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MALAHAT LAND USE BYLAW, 1981

BYLAW NO. 980

A BYLAW TO REGULATE LAND USE AND SUBDIVISION FOR A PORTION OF THE JUAN DE
FUCA ELECTORAL AREA OF THE CAPITAL REGIONAL DISTRICT PURSUANT TO THE
PROVISIONS OF PART 26 OF THE *LOCAL GOVERNMENT ACT*

Consolidated for Public Convenience Only

Juan de Fuca Electoral Area Planning

#3 – 7450 Butler Road, Sooke, BC V9Z 1N1

Tel: 250.642.1500 | Fax: 250.642.5274 | Web: www.crd.bc.ca



Amending Bylaws Consolidated

Bylaw No.	Amendment	Adopted	Geographic Area/Comment
0998	001	09/06/1982	Colwood EA
1026	002	12/01/1983	Colwood EA
1027	003	27/07/1983	Colwood EA
1043	004	13/10/1982	Langford EA
1044	005	13/10/1982	Planning Area 2
1058	006	24/11/1982	Colwood EA
1074	007	10/11/1982	Colwood EA
1089	008	23/03/1983	Colwood EA
1119	009		Planning Area 2
1145	010	07/09/1983	Colwood EA
1146	011	07/09/1983	Langford EA
1148	012		Planning Area 2
1161	013	07/09/1983	Colwood EA
1167	014	07/09/1983	Langford EA
1168	015	11/01/1984	Colwood EA
1176	016	26/10/1983	Langford EA
1177	017	07/09/1983	Langford EA
1181	018		Langford EA
1182	019	12/10/1983	Langford EA
1185	020	14/12/1983	Langford EA
1191	021		Langford EA
1201	022	22/02/1984	Colwood EA
1205	023		Colwood EA
1206	024		Colwood EA
1213	025		Colwood EA
1214	026	09/05/1984	Langford EA
1221	027		Langford EA
1246	028	22/08/1984	Colwood EA
1259	029	14/11/1984	Colwood EA
1273	030	10/10/1984	Colwood EA
1274	031	24/10/1984	Langford EA
1275	032	24/10/1984	Colwood EA
1280	033	12/09/1984	Colwood EA
1299	034	13/03/1985	Colwood EA
1304	035	16/01/1984	Langford EA
1305	036		Langford EA
1324	037	10/04/1985	Langford EA
1333	038	11/09/1985	Langford EA
1346	039	24/07/1985	Langford EA
1350	040	09/10/1985	Langford EA
1367	041	24/07/1985	Planning Area 2
1370	042	10/11/1987	Langford EA
1379	043		Langford EA
1380	044	14/05/1986	Langford EA

Bylaw No.	Amendment	Adopted	Geographic Area/Comment
1390	045	Rescinded by Bill 62	Langford EA
1391	046	Rescinded by Bill 62	Langford EA
1392	047	Rescinded by Bill 62	Langford EA
1393	048	Rescinded by Bill 62	Langford EA
1399	049	23/04/1986	Langford EA
1412	050	23/04/1986	Langford EA
1415	051	09/09/1987	Langford EA
1416	052	09/09/1987	Langford EA
1417	053	09/09/1987	Langford EA
1418	054	09/09/1987	Langford EA
1445	055	27/08/1986	Langford EA
1446	056	27/08/1986	Langford EA
1461	057	12/11/1986	Langford EA
1468	058	17/12/1986	Langford EA
1474	059	27/08/1986	Langford EA
1475	060		Langford EA
1488	061	11/02/1987	Langford EA
1490	062	11/02/1987	Langford EA
1496	063	22/04/1987	Langford EA
1516	064	13/05/1987	Langford EA
1523	065		Langford EA
1526	066		Langford EA
1543	067	09/09/1987	Langford EA
1545	068	10/06/1987	Langford EA
1565	069	25/11/1987	Langford EA
1566	070		Langford EA
1570	071	13/01/1988	Langford EA
1571	072	13/01/1988	Langford EA
1572	073	13/01/1988	Langford EA
1575	074	27/01/1988	Langford EA
1576	075	24/05/1989	Langford EA
1587	076	27/01/1988	Langford EA
1598	077	13/04/1988	Langford EA
1599	078	11/05/1988	Langford EA
1600	079	13/04/1988	Langford EA
1611	080	23/03/19889	Langford EA
1612	081		Langford EA
1614	082	12/10/1988	Langford EA
1621	083	13/07/1988	Langford EA
1622	084		Langford EA
1637	085	10/08/1988	Langford EA
1641	086	12/10/1988	Langford EA
1653	087	23/11/1988	Langford EA
1660	088	23/11/1988	Langford EA
1664	089		Langford EA

Bylaw No.	Amendment	Adopted	Geographic Area/Comment
1673	090	25/01/1989	Langford EA
1676	091	22/03/1989	Langford EA
1686	092	28/06/1989	Langford EA
1696	093		Langford EA
1716	094		Langford EA
1753	095		Langford EA
1762	096	24/01/1990	Langford EA
1763	097	25/04/1990	Langford EA
1777	098		Langford EA
1779	099	25/04/1990	Langford EA
1781	100	23/05/1990	Langford EA
1794	101	11/04/1990	Langford EA
1811	102	08/08/1990	Langford EA
1813	103	26/02/1992	Langford EA
1818	104		Langford EA
1822	105	10/10/1990	Langford EA
1826	106	09/01/1991	Langford EA
1839	107	26/02/1992	Langford EA
1856	108	09/01/1991	Langford EA
1858	109		Langford EA
1860	110	24/04/1991	Langford EA
1869	111	13/02/1991	Langford EA
1878	112	24/04/1991	Langford EA
1884	113	09/01/1991	Langford EA
1892	114	26/06/1991	Langford EA
1893	115	13/03/1991	Langford EA
1896	116	11/09/1991	Langford EA
1908	117	12/06/1991	Langford EA
1929	118	26/06/1991	Langford EA
1930	119	26/06/1991	Langford EA
1943	120	10/07/1991	Langford EA
2006	127	22/04/1992	Langford EA
2021	128	24/06/1992	Langford EA
2037	129	24/06/1992	Langford EA
2041	130		Langford EA
2057	131	16/12/1992	Langford EA
2059	132		Langford EA
2065	133		Langford EA
2113	134	09/06/1993	Langford EA
2159	135		Langford EA; Replaced by 2159
2159	136		Langford EA
3057	137		Langford EA; Z-05-02; Didn't proceed
3058	138		Langford EA; Z-05-02; Didn't proceed
3529	139		Withdrawn
3696	140	10/11/2010	Malahat; Z-07-07; Gb3A

Bylaw No.	Amendment	Adopted	Geographic Area/Comment
3724	141		Replaced by 3874
3830	142		Z-03-12
3874	143	09/10/2013	Malahat; Housekeeping
3927	144	10/06/2015	Medical Marihuana
3960	145	10/06/2015	Chatham and Discovery Islands

SCHEDULE A

(BL 3874)

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Section 1.1

Purpose

- 1.1.01** This Bylaw regulates the development and *use* of land and the location and *use* of *buildings* and *structures* erected thereon, having due regard to:
- (1) The promotion of health, safety, convenience, and welfare of the public;
 - (2) The prevention of the overcrowding of land, and the preservation of the amenities peculiar to any zone;
 - (3) The securing of adequate light, air, and access;
 - (4) The value of the land and the nature of its present and prospective *use* and occupancy;
 - (5) The character of each zone, the character of the *buildings* already erected, the peculiar suitability of the zone for particular *uses* and the particular densities for particular zones; (BL 1660)
 - (6) The conservation of property values.
- 1.2.01** Deleted (BL 1660)

Section 1.2

Definitions

ACCESSORY BUILDING means a *building*, the *use* or intended *use* of which is ancillary or subordinate to that of the principal *building*;

ACCESSORY USE means a *use* which is ancillary or subordinate to the *principal use*;

AGRICULTURAL ZONE means the AG1 or AG2 Zones;

AGRICULTURE means a *use* providing for growing, rearing, producing and harvesting of agricultural products; includes the storage and sale of an individual farm of the products harvested, reared, or produced on that farm and the storage of farm machinery and implements used on that farm, specifically excludes *intensive agriculture* and all manufacturing, processing, storage and repairs not specifically included in this definition;

ANIMAL HOSPITAL means any *building* in which animals are medically treated or hospitalized;

APARTMENT means a *building* divided into not less than three *dwelling units* other than Attached Housing, specifically excludes a *building* used for a *Hotel* or *Motel*;

APARTMENT (SENIOR CITIZENS) means an *apartment* providing accommodation for persons over 55 years of age and constructed under provincial and/or federal cost sharing or funding programs and operated by provincial, federal, or municipal governments, or non-profit societies;
(BL 1074)

ASSEMBLY USE means a *use* providing for the assembly of persons for religious, charitable, philanthropic, cultural, private recreational, or private educational purposes; includes auditoriums, youth centres, social halls, group camps, excludes *churches*;

ATTACHED HOUSING means a *building* (or *buildings*) divided into not less than three *dwelling units* with each *dwelling unit* having direct access to the outside at grade, specifically excludes a *building* used for *Hotel* or *Motel*;

AVERAGE PARCEL SIZE means the area obtained by dividing the area of the *lot* to be subdivided, less the area of any dedicated roads, by the number of *lots* to be created by the plan of subdivision;
(BL 1660)

BED AND BREAKFAST means a *use* within a principal dwelling or *accessory building* where permitted by this Bylaw, which provides temporary accommodation to the travelling public for periods of less than one month, but which does not provide meals, other than breakfast, and does not provide cooking facilities for guests;
(BL 3874)

BED AND BREAKFAST UNIT means temporary accommodation provided in a *bed and breakfast*, which consists of a sleeping room, a bathroom or shared bathroom, and may include a sitting room or a share in a sitting room, but which specifically excludes cooking facilities and kitchens;
(BL 3874)

BOARDER means an individual who for consideration receives accommodation together with meals;

BUILDING means any *structure* used or intended for supporting or sheltering any *use* or persons, animals or property;

CAMPSITE means a facility approved pursuant to the *Campsite Regulations* of the *Health Act*, specifically excludes a *Mobile Home Park*;

CHIEF BUILDING INSPECTOR means the *Chief Building Inspector* of the Capital Regional District;

CHIEF COMMUNITY PLANNER means the General Manager of Planning and Protective Services of the Capital Regional District (BL 3874)

CHURCH means a *building* wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship;

CIVIC USE means a *use* providing for public functions under the auspices of a government body; includes offices, public schools and colleges, public hospitals, community centres, libraries, museums, jails and prisons, courts of law;

COMMERCIAL ZONE means the C1, C2, C3, C4, C5, C6, C7, CS1, CS2, CS3, CS4, CR1, CR2, CT1, CT2 Zones; (BL 998, BL 1543, BL 1794, BL 1860)

COMMUNITY CARE FACILITY means a facility licensed pursuant to the *Community Care Facility Act*;

CORNER LOT means a *lot* at the intersection or junction of two or more *highways*;

DETACHED ACCESSORY SUITE means an accessory *dwelling unit* contained in an *accessory building* and that is approved by a building permit pursuant to the *BC Building Code*; (BL 3874)

DEVELOPMENT PERMIT AREA means an area so designated by the Regional Board, in which an owner of land shall, prior to the commencement of a development other than one of three or less self-contained *dwelling units*, obtain or hold a development permit;

DRIVE-IN BUSINESS means an establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles which are driven onto the site where such business is carried on and where normally the customer remains in the vehicle for service, specifically excludes drive-in theatres and gasoline service stations;

DWELLING, ONE-FAMILY means a *residential use* in a *building* which is used for only one *dwelling unit*;

DWELLING, TWO-FAMILY means a *residential use* in a *building* which is divided into two *dwelling units* which are either placed one above the other (known as up-and-down) or side by side (known as side-by-side) sharing a floor ceiling assembly or a common wall dividing habitable space, each unit of which is occupied or intended to be occupied as the permanent home or residence of one *family*, specifically excludes *dwelling units* attached by *carport*, *sundeck*, *breezeway* or other similar *structures*; (BL 2113)

DWELLING UNIT means one or more rooms for the use of one or more persons as a housekeeping unit with cooking, eating, living, sleeping and sanitary facilities;

FAMILY means one or more persons occupying a *dwelling unit* and living as a single non-profit housekeeping unit;

FLANKING STREET means the *highway* abutting the *side yard* of a *lot*;

FLOOR AREA means the space on any *storey* and/or basement of a *building* from exterior wall to exterior wall, excludes *garages*, *carports* and *sundecks*; includes all habitable areas; (BL 2113)

FLOOR AREA RATIO means the figure obtained when the *Gross Floor Area* of all the *buildings* on a *lot* is divided by the area of the *lot*, except that the following shall not be included as *floor area* for the purpose of computing *floor area ratio*:

- (1) Any portion of a *storey* used for parking purposes, unless such parking is a *principal use*;
- (2) Any portion of a basement or cellar containing heating, laundry, recreational or storage facilities, but excluding areas used for habitable accommodation, and necessary access to habitable accommodation;
- (3) Swimming pools and open sun decks;
- (4) Any portion of a penthouse containing elevator or ventilating machinery;

FRONT BUILDING LINE means the extended line of the wall of a building which faces the *front lot line*;

FRONTAGE means that part of a parcel boundary which borders on a *highway*, other than a lane or walkway; (BL 1660)

GARAGE OR CARPORT means a detached *accessory building* or a portion of a *principal building* whose *principal* or intended *use* is for the parking or temporary storage of motor vehicles and in which there is not facilities for repairing or servicing such vehicles;

GREENBELT ZONE means the Gb1, Gb2, Gb2A, Gb3, Gb3A, GR1, GR2, GR3 and GR4 Zones; (BL 1660, BL 3696)

GROSS FLOOR AREA means the sum of the total *floor area* of each *storey* in each *building* including exterior walls;

HEIGHT means the average vertical distance from natural grade at the outermost corners of a *building* or *structure* to the highest point of the roof surface of a flat roof, or to the mean level between the eaves and the ridge of the highest roof plane of a gable, hip, gambrel or other sloping roof, and in the case of a *structure* without a roof to the highest point of the *structure*, as shown in Figure 1. Where it is not possible to determine natural grade, the *height* shall be measured from average grade;

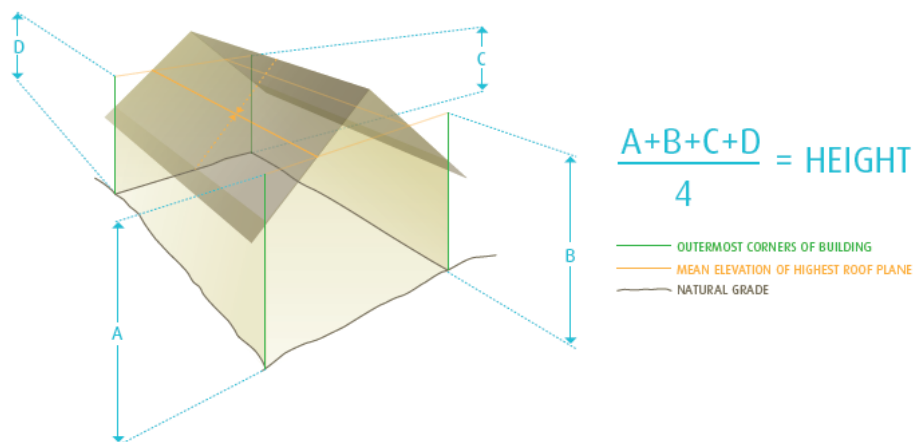


FIGURE 1 - Illustration of calculation of height

(BL 3874)

HIGHWAY includes a street, road, lane, bridge, 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 an occupation or profession which is clearly incidental to the *use* of a *dwelling unit* for residential purposes, or to the *residential use* of a *lot* occupied by a dwelling;

HOTEL means a *building* or *buildings* providing accommodation for the travelling public only, in units without cooking facilities each of which has its own sanitary facilities including water closet and wash basin, in respect of which:

- (a) a guest register is required to be kept pursuant to the ***Hotel Guest Registration Act***;
- (b) a public dining room or café is associated;

IMPLEMENT OF HUSBANDRY means a vehicle used exclusively in the conduct of an agricultural *use*, but does not include a vehicle used primarily for the transportation of persons or property on a *highway*;

INDUSTRIAL USE means a *use* providing for the processing, fabrication, assembling, storing, transportation, distributing, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials, or things, and the selling of heavy industrial equipment and retail *uses* incidental to a *principal industrial use*; includes the operation of truck terminals, docks, railways;

INDUSTRIAL ZONE means the M1, M2 and M3 Zones;

INTENSIVE AGRICULTURE means piggeries, feed lots, mushroom farms, mink farms, and the keeping of animals which are other than farm livestock and manure storage piles; (BL 1146)

INTENSIVE AGRICULTURE – MEDICAL MARIHUANA PRODUCTION means a use related to the growing, production, possessing, selling, provision, shipping, delivering, transporting, destroying, research, exporting and/or importing of marihuana for medical purposes undertaken by a medical marihuana licensed producer pursuant to the ***Marihuana for Medical Purposes Regulation, SOR/2013-119***, where the use is expressly permitted by a zone; (BL 3927)

INSTITUTIONAL ZONE means the P1, P2, P3 and P4 Zones;

LANDSCAPE CONTRACTOR means a person who requires the *use* of land, *buildings* or *structures* for the supply of landscape services in conjunction with a *nursery*, with or without equipment, machinery and material used for growing of bedding plants, flowers, shrubs and trees for the business; (BL 1860)

LANDSCAPE SCREEN means an opaque visual barrier formed by a row of shrubs or trees, a wooden fence, or a masonry wall, or a combination thereof;

LANDSCAPING means the planting of lawns, shrubs and trees, and the addition of fencing, walks, drives, or other *structures* and materials used in landscape architecture;

LODGER means an individual who for consideration receives accommodation but not meals;

LOT means any lot, block, or other area in which real property is held or into which real property is subdivided, and includes a strata lot created under the ***Bare Land Strata Regulations*** pursuant to the ***Condominium Act***, but specifically excludes any other strata lot created pursuant to the ***Condominium Act*** or *highway* or portion thereof; (BL 1275)

LOT COVERAGE means the horizontal area within the vertical projection of the outermost walls of the *buildings* and *structures* on a *lot*, expressed as a percentage of the *lot* area;

LOT LINE means a line which marks the boundary of a *lot* and in particular:

- (a) **Front Lot Line** means the *lot line* that divides the *lot* from the *highway*, provided that in the case of a *corner lot*, the shorter *lot line* that abuts the *highway* shall be deemed to be the front lot line. In the case of a *through lot*, the *lot lines* abutting two parallel or approximately parallel *highways* shall be considered as front lot lines;
- (b) **Front Lot Line – Panhandle Lot** means any *lot line* adjoining and approximately perpendicular to the access strip, but excluding any *lot line* in the access strip;
- (c) **Side Lot Line** means a *lot line* other than a *front* or *rear lot line*;
- (d) **Rear Lot Line** means the *lot line* opposite to and most distant from the *front lot line*, or where the rear portion of the *lot* is bounded by intersecting *side lot lines*; it shall be the point of such intersection;

MEDICAL MARIHUANA LICENSED PRODUCER means a licensed producer pursuant to the *Marihuana for Medical Purposes Regulation, SOR/2013-119* authorized to grow, produce, possess, sell, provide, ship, deliver, transport, destroy, research, export and/or import marihuana for medical purposes;
(BL 3927)

MOBILE HOME means a transportable *dwelling unit* meeting minimum CSA-Z240 standards or equivalent, suitable for long-term occupancy, which upon arriving at the *lot* or site for location is, apart from incidental operations such as placement on foundation supports and connection to utilities, ready for occupancy; does not include modular housing or a prefabricated dwelling meeting CSA-A277 standards or equivalent;

MOBILE HOME PARK means a *lot* on which are installed, or intended to be installed, for *use* as *dwelling units*, two or more *mobile homes*;

MOTEL means a *building* or *buildings* providing accommodation for the travelling public only, each unit of which has its own sanitary facilities including water closet and wash basin, in respect of which a guest register is required to be kept pursuant to the *Hotel Guest Registration Act*;

MULTIPLE-FAMILY RESIDENTIAL ZONE means the RM1, RM2, RM3, RM5 and RM6 Zones;
(BL 1416, BL 1417)

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

NON-CONFORMING USE means any lawful *use* existing at the time of the adoption of this Bylaw which does not conform to all the provisions of this Bylaw for the zone in which such *building* or *use* is located;

NURSERY means the inclusion of the *use* of land principally involved in horticulture and accessory product sales, but specifically excludes the sale of garden equipment and pesticides;
(BL 1860)

PANHANDLE LOT means any *lot*, the building area of which is serviced and gains *frontage* through the *use* of a relatively narrow strip of land which is an integral part of the *lot* (hereinafter called “the access strip”);

PERSONAL CARE USE means a *use* providing for the care of the sick, injured, young, or aged, other than in a public hospital; may or may not be licensed under the ***Community Care Facility Act***;

PIGGERY means a premises keeping more than one sow or gilt of breeding age and more than 14 feeder pigs;

PRINCIPAL BUILDING means a *building* which is the chief or main one among the *buildings* on the *lot*;

PRINCIPAL USE means the primary and chief purpose for which land, *buildings* and *structures* are located;

PROFESSIONAL OFFICE means the business premises of an individual whose occupation is limited by law to persons qualified to practice in a specified field, and includes the office of a Member of Parliament of Canada or a Member of the Legislative Assembly of British Columbia;
(BL 1794)

PUBLIC UTILITY USE means a *use* providing for public utility facilities for water, sewer, electrical, telephone, and similar services where such *use* is established by one of the levels of government, a Crown Corporation, or by a company regulated by a government commission;

RECREATION VEHICLE means a motor vehicle or trailer designed or used primarily for accommodation during travel or recreation;

RESIDENTIAL BUILDING means a *one-family dwelling*, *two-family dwelling*, *attached housing* or *apartment*;

RESIDENTIAL USE means the occupancy or *use* of a *building* or part thereof as a *dwelling unit*;

RESIDENTIAL ZONE means the A1, A2, AR1, AR2, R1, R2, RH1 and R3 Zones;
(BL 1415, BL 1505, BL 1660)

RETAIL STORE means a *building* where goods, wares, merchandize, substances, articles or things are offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such stores, but does not include any other retail *use* specifically permitted by this Bylaw;

SECONDARY SUITE means an accessory *dwelling unit* contained within the principal dwelling, and that is approved by a building permit pursuant to the ***BC Building Code***; (BL 3874)

SHOPPING CENTRE means commercial facilities in one or more *buildings* designed as an integrated unit;

SHOPPING CENTRE, NEIGHBOURHOOD means a *shopping centre* having a gross leasable area of more than 2,500 m² but less than 700 m²; (BL 1637)

SHOPPING CENTRE, COMMUNITY means a *shopping centre* having a gross leasable area of 7000 m² or more but less than 17,000 m²;

SHOPPING CENTRE, MAJOR means a *shopping centre* having a gross leasable area of 17,000 m² or more;

SIGHT TRIANGLE means the area formed by a triangle in the angle formed by the *highway* right-of-way boundaries or boundaries produced and two points on those boundaries 6 m from the point of intersection;

STOREY means that portion of a *building* which is situated between the top of any floor and top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and ceiling above it; (BL 3874)

STRUCTURE means anything constructed, erected or placed, the *use* of which requires location on the ground or attachment to something having location on the ground, includes a satellite dish antenna; excludes concrete or asphalt or similar surfacing of a *lot*, fences, signs and underground sewage disposal facilities; (BL 1299)

TAXI OFFICE means an office from which taxis are dispatched by radio to pick up fares;

THROUGH LOT means a *lot* abutting two parallel or approximately parallel *highways* of 10 m or more in width;

UNENCLOSED STORAGE means an area not contained within a *building* where construction materials and equipment, solid fuels, lumber and new building materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, equipment or machinery are stored, baled, placed, piled or handled. Unenclosed storage shall not include an automobile wrecking yard or a junk yard;

UPLAND ZONE (deleted) (BL 1145, BL 1660)

USABLE OPEN SPACE means an area available for safe and convenient *use* by occupants of the *building*. *Usable open space* shall have a compact, level surface, have no dimension of less than 6 m, and shall provide for recreational space and other leisure activities normally carried on outdoors. This area shall not include areas used for off-street parking or loading, areas used for sewage disposal, driveway and required *front yards*;

USE means the purpose or function to which land, the surface of water, *buildings*, or *structures* are designed, intended to be put, or put;

WATERCOURSE is any natural or man-made depression with well-defined banks and a bed 0.6 m 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 2 km² or more or as required by a designated official of the Ministry of Environment of the Province of British Columbia;

YARD, FRONT means the area of a *lot* between the *principal building* and the *front lot line* in depth and between *side lot lines* in width;

YARD, REAR means the area of a *lot* between the *principal building* and the *rear lot line* in depth and between the *side lot lines* in width;

YARD, SIDE means the areas of a *lot* between the *principal building* and the *side lot lines* in width and from the *front yard* to the *rear yard* in depth.

Section 1.3 Administration and Enforcement

1.3.01 Application

No land, *building* or *structure*, including the surface of water, shall hereafter be used or occupied and no *building* or *structure* or part thereof shall be erected, moved, altered or enlarged except in conformity with this Bylaw, and the contrary shall be unlawful.

1.3.02 Non-compliance with Siting, Size and Shape Requirements

A *building* existing at the time of adoption of this Bylaw which fails to comply with the requirements relating to siting, size and shape, shall not be altered or extended, unless such alterations or extensions are in accordance in all respects with the requirements of this Bylaw.

1.3.03 Non-conforming Uses

The regulations governing *non-conforming uses* are set forth in the **Local Government Act**.

The lawful *use* of any land, *building* or *structure* existing at the time of the adoption of this Bylaw may be continued (subject to the provisions of Section 911 of the **Local Government Act**), although such *use* does not conform with the provisions of this Bylaw.
(BL 3874)

1.3.05 Deleted

1.3.04 Appeal

The Board of Variance duly established under a Bylaw of the Capital Regional District shall hear and determine any appeal permitted by Sections 901 and 902 of the **Local Government Act**.
(BL 3874)

1.3.06 Enforcement

(1) Inspection:

The *Chief Community Planner* and any person acting for him may enter on any property at all reasonable times to ascertain whether the regulations contained herein are being observed.

(2) Violation:

(a) No person shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.

(b) A person who contravenes this Bylaw by doing an act that it forbids, or by omitting to do any act that it requires to be done, commits an offence and is liable to a fine of not less than one hundred dollars (\$100.00) and not more than the maximum fine prescribed in the **Offence Act**.
(BL 1884)

(c) The penalties imposed under Clause (b) hereof shall be in addition to, and not in substitution for, any other penalty or remedy imposed by this Bylaw.

1.3.07 Severability

No provision of this Bylaw depends for its validity on the validity of any other provision.

1.3.08 Area Covered by Bylaw

This Bylaw applies to that part of the Juan de Fuca Electoral Area outlined on Schedule "B": Map 1 – Malahat Land Use Bylaw Zoning. (BL 1280, BL 1660, BL 3874)

1.3.09 Zones

For the purposes of this Bylaw, the area specified in Section 1.3.08 of this Bylaw is hereby divided into the following zones:

Short Form	Zone	
Gb1	Greenbelt 1	
Gb2	Greenbelt 2	
Gb2A	Greenbelt 2A	
Gb3	Greenbelt 3	
Gb3A	Greenbelt 3A	(BL 3696)
AG1	Agricultural 1	
AG2	Agricultural 2	
AG3	Agricultural 3	
A1	Rural 1	
A2	Rural 2	
AR1	Rural Residential 1	
AR2	Rural Residential 2	
GR1	Greenbelt Residential 1	
GR2	Greenbelt Residential 2	
GR3	Greenbelt Residential 3	
GR4	Greenbelt Residential 4	
R1	Residential 1	
R2	One-Family Dwelling	
R3	Residential Services	
RH1	Mobile Home Park	
RM1	Low Density Attached Housing	
RM2	Attached Housing	
RM3	Apartment	
RM4	Apartment [Senior Citizens]	
RM5	Residential Service [Attached]	
RM6	Residential Service [Apartment]	
C1	Neighbourhood Commercial	
C2	Community Commercial	
C3	District Commercial	
C4	Apartment Commercial	
C5	Office Commercial	
C6	Neighbourhood Public House	
C7	Professional Office	(BL 1794)
CS1	Service Commercial	
CS2	Highway Commercial	
CS3	Commercial Industrial	
CS4	Nursery Commercial	(BL 1860)
CR1	Commercial Recreation	
CR2	Marina Commercial	

CT1	Tourist Commercial – Motel
CT2	Tourist Commercial – Campsite
M1	Light Industrial
M2	General Industrial
M3	Heavy Industrial
P1	Neighbourhood Institutional
P2	Community Institutional
P3	Public Utility
P4	Park and Open Space
P5	Solid Waste Disposal

1.3.10 Official Zoning Maps

Schedule “B”, hereto, being a map (herein sometimes referred to as “Official Zoning Maps”) marked “Malahat Land Use Bylaw, 1981, Bylaw No. 980: Malahat Zoning” including explanatory material thereon, is hereby made and declared to be an integral part of this Bylaw. (BL 3874)

The location of the Zones established by this Bylaw are shown on Schedule “B’: “Zoning Map of a Portion of the Juan de Fuca Electoral Area – Malahat Area.” (BL 3874)

When the zone boundary is designated on the Official Zoning Maps as following a road allowance, creek or railway right-of-way, the centre line of such road allowance, creek or railway line shall be the zone boundary.

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 Official Zoning Maps. (BL 1660)

1.3.11 Existing Land Use Contract

Where the regulations set forth in this Bylaw are inconsistent with the terms and conditions contained in an existing Land Use Contract, the terms and conditions contained in the Land Use Contract shall prevail.

1.3.12 Effective Date of Bylaw

This Bylaw shall come into force and take effect upon the final adoption thereof.

Section 2.1

General Provisions

2.1.01 Agricultural Land Reserve

Notwithstanding anything in this Bylaw contained, land designated as “Agricultural Land Reserve” pursuant to the ***Agricultural Land Commission Act***, shall be subject to:

- (1) the ***Agricultural Land Commission Act***; and
- (2) regulations made under the ***Agricultural Land Commission Act***; and
- (3) relevant orders of the Provincial Agricultural Land Commission made under the ***Agricultural Land Commission Act***;

that is to say, without limiting the generality of the foregoing, where land within an “Agricultural Land Reserve” is also within a Zone established under this Bylaw, the Bylaw shall be binding only insofar as it is not inconsistent with the ***Agricultural Land Commission Act*** and regulations, or an order of the Agricultural Land Commission.

2.1.02 Location and Siting of Buildings and Structures

- (1) No principal or *accessory building* shall be located in any required *front, side* or *rear yard*, except as provided for in Section 2.1.0.6 of this Bylaw.
- (2) No swimming pool shall be located in any required *front yard* or less than 3 m from any *side* or *rear lot line*.

2.1.03 Conversion of Buildings

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

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

2.1.04 Projections into Required Yards

The following features may project into a required *front, side* or *rear yard*:

- (1) Steps, eaves and gutters, cornices, sills, chimneys, or other similar features, provided that such projections do not project more than 1 m into the required *yard* or 0.61 m in the case of a *side yard* of less than 3 m in width.
(BL 1893)
- (2) Balconies and sun shades, provided that such projections do not project more than 1 m into the required *yard*.

2.1.05 Flood Control and Environmental Protection

- (1) Notwithstanding any other provisions of this Bylaw, no *buildings* or any part therefore, shall be constructed, reconstructed, moved or extended, nor shall any *mobile home* or unit, modular home or *structure* be located:
 - (a) (i) within 15 m of the *natural boundary* of the sea;
 - (ii) within 30 m of the *natural boundary* of Durrance Lake, Fizzle Lake, Florence Lake, Fork Lake, Glen Lake, Heal Lake, Langford Lake, McKenzie Lake, Matson Lake, Mitchell Lake, Pease Lake, Pike Lake, Second Lake, Teanook Lake, Spencer Lake and Third Lake;

- (iii) within 15 m of the *natural boundary* of any other lake, swamp or pond;
 - (iv) within 30 m of the *natural boundary* of Bilston Creek, Colwood Creek, Craigflower Creek, Goldstream River, Metchosin Creek, and Millstream;
 - (v) within 15 m of the *natural boundary* of any other *watercourse*;
 - (b) With the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a *mobile home* or unit, the ground level on which it is located:
 - (i) Lower than 0.6 m above the two hundred year floor level where it has been determined to the satisfaction of the Ministry of Environment;
 - (ii) Nor lower than 3 m above the *natural boundary* of Durrance Lake, Fizzle Lake, Florence Lake, Fork Lake, Glen Lake, Heal Lake, Langford Lake, Mckenzie Lake, Matson Lake, Mitchell Lake, Pease Lake, Pike Lake, Second Lake, Teanook Lake, Thetis Lake and Third Lake;
 - (iii) Nor lower than 1.5 m above the *natural boundary* of the sea or any other lake, swamp or pond;
 - (iv) Nor lower than 3 m above the *natural boundary* of Bilston Creek, Colwood Creek, Craigflower Creek, Durrance Creek, Goldstream River, Parkdale Creek, Pease Creek, Tod Creek, Langford Creek, Metchosin Creek and Millstream;
(BL 1660)
 - (v) Nor lower than 1.5 m above the *natural boundary* of any other *watercourse*.
- (2) Clause 1(b) shall not apply to:
 - (a) a renovation of an existing *building or structure* used as a residence that does not involve an addition thereto;
 - (b) that portion of a *building or structure* to be used as a *carport or garage*;
 - (c) farm *buildings* other than *dwelling units* and closed livestock housing;
 - (d) *dwelling units* on *lots* greater than 8 ha in area and within the Agricultural Land Reserve, but such units shall be elevated 1 m above the natural ground elevation;
 - (e) closed-sided livestock housing, but such livestock housing shall be elevated 1 m above the natural ground elevation;
 - (f) industrial *buildings*, but such *buildings* shall be flood-proofed to an elevation of 0.6 m less than the requirements of Clause 1(b)(i).
- (3) The required elevation may be achieved by structural elevation, or by adequately compacted landfill, or by a combination of both structural elevation and landfill.

Where landfill is used to achieve the required elevation, no portion of the landfill slope shall be closer than the distances in Clause 1(a) from the *natural boundary*, and the face of the landfill slope shall be adequately protected against erosion from floodwaters.

Provided that with the approval of the Deputy Minister of Environment or his designate, these requirements may be reduced, provided that this reduction is consistent with Section 25 of the Langford Official Community Plan Bylaw, 1986, and is also approved by the Board of Variance or a Development Permit pursuant to Section 2.1.14 of this Bylaw is issued approving the said reduction; provided, however, that in the case of the requirements set out in subsection (1)(a)(i) and (ii), the approval of the said Deputy Minister or his designate is not required where the reduction would not result in a distance of less than 7.5 m. (BL 1660)

2.1.06 Accessory Buildings and Structures

(1) General Regulations for All Zones

- (a) No *accessory building* or *structure* shall be erected on any *lot* unless the *principal building* to which the *accessory building* is ancillary and subordinate has been erected or will be erected simultaneously with said *accessory building*.
- (b) Where an *accessory building* or *structure* is attached to the *principal building*, it is to be considered a part of the *principal building* and shall comply in all respects with the requirements of the Bylaw applicable to the *principal building*.
- (c) An *accessory building* or *structure* shall not be used as a *dwelling unit*, except as otherwise provided for in this Bylaw.
- (d) No *accessory building* shall be located less than 15 m from a *front lot line* unless it complies with the *front yard* requirements applicable to the *principal building*.
- (e) No *accessory building* shall be located less than 1 m from any *principal building*.
- (f) A satellite dish antenna installed on the roof of a building shall not extend above the maximum *height* permitted for the building upon which it is located. (BL 1299)
- (g) A satellite dish antenna installed on the ground shall be subject to the siting, site coverage and *height* regulations for *accessory buildings* and *structures* for the zone in which it is located. (BL 1299)

(2) Regulations for *Greenbelt Zones*, *Agricultural Zones*, *Residential Zones* and *Multiple-Family Residential Zones* (BL 1660)

- (a) An *accessory building* in a *Residential* or *Multiple-Family Residential Zone* shall not exceed 4 m in *height*, except as otherwise provided for in this Bylaw. An *accessory building* in a *Greenbelt Zone* shall not exceed the maximum *height* of a building specified by the zone. (BL 3874)
- (b) The total combined *floor area* of *accessory buildings* on any *lot* in a *Residential Zone* shall not exceed 60 m². The *floor area* of *accessory*

- buildings* on any *lot* in a *Greenbelt Zone* shall be limited by the *lot coverage* specified by the zone. (BL 3874)
- (c) No *accessory building* shall be located less than 1 m from a *side* or *rear lot line* except where a mutual *garage* is erected on a common *lot line*, provided, however, that an *accessory building* in a *Multiple-Family Residential Zone* shall be located not closer than 3 m to a *lot line* of an adjoining *lot* in an *Upland, Agricultural* or *Residential Zone*.
- (d) Notwithstanding Subsection (1) and Clauses (a), (b) and (c), the following regulations shall apply also to *accessory buildings* on *corner lots*:
- i. An *accessory building* on a *corner lot* in *Greenbelt, Agricultural, Residential* or *Multiple-Family Residential Zone* shall be located not closer to the *flanking street* than the *side yard* prescribed for the *principal building*. (BL 1660)
- ii. An *accessory building* on a *corner lot* in a *Greenbelt, Agricultural, Residential* or *Multiple-Family Residential Zone* shall be located not closer than 2 m from the *rear lot line*, when such *rear lot line* abuts the *side yard* of an adjacent *lot* in a *Greenbelt, Agricultural, Residential* or *Multiple-Family Residential Zone*. (BL 1660)
- (3) Regulations for *Commercial Zones, Industrial Zones* and *Institutional Zones*
- (a) On a *corner lot* an *accessory building* shall be located not closer to the *flanking street* than the *principal building* on the same *lot*.
- (b) An *accessory building* shall be located not closer than 3 m to the rear property line of an adjoining *lot* in a *Greenbelt, Agricultural, Residential* or *Multiple-Family Residential Zone*.

2.1.07 Home Occupations

A *home occupation* when permitted in any *Zone* shall be subject to the following regulations:

- (1) A *home occupation* shall not cause or result in any variation or alteration in the external residential appearance of the land and premises in which it is carried on.
- (2) Persons employed in a *home occupation* are limited to residents of the *dwelling unit* plus one non-resident employee.
- (3) It shall be carried on wholly within a *dwelling unit* provided, however, that on a *lot* of 5,000 m² or more in area, the *home occupation* may be carried on within a *dwelling unit* or an *accessory building*. An *accessory building* so used shall be no larger than 40 m² in area and shall be located not less than 20 m from the *front lot line* and 10 m from any other *lot line*.
- (4) Except for one non-illuminated sign not exceeding 0.2 m² in area, there shall be no indication that a *home occupation* is being carried on.
- (5) There shall be no storage external to the *dwelling unit* or *accessory building* in which the *home occupation* is being carried on of materials, Tools, equipment, containers or finished products associated therewith.

- (6) The *dwelling unit* or *accessory building* shall 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 that normally associated with a dwelling and it shall not create or cause any fire hazard, electrical interference or traffic congestion.
- (7) Any *home occupation* that involves the provision of food or drink as defined in ***Regulations Governing the Sanitation and Operation of Food Premises*** must be approved by the Medical Health Officer prior to operation.
- (8) Subsection (3) shall not apply to dog breeding kennels which shall comply with the Capital Regional District Bylaw No. 688 and which shall not locate any *accessory building* less than 7.5 m from any *lot line*. (BL 1146)

2.1.08 Height of Buildings and Structures

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

2.1.09 Prohibited Uses

- (1) Any *use* not expressly permitted in this Bylaw is prohibited in all Zones and where a particular *use* is expressly permitted in one Zone, such *use* is prohibited in all Zones where it is not also expressly permitted.
- (2) The following *uses* shall be prohibited in all Zones: (BL 1660)
 - (a) The keeping of any *lot* or more than one vehicle which is not in a *garage* or *carport* which does not have attached or affixed thereto in the manner prescribed in the ***Motor Vehicle Act*** regulations.
 - (i) Motor vehicle number plates for the current license year issued in respect of that vehicle, or
 - (ii) A valid Approval Certificate issued in respect of that vehicle pursuant to the ***Inspection Regulations*** of the ***Motor Vehicle Act***,
except that implements of husbandry and not more than two (2) *recreation vehicles* may be kept.
 - (b) The keeping on any *lot* of detached parts of vehicles unless in a building.
 - (c) The siting of a permitted unlicensed vehicle except implements of husbandry other than in the *rear yard* or the *side yard* behind the *front building line*.
 - (d) The keeping on a vacant *lot* of detached parts of a vehicle, and any vehicle which does not have attached or affixed thereto in the manner prescribed by the ***Motor Vehicle Act*** regulations:
 - (i) Motor vehicle number plate for the current licence year issued in respect of that vehicle, or

- (ii) A valid Approval Certificate issued in respect of that vehicle pursuant to the ***Inspection Regulations*** of the ***Motor Vehicle Act***.

2.1.10 Uses Permitted in Any Zone

Except where specifically excluded, the following *uses* shall be permitted in any Zone:

- (1) Public utility poles, pipelines, radio television and transmission towers and wires, traffic control devices, and underground or submarine utility systems, the installations of which may be sited on any portion of a *lot*;
- (2) Sewage treatment plants and *accessory buildings* providing the *accessory buildings* are solely for the operation of the sewage treatment plant, owned and operated by a municipality, regional district or improvement district;
- (3) Transportation rights-of-way established by one of the levels of government, or a Crown Corporation;
- (4) Hiking trails, horse trails, public parks and playgrounds. (BL 1415)

2.1.11 Underground Structures

The whole, or any part of, a *structure* below finished ground elevation may be sited on any portion of a *lot*.

2.1.12 Visibility at Intersections

No person, being the owner, occupier, or lessee of any land at the intersection of any *highway* of 6 m or more in width, and any other *highway*, shall place or permit to be placed or grow, or permit to be grown, any tree, shrub, plant, fence or other *structure* with horizontal dimension exceeding 0.6 m within the *sight triangle* above an elevation such that an eye 0.9 m above the surface elevation of one *highway* cannot see an object 0.9 m above the surface elevation of the other *highway*.

2.1.13 Temporary Buildings

A temporary *building* or *structure* may be erected for construction purposes on a *lot* being developed for a period not to exceed the duration of such construction or one year, whichever is less.

2.1.14 Issuance of Development Permits

The Regional Board may, pursuant to Section 998 of the ***Municipal Act***, by resolution, amend Development Permits issued on or before July 7, 1986, so as to regulate or require any of the following: (BL 1660)

- (1) Regulate the dimensions and siting of *buildings* and *structures* on the land.
- (2) Regulate the siting and design of off-street parking and loading facilities in accordance with the provisions of the permit.
- (3) Require that *landscaping* or screening be established around different *uses* in accordance with the standards set out in the permit.
- (4) Require the pavement of roads and parking areas in accordance with the standards set out in the permit.
- (5) Require the land be developed, including:
 - (a) the provision of sewerage, water and drainage facilities, and

- (b) the construction of *highways*, street lighting, underground wiring, sidewalks and transit service facilities.
- (6) Subject to Section 692 of the **Local Government Act**, require the construction of *buildings* and *structures* in accordance with the specifications, terms and conditions of the permit.
- (7) Require the preservation or dedication of natural water courses and the construction of works to preserve and beautify them in accordance with the terms and conditions specified in the permit.
- (8) Require that an area of land specified in the permit above the *natural boundary* of streams, rivers, lakes, or the ocean remain free of development, except that specified in the permit.
- (9) Require the provision of areas for play and recreation.
- (10) Limit the number, size and type and specify the form, appearance and construction of signs.
- (11) Regulate the exterior finishing of *buildings*, other than *residential buildings* containing three or less self-contained *dwelling units*, having due regard for requirements made under Subsection 3.

Deleted

(BL 1660)

2.1.15 Subdivision

- (a) No *lot* shall be created by subdivision under the **Land Title Act** or the **Condominium Act** unless,
 - (i) the *lot* has an area equal to, or greater than, the minimum parcel size prescribed by this Bylaw;
 - (ii) where a *frontage* requirement is prescribed by this Bylaw, the *lot* has a *frontage* equal to, or greater than, the prescribed *frontage*, unless the *lot* is exempted under Section 944 of the **Local Government Act**;
 - (iii) where an *average parcel size* is prescribed by this Bylaw, the *average parcel size* of the *lots* created by the plan of subdivision is greater than or equal to the prescribed *average parcel size*; and
 - (iv) where a minimum *lot* width is prescribed by this Bylaw, the width of the *lot* at its narrowest point is at least as wide as the minimum width requirement.
- (b) Notwithstanding the minimum parcel area requirements prescribed in this Bylaw, the approving officer may permit a reduction in the parcel area requirements of not more than 5%, provided that in other respects the subdivision complies with this Bylaw and with Bylaw No. 986, being the “Langford Subdivision Bylaw, 1982”, and the approving officer is satisfied that because of unusual terrain or the size or the configuration of the land, the minimum parcel area cannot be achieved.
- (c) Notwithstanding Subparagraph 2.1.15 (1)(a), the minimum parcel area requirements prescribed by this Bylaw shall not apply
 - (i) where the parcel being created is to be used solely for the unattended equipment necessary for the operation of:
 - A community water system;

- A community sewer system;
 - A community gas distribution system;
 - A community radio or television receiving antenna;
 - A radio or television broadcasting antenna;
 - A telecommunication relay station;
 - An automatic telephone exchange;
 - An air or marine navigational aid;
 - Electrical substations or generating stations;
 - Any other similar public service or utility; or
- (ii) where a parcel is created pursuant to Section 4 of **BC Regulation 199/70**; or
- (iii) where the land proposed to be subdivided is within a zone where none of the *uses* permitted will generate sewage and the owner enters into a covenant pursuant to Section 215 of the **Land Title Act** satisfactory to the Approving Officer prior to the deposit of the subdivision plan in the Land Title Office; or
- (iv) where a parcel being created is for park *use* only.
- (d) Where a subdivision consolidates parcels into a lesser number of parcels and where the smallest parcel created is larger than any of those parcels being subdivided, the Approving Officer may approve the subdivision notwithstanding the minimum width requirements or parcel area requirements specified in this Bylaw. (BL 1660)
- (e) Notwithstanding the minimum parcel requirements prescribed in this Bylaw, existing parcels which are smaller than permitted in these regulations may be consolidated and re-subdivided into the same or a lesser number of new parcels, provided that:
- (i) all parts of all new parcels are contiguous;
 - (ii) no additional parcels are created;
 - (iii) the boundary change does not result in the reduction of any affected parcel by 20% or more of its original size;
 - (iv) all the other requirements of this Bylaw are complied with. (BL 1943)

2.1.16 Secondary Suites

(BL 3874)

- (1) *Secondary suites* shall only be permitted in the principal *single-family dwelling*.
- (2) Secondary suites shall not be permitted in an *accessory building, two-family dwellings* (duplexes), townhouses or *mobile homes*.
- (3) The *secondary suite* shall not occupy more than 40% of the habitable *floor area* of the *single-family dwelling unit*.
- (4) The *floor area* of a *secondary suite* shall not exceed 90 m².
- (5) Only one *secondary suite* or one *detached accessory suite* shall be permitted per *lot*.

- (6) An owner of the *lot* must occupy either the *secondary suite* or the *single-family dwelling*.
- (7) The keeping of *boarders* and *lodgers* shall not be permitted within a *single-family dwelling* containing a *secondary suite*.
- (8) A building permit must be obtained for a *secondary suite*. An assessment of the property's ability to accommodate the increase in on-site sewage produced by the suite is required. An Authorized Person (AP), as defined by the **Sewerage System Regulation**, is to conduct the assessment, determine whether the existing system is adequate for the proposed increase in sewage, and must submit the required documentation to the local Health Office (Vancouver Island Health Authority, VIHA).
- (9) One additional off-street parking space shall be provided for the *secondary suite*.
- (10) Proof of a source of potable water, in addition to the quantity required for the principal *dwelling unit*, of at least 1,400 litres per day shall be required for the *secondary suite*.
- (11) *Secondary suites* shall only be permitted in those zones of this Bylaw that allow *secondary suites*.

2.1.17 Detached Accessory Suites

(BL 3874)

- (1) A *detached accessory suite* shall only be permitted in those zones of this Bylaw that allow *detached accessory suites*, and if the parcel size is 0.4 ha or greater.
- (2) Only one *detached accessory suite* or one *secondary suite* shall be permitted per *lot*.
- (3) A *detached accessory suite* may be freestanding or combined with another *accessory use*.
- (4) A building permit must be obtained for a *detached accessory suite*. An assessment of the property's ability to accommodate the increase in on-site sewage produced by the suite is required. An Authorized Person (AP), as defined by the **Sewerage System Regulation**, is to conduct the assessment, determine whether the existing system is adequate for the proposed increase in sewage, and must submit the required documentation to the local Health Office (Vancouver Island Health Authority, VIHA).
- (5) Proof of a source of potable water, in addition to the quantity required for the principal *dwelling unit*, of at least 1,400 litres per day shall be required for the *detached accessory suite*.
- (6) The *floor area* of a *detached accessory suite* shall not be less than 33.4 m² and shall not exceed 90 m².
- (7) The maximum *height* of an *accessory building* used for a *detached accessory suite* shall not exceed the maximum *height* of a *building* specified by the zone.
- (8) *Detached accessory suites* must be located within the setbacks specified by the zone for the principal dwelling.

- (9) One additional off-street parking space shall be provided for the *detached accessory suite*.
- (10) Access to the *detached accessory suite* is to be provided from the same road access that provides access to the principal dwelling. In cases where a separate access for the *detached accessory suite* is required, this access must first be approved by the Ministry of Transportation and Infrastructure prior to access construction or final approval by the Capital Regional District.
- (11) The *detached accessory suite* may be in the form of a manufactured or modular home not exceeding a length of 13 m, but shall not be in the form of a *recreation vehicle* or travel trailer.
- (12) An owner of the *lot* must occupy either the *detached accessory suite* or the principal dwelling.
- (13) The keeping of *boarders* and *lodgers* shall not be permitted within a single-family on a *lot* containing a *detached accessory suite*.
- (14) A *bed and breakfast use* shall only be permitted in the principal *dwelling unit* on a *lot* containing a *detached accessory suite*.
- (15) A *detached accessory suite* is not permitted on a *lot* with two or more *dwelling units*.

2.1.18 Bed and Breakfast

(BL 3874)

- (1) A *bed and breakfast* shall not cause or result in any variation or alteration in the external residential appearance of the land and premises in which it is carried on.
- (2) A *bed and breakfast* may occur in conjunction with another *home occupation*, provided that all such combined *uses* do not exceed the regulations for those *uses*.
- (3) Parking shall be provided in accordance with these regulations and shall be screened from adjacent *lots* and from *highways*. Spaces to be provided in excess of those required by the *principal use* shall be provided on the *lot* for which they are required.
- (4) *Bed and breakfast units* may be located in the principal *dwelling unit*.
- (5) On *lots* of 0.2 ha or greater, *bed and breakfast units* may be located in an *accessory building*.
- (6) On *lots* of less than 0.4 ha, not more than three *bed and breakfast units* shall be permitted on a *lot*, provided that the sewage disposal system conforms to the **Sewerage System Regulation**, and the maximum number of persons sleeping in a *dwelling unit* shall not exceed ten (10).
- (7) On *lots* of 0.4 ha or greater, not more than four *bed and breakfast units* shall be permitted on a *lot*, provided that the sewage disposal system conforms to the **Sewerage System Regulation**, and the maximum number of persons sleeping in a *dwelling unit* shall not exceed twelve (12).
- (8) Only breakfast meals may be served to guests of a *bed and breakfast*.
- (9) A *bed and breakfast* shall not increase vehicular traffic flow and parking by more than one vehicle at a time for each *bed and breakfast unit*, nor shall they involve the use of commercial vehicles for the delivery of materials to

or from the premises, or be parked on the property, except for those occasional deliveries consistent with the normal *residential use* of the property.

- (10) There shall be no display or *unenclosed storage* of materials, tools, equipment, containers or finished products associated directly or indirectly with the *bed and breakfast*.
- (11) *Side and rear yards* for an *accessory building* used for *bed and breakfast units* shall be the same as those specified by the zone for the principal dwelling.
- (12) The total *floor area* of any *accessory building* devoted to *bed and breakfast units* shall not exceed 45 m².
- (13) A *bed and breakfast unit* may not contain a kitchen or cooking facilities.
- (14) A *bed and breakfast* shall only be permitted in the principal *dwelling unit* on a *lot* containing a *detached accessory suite*.
- (15) Any properties that are not connected to a Permitted Water Supply System by VIHA and that are providing drinking water to be used for domestic purposes, utilizing a source that is servicing anything other than a single-family residence, are subject to the ***Drinking Water Protection Act*** and ***Regulation*** and require permitting through VIHA.

2.19 Lots Divided by A Zone Boundary

(BL 3874)

Where a *lot* is included in more than one zone, the zone boundary as shown on the map accompanying and forming part of this Bylaw shall be deemed to be a *lot* boundary for the purposes of determining applicable *uses*, densities and/or regulations other than *building* setbacks contained in this bylaw.

Section 2.2

Off-Street Parking

2.2.01 Required Number of Off-Street Parking Spaces

The owners or occupiers of any *building* in any zone shall provide off-street vehicular parking as specified in this Section. In the case of a *use* not specifically mentioned, the required spaces shall be the same as for a similar *use*.

Use of Lot	Required Number of Spaces for Employees, Customers and Visitors
Auto sales and repair	1 per 70 m ² of sales floor plus 1 1 per service bay plus 1 per 2 employees
<i>Animal hospital</i>	1 per 2 employees plus 3 per veterinarian
Auction (indoor)	1 per 10 m ² of auction floor
Bank	1 per 20 m ² of <i>gross floor area</i>
Bowling alley	3 per alley
Boat sales and repairs	1 per 3 employees plus 1 per 100 m ² of covered sales and storage
<i>Campsite</i>	1 per space plus 3
<i>Church</i>	1 per 4 seats
Clubs and lodges	1 per 4 seats
College	1 per employee plus 1 per 5 students
Contractor's yard	1 per 2 employees
Cultural facility	1 per 40 m ² of gross floor space
Funeral parlour	1 per 4 seats in chapel
Gasoline service station	1 per 2 employees on duty plus 2 per service bay
Golf course – 9 holes	75 spaces
Golf course – 18 holes	150 spaces
Golf driving range	1 per tee plus 1 per 2 employees
Grocery, *neighbourhood	1 per 15 m ² of <i>gross floor area</i> of retail portion of <i>building</i> or 4, whichever is greater
Health salon	1 per 15 m ² of <i>gross floor area</i>
Hospital, public	1 per 2 employees plus 1 per 5 beds
Hospital, private	1 per 3 beds
<i>Hotel</i>	1 per 2 rooms plus 1 per 3 seats in bar, restaurant and other food and drink dispensing facilities
Ice cream stand	7 per sales clerk
Laboratory	1 per employee
Laundromat	1 per washing machine
Laundry and dry cleaning establishments	1 per 2 employees counted as total of 2 shifts
Machinery sales	1 per 2 employees plus 1 per 100 m ² of sales floor
Manufacturing and <i>industrial uses</i>	1 per 2 employees counted as total of 2 shifts
<i>Motel</i>	
(a) number of units less than the number of seats in restaurant	1.1 per unit plus 1 per 3 seats in restaurant, etc.

(b) number of units more than the number of seats in restaurant	0.9 per unit plus 1 per 3 seats in restaurant, etc.
Nurseries and greenhouses	1 per 15 m ² of <i>gross floor area</i> retail sales <i>building</i>
Offices, medical	5 per doctor or dentist
Offices, multi-tenant	1 per 30 m ² of <i>gross floor area</i>
Offices, single-tenant	1 per 35 m ² of <i>gross floor area</i>
Police office	1 per 2 employees counted as total of 2 shifts
Prison	1 per 2 employees counted as total of 2 shifts
Public bus depot	1 per 20 m ² waiting room plus 1 per 2 employees counted as total of 2 shifts
Recreation centre	1 per 40 m ² waiting room plus 1 per 4 m ² surface plus 1 per 4 players - capacity for other sports
Residential, <i>one-family dwelling</i> and <i>two-family dwelling</i>	2 per <i>dwelling unit</i> , provided that a <i>front yard</i> driveway which provides access to a parking space that is not within the <i>front yard</i> may be considered as the provision of a second parking space that is in tandem
Residential, multi-family (<i>attached housing, apartments</i>)	1.5 per <i>dwelling unit</i> plus 1 for each 100 m ² of <i>building floor area</i> exceeding 60 m ² number of <i>dwelling units</i>
Restaurant, coffee shop, etc.	1 per 3 seats
Restaurant, drive-in only	15
Retail store, supermarkets, liquor and other retail personal uses, except *neighbourhood grocery	0.75 per 10 m ² of <i>gross floor area</i>
School, elementary	1 per employee
School, secondary	1 per employee plus 1 per 10 students
Shopping centre, *neighbourhood	6.5 per 100 m ² of gross leasable area
Shopping centre, community	5.5 per 100 m ² of gross leasable area
Shopping centre, major	5.1 per 100 m ² of gross leasable area up to 46,500 m ² gross leasable area; then, for the area over 46,500 m ² at the rate of 4.3 per 100 m ²
Stadium	1 per 3 seats
Taxi stand	1 per taxi plus 1 per office employee
Television, radio studios	1 per 2 employees counted as total of 2 shifts
Theatre, drive-in	1 per 2 employees
Theatre, not drive-in	1 per 4 seats
Tire repair	1 per 2 employees plus 1 per bay
Tourist attraction	1 per 4 persons capacity
Vegetables or other produce stand	4 per sales clerk
Warehouse	1 per 2 employees counted as total of 2 shifts

2.2.02 Parking Spaces and Aisle Dimensions

Vehicle parking spaces and aisles provided shall be in accordance with the following standards:

Parking Angle in Degrees	Width of Stall	Depth of Stall Perpendicular to Maneuvering Aisle	Width of Stall Parallel to Aisle	Overall Depth in Aisle	Width of Maneuvering
0	2.6 m	2.6 m	7.0 m	8.9 m	3.7 m
30	2.6 m	5.2 m	5.2 m	13.7 m	3.7 m
45	2.6 m	5.9 m	3.7 m	16.0 m	4.1 m
60	2.6 m	6.3 m	3.0 m	18.3 m	5.6 m
90	2.6 m	5.8 m	2.6 m	19.2 m	7.6 m

2.2.03 Access to Parking Spaces

- (1) All required parking spaces shall be freely accessible from a *highway*.
- (2) All required parking spaces shall be kept clear and unobstructed when not occupied by vehicles.
- (3) Small car parking areas may be permitted subject to the following:
 - (a) Small car parking areas shall only account for a maximum of 30% of the total parking required.
 - (b) The depth of the stalls for small cars for 90 degree parking may be reduced from 5.8 m to 4.5 m.
 - (c) Shall be clearly marked "small car use only". (BL 1637)

2.2.04 Location of Parking Spaces

- (1) Required parking spaces for all *uses* shall be wholly provided on the same *lot* as the *building* or *use* required to be served except that in all *commercial zones* off-site parking may be permitted provided that:
 - (a) The amount of off-site parking does not exceed 75% of the total parking required.
 - (b) It is within 100 m of the property boundaries for which the parking is required. (BL 1637)
- (2) Off-street parking shall be permitted in any required *yard* in any Zone except that:
 - (a) In a *Multiple-Family Residential Zone* or an *Institutional Zone*, off-street parking shall not be located in any required *front yard*;
 - (b) On a *corner lot* in a *Multiple-Family Residential zone*, off-street parking shall not be located in any required *side yard* adjacent to a *flanking street*.
- (3) In a *Multiple-Family Residential Zone*, no part of any common parking area shall be located with 3 m of any *residential building*.
- (4) A required parking space may be open or enclosed, and may be outside, under, within, or on the roof of a *building*.

- (5) Joint parking areas may be maintained by two or more persons, providing that such areas contain the full total of parking spaces required for the premises concerned.

2.2.05 Hard Surfacing of Off-Street Parking Area

- (1) Every off-street parking space in a *Multiple-Family Residential Zone* and Neighbourhood Public House Zone thereto shall be hard surfaced, if the number of required parking spaces exceeds two and if the access thereto is from a *highway* which is hard surfaced. (BL 1543)
- (2) Every off-street parking space in a *Commercial Zone* and the access thereto shall be hard surfaced if the access thereto is from a *highway* which is hard surfaced.
- (3) Every off-street parking space on a *lot* located in an *Industrial Zone* and the access thereto shall be hard surfaced if such area lies in front of the *principal building*. Any area at the rear or the side of the *principal building* provided or required for off-street parking need not be hard surfaced, but shall be of such a surface that will minimize the carrying of dirt or foreign matter upon the *highway*.
- (4) For the purpose of this Subsection, “hard surfaced” shall mean the provision of durable, dust-free road surface construction of concrete, asphalt or similar material.

Section 2.3

Off-Street Loading

2.3.01 Off-Street Loading Spaces

The owners or occupiers of any *building* in any Zone shall provide off-street loading spaces in accordance with the following requirements:

Use of Building Site	Total Floor Area of Building	Required Number of Off-Street Loading Spaces
<i>Retail store</i> , industry, warehouse, or similar use	300 m ² to 500 m ²	1
	500 m ² to 2,500 m ²	2
	Each additional 2,500 m ² or fraction thereof	1 additional
Office <i>building</i> , place of public assembly, hospital, convalescent home, institution, club or lodge, public utility, school or other similar use	300 m ² to 3,000 m ²	1
	Each additional 3,000 m ² or fraction thereof	1 additional

2.3.02 Access to Loading and Unloading Space

Access to the loading space shall be so arranged that no backing or turning movements of vehicles going to and from the site causes interference with traffic on the adjoining or abutting *highways*.

2.3.03 Location of Loading and Unloading Space

All loading spaces shall be located on the site in such a way that all materials and commodities loaded or unloaded can be easily collected or distributed within the site from, or to, all tenants or occupants.

2.3.04 Size of Loading and Unloading Space

Every loading space shall be of adequate size and with adequate access thereto, to accommodate the types of vehicles which will be loading and but in no case shall the space be less than 30 m² in area or less than 2.5 m in width or with less than 4 m of overhead clearance.

Section 3.1 Greenbelt 1

Gb1

(BL 1660)

3.1.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Greenbelt 1 (Gb1) Zone:

- (1) *Agriculture*
- (2) Deleted (BL 1660)
- (3) Dog boarding and breeding kennels (BL 1146)
- (4) Deleted (BL 1660)
- (5) Deleted (BL 1660)
- (6) *One-family dwelling*
- (7) The keeping of not more than 4 *boarders* or *lodgers* in a *dwelling unit*
- (8) Deleted (BL 1660)
- (9) *Public utility use*
- (10) *Silviculture*
- (11) *Accessory buildings and uses*

3.1.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* on a *lot*.

3.1.03 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for an *Agriculture use* or *Intensive agriculture use* shall not exceed 12 m.

3.1.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *agriculture use* shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.
- (5) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *Intensive agriculture use* shall not be less than 90 m from the *front lot line* and not less than 30 m from any other *lot line*.

3.1.05 Lot Coverage

The maximum coverage shall be 10% of the *lot*.

3.1.05A Minimum Parcel Requirement

The minimum parcel size shall be 12 ha. (BL 1660)

3.1.06 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 3.2 Greenbelt 2

Gb2

(BL 1660)

3.2.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Greenbelt 2 (Gb2) Zone: (BL 1660)

- (1) *Agriculture*
- (2) *Intensive agriculture*
- (3) Dog boarding and breeding kennels (BL 1146)
- (4) *Community care facility*
- (5) *One-family dwelling*
- (6) The keeping of not more than 4 *boarders* or *lodgers* in a *dwelling unit*
- (7) *Home occupation*
- (8) *Public utility use*
- (9) *Silviculture*
- (10) *Accessory buildings and uses*
- (11) *Secondary suite* (BL 3874)
- (12) *Detached accessory suite* (BL 3874)
- (13) *Bed and breakfast* (BL 3874)

3.2.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* on a *lot*. (BL 1660)

3.2.03 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for an *agriculture use* or *intensive agriculture use* shall not exceed 12 m.

3.2.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *agriculture use* shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.
- (5) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *intensive agriculture use* shall not be less than 90 m from the *front lot line* and not less than 30 m from any other *lot line*.

3.2.05 Minimum Lot Area for Intensive Agriculture and Dog Boarding and Breeding Kennels

The minimum *lot* area required for an *intensive agriculture* or dog boarding and breeding kennel *use* is 4 ha. (BL 1146)

3.2.06 Lot Coverage

The maximum coverage shall be 20% of the *lot*.

3.2.06A Minimum Parcel Requirement

The minimum parcel size shall be 12 ha. (BL 1660)

3.2.06B Subdivision

Notwithstanding Subsection 3.2.06A and 3.2.06B, parcels in the Greenbelt 2 (Gb2) Zone existing before the adoption of this Bylaw that are in excess of 2 ha may be subdivided once into two parcels neither of which shall be less than 1 ha. Each parcel created must have a proven source of potable water and provision for on-site sewage disposal.

(BL 1660)

3.2.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 3.3 Greenbelt 2A

Gb2A

(BL 1145, BL 1660)

3.3.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Greenbelt 2A (Gb2A) Zone: (BL 1660)

- (1) *Agriculture*
- (2) *Intensive agriculture*
- (3) *Community care facility*
- (4) Dog boarding and breeding kennel (BL 1146)
- (5) *One-family dwelling*
- (6) The keeping of not more than 4 *boarders* or *lodgers* in a *dwelling unit*
- (7) *Home occupation*
- (8) *Public utility use*
- (9) *Silviculture*
- (10) *Accessory buildings and uses*

3.3.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* on a *lot*.

3.3.03 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for an *agriculture use* or *intensive agriculture use* shall not exceed 12 m.

3.3.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *agriculture use* shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.
- (5) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *intensive agriculture* or for a dog boarding and breeding kennel *use* shall not be less than 90 m from the *front lot line* and not less than 30 m from any other *lot line*.

3.3.05 Lot Coverage

The maximum coverage shall be 20% of the *lot*.

3.3.05A Minimum Parcel Requirement

The minimum parcel size shall be 12 ha. (BL 1660)

3.3.06 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 3.4 Greenbelt 3

Gb3

(BL 1660)

3.4.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Greenbelt 3 (Gb3) Zone: (BL 1660)

- (1) *Agriculture*
- (2) *Intensive agriculture*
- (3) Dog boarding and breeding kennel (BL 1146)
- (4) *Aviaries*
- (5) *Community care facility*
- (6) *One-family dwelling and two-family dwelling*
- (7) The keeping of not more than 4 *boarders or lodgers* in a *dwelling unit*
- (8) *Home occupation*
- (9) *Public utility use*
- (10) *Silviculture*
- (11) *Accessory buildings and uses*
- (12) *Secondary suite* (BL 3874)
- (13) *Detached accessory suite* (BL 3874)
- (14) *Bed and breakfast* (BL 3874)

3.4.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* or one *two-family dwelling* on a *lot*.

3.4.03 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for an *agriculture use* or *intensive agriculture use* shall not exceed 12 m.

3.4.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *buildings and structures* for an *agriculture use* shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.
- (5) Notwithstanding Subsections (1), (2) and (3), *buildings and structures* for an *intensive agriculture use* shall not be less than 90 m from the *front lot line* and not less than 30 m from any other *lot line*.

3.4.05 Minimum Lot Area for Intensive Agriculture Use and Dog Boarding and Breeding Kennels

The minimum *lot* area required for an *intensive agriculture* and dog boarding and breeding kennel *use* is 4 ha. (BL 1146)

3.4.06 Lot Coverage

The maximum coverage shall be 10% of the *lot*.

3.4.06A Minimum Parcel Requirement

The minimum parcel size shall be 12 ha. (BL 1660)

3.4.06B Greenbelt Residential Development

Notwithstanding Subsection 3.4.06A of this Bylaw, a parcel having an area in excess of 20 ha may be subdivided provided that the *average parcel size* created by the subdivision is at least 2 ha and no parcel is less than 0.8 ha. (BL 1660)

3.4.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 3.4A Greenbelt 3A

Gb3A

(BL 3696)

3.4A.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Greenbelt 3A (Gb3A) Zone:

- (1) *Agriculture*
- (2) *Intensive agriculture*
- (3) Dog boarding and breeding kennel
- (4) *Aviaries*
- (5) *Community care facilities*
- (6) *One-family dwelling*
- (7) The keeping of not more than 4 *boarders* or *lodgers* in a *dwelling unit*
- (8) *Home occupation*
- (9) *Public utility use*
- (10) *Silviculture*
- (11) *Accessory buildings and uses*
- (12) *Bed and breakfast*

(BL 3874)

3.4A.02 Number of Residential Buildings

There shall be not more than three *one-family dwellings* on a *lot*.

3.4A.03 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for an *Agriculture use* or *Intensive agriculture use* shall not exceed 12 m.

3.4A.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *Agriculture use* shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.
- (5) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *Intensive agriculture use* shall not be less than 90 m from the *front lot line* and not less than 30 m from any other *lot line*.

3.4A.05 Minimum Lot Area for Intensive Agriculture Use and Dog Boarding and Breeding Kennels

The minimum *lot* area required for an *intensive agriculture* and dog boarding and breeding kennel *use* is 4 ha.

3.4A.06 Lot Coverage

The maximum coverage shall be 10% of the *lot*.

3.4A.06A Minimum Parcel Requirement

The minimum parcel size shall be 12 ha.

3.4A.06B Greenbelt Residential Development

Notwithstanding Subsection 3.4A.06A of this Bylaw, a parcel having an area in excess of 20 ha may be subdivided provided that the *average parcel size* created by the subdivision is at least 2 ha and no parcel is less than 0.8 ha.

3.4A.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 3.5 Greenbelt Residential 1

GR1

(BL 1660)

3.5.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Greenbelt Residential 1 (GR) Zone: (BL 1600)

- (1) *One-family dwelling*
- (2) *Community care facility*
- (3) *Home occupation*
- (4) The keeping of not more than 4 *boarders* or *lodgers* in a *dwelling unit*
- (5) *Structures* for the keeping of horses, cattle, sheep, goat, rabbits and poultry for domestic purposes only
- (6) *Accessory buildings and uses*

3.5.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* on a *lot*.

3.5.03 Height of Buildings

The *height* of a *building* shall not exceed 10.5 m.

3.5.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *structures* for the keeping of the animals specified in Section 3.5.01 (5) shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.

3.5.05 Requirements for the Keeping of Animals

The keeping of horses, cattle, sheep, goats, rabbits and poultry shall be subject to the following conditions:

- (1) the minimum *lot area* shall be 4,000 m²
- (2) poultry and rabbits shall be limited in number to 24 for each 4,000 m² of *lot area*
- (3) horses, cattle, sheep and goats shall be limited to one animal for each 4,000 m² of *lot area* plus one animal for any fraction of 4,000 m² of *lot area* in excess of the *lot area* divided by 4,000 m².

3.5.06 Lot Coverage

The maximum *lot coverage* shall be 30% of the *lot*.

3.5.07 Minimum Parcel Requirement

The minimum parcel size shall be 0.4 ha.

3.5.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 3.6 Greenbelt Residential 2

GR2

(BL 1660)

3.6.01 Permitted Uses

In addition to the *uses* permitted by Section 2.10 of this Bylaw, the following *uses* and no others shall be permitted in the Greenbelt Residential 2 (GR2) Zone:

- (1) *One-family dwelling*
- (2) *Community care facility*
- (3) *Home occupation*
- (4) Not more than 4 *boarders or lodgers* in a *dwelling unit*
- (5) *Structures* for the keeping of horses, cattle, sheep, goats, rabbits and poultry for domestic purposes only
- (6) *Accessory buildings and uses*

3.6.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* on a *lot*.

3.6.03 Size and Shape of Buildings

The *height* of a *building* shall not exceed 10.5 m.

3.6.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.

3.6.05 Requirements for the Keeping of Animals

The keeping of horses, cattle, sheep, goats, rabbits and poultry shall be subject to the following conditions:

- (1) The minimum *lot* area shall be 4,000 m²;
- (2) Poultry and rabbits shall be limited to number to 24 for each 4,000 m² of *lot* area;
- (3) Horses, cattle, sheep and goats shall be limited to one animal for each 4,000 m² of *lot* area in excess of the *lot* area divided by 4,000 m².

3.6.06 Lot Coverage

The maximum *lot coverage* shall be 35% of the *lot*.

3.6.07 Minimum Parcel Requirements

The minimum parcel size shall be 0.4 ha and the *average parcel size* within the parcel being subdivided shall be 0.8 ha.

3.6.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 3.7 Greenbelt Residential 3

GR3

(BL 1660)

3.7.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Greenbelt Residential 3 (GR3) Zone:

- (1) *Agriculture*
- (2) *One-family dwelling*
- (3) *Home occupation*
- (4) The keeping of not more than 4 *boarders* or *lodgers* in a *dwelling unit*
- (5) *Accessory buildings* and *uses*

3.7.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* on a *lot*.

3.7.03 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for *agriculture* may exceed 10.5 m but shall not exceed 12 m.

3.7.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsection (1), (2) and (3), *buildings* and *structures* for *agriculture* shall be not less than 30 m from the *front lot line* and not less than 15 m from any *lot line*.

3.7.05 Lot Coverage

The maximum coverage shall be 30% of the *lot*.

3.7.06 Minimum Parcel Requirements

The minimum *lot* size shall be 0.8 ha and the *average parcel size* within the parcel being subdivided shall be 2 ha.

3.7.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 3.8 Greenbelt Residential 4

GR4

(BL 1660)

3.8.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Greenbelt Residential 4 (GR4) Zone:

- (1) *Agriculture*
- (2) *Intensive agriculture*
- (3) *Community care facility*
- (4) *One-family dwelling*
- (5) The keeping of not more than 4 *boarders* or *lodgers* in a *dwelling unit*
- (6) *Home occupation*
- (7) *Public utility use*
- (8) *Silviculture*
- (9) *Accessory buildings and uses*

3.8.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* on a *lot*.

3.8.03 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for *agriculture* or *intensive agriculture* may exceed 10.5 m but shall not exceed 12 m.

3.8.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for *agriculture* shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.
- (5) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for *intensive agriculture* shall not be less than 90 m from the *front lot line* and not less than 30 m from any other *lot line*.

3.8.05 Minimum Lot Area for Intensive Agricultural Use

The minimum *lot* area required for *intensive agriculture* is 4 ha.

3.8.06 Lot Coverage

The maximum coverage shall be 20% of the *lot*.

3.8.07 Minimum Parcel Requirement

The minimum *lot* size shall be 0.8 ha and the *average parcel size* within the parcel being subdivided shall be 4 ha.

3.8.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 4.1 Agricultural 1

AG1

(BL 1660)

The general purpose of the Agricultural 1 Zone is to preserve agricultural land for farm *use* through the recognition and identification of Agricultural Land Reserve lands and recognition of the ***Agricultural Land Commission Act***.

4.1.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Agricultural 1 (AG1) Zone:

- (1) *Agriculture*
- (2) *Intensive agriculture*
- (3) Dog boarding and breeding kennels (BL 1146)
- (4) Golf course
- (5) Riding academies, riding stables
- (6) Silviculture
- (7) *One-family dwelling and two-family dwelling*
- (8) *Home occupation*
- (9) *Accessory buildings and uses*

4.1.02 Number of Residential Buildings

- (1) There shall be not more than one *one-family dwelling* on a *lot*.
- (2) Notwithstanding Subsection (1), one additional *one-family dwelling* for the sole purpose of housing employees may be located on a *lot* classified as a farm pursuant to the ***Assessment Act***, where such *lot* is 4 ha or more in area.
- (3) There shall be not more than one *two-family dwelling* on a *lot*.
- (4) Notwithstanding Subsection (1), one additional *one-family dwelling* may be permitted on a *lot* providing it complies with ***Certificate of General Order #1752/81*** as amended by ***#1622/83*** pursuant to the ***Agricultural Land Commission Act***. (BL 1490)

4.1.03 Lot Area for a Two-Family Dwelling Use

- (1) A *two-family dwelling use* shall not be located on a *lot* of 0.81 ha or more in area.
- (2) The minimum *lot* area required for a *two-family dwelling use* shall be 835 m².

4.1.04 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for an *agriculture use* or *intensive agriculture use* shall not exceed 12 m.

4.1.05 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *agriculture use* shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.
- (5) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *intensive agriculture use* shall be not less than 90 m from the *front lot line* and not less than 30 m from any other *lot line*.

4.1.06 Minimum Lot Area for Intensive Agriculture and Dog Boarding and Breeding Kennel

The minimum *lot* area required for an *intensive agriculture* or dog boarding and breeding kennel *use* is 4 ha. (BL 1146)

4.1.06A Minimum Parcel Requirement

The minimum parcel size shall be 4 ha. (BL 1660)

4.1.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 4.2 Agricultural 2

AG2

The general purpose of the Agricultural 1 Zone is to preserve agricultural land for farm *use* through the recognition and identification of Agricultural Land Reserve lands and recognition of the ***Agricultural Land Commission Act***.

4.2.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Agricultural 2 (AG2) Zone:

- (1) *Agriculture*
- (2) *Golf course*
- (3) *Silviculture*
- (4) *One-family dwelling and two-family dwelling*
- (5) *Home occupation*
- (6) *Accessory buildings and uses*

4.2.02 Number of Residential Buildings

- (1) There shall be not more than *one one-family dwelling* on a *lot*.
- (2) Notwithstanding Subsection (1), one additional *one-family dwelling* for the sole purpose of housing employees may be located on a *lot* classified as a farm pursuant to the ***Assessment Act***, where such *lot* is 4 ha or more in area.
- (3) There shall be not more than one *two-family dwelling* on a *lot*.

4.2.03 Lot Area for a Two-Family Dwelling Use

- (1) A *two-family dwelling use* shall not be located on a *lot* of 0.81 ha or more in area.
- (2) The minimum *lot* area required for a *two-family dwelling use* shall be 835 m².

4.2.04 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for an *agriculture use* shall not exceed 12 m.

4.2.05 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *agriculture use* shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.

4.2.05A Minimum Parcel Requirement

The minimum parcel size shall be 695 m².

4.2.05B Frontage

The minimum *frontage* shall be 16 m.

(BL 1660)

4.2.06 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 4.3 Agricultural 3

AG3

The general purpose of the Agricultural 3 Zone is to encourage farming activities on agricultural lands not in the Agricultural Land Reserve.

4.3.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Agricultural 3 (AG3) Zone:

- (1) *Agriculture*
- (2) *Aviaries*
- (3) *Silviculture*
- (4) *Riding academies, riding stables*
- (5) *One-family dwelling or two-family dwelling*
- (6) *Home occupation*
- (7) *Accessory buildings and uses*

4.3.02 Number of Residential Buildings

- (1) There shall be not more than one *one-family dwelling* or one *two-family dwelling* on a *lot*.
- (2) Notwithstanding Subsection (1), one additional *one-family dwelling* for the sole purpose of housing employees or caretakers may be located on a *lot* classified as a farm pursuant to the **Assessment Act**, where such *lot* is 4 ha or more in area.
- (3) In no case shall there be more than two *dwelling units* on any one *lot*.

4.3.03 Lot Area for a Two-Family Dwelling Use

- (1) A *two-family dwelling use* shall not be located on a *lot* of 0.81 ha or more in area.
- (2) The minimum *lot* area required for a *two-family dwelling use* shall be 835 m².

4.3.04 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for an *agriculture use* shall not exceed 12 m.

4.3.05 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *buildings* and *structures* for an *agriculture use* shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.

4.3.06 Minimum Parcel Requirement

The minimum parcel size shall be 12 ha.

4.3.07 General

The relevant provisions of Division 2 of this Bylaw shall apply

Section 5.1 Rural 1

A1

5.1.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Rural 1 (A1) Zone:

- (1) *Agriculture*
- (2) *Intensive agriculture*
- (3) Dog boarding and breeding kennel (BL 1146)
- (4) Cemeteries
- (5) *Community care facility*
- (6) Golf course
- (7) *One-family dwelling and two-family dwelling*
- (8) Not more than 4 *boarders or lodgers* in a *dwelling unit*
- (9) Riding academies, riding stables
- (10) *Home occupation*
- (11) Silviculture
- (12) *Accessory buildings and uses*

5.1.02 Number of Residential Buildings

- (1) There shall be not more than one *one-family* or one *two-family dwelling* on a *lot*.
- (2) Notwithstanding Subsection (1), one additional *one-family dwelling* of the sole purpose of housing employees may be located on a *lot* classified as a farm pursuant to the **Assessment Act**, where such *lot* is 4 ha or more.

5.1.03 Height of Buildings

- (1) The *height* of a *building* shall not exceed 10.5 m.
- (2) Notwithstanding Subsection (1), the *height* of a *building* for an *agriculture use* or an *intensive agriculture use* shall not exceed 12 m.

5.1.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *buildings and structures* for an *agriculture use* shall be not less than 30 m from the *front lot line* and not less than 15 m from any other *lot line*.
- (5) Notwithstanding Subsections (1), (2) and (3), *buildings and structures* for an *intensive agriculture use* shall not be less than 90 m from the *front lot line* and not less than 30 m from any other *lot line*.
- (6) Notwithstanding Section 2.1.05 (1)(a)(i) and Subsection (3), *buildings* shall not be located less than 60 m from the *natural boundary* of the sea.

5.1.05 Minimum Lot Area for Intensive Agriculture and Dog Boarding and Breeding Kennels

The minimum *lot* area required for an *intensive agriculture* and dog boarding and breeding kennel *use* is 4 ha. (BL 1146)

5.1.06 Lot Coverage

The maximum coverage shall be 10% of the *lot*.

5.1.06A Minimum Parcel Requirement

The minimum parcel size shall be 4 ha. (BL 1660)

5.1.06B Two-Family Dwellings

(1)

- (a) The minimum *lot* size for the development of a *two-family dwelling* shall be 1,300 m².
- (b) The minimum *frontage* for development of a *two-family dwelling* shall be 18 m.

(2)

- (a) The minimum ground *floor area* excluding *garage, carport*, for a “side-by-side” *two-family dwelling* is 60 m² per *dwelling unit*.
- (b) The minimum *floor area* excluding *garage, carport*, for an “up-and-down” *two-family dwelling* is 60 m² per *dwelling unit*.

(3)

- (a) The minimum average distance between two opposing exterior walls of a “side-by-side” *two-family dwelling* shall be 12 m.
- (b) The minimum average width of an “up-and-down” *two-family dwelling* is 7 m for each *dwelling unit*.

(4)

- In all cases, *two-family dwellings* shall meet health protection and building code requirements. (BL 2113)

5.1.07 General

The relevant provisions of Section 2.1 of this Bylaw shall apply.

Section 5.2 Rural Residential

AR1

5.2.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Rural Residential 1 (AR1) Zone:

- (1) *One-family dwelling*
- (2) *Community care facility*
- (3) *Home occupation*
- (4) Not more than 4 *boarders or lodgers* in a *dwelling unit*
- (5) *Structures* for the keeping of horses, cattle, sheep, goats, rabbits and poultry for domestic purposes only
- (6) *Accessory buildings and uses*
- (7) *Two-family dwelling* (BL 2113)

5.2.02 Number of Residential Buildings

There shall be not more than one *residential building* per *lot*. (BL 2113)

5.2.03 Height of Buildings

The *height* of a *building* shall not exceed 10.5 m.

5.2.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *structures* for the keeping of the animals specified in Section 5.2.01 (5) shall be not less than 30 m from the *front lot line* and 15 m from any other *lot line*.

5.2.05 Requirements for the Keeping of Animals

The keeping of horses, cattle, sheep, goats, rabbits and poultry shall be subject to the following conditions:

- (1) The minimum *lot* area shall be 4,000 m²
- (2) Poultry and rabbits shall be limited in number to 24 for each 4,000 m² of *lot* area
- (3) Horses, cattle, sheep and goats shall be limited to one animal for each 4,000 m² of *lot* area plus one animal for any fraction of 4,000 m² of *lot* area in excess of the *lot* area divided by 4,000 m².

5.2.06 Lot Coverage

The maximum coverage shall be 30% of the *lot*.

5.2.06A Minimum Parcel Requirement

The minimum parcel size shall be 4,000 m². (BL 1660)

5.2.06B Frontage

The minimum *frontage* shall be 40 m. (BL 1660)

5.2.06C Two-Family Dwellings

(1)

- (a) The minimum *lot* size for the development of a *two-family dwelling* shall be 1,300 m².
- (b) The minimum *frontage* for development of a *two-family dwelling* shall be 18 m.

(2)

- (a) The minimum *ground floor area* excluding *garage, carport*, for a “side-by-side” *two-family dwelling* is 60 m² per *dwelling unit*.
- (b) The minimum *floor area* excluding *garage, carport*, for an “up-and-down” *two-family dwelling* is 60 m² per *dwelling unit*.

(3)

- (a) The minimum average distance between two opposing exterior walls of a “side-by-side” *two-family dwelling* shall be 12 m.
- (b) The minimum average width of an “up-and-down” *two-family dwelling* is 7 m for each *dwelling unit*.

(4)

- In all cases, *two-family dwellings* shall meet health protection and building code requirements. (BL 2113)

5.2.07 General

The relevant provisions of Section 2.1 of this Bylaw shall apply.

Section 5.3 Rural Residential 2

AR2

5.3.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Rural Residential 2 (AR2) Zone:

- (1) *One-family dwelling*
- (2) *Community care facility*
- (3) *Home occupation*
- (4) Not more than 4 *boarders or lodgers* in a *dwelling unit*
- (5) *Structures* for the keeping of horses, cattle, sheep, goats, rabbits and poultry for domestic purposes only
- (6) *Accessory buildings and uses*
- (7) *Two-family dwelling* (BL 2113)

5.3.02 Number of Residential Buildings

There shall be not more than one *residential building* per *lot*. (BL 2113)

5.3.03 Size and Shape of Buildings

The height of a *building* shall not exceed 10.5 m.

5.3.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 3 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *structures* for the keeping of the animals specified in Section 5.3.01 (5) shall be not less than 30 m from the *front lot line* and 15 m from any other *lot line*.

5.3.05 Requirements for the Keeping of Animals

The keeping of horses, cattle, sheep, goats, rabbits and poultry shall be subject to the following conditions:

- (1) The minimum *lot* area shall be 4,000 m²;
- (2) Poultry and rabbits shall be limited in number to 24 for each 4,000 m² of *lot* area;
- (3) Horses, cattle, sheep and goats shall be limited to one animal for each 4,000 m² of *lot* area plus one animal for any fraction of 4,000 m² of *lot* area in excess of the *lot* area divided by 4,000 m².

5.3.06 Lot Coverage

The maximum coverage shall be 35% of the *lot*.

5.3.06A Minimum Parcel Requirement

The minimum parcel size shall be 8,000 m². (BL 1660)

5.3.06B Frontage

The minimum *frontage* shall be 40 m. (BL 1660)

5.3.06C Two-Family Dwellings

(1)

- (a) The minimum *lot* size for the development of a *two-family dwelling* shall be 1,300 m².
- (b) The minimum *frontage* for development of a *two-family dwelling* shall be 18 m.

(2)

- (a) The minimum *ground floor area* excluding *garage, carport*, for a “side-by-side” *two-family dwelling* is 60 m² per *dwelling unit*.
- (b) The minimum *floor area* excluding *garage, carport*, for an “up-and-down” *two-family dwelling* is 60 m² per *dwelling unit*.

(3)

- (a) The minimum average distance between two opposing exterior walls of a “side-by-side” *two-family dwelling* shall be 12 m.
- (b) The minimum average width of an “up-and-down” *two-family dwelling* is 7 m for each *dwelling unit*.

(4)

- In all cases, *two-family dwellings* shall meet health protection and building code requirements. (BL 2113)

5.3.07 General

The relevant provisions of Section 2.1 of this Bylaw shall apply.

Section 5.4 Rural Residential 3

AR3

(BL 1660)

DELETED

Section 5.5 Rural Residential 4

AR4

(BL 1660)

DELETED

Section 5.6 Residential 1

R1

5.6.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Residential 1 (R1) Zone:

- (1) *One-family dwelling or two-family dwelling*
- (2) *Community care facility*
- (3) *Home occupation*
- (4) Not more than 4 *boarders or lodgers* in a *dwelling unit*
- (5) *Structures* for the keeping of horses, cattle, sheep, goats, rabbits and poultry for domestic purposes only
- (6) *Accessory buildings and uses*

5.6.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* or one *two-family dwelling* on a *lot*.

5.6.03 Deleted (BL 1660)

5.6.04 Location of Two-Family Dwellings

No *two-family dwelling* shall be located on a *lot* created more than six months after the adoption of this Bylaw unless such *lot* is at least 50 m from any other *lot* on which is located a two-family dwelling or in respect of which there is a pending application for a two-family dwelling and which is located on the same side of the same *highway*.

5.6.05 Size, Shape of One-Family Dwelling

- (1) The minimum ground *floor area* of a *dwelling unit* shall be 80 m².
- (2) The minimum average width of a *dwelling unit* shall be not less than 7 m.
(BL 2113)

5.6.05A Height

The *height* of a *building* shall not exceed 9 m. (BL 2113)

5.6.06 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) *Side yards* shall be provided of not less than 1.5 m in width, and the sum of the two *side yards* shall not be less than 4.5 m.
 - (b) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 6 m in width.
- (3) A *rear yard* shall be provided of not less than 7.5 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *structures* for the keeping of the animals specified in Section 5.6.01 (5) shall be not less than 30 m from the *front lot line* and 15 m from any other *lot line*.

5.6.07 Requirements for the Keeping of Animals

The keeping of horses, cattle, sheep, goats, rabbits and poultry shall be subject to the following conditions:

- (1) The minimum *lot* area shall be 4,000 m².
- (2)
 - (a) Notwithstanding Subsection (1), on any *lot* poultry and rabbits shall be limited in number to one (1) for each 166 m² of *lot* area.
(BL 1943, BL 1575)
 - (b) Notwithstanding Subsection 2.1.06 *Accessory Building* setbacks of *buildings* for the keeping of poultry and rabbits shall be 6 m from side property lines and 7.6 m from rear and front property lines.
(BL 1575)
- (3) Horses, cattle, sheep and goats shall be limited to one animal for each 4,000 m² of *lot* area plus one animal for any fraction of 4,000 m² of *lot* area in excess of the *lot* area divided by 4,000 m².

5.6.08 Lot Coverage

The maximum coverage shall be 35% of the *lot*.

5.6.08A Minimum Parcel Requirement

The minimum parcel size shall be 695 m².

5.6.08B Frontage

The minimum *frontage* shall be 16 m.

5.6.08C Two-Family Dwellings

- (1) *Two-family dwellings* are not permitted on *panhandle lots*.
- (2)
 - (a) The minimum *lot* size for the development of a “side-by-side” *two-family dwelling* shall be 835 m².
 - (b) The minimum *frontage* for development of a *two-family dwelling* shall be 18 m.
- (3)
 - (a) The minimum ground *floor area* for a “side-by-side” *two-family dwelling* is 60 m² per *dwelling unit*.
 - (b) The minimum *floor area* for an “up-and-down” *two-family dwelling* is 60 m² per *dwelling unit*.
- (4)
 - (a) The minimum average distance between two opposing exterior walls of a “side-by-side” *two-family dwelling* shall be 12 m.
 - (b) The minimum average width of an “up-and-down” *two-family dwelling* is 7 m for each *dwelling unit*.
- (5) In all cases, *two-family dwellings* shall meet health protection and building code requirements.
(BL 2113)

5.6.09 General

The relevant provisions of Section 2.1 of this Bylaw shall apply.

Section 5.7 One-Family Dwelling

R2

5.7.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the One-Family Dwelling (R2) Zone:

- (1) *One-family dwelling*
- (2) *Community care facility*
- (3) *Home occupation*
- (4) Not more than 4 *boarders or lodgers* in a *dwelling unit*
- (5) *Structures* for the keeping of horses, cattle, sheep, goats, rabbits and poultry for domestic purposes only
- (6) *Accessory buildings and uses*

5.7.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* on a *lot*.

5.7.03 Size and Shape of Buildings

- (1) The minimum ground *floor area* of a *dwelling unit* shall be 80 m².
- (2) The minimum average width of a *dwelling unit* shall be not less than 7 m.
- (3) The *height* of a *building* shall not exceed 9 m.

5.7.03A Minimum Parcel Requirement

The minimum parcel size shall be 805 m². (BL 1660)

5.7.03B Frontage

The minimum *frontage* will be 18 m. (BL 1660)

5.7.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) *Side yards* shall be provided of not less than 1.5 m in width, and the sum of the two *side yards* shall not be less than 4.5 m.
 - (b) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 6 m in width.
- (3) A *rear yard* shall be provided of not less than 7.5 m in depth.
- (4) Notwithstanding Subsections (1), (2) and (3), *structures* for the keeping of the animals specified in Section 5.7.01 (5) shall be not less than 30 m from the *front lot line* and 15 m from any other *lot line*.

5.7.05 Requirements for the Keeping of Animals

The keeping of horses, cattle, sheep, goats, rabbits and poultry shall be subject to the following conditions:

- (1) The minimum *lot* area shall be 4,000 m².
- (2)
 - (a) Notwithstanding Subsection (1), on any *lot* poultry and rabbits shall be limited in number to one (1) for each 166 m² of *lot* area.
(BL 1943, BL 1575)
 - (b) Notwithstanding Subsection 2.1.06 *Accessory Building*, setbacks of *buildings* for the keeping of poultry and rabbits shall be 6 m from side property lines and 7.6 m from rear and front property lines.
(BL 1575)
- (3) Horses, cattle, sheep and goats shall be limited to one animal for each 4,000 m² of *lot* area plus one animal for any fraction of 4,000 m² of *lot* area in excess of the *lot* area divided by 4,000 m².

5.7.06 Lot Coverage

The maximum coverage shall be 35% of the *lot*.

5.7.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 5.7A Residential Service

R3

(BL 1415)

5.7A.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Residential Service (R3) Zone:

- (1) *One-family dwelling* or one *two-family dwelling*
- (2) *Home occupation*
- (3) *Accessory buildings*

5.7A.02 Subdivision Requirements

- (1) The minimum *lot* area shall be 700 m².
- (2) The minimum *lot* width be 16 m.
- (3) The minimum *lot* area for a *two-family dwelling* shall be 835 m².
- (4) The minimum *lot* width for a *two-family dwelling* shall be 16 m.

5.7A.03 Number of Residential Buildings

There shall be not more than one *one-family dwelling* or one *two-family dwelling* on a *lot*.

5.7A.04 Location of Two-Family Dwellings

A *two-family dwelling* shall not be built on a *lot* on the same side of the same *highway* unless there is a minimum distance of 50 m between *lot* boundaries.

5.7A.05 Site and Shape of Buildings

- (1) The minimum ground *floor area* of a *dwelling unit* shall be 80 m².
- (2) The minimum average width of a *dwelling unit* shall be not less than 7 m.
- (3) The *height* of a *building* shall not exceed 9 m.

5.7A.06 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) A *side yard* shall be provided of not less than 1.5 m in width, and the sum of the two *side yards* shall not be less than 4.5 m.
 - (b) On a *corner lot*, a *side yard* of not less than 6 m in width shall be provided adjoining a *flanking street*.
- (3) A *rear yard* shall be provided of not less than 7.5 m in depth.

5.7A.07 Lot Coverage

The maximum *lot coverage* shall be 35% of the *lot*.

5.7A.08 General

The provisions of Division 2 of this Bylaw shall apply.

Section 5.8 Mobile Home Park

RH1

5.8.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Mobile Home Park (RH1) Zone:

- (1) *Mobile home parks* subject to the provisions of the *Mobile Home Parks* Bylaw No. 377 and amendments thereto
- (2) *Accessory buildings and uses*

5.8.01A Minimum Parcel Requirement

The minimum parcel size shall be 0.5 ha. (BL 1660)

5.8.01B Frontage

The minimum *frontage* shall be 25 m. (BL 1660)

5.8.01C Strata-Title Minimum Parcel Requirement and Frontage

Notwithstanding Subsection 5.8.01A and 5.8.01B, where individual *mobile home* spaces are to be strata-titled under the ***Condominium Act***, the minimum *lot* area and *frontage* for each *mobile home* space shall be subject to the Mobile Home Park Bylaw No. 377.

(BL 1600)

5.8.02 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 6.1 Low Density Attached Housing

RM1

6.1.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Low Density Attached Housing (RM1) Zone:

- (1) *Attached housing*
- (2) *One-family dwelling and two-family dwelling*
- (3) *Home occupations in a one-family or two-family dwelling*
- (4) *Accessory buildings and uses*

6.1.02 Conditions of Use for One-Family or Two-Family Dwelling Use

A *one-family dwelling* or *two-family dwelling* use shall be subject to the regulations of the Residential 1 (R1) Zone and not the regulations of this Zone.

6.1.03 Density of Development

The maximum density shall be one *dwelling unit* per 500 m² of *lot* area.

6.1.04 Height of Buildings

The *height* of a *building* shall be one *dwelling unit* per 500 m² of *lot* area.

6.1.04A Minimum Parcel Requirement

The minimum parcel size shall be 1,800 m². (BL 1660)

6.1.04B Frontage

The minimum *frontage* shall be 18 m. (BL 1660)

6.1.05 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) *Side yards* shall be provided of not less than 6 m in width.
 - (b) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.

6.1.06 Lot Coverage

The maximum coverage shall be 35% of the *lot*.

6.1.07 Buildings and Structures for an Attached Housing Use

- (1) No *buildings* or *structure* shall exceed a horizontal width of 50 m or six units, whichever is the lesser.
- (2) *Dwelling units* shall be not less than 50 m² with a minimum horizontal width of 6 m.
- (3) No *building* or *structure* shall be permitted with a *dwelling unit* wholly or in part above another *dwelling unit*.
- (4) Where one wall faces another wall of the same *building* or of another *building* on the same *lot*, *buildings* and *structure* shall be sited to provide a

continuous 90 degree horizontal arc, unencumbered by *buildings* on the same *lot*, of radius not less than:

- (a) 15 m from the centre of all windows in a living room;
- (b) 12 m from the centre of all windows in a habitable room other than a living room; and
- (c) 6 m from the centre of all other windows, from walls, and from outside corners of the *buildings*.

6.1.08 Pedestrian Access

No pedestrian access other than to the *dwelling unit* it serves shall be less than 3m from any habitable room window greater than 0.5 m² in area, measured perpendicularly from such window.

6.1.09 Usable Open Space

Not less than 5% of the *lot* shall be development as *usable open space*.

6.1.10 Landscaping

All portions of the *lot* not covered by *buildings*, *structures* or parking area, shall be landscaped and maintained in a neat and tidy condition.

6.1.11 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 6.2 Attached Housing

RM2

6.2.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Attached Housing (RM2) Zone:

- (1) *Attached housing*
- (2) *One-family dwelling and two-family dwelling*
- (3) *Home occupations in a one-family or two-family dwelling*
- (4) *Accessory buildings and uses*

6.2.02 Conditions of Use for One-Family or Two-Family Dwelling Use

A *one-family dwelling* or *two-family dwelling* use shall be subject to the regulations of the Residential 1 (R1) Zone and not the regulations of this Zone.

6.2.03 Density of Development

The maximum density shall be one *dwelling unit* per 285 m² of *lot* area.

6.2.04 Height of Buildings

The *height* of a *building* shall not exceed 9m.

6.2.04A Minimum Parcel Requirement

The minimum parcel size shall be 1,800 m². (BL 1660)

6.2.04B Frontage

The minimum *frontage* shall be 18 m. (BL 1660)

6.2.05 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) *Side yards* shall be provided of not less than 6 m in width.
 - (b) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.

6.2.06 Lot Coverage

The maximum coverage shall be 35% of the *lot*.

6.2.07 Buildings and Structures for an Attached Housing Use

- (1) No *buildings* or *structure* shall exceed a horizontal width of 50m or six units, whichever is the lesser.
- (2) *Dwelling units* shall be not less than 50 m² with a minimum horizontal width of 6 m.
- (3) No *building* or *structure* shall be permitted with a *dwelling unit* wholly or in part above another *dwelling unit*.
- (4) Where one wall faces another wall of the same *building* or of another *building* on the same *lot*, *buildings* and *structure* shall be sited to provide a

continuous 90 degree horizontal arc, unencumbered by *buildings* on the same *lot*, of radius not less than:

- (a) 15 m from the centre of all windows in a living room;
- (b) 12 m from the centre of all windows in a habitable room other than a living room; and
- (c) 6 m from the centre of all other windows, from walls, and from outside corners of the *buildings*.

6.2.08 Pedestrian Access

No pedestrian access other than to the *dwelling unit* it serves shall be less than 3 m from any habitable room window greater than 0.5 m² in area, measured perpendicularly from such window.

6.2.09 Usable Open Space

Not less than 5% of the *lot* shall be development as *usable open space*.

6.2.10 Landscaping

All portions of the *lot* not covered by *buildings*, *structures* or parking area, shall be landscaped and maintained in a neat and tidy condition.

6.2.11 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 6.3 Apartment

RM3

6.3.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Apartment (RM3) Zone:

- (1) *Apartments*
- (2) *Attached housing*
- (3) *Accessory buildings and uses*

6.3.02 Conditions of Use for an *Attached Housing Use*

An *attached housing use* shall be subject to the regulations of the Attached Housing (RM2) Zone and not the regulations of this Zone.

6.3.03 Density of Development

The maximum density of development shall be one *dwelling unit* per 200 m² of site area.

6.3.04 Height of Buildings

The *height* of a *building* shall not exceed four *storeys* or 15 m.

6.3.04A Minimum Parcel Requirement

The minimum parcel size shall be 1,800 m². (BL 1660)

6.3.04B Frontage

The minimum *frontage* shall be 18 m. (BL 1660)

6.3.05 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided equal to 0.6 m multiplied by the *height* of the *building*. In no case shall the width of a *side yard* be less than 7.5 m.
- (3) A *rear yard* shall be provided equal to 1 m multiplied by the *height* of the *building*. In no case shall the depth of a *rear yard* be less than 10 m.

6.3.06 Lot Coverage

The maximum coverage shall be 35% of the *lot*.

6.3.07 Building Separation

Where one wall faces another wall of the same *buildings* or of another *building* on the same *lot*, *buildings* and *structures* shall be sited to provide a continuous 90 degree horizontal arc, unencumbered by *buildings* on the same *lot*, of radius not less than:

- (a) 15 m from the centre of all windows in a living room;
- (b) 12 m from the centre of all windows in a habitable room other than a living room; and
- (c) 6 m from the centre of all other windows, from walls, and from outside corners of the *buildings*.

6.3.08 Usable Open Space

Not less than 5% of the *lot* shall be developed as *usable open space*.

6.3.09 Landscaping

All portions of the *lot* not covered by *buildings, structures* or parking area shall be landscaped and maintained in a neat and tidy condition.

6.3.10 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 6.4 Apartment [Senior Citizens]

RM4

(BL 1074)

6.4.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Apartment [Senior Citizens] (RM4) Zone:

- (1) *Apartment (senior citizens)*
- (2) *Accessory buildings and uses*

6.4.02 Density of Development

- (1) A minimum of 93 m² of *lot* area for every *dwelling unit* where the *dwelling unit* has one (1) bedroom.
- (2) A minimum of 278 m² of *lot* area for every *dwelling unit* where the *dwelling unit* has two (2) bedrooms.
- (3) A minimum of 464 m² of *lot* area for every *dwelling unit* where the *dwelling unit* has three (3) bedrooms.

6.4.03 Height of Buildings

The *height* of a *building* shall not exceed four *storeys* or 14 m.

6.4.03A Minimum Parcel Requirement

The minimum parcel size shall be 5,000 m². (BL 1660)

6.4.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided equal to 0.6 m multiplied by the *height* of the *building*. In no case shall the width of a *side yard* be less than 7.5 m.
- (3) A *rear yard* shall be provided equal to 1 m multiplied by the *height* of the *building*. In no case shall the depth of a *rear yard* be less than 10 m.

6.4.05 Lot Coverage

The maximum coverage shall be 16% of the *lot*.

6.4.06 Building Separation

Where one wall faces another wall of the same *building* or of another *building* on the same *lot*, *buildings* and *structures* shall be sited to provide a continuous 90 degree horizontal arc, unencumbered by *buildings* on the same *lot*, of radius not less than:

- (1) 15 m from the centre of all windows in a living room;
- (2) 12 m from the centre of all windows in a habitable room other than a living room; and
- (3) 6 m from the centre of all other windows, from walls, and from outside corners of *buildings*.

6.4.07 Usable Open Space

- (1) A minimum of 5 m² for each *dwelling unit*.
- (2) The minimum size of an individual open space area shall be 50 m².

6.4.08 Landscaping

All portions of the *lot* not covered by *buildings, structures* or parking areas shall be landscaped and maintained in a neat and tidy condition.

6.4.09 Parking

Notwithstanding Section 2.2.01 vehicular parking shall be provided at .75 spaces for each *dwelling unit*.

6.4.10 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 6.5 Residential Service [Attached]

RM5

(BL 1416)

6.6.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Residential Service [Attached] (RM5) Zone:

- (1) *One-family dwelling* or one *two-family dwelling*
- (2) *Attached housing*
- (3) *Accessory buildings*

6.6.02 Subdivision Requirements

- (1) The minimum *lot* area shall be 1,200 m².
- (2) The minimum *lot* width shall be 18 m.

6.6.03 Number of Residential Buildings

There shall be not more than six *dwelling units* on a *lot*.

6.6.04 Density of Development

The minimum density shall be one *dwelling unit* per 600 m² of *lot* area.

6.6.05 Height of Buildings

The *height* of a *building* shall not exceed 10 m.

6.6.06 Yard Requirements

- (1) A *front yard* shall be provided of not less than 6 m in depth.
- (2)
 - (a) A *side yard* shall be provided of not less than 1.5 m in width, and the sum of the two *side yards* shall not be less than 4.5 m.
 - (b) On a *corner lot*, a *side yard* of not less than 6 m in width shall be provided adjoining a *flanking street*.
- (3) A *rear yard* shall be provided of not less than 7.5 m in depth.

6.6.07 Lot Coverage

The maximum *lot coverage* shall be 35% of the *lot*.

6.6.08 General

The relevant provisions of Division 2 of this Bylaw shall apply

Section 6.6 Residential Service [Apartment] **RM6** (BL 1417)

6.6.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Residential Service [Apartment] (RM6) Zone:

- (4) *Apartments*
- (5) *Accessory buildings*

6.6.02 Subdivision Requirement

- (3) The minimum *lot* area for an *apartment* shall be 4,000 m².
- (4) The minimum *lot* width for an *apartment* shall be 20 m.

6.6.03 Density of Development

The maximum density of development shall be one *dwelling unit* per 200 m² of *lot* area.

6.6.04 Height of Buildings

The *height* of a *building* shall not exceed four *storeys* or 15 m.

6.6.05 Yard Requirements

- (4) A *front yard* shall be provided of not less than 6 m in depth.
- (5) *Side yards* shall be provided equal to 0.6 multiplied by the *height* of the *building*. In no case shall the width of a *side yard* be less than 7.5 m.
- (6) A *rear yard* shall be provided equal to 1.0 multiplied by the *height* of the *building*. In no case shall the depth of a *rear yard* be less than 7.5 m.

6.6.06 Lot Coverage

The maximum *lot coverage* shall be 35% of the *lot*.

6.6.07 Building Separation

Where on wall faces another wall of the same *building* or of another *building* on the same *lot*, *buildings* and *structures* shall be sited to provide a continuous 90 degree horizontal arc, unencumbered by *buildings* on the same *lot*, of radius not less than

- (1) 15 m from the centre of all windows in a living room
- (2) 12 m from the centre of all windows in a habitable room other than a living room
- (3) 6 m from the centre of all other windows, from walls, and from outside corners of *buildings*

6.6.08 General

The relevant provisions of Division 2 of this Bylaw shall apply

Section 7.1 Neighbourhood Commercial

C1

7.1.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the *Neighbourhood Commercial (C1) Zone:

- (1) Bakery, not exceeding a total of 200 m² of *floor area*
- (2) Offices
- (3) Personal service establishments including, but without limiting the generality of the foregoing, barber shop, beauty parlour, appliance repair shop, launderette (automatic self-service only), optical or watch repair shop, photographic studio and shoe repair
- (4) Post office
- (5) Restaurants
- (6) *Retail stores*
- (7) One *dwelling unit* in conjunction with, and in addition to, any of the above *uses* provided that:
 - (a) if located on the same level as the commercial *use* it shall be located behind the commercial *use*; and
 - (b) it is fully separated from the commercial *use* with the main street access to the *dwelling unit* being entirely separate from the related commercial *use*.
- (8) *Accessory buildings and uses*

7.1.02 Conditions of Use

- (1) Any goods produced on the premises shall be sold at retail on the same premises.
- (2) There shall not be more than one *dwelling unit* on a *lot*.

7.1.03 Density of Development

The *floor area ratio* shall in no case exceed 0.5.

7.1.04 Height of Buildings

The *height* of a *building* shall not exceed 9 m or two *storeys*.

7.1.04A Minimum Parcel Requirement

The minimum parcel size shall be 695 m². (BL 1660)

7.1.04B Frontage

The minimum *frontage* shall be 16 m. (BL 1660)

7.1.05 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) Where a *lot* is not serviced by a rear access *highway*, a *side yard* of 4.5 m in width shall be provided on at least one side of the *lot*.

- (b) Where a *lot* abuts a *lot* in a *Residential Zone* or a *Multiple-Family Residential Zone*, a *side yard* shall be provided of not less than 6 m in width.
- (c) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.

7.1.06 Lot Coverage

The maximum coverage shall be 50% of the *lot*.

7.1.07 Landscaping and Screening

- (1) *Landscaping* shall cover not less than 5% of the development *lot* area.
- (2) A continuous *landscaping* strip not less than 2 m wide shall be provided along the developed portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows.
- (3) Except in those portions where a *building* abuts a *lot line*, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high, shall be provided along all *lot lines* separating the development portion of the *lot* from any *Residential Zone* or *Multiple-Family Residential Zone*, whether such property be separated by a *highway* or not.

7.1.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.2 Community Commercial

C2

7.2.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Community Commercial (C2) Zone:

- (1) *Animal hospitals* in enclosed *buildings*
- (2) Bakery, not exceeding a total of 200 m² of *floor area*
- (3) Commercial nurseries and greenhouses
- (4) Gasoline service stations and car wash
- (5) *Hotels*
- (6) Offices
- (7) Parking facilities
- (8) Personal service establishments including, but without limiting the generality of the foregoing, barber shop, beauty parlour, appliance repair shop, launderette (automatic self-service only), optical or watch repair shop, photographic studio and shoe repair
- (9) Post office
- (10) Premises limited pursuant to the ***Liquor Control and Licensing Act***
- (11) Printing, publishing and bookbinding
- (12) Public *assembly* and entertainment *uses*, including but without limiting the generality of the foregoing, auditoriums, billiard and pool halls, bowling alleys, catering establishments and gymnasiums; specifically excludes movie theatres
- (13) Restaurants
- (14) *Retail stores*
- (15) *Shopping centres*
- (16) One *dwelling unit* in conjunction with and in addition to, any of the above *uses* provided that:
 - (a) if located on the same level as the commercial *use* it shall be located behind the commercial *use*; and
 - (b) it is fully separated from the commercial *use* with the main street access to the *dwelling unit* being entirely separate from the related commercial *use*
- (17) *Accessory buildings* and *uses*
- (18) Cabinet making and furniture repair (BL 1516)

7.2.02 Conditions of Use

- (1) Any goods produced on the premises shall be sold at retail on the same premises.
- (2) There shall not be more than one *dwelling unit* on a *lot*.
- (3) Cabinet making or furniture repair *uses* shall not cause noxious or offensive odours, dust, smoke, gas or noise. (BL 1516)

7.2.03 Density of Development

The *floor area ratio* shall in no case exceed 1.0.

7.2.04 Height of Buildings

The *height* of a *building* shall not exceed 12 m or three *storeys* except that the *height* of a *building* for cabinet making and furniture repair shall not exceed 4.0 m or 1 *storey*.

(BL 1516)

7.2.04A Minimum Parcel Requirement

The minimum parcel size shall be 695 m².

(BL 1660)

7.2.04B Frontage

The minimum *frontage* shall be 16 m.

(BL 1660)

7.2.05 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth provided, however, that if the area between the *front building line* and the *front lot line* exclusive of access driveways is landscaped, the required *front yard* shall be not less than 4.5 m in depth.
- (2)
 - (a) Where a *lot* is not serviced by a rear access *highway*, a *side yard* of 4.5 m in width shall be provided on at least one side of the *lot*.
 - (b) Where a *lot* abuts a *lot* in a *Residential Zone* or a *Multiple-Family Residential Zone*, a *side yard* shall be provided of not less than 6m in width.
 - (c) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width provided, however, that if the area between the *building* and the *side lot line* exclusive of access driveways is landscaped, the required *side yard* shall not be less than 4.5 m in width.
- (3) A *rear yard* shall be provided of not less than 3 m in depth, except where such *lot* abuts a *lot* in a *Residential Zone* or a *Multiple-Family Residential Zone*, such yard shall be not less than 6 m in depth.

7.2.06 Lot Coverage

The maximum coverage shall be 50% of the *lot*.

7.2.07 Landscaping and Screening

- (1) *Landscaping* shall cover not less than 5% of the development *lot* area.
- (2) A continuous *landscaping* strip not less than 2 m wide shall be provided along the development portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows.
- (3) Except in those portions where a *building* abuts a *lot line*, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all *lot lines* separating the developed

portion of the *lot* from any *Residential Zone* or *Multiple-Family Residential Zone*, whether such property be separated by a *highway* or not.

7.2.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.3 District Commercial

C3

7.3.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the District Commercial (C3) Zone:

- (1) *Animal hospitals* in enclosed *buildings*
- (2) Auction rooms
- (3) Automobile and boat showrooms
- (4) Bakery
- (5) Business colleges and trade schools
- (6) Funeral parlours
- (7) Gasoline service stations and car wash
- (8) *Hotels*
- (9) Offices
- (10) Parking facilities
- (11) Personal service establishments including, but without limiting the generality of the foregoing, barber shop, beauty parlour, appliance repair shop, launderette (automatic self-service only), optical or watch repair shop, photographic studio and shoe repair
- (12) Post office
- (13) Premises limited pursuant to the ***Liquor Control and Licensing Act***
- (14) Printing, publishing and bookbinding
- (15) Private clubs and lodges
- (16) Public assembly and entertainment *uses*, including but without limiting the generality of the foregoing, auditoriums, billiard and pool halls, bowling alleys, catering establishments, gymnasiums and indoor movie theatres
- (17) Public transportation depots
- (18) Restaurants
- (19) *Retail stores*
- (20) *Shopping centres*
- (21) *Taxi office*
- (22) *Accessory buildings and uses*

7.3.02 Density of Development

The *floor area ratio* shall in no case exceed 2.0.

7.3.03 Height of Buildings

The *height* of a *building* shall not exceed 15 m or four *storeys*.

7.3.03A Minimum Parcel Requirement

The minimum parcel size shall be 695 m². (BL 1660)

7.3.03B Frontage

The minimum *frontage* shall be 16 m. (BL 1660)

7.3.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth provided, however, that if the area between the *front building line* and the *front lot line* exclusive of access driveways is landscaped, the required *front yard* shall be not less than 4.5 m in depth.
- (2)
 - (a) Where a *lot* is not serviced by a rear access *highway*, a *side yard* of 4.5 m in width shall be provided on at least one side of the *lot*.
 - (b) Where a *lot* abuts a *lot* in a *Residential Zone* or a *Multiple-Family Residential Zone*, a *side yard* shall be provided of not less than 6 m in width.
 - (c) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width provided, however, that if the area between the *building* and the *side lot line* exclusive of access driveways is landscaped, the required *side yard* shall not be less than 4.5 m in width.
- (3) A *rear yard* shall be provided of not less than 3 m in depth, except where such *lot* abuts a *lot* in a *Residential Zone* or a *Multiple-Family Residential Zone*, such yard shall be not less than 6 m in depth.

7.3.05 Lot Coverage

The maximum coverage shall be 75% of the *lot*.

7.3.06 Landscaping and Screening

- (1) *Landscaping* shall cover not less than 5% of the development *lot* area. This *landscaping* shall include the planting of trees in the amount of not less than one tree for each 100 m² of development *lot* area.
- (2) A continuous *landscaping* strip not less than 3 m wide shall be provided along the development portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows.
- (3) Except in those portions where a *building* abuts a *lot line*, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Residential Zone* or *Multiple-Family Residential Zone*, whether such property be separated by a *highway* or not.

7.3.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.4 Apartment Commercial

C4

7.4.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the *Apartment Commercial (C4) Zone*:

- (1) *Apartment dwelling units* located above the first *storey* of a *building*
- (2) Offices
- (3) Personal service establishments including, but without limiting the generality of the foregoing, barber shop, beauty parlour, appliance repair shop, launderette (automatic self-service only), optical or watch repair shop, photographic studio and shoe repair
- (4) Post office
- (5) Restaurants
- (6) *Retail stores*
- (7) *Accessory buildings and uses*

7.4.02 Conditions of Use

- (1) Any goods produced on the premises shall be sold at retail on the same premises.
- (2) Every business or undertaking shall be conducted within a completely enclosed *building* except for parking and loading facilities associated therewith.

7.4.03 Conditions for Use for *Apartment Dwelling Units*

Apartment dwelling units shall be permitted only in conformity with the following provisions:

- (1) Except for entrances and passageways to *dwelling units*, the ground floor of the *building* shall be used only for commercial purposes
- (2) The floor on which any *dwelling units* are located shall be used exclusively for residential purposes.
- (3) A completely separate public entrance to the *apartment dwelling units* shall be provided at ground floor front or side elevation.
- (4) No advertising *use* shall be located on or above a *storey* used for *apartment dwelling units*.
- (5) Parking for *apartment dwelling units* shall be completely separate from that provided for other *uses* and shall bear a sign stating that the parking is for residential purposes only.

7.4.04 Density of Development

- (1) The *floor area ratio* shall in no case exceed 1.0. (BL 1161)
- (2) The maximum density shall be one *dwelling unit* per 200 m² of site area. (BL 1161)

7.4.05 Height of Buildings

The *height* of a *building* shall not exceed 15 m or four *storeys*.

7.4.05A Minimum Parcel Requirement

The minimum parcel size shall be 1,800 m². (BL 1660)

7.4.05B Frontage

The minimum *frontage* shall be 18 m. (BL 1660)

7.4.06 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth provided, however, that if the area between the *front building line* and the *front lot line* exclusive of access driveways is landscaped, the required *front yard* shall be not less than 4.5 m in depth.
- (2)
 - (a) Where a *lot* is not serviced by a rear access *highway*, a *side yard* of 4.5 m in width shall be provided on at least one side of the *lot*.
 - (b) Where a *lot* abuts a *lot* in a *Residential Zone* or a *Multiple-Family Residential Zone*, a *side yard* shall be provided of not less than 6 m in width.
 - (c) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width provided, however, that if the area between the *building* and the *side lot line* exclusive of access driveways is landscaped, the required *side yard* shall not be less than 4.5 m in width.
- (3) A *rear yard* shall be provided of not less than 3 m in depth, except where such *lot* abuts a *lot* in a *Residential Zone* or a *Multiple-Family Residential zone*, such yard shall be not less than 6 m in depth.

7.4.07 Lot Coverage

The maximum coverage shall be 50% of the *lot*. (BL 1161)

7.4.08 Landscaping and Screening

- (1) All portions of the *lot* not covered by *buildings*, *structures* or parking areas shall be landscaped and maintained in a neat and tidy condition. This landscaped area shall be not less than 20% of the *lot*.
- (2) Where a *lot* abuts a *lot* in a *Residential Zone*, *Industrial Zone* or *Institutional Zone*, a continuous *landscape screen* at least 1.5 m high shall be provided, except where a *building* abuts the *lot line*.
- (3) The off-street parking provided for an *apartment dwelling use* if not within a *building* or underground, shall be surrounded by a *landscape screen* at least 1.5 m in a strip at least 1.5 m wide.

7.4.09 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.5 Office Commercial

C5

7.5.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Office Commercial (C5) Zone:

- (1) Medical clinics and accessory related commercial *uses*
- (2) Offices
- (3) Private hospitals and nursing homes
- (4) *Accessory buildings and uses*

7.5.02 Density of Development

The *floor area ratio* shall in no case exceed 1.0.

7.5.03 Height of Buildings

The *height* of a *building* shall not exceed 12 m or three *storeys*.

7.5.03A Minimum Parcel Requirement

The minimum parcel size shall be 695 m². (BL 1660)

7.5.03B Frontage

The minimum *frontage* shall be 16 m. (BL 1660)

7.5.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth provided, however, that if the area between the *front building line* and the *front lot line* exclusive of access driveways is landscaped, the required *front yard* shall be not less than 4.5 m in depth.
- (2)
 - (a) Where a *lot* is not serviced by a rear access *highway*, a *side yard* of 4.5 m in width shall be provided on at least one side of the *lot*.
 - (b) Where a *lot* abuts a *lot* in a *Residential Zone* or a *Multiple-Family Residential Zone*, a *side yard* shall be provided of not less than 6 m in width.
 - (c) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width provided, however, that if the area between the *building* and the *side lot line* exclusive of access driveways is landscaped, the required *side yard* shall not be less than 4.5 m in width.
- (3) A *rear yard* shall be provided of not less than 3 m in depth, except where such *lot* abuts a *lot* in a *Residential Zone* or a *Multiple-Family Residential Zone*, such *yard* shall be not less than 6 m in depth.

7.5.05 Lot Coverage

The maximum coverage shall be 40% of the *lots*.

7.5.06 Landscaping and Screening

- (1) *Landscaping* shall cover not less than 5% of the developed *lot* area. This *landscaping* shall include the planting of trees in the amount of not less than one tree for each 100 m² of developed *lot* area.
- (2) A continuous *landscaping* strip not less than 3 m wide shall be provided along the developed portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows.
- (3) Except in those portions where a *building* abuts a *lot line*, screen planting at least 1.5 m high in a strip at least 1.5 m. wide, or a solid decorative fence at least 1.5 m high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Residential Zone* or *Multiple-Family Residential Zone*, whether such property be separated by a *highway* or not.

7.5.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.6 Service Commercial

CS1

7.6.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Service Commercial (CS1) Zone:

- (1) *Animal hospitals* in enclosed *buildings*
- (2) Auction rooms
- (3) Automobile repair, and body painting shops
- (4) Car wash establishments and *drive-in businesses*
- (5) Commercial nurseries and greenhouses
- (5A) Feed and seed supply (BL 1598)
- (6) Gasoline service stations
- (7) Offices, storage *buildings* and yards for:
 - (a) building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and sign contractors;
 - (b) towing companies
- (8) Printing, publishing and bookbinding
- (9) Recycling depots
- (10) Parking facilities
- (11) Personal service establishments, not exceeding 200 m² in *gross floor area*, including, but without limiting the generality of the foregoing, barber shop, beauty parlour, appliance repair shop, launderette (automatic self-service only), optical or watch repair shop, photographic studio and shoe repair
- (12) Public transportation depots
- (13) Restaurants
- (14) Repair of household furnishings
- (15) Retail lumber and building supply establishments
- (16) Retail sale, rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawnmowers, motorbikes, rototillers and outboard motors
- (17) Retail sale and rental of automobiles, trucks, boats, camper vehicles, *mobile homes* and farm machinery and parts and accessories thereof
- (18) *Retail store* not exceeding 200m2 in *gross floor area*
- (19) *Accessory unenclosed storage*
- (20) *Accessory buildings and uses*

7.6.02 Density of Development

The *floor area ratio* shall in no case exceed 1.0.

7.6.03 Height of Buildings

The *height* of a *building* shall not exceed 12 m or three *storeys*.

7.6.03A Minimum Parcel Requirement

The minimum parcel size shall be 695 m². (BL 1660)

7.6.03B Frontage

The minimum *frontage* shall be 16 m. (BL 1660)

7.6.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) Where a *lot* is not serviced by a rear access *highway*, a *side yard* of 4.5 m in width shall be provided on at least one side of the *lot*.
 - (b) Where a *lot* abuts a *lot* in an *Upland Zone*, *Agricultural Zone*, *Residential Zone*, *Multiple-Family Residential Zone* or *Institutional Zone*, a *side yard* shall be provided of not less than 6 m in width.
 - (c) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width.
- (3) A *rear yard* shall be provided of not less than 3 m in depth, except where such *lot* abuts a *lot* in an *Upland Zone*, *Agricultural Zone*, *Residential Zone*, *Multiple-Family Residential Zone* or *Institutional Zone*, such yard shall be not less than 6 m in depth.

7.6.05 Lot Coverage

The maximum coverage shall be 50% of the *lot*.

7.6.06 Landscaping and Screening

- (1) *Landscaping* shall cover not less than 5% of the development *lot* area
- (2) A continuous *landscaping* strip not less than 3 m wide shall be provided along the development portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows.
- (3) Except in those portions where a *building* abuts a *lot line*, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Residential Zone*, *Multiple-Family Residential Zone* or *Institutional Zone*, whether such property be separated by a *highway* or not.

7.6.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.6A Neighbourhood Public House

C6

7.6A.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the *Neighbourhood Public House (C6) Zone:

- (1) Licensed neighbourhood public house with a maximum seating capacity of 65 seats and a maximum exterior seating capacity in a patio area of 20 seats.
(BL 1856)

7.6A.02 Height of Buildings

The *height* of a *building* shall not exceed 6 m or one *storey*.

7.6A.03 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) A *rear yard* shall be provided of not less than 7.5 m in depth.
- (3) *Side yards* shall be provided of not less than 7.5 m in width for each *side yard*.
- (4) On a *corner lot*, a *side yard* of not less than 10 m shall be provided adjoining a *flanking street*.

7.6A.04 Lot Coverage

The maximum coverage shall be 15% of the *lot*.

7.6A.05 Landscaping

- (1) Any undeveloped land shall be landscaped.
- (2) A continuous 1 m landscaped strip exclusive of any fencing shall be provided along all side and rear property lines.
- (3) A solid decorative fence at least 2 m in *height* shall be provided along the side and rear property lines.
- (4) Those areas required for parking that abuts a *side* or *rear lot line* shall have along the required fence a greenery screen.
- (5) Those areas of the property fronting any roads shall be landscaped to a minimum depth of 3 m and may be *interrupted for pedestrian or vehicular access. Parking shall be prohibited within the 3 m landscaped strip.

7.6A.07 Minimum Parcel Area

- (1) Area – 3,000 m²
- (2) *Frontage* – 18 m

7.6A.08 General

The relevant provisions of Division 2 of the Bylaw shall apply.

Section 7.6B Professional Office

C7

7.6B.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Professional Office (C7) Zone:

- (1) *Professional offices*
- (2) *Accessory buildings and uses*

7.6B.02 Height of Buildings

The *height* of a *building* shall not exceed 5 m.

7.6B.03 Minimum Parcel Requirement

- (1) Minimum parcel size of a *lot* shall be 695 m².
- (2) Minimum *frontage* of a *lot* shall be 16 m.

7.6B.04 Yard Requirement

- (1) A *front yard* shall be provided of not less than 7.5 m in depth except that if the *front lot line* exclusive of access driveways is landscaped, the required *front yard* shall be not less than 4.5 m in depth.
- (2)
 - (a) A *side yard* of 4.5 m in width shall be provided on at least one side of a *lot* that is not serviced by a rear access *highway*.
 - (b) Where a *lot* abuts a *lot* in the *Residential Zone* or *Multiple-Family Residential Zone*, a *side yard* shall be provided of not less than 6 m in width.
 - (c) On a *corner lot*, a *side yard* of 6m in width shall be provided on the side of the *lot* that adjoins a flanking *highway* of not less than 7.5 m in width, except that if there is a *building* on the *lot* and the *side yard* which abuts a *highway* is, apart from any access driveway, entirely landscaped, then the *side yard* shall not be less than 4.5 m in width.
- (3) A *rear yard* shall be provided of not less than 3 m in depth, except that where a *lot* abuts a *lot* in a *Residential Zone* or *Multiple-Family Residential Zone*, a *rear yard* shall be provided of not less than 6 m in depth.

7.6B.05 Lot Coverage

The maximum coverage shall be 40% of the *lot*.

7.6B.06 Landscaping and Screening

- (1) *Landscaping* shall cover not less than 5% of the developed *lot* area. This *landscaping* shall include the planting of trees in the amount of not less than one (1) tree for each 100 m² of developed *lot* area.
- (2) A continuous *landscaping* strip not less than 3 m wide shall be provided along the developed portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a *building*.

- (3) Parking is prohibited within the 3 m landscaped strip.
- (4) Except in those portions where a *building* abuts a *lot line*, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Residential Zone* or *Multiple-Family Residential Zone*, whether such property be separated by a *highway* or not.

7.6B.07 General

The relevant provisions of Division 2 this Bylaw shall apply

Section 7.7 Highway Commercial

CS2

7.7.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Highway Commercial (CS2) Zone:

- (1) Auto repair, body and painting shops
- (2) *Drive-in businesses*
- (3) Gasoline service stations and car wash
- (4) Offices
- (5) Parking facilities
- (6) Public *assembly* and entertainment *uses*, including but without limiting the generality of the foregoing, auditoriums, billiard and pool halls, bowling alleys, catering establishments and gymnasiums; specifically excludes movie theatres
- (7) Public transportation depots
- (8) Restaurants
- (9) Retail and wholesale warehouses
- (10) Retail sale and rental of automobiles, trucks, boats, camper vehicles, *mobile homes* and farm machinery and parts and accessories thereof
- (11) *Accessory buildings and uses*

7.7.02 Density of Development

The *floor area ratio* shall in no case exceed 1.0.

7.7.03 Height of Buildings

The *height* of a *building* shall not exceed 12 m or three *storeys*.

7.7.03A Minimum Parcel Requirement

The minimum parcel size shall be 695 m². (BL 1660)

7.7.03B Frontage

The minimum *frontage* shall be 16 m. (BL 1660)

7.7.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) Where a *lot* is not serviced by a rear access *highway*, a *side yard* of 4.5 m in width shall be provided on at least one side of the *lot*.
 - (b) Where a *lot* abuts a *lot* in an *Upland Zone*, *Agricultural Zone*, *Residential Zone*, *Multiple-Family Residential Zone* or *Institutional Zone*, a *side yard* shall be provided of not less than 7.5 m in width.
 - (c) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width.

- (3) A *rear yard* shall be provided of not less than 3m in depth, except where such *lot* abuts a *lot* in an *Upland Zone, Agricultural Zone, Residential Zone, Multiple-Family Residential Zone* or *Institutional Zone*, such *yard* shall be not less than 7.5 m in depth.

7.7.05 Lot Coverage

The maximum coverage shall be 50% of the *lot*.

7.7.06 Landscaping and Screening

- (1) *Landscaping* shall cover not less than 5% of the developed *lot* area.
- (2) A continuous *landscaping* strip not less than 3 m wide shall be provided along the developed portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows.
- (3) Except in those portions where a *building* abuts a *lot line*, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Residential Zone, Multiple-Family Residential Zone* or *Institutional Zone*, whether such property be separated by a *highway* or not.

7.7.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.8 Commercial Industrial

CS3

7.8.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Commercial Industrial (CS3) Zone:

- (1) *Animal hospitals* in enclosed *buildings*
- (2) Auction rooms
- (3) Automobile repair, body and painting shops
- (4) Car wash establishments and *drive-in businesses*
- (5) Carpentry shops
- (6) Commercial nurseries and greenhouses
- (7) Electrical, plumbing, roofing, sheet metal, heating and paint establishments having not more than 500 m² of *gross floor area*
- (8) Gasoline service stations
- (9) Machine shops with not more than 100 m² of *gross floor area*
- (10) Minor concrete products manufacturing
- (11) Offices, storage *buildings* and yards for:
 - (a) Building, electrical, heating, ventilating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and sign contractors;
 - (b) Towing companies
- (12) Parking facilities
- (13) Personal service establishments, not exceeding 200 m² in *gross floor area*, including but without limiting the generality of the foregoing, barber shop, beauty parlour, appliance repair shop, launderette (automatic self-service only), optical or watch repair shop, photographic studio and shoe repair
- (14) Printing, publishing and book binding
- (15) Public transportation depots
- (16) Recycling depots
- (17) Restaurants
- (18) Repair of household furnishings
- (19) Retail lumber and building supply establishments
- (20) Retail sale, rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawnmowers, motorbikes, rototillers and outboard motors
- (21) *Retail stores* not exceeding 200 m² in *gross floor area*
- (22) Sale and rental of automobiles, trucks, boats, camper vehicles, *mobile homes*, motorized machinery and farm and industrial machinery and parts and accessories thereof
- (23) Welding shops

- (24) Wholesale and storage *buildings* having not more than 900 m² of *gross floor area*
- (25) One *dwelling unit* in conjunction with, and in addition to, any of the above *uses*
- (26) Accessory *unenclosed storage*
- (27) Accessory *buildings* and *uses*

7.8.02 Conditions of Use

There shall not be more than one *dwelling unit* on a *lot*.

7.8.03 Density of Development

The *floor area ratio* shall in no case exceed 1.0.

7.8.04 Height of Buildings

The *height* of a *building* shall not exceed 12 m or three *storeys*.

7.8.04A Minimum Parcel Requirement

The minimum parcel size shall be 695 m². (BL 1660)

7.8.04B Frontage

The minimum *frontage* shall be 16 m. (BL 1660)

7.8.05 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) Where a *lot* is not serviced by a rear access *highway*, a *side yard* of 4.5 m in width shall be provided on at least one side of the *lot*.
 - (b) Where a *lot* abuts in *Upland Zone*, *Agricultural Zone*, *Residential Zone*, *Multiple-Family Residential Zone* or *Institutional Zone*, a *side yard* shall be provided of not less than 6 m in width.
 - (c) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width.
- (3) A *rear yard* shall be provided of not less than 3 m in depth, except where such *lot* abuts a *lot* in an *Upland zone*, *Agricultural Zone*, *Residential Zone*, *Multiple-Family Residential Zone* or *Institutional Zone*, such *yard* shall be not less than 6 m in depth.

7.8.06 Lot Coverage

The maximum coverage shall be 50% of the *lot*.

7.8.07 Landscaping and Screening

- (1) *Landscaping* shall cover not less than 5% of the developed *lot* area.
- (2) A continuous *landscaping* strip not less than 3 m wide shall be provided along the developed portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows.

- (3) Except in those portions where a *building* abuts a *lot line*, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high, shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Residential Zone*, *Multiple-Family Residential Zone* or *Institutional Zone*, whether such property be separated by a *highway* or not.

7.8.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.8A Nursery Commercial

CS4

7.8A.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Nursery Commercial (CS4) Zone:

- (1) *Nursery and/or landscape contractor* in conjunction with a *nursery*
- (2) Greenhouses
- (3) Retail and wholesale of *nursery* products
- (4) Accessory *unenclosed storage*
- (5) One *one-family dwelling*

7.8A.02 Conditions of Use

Accessory *unenclosed storage* shall be limited to materials associated with a *nursery* or *landscape contractor*.

7.8A.03 Height of Buildings

- (1) *Height* of a *residential building* shall not exceed 9 m.
- (2) *Height* of all other *buildings* shall not exceed 5 m.

7.8A.04 Minimum Parcel Requirement

- (1) Minimum parcel size of a *lot* shall be 1,800 m².
- (2) Minimum *frontage* of a *lot* shall be 18 m.

7.8A.05 Yard Requirement

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) A *side yard* shall be provided of not less than 3 m.
- (3) A *rear yard* shall be provided of not less than 7.5 m.

7.8A.06 Lot Coverage

The maximum coverage of *buildings*, including greenhouses, shall not exceed 25% of the site.

7.8A.07 Landscaping and Screening

- (1) A continuous *landscaping* strip not less than 3 m wide shall be provided along the developed portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a *building*.
- (2) Parking is prohibited within the 3 m *landscaping* strip.
- (3) Except in those portions where a *building* abuts a *lot line*, screen planting at least 1.5 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 1.5 m high, shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Residential Zone* or *Multiple-Family Residential Zone*, whether such property be separated by a *highway* or not.

7.8A.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.9 Tourist Commercial – Motel

CT1

7.9.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Tourist Commercial – Motel (CT1) Zone:

- (1) *Campsite*
- (2) *Miniature golf course*
- (3) *Motel*
- (4) *One-family dwelling*
- (5) *Accessory building and uses*

7.9.02 Number of Residential Dwellings

There shall not be more than one *one-family dwelling* on a *lot*.

7.9.03 Conditions of Use for a Campsite Use

No *campsite* space shall be used as a permanent place of dwelling. Occupancy for a total of 6 months or more in any 12 month period shall be deemed to be permanent occupancy.

7.9.04 Density of Development

The *floor area ratio* shall in no case exceed 0.5.

7.9.05 Height of Buildings

The *height* of a *building* shall not exceed 12 m or three *storeys*.

7.9.05A Minimum Parcel Requirement

The minimum parcel size shall be 1,800 m². (BL 1660)

7.9.05B Frontage

The minimum *frontage* shall be 18 m. (BL 1660)

7.9.06 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) *Side yards* shall be provided of not less than 6 m in width.
 - (b) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.

7.9.07 Lot Coverage

The maximum coverage shall be 50% of the *lot*.

7.9.08 Landscaping

All portions of the *lot* not covered by *buildings, structures* or parking areas shall be landscaped and maintained in a neat and tidy condition.

7.9.09 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.10 Tourist Commercial – Campground CT2

7.10.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Tourist Commercial – Campsite (CT2) Zone:

- (1) *Campsite*
- (2) *Golf course, driving ranges and miniature golf courses*
- (3) *One-family dwelling*
- (4) *Accessory buildings and uses*

7.10.02 Number of Residential Dwellings

There shall not be more than one *one-family dwelling* on a *lot*.

7.10.03 Conditions of Use for a Campsite Use

No *campsite* space shall be used as a permanent place of dwelling. Occupancy for a total of 6 months or more in any 12 month period shall be deemed to be permanent occupancy.

7.10.04 Density of Development

The *floor area ratio* shall in no case exceed 0.4.

7.10.05 Height of Buildings

The *height* of a *building* shall not exceed 12 m.

7.10.05A Minimum Parcel Requirement

The minimum parcel size shall be 4 ha. (BL 1660)

7.10.06 Yard Requirements

- (1) *A front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) *Side yards* shall be provided of not less than 6 m in width.
 - (b) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width.
- (3) *A rear yard* shall be provided of not less than 10 m in depth.

7.10.07 Lot Coverage

The maximum coverage shall be 40% of the *lot*.

7.10.08 Landscaping

All portions of the *lot* not covered by *buildings, structures* or parking areas shall be landscaped and maintained in a neat and tidy condition.

7.10.09 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.11 Commercial Recreation

CR1

7.11.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Commercial Recreation (CR1) Zone:

- (1) *Campsite*
- (2) *Drive-in theatre*
- (3) *Grandstand facilities*
- (4) *One-family dwelling and two-family dwelling*
- (5) *Places of indoor recreation including, but without limiting, the generality of the foregoing: bowling alley, curling rink*
- (6) *Place of outdoor recreation including, but without limiting, the generality of the foregoing: automobile and motorcycle racing, go-kart racing, dog racing*
- (7) *Restaurants*
- (8) *Accessory buildings and uses*

7.11.02 Number of Residential Dwellings

There shall not be more than one *one-family* or one *two-family dwelling* on a *lot*.

7.11.03 Conditions of Use for a Campsite Use

No *campsite* space shall be used as a permanent place of dwelling. Occupancy for a total of 6 months or more in any 12 month period shall be deemed to be permanent occupancy.

7.11.04 Density of Development

The *floor area ratio* shall in no case exceed 0.4 m.

7.11.05 Height of Buildings

The *height* of a *building* shall not exceed 12 m provided, however, that drive-in theatre projection screens shall not be subject to this requirement.

7.11.05A Minimum Parcel Requirement

The minimum parcel size shall be 2 ha. (BL 1660)

7.11.06 Yard Requirements

- (1) *A front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) *Side yards* shall be provided of not less than 6 m in width.
 - (b) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width.
- (3) *A rear yard* shall be provided of not less than 7.5 m in depth.

7.11.07 Lot Coverage

The maximum coverage shall be 40% of the *lot*.

7.11.08 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 7.12 Marina Commercial

CR2

7.12.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Marina Commercial (CR2) Zone:

- (1) Marinas
- (2) Private clubs
- (3) Restaurants
- (4) Retail sale, rental and repair of boats, boat engines, marine supplies and fishing equipment
- (5) *One-family dwelling* and *two-family dwelling*
- (6) *Accessory buildings* and *uses*

7.12.02 Number of Residential Buildings

There shall be not more than one *one-family dwelling* or one *two-family dwelling* on a *lot*.

7.12.03 Height of Buildings

The *height* of a *building* shall not exceed 12 m.

7.12.03A Minimum Parcel Requirement

The minimum parcel size shall be 4 ha. (BL 1660)

7.12.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - (a) *Side yards* shall be provided of not less than 6 m in width.
 - (b) On a *corner lot*, a *side yard* shall be provided adjoining a *flanking street* of not less than 7.5 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.

7.12.05 Lot Coverage

The maximum coverage shall be 40% of the *lot*.

7.12.06 Landscaping

All portions of the *lot* not covered by *buildings*, *structures* or parking areas shall be landscaped and maintained in a neat and tidy condition.

7.12.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 8.1 Light Industrial

M1

8.1.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Light Industrial (M1) Zone:

- 1) Coffee shops
- 2) Light *industrial uses* which are not noxious or offensive by reason of permitting odours, dust, smoke, gas or noise, including but without limiting the generality of the foregoing, establishments for the following trade contractors: building, electrical, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and signs. The following *uses* are specifically excluded:
 - a) any *use* considered offensive under the **Health Act**
 - b) refuse and garbage dumps
 - c) the burning of motor vehicles and other things for salvage purposes
- 3) Repair of household furnishings
- 4) Retail sale, rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawnmowers, motorbikes, rototillers and outboard motors
- 5) Repair of automobiles, trucks, boats, camper vehicles, *mobile homes* and farm machinery and parts and accessories thereof
- 6) Wholesale and storage *buildings*, not exceeding a total of 900 m² of *floor area*
- 7) One *dwelling unit* for a caretaker
- 8) Accessory unenclosed *garage*
- 9) *Accessory buildings and uses*

8.1.02 Conditions of Use

The maximum *height* of any accessory *unenclosed storage use* shall be 3.5 m.

8.1.03 Height of Buildings

The *height* of a *building* shall not exceed 12 m.

8.1.03A Minimum Parcel Requirement

The minimum parcel size shall be 695 m². (BL 1660)

8.1.03B Frontage

The minimum *frontage* shall be 16 m. (BL 1660)

8.1.04 Yard Requirements

- 1) A *front yard* shall be provided of not less than 7.5 m in depth.
- 2) *Side yards* shall be provided of not less than 6 m in width, except that a *side yard* flanked by a *Commercial Zone* or *Industrial Zone* may be reduced to nil, provided that the other *side yard* has a width of not less than 6 m.

- 3) A *rear yard* shall be provided of not less than 7.5 m in depth.

8.1.05 Lot Coverage

The maximum coverage shall be 50% of the *lot*.

8.1.06 Landscaping and Screening

- 1) *Landscaping* shall cover not less than 5% of the development *lot* area.
- 2) A continuous *landscaping* strip of not less than 2 m wide shall be provided along the developed portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossings, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows. This *landscaping* strip shall have a *height* of not less than 1.5 m, or a solid decorative fence of not less than 1.5 m shall be provided.
- 3) Except in those portions where a *building* abuts the *lot line*, screen planting at least 2 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 2 m high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Upland zone*, *Agricultural Zone*, *Residential Zone*, *Multiple-Family Residential Zone* or *Institutional Zone* whether separated by a *highway* or not.

8.1.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 8.2 General Industrial

M2

8.2.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the General Industrial (M2) Zone:

- 1) *Industrial uses* provided, however, that the following *uses* are specifically excluded:
 - a) any *use* considered offensive under the **Health Act**
 - b) refuse and garbage dumps
 - c) the burning of motor vehicles and other things for salvage purposes
 - d) sawmills, planer mills, fertilizer plants, forging, asphalt plants, oil refineries, refineries, bulk oil plants
 - e) *uses* for which a permit is required under the **Waste Management Act** or regulations, except for *uses* permitted in Subsection 2 to 6 inclusive. (BL 1673)
- 2) Gasoline service stations
- 3) Coffee shops
- 4) Gravel processing
- 5) Retail sale and rental of automobiles, trucks, boats, trailers and *mobile homes*, fuel, things at auction, and lumber and building supplies
- 6) One *dwelling unit* for a caretaker
- 7) *Unenclosed storage*
- 8) *Accessory buildings and uses*

8.2.02 Conditions of Use

The maximum *height* of any *unenclosed storage use* shall be 3.5 m within 30 m of an *Upland Zone, Residential Zone, Multiple-Family Residential Zone, Commercial Zone or Institutional Zone*.

8.2.02A Minimum Parcel Requirement

The minimum parcel size shall be 1,500 m². (BL 1660)

8.2.02B Frontage

The minimum *frontage* shall be 18 m. (BL 1660)

8.2.03 Yard Requirements

- 1) A *front yard* shall be provided of not less than 7.5 m in depth.
- 2) *Side yards* shall be provided of not less than 6 m in width, except that a *side yard* flanked by a *Commercial Zone* or *Industrial Zone* may be reduced to nil, provided that the other *side yard* has a width of not less than 6 m.
- 3) A *rear yard* shall be provided of not less than 10 m in depth.
- 4) Notwithstanding Section 2.1.05 (1)(a)(i) and Subsection (3), *buildings* shall not be located less than 60 m from the *natural boundary* of the sea.

8.2.04 Lot Coverage

The maximum coverage shall be 50% of the *lot*.

8.2.05 Landscaping and Screening

- 1) *Landscaping* shall cover not less than 5% of the developed *lot* area.
- 2) A continuous *landscaping* strip of not less than 2 m wide shall be provided along the developed portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossing, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows. This *landscaping* strip shall have a *height* of not less than 1.5 m, or a solid decorative fence of not less than 1.5 m shall be provided.
- 3) Except in those portions where a *building* abuts the *lot line*, screen planting at least 2 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 2 m high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Upland Zone*, *Agricultural Zone*, *Residential Zone*, *Multiple-Family Residential Zone* or *Institutional Zone* whether separated by a *highway* or not.

8.2.06 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 8.3 Heavy Industrial

M3

8.3.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Heavy Industrial (M3) Zone:

- (1) *Industrial uses*
- (2) *Gravel processing*
- (3) *Unenclosed storage*
- (4) *One dwelling unit* for caretaker
- (5) *Accessory buildings and uses*

8.3.02 Conditions of Use

The maximum *height* of any *unenclosed storage use* shall be 3.5 m within 30 m of a *Greenbelt Zone, Residential Zone, Multiple-Family Residential Zone, Commercial Zone or Institutional Zone*.

8.3.02A Minimum Parcel Requirement

The minimum parcel size shall be 1,500 m². (BL 1660)

8.3.02B Frontage

The minimum *frontage* shall be 18 m. (BL 1660)

8.3.03 Yard Requirements

- (1) *A front yard* shall be provided of not less than 7.5 m in depth.
- (1) *Side yards* shall be provided of not less than 6 m in width.
- (2) *A rear yard* shall be provided of not less than 10 m in depth.

8.3.04 Lot Coverage

The maximum coverage shall be 50% of the *lot*.

8.3.05 Landscaping and Screening

- 1) *Landscaping* shall cover not less than 5% of the developed *lot* area.
- 2) A continuous *landscaping* strip of not less than 2 m wide shall be provided along the developed portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossing, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows. This *landscaping* strip shall have a *height* of not less than 1.5 m, or a solid decorative fence of not less than 1.5 m shall be provided.
- 3) Except in those portions where a *building* abuts the *lot line*, screen planting at least 2 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 2 m high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Upland Zone, Agricultural Zone, Residential Zone, Multiple-Family Residential Zone or Institutional Zone* whether separated by a *highway* or not.

8.3.06 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 9.1 Neighbourhood Institutional

P1

9.1.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the *Neighbourhood Institutional (P1) Zone:

- (1) *Churches*
- (2) *Personal care uses*
- (3) *One-family dwelling*
- (4) *Schools*
- (5) **Unmanned telephone exchange buildings*
- (6) *Accessory buildings and uses*

9.1.02 Conditions of Use for a One-Family Dwelling Use

A *one-family dwelling use* shall be subject to the regulations of the Residential 1 (R1) Zone and not the regulations of this Zone.

9.1.03 Height of Buildings

The *height* of a *building* shall not exceed 12 m.

9.1.03A Minimum Parcel Requirement

The minimum parcel size shall be 695 m². (BL 1660)

9.1.03B Frontage

The minimum *frontage* shall be 16 m. (BL 1660)

9.1.04 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2) *Side yards* shall be provided of not less than 6 m in width.
- (3) On a *corner lot*, a *side yard* shall be provided adjoining the *flanking street* of not less than 7.5 m in width.
- (4) A *rear yard* shall be provided of not less than 10 m in depth.

9.1.05 Lot Coverage

The maximum coverage shall be 40% of the *lot*.

9.1.06 Landscaping and Screening

- (1) All portions of the *lot* not covered by *buildings, structures* and parking areas shall be landscaped and maintained in a neat and tidy manner.
- (2) Any parking area shall be separated from an adjoining *highway* or a *Residential Zone, Multiple-Family Residential Zone* or *Institutional Zone* by a landscaped strip not less than 3 m in width.

9.1.07 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 9.2 Community Institutional

P2

9.2.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in Community Institutional (P2) Zone:

- (1) Ambulance headquarters
- (2) *Assembly*
- (3) *Churches*
- (4) *Civic uses*
- (5) *Personal care uses*
- (6) Hospitals
- (7) *One-family dwelling*
- (8) Recreational facilities, including but without limiting the generality of the foregoing: arena, auditorium, bowling green, community centre, curling rink, riding academy, skating rink, stadium, swimming pool and tennis courts
- (9) Schools
- (10) *Unmanned telephone exchange *buildings*
- (11) *Accessory buildings and uses*

9.2.02 Conditions of Use for a One-Family Dwelling Use

A *one-family dwelling use* shall be subject to the regulations of the Residential 1 (R1) Zone and not the regulations of this Zone.

9.2.02A Minimum Parcel Requirement

The minimum parcel size shall be 695 m². (BL 1660)

9.2.02B Frontage

The minimum *frontage* shall be 16 m. (BL 1660)

9.2.03 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - a) *Side yards* shall be provided of not less than 6 m in width.
 - b) On a *corner lot*, a *side yard* shall be provided adjoining the *flanking street* of not less than 7.5 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.

9.2.04 Lot Coverage

The maximum coverage shall be 40% of the *lot*.

9.2.05 Landscaping and Screening

- (1) All portions of the *lot* not covered by *buildings, structures* and parking areas shall be landscaped and maintained in a neat and tidy manner.
- (2) Any parking area shall be separated from an adjoining *highway* or a *Residential Zone, Multiple-Family Residential Zone* or *Institutional Zone* by a landscaped strip not less than 3 m in width.

9.2.06 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 9.3 Public Utility

P3

9.3.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Public Utility (P3) Zone:

- (1) Public storage and works yards
- (2) *Public utility use*
- (3) *Accessory buildings and uses*

9.3.02 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - a) *Side yards* shall be provided of not less than 6 m in width.
 - b) On a *corner lot*, a *side yard* shall be provided adjoining the *flanking street* of not less than 7.5 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.

9.3.02A Minimum Parcel Requirement

The minimum parcel size shall be 1,800 m². (BL 1660)

9.3.02B Frontage

The minimum *frontage* shall be 18 m. (BL 1660)

9.3.03 Landscaping and Screening

- (1) *Landscaping* shall cover not less than 5% of the developed *lot* area.
- (2) A continuous *landscaping* strip of not less than 2 m wide shall be provided along the developed portion of each side of the *lot* which abuts a *highway*. This *landscaping* strip need not have a net area exceeding 10% of the developed *lot* area, and may be interrupted at boulevard crossing, or to provide necessary pedestrian access for entering a *building* or for viewing shop windows. This *landscaping* strip shall have a *height* of not less than 1.5 m, or a solid decorative fence of not less than 1.5 m shall be provided.
- (3) Except in those portions where a *building* abuts the *lot line*, screen planting at least 2 m high in a strip at least 1.5 m wide, or a solid decorative fence at least 2 m high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *Upland Zone*, *Agricultural Zone*, *Residential Zone*, *Multiple-Family Residential Zone* or *Institutional Zone* whether separated by a *highway* or not.

9.3.04 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 9.4 Park & Open Space

P4

9.4.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Park and Open Space (P4) Zone:

- (1) Agricultural fairgrounds
- (2) Cemetery
- (3) *Civic uses*
- (4) Golf courses
- (5) *One-family dwelling*
- (6) *Accessory buildings and uses*

9.4.02 Number of Residential Dwellings

There shall be not more than one *one-family dwelling* on a *lot*.

9.4.02A Minimum Parcel Requirement

The minimum parcel size shall be 4 ha. (BL 1660)

9.4.03 Yard Requirements

- (1) A *front yard* shall be provided of not less than 7.5 m in depth.
- (2)
 - a) *Side yards* shall be provided of not less than 6 m in width.
 - b) On a *corner lot*, a *side yard* shall be provided adjoining the *flanking street* of not less than 7.5 m in width.
- (3) A *rear yard* shall be provided of not less than 10 m in depth.

9.4.04 Lot Coverage

The maximum coverage shall be 40% of the *lot*.

9.4.05 Landscaping and Screening

- (1) All portions of the *lot* not covered by *buildings, structures* and parking areas shall be landscaped and maintained in a neat and tidy manner.
- (2) Any parking area shall be separated from an adjoining *highway* or a *Residential Zone, Multiple-Family Residential Zone* or *Institutional Zone* by a landscaped strip not less than 3 m in width.

9.4.06 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 9.5 Solid Waste Disposal

P5

9.5.01 Permitted Uses

In addition to the *uses* permitted by Section 2.1.10 of this Bylaw, the following *uses* and no others shall be permitted in the Solid Waste Disposal (P5) Zone:

- (1) Solid waste disposal
- (2) Recycling facilities and oil storage for the purpose of recycling
- (3) Reservoir and pumping facilities
- (4) Office and storage facilities

9.5.01A Minimum Parcel Requirement

The minimum parcel size shall be 12 ha. (BL 1660)

9.5.02 General

The relevant provisions of Division 2 of this Bylaw shall apply.

Section 10.1

Short Title

10.1.01 Short Title

This Bylaw may be cited as “Malahat Land Use Bylaw, 1981”.

(BL 1280, BL 1660, BL 3874)

READ A FIRST TIME THIS	16th	DAY OF	December	1981
READ A SECOND TIME THIS	27th	DAY OF	January	1982
READ A THIRD TIME THIS	27th	DAY OF	January	1982
RECONSIDERED AND FINALLY ADOPTED THIS	10th	DAY OF	February	1982

SCHEDULE B

(BL 3960)

