessory buildings; and
- 4) Bed and Breakfast.

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b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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b) Residential use is limited to one single family dwelling per lot provided the width of the dwelling at its narrowest width exceeds 6 metres (19.69 feet).

c) No single-wide mobile home including Z-240 certified homes as a whole or as a part of a building is permitted.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

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

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** that abuts a public road right-of-way;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet).
- 3) 7.5 metres (24.6 feet) of a **rear lot line**.
- 4) 1.75 metres (5.74 feet) of an accessory building.

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b) **Minimum setback requirements for accessory buildings shall be as follows:**

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	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8919.7 ft)
REQUIRED SETBACK		
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the total lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2500 square metres (0.62 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • R-1

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4.6.2

**RESIDENTIAL TWO
(R—2)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupation use;
- 2) Agricultural use excluding the keeping of livestock;
- 3) Accessory buildings; and
- 4) Bed and Breakfast.

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b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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b) Residential use is limited to:

- 1) On any lot size: One single family dwelling or one duplex.
- 2) Duplexes on the ocean side or eastern side of the Island Highway in Electoral Area "D" in the area north of Section 34, Township 4, Comox District are limited to a total combined floor area of 225.0 square metres (2422 square feet) excluding any garages, unenclosed decks or balconies and a maximum height limitation of 5 metres (16.4 feet) measured from the average natural grade of the building area.

iv) **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

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

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** that abuts a public road right-of-way;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet).
- 3) 7.5 metres (24.6 feet) of a **rear lot line**.
- 4) 3.5 metres (11.48 feet) of an **accessory building**.

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b) **Minimum setback requirements for accessory buildings shall be as follows:**

	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8919.7 ft)
REQUIRED SETBACK		
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

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c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the total lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2500 square metres (0.62 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • R-2

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4.6.3

**RESIDENTIAL THREE
(R—3)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

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2163
- 1) Home occupation use;
 - 2) Agricultural use excluding the keeping of livestock;
 - 3) Accessory buildings; and
 - 4) Bed and Breakfast.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

iii) CONDITIONS OF USE

- RDCS
1458
- a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) Residential use is limited to:

- | | |
|---|-----------------------------|
| On any lot size: | One single family dwelling. |
| On any lot over 4000 m ² (0.99 acres): | One duplex. |

iv) **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

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

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** that abuts a public road right-of-way;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet).
- 3) 7.5 metres (24.6 feet) of a **rear lot line**.
- 4) 3.5 metres (11.48 feet) of an accessory building.

RDCS
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b) **Minimum setback requirements for accessory buildings shall be as follows:**

	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8919.7 ft)
REQUIRED SETBACK		
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

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c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the total lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2500 square metres (0.62 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • R-3

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4.6.3.A RESIDENTIAL THREE A (R—3A)

i) PERMITTED PRINCIPAL USES

- a) **On any lot:**
 - 1) Residential use;
 - 2) Park use.

ii) PERMITTED ACCESSORY USES

- a) **On any lot:**
 - 1) Home occupation use;
 - 2) Agricultural use excluding the keeping of livestock;
 - 3) Accessory buildings.
 - 4) Bed and Breakfast.
- b) **On any lot over 4000 m² (0.99 acres):**
 - 1) Agricultural use.

iii) CONDITIONS OF USE

- a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.
- b) Residential use is limited to:

On any lot size:	One single family dwelling.
On any lot over 4000 m ² (0.99 acres):	One duplex.
On any lot ≥1.0 ha (2.47 acres):	Two single family dwellings.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) SITING OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified in this bylaw, no building or structure shall be located within:
- 1) 7.5 metres (24.6 feet) of that portion of a front lot line that abuts a public road right-of-way;
 - 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet).
 - 3) 7.5 metres (24.6 feet) of a rear lot line.
 - 4) 3.5 metres (11.48 feet) of an accessory building.
- b) Minimum setback requirements for accessory buildings shall be as follows:

REQUIRED SETBACK	ACCESSORY BUILDING HEIGHT	
	4.5 m (14.8 ft) or less	4.5 – 6.0 m (14.8919.7 ft)
Front Lot Line	7.5 m (24.6 feet)	7.5 m (24.6 feet)
Side Lot Line	1.0 m (3.3 feet)	1.0 m (3.3 feet)
Rear Lot Line	1.0 m (3.3 feet)	2.0 m (6.6 feet)

- c) Other specifications include:
- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
 - 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
 - 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
 - 4) For any exceptions to siting, refer to Section 4.5.6(a).
 - 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

SRD
84

vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the total lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) Minimum lot area: 2500 square metres (0.62 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) Minimum lot frontage: 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • R-3A

4.6.4

**COUNTRY RESIDENTIAL ONE
(CR—1)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupations;
- 2) Agricultural use excluding the keeping of livestock;
- 3) Accessory buildings; and
- 4) Bed and Breakfast.

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iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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b) Residential use is limited to one single family dwelling per lot provided the width of the dwelling at its narrowest width exceeds six metres (19.69 feet).

c) No single-wide mobile home including Z-240 certified homes or equivalent as a whole or as a part of a building is permitted.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF STRUCTURES**

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

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line**;
- 2) 3.5 metres (11.48 feet) of a **side lot line** or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
- 3) 7.5 metres (24.6 feet) of a **rear lot line**;
- 4) 3.5 metres (11.48 feet) of an accessory building.

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b) **Minimum setback requirements for accessory buildings shall be as follows:**

	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8919.7 ft)
REQUIRED SETBACK		
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

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c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 4000 square metres (0.99 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-1

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4.6.5

**COUNTRY RESIDENTIAL TWO
(CR—2)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

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iii) CONDITIONS OF USE

- a)** Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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b) Residential use is limited to:

On any lot size: One single family dwelling.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF STRUCTURES**

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

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- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line**;
- 2) 3.5 metres (11.48 feet) of a **side lot line** or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
- 3) 7.5 metres (24.6 feet) of a **rear lot line**;
- 4) 3.5 metres (11.48 feet) of an **accessory building**.

b) **Minimum setback requirements for accessory buildings shall be as follows:**

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	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8919.7 ft)
REQUIRED SETBACK		
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 4000 square metres (0.99 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-2

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4.6.6

**COUNTRY RESIDENTIAL THREE
(CR—3)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

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2163

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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b) Residential use is limited to:

- i) On any lot size: One single family dwelling.
- ii) A second dwelling not exceeding 50 square metres in floor area is permitted on any lot 1 ha (2.47 ac) or larger

iv) **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 200 square metres (2152.8 square feet).

v) **SITING OF STRUCTURES**

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

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1458

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** or **rear lot line**;
- 2) 3.5 metres (11.48 feet) of a **side lot line** or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet); and
- 3) 3.5 metres (11.48 feet) of an accessory building.

b) **Minimum setback requirements for accessory buildings shall be as follows:**

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2171

REQUIRED SETBACK	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8-19.7 ft)
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).

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- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 15% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-3

4.6.6A

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1511

**COUNTRY RESIDENTIAL THREE
(CR—3A)**

i) **PERMITTED PRINCIPAL USES**

a) **On any lot:**

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) **On any lot over 4000 m² (0.99 acres):**

- 1) Agricultural use.

ii) **PERMITTED ACCESSORY USES**

a) **On any lot:**

- RDCS
2163
- 1) Home occupations;
 - 2) Accessory buildings; and
 - 3) Bed and Breakfast.

iii) **CONDITIONS OF USE**

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) **Residential use is limited to:**

- i) On any lot size: One single family dwelling.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 200 square metres (2,152.8 square feet).

v) SITING OF STRUCTURES

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

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** or **rear lot line**;
- 2) 3.5 metres (11.48 feet) of a **side lot line** or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet); and
- 3) 3.5 metres (11.48 feet) of an accessory building.

b) **Minimum setback requirements for accessory buildings shall be as follows:**

	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8919.7 ft)
REQUIRED SETBACK		
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

RDCS
2171

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) LOT COVERAGE

The maximum lot cover of all buildings and structures shall not exceed 15% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-3A

4.6.7

**COUNTRY RESIDENTIAL FOUR
(CR—4)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

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2163

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

iii) CONDITIONS OF USE

- a)** Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

RDCS
1458

b) Residential use is limited to:

On any lot size: One single family dwelling.
On any lot over one hectare (2.47 acres): Two single family dwellings.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2,152.85 square feet), whichever is greater.

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2423

v) **SITING OF BUILDINGS AND STRUCTURES**

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

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1458

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** or **rear lot line**;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
- 3) 3.5 metres (11.48 feet) of an **accessory building**; and
- 4) Minimum separation between dwellings - 15 metres (49.21 feet) on the same lot.

b) **Minimum setback requirements for accessory buildings shall be as follows:**

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1510,
2171

	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8919.7 ft)
REQUIRED SETBACK		
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

a) On any lot less than or equal to 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 20% of the lot area.

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2423

b) On any lot greater than 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 15% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

a) **Minimum lot area:** 2 hectares (4.94 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

c) Notwithstanding the provisions of 4.6.7(vii)(a), one parcel can be created from the Remainder of Lot A, Plan VIP61244, Section 34, Township 4, Comox District, in the size of 0.540 hectares (1.3 acres) in return for the dedication of an additional 0.34 hectares (0.8 acres) of land to "Hagel Park".

RCS
1772

End • CR-4

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4.6.7A

**COUNTRY RESIDENTIAL FOUR A
(CR—4A)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) Residential use is limited to:

On any lot size: One single family dwelling.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2,152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

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

- 1) 7.5 metres (24.6 feet) of that portion of a front lot line or rear lot line;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
- 3) 3.5 metres (11.48 feet) of an accessory building;

b) **Minimum setback requirements for accessory buildings shall be as follows:**

	ACCESSORY BUILDING HEIGHT	
	4.5m (14.8 ft) or less	4.5 – 6.0m (14.89-19.7 ft)
REQUIRED SETBACK		
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

- a) On any lot less than or equal to 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 20% of the lot area.
- b) On any lot greater than 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 15% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2 hectares (4.94 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

viii) **BONUS DENSITY**

- a) Despite Section 4.6.7A (vii)(a) above, a minimum lot area of 1 hectare (2.47 acres) is permitted, for property described as Lot D, Section 3, Township 1 and Section 34, Township 4, Comox District Plan VIP61244, subject to the conditions set out in Section 4.6.7A (ix) below.

viii) **CONDITIONS FOR BONUS DENSITY**

Bonus density, as described in Section 4.6.7A (viii) above, is permitted at the expense of the land owner in return for the Land Title Office registration of the following community amenities:

- a) A statutory right-of-way agreement with Strathcona Regional District, on the title of Lot D, Section 3, Township 1 and Section 34, Township 4, Comox District, Plan VIP61244 and associated right-of-way plan (covering approximately 900m²) that would allow the right-of-way to be used as a public trail: starting 5 metres wide at the northern point of the Hagel Greenway, continuing parallel to and alongside the southern boundary of the subject land and Neigel Crescent and 3 metres wide along the whole west boundary parallel to the undeveloped Darnell Road, to connect the Hagel Greenway with Henry Road.
- b) A lot in the name of Strathcona Regional District, for public 'Utility Use' (approximately but no larger than 500 m²), bounded by Craig Road, located to the middle and further south of the eastern boundary of Lot D, Section 3, Township 1 and Section 34, Township 4, Comox District, Plan VIP61244.

End • CR-4A

4.6.8

**COUNTRY RESIDENTIAL FIVE
(CR—5)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

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- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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b) Residential use is limited to:

On any lot size:	One single family dwelling.
On any lot over 1 hectare (2.47 acres):	Two single family dwellings.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 200 square metres (2152.8 square feet).

v) **SITING OF BUILDINGS AND STRUCTURES**

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

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** or **rear lot line**;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
- 3) 3.5 metres (11.48 feet) of an accessory building; and
- 4) Minimum separation between dwellings - 15 metres (49.21 feet) on the same lot.

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b) **Minimum setback requirements for accessory buildings shall be as follows:**

	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8919.7 ft)
REQUIRED SETBACK		
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

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1510,
2171

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 10% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 8 hectares (19.77 acres)

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-5

4.6.9

**RURAL ONE
(RU—1)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Agricultural uses;
- 3) Veterinary clinics;
- 4) Riding academy;
- 5) Public utility use;
- 6) Silviculture;
- 8) Park; and
- 9) On any of the following parcels:

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- i) Plan 378R, Section 19, Township 5, Comox Land District, Southwest ¼ Plan 552D, PID 008-986-711;
 - ii) Lots 1 and 2, Plan 7930, District Lot 223, Comox Land District, PID 005-624-037 & PID 005-624-053;
 - iii) Lot 3, Plan 7930, District Lot 223, Comox Land District, PID 005-624-061;
 - iv) Lot A, Plan 10923, District Lot 178, Comox Land District and District Lot 141, PID 005-161-304;
 - v) Re-amended Lot 2 (DD64235N), District Lot 141, Comox Land District, of Plan 5065, PID 006-032-788;
 - vi) District Lot 151, Comox Land District, PID 009-532-595;
 - vii) District Lot 141, Comox Land District, Except Plan 2334 & 5407, PID 009-529-721;
 - viii) Lot A, Plan 2334, District Lot 141, Comox Land District, Except Plan 5065, PID 006-448-691; and
 - ix) Amended Lot 1 (DD61547N), District Lot 141, Comox Land District, of Plan 5065, PID 006-032-745.
- 10) Research and teaching facility; and
 - 11) Rural resource centre to a maximum floor area of 240 square metres (2,583 square feet).

b) **On any lot 4 hectares (9.88 acres) or larger:**

- 1) Animal kennels;
- 2) Garden nurseries.

c) **On any lot 10 hectares (24.7 acres) or larger:**

- 1) Gravel, mineral or peat extractions, gravel crushing and screening, but no manufacturing or sales of concrete products;
- 2) Sawmills and shakemills provided the use is limited to a site not exceeding 1000 square metres;

ii) **PERMITTED ACCESSORY USES**

a) **On any lot:**

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

iii) **CONDITIONS OF USE**

- a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) **All permitted uses listed in Section i(c)** shall be subject to the following conditions:

- 1) Minimum yard clearance along all property lines of 30 metres (98.4 feet).
- 2) Minimum yard clearance of 60 metres (196.9 feet) from any lot line abutting a property zoned Residential or Country Residential.
- 3) No parking, loading or storage areas shall be located in any required yards.
- 4) Uses shall be screened and buffered from adjacent properties through maintenance of natural vegetation.

c) **Residential use** is limited to:

- | | |
|---|------------------------------|
| On any lot: | One single family dwelling. |
| On any lot over 8 hectares (19.77 acres): | Two single family dwellings. |

d) Rural resource centres shall be subject to the following conditions:

RDCS
1850

- 1) A minimum setback of 15.0 metres (49.5 feet) along all lot lines;
- 2) A minimum setback of 30.0 metres (98.4 feet) from any lot line abutting a parcel zoned Residential or Country Residential.
- 3) No loading or storage areas shall be located in any required yard.
- 4) Screening shall be provided of no less than 1.5 metres (4.9 feet) in height for a rural resource centre abutting a parcel zoned Residential or Country Residential.
- 5) A Single sing not exceeding 1.0 square meter (11 square feet).

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 300 square metres (3,229.28 square feet) or 5% of the lot area, whichever is less.

v) SITING OF BUILDINGS AND STRUCTURES

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

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1458

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line or rear lot line**;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet); and
- 3) Minimum separation between single family dwellings - 15 metres (49.21 feet) on the same lot.

b) No accessory building shall be located in any required yard and be located a minimum of 3.5 metres (11.48 feet) from any other building or structure.

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).

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- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures, shall not exceed 15%.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 8 hectares (19.77 acres)

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • RU-1

4.6.10

**RURAL RECREATION ONE
(RR—1)**

i) PERMITTED PRINCIPAL USES

- a) On any lot:
- 1) Golf courses;
 - 2) Residential use;
 - 3) Agricultural use;
 - 4) Park.

"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 improved with tees, greens, fairways, and hazards, 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 not normally associated with a golf course facility.

ii) PERMITTED ACCESSORY USES

- a) On any lot:
- 1) Accessory buildings.

iii) CONDITIONS OF USE

- a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.
- b) No parking, loading or storage areas shall be located in any required yards.
- c) Buildings and structures shall be screened and buffered from adjacent properties through maintenance of natural vegetation.

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d) **Residential use is limited to:**

On any lot: One single family dwelling.

iv) **SITING OF BUILDINGS AND STRUCTURES**

a) **No building, structure, parking, loading or storage area, or driving ranges or the center point of a green tee shall be located within:**

- 1) 30 metres (98.4 feet) of any property line unless a larger requirement is specified elsewhere in this bylaw.

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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v) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures, parking and loading areas, excluding greenhouses for agricultural uses, shall not exceed 5%.

vi) **SUBDIVISION REQUIREMENTS**

- a) **Minimum Lot Area:** The minimum lot area in the Rural Recreation One (RR-1) zone shall be 20 hectares (49.4 acres).

Existing lots that do not conform to the lot size requirements of this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

b) **Minimum Lot Frontage**

Each lot shall have a minimum frontage of 10% of the perimeter of the lot. Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • RR-1

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4.6.11

**RESIDENTIAL MULTIPLE ZONES
(RM)**

In all Residential Multiple zones (RM), subsections (i) to (v) inclusive shall apply.

Special provisions for each Residential Multiple zone are included in subsection (vi).

i) PERMITTED PRINCIPAL USES

- a) On any lot:
 - 1) Residential use;
 - 2) Public utility use;
 - 3) Park use;
 - 4) Boarding houses.

ii) PERMITTED ACCESSORY USES

- | | |
|--------------|---|
| RDCS
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|--------------|---|

iii) CONDITIONS OF USE

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- a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.
- b) Parking areas shall be located at least 6 metres (19.69 feet) away from habitable rooms at or below grade.
- c) Residential use is limited to apartment dwellings, duplexes, townhouses, or single family dwellings with a maximum density of 15 dwellings per hectare (2.48 acres).

iv) **SITING OF BUILDINGS AND STRUCTURES**

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

- 1) 7.5 metres (24.6 feet) of that portion of a **front, side, and rear** lot line.
- 4) 3.5 metres (11.48 feet) of an **accessory building**.
- 5) Minimum separation between buildings and structures: 3.5 metres (11.48 feet) on the same lot.

b) **No accessory building shall be located in any required front or side yard and shall be:**

- 1) A minimum of 1 metre (3.28 feet) from the side and rear property lines when the accessory building is located completely within the rear yard and less than 3 metres (9.8 feet) in height.

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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iv) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures, driveways and parking areas, shall not exceed 35% .

v) **SUBDIVISION REQUIREMENTS**

a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage :** 10% of the perimeter of the lot.

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone.

vi) **SPECIAL PROVISIONS**

- a) Zone: ***Residential Multiple One (RM-1);***

Location:

- Part of Lot 6, District Lot 85, Comox District, Plan 4885
- Island Highway - Schedule 'A9'.

- 1) Notwithstanding any provisions of this bylaw, residential use in any RM-1 zone is restricted to one apartment building limited to a maximum of five dwelling units.

- b) Zone: ***Residential Multiple Two (RM-2)***

Location:

- Lot 3, Section 35, Township 4, Comox District, Plan 5034,
- Schedule 'A-9'.

- 1) Notwithstanding any provisions of this bylaw, residential use in any RM-2 zone is restricted to five (5) dwelling units.

End • RM

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4.6.12

**MOBILE HOME PARK
(MHP)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Mobile homes;
- 2) Public utility use;
- 3) Park.

ii) CONDITIONS OF USE

Development of Mobile Home Parks must comply with the requirements of Schedule '1A' — "*Residential Mobile Home Park Regulations and Standards*".

iii) SITING OF STRUCTURES

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

- 1) 7.5 metres (24.6 feet) of a front lot line, side lot line, or rear lot line;

b) Other specifications include:

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).

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- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).

- 4) For any exceptions to siting, refer to Section 4.5.6(a).

- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

iv) **LOT COVERAGE**

The maximum lot coverage of all buildings, structures, and parking spaces shall not exceed 35% of the lot area.

v) **DENSITY**

The maximum density for a mobile home park shall be 15 mobile home units per hectare (2.47 acres).

vi) **SUBDIVISION REQUIREMENTS**

a) **Minimum Lot Area**

- 1) The minimum lot area permitted shall be 2 hectares (4.94 acres) with the exception that when a parcel is proposed for strata title subdivision pursuant to the, minimum lot sizes will be in accordance with the mobile home space requirements of Schedule '1A', subject to the parent lot before strata subdivision having a minimum lot size of 2 hectares (4.94 acres).
- 2) Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone.

b) **Minimum Lot Frontage**

- 1) Each lot shall have a minimum frontage of 10% of the perimeter of the lot except that strata lots shall have a minimum frontage in accordance with the width requirements for mobile home spaces in Schedule '1A'. Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

4.6.13

**COMMERCIAL ONE
(C—1)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Neighbourhood pubs;
- 2) Offices;
- 3) Restaurants;
- 4) Service establishments;
- 5) Retail, wholesale establishments;
- 6) Public utility use;
- 7) Enclosed recreational facilities;
- 8) Park.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Outdoor storage;
- 2) Accessory buildings;
- 3) Retail sales of vehicular fuels;
- 4) Residential use limited to one single family dwelling; and
- 5) Bed and Breakfast.

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iii) CONDITIONS OF USE

- a) No parking loading or storage areas shall be located within 3.5 metres (11.48 feet) to any property line.
- b) All outdoor storage or supply yards shall be separated from an adjoining lot zoned for residential use or mobile home park whether a highway intervenes or not, by a landscaped screening to a width of the required yard setback or uniformly painted solid fence or wall of not less than 2 metres in height to be located at the required yard setback.
- c) Drawings submitted for a building permit shall include landscaping and screening plans clearly showing the number, extent and type of plant material proposed.
- d) Any use of a lot which does not necessitate building permits within this zone other than maintenance of a lot in its natural state shall require landscaping or screening in accordance with subsection (b).

- e) All landscaping required herein shall be completed no later than twelve (12) months from the date of issue of a building permit or initiation of a land use activity, whichever occurs first.
- f) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference.

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iv) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified by bylaw, no structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of a front lot line;
- 2) 7.5 metres (24.6 feet) of a rear lot line;
- 3) 7.5 metres (24.6 feet) of a side lot line except where the abutting property to the side yard is zoned Commercial or Industrial, in which case 3.5 metres (11.48 feet) are required.

b) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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v) **LOT COVERAGE**

The maximum permitted coverage of all buildings and structures shall not exceed 35% of the site area.

vi) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 4000 square metres (0.99 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • C-1

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4.6.14

**COMMERCIAL TWO
(C—2)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Campgrounds;
- 2) Hotels;
- 3) Restaurants;
- 4) Marinas sales/service;
- 5) Agricultural use;
- 6) Public utility use;
- 7) A licensed establishment pursuant to the *Liquor Control and Licensing Act* and amendments thereto;
- 8) Park.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Accessory buildings;
- 2) Offices;
- 3) Residential use limited to one dwelling unit; and
- 4) Bed and Breakfast.

iii) CONDITIONS OF USE

a) All permitted uses listed in Section i(a)(i), "Campgrounds", shall be subject to the following conditions:

- 1) Every camping space shall have a minimum area of not less than 110 m² (1184.07 ft²).
- 2) No camping space shall be located within 3.0 metres (9.84 feet) of an internal access road.
- 3) One washroom for each sex shall be provided for every 20 camping spaces in accordance with Ministry of Health requirements.

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- 4) A minimum of one container for every two camping spaces shall be provided for purposes of garbage disposal. Each container must be durable, insect-tight, water-tight, and rodent proof.
 - 5) No camping space shall be continuously occupied for a period of more than 30 days.
 - 6) All recreational vehicle units in a campground must be licenced to travel on a public road in B.C. and no additions or skirting around a unit are permitted.
 - 7) The maximum density for campground use shall be 30 units per hectare.
- b) No parking loading or storage areas shall be located within 7.5 metres (24.6 feet) to any property line.
 - c) All outdoor storage or supply yards shall be separated from an adjoining lot zoned for residential use or mobile home park whether a highway intervenes or not, by a landscaped screening to a width of the required yard setback or uniformly painted solid fence or wall of not less than 2 metres in height to be located at the required yard setback.
 - d) Drawings submitted for a building permit shall include landscaping and screening plans clearly showing the number, extent and type of plant material proposed.
 - e) Any use of a lot which does not necessitate building permits within this zone other than maintenance of a lot in its natural state shall require landscaping or screening in accordance with subsection (c).
 - f) All landscaping required herein shall be completed no later than twelve (12) months from the date of issue of a building permit or initiation of a land use activity, whichever occurs first.
 - g) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference.

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iv) **SITING OF BUILDINGS AND STRUCTURES**

- a) **Except where otherwise specified in this bylaw no use, building or structure shall be located within:**
 - 1) 7.5 metres (24.6 feet) of that portion of a **front lot line**, a **side lot line** or a **rear lot line**.
 - 2) When a property abuts the sea or lake or where the area is a foreshore lease, no yard minimum applies to the area abutting or within a water area, except for buildings used for habitation or storage of goods damageable by floodwaters.
- c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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v) **LOT COVERAGE**

The maximum permitted coverage of all uses, buildings, and structures shall not exceed 35% of the site area.

vi) **SUBDIVISION REQUIREMENTS**

a) **Minimum Lot Area**

- 1) The minimum lot area permitted shall be 1 hectare (2.47 acres).
- 2) No minimum lot area shall apply to foreshore leases within this zone.
- 3) Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

b) **Minimum Lot Frontage**

Each lot shall have a minimum frontage of 10% of the perimeter of the lot. Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • C-2

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**COMMERCIAL THREE
(C—3)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Light industrial use where the use is contained entirely within an enclosed building;
- 2) Public utility use;
- 3) Park use;
- 4) Automobile body shop;
- 5) Automobile service station;
- 6) Warehousing.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Offices;
- 2) Restaurant and/or retail sales accessory to an automobile service station;
- 3) Residential use limited to one dwelling unit; and
- 4) Bed and Breakfast.

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iii) CONDITIONS OF USE

- a) No parking loading or storage areas shall be located within 3.5 metres (11.48 feet) to any property line.
- b) All required yard setbacks shall be landscaped in the form of lawns, shrubs, plants, trees and/or flowers except where parking use is permitted and such landscaping shall provide screening of not less than 2 metres in height in the side and rear yards. Any screening less than 2 metres in height shall necessitate uniformly painted solid fencing or a wall to be located at the required setback.
- c) Drawings submitted for a building permit shall include landscaping and screening plans clearly showing the number, extent and type of plant material proposed.
- d) No signs other than wall-mounted signs are permitted which cannot exceed 7.5 square metres in size.
- e) No sign shall exceed 2.5 metres in height.

- f) Any use of a lot which does not necessitate building permits within this zone other than maintenance of a lot in its natural state shall require landscaping or screening in accordance with subsection b).
- g) All landscaping required herein shall be completed no later than twelve (12) months from the date of issue of a building permit or initiation of a land use activity, whichever occurs first.
- h) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference.

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iv) SITING OF STRUCTURES

a) **Except where otherwise specified by bylaw, no structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of a front lot line;
- 2) 7.5 metres (24.6 feet) of a rear lot line;
- 3) 7.5 metres (24.6 feet) of a side lot line except where the abutting property to the side yard is zoned Commercial or Industrial, in which case 3.5 metres (11.48 feet) are required.

b) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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v) LOT COVERAGE

The lot coverage of all buildings and structures shall not exceed 35% .

vi) SUBDIVISION REQUIREMENTS

a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • C-3

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4.6.16

**COMMERCIAL FOUR
(C—4)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Light industrial use and/or retail use where the use is contained entirely within an enclosed building.

ii) PERMITTED ACCESSORY USES

a) On any lot:

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- 1) Offices; and
- 2) Bed and Breakfast.

iii) CONDITIONS OF USE

- a) The maximum floor area for a retail use including accessory retail use, offices for retail use, storage areas for retail products produced off the property and any retail display area, cannot exceed 25% of the total floor area within a building permitted under this by law.

- b) No parking, loading or storage areas shall be located within 3.5 metres (11.48 feet) to any property line.

- c) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference.

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- d) No signs other than wall-mounted signs are permitted which cannot exceed 7.5 square metres in size.

- e) No sign shall exceed 2.5 metres in height.

- f) All required yards shall be landscaped in the form of lawns, shrubs, plants, trees and/or flowers except where parking use is permitted and such landscaping shall not be less than 2 metres in height in the side and rear yards. Any screening less than 2 metres in height in the side and rear yards shall necessitate uniformly painted solid fencing or a wall to be located at the required setback.

- g) Drawings submitted for a building permit shall include landscaping and screening plans, clearly showing the number extent and type of plant material proposed.

- h) Any use of a lot which does not necessitate building permits within this zone other than maintenance of a lot in its natural state shall require landscaping or screening in accordance subsection (f).
- i) All landscaping required herein shall be completed no later than twelve (12) months from the date of issue of a building permit or initiation of a land use activity, whichever occurs first.

iv) **SITING OF STRUCTURES**

a) **Except where otherwise specified by bylaw, no structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of a front lot line, side lot line and rear lot line.

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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v) **LOT COVERAGE**

The lot coverage of all uses, buildings and structures shall not exceed 35% .

vi) **SUBDIVISION REQUIREMENTS**

a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • C-4

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**COMMERCIAL FIVE
(C—5)**

i) PERMITTED PRINCIPAL USES

- a) On any lot or portion of any lot zoned C-5 only the following principal uses are permitted:
- 1) Agricultural use;
 - 2) Campgrounds;
 - 3) Hotels;
 - 4) Low impact recreation;
 - 5) Park use;
 - 6) Private and public utility use;
 - 7) Recreation Facilities;
 - 8) Service Establishments; and
 - 9) Wharves or floats.

ii) PERMITTED ACCESSORY USES

- a) On any lot or portion of any lot zoned C-5 only the following accessory uses are permitted:
- 1) Accessory buildings related to residential use;
 - 2) Offices;
 - 3) Residential use for staff and owners only;
 - 4) Retail; and
 - 5) Bed and Breakfast.

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iii) CONDITIONS OF USE

- a) "Campgrounds", shall be subject to the following conditions:
- 1) Every camping space shall have a minimum area of not less than 110 square metres (1,184.07 square feet).
 - 2) No camping space shall be continuously occupied for a period of more than sixty (60) days.
 - 3) All recreational vehicle units in a campground must be licensed to travel on a public road in British Columbia for the current year and no additions or skirting around a unit are permitted.
 - 4) The maximum density for campground use shall be 30 units per hectare (12.0 units per acre).

- b) No use including parking, loading, storage or supply yards shall be located a minimum of 3.5 metres (11.48 feet) of a side lot line if the adjacent or abutting parcel is zoned Residential, Country Residential, Rural or Upland Resource. The required yard setback shall be landscaped or feature a landscaped berm or uniformly painted solid fence or wall of not less than 2 metres (6.6 feet) in height and located at the required yard setback to maintain the privacy of the adjacent parcels(s).
- c) All landscaping required herein shall be completed not later than twelve (12) months from the date a land use activity is initiated.
- d) No signs shall exceed 8 square metres (86.11 square feet) in size.
- e) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

iv) **DENSITY**

Hotel use shall be limited to facilities capable of accommodating no more than 450 tourists and 120 staff within the entire area zoned Commercial Five (C-5).

v) **SITING OF STRUCTURES**

- a) **Except where otherwise specified by bylaw no use, building or structure shall be located within:**
 - 1) 4.5 metres (14.76 feet) of a front lot line;
 - 2) 7.5 metres (24.6 feet) of a rear lot line; and
 - 3) When a property abuts the sea or lake, or where the area is foreshore lease, no setback applies to the area abutting or within the water area, except for buildings used for storage of goods damageable by floodwaters, habitation or other sewage generating uses. For these exceptions, the following setbacks shall apply as required in Section 4.5.4(a)(i) Watercourse Setbacks and 4.5.4(b) Sea Setbacks:
 - a) 15 metres (49.2 feet) from the natural boundary of the sea or any source of water supply; and
 - b) 7.5 metres (24.6 feet) from the natural boundary of any lake.
- b) **Other specifications include:**
 - 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
 - 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).

- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

The maximum permitted coverage of all buildings and structures shall not exceed 35% of the site area.

vii) **SUBDIVISION REQUIREMENTS**

a) **Minimum Lot Area:**

- 1) 4.0 hectares (9.88 acres);
- 2) No minimum lot area shall apply to foreshore leases within this zone.
- 3) Existing lots below the minimum lot area for this zone may be used for the permitted uses within this zone.

b) **Minimum Lot Frontage**

Each lot shall have a minimum frontage of 10% of the perimeter of the lot. Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • C-5

4.6.17

**PUBLIC ASSEMBLY ONE
(PA—1)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Public assembly use;
- 2) Public utility use;
- 3) Agricultural use;
- 4) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Residential use limited to one dwelling unit.

iii) SITING OF BUILDINGS AND STRUCTURES

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

- 1) 15 metres (49.2 feet) of that portion of a front lot line, side lot line and rear lot line.
- 2) 3.5 metres (11.48 feet) of an accessory building on the same lot.

b) Other specifications include:

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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iv) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area.

v) **SUBDIVISION REQUIREMENTS**

No minimum lot area or frontage requirement shall apply in this zone.

End • PA-1

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**UPLAND RESOURCE
(UR)**

i) PERMITTED PRINCIPAL USE

- 1) One single family dwelling;
- 2) Forestry;
- 3) Agricultural Use;
- 4) Low Impact Recreation;
- 5) Fish hatcheries and enhancement facilities;
- 6) Public Utility Use;
- 7) Park Use;
- 8) Explosives sales, storage, manufacturing and distribution pursuant to the *Explosives Act*, and
- 9) Firearm ranges

ii) PERMITTED ACCESSORY USES

- 1) Accessory structures and buildings; and
- 2) Wood processing in conjunction with forestry and agricultural use.

iii) PERMITTED DENSITY

- 1) One (1) single family dwelling is permitted on a lot.
- 2) On any lot or portion of any lot included in the Agricultural Land Reserve residential use shall be as permitted by the BC Agricultural Land Commission.

iv) SITING OF STRUCTURES

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

- 1) 4.5 metres (14.76 feet) of a front lot line;
- 2) 1.75 metres (5.74 feet) of a side lot line; and
- 3) 7.5 metres (24.6 feet) of a rear lot line.

- b) Other specifications as required in Section 4.5 "GENERAL REGULATIONS":
Where siting is proposed adjacent to a stream refer to Section 4.5.5 "Stream Setbacks".

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v) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area to a maximum of 1,000 square metres (10,764.26 square feet).

vi) **SUBDIVISION REQUIREMENTS**

- a) The minimum lot size for subdivision shall be as follows:
- i) 40.0 hectares (98.8 acres) for the area east of the most westerly boundary of the BC Hydro transmission right-of-way Plans 508, 509, 914, 917 and 918;
 - ii) 40.0 hectares (98.8 acres) for the area within 1.0 kilometre (0.6 miles) west of the most westerly boundary of the said right-of-ways, with measurement made perpendicular to the said right-of-ways boundary, except as modified in Clause iv);
 - iii) 400 hectares (988.4 acres) for the area more than 1.0 kilometre (0.6 miles) west of the most westerly boundary of the said right-of-ways, with measurement made perpendicular to the said right-of-ways boundary, except as modified in Clause iv);
 - iv) Notwithstanding the above, where a parcel is subject to both the 40.0 and 400.0 hectare minimum lot size, the minimum lot size which applies to the greatest portion of the parcel shall be the minimum lot size for subdivision. Where a parcel is divided into portions of equal area by a line one kilometer west of the most westerly boundary of the said rights-of-way, with measurement made perpendicular to the said right-of-ways boundary, the minimum lot size in respect of the entire parcel shall be 40 hectares.
- b) The minimum road frontage of lots created by subdivision shall be 100 metres (328.1 feet).

PART 5 SUBDIVISION REGULATIONS

5.1 Administration

1) Authority — Approving Officer

- i) No land within the area described in Part B, "*Application*", of this bylaw shall be subdivided unless and until the subdivision has first received the approval of the Approving Officer.
- ii) The approval procedure and all other subdivision requirements shall be those as enforced by the Ministry of Transportation and Highways unless otherwise stated in this bylaw.

2) Application for Subdivision Approval

- i) To obtain approval for subdivision, an applicant shall apply to the Ministry of Transportation and Highways, Courtenay, B.C.
- ii) The Ministry of Transportation and Highways shall forward one copy of the proposed subdivision together with all supporting documentation to the Regional District.
- iii) The Regional District shall advise the Ministry of Transportation and Highways, in writing, as to any requirements for the subdivision.
- iv) Where an application for a subdivision has been submitted to the Ministry of Transportation and Highways in a form satisfactory to the Approving Officer and the Regional District adopts a bylaw that would otherwise be applicable to that subdivision, then the bylaw has no effect with respect to the subdivision for a period of 12 months after the bylaw is adopted unless the applicant agrees in writing that it should have effect.

3) Fee for Application

In addition to any fees required pursuant to Section 83 of the *Land Title Act*, an application fee as prescribed in the "By-Law Amendment, Permit Procedure and Fee By-Law, 1990, being By-Law No. 1244, shall be paid to the Regional District for each subdivision application prior to final approval by the Approving Officer.

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5.2 General Provisions

1) Suitability

- i) **The Approving Officer, at the request of the Regional District, may refuse the subdivision or strata subdivision of any parcel of land:**
- a) unless all the requirements of this bylaw and any other applicable regulations under the Health Act, and those of improvement districts and other relevant agencies, have been observed;
 - b) should the subdivision make any existing use on that parcel non-conforming in respect to any other bylaw of the Regional District;
 - c) if the anticipated development of the subdivision would injuriously affect the established amenities of adjoining or reasonably adjacent properties;
 - d) if the land is subject, or could reasonably be expected to be subject, to flooding, erosion, land slip, or avalanche;
 - e) if the anticipated development of the subdivision would adversely affect the natural environment to an unacceptable level;
 - f) if the cost to the Province of British Columbia or the cost to the Regional District of providing public utilities or other works or services would be excessive;
 - g) if it is not suited to the use for which it is intended;
 - h) if it is not suited to the configuration of the land being subdivided;
 - i) if it makes impractical the future subdivision of the land within the proposed subdivision, or of any adjacent land;
 - j) if it is against the public interest;
 - k) if the anticipated development of the subdivision would provide additional storm water runoff sufficient to overload an existing downstream drainage facility and/or provide sufficient additional runoff to inhibit the fish bearing capabilities of downstream locations.
- ii) In considering the application for subdivision, the Regional District may hear objections from any interested persons in order to determine if the subdivision would be against the public interest or would to an unreasonable extent injuriously affect the established amenities of adjoining or adjacent properties.

2) Information Required

- i) **At the request of the Regional District, the Approving Officer shall require:**
 - a) the submission of a sketch plan showing that the parcels into which the land is proposed to be subdivided can conveniently be subdivided into further small parcels;
 - b) the submission of plans, including the appropriate contour plans, and data on the measures necessary to remedy wet conditions, surface water discharges, or liability to flood;
 - c) the submission of engineering and planning studies bearing the seal of a Professional Engineer and/or Planner;
 - d) that the owner of land being subdivided state in writing the intended use of any parcel being created or of any remainder of the parent parcel;
 - e) that the owner of land being subdivided submit a sketch plan outlining the plan of subdivision of any remainder of the parent parcel.
- ii) **Each application for subdivision referred to the Regional District shall be accompanied by a sketch plan or plans drawn to a suitable scale, clearly showing:**
 - a) the scale of each plan and the direction of north thereon; and,
 - b) the arrangement of all parcels (including remainders), roads, easements and rights-of-way to be created; and,
 - c) approximate dimensions of all parcels (including remainders), roads, easements and rights-of-way to be created, including: the length of all property boundary lines and arcs, the width of all roads, easements and rights-of-way, and the area of all parcels (including remainders); and,
 - d) all watercourses or water frontage within or adjacent to the land to be subdivided; and,
 - e) all steep banks or slopes within or adjacent to the land to be subdivided; and,
 - f) all existing buildings, identified and approximately located, existing within the land to be subdivided; and,
 - g) any existing property lines or roads to be extinguished; and,
 - h) the relationship of the proposed subdivision to adjacent roads, and the connections of proposed new roads thereto.
- iii) The Regional District shall not process any application for subdivision until all information required in Subsection ii) has been submitted.

- iv) The Regional District may require that notice in writing of the proposed subdivision be served on any owner or other person whose land or interest therein might, in the opinion of the Regional District, be detrimentally affected by the proposed subdivision.

5.3 Parcels

1) Area and Frontage Requirements

- i) For the purposes of this bylaw, the minimum area and frontage requirements for each zone as expressed in Part 4 of this bylaw shall be considered the minimum area and frontage requirements for purposes of subdivision of land.
- iii) The creation of a panhandle lot is prohibited.

2) Lot Size Exceptions

- i) **No minimum lot size shall apply:**
 - a) where the lot is intended for a non-sewage generating use such as unattended utility or navigational structures, public assembly and public utility uses, parks or where a restrictive covenant is registered satisfactory to the Approving Officer which prohibits the construction of buildings and structures and/or the use of a parcel;
 - b) **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) all parts of all lots are contiguous;
 - 3) the change is minor in nature.
 - c) where a Crown foreshore lease is granted;
- ii) No subdivision shall be permitted which creates new severed parcels except where approved by both the Regional District and the Approving Officer.

3) Strata Subdivision

- i) No minimum lot size shall apply where a parcel is proposed for a strata title subdivision plan under the *Condominium Act* and the number of proposed lots is equal to or less than the density permitted by the minimum lot size requirement of the applicable district as established by other provisions of this bylaw.

- ii) Where a strata plan is not bare-land strata plan, the Approving Officer shall be the Regional Board of the Regional District, or its appointed representative.

4) *Municipal Act*

No subdivision shall be permitted pursuant to Section 996 of the *Municipal Act*, on lands not within the Agricultural Land Reserve, unless the parent parcel is at least two times the minimum lot area required within each zoning category as specified in Part 4 of this bylaw. In no instance shall any lot created under this section be less than one (1) hectare (2.47 acres) unless a smaller area, in no case less than 2500 square metres (26910.6 square feet) is approved by the Medical Health Officer.

5.4 Servicing Standards

1) *Highways*

i) Approval Required Before Construction:

No works respecting highway development shall commence until a plan of subdivision has received approval from the Approving Officer.

ii) Design Requirements:

- a) The requirements for highways, lanes, turn-arounds, intersections, and walkways shall be those enforced by the Ministry of Transportation and Highways.
- b) **The Approving Officer may require at the request of the Regional District, that the subdivision**
 - 1) have necessary and reasonable access
 - i) to all new parcels; **and**,
 - ii) through the land subdivided to land lying beyond **or** around the subdivided land;
 - 2) where the land subdivided borders
 - i) on a body of water, the bed of which is owned by the Crown; **or**,
 - ii) on the boundary of a strip of land established as the boundary of a water reservoir, and the strip of land and reservoir are owned by the Crown; **or**,

- iii) on a strip of Crown land 20 m (65.62 ft) or less in width contiguous to a natural boundary as defined in the *Land Act*;

access shall be given by highways 20 m (65.62 ft) wide to the body of water and to the strips at distances not greater than 200 m (656.17 ft) between centre lines, or, in unorganized territory where the parcels into which the land is subdivided all exceed 0.5 ha (1.24 ac) at distances not greater than 400 m (1,312.34 ft) between centre lines;

3) **where**

- i) the land subdivided borders on a body of water, the bed of which is owned by a person other than the Crown;

and,

- ii) in the case of a lake or pond, where the surface of the body of water at mean annual high water is at least 1.5 ha (3.71 ac), and the mean depth at mean annual high water is at least 0.6 m (1.97 ft); **or,**
- iii) in the case of a river, creek or watercourses where the average width at mean annual high water is at least 0.6 m (1.97 ft);

access shall be given by highways 20 m (65.62 ft) wide to the body of water and to the strips at distances not greater than 200 m (656.17 ft) between centre lines, or, in unorganized territory where the parcels into which the land is subdivided all exceed 0.6 ha (1.24 ac) at distances not greater than 400 m (1,312.34 ft) between centre lines; but subparagraph (ii) does not apply to a reservoir or pond where the bed is owned by a public body other than the Crown and used for the purpose of domestic or industrial water supply;

- 4) suitable lanes shall be provided in continuation of existing lanes and in every case where lanes are considered necessary by the Approving Officer;
- 5) in any proposed subdivision, a highway which is cul-de-sac shall have a terminal area for a turn-around, the size of which shall be determined by the Approving Officer having regard to the local snow, terrain, and soil conditions, provided that any such area shall be large enough to contain a circle with a radius of 15 metres (49.21 feet);
- 6) **Intersections** — the number of highway intersections within a subdivision shall be kept to a minimum, and where practical
 - i) Y-shaped intersections shall be avoided;

- ii) T-shaped intersections shall be used when the intersecting highway is to carry a small amount of local traffic;
 - iii) intersections with more than four legs shall be avoided;
 - iv) intersections shall not be located in or near sharp curves or near the crest of any rise or hill;
- 7) **Intersection Offset** — wherever practical, no intersection shall be less than 40 metres (131.23 feet) from any other intersection or likely future intersection. Measurement shall be made along the centre line of the intersected highway.
- 8) **Intersection Angle** — unless extremely difficult terrain or the pattern of existing subdivision precludes it, a minimum of 15 metres (49.2 feet) of an intersecting leg shall be as close to right angles as practical with the intersected highway. This distance shall be measured at the boundary of the intersecting leg on the side of the contained angle.
- 9) **Walkways** — the minimum width of any walkway in any subdivision shall be 3 metres (9.84 feet).
- iii) The Approving Officer may, in such circumstances as may be defined by Provincial regulation, grant relief in whole or in part from a compliance with the provisions of Subsection (ii)(b)(1).
- iv) The Minister of Transportation and Highways may, on application supported by an affidavit, grant relief from the strict compliance with Subsections (ii)(b)(2) and (ii)(b)(3).

2) **Works and Services**

- i) **Where the proposed subdivision is situated within a specified area, the Regional District, as a condition of subdivision, shall require the applicant or owners of the proposed subdivision:**
- a) to submit his plan of subdivision to the Regional District for approval respecting a waterworks system and/or sewer system;
 - b) to retain at his 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 specifications, shall submit drawings to the Regional District Engineer. 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, and a Certificate of Approval has been received from the Ministry of Health pursuant to Section 21 of the *Health Act*;

- c) to install at his own expense and at no cost to the Regional District, upon approval of the Regional District Engineer and under the supervision of the applicant's consulting Engineer, all watermains, 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 water specified 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) Where the proposed subdivision is already serviced by a waterline, no approval is required from the Regional District Engineer prior to final approval.

3) Public Open Space

- i) The owner of land being subdivided shall provide, without compensation, land subject to the requirements of the *Municipal Act* for purposes of providing sufficient open space for community parks.
- ii) The amount of land that may be required under Subsection (i) shall not exceed 5% of the land area proposed for subdivision.

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**RESIDENTIAL MOBILE HOME PARK
REGULATIONS and STANDARDS**

Mobile home parks shall be established or extended in accordance with the following regulations and standards:

1.0 GENERAL REQUIREMENTS

- 1.1 No person shall establish or construct a mobile home park until a mobile home park permit has been issued by the Regional District.
- 1.2 The issuance of a mobile home park permit shall not relieve any person from obtaining the necessary building permits and other necessary approvals for construction of buildings and structures.
- 1.3 All provisions of this schedule shall apply to mobile home parks established after the date of adoption of this bylaw, and to any addition of mobile home pads or alteration or addition of services to existing mobile home parks.

**2.0 MOBILE HOME PARK
APPLICATION • FEE • APPROVAL • PERMIT**

2.1 Application

All applications for approval of plans and specifications for the establishment of mobile home parks shall be submitted in writing using Schedule '1-A' attached to and forming part of this schedule.

2.2 Fees

- a) Each initial application for a mobile home park permit submitted shall be accompanied by an application fee of Fifty dollars (\$50.00) for the first mobile home space and Twenty-five dollars (\$25.00) for each additional mobile home space shown in the mobile home park plan;
- b) Each application for renewal of a mobile home park permit shall be accompanied by an application fee of Fifty dollars (\$50.00) for each mobile home space shown in the mobile home park plan;

- c) The charge for permits for the construction of buildings, mobile homes or structures in the mobile home park shall be the same as specified in the Regional District of Comox-Strathcona Building Bylaw;
- d) No application for a mobile home park permit shall be accepted for processing unless it includes all documents, information and fees required.

2.3 Approvals

- a) The Director of Planning shall examine each complete application for a mobile home park permit and shall notify the applicant in writing within sixty (60) days either that the permit will be issued or that it is refused. Reasons shall be supplied if the permit is refused.
- b) **The Director of Planning may:**
 - 1) require the applicant to provide additional relevant information including but not limited to topographic and soil conditions data;
 - 2) conduct inspections and tests in the vicinity of the site of the proposed mobile home park.
- c) A mobile home park permit shall permit the establishment of a mobile home park on the land concerned only in compliance with the mobile home park plan approved and permit issued;
- d) If, after the issuance of any mobile home park permit, the construction authorized thereunder is not commenced within six (6) months from the date thereof, for any cause other than weather conditions, strikes, or lock-outs, and if the work be not carried on continuously and in a bonafide manner, such permit shall be void, and the work shall not be again commenced until a new mobile home park permit shall have been issued and fee paid.

2.4 Mobile Home Park Occupancy

- a) No parcel of land or portion thereof may be occupied as a mobile home park by tenants or owners until all requirements of the mobile home park permit have been completed and a building permit has been issued for each mobile home or structure within the mobile home park.
- b) Where a mobile home park permit indicates a phased program of construction, the Regional District may authorize occupancy of each phase of development by issuing applicable building permits provided all conditions of the mobile home park permit have been completed for that phase. The Regional District may require as a condition of the issue of a mobile home park permit that the holder provide a Performance Bond or other security in the amount and form prescribed in the mobile home park permit to ensure that the development of additional phases is carried out in accordance with the terms and conditions set out in the permit. Any interest earned on the bond or other security shall accrue to the holder of the permit.

- c) A mobile home tenant shall obtain a building permit before locating a mobile home within a mobile home space and before commencement of construction of additions, including separate buildings or structures on a mobile home space.
- d) A mobile home park owner shall not permit occupancy of a mobile home space until all the requirements of Subsection (c) have been completed by the mobile home park tenant.

3.0 STANDARDS

3.1 Mobile Home Space / Lot

- a) **The minimum area of each mobile home space shall be not less than:**
 - 1) 325 square metres (3498.39 square feet) for spaces intended for a single wide mobile home, but in no case shall the width of the space be less than 12 metres (39.37 feet);
 - 2) 460 square metres (4951.56 square feet) for spaces intended for double wide mobile homes, but in no case shall the width of the space be less than 14.5 metres (47.57 feet).
- b) Each mobile home space shall be clearly marked off by permanent flush stakes, markers or other suitable means.
- c) **All mobile home spaces shall:**
 - 1) be drained properly;
 - 2) be clearly numbered;
 - 3) have a clearly discernible mobile home pad constructed to the standards as specified by an Engineer where required by the Building Inspector.

3.2 Mobile Home Standards, Provisions and Installation Requirements

- a) All mobile homes shall meet or exceed the Canadian Standards Association Standard Z-240 or A-277, as the case may be.
- b) All connections to services shall be in accordance with the B.C. Building Code and the B.C. Plumbing Code.
- c) **In mobile homes located in a mobile home park:**
 - 1) the installation and maintenance of all oil burners and oil-burning equipment and appliances using inflammable liquids as fuel;
 - 2) the storage and disposal of inflammable liquids and oils;

- 3) the installation, maintenance, carriage, and use of compressed gas systems;

shall be in accordance with the regulations of the *Fire Services Act* or the *Gas Act*, as the case may be.

- d) No mobile home shall be located elsewhere in a mobile home park than in a mobile home area on a mobile home pad that has been approved by the Building Inspector.
- e) No more than one mobile home shall be located in a mobile home space.
- f) Notwithstanding Subsection (d), no more than one unoccupied mobile home for every ten mobile home spaces in a park may be located in a designated storage area.

3.3 Setbacks

- a) No mobile home shall be located within 6 metres (19.69 feet) of another mobile home, or 1.5 metres of an ancillary building.
- b) No part of any mobile home or any addition shall be located:
- 1) within 2 metres (6.56 feet) of any internal access road right-of-way or common parking area;
 - 2) within 1.5 metres (4.92 feet) of any boundary of the mobile home space.
- c) No building or structure shall exceed 4.5 metres (14.8 feet) in height.

3.4 Skirting

- a) Skirtings shall be installed within sixty (60) 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 (3.94 feet) 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.
- b) Skirtings shall be factory prefabricated or of equivalent quality and shall be painted or pre-finished so that the design and construction should complement the main structure.
- c) Spaces shall be ventilated, as required pursuant to the B.C. Building Code.

3.5 Permissible Additions

- a) **Only the following additions to mobile homes are permitted:**
- 1) carports or garages;
 - 2) shelters against sun or rain (ramadas);
 - 3) vestibules;
 - 4) rooms (cabanas) added to a mobile home.
- b) All attached or accessory structures such as porches, sun rooms, additions, and storage facilities shall comply with the requirements of the B.C. Building Code.
- c) All attached or accessory structures shall require a Building Permit.

3.6 Parking (Off-Roadway)

- a) One level easily accessible car parking space shall be provided near each mobile home. In addition, for every two (2) mobile homes located adjacent to a collector or distributor road, one additional parking space shall be provided and for every one mobile home located adjacent to minor roadways, one additional parking space shall be provided.
- b) Parking spaces shall be graded for proper drainage and be paved or have a compacted gravel surface.
- c) Each parking space shall be a minimum of 2.5 metres (8.2 feet) wide by 6 metres (19.69 feet) long.

3.7 Owner's Residential Plot

- a) An owner's residential plot shall be permitted within a mobile home park if the area of the plot is not less than 325 square metres (3,498.39 square feet) when the residence is a mobile home unit, and 560 square metres (16,027.99 square feet) when the residence is a conventional dwelling unit.
- b) An owner's residence plot shall include sufficient area to provide one off-street parking space for owner's use and minimum of two parking spaces for visitors and customers.

3.8 Tenant's Storage

- a) **One storage facility (shed) may be constructed on each mobile home space, provided that:**
- 1) it is a maximum of 9 square metres (96.88 square feet) in floor area;

- 2) it does not exceed 2.5 metres (8.20 feet) in height.
- b) No tenant storage facility shall be located within 1.5 metres (4.92 feet) of another building, mobile home or structure, or within 2 metres (6.56 feet) of any internal access road, right-of-way, or common parking area.

3.9 Service Buildings and Storage Areas

- a) At least one open communal storage site having a surface area of a minimum average of 27 square metres (290.64 square feet) for each mobile home site will be located within each mobile home park. The communal storage site shall be located in a section of the park where it will not create a nuisance as to site, sound, or smell, be adequately landscaped, provide adequate security, and not be located in any buffer or recreation area. Not more than fifty per cent (50%) of the communal storage site may be developed with structures or buildings.
- b) **Each mobile home park shall be equipped with a park office or other suitable facility including a designated mobile home within the park for:**
 - 1) the reporting of problems of tenants concerning park facilities or other areas within the park administration responsibility;
 - 2) the pick-up of mail for each mobile unit where individual postal delivery to each mobile home lot is not available.

A copy of the plan required in Schedule 1 and a copy of this bylaw shall be made available at the park office for the reference of the residents.

3.10 Recreation Areas

- a) Not less than five per cent (5%) of the gross site area of the mobile home park shall be devoted to tenant's recreational uses, and shall be provided in a convenient and accessible location. For the purpose of calculating recreational space requirements, any indoor recreational space provided shall be counted as double its actual area.
- b) The recreation areas shall not include yard areas, parking areas, ancillary buildings, mobile home spaces, driveways and storage areas.
- c) In mobile home parks where more than 1000 square metres (0.25 acres) of recreation space is required, two or more recreational areas may be provided.
- d) Recreation areas in the mobile home park, except indoor recreation facilities, shall be of a grass or asphaltic surface and shall be properly landscaped.

- e) Swimming pools, if provided, shall comply with local building regulations and shall be separated from the remainder of the mobile home park by a fence not less than 1.5 metres (4.92 feet) in height.

3.11 Access, Roadways and Walkways

a) Access

A second access from a public highway separated by at least 60 metres (196.85 feet) from the first access, shall be provided to each mobile home park containing 50 or more mobile home spaces, up to a maximum of three accesses, subject to approval of the Ministry of Transportation and Highways.

b) Roadways and Walkways

- 1) 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 street systems.
- 2) **Minimum roadway width requirements shall be as follows:**
 - 1) Collector or distributor roads shall have a minimum paved (surfaced) width of 6.5 metres (21.33 feet) and a right-of-way of 12 metres (39.37 feet).
 - 2) *Minor Roadways:*
 - a) Cul-de-sacs and two-way minor roads shall have a minimum paved (surfaced) width of 4.9 metres (16.08 feet) and a right-of-way of 9 metres (29.53 feet);
 - b) One-way minor roads shall have a minimum paved (surfaced) width of 4.3 metres (14.11 feet) and a right-of-way of 9 metres (29.53 feet);
 - c) One-way minor roads shall not exceed 150 metres in length (492.13 feet);
 - d) Cul-de-sacs shall not exceed 100 metres (328.08 feet) in length;
 - e) Parking shall not be permitted on minor roadways except in dust-free or paved (surfaced) parking bays.
 - 3) 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 metres (39.37 feet).
 - 4) Roads shall be adapted to the topography, and shall have suitable gradient for safety of traffic.

- 5) Walkways shall provide safe, convenient, all season pedestrian access. They shall be of adequate width for intended use and shall be durable and convenient to maintain.
- 6) Individual walks shall provide access to each mobile home stand from a street or parking space connected to the street.
- 7) Common walks shall be located in areas where pedestrian traffic is concentrated; e.g., the park entrance, park office, and other important facilities. Common walkways should preferably be through interior areas removed from the vicinity of streets.
- 8) Width, alignment and gradient of walkways shall be appropriate for safety, convenience, and appearance, and shall be suitable for use both by pedestrians and for the circulation of small wheeled vehicles such as baby carriages and service carts.
- 9) Width of walkways shall generally be at least 0.75 metres (2.46 feet) for common walkways.

3.12 Drainage

- a) Paved gutters, drainlines or other necessary surface drainage structures shall be constructed in accordance with accepted engineering practice where erosion due to a high run-off velocity can occur. Where run-off quantities exceed natural drainage limitations, catch basins and storm sewers shall be constructed in accordance with accepted engineering practice to limit the increase in rate of water run-off to the hydraulic capacity of the natural drainage system.
- b) 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.
- c) Land development shall be designed to minimize any disruption of the natural drainage pattern.

3.13 Water Supply

The owner of a mobile home park shall supply the Regional District of Comox- Strathcona with proof of adequate water quantity and quality, as specified by Regional District water standards and by the Ministry of Health requirements.

- a) Waterworks systems shall be designed, fabricated and installed in accordance with good engineering practice and to the water supply standards as set by the Regional District.
- b) **Potable water shall be distributed to:**

- 1) each mobile home space;
 - 2) stand pipes or hydrants, if required.
- c) Water shall not be distributed to any terminal from which the water would not be intercepted by an approved sewage fixture, excepting hose bibs, stand pipes and hydrants.
- d) Each water distribution branch line serving a mobile home space shall have a minimum diameter of 19 millimetres (0.741 inches).
- e) The design and installation of the waterworks system shall be approved by the Regional District Engineer.

3.14 Sewage Systems

The owner of a mobile home park shall provide for the disposal of all waste water and of all body wastes that are generated within the mobile home park by providing a sewage system connected to all plumbing fixtures and sewage laterals in the mobile home park.

- a) This sewage system shall be designed, fabricated and installed in accordance with good engineering practice and to the sewer standards as set by the Regional District. The design and installation of a private sewage system shall be subject to the approval of the Regional District Engineer and the Public Health Inspector or the Waste Management Branch where their jurisdiction prevails.
- b) In each mobile home space a lateral sewer terminus shall be gas tight, protected from mechanical damage and protected from storm water infiltration.
- c) For the purpose of determining pipe sizes, each mobile home space shall be considered as having a hydraulic load according to requirements of the B.C. Plumbing Code.

3.15 Sewage Disposal

The owner of a mobile home park shall provide for the disposal of all sewage and water from a sewer system by causing the sewer system to discharge into a public or into a private sewage disposal system. The design and installation of a private sewage disposal system shall conform to the requirements of the *Health Act* or the *Waste Management Act*, as the case may be, and shall be approved by the Regional District Engineer.

3.16 Garbage Disposal

- a) The owner of a mobile home park shall dispose or arrange for disposal of garbage or refuse.
- b) **If the owner of a mobile home park establishes one or more depots within the park for the collection of garbage and refuse, he shall:**

- 1) provide fly-tight metal containers in ample number;
 - 2) maintain the containers so that they shall not become foul-smelling, unsightly, or a breeding place for flies;
 - 3) screen the depot with shrubs, trees or fencing from adjacent mobile home spaces.
- c) If garbage is to be disposed of on the site, the methods and locations shall be in accordance with the *Pollution Control Act*.

3.17 Fire Hydrants

Fire hydrants meeting the requirements of the Regional District shall be installed and connected to the internal water supply of a mobile home park such that no mobile home space is beyond 120 metres (393.7 feet) from a fire hydrant, as measured along the internal and/or external roadway system.

3.18 Street Lighting

- a) **Street lighting may be installed and maintained to adequately illuminate the travelled portion of the roadway at the following locations:**
- 1) the intersection of access roads and public highways;
 - 2) all internal intersections;
 - 3) the turning circle of cul-de-sacs;
 - 4) any point at which an internal roadway changes direction 30 degrees or more.
- b) Street illumination shall be provided from one half hour after sunset to one half hour before sunrise, if installed.

3.19 Buffer Areas

- a) **Every mobile home park shall have immediately within all its boundaries, a buffer area equal to the distance specified by the siting requirements of Section 4.6.17(iii) of this bylaw within which:**
- 1) no recreation, amenity or service areas may be located, except for waterfront recreation or amenity areas;
 - 2) no mobile home space or an owner's residential plot may be located;
 - 3) no building or structure may be erected or placed, except a sign, fence or walk, which may only be placed within 7.5 metres (24.6 feet) of any highway;

- 4) no garbage disposal area and no part of any private sewage disposal system, other than such parts of such systems as may be underground, shall be located;
 - 5) except where danger is involved, no plant material may be removed nor may any substance of which land is composed be deposited or removed, except as a part of a recognizable beautification scheme.
 - 6) no vehicle parking shall be located
- b) The only roads permitted in the buffer area are those which cross it as close to right angles as practical and connect directly with the road system contained within the remainder of the mobile home park. No road shall traverse the buffer area and give direct access from any public highways to any mobile home space.
- c) Where a mobile home park adjoins property which is zoned Residential, the buffer area immediately adjacent to such property shall be provided with screening that is adequate to maintain the privacy of the adjacent properties.

**RESIDENTIAL MOBILE HOME PARK
PERMIT APPLICATION**

1. _____
Property Owner's Name Authorized Agent

Mailing Address of Property Owner Mailing Address of Agent

City/Town/Village City/Town/Village

Postal Code Postal Code

Telephone Number Telephone Number

If more than one owner, please list on separate sheet.

2. Full legal description of property:

3. Intended use of property:

4. Location of property (i.e., road name or commonly used name of area):

5. Complete where applicable:

ARCHITECT, ENGINEER OR DESIGNER:

Name: _____

Mailing Address: _____

Telephone Number: _____

ENGINEER (Water, Sewer, Garbage):

Name: _____

Mailing Address: _____

Telephone Number: _____

SURVEYOR:

Name: _____

Mailing Address: _____

Telephone Number: _____

6. Class of Work:

NEW PARK

ADDITION TO PARK

ALTERATION TO EXISTING PARK

7. Description of Development:

Area of Property: _____ hectares _____ acres.

8. Fees:

Application Fee: \$ _____

Renewal Fee: \$ _____

9. The applicant must provide the following as part of this application:

**TWO COMPLETE AND LEGIBLE SETS OF PLANS
TO A SUITABLE LARGE SCALE
(Minimum acceptable scale 1:500), with:**

- a) the area dimensions and legal description of the parcel of land;
- b) the front, rear and side yard areas;
- c) the number, location, dimensions and designation of all mobile home areas, mobile home spaces, and mobile home pads, the location and dimensions of all roadways, the owner's residential plot (if any), and, if included, any amenity or recreation areas;
- d) the dimensions and location of all service buildings, mobile homes, the owner's residence, and other structures;
- e) the internal layouts of all service buildings, other structures and the owner's residence;
- f) the location and details of all on-site garbage and refuse disposal areas;
- g) a north arrow and notation of the scales used;
- h) a general landscaping plan for the site;
- i) all water courses or water frontage within or adjacent to the land concerned;
- j) all steep banks or slopes within or adjacent to the land concerned;
- k) the relationship of the proposed mobile home park to adjacent roads;
- l) the elevation and grade of all floors of all buildings, mobile homes, and all mobile home pads and the elevation and grade of all roadways that are on site;
- m) two complete layouts for sanitary and storm drainage systems showing sewer elevations, manholes, cleanouts, connections, water supply, and fire fighting facilities.

10. The applicant shall retain a Professional Engineer to design services and specifications for water and sewer services, as required.

11. The applicant shall obtain all the necessary approvals from outside agencies as part of this application.

(Office Use Only)

SPECIAL APPROVALS:

	<i>Approved</i>	<i>Not Approved</i>
Public Health Inspector		
Sewage Disposal	_____	_____
Waste Water Disposal	_____	_____
Public Health Engineering		
Ministry of Environment		
Community Water Supply	_____	_____
Highways		
Road Access	_____	_____
Local Improvement District:		
_____	_____	_____
Fire Inspector	_____	_____
Regional Director Engineer	_____	_____
Board of Variance	_____	_____
Planning Department	_____	_____

Conditions of Permit:

Date Application Received: _____
Approved For Issuance By: _____
Date Approved: _____

**RESIDENTIAL MOBILE HOME PARK
PERMIT**

Property Owner's Name:

Mailing Address:

Agent's Name:

Mailing Address:

Legal Description:

Conditions of Permit:

Approved by: _____

Date: _____

Fee: _____

OFF STREET PARKING REQUIREMENTS

1) **GENERAL REQUIREMENTS**

- 1.1 For every building or structure to be erected or enlarged, off-street parking located within the same zone as the use and having unobstructed access to a public street shall be provided.
- 1.2 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.
- 1.3 When off-street automobile parking is required in accordance with the schedule listed in this section, a plan of the proposed provision suitably drawn to scale showing the off-street parking spaces and access driveways shall be filed with the Building Department prior to issuance of a building permit.

2) **PARKING SPACE SIZE AND LOCATION**

- 2.1 All off-street parking spaces shall have a clear length of not less than six metres (19.69 feet), a clear width of not less than 2.8 metres (9.19 feet), a clear height of not less than 2.1 metres (6.89 feet).
- 2.2 All parking areas shall be provided with adequate driveways to facilitate vehicular movement to and from all parking spaces.
- 2.3 No parking space in a parking area shall gain access directly from a street.
- 2.4 No parking shall be permitted within 3.5 metres (11.48 feet) of any property line.
- 2.5 No parking space shall be located closer than 16.5 metres (54.13 feet) to the centre line of the road right-of-way of the Island Highway. If the road right-of-way is not known, a minimum of 16.5 metres (54.13 feet) from the centre line of the road shall be required.

3) **REQUIRED NUMBER OF OFF-STREET PARKING SPACES**

3.1 The minimum number of off-street parking spaces shall be provided in accordance with the following table:

<u>Building Class or Type</u>	<u>Required Number Of Spaces</u>
1) Auto sales and/or repair facilities	<ul style="list-style-type: none">• 1 per 70 m² (753.5 ft²) of sales floor area• + 1 per service bay• + 1 per 2 employees
2) Animal hospital/kennels	<ul style="list-style-type: none">• m1 per 2 employees• + 1 per vet
3) Auction (indoor)	<ul style="list-style-type: none">• 1 per 10 m² (107.64 ft²) auction floor
4) Bank	<ul style="list-style-type: none">• 1 per 20 m² (215.28 ft²) gross floor area
5) Beach, swimming	<ul style="list-style-type: none">• per 9 m² (96.88 ft²) developed beach above high water mark
6) Bowling alley	<ul style="list-style-type: none">• m3 per alley
7) Boat sales and repair	<ul style="list-style-type: none">• 1 per 2 employees• + 1 per 100 m² (1076.43 ft²) of display area (covered and outside)
8) Building materials supply	<ul style="list-style-type: none">• 1 per 2 employees• + 1 per 200 m² (2152.85 ft²) of covered sales and storage
9) Campground/overnight trailers	<ul style="list-style-type: none">• 1 per space plus 2
10) Cafe, dining room, pub, etc.	<ul style="list-style-type: none">• 1 per 3 seats
11) Cafe, drive-in	<ul style="list-style-type: none">• Nil, but requires some approach storage
12) Cafe, take-out only	<ul style="list-style-type: none">• 15

- | | | |
|------|---------------------------------------|---|
| 13) | Church, funeral parlour | • Rural - 1 per 5 seats |
| 14) | Clubs, lodges | • 1 per 5 seats |
| 15) | Contractor's yard | • 1 per 2 employees |
| 16) | Cultural facility (art gallery, etc.) | • 1 per 40 m ² (430.57 ft ²) of gross floor area |
| 17) | Gas station, tire repair | • 1 per 2 employees on duty
• + 2 per service bay |
| 18) | Grocery store, corner | • 1 per 15 m ² (161.46 ft ²) of gross floor area of retail portion of building, or 4, whichever is greater |
| 19) | Golf course (18 tees) | • 150 spaces |
| | Golf course (9 tees) | • 75 spaces |
| 20) | Golf driving range | • 1 per tee
• + 1 per 2 employees |
| 21) | Hospital | • 1 per 2 employees
• + 1 per 5 beds |
| 22) | Hotel | • 1 per 2 rooms
• + 1 per 3 seats--cafe, bar, etc. |
| 223) | Laundry / Dry cleaning | • 1 per 2 employees
(counted as total of 2 shifts) |
| 24) | Laundromat | • 1 per 3 washing machines |
| 25) | Motel (room only) | • 1.1 x number of units |
| 26) | Motel (rooms plus cafe) | a) number seats in the cafe less the number of units. 1.1 x number units + 1 per 3 seats cafe
b) number seats in the cafe equal or greater than the number of units . 9 x number units + 1 per 3 seats in the cafe |
| 27) | Machinery sales | • 1 per 2 employees
• + 1 per 100 m ² (1076.43 ft ²) of sales floor area |
| 28) | Manufacturing/Industrial | • 1 per 2 employees (counted as total of 2 shifts) |

- 29) Marina
 - 1 per 2 boat spaces
 - + 1 per 2 employees
- 30) Nurseries/greenhouses
 - 1 per 15 m² (161.46 ft²) of gross floor area of retail sales building
- 31) Offices, single tenant
 - 1 stall per 35 m² (376.25 ft²) of gross floor area
- 32) Offices, multi-tenant
 - 1 per 30 m² (322.93 ft²) gross floor area
- 33) Pool, swimming
 - 1 per 4 m² (43.06 ft²) of pool water surface
- 34) Post Office
 - 1 per 2 employees counted as total of two shifts
- 35) Residential, single
 - 2 per family dwelling unit & duplex
- 36) Residential, multi-family
 - 1.5 per dwelling unit
 - + 1 per 100 m² (1076.43 ft²) floor area of building exceeding 60 m² (645.86 ft²) x no. of dwelling units
- 37) Retail and personal establishments
 - 1 per 15 m² (161.46 ft²) of gross floor area
- 38) Recreation centre
 - 1 per 10 m² (107.64 ft²) of ice area
 - + 1 per 4 m² (43.06 ft²) of pool surface
 - + 1 per player capacity other sports
- 39) School, elementary
 - 1 per employee
- 40) School, secondary
 - 1 per employee
 - + 1 per 10 students
- 41) Shopping centre, (Neighbourhood 1)
 - 6.5 per 100 m² (1076.43 ft²) of gross leasable area
- Shopping centre, (Community 2)
 - 5.5 per 100 m² (1076.43 ft²) gross leasable area
- 43) Tourist attraction
 - 1 per 4 persons capacity
- 44) Vegetable/produce stand
 - 4 per sales clerk
- 45) Warehouse
 - 1 per 2 employees as total of 2 shifts

1 SHOPPING CENTRE, NEIGHBOURHOOD — size of between 3000 m² G.L.A. and 7500 m² G.L.A. with a dominant store. The site area is generally of between 15000 m² and 40000 m².

2 SHOPPING CENTRE, COMMUNITY — size of between 5500 m² G.L.A. to 17,000 m² G.L.A. dominant store. The site area is generally between 40,000 m² and 120,000 m².