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# Regional District of Bulkley-Nechako

## Zoning Bylaw No. 700, 1993

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Bylaw No. 700, 1993 and Amendments Thereto,  
consolidated **for convenience only**.

This document includes the text of the zoning bylaw.

N.B. Zoning maps, a list of zoning map amendments  
and land use contracts can be viewed at the  
Regional District of Bulkley Nechako office,  
37-3<sup>rd</sup> Avenue,  
Burns Lake, B.C.

Consolidated June 2018

# **LIST OF ZONING TEXT AMENDMENTS**

Commencing 2005

## LIST OF ZONING TEXT AMENDMENTS

#	BYLAW NO.	ADOPTION DATE	CONTENT	APPLICANT
1	1316	08/08/05	Section 4.03 (ii) Addition of wording to Home Occupation	
2	1398	30/11/06	Section 18.1.01(1)(g). Added a new permitted use to the C5 Zone.	Neil Moser (Lakeside Resort)
3	1390	21/09/06	Section 24.2. Added a new zone called "Community Development and Public Use (P4)". Also added definitions for Farmers' Market and Visitor Information Centre.	Southside Economic Development Association
4	1393	30/11/06	Section 17.1. Added a new zone called "Highway Commercial - Manufactured Home Dealer (C2A)".	Leon Sensenig
5	1440	29/11/07	Section 11.1.01 (3). Added new permitted use (land specific).	Sidewinder
6	1421	04/12/07	Section 4.06. Added setbacks from a Natural Boundary. Also added a definition for Watercourse. Setbacks from parcels lines which abut a highway were added to various sections.	RDBN
7	1458	22/05/08	Section 12.03 (3). Amendment to H1 zone to allow two dwellings on a specific property..	Joe Fehr
8	1474	23/10/08	Section 10.01. Added use of kennel (land specific).	Elke Weber

#	BYLAW NO.	ADOPTION DATE	CONTENT	APPLICANT
9	1476	20/11/08	Section 11.2. Amendments to R9 Zone	Hudson Bay Mountain Adventures
			Section 11.3. New Zone added.	
	1476	20/11/08	Section 4.02. Added Public Utility Use in all zones Section 2.02. Replace definition of BUILDING HEIGHT.	Hudson Bay Mountain Adventures
10	1558	09/09/10	Section 12.01:Added recreational vehicle storage as Permitted Uses (land specific).	Harder
11	1598	24/03/11	Section 2.02. Replace definitions of AGRICULTURE, AGRICULTURE, INTENSIVE, and added definition for ANIMAL UNIT. .	RDBN
12	1586	28/01/11	Section 11.5 Add Bare Land Strata Residential (R11) Section 4.05 Add wording: land dedicated to the Crown for public use.	Bradley
13	1524	22/09/11	Section 18.2 Add Strata Resort Commercial (C5A).	Birch Bay Resort
14	1639	16/08/12	Section 14:01 Add permitted use (s) re: hay processing equipment.	Tophay
15	1638	20/09/12	Section 12.1.04 Increase dwelling size for specific property in H1A zone	Krauskopf

#	BYLAW NO.	ADOPTION DATE	CONTENT	APPLICANT
16	1658	24/01/13	Section 12.1.04 b) Increase dwelling size for specific property in H1A zone	Fulljames
17	1666	18/04/13	Section 18.2 Replace the existing Section 18.2 with revised C5A zone	Birch Bay Resort
18	1683	20/02/14	Section 2.02 Replace wording to exclude Medical Marihuana Production Facility from AGRICULTURE and HORTICULTUE definition and add to INTENSIVE AGRICULTURE as a permitted use.  Section 4.03 Amend Home Occupations by addition of 4.03 (vi) to not allow a Medical Marihuana Production Facility	RDBN
19	1694	19/06/14	Section 11.1.03 added to include a minimum parcel area required for Block L, District Lot 1586, Range 5, Coast District of 1214 square metres (13, 068 ft <sup>2</sup> )".	Knight/ Province of BC
20	1670	03/11/14	Section 20.1 Add Special Light Industrial (M1A).	Triantha Ent.
21	1696	29/01/15	Section 4.03 (vii) accessory building floor area shall not exceed 453 square metres	Armitage
22	1730	19/11/15	Section 23.01 (1): multiple family dwellings, maximum combined total of 12 dwelling units; Lot B, District Lot 716, Range 4, Coast District, Plan 1379 only	Southside Seniors Housing

23	1712	21/07/16	<p>Section 2.02 amended to add definitions for Contracting, Motor Vehicle Rentals and Warehousing</p> <p>Section 20.2 "Light Industrial – Contracting Service Zone" (M1B) added to the Bylaw</p> <p>Section 20.01 (1) amended by adding contracting, motor vehicle rentals and warehousing to the list of permitted uses.</p>	West-End Ventures Inc.
24	1794	20/04/2017	<p>Section 14.01 (t) Amended by adding "A maximum of 3 Guest Cabins, 1 Resort Lodge and a Primitive Campsite are permitted on land legally described as. Parcel A, of the Fractional NW ¼ of Section 7, Township 2A, Range 5, Coast District, Plan 9922"</p>	Fearnside
25	1797	26/10/2017	<p>Section 2.02 amended to add definition for Total Floor Area</p> <p>Section 11.1 - R8 Zone deleted and replaced with new R8 zone.</p>	RDBN
26	1833	21/06/2018	<p>Amend definition of AGRICULTURE, AGRICULTURE, INTENSIVE, HORTICULTURE. Add definition CANNABIS PRODUCTION</p>	RDBN
27	1863	21/06/2018	<p>Section 4.02 Add a storage structure as a permitted use</p>	RDBN

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## CONTENTS

	Page
Section 1 - Title & Repeal	1
Section 2 - Interpretation	1
Section 3 - Administration and Enforcement	12
Section 4 - General Provisions	15
Section 5 - Designation	22
Section 6 - Single Family Residential (R1)	24
Section 7 - Multiple Family Residential (R2)	26
Section 8 - Waterfront Residential I (R3)	28
Section 9 - Waterfront Residential II (R4)	30
Section 10 - Country Residential (R5)	32
Section 11 - Rural Residential (R6)	34
Section 11.1 - Hudson Bay Mountain Recreational Residential (R8)	36
Section 11.2 - Hudson Bay Mountain Single Family Residential (R9)	38
Section 11.3 - Hudson Bay Mountain Multiple Family Residential (R10)	42
Section 11.5 - Bare Land Strata Residential (R11)	45
Section 12 - Small Holdings (H1)	48
Section 12.1 - Small Holdings (Additional Dwelling) (H1A)	50
Section 12.2 - Small Holdings (Industrial Shop) (H1B)	52
Section 13 - Large Holdings (H2)	54
Section 14 - Agricultural (Ag1)	56
Section 15 - Rural Resource (RR1)	59
Section 16 - General Commercial (C1)	61
Section 17 - Highway Commercial (C2)	63

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Section 17.1 - Highway Commercial - Manufactured Home Dealer (C2A)	65
Section 18 - Tourist Commercial (C3)	67
Section 18.1 - Resort Commercial (C5)	69
Section 18.2 – Strata Resort Commercial (C5A)	71
Section 19 - Service Commercial (C4)	74
Section 20 - Light Industrial (M1)	76
Section 20.1 – Special Light Industrial – Agricultural (M1A)	78
Section 20.2 – Light Industrial – Contracting Service (M1B)	80
Section 21 - Heavy Industrial (M2)	82
Section 22 - Agricultural Industry (M3)	88
Section 23 - Civic/Institutional (P1)	86
Section 24 - Recreational (P2)	88
Section 24.1 - Motor Sport (P3)	89
Section 24.2 - Community Development and Public Use (P4)	90
Section 25 - Manufactured Home Park (R7)	92
Section 26 - Airport (A1)	93
Section 27 - Off-Street Parking and Loading	94



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## **REGIONAL DISTRICT OF BULKLEY-NECHAKO**

### **ZONING BYLAW NO. 700, 1993**

A bylaw to establish zones and regulate within the zones:

- (i) the use of land, buildings and structures,
- (ii) the density of use of land, buildings and structures, and
- (iii) the siting, size and dimensions of buildings, structures and uses permitted on the land.

In addition, the bylaw regulates the shape, dimensions and area of parcels of land that might be created by subdivision.

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WHEREAS the Regional Board may, by bylaw adopted pursuant to Sections 903, 906, 909 and 910 of the Municipal Act, establish zoning, off-street parking, screening and floodplain management regulations;

AND WHEREAS the Regional Board deems it desirable to replace the existing zoning bylaw, cited as "Regional District of Bulkley-Nechako Zoning Bylaw No. 18, 1970";

NOW THEREFORE The Board of Directors of the Regional District of Bulkley-Nechako in open meeting assembled enacts as follows:

#### **SECTION 1 - TITLE AND REPEAL**

- 1.01 This bylaw may be cited as "Regional District of Bulkley-Nechako Zoning Bylaw No. 700, 1993."
- 1.02 Regional District of Bulkley-Nechako Zoning Bylaw No. 18, 1970 and all amendment bylaws thereto are hereby repealed.

#### **SECTION 2 - INTERPRETATION**

##### **2.01 Units of Measure**

Metric units are used for all measurements in this bylaw. Approximate Imperial measurement equivalents are shown in brackets following the metric measurements for convenience only.

2.02 Definitions

In this bylaw, unless the context otherwise requires,

**ACCESSORY TO** means customarily incidental to the permitted use of land, buildings or structures located on the same lot;

**AGRICULTURE** means the use of land, Buildings and Structures for one or more of the following: horticulture; growing, cultivating, harvesting and storage of plants and crops in fields, nurseries and greenhouses; the rearing of Livestock and Poultry; the selling of plants and crops harvested and livestock and Poultry reared on the same Parcel; the slaughter of up to ten Animal Units annually, where the Livestock or Poultry slaughtered are reared on the same parcel. This use does not include Intensive Agriculture.

**AGRICULTURE, INTENSIVE** means the use of land, Buildings and Structures for one or more of the following: the auction of agricultural products; a feedlot; the growing of mushrooms; the slaughter of up to ten Animal Units annually; Cannabis Production.

**ANIMAL UNIT** means a combined animal weight, when measured alive, of 455 kg (1000 lbs.).

**BED AND BREAKFAST ACCOMMODATION** means the accessory use of a residential dwelling for the overnight accommodation of transient paying guests where breakfast is the only meal served;

**BONA FIDE FARM USE** means the use of a parcel exclusively for agricultural or horticultural purposes and is classified as a farm by the British Columbia Assessment Authority;

**BUILDING** means a structure having a roof supported by columns or walls used for the shelter or accommodation of persons, animals, or chattels;

**BUILDING HEIGHT** means the greatest vertical distance from grade to the highest point of a building or structure with a flat roof or no roof, and the midpoint between the eaves and ridge on a building with a sloping roof (excluding chimneys, mechanical equipment, and antennas). For the purpose of calculating building height the grade shall be the mean of the finished ground at the center of the wall with the highest ground level and the finished ground at the center of the wall with the lowest level, except that localized grade changes are not considered.

**CAMPGROUND** means any site occupied and maintained, or intended to be occupied and maintained, for temporary accommodation of travellers, where the maximum length of stay is 200 days in any given year, in recreational vehicles, travel trailers or tents, which is operated for reward;

**CANNABIS PRODUCTION** means the use of land, buildings or structures for the propagation, production, cultivation, or harvesting of cannabis or any part of a cannabis plant as permitted by the Access to Cannabis for Medical Purposes Regulations (ACMPR) and Bill C-45 (the Cannabis Act), and any subsequent regulations or acts which may be enacted henceforth, but excludes the growing of cannabis by an individual for their personal use and consumption. This use includes the processing, packaging, storage, or distribution of cannabis produced and harvested on the same property.

**COMMUNITY CARE FACILITY** means a facility which is designated as such under the Community Care Facility Act;

**COMMUNITY SEWER SYSTEM** means a system of sewerage collection and disposal serving two or more parcels which is owned, operated and maintained by a regional district, a municipality or an improvement district under the Local Government Act or is regulated under the Environmental Management Act or the Health Act;

**COMMUNITY WATER SYSTEM** means a system of waterworks serving two or more parcels which is owned, operated and maintained by a regional district, a municipality or an improvement district under the Local Government Act or is regulated under the Water Utility Act;

**CONTRACTING** means the use of land and structures as a base of operation for a business providing any one or more of the following services or activities on another location: engineering; land surveying; construction; building; building or property maintenance; logging; silviculture; excavation; drilling; carpentry; plumbing; electrical or other similar service of a construction nature. This use may include any one or more of the following incidental and subordinate uses provided that these uses do not occupy in total an area in excess of forty percent of the Gross Floor Area of the structure(s) used for Contracting: assembly of products or materials associated with the Contracting service being provided from the same site provided that this use does not occupy in total an area in excess of twenty-five percent of the Gross Floor Area of the Structures(s) used for Contracting; sale of products or materials associated with the Contracting service being provided from the same site provided that this use does not occupy in total

an area in excess of twenty-five percent of the Gross Floor Area of the Structure(s) used for Contracting.

**CONVENIENCE STORE** means a retail business selling groceries and household items which caters to the day-to-day needs of the local neighbourhood where the maximum floor area dedicated to retail sales, excluding storage areas, is 150 square metres (1614.6 sq. ft.);

**DWELLING** means a building designed or used as a dwelling unit or units;

**DWELLING UNIT** means any building or portion thereof operated as a housekeeping unit, used or intended to be used as a residence for one or more persons and containing cooking, sleeping and sanitary facilities;

**DWELLING, MULTIPLE FAMILY** means a detached building used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or consisting of 3 or more dwelling units, either with private individual access or common access and hallways. Dwelling, Multiple Family shall include apartments, row houses and townhouses.

**DWELLING, SEASONAL** means a building which consists of one dwelling unit having, except where otherwise stated in this bylaw, a maximum floor space of 80 square metres (861.1 sq. ft.) and is used or intended to be used for not more than 200 days per year for seasonal recreation accommodation or for accommodation while prospecting, trapping, hunting or guiding;

**DWELLING, SINGLE FAMILY** means a detached building, consisting of one principal dwelling unit, and may include a secondary suite, and is used exclusively for residential purposes;

**DWELLING, TWO FAMILY** means a detached building divided into two dwelling units, separated by a common wall or floor, and used exclusively for residential purposes;

**ECOLOGICAL RESERVE** means an area designated by Order in Council as an Ecological Reserve pursuant to the Ecological Reserves Act;

**FARMERS' MARKET** means the seasonal sales of local food products and locally made arts and crafts operated by a non profit society incorporated under the Society Act, R.S.B.C. 1979, C. 390 of British Columbia, and as an accessory

use thereto may include the service and consumption of food items;<sup>2</sup>

**FENCE, CLOSED** means a type of fence that is constructed in such a way as to effectively block the view through and beyond it.

**FIRE SUPPRESSION CREW CAMP** means any site occupied and maintained, or intended to be occupied and maintained, for seasonal accommodation of fire fighters under contract with the Ministry of Forests to suppress forest fires;

**FLOOR SPACE RATIO** means the figure obtained when the total area of the floors of the buildings on a lot, measured to the outer limits of the building or buildings, is divided by the area of the lot.

**GOLF COURSE** means the use of land buildings or structures for the purpose of playing golf and includes a club house, licensed establishment under the Liquor Control and Licensing Act, facilities for the sale, repair and storage of golf equipment and similar accessory uses;

**GROSS FLOOR AREA** means the total floor area in a principal building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each storey below, at and above grade, excluding the area used for off-street loading, parking, mechanical equipment, stairways and crawl spaces to a maximum height of 1.8 metres.

**GROUP RESIDENCE** means a building used or intended to be used for the communal residential use of 6 or more persons that is provided with sleeping, bathroom and shared living and recreation facilities, and which building may include a dwelling unit for the manager but the building is not a series of dwelling units or a hotel, motel, resort lodge, community care facility, or a facility designated pursuant to the Correction Act;

**GUEST CABIN** means any detached building which consists of one dwelling unit having a maximum floor space of 50 square metres (538 sq. ft.) and is used or intended to be used as temporary accommodation for one or more tourists, where the maximum length of stay is 200 days in any given year;

**GUEST RANCH** means the use of land, buildings, and structures, consisting of not more than three attached sleeping units or detached guest cabins and which caters to the needs of tourists in conjunction with agricultural use by furnishing

temporary sleeping accommodation and recreation and may provide meals as an accessory use;

**HIGHWAY** includes a street, road, lane, bridge, viaduct and any other way open to public use, but does not include a private right of way on private property;

**HORTICULTURE** means the commercial practice of growing fruits, vegetables, flowers, or ornamental plants. This use does not include Cannabis Production.

**HOTEL** means a building or part thereof consisting of individual sleeping units wherein temporary accommodation is provided for guests. Building entrance and exit ways are shared and the building may include public areas such as a lobby, restaurant, assembly, entertainment and recreation facilities;

**LANDSCAPE SCREEN** means a continuous fence, wall, compact evergreen hedge, berm or combination thereof that would effectively screen the property which it encloses and is broken only by access drives, walks and lanes;

**LANE** means a highway not less than 3 metres (9.8 ft.) nor more than 10 metres (32.8 feet) in width which provides secondary access to any abutting parcel;

**MARINA** means a building, structure or place, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced and repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided;

**MARINE LANDING** means lands and marine facilities which are used to take boats into and out of navigable waterways, or to moor boats. This definition includes a launching ramp, boat lift, or dock but does not include any building, or any boat servicing, repair or sales facility;

**MOTEL** means a building or group of buildings divided into two or more self-contained sleeping units or dwelling units, each with a separate entrance, for the primary purpose of accommodating tourists and other transient persons. This use does not include a hotel or other residential premises;

**MOTOR VEHICLE RENTALS** means the use of land and structures for the rental or lease of new or used vehicles, and may include as an incidental and subordinate use the service and repair of only those vehicles being rented or leased provided that the service and repair of vehicles occurs inside the building. This use does not include Service Station.

**NATURAL BOUNDARY** means the visible high watermark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or any other 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, as defined in Section 1 of the Land Act, and also includes the edge of dormant side channels of any lake, river, stream, or other body of water, and marshes;

**NATURAL GROUND ELEVATION** means the undisturbed ground elevation prior to site preparation;

**OFF-STREET LOADING SPACE** means an area of land other than a highway used to provide access to a loading door, platform or bay for the purpose of loading and unloading vehicles;

**OFF-STREET PARKING SPACE** means an area of land other than a highway used for the temporary storage of vehicles;

**OUTDOOR RECREATION FACILITIES** means publicly or privately owned facilities designed and used for outdoor recreation purposes and, without limiting the generality of the foregoing, includes golf courses, archery ranges, firearms ranges, fish ponds, skiing facilities, marine landings and horse riding arenas;

**PANHANDLE PARCEL** means any parcel, the building area of which is serviced and gains highway frontage through the use of a narrow strip of land which is part of the parcel and is referred to as an access strip;

**PARCEL** means an area of land which is designated under the Land Title Act as a separate and distinct parcel on a legally recorded plan or description registered in the Land Title Office and includes a strata parcel pursuant to the Strata Property Act;

**PARCEL LINE** means a legal boundary of a parcel as shown or described on the records of the Land Title Office;

**PARCEL LINE, FRONT** means the parcel line common to a parcel and an abutting highway other than a lane. Where there is more than one such line, the shortest such line shall be considered the front parcel line, or where the front and rear parcel lines both abut a highway, the front parcel line shall be that to which the majority of the adjacent buildings face. The front parcel line of a panhandle

parcel shall be the parcel line closest to the highway from which access is obtained, but excludes the access strip. Where a highway other than a lane divides a parcel into two or more portions the required setback from the front parcel line shall apply to all front parcel lines that are common to the parcel and the subject highway;

**PARCEL LINE, REAR** means the parcel line or parcel lines opposite to and most distant from the front parcel line; or where the rear portion of the parcel is bounded by intersecting side parcel lines, it shall be the point of such intersection;

**PARCEL LINE, SIDE** means the parcel line or parcel lines other than the front or rear parcel line;

**PARK** means open space set aside for recreational purposes or maintained for the use and enjoyment of the public and includes Federal, Provincial, Regional, local parks and associated campgrounds, primitive campsites, outdoor recreational facilities, and Ministry of Transportation and Highways rest areas;

**PERSONAL SERVICE ESTABLISHMENT** means a business where professional or personal services are provided for gain and where the sale of retail merchandise is only accessory to the provisions of such services, including but without limiting the generality of the foregoing, the following: barber shops, beauty shops, tailor shops, laundry or dry-cleaning shops, shoe repair shops;

**PORTABLE SAWMILL** means a mill which is clearly of a temporary nature and is designed, constructed or manufactured to be moved from one place to another and does not rest upon a permanent foundation or permanent supports.

**PRIMITIVE CAMPSITE** means any site occupied and maintained, or intended to be occupied and maintained, for temporary accommodation of travellers in recreational vehicles, travel trailers or tents, where no sewage disposal, water or electrical hook-up facilities are provided;

**PRINCIPAL BUILDING** means a building within which or in relation to which the permitted principal use is concentrated;

**PRINCIPAL DWELLING UNIT** means a dwelling within which the permitted principal uses is concentrated;

**PRINCIPAL USE** means the main purpose for which land, buildings or structures are ordinarily used;



**PUBLIC UTILITY USE** means a use including buildings and structures, providing water supply, sewage collection and disposal, electricity and natural gas distribution facilities, telephone, radio and television broadcasting, transmitting and receiving and similar services where such use is established by a municipality, the Regional District of Bulkley-Nechako, an Improvement District, or a company regulated by government legislation;

**RESIDENTIAL ZONES** include the Single Family Residential Zone, the Multiple Family Residential Zone, the Waterfront Residential I Zone, the Waterfront Residential II Zone, the Country Residential Zone, the Rural Residential Zone, the Hudson Bay Mountain Recreation Residential Zone, the Hudson Bay Mountain Single Family Residential I Zone, the Hudson Bay Mountain Single Family Residential II Zone, and the Hudson Bay Mountain Multiple Family Residential Zone;

**RESORT LODGE** means an establishment consisting of attached sleeping units and/or detached guest cabins which are used exclusively for the temporary use of tourists, where the maximum length of stay is 200 days in any given year;

**RESTAURANT** means an establishment which is primarily engaged in serving food and beverages which are consumed on its premises by customers seated at tables and/or counters either inside or outside the building and, as an accessory use thereto, may be engaged in providing customers with take-out service of food and beverages for off-site consumption;

**RURAL RETREAT** means a facility which is owned and operated by a non-profit society incorporated under the Society Act, R.S.B.C. 1979, C. 390 of British Columbia and is intended for recreational, educational or religious purposes and provides sleeping accommodation and cooking facilities but shall not include boarding schools;

**SECONDARY SUITE** means a second dwelling unit, which has a minimum floor space of 37 square metres (398 sq. ft.) and does not exceed 40% of the gross floor area of the principal building, located within the structure of a single family dwelling;

**SECONDARY USE** means a use of land, buildings or structures which is clearly not the main purpose for which land, buildings or structures are ordinarily used;

**SERVICE COMMERCIAL USE** means a use providing for the testing, service, repairs, rental and maintenance of goods or materials and includes wholesale

and retail sales accessory to the principal use but specifically excludes motor vehicle storage, scrap salvage, wrecking yards or bulk storage;

**SERVICE STATION** means a building or structure used or intended to be used primarily for the sale of motor fuel, which may include gasoline, diesel, natural gas and propane, the sale of automotive accessories and for automobile servicing;

**SKIING FACILITIES** means the use of lands, buildings or structures for the principal purpose of providing snow skiing facilities and may also include; the sale, rental and repair of skis and related equipment, eating establishments, licensed establishments under the Liquor Control and Licensing Act, locker rooms, but shall not include any facilities for sleeping accommodation;

**SLEEPING UNIT** means any self-contained portion of a building used or intended to be used as a temporary residence for one or more persons and usually containing sleeping and sanitary facilities;

**STRUCTURE** means any construction which is fixed to, supported by or sunk into land or water, excluding paving or surfacing materials such as asphalt or concrete;

**TEMPORARY ACCOMMODATION** means a total length of stay of not more than 30 consecutive days.

**TOTAL FLOOR AREA** means the total area of all the floors in a Structure measured to the exterior faces of the exterior walls of the Structure, excluding crawl spaces with a vertical clearance of less than 1.8 metres.

**TOURIST RETAIL STORE** means a retail business which caters primarily to tourists and sells such goods as art, crafts, gifts and novelties;

**VISITOR INFORMATION CENTRE** means a facility where visitors to a location are provided with information on the area's attractions, lodging, maps, and other items relevant to tourism;<sup>2</sup>

**WAREHOUSING** means the use of lands or structures for the storage and distribution of goods, wares, merchandise, substances, articles, or other things, including the storage of goods in separately occupied, secured storage areas and lockers. This use does not include storage of goods for retail sales, wrecking and salvage or a waste disposal site.

**WASTE DISPOSAL SITE** means a site operated by the Regional District of Bulkley-Nechako for waste disposal purposes or any other site which has been approved and is regulated for waste disposal purposes pursuant to the Environmental Management Act;

**WATERCOURSE** means any natural or man-made depression with well-defined banks and a bed 0.6 metres or more below the surrounding land serving to give direction to, or acting as a retention area for, a current of water that flows at least six months of the year or drains an area of two square kilometers or more upstream of the point of consideration;<sup>4</sup>

**WATER FRONTAGE** means the length of any parcel line which abuts the natural boundary of a lake or watercourse;

**YARD** means the outdoor area of a parcel adjacent to a building or structure extending from an exterior wall of the building or structure to a parcel line;

**YARD, FRONT** means a yard extending across the full width of the parcel from the front parcel line to the nearest projection of a building or structure, excluding a fence;

**YARD, REAR** means a yard extending across the full width of the parcel from the rear parcel line to the nearest projection of a building or structure, excluding a fence;

**YARD, SIDE** means a yard extending from the front yard to the rear yard and lying between the side parcel line and the nearest projection of a building or structure, excluding a fence.

### **SECTION 3 - ADMINISTRATION AND ENFORCEMENT**

#### **3.01        Application**

This bylaw shall be applicable within the entire area of the Regional District of Bulkley-Nechako as defined by the Letters Patent.

#### **3.02        Administration**

- (1)      The Building Inspector, Director of Planning or such other person appointed by the Board of the Regional District of Bulkley-Nechako shall ascertain whether this bylaw is being observed.
- (2)      Persons appointed under subsection (1) may enter any land, building or premises at any reasonable time for the purpose of ascertaining whether this bylaw is being observed.

#### **3.03        Prohibition**

Subject to the provisions of the Local Government Act respecting nonconforming uses, land shall not be used, nor buildings and structures constructed, altered, located, or used contrary to this bylaw.

#### **3.04        Nonconforming Uses**

Nonconforming uses of land, buildings and structures, as well as siting, size or dimensions of buildings, structures, and off-street parking and loading spaces is governed by Section 911 of the Local Government Act.

#### **3.05        Violation**

- (1)      No person shall cause, suffer or permit any building or structure to be constructed, reconstructed, altered, moved, extended or used, or land to be used, in contravention of this bylaw or otherwise to contravene or fail to comply with this bylaw.

- (2) No person shall prevent or obstruct any official appointed under Section 3.02 of this bylaw from the carrying out of their duties under this bylaw.

3.06 Penalty

A person who violates any provision of this bylaw commits an offence and is punishable in accordance with the Offence Act.

3.07 Severability

If any section, subsection, paragraph, subparagraph or clause of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this zoning bylaw.

3.08 Appeal

Application may be made to the Board of Variance, as established by the Regional District of Bulkley-Nechako, to appeal requirements of this bylaw where a person alleges that:

- (a) compliance with
  - (i) the bylaw respecting the siting, dimensions or size of a building or structure, or the siting of a manufactured home in a manufactured home park,
  - (ii) the prohibition of a structural alteration or addition under Section 911(5) of the Local Government Act, or
  - (iii) a subdivision servicing requirement under Section 938(1)(c) of the Local Government Act in an area zoned for agricultural or industrial use,would cause him undue hardship, or
- (b) the determination by a building inspector of the amount of damage under Section 911 (8) of the Local Government Act is in error.

3.09      Amendment

An application for rezoning shall be treated as an application to amend this bylaw pursuant to Sections 892 and 894 of the Local Government Act, and Regional District of Bulkley-Nechako Bylaw No. 621 and any amendment bylaws thereto.

## **SECTION 4 - GENERAL PROVISIONS**

### **4.01        Use of Existing Parcels**

Any parcel of land shown on a plan duly filed in the Land Title Office prior to the enactment of this bylaw which does not conform to parcel area requirements or lake frontage requirements of this bylaw may be used for any of the uses permitted in the zone within which it has been located at the time of enactment, provided that all other provisions of this bylaw are met and the method of sewage disposal is in compliance with the Health Act or the Environmental Management Act.

### **4.02        Permitted Uses In All Zones**

The following uses are permitted in all zones:

- (a)      unattended public service or utility buildings and structures having no exterior storage of any kind;
- (b)      parks and ecological reserves;
- (c)      forestry lookouts.
- (d)      Public Utility Use is permitted in the Large Holdings Zone (H2) on lands designated Ski Smithers Development Area in the "Smithers Telkwa Rural Official Community Plan".
- (e)      A Structure with a Total Floor Area of 55 square meters (592 ft<sup>2</sup>) or less used only for storage not associated with any commercial operation or business.

### **4.03        Home Occupations**

A home occupation, where permitted, is subject to the following requirements:

- (i)      it is carried on by members of the family owning and residing in a dwelling unit on the same parcel or with the assistance of not more than one person who does not reside in a dwelling unit on the same parcel;
- (ii)     it is conducted wholly within a dwelling unit or accessory building, except for day care use, and there shall be no external storage of material, containers or finished products other than the parking and storage of commercial vehicles and pieces of heavy equipment either of which shall not be restricted as to number or location on the property and shall include the repair thereof whether or not this repair occurs within an enclosed building;

- (iii) where the home occupation is being conducted on a parcel which is less than two hectares (4.94 acres) in area, the floor area of the dwelling unit or accessory building which is devoted to a home occupation shall not exceed 55 square metres (592 ft.2). There is no floor area restriction relating to home occupations conducted on parcels larger than two hectares (4.94 acres);
- (iv) the use shall not create any off-site parking, excessive customer or service traffic nor shall it become or create a nuisance of any kind, by any means;
- (v) the home occupation shall not produce noise, vibrations, smoke, dust, odour, litter, or heat, other than that normally associated with a dwelling, nor shall it create or cause a fire hazard or electrical interference in excess of what normally occurs in the residential area;
- (vi) a home occupation does not include Cannabis Production.
- (vii) notwithstanding subclause 4.03(iii) the floor area of the accessory buildings which are devoted to a home occupation on the land described as Lot 1, Section 10, Township 1A, Range 5, Coast District, Plan 5829 shall not exceed 453 square metres;

and, notwithstanding subclause (i) to (vi), may include bed and breakfast accommodation.

4.03A

Derelict Vehicles

- (1) The storage of more than two derelict vehicles on a Parcel in a Residential Zone shall be prohibited;
- (2) For the purposes of the Section a “motor vehicle” means any vehicle which is subject to the Motor Vehicles Act and does not include farm vehicles;
- (3) Any motor vehicle which is in an inoperable condition, which has not been licensed for a period of one (1) year and which is not concealed or housed within a building, shall be deemed to be a derelict motor vehicle.



4.04      Accessory Buildings

- (1)      No person shall construct or erect a building or structure which is accessory to a permitted use:
  - (i)      which has more than 45 square metres (484 ft<sup>2</sup>) of floor space, or
  - (ii)     where a building or structure which is accessory to a permitted use already exists on the parcel,unless:
  - (a)      a principal building exists on the parcel; or
  - (b)      a building permit has been issued for the principal building on the parcel pursuant to the applicable Regional District of Bulkley-Nechako building bylaw.
- (2)      Subject to compliance with the Floodplain Management Bylaw No. 1300, any building or structure which is accessory to a permitted use and is used for the storage of marine equipment may be located along a lake or river without having to comply with the applicable required setback from the parcel line abutting the lake or river.

4.05      Where Minimum Parcel Area Requirements Do Not Apply

- (1)      The minimum parcel size at subdivision in any zone established under this bylaw does not apply to:
  - (a)      parks and ecological reserves;
  - (b)      waste disposal sites;
  - (c)      parcels being created which are to be used solely for unattended equipment necessary for the operation of:
    - (i)      public utility uses with no exterior storage of any kind;
    - (ii)     radio and television broadcasting antennae;
    - (iii)    air or marine navigational aids,
  - (d)      land dedicated to the Crown for public use.
- (2)      The minimum parcel size at subdivision in any zone established under this bylaw does not apply to parcels created by the consolidation of two or more parcels.

4.06 Setbacks from a Natural Boundary

- (1) No building or structure, or part thereof, except a fence, shall be constructed, reconstructed, moved, extended or located within:
  - (a) 30.0 metres from the Natural Boundary of the Babine River, Buck Creek, Bulkley River, Cheslatta River, Chilako River, Cluculz Creek (below Cluculz Lake), Driftwood River, Endako River, Fleming Creek (below Tidesley Creek), Fulton River, Gaffney Creek, Hutudatehl Creek, Inzana Creek (below Inzana Lake), Kazchek Creek, Klawli River, Kotsine River, Kuzkwa Creek, Kwanika Creek, Manson River (below Tsayta Lake), Middle River, Morice River, Nation River (below Tsayta Lake), Nautley River, Nechako River (above Nautley River), Necoslie River (within Coast Land District), Nilkitkwa River, Omineca River, Parrott Creek, Philip Creek, Rainbow Creek, Silver Creek (below Kenny Creek), Sinkut River (below Sinkut Lake), Skaeniche River, Sowchea Creek (below Marie Creek), Stellako River, Stoney Creek (below Tachick Lake), Stuart river, Sutherland River (below Gravel Creek), Sylvester Creek, Tachie River, Tchesinkut Creek, Telkwa River, Tezzeron Creek, Tsilcoh River, Valleau Creek and Skeena River;
  - (b) 15 metres from the Natural Boundary of any other watercourse;
  - (c) 7.5 metres from the Natural Boundary of any other lake, marsh or pond; and
  - (d) 7.5 metres from any dike right of way, or structure for flood protection or seepage control.
  - (e) 45.0 metres from the Natural Boundary of the Nechako River (below Nautley River).
- (2) An addition to a building or structure that would increase the size of the building or structure by less than 25 percent of the finished floor area of the first story existing at the date of adoption of "Regional District of Bulkley-Nechako Zoning Bylaw No. 18, 1970, Amendment Bylaw No. 151, 1977" is permitted provided that the addition does not increase the degree of non-conformity with respect to the setback required by Section 4.06(1).

4.07 Land Acquired for Highway Allowances

- (1) Where the use of land or the siting of existing buildings and structures on the land ceases to conform to this bylaw as a result of land acquisition by the Ministry of Transportation and Highways for the purpose of a highway allowance, the remainder of the property is deemed to conform.
- (2) Where, as a result of land acquisition for highway allowance purposes that occurs after this bylaw comes into force,
  - (a) a parcel of land could have been subdivided into two or more parcels under this bylaw when the land was acquired by the Ministry of Transportation and Highways, and
  - (b) the parcel, as a result of the Ministry of Transportation and Highways' acquisition, can no longer be subdivided into the same number of parcels,

the parcel shall be deemed to conform to this bylaw for the purposes of the subdivision as though the land acquisition had not occurred, but only to the extent that none of the parcels that would be created by the subdivision would be less than 90% of the area that would otherwise be permitted by this bylaw.

4.08 Buffer Areas

- (1) Subject to the Mine Act, where buffer areas are required for uses permitted within a zone, such buffers shall be maintained between the use and the boundary of the parcel, as provided for hereunder. Where a parcel abuts a right-of-way or easement for public or quasi-public purposes, such right-of-way or easement may be deemed to be within the parcel for purposes of establishing the buffer area.
- (2) Within a buffer area:
  - (i) no building or structure may be erected or placed, except a fence, a wall or in the case of that part of the buffer area contiguous with the Highway, identification signs;
  - (ii) no waste disposal area and no vehicle parking areas shall be located;

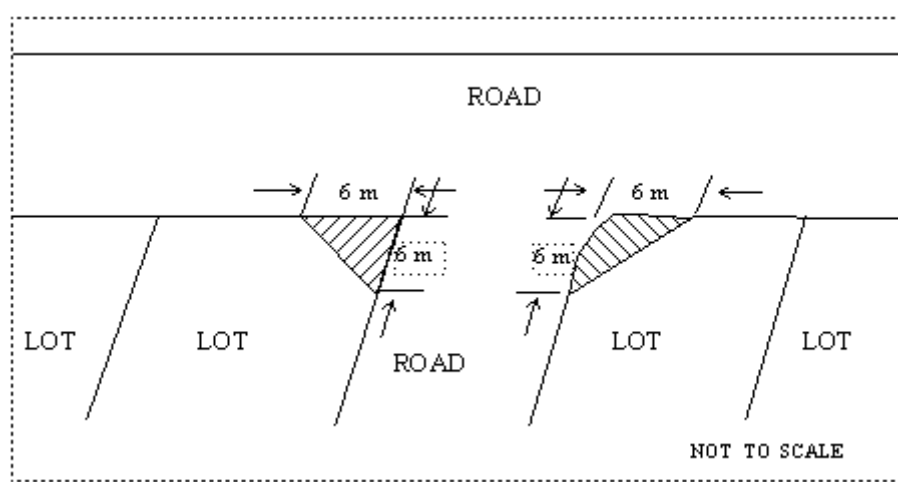
- (iii) except where danger or a road is involved no plant material may be removed, nor may any substance of which land is composed be deposited or removed, except as part of a recognizable beautification scheme;
- (iv) the only roads permitted in the buffer area are those which cross it as close to right angles as practicable and connect directly with the road system contained within the remainder of the parcel.

4.09

Sight Triangle

- (1) No person shall, within a sight triangle as defined in Figure 1, grow or place, or permit to be grown or placed, any tree, shrub, plant, fence or other structure with horizontal dimension exceeding 0.6 metres (24 inches) within the site triangle above an elevation such that an eye 0.9 metres (36 inches) above the surface elevation of one highway cannot see an object 0.9 metres (36 inches) above the surface elevation of the other highway.

Figure 1 – “Sight Triangle”



4.10        Agricultural Land Reserve

Notwithstanding the provisions of this bylaw, land designated as "Agricultural Land Reserve" is subject to the Agricultural Land Commission Act, the Soil Conservation Act, regulations made pursuant to the Agricultural Land Commission Act, and relevant Orders of the Provincial Agricultural Land Commission made pursuant to the Agricultural Land Commission Act.

4.11        Retail Propane Refuelling Stations

The installation of retail propane refuelling stations shall comply with the Safety Standards Act, Regulations, Directives, and amendments thereto.

## **SECTION 5 - DESIGNATION**

### **5.01      Zone Designation**

- (1) For the purposes of this bylaw, the area incorporated within the boundaries of the Regional District of Bulkley-Nechako is divided into the following zones:

<u>ZONE TITLE</u>	<u>SHORT TITLE</u>
Single Family Residential	R1
Multiple Family Residential	R2
Waterfront Residential I	R3
Waterfront Residential II	R4
Country Residential	R5
Rural Residential	R6
Manufactured Home Park	R7
Hudson Bay Mountain Recreational Residential	R8
Hudson Bay Mountain Single Family Residential I	R9
Hudson Bay Mountain Single Family Residential II	R10
Hudson Bay Mountain Multiple Family Residential	R11
Small Holdings	H1
Small Holdings (Additional Dwelling)	H1A
Small Holdings (Industrial Shop)	H1B
Large Holdings	H2
Agricultural	Ag1
Rural Resource	RR1
General Commercial	C1
Highway Commercial	C2
Highway Commercial – Manufactured Home Dealer <sup>3</sup>	C2A
Tourist Commercial	C3
Service Commercial	C4
Resort Commercial	C5
Light Industrial	M1
Special Light Industrial – Agricultural	M1A
Light Industrial – Contracting	M1B
Heavy Industrial	M2
Agricultural Industry	M3
Civic/Institutional	P1
Recreational	P2
Motor Sport	P3
Community Development and Public Use <sup>2</sup>	P4
Airport	A1

- (2) The extent of each zone is shown on Schedule A, attached hereto and forming part of this bylaw.
- (3) If a zone boundary is shown as following a highway right-of-way the centre line of that highway right-of-way shall be considered the zone boundary.
- (4) If a zone boundary is shown as following the edge of a body of water or a watercourse, the natural boundary of the body of water or watercourse is to be considered the zone boundary.
- (5) Where a zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning maps referred to in subsection (2).

## **SECTION 6 - SINGLE FAMILY RESIDENTIAL ZONE (R1)**

### **6.01        Permitted Uses**

In the Single Family Residential Zone the following uses of land, buildings or structures, and no other uses, are permitted:

- (a)     single family dwelling;
- (b)     home occupation;
- (c)     buildings and structures accessory to the permitted principal uses.

### **6.02        Parcel Servicing**

The uses permitted in the Single Family Residential Zone are restricted to only those parcels which are served by a community water system.

### **6.03        Parcel Area**

The minimum parcel area required in the Single Family Residential Zone is as follows:

- a)     350 square metres (3,767 ft<sup>2</sup>) if both a community water system and a community sewer system serve the parcel; or
- b)     1500 square metres (16,146 ft<sup>2</sup>) if a community water system serves the parcel but no community sewer system serves the parcel.

### **6.04        Density**

Not more than one single family dwelling shall be located on a parcel in the Single Family Residential Zone.



6.05      Parcel Coverage

In the Single Family Residential Zone buildings and structures shall not cover more than thirty-three percent of the parcel area.

6.06      Setback

- (1) In the Single Family Residential Zone no building or structure or part thereof, except a fence, shall be located within the setback prescribed below:
  - (a) 7.5 metres (24.61 ft.) from the front parcel line;
  - (b)
    - (i) where there is no rear lane, 6 metres (19.69 ft.) from the rear parcel line;
    - (ii) where there is a rear lane, 6 metres (19.69 ft.) from the centre line of the lane;
  - (c)
    - (i) 1.5 metres (5 ft.) from each side parcel line which does not abut a highway;
    - (ii) 4.5 metres (14.76 ft.) from each side parcel line which abuts a highway.
- (2) In the Single Family Residential Zone the maximum height for a Closed Fence shall be 1.2 metres (4 ft.) in a front yard and 1.8 metres (6 ft.) in any other required yard space.

6.07      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 7 - MULTIPLE FAMILY RESIDENTIAL ZONE (R2)**

### **7.01        Permitted Uses**

In the Multiple Family Residential Zone the following uses of land, buildings or structures, and no other uses, are permitted:

- (a) two family dwelling;
- (b) multiple family dwelling;
- (c) group residence;
- (d) home occupation;
- (e) buildings and structures accessory to the permitted principal uses.

### **7.02        Parcel Area**

- (1) The minimum parcel area required in the Multiple Family Residential Zone for a two family dwelling or a group residence is as follows:
  - (a) 700 square metres (7,536 ft<sup>2</sup>) if both a community water system and a community sewer system serve the parcel;
  - (b) 3000 square metres (32,293 ft<sup>2</sup>) if a community water system serves the parcel but no community sewer system serves the parcel; or
  - (c) 8000 square metres (1.98 acres) if neither a community water system nor a community sewer system serves the parcel.
- (2) The minimum parcel area in the Multiple Family Residential Zone for a multiple family dwelling is as follows:
  - (a) 300 square metres (3,229 ft<sup>2</sup>) for each dwelling unit if both a community water system and a community sewer system serve the parcel;
  - (b) 1500 square metres (16,146 ft<sup>2</sup>) for each dwelling unit if a community water system serves the parcel but no community sewer system serves the parcel; or

7.03        Density

Not more than one two family dwelling, multiple family dwelling or group residence shall be located on a parcel in the Multiple Family Residential Zone.

7.04        Parcel Coverage

In the Multiple Family Residential Zone buildings and structures shall not cover more than thirty-three percent of the parcel area.

7.05        Setback

- (1)        In the Multiple Family Residential Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a)        7.5 metres (24.61 ft.) from the front parcel line;
  - (b)        (i)        where there is no rear lane, 6 metres (19.69 ft.) from the rear parcel line;  
(ii)        where there is a rear lane, 6 metres (19.69 ft.) from the centre line of the lane;
  - (c)        (i)        1.5 metres (5 ft.) from each side parcel line which does not abut a highway;  
(ii)        4.5 metres (14.76 ft.) from each side parcel line which abuts a highway.
- (2)        In the Multiple Family Residential Zone the maximum height for a Closed Fence shall be 1.2 metres (4 ft.) in a front yard and 1.8 metres (6 ft.) in any other required yard space.

7.06        Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 8 - WATERFRONT RESIDENTIAL I ZONE (R3)**

### **8.01        Permitted Uses**

In the Waterfront Residential I Zone the following uses of land, buildings or structures, and no other uses, are permitted:

- (a)     single family dwelling;
- (b)     home occupation;
- (c)     buildings and structures accessory to the permitted principal uses.

### **8.02        Parcel Area**

The minimum parcel area required in the Waterfront Residential I Zone is as follows:

- a)     500 square metres (5,382 ft<sup>2</sup>) if both a community water system and a community sewer system serve the parcel;
- b)     1800 square metres (18,005 ft<sup>2</sup>) if a community water system serves the parcel but no community sewer system serves the parcel; or
- c)     2500 square metres (26,911 ft<sup>2</sup>) if neither a community water system nor a community sewer system serves the parcel.

### **8.03        Minimum Water Frontage**

Each Parcel in the Waterfront Residential I Zone which abuts a lake or watercourse shall have not less than 30 metres (98 ft.) water frontage.

### **8.04        Density**

Not more than one single family dwelling shall be located on a parcel in the Waterfront Residential I Zone.

8.05      Parcel Coverage

In the Waterfront Residential I Zone buildings and structures shall not cover more than thirty-three percent of the parcel area.

8.06      Setback

- (1)      Subject to Section 4.06, in the Waterfront Residential I Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a)      7.5 metres (24.61 ft.) from the front parcel line;
  - (b)      1.5 metres (5 ft.) from any other parcel line which does not abut a highway;
  - (c)      4.5 metres (14.76 ft.) from any other parcel line which abuts a highway.
- (2)      In the Waterfront Residential I Zone the maximum height for a Closed Fence shall be 1.2 metres (4 ft.) in a front yard and 1.8 metres (6 ft.) in any other required yard space.

8.07      Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

## **SECTION 9 - WATERFRONT RESIDENTIAL II ZONE (R4)**

### **9.01        Permitted Uses**

In the Waterfront Residential II Zone the following uses of land, buildings or structures, and no other uses, are permitted:

- (a)     single family dwelling;
- (b)     two family dwelling;
- (c)     home occupation;
- (d)     buildings and structures accessory to the  
             permitted principal uses.

### **9.02        Parcel Area**

The minimum parcel area required in the Waterfront Residential II Zone is 8000 square metres (1.98 acres).

### **9.03        Minimum Water Frontage**

Each parcel in the Waterfront Residential II Zone which abuts a lake or watercourse shall have not less than 60 metres (197 ft.) of water frontage.

### **9.04        Density**

Not more than one single family dwelling or one two family dwelling shall be located on a parcel in the Waterfront Residential II Zone.

### **9.05        Parcel Coverage**

In the Waterfront Residential II Zone buildings and structures shall not cover more than thirty-three percent of the parcel area.

9.06        Setback

- (1)        Subject to Section 4.06, in the Waterfront Residential II Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a)        7.5 metres (24.61 ft.) from the front parcel line;
  - (b)        1.5 metres (5 ft.) from any other parcel line;
  - (c)        4.5 metres (14.76 ft.) from any parcel line which abuts a highway. <sup>4</sup>
- (2)        In the Waterfront Residential II Zone the maximum height for a Closed Fence shall be 1.2 metres (4 ft.) in a front yard and 1.8 metres (6 ft.) in any other required yard space.

9.07        Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

## **SECTION 10 - COUNTRY RESIDENTIAL (R5)**

### **10.01      Permitted Uses**

- (1) In the Country Residential Zone the following uses of land, buildings or structures, and no other uses, are permitted:
  - (a) single family dwelling;
  - (b) two family dwelling;
  - (c) field crops and horticulture;
  - (d) home occupation;
  - (e) buildings and structures accessory to the permitted principal uses.
- (2) In the Country Residential Zone a kennel containing a maximum of 45 dogs or cats at any one time is a permitted use of the land, buildings or structures only on the property legally described as Lot 14, Plan 5820, District Lot 5990, Range 5, Coast District.

### **10.02      Parcel Area**

The minimum parcel area required in the Country Residential Zone is 4000 square metres (0.99 acre).

### **10.03      Density**

Not more than one single family dwelling or one two family dwelling shall be located on a parcel in the Country Residential Zone.

### **10.04      Parcel Coverage**

In the Country Residential Zone buildings and structures shall not cover more than thirty-three percent of the parcel area.



10.05      Setback

- (1)      In the Country Residential Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a)      7.5 metres (24.61 ft.) from the front and rear parcel lines;
  - (b)      1.5 metres (5 ft.) from any other parcel line which does not abut a highway;
  - (c)      4.5 metres (14.76 ft.) from any other parcel line which abuts a highway.

10.07      Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

## **SECTION 11 - RURAL RESIDENTIAL ZONE (R6)**

### **11.01      Permitted Uses**

In the Rural Residential Zone the following uses of land, buildings or structures, and no other uses, are permitted:

- (a) single family dwelling;
- (b) two family dwelling;
- (c) field crops and horticulture;
- (d) non-commercial farm livestock;
- (e) home occupation;
- (f) buildings and structures accessory to the permitted principal uses.

### **11.02      Parcel Area**

The minimum parcel area required in the Rural Residential Zone is 1 hectare (2.47 acres).

### **11.03      Density**

Not more than one single family dwelling or one two family dwelling shall be located on a parcel in the Rural Residential Zone.

### **11.04      Setback**

- (1) In the Rural Residential Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a) 7.5 metres (24.61 ft.) from the front and rear parcel lines;
  - (b) 3 metres (9.8 ft.) from any other parcel line which does not abut a highway;
  - (c) 4.5 metres (14.76 ft.) from any other parcel line which abuts a highway.

11.05      Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

**SECTION 11.1 - HUDSON BAY MOUNTAIN RECREATIONAL RESIDENTIAL ZONE (R8)**

**11.1.01      Permitted Uses**

- (1) In the Hudson Bay Mountain Recreational Residential Zone the following uses of land, buildings or structures, and no other uses, are permitted:
  - (a) seasonal dwelling;
  - (b) buildings and structures accessory to the permitted principal uses.
- (2) In the Hudson Bay Mountain Recreational Residential Zone, for the land described as: Block H, District Lot 2531, Range 5, Coast District, the following uses of land, buildings or structures, and no other uses, are permitted:
  - (a) seasonal dwellings;
  - (b) bed and breakfast accommodation, as a home occupation, to a maximum of six beds, to be in operation no more than 200 days per year;
  - (c) buildings and structures accessory to the permitted principal uses.

**11.1.02      Total Floor Area**

- (a) The maximum Total Floor Area permitted for a seasonal dwelling in the Hudson Bay Mountain Recreational Residential Zone is 167.23 square metres (1,800 ft<sup>2</sup>).
- (b) The maximum Total Floor Area permitted for an accessory building in the Hudson Bay Mountain Recreational Residential Zone is 14 m<sup>2</sup> (150 ft<sup>2</sup>).

**11.1.03      Parcel Area**

The minimum parcel area required in the Hudson Bay Mountain Recreational Residential Zone is as follows:

- (a) 1,700 square metres (18,299 ft<sup>2</sup>);
- (b) notwithstanding subclause 11.1.03 (a) the minimum parcel area required for Block L, District Lot 1586, Range 5, Coast District is 1214 square metres (13,068 ft<sup>2</sup>).

11.1.04      Density

Not more than one seasonal dwelling shall be located on a parcel in the Hudson Bay Mountain Recreational Residential Zone.

11.1.05      Setback

(1)      In the Hudson Bay Mountain Recreational Residential Zone no building or structure or part thereof shall be located within the setback prescribed below:

- (a)      7.5 metres (24.61 ft.) of any parcel line which abuts a highway;
- (b)      1.5 metres (5 ft.) from any parcel line which does not abut a highway.

11.1.06      Height

The maximum Building height within the Hudson Bay Mountain Recreational Residential Zone is 8.0 metres (26.25 ft.).

11.1.07      Fences

No fences shall be constructed upon parcels in the Hudson Bay Mountain Recreational Residential Zone.

## **SECTION 11.2 HUDSON BAY MOUNTAIN SINGLE FAMILY RESIDENTIAL (R9)**

### **11.2.01 Permitted Uses**

- (1) In the Hudson Bay Mountain Single Family Residential Zone the following uses of land, buildings, or structures are permitted:
  - (a) 2 single family dwellings;
  - (b) home occupation;
  - (c) hotel (on parcels equal to or greater than 1858 square meters in area)

### **11.2.02 Parcel Servicing**

- (1) In the Hudson Bay Mountain Single Family Residential Zone a single family dwelling is the only permitted use of a parcel that is not serviced by a community water system and a community sewer system.

### **11.2.03 Gross Floor Area**

- (1) The maximum permitted gross floor area of a single family dwelling in the Hudson Bay Mountain Single Family Residential Zone is equal to a floor space ratio of 0.35 or 465 square meters (5005 ft<sup>2</sup>), whichever is less.
- (2) Where there are 2 single family dwellings in the Hudson Bay Mountain Single Family Residential Zone only 1 single family dwelling may exceed a gross floor area of 56 square meters (603 ft<sup>2</sup>);
- (3) Where there are 2 single family dwellings in the Hudson Bay Mountain Single Family Residential Zone 1 of the single family dwellings must exceed a gross floor area of 100 square metres (1076 ft<sup>2</sup>).;
- (4) In the Hudson Bay Mountain Single Family Residential Zone the maximum permitted gross floor area for all accessory buildings on a parcel is 60 square meters (645.9 ft<sup>2</sup>);
- (5) In the Hudson Bay Mountain Single Family Residential Zone the maximum permitted floor area for parking use contained in a principal or accessory building or structure is 60 square metres (645.9 ft<sup>2</sup>).

- (6) In the Hudson Bay Mountain Single Family Residential Zone the maximum permitted gross floor area for a secondary suite is 100 square metres (1,076 ft<sup>2</sup>). In no case shall the gross floor area of the secondary suite exceed 40% of the gross floor area of the principal building.
- (7) In the Hudson Bay Mountain Single Family Residential Zone the minimum permitted gross floor area for a secondary suite is 37 square metres (398.28 ft<sup>2</sup>).

11.2.04 Parcel Area

- (1) The minimum parcel area required in the Hudson Bay Mountain Single Family Residential Zone is 750 square metres (8,070 ft<sup>2</sup>) where those parcels are served by a community water system and a community sewer system.
- (2) The minimum parcel area required in the Hudson Bay Mountain Single Family Residential Zone is 8 hectares (19.77 acres) where those parcels are not served by a community water system and a community sewer system.

11.2.05 Density

- (1) In the Hudson Bay Mountain Single Family Residential Zone a Parcel containing a hotel may not contain a single family dwelling.

11.2.06 Parcel Coverage

- (1) In the Hudson Bay Mountain Single Family Residential Zone buildings and structures shall not cover more than thirty-five percent of the parcel area.

11.2.07 Setback

- (1) In the Hudson Bay Mountain Single Family Residential Zone no building or structure or part thereof shall be located within the setback prescribed below:
  - a) 7.5 metres (24.61 ft.) from the front parcel line;
  - b) 3 metres (9.84 ft.) from the rear parcel line;
  - c) 5 metres (16.4 ft.) from the side parcel line of parcels with a parcel area less than 929 (10,000 ft<sup>2</sup>) square meters;
  - d) 6 metres (19.7 ft.) from the side parcel line of parcels with a parcel area equal to or greater than 929 square meters (10,000 ft<sup>2</sup>).

11.2.08 Height

- (1) The maximum building height for a Principal Building within the Hudson Bay Mountain Single Family Residential Zone is 8.0 metres (26.25 ft).
- (2) The maximum building height for an accessory building within the Hudson Bay Mountain Single Family Residential Zone is 5.0 metres (16.4 ft).

11.2.09 Parking

- (1) Off-street parking shall be provided in accordance with the provisions of Section 27 of this bylaw.

11.2.10 Other Regulations

- (1) A single family dwelling in the Hudson Bay Mountain Single Family Residential Zone located on a parcel that is less than 1858 square meters (20,000 ft<sup>2</sup>) in area may have a maximum of 5 bedrooms.
- (2) A single family dwelling in the Hudson Bay Mountain Single Family Residential Zone located on a parcel that is equal to or greater than 1858 square meters (20,000 ft<sup>2</sup>) in area may have a maximum of 7 bedrooms.
- (3) Where there are 2 single family dwellings in the Hudson Bay Mountain Single Family Residential Zone a secondary suite is not permitted in the single family dwellings.



- (4) In the Hudson Bay Mountain Single Family Residential Zone home occupations are restricted to office use such as clerical, business or administrative work only, and a Bed and Breakfast that includes a maximum of three beds and provides accommodation to a maximum of 6 persons at any one time.
- (5) A hotel in the Hudson Bay Mountain Single Family Residential Zone is permitted only on parcels equal to or greater than 1858 square meters (20,000 ft<sup>2</sup>) in area.
- (6) A hotel in the Hudson Bay Mountain Single Family Residential Zone may only contain a common kitchen, common recreation area, and a maximum of 7 sleeping units where a sleeping unit consists of only a single bedroom. No restaurants are permitted in a hotel in the Hudson Bay Mountain Single Family Residential Zone.
- (7) In the Hudson Bay Mountain Single Family Residential Zone a secondary suite may contain a maximum of two bedrooms, one kitchen, and one living room.

### **SECTION 11.3 - HUDSON BAY MOUNTAIN MULTIPLE FAMILY RESIDENTIAL (R10)**

#### **11.3.01    Permitted Uses**

- (1) In the Hudson Bay Mountain Multiple Family Residential Zone the following uses of land, buildings, or structures, and no other uses, are permitted:
  - (a) single family dwelling
  - (b) multiple family dwelling;

#### **11.3.02    Parcel Servicing**

- (1) In the Hudson Bay Mountain Multiple Family Residential Zone a single family dwelling is the only permitted use of a parcel that is not serviced by a community water system and a community sewer system.

#### **11.3.03    Density and Gross Floor Area**

- (1) In the Hudson Bay Mountain Multiple Family Residential Zone a maximum density of 50 dwelling units per hectare is permitted.
- (2) In the Hudson Bay Mountain Multiple Family Residential Zone the maximum number of dwelling units per building is 4.
- (2) The maximum permitted floor space ratio in the Hudson Bay Mountain Multiple Family Residential Zone is 0.40.
- (2) The minimum permitted gross floor area for a dwelling unit is 50 square metres (538.21 ft<sup>2</sup>).
- (3) The maximum permitted gross floor area of an accessory building for indoor recreational use is 235 square metres (2529.60 ft<sup>2</sup>).

11.3.04 Parcel Area

- (1) The minimum parcel area required in the Hudson Bay Mountain Multiple Family Residential Zone is 929 square metres (10,000 ft<sup>2</sup>) where those parcels are served by a community water system and a community sewer system.
- (2) In the case of a bare land strata subdivision the minimum area of a strata parcel in the Hudson Bay Mountain Multiple Family Residential Zone is 175 square metres (1883.75 ft <sup>2</sup>) where those parcels are served by a community water system and a community sewer system.
- (3) The minimum parcel area required in the Hudson Bay Mountain Multiple Family Residential Zone is 8 hectares (19.77 acres) where those parcels are not served by a community water system and a community sewer system.

11.3.05 Parcel Coverage

- (1) In the Hudson Bay Mountain Multiple Family Residential Zone buildings and structures shall not cover more than thirty-five percent of the parcel area.

11.3.06 Setback

- (1) In the Hudson Bay Mountain Multiple Family Residential Zone, no building or structure or part thereof shall be located within the setback prescribed below:
  - a) 7.5 metres (24.61 ft) from the front parcel line
  - b) 10% of the parcel width, to a maximum requirement of 6 metres (19.68 ft) from the side parcel lines. Where buildings share a common wall over a parcel line no setback is required.
  - c) 3 metres (9.84 ft) from the rear parcel line

11.3.07 Height

- (1) The maximum Building height within the Hudson Bay Mountain Multiple Family Residential Zone is 11 metres (36 ft).

11.3.08 Parking

- (1) Off-street parking shall be provided in accordance with the provisions of Section 27 of this bylaw.
- (2) A minimum of 25% of the required parking within a parcel shall be provided as visitor parking and such stalls shall be marked as such.
- (3) Not more than 50% of the setback areas shall be used for parking and in no case shall any parking space be located within 1.5 metres (4.92 ft<sup>2</sup>) of a parcel line.

11.3.09 Other Regulations

- (1) A secondary suite is not permitted in the Hudson Bay Mountain Multiple Family Residential Zone.
- (2) The minimum permitted separation between principal buildings is 6 metres (19.68 ft).
- (4) The maximum permitted number of bedrooms in a dwelling unit in the Hudson Bay Mountain Multiple Family Residential Zone is 4.
- (5) A single family dwelling in the Hudson Bay Mountain Multiple Family Residential Zone may be used for the temporary accommodation of up to 2 persons per bedroom to a maximum of 8 persons per single family dwelling.

## **SECTION 11.5 – BARE LAND STRATA RESIDENTIAL (R11)**

### **11.5.01      Permitted Uses**

In the Bare Land Strata Residential Zone the following uses of land, buildings, or structures, and no other uses, are permitted on a strata parcel:

- (a) single family dwelling;
- (b) home occupation;
- (c) buildings and structures accessory to the permitted principal uses.

In the Bare Land Strata Residential Zone the following uses of land, buildings, or structures, and no other uses, are permitted on common property:

- (a) recreation vehicle parking structures
- (b) common meeting building
- (c) buildings and structures accessory to the permitted principal uses.

### **11.5.02      Parcel Servicing**

The uses permitted in the Bare Land Strata Residential Zone are restricted to only those parcels which are served by a community sewer system.

### **11.5.03      Density and Scale of Development**

- (1) In the Bare Land Strata Residential Zone not more than one single family dwelling may be located on each strata parcel in the Bare Land Strata Zone.
- (2) In the Bare Land Strata Residential Zone a bare land strata development shall not contain more than 9 strata parcels.
- (3) In the Bare Land Strata Residential Zone the maximum permitted gross floor area of all buildings and structures located on common property shall not exceed a total gross floor area of 300 square metres (3229 ft<sup>2</sup>).

11.5.04      Parcel Area

In the Bare Land Strata Residential Zone the size of the parcel containing a bare land strata development shall be a minimum of 1.2 hectares (3 acres) for each strata parcel (for example a proposal for 5 strata parcels would require a total parcel size of at least 6 hectares (15 acres)).

11.5.05      Parcel Coverage

In the Bare Land Strata Residential Zone buildings and structures shall not cover more than forty percent of a strata parcel area.

11.5.06      Setback

- (1) In the Bare Land Strata Residential Zone, no building or structure or part thereof shall be located within the setbacks prescribed below, which apply only to the parcel lines on the perimeter of the parcel, and not to internal strata parcel lines:

- (a) 7.5 metres from the front parcel line (24.61 ft)
- (b) 5 metres from the side parcel lines (19.68 ft)
- (c) 7.5 metres from the rear parcel line (24.61 ft)

- (2) In the Bare Land Strata Residential Zone, no building or structure or part thereof shall be located within the setbacks prescribed below, which apply only to the internal strata parcel lines:

- (a) 4.5 metres from a parcel line which abuts an internal strata roadway (14.76 ft).

11.5.07      Height

The maximum building height within the Bare Land Strata Residential Zone is 11 metres (36 ft).

11.5.08      Fences

In the Bare Land Strata Residential Zone the maximum height for a fence shall be 1.8 metres (5.9 ft).

11.5.09      Parking

Off-street parking shall be provided in accordance with the provisions of Section 27 of this bylaw.

11.5.10      Other Regulations

- (1)      For the purpose of this zone a strata parcel excludes any common property designated within a Strata subdivision plan pursuant to the *Strata Property Act*.
- (2)      For the purpose of this zone common property refers to common property designated within a strata subdivision plan pursuant to the *Strata Property Act*.

## **SECTION 12 - SMALL HOLDINGS ZONE (H1)**

### **12.01      Permitted Uses**

- (1) In the Small Holdings Zone the following uses of land, buildings or structures, and no other uses, are permitted:
  - (a) single family dwelling;
  - (b) two family dwelling;
  - (c) agriculture;
  - (d) horticulture, nursery, greenhouse;
  - (e) silviculture;
  - (f) kennel and veterinary clinic;
  - (g) home occupation;
  - (h) buildings and structures accessory to the permitted principal uses.
- (2) In the Small Holdings Zone for the land described as District Lot 2022A, Range 5, Coast District, Except Plans 1152, 6141 and 9568, in addition to other uses permitted in the Small Holdings Zone, up to 149 square metres of building or structure may be used for the storage of recreational vehicles including campers, boats, and all-terrain vehicles.

### **12.02      Parcel Area**

The minimum parcel area required in the Small Holdings Zone is 2 hectares (4.94 acres).

### **12.03      Density**

- (1) Not more than one single family dwelling or one two family dwelling shall be located on a parcel which is less than 4 hectares (9.88 acres) in area in the Small Holdings Zone.
- (2) Not more than two single family dwellings or one two family dwelling shall be located on a parcel which is 4 hectares (9.88 acres) in area or greater in the Small Holdings Zone.
- (3) Notwithstanding Section 12.03 (1) two single family dwellings are permitted on Lot 3, Plan 5124, District Lot 4163, Range 5, Coast District



provided that one of the dwellings does not exceed a maximum gross floor area of 100 square metres (1,076 ft<sup>2</sup>)

12.04      Setback

- (1)      In the Small Holdings Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a)      7.5 metres (24.61 ft.) from the front and rear parcel lines;
  - (b)      5 metres (16.4 ft.) from any other parcel line which does not abut a highway;
  - (c)      7.5 metres (24.6 ft.) from any other parcel line which abuts a highway.
- (2)      In the Small Holdings Zone, the distance between single family dwellings on the same parcel shall not be less than 15 metres (49.21 ft.).

12.05      Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

**Section 12.1 - SMALL HOLDINGS (ADDITIONAL DWELLING) ZONE (H1 A)**

**12.1.01      Permitted Uses**

In the Small Holdings (Additional Dwelling) Zone the following uses of land, buildings or structures, and no other uses, are permitted:

- (a) single family dwelling;
- (b) two family dwelling;
- (c) agriculture;
- (d) horticulture, nursery, greenhouse;
- (e) silviculture;
- (f) kennel and veterinary clinic;
- (g) home occupation;
- (h) buildings and structures accessory to the permitted principal uses.

**12.1.02      Parcel Area**

The minimum parcel area required in the Small Holdings (Additional Dwelling) Zone is 2 hectares (4.94 acres).

**12.1.03      Density**

Not more than two single family dwellings or one two family dwelling shall be located on a parcel in the Small Holdings (Additional Dwelling) Zone.

**12.1.04      Dwelling Area**

In the Small Holdings (Additional Dwelling) Zone only one single family dwelling per parcel is permitted a gross floor area which exceeds 100 square metres (1,076 ft<sup>2</sup>), except for:

- a) the land described as Lot A, Plan 10073, Section 17, Township 4, Range 5 Coast District where only one single family dwelling per parcel is permitted a gross floor area which exceeds 111 square metres (1200 ft<sup>2</sup>).
- b) the land described as Lot 21, Section 22, Township 1A, Range 5, Coast District, Plan 9692 where only one single family dwelling per parcel is

permitted a gross floor area which exceeds 185 square metres (1991 ft<sup>2</sup>)."

12.1.05      Setback

- (1) In the Small Holdings (Additional Dwelling) Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a) 7.5 metres (24.61 ft.) from the front and rear parcel lines;
  - (b) 5 metres (16.4 ft.) from any other parcel line which does not abut a highway;
  - (c) 7.5 metres (24.6 ft.) from any other parcel line which abuts a highway.
- (2) In the Small Holdings (Additional Dwelling) Zone, the distance between single family dwellings on the same parcel shall not be less than 15 metres (49.21 ft.).

12.1.06      Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

**Section 12.2 - SMALL HOLDINGS (INDUSTRIAL SHOP) ZONE (H1 B)**

**12.2.01      Permitted Uses**

In the Small Holdings (Industrial Shop) Zone the following uses of land, buildings or structures, and no other uses, are permitted:

- (a) single family dwelling;
- (b) two family dwelling;
- (c) agriculture;
- (d) horticulture, nursery, greenhouse;
- (e) silviculture;
- (f) kennel and veterinary clinic;
- (g) commercial workshop including machine shop, welding shop, private or government garage and workshop;
- (h) home occupation;
- (i) buildings and structures accessory to the permitted principal uses.

**12.2.02      Parcel Area**

The minimum parcel area required in the Small Holdings (Industrial Shop) Zone is 2 hectares (4.94 acres).

Notwithstanding Section 4.01, a parcel that does not conform to the parcel area requirements for this H1B Zone may be used for any of the uses listed in Section 12.2.01 above, provided that all other provisions of Zoning Bylaw No. 700, 1993 are met and the method of sewage disposal is in compliance with the appropriate Provincial Legislation.

**12.2.03      Density**

- (1) Not more than one single family dwelling or one two family dwelling shall be located on a parcel which is less than 4 hectares (9.88 acres) in area in the Small Holdings (Industrial Shop) Zone.

- (2) Not more than two single family dwellings or one two family dwelling shall be located on a parcel which is 4 hectares (9.88 acres) in area or greater in the Small Holdings (Industrial Shop) Zone.

12.2.04      Setback

- (1) In the Small Holdings (Industrial Shop) Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a) 7.5 metres (24.61 ft.) from the front and rear parcel lines;
  - (b) 5 metres (16.4 ft.) from any other parcel line which does not abut a highway;
  - (c) 7.5 metres (24.6 ft.) from any other parcel line which abuts a highway.
- (2) In the Small Holdings (Industrial Shop) Zone, the distance between single family dwellings on the same parcel shall not be less than 15 metres (49.21 ft.).

12.2.05      Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

## **SECTION 13 - LARGE HOLDINGS ZONE (H2)**

### **13.01      Permitted Uses**

In the Large Holdings Zone the following uses of land, buildings or structures, and no other uses, are permitted:

- (a) agriculture;
- (b) intensive agriculture;
- (c) horticulture, nursery, greenhouse;
- (d) single family dwelling;
- (e) two family dwelling;
- (f) logging and silviculture;
- (g) portable sawmill and lumber kiln (provided that the floor of the lumber kiln does not exceed 45 m<sup>2</sup>);
- (h) mineral, placer, coal and aggregate exploration, extraction and processing;
- (i) waste disposal site;
- (j) outdoor recreation facilities;
- (k) kennel and veterinary clinic;
- (l) primitive campsite;
- (m) guest ranch;
- (n) rural retreat;
- (o) peat extraction;
- (p) home occupation;
- (q) buildings and structures accessory to the permitted principal uses.

### **13.02      Parcel Area**

The minimum parcel area required in the Large Holdings Zone is 8 hectares (19.77 acres).

### **13.03      Density**

Not more than two single family dwellings or one two family dwelling shall be located on a parcel in the Large Holdings Zone.

13.04      Setback

- (1) In the Large Holdings Zone no building or structure or part thereof, except a fence shall be located within 7.5 metres (24.61 ft.) of any parcel line.
- (2) In the Large Holdings Zone no building or structure or portion thereof used for intensive agriculture shall be located within:
  - (i) 60 metres (196.9 ft.) of a parcel line;
  - (ii) 30 metres (98.4 ft.) of a domestic well, spring or the natural boundary of a lake or watercourse.

13.05      Buffer Area

- (1) Buffer areas are required for all uses in the Large Holdings Zone permitted by clauses (g), (h) and (i) of Section 13.01. Such buffer areas shall comply with the provisions of Section 4.08 of this bylaw.
- (2) The depth of buffer required in the case of uses permitted by clause (g) and (h) of Section 13.01 shall be 30 metres (100 ft.).
- (3) The depth of buffer required in the case of uses permitted by clause (i) of Section 13.01 shall be 50 metres (164 ft.).

13.06      Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

## **SECTION 14 - AGRICULTURAL ZONE (Ag 1)**

### **14.01      Permitted Uses**

In the Agricultural Zone the following uses of land, buildings or structures, and no other uses, are permitted:

- (a) agriculture;
- (b) intensive agriculture;
- (c) horticulture, nursery, greenhouse;
- (d) single family dwelling;
- (e) two family dwelling on parcels not within the Agricultural Land Reserve;
- (f) logging and silviculture;
- (g) portable sawmill and lumber kiln (provided that the floor of the lumber kiln does not exceed 45 m<sup>2</sup>);
- (h) mineral, placer, coal and aggregate exploration, extraction and processing;
- (i) waste disposal site;
- (j) kennel and veterinary clinic;
- (k) outdoor recreation facilities;
- (l) primitive campsite;
- (m) guest ranch;
- (n) rural retreat;
- (o) peat extraction;
- (p) unpaved airstrips and helipads for use of aircraft flying non-scheduled flights;
- (q) home occupation;
- (r) buildings and structures accessory to the permitted principal uses.
- (s) the compaction of hay using electrically powered equipment only, including the associated storage and drying of hay, on the parcel legally described as The NW ¼ of Section 14, Township 2, Range 4, Coast District, except Plans 3756 and 6299."
- (t) a maximum of 3 Guest Cabins, 1 Resort Lodge and a Primitive Campsite are permitted on the land legally described as, Parcel A of the Fractional NW ¼ of Section 7, Township 2A, Range 5, Coast District, Plan 9922



14.02      Parcel Area

The minimum parcel area required in the Agricultural Zone is 16 hectares (39.5 acres).

14.03      Density

In the Agricultural Zone not more than one single family dwelling shall be located on a parcel unless:

- (i) Additional dwellings are permitted pursuant to the Agricultural Land Commission Act; or
- (ii) Additional dwellings are required for bona fide farm use on parcels not within the Agricultural Land Reserve.

14.04      Setback

- (1) In the Agricultural Zone no building or structure or part thereof, except a fence shall be located within 7.5 metres (24.61 ft.) of any parcel line.
- (2) In the Agricultural Zone no building or structure or portion thereof used for intensive agriculture shall be located within:
  - (i) 60 metres (196.9 ft.) of a parcel line;
  - (ii) 30 metres (98.4 ft.) of a domestic well, spring or the natural boundary of a lake or watercourse.

14.05      Buffer Area

- (1) Buffer areas are required for all uses in the Agricultural Zone permitted by clauses (g), (h) and (i) of Section 14.01. Such buffer areas shall comply with the provisions of Section 4.08 of this bylaw.
- (2) The depth of buffer required in the case of uses permitted by clause (g) and (h) of Section 14.01 shall be 30 metres (100 ft.).
- (3) The depth of buffer required in the case of uses permitted by clause (i) of Section 14.01 shall be 50 metres (164 ft.).

14.06      Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

## **SECTION 15 - RURAL RESOURCE ZONE (RR1)**

### **15.01      Permitted Uses**

- (1) In the Rural Resource Zone the following uses of land, buildings or structures, and no other uses, are permitted:
- (a) agriculture;
  - (b) intensive agriculture;
  - (c) horticulture, nursery, greenhouse;
  - (d) single family dwelling;
  - (e) two family dwelling;
  - (f) seasonal dwelling;
  - (g) logging and silviculture;
  - (h) portable sawmill and lumber kiln (provided that the floor of the lumber kiln does not exceed 45 m<sup>2</sup>);
  - (i) mineral, placer, coal and aggregate exploration, extraction and processing;
  - (j) waste disposal site;
  - (k) outdoor recreation facilities;
  - (l) primitive campsite;
  - (m) guest ranch;
  - (n) rural retreat;
  - (o) peat extraction;
  - (p) unpaved airstrips and helipads for use of aircraft flying non-scheduled flights.
  - (q) home occupation;
  - (r) buildings and structures accessory to the permitted uses.
  - (s) kennel and veterinary clinic

### **15.02      Parcel Area**

The minimum parcel area required in the Rural Resource Zone is 28 hectares (69 acres).

### **15.03      Density**

In the Rural Resource Zone not more than four seasonal dwellings, two single family dwellings or one two family dwelling shall be located on a parcel.

15.04      Setback

- (1) In the Rural Resource Zone no building or structure or part thereof, except a fence shall be located within 7.5 metres (24.61 ft.) of any parcel line.
- (2) In the Rural Resource Zone no building or structure or portion thereof used for intensive agriculture shall be located within:
  - (i) 60 metres (196.9 ft.) of a parcel line;
  - (ii) 30 metres (98.4 ft.) of a domestic well, spring or the natural boundary of a lake or watercourse.

15.05      Buffer Area

- (1) Buffer areas are required for all uses in the Rural Resource Zone permitted by clauses (h), (i) and (j) of Section 15.01. Such buffer areas shall comply with the provisions of Section 4.08 of this bylaw.
- (2) The depth of buffer required in the case of uses permitted by clause (h) and (i) of Section 15.01 shall be 30 metres (100 ft.).
- (3) The depth of buffer required in the case of uses permitted by clause (j) of Section 15.01 shall be 50 metres (164 ft.).

15.06      Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

## **SECTION 16 - GENERAL COMMERCIAL ZONE (C1)**

### **16.01      Permitted Uses**

- (1) In the General Commercial Zone the following principal uses of land, buildings or structures, and no other principal uses, are permitted:
  - (a) retail store;
  - (b) business and professional offices;
  - (c) hotel and motel;
  - (d) restaurant and licensed establishment pursuant to the Liquor Control and Licensing Act;
  - (e) personal service establishment;
  - (f) fraternal lodge, community hall and theatre;
  - (g) service station.
- (2) If a principal use of land has been established in the General Commercial Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) one dwelling unit per parcel;
  - (b) home occupation;
  - (c) buildings and structures accessory to the permitted principal and secondary uses.

### **16.02      Parcel Coverage**

In the General Commercial Zone buildings and structures shall not cover more than forty percent of the area of a parcel not served by a community sewer system.

16.03      Setback

- (1) In the General Commercial Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a)
    - (i) Where there is no rear lane, 6 metres (19.69 ft.) from the rear parcel line;
    - (ii) Where there is a rear lane, 6 metres (19.69 ft.) from the centre line of the lane;
  - (b) Where there is no developed rear lane 5 metres (16.4 ft.) from one side parcel line.
  - (c) 4.5 metres (14.76 ft.) from any parcel line which abuts a highway. <sup>4</sup>

16.04      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

16.05      Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 17 - HIGHWAY COMMERCIAL ZONE (C2)**

### **17.01      Permitted Uses**

- (1) In the Highway Commercial Zone the following principal uses of land, buildings or structures, and no other principal uses, are permitted:
  - (a) motel;
  - (b) restaurant;
  - (c) service station;
  - (d) convenience store;
  - (e) motor vehicle repair shop;
  - (f) automobile dealer;
  - (g) tourist retail store;
  - (h) farm implement repair and sales;
  - (i) agricultural feed store.
  
- (2) If a principal use of land has been established in the Highway Commercial Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) licensed establishments under the Liquor Control and Licensing Act;
  - (b) one dwelling unit per parcel;
  - (c) home occupations;
  - (d) buildings and structures accessory to the permitted principal and secondary uses.

### **17.02      Parcel Area**

The minimum parcel area required in the Highway Commercial Zone is 2000 square metres (21,529 ft<sup>2</sup>).

### **17.03      Parcel Coverage**

In the Highway Commercial Zone buildings and structures shall not cover more than thirty-three percent of the area of a parcel not served by a community sewer system.

17.04      Setback

- (1) In the Highway Commercial Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a) 7.5 metres (24.61 ft.) from the front parcel line;
  - (b)
    - (i) where there is no rear lane, 6 metres (19.69 ft.) from the rear parcel line;
    - (ii) where there is a rear lane, 6 metres (19.69 ft.) from the centre line of the lane;
  - (c) where the parcel abuts a residential zone, 6 metres (19.69 ft.) from that parcel line.
  - (d) 4.5 metres (14.76 ft.) from any parcel line which abuts a highway. <sup>4</sup>

17.05      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

17.06      Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.



**SECTION 17.1 - HIGHWAY COMMERCIAL – MANUFACTURED HOME DEALER (C2A)**

17.1.01 Permitted Uses

- (1) In the Highway Commercial – Manufactured Home Dealer Zone the following principal uses of land, buildings or structures, and no other principal uses, are permitted:
  - (a) manufactured home dealer;
- (2) If a principal use of land has been established in the Highway Commercial Zone, the following secondary uses of land, buildings or structures are permitted:
  - (b) one dwelling unit per parcel;
  - (c) home occupations;
  - (d) buildings and structures accessory to the permitted principal and secondary uses.

17.1.02 Parcel Area

The minimum parcel area required in the Highway Commercial – Manufactured Home Dealer Zone is 2000 square metres (21,529 ft<sup>2</sup>).

17.1.03 Parcel Coverage

In the Highway Commercial – Manufactured Home Dealer Zone permanent buildings and structures shall not cover more than thirty-three percent of the area of a parcel not served by a community sewer system.

17.1.04      Setback

- (1) In the Highway Commercial – Manufactured Home Dealer Zone no building or structure or part thereof, except a fence shall be located within the setback prescribed below:
  - (a) 7.5 metres (24.61 ft.) from the front parcel line;
  - (b)
    - (i) where there is no rear lane, 6 metres (19.69 ft.) from the rear parcel line;
    - (ii) where there is a rear lane, 6 metres (19.69 ft.) from the centre line of the lane;
  - (c) where the parcel abuts a residential zone, 6 metres (19.69 ft.) from that parcel line.

17.1.05      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

17.1.06      Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 18 - TOURIST COMMERCIAL ZONE (C3)**

### **18.01      Permitted Uses**

- (1) In the Tourist Commercial Zone the following principal uses of land, buildings or structures, and no other principal uses, are permitted:
  - (a) resort lodge;
  - (b) restaurant;
  - (c) campground;
  - (d) marina;
  - (e) golf course;
  - (f) guest ranch.
- (2) If a principal use of land has been established in the Tourist Commercial Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) convenience store;
  - (b) tourist retail store;
  - (c) equipment sales and rental;
  - (d) licensed establishment under the Liquor Control and Licensing Act;
  - (e) one dwelling unit per parcel;
  - (f) home occupation;
  - (g) buildings and structures accessory to the permitted principal and secondary uses.

### **18.02      Parcel Area**

The minimum parcel area required in the Tourist Commercial Zone is 1 hectare (2.47 acres).

### **18.03      Setback**

In the Tourist Commercial Zone no building or structure or part thereof, except a fence, shall be located within 7.5 metres of a parcel line.

18.04      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

18.05      Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 18.1 - RESORT COMMERCIAL ZONE (C5)**

### **18.1.01**

#### **Permitted Uses**

- (1) In the Resort Commercial Zone the uses of land, buildings or structures and no other uses, are permitted:
  - (a) resort lodge;
  - (b) restaurant;
  - (c) campground;
  - (d) marina;
  - (e) golf course;
  - (f) guest ranch;
  - (g) storage of recreational vehicles including campers, boats, all-terrain vehicles, etc.<sup>1</sup>
- (2) If a principal use of the land has been established in the Resort Commercial Zone, the following secondary uses of land, buildings, or structures are permitted:
  - (a) convenience store;
  - (b) tourist retail store;
  - (c) equipment sales and rental;
  - (d) licensed establishment under the Liquor Control and Licensing Act;
  - (e) one single family dwelling;
  - (f) buildings and structures accessory to the permitted principal and secondary uses.

### **18.1.02**

#### **Definitions**

In addition to the definition of a "Campground" contained in Section 2.03 of Bylaw No 700, a campground for the purposes of this zone shall also include any bare land strata subdivision wherein each parcel is designed and used to accommodate recreational vehicles, tents of accessory uses and where the maximum length of stay is 200 days in any given year. Notwithstanding this time limitation a single family dwelling which is accessory to a campground may be occupied all year around.

18.1.03      Parcel Area

- (1)      The minimum area for a parcel within a bare land strata subdivision which is designed and used as a campground shall be 100 square metres (1100 sq. ft.) provided the subdivision is served by an approved community water and sewer system.
- (2)      The minimum area for any other parcel shall be 8000 square metres (1.98 acres).

18.01.04      Density

- (1)      Not more than one recreational vehicle or tent site is permitted per parcel in a bare land strata subdivision and the maximum number of recreational vehicle or tent sites per hectare in a bare land strata subdivision shall be 25.

18.1.05      Setbacks

- (1)      In the Resort Commercial Zone the minimum required setbacks shall be as follows:
  - (a) for recreational vehicles the minimum required setback shall be 0.6 metres (2 ft.) from a parcel line in a bare land strata plan;
  - (b) for permanent buildings or structures other than a fence the minimum required setback shall be 1.2 metres (4ft.) from a parcel line in a bare land strata plan and 4.5 metres (15 ft.) from any highway.

18.1.06      Parking

Off-street parking spaces shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 18.2 – STRATA RESORT COMMERCIAL ZONE (C5A)**

### **18.2.1      Permitted Uses**

- (1) In the Strata Resort Commercial Zone the following principal uses of land, buildings or structures are permitted:
  - (a) campground
  - (b) cabin
  - (c) resort lodge
  - (d) golf course
  - (e) restaurant
  - (f) marina
- (2) If a principal use of the land has been established on a parcel, the following secondary uses of land, buildings, or structures are permitted on that parcel:
  - (a) convenience store
  - (b) tourist retail store
  - (c) dwelling unit
  - (d) licensed establishment
  - (e) recreational vehicle and equipment storage

### **18.2.2      Parcel Area**

- (1) The minimum parcel area that may be created by subdivision in the Strata Resort Commercial Zone is 2 hectares (4.94 acres), unless that parcel is a strata parcel or common property that is part of a bare land strata plan.
- (2) Notwithstanding Section 18.2.2 (1), in the case of a bare land strata subdivision the minimum area of a strata parcel that may be created by subdivision in the Strata Resort Commercial Zone is 100 square metres (1076 sq. ft.) where those parcels are served by a community sewer system.
- (3) A cabin is not permitted on a strata parcel that has a parcel area that is less than 280 square metres (3031 sq. ft.).

18.2.3      Density

- (1) Only one of the following uses, or combination of uses, is permitted on a strata parcel: one camping vehicle and one tent site, or two tent sites, or one cabin.
- (2) The maximum number of strata parcels, or sites for a cabin, camping vehicle or tent, shall be 25 per hectare.
- (3) Not more than one dwelling unit (that is not a cabin) shall be located on a parcel.

18.2.4      Setbacks

- (1) In the Strata Resort Commercial Zone the minimum required setbacks shall be as follows:
  - (a) for camping vehicles the minimum required setback shall be 0.6 metres (2 ft.) from a parcel line;
  - (b) for permanent structures other than a fence, the minimum required setback shall be 1.2 metres (4 ft.) from a parcel line and 4.5 metres (15 ft.) from any highway.

These setbacks do not apply to parcel lines separating a strata parcel from another strata parcel, or a strata parcel from common property.

18.2.5      Parking

- (1) Off-Street parking spaces shall be provided in accordance with the provisions of Section 27 of this bylaw.

18.2.6      Other

- (1) In in the Strata Resort Commercial Zone, notwithstanding Section 2 of this bylaw, the following definitions apply.
  - (a) **CABIN** means a Building that is used or occupied, or intended to be used or occupied as a dwelling unit, or sleeping unit and is not used for more than 200 days per year in any given year.



- (b) **CAMPGROUND** means the use of land and structures for the temporary accommodation of persons in cabins, camping vehicles or tents, and may include one or more of the following incidental and subordinate uses: common cooking facilities, restaurant, personal services, convenience store, and the rental of small watercraft and other recreational equipment.
- (c) **CAMPING VEHICLE** means a vehicle or a trailer designed and manufactured for travel, vacation or recreational use and includes travel trailers, motor homes, slide-in campers, chassis-mounted campers, and tent trailers but not manufactured homes, mobile homes, or other buildings.
- (d) **RECREATIONAL VEHICLE AND EQUIPMENT STORAGE** means the use of land or structures for the storage of unoccupied operational recreational vehicles and equipment such as boats and Camping Vehicles. This use does not include a wrecking and salvage use.

## **SECTION 19 - SERVICE COMMERCIAL ZONE (C4)**

### **19.01      Permitted Uses**

- (1) In the Service Commercial Zone the following principal uses of land, buildings or structures, and no other principal uses, are permitted:
  - (a) service commercial use.
- (2) If a principal use of land has been established in the Service Commercial Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) offices;
  - (b) one dwelling unit per parcel;
  - (c) buildings and structures accessory to the permitted principal and secondary uses.

### **19.02      Parcel Area**

The minimum parcel area required in the Service Commercial Zone is 4000 square metres (.99 acre).

### **19.03      Parcel Coverage**

In the Service Commercial Zone buildings and structures shall not cover more than forty percent of the area of a parcel not served by a community sewer system.

19.04      Setback

In the Service Commercial Zone no building or structure or part thereof, except a fence, shall be located within the setback prescribed below:

- (a)      7.5 metres (24.61 ft.) from the front parcel line;
- (b)      7.5 metres (24.61 ft.) from the rear parcel line;
- (c)      (i)      6 metres (19.68 ft.) from any side parcel line which abuts a residential zone.  
            (ii)      3.5 metres (11.4 ft.) from any side parcel line which does not abut a residential zone.
- (d)      4.5 metres (14.76 ft.) from any parcel line which abuts a highway.<sup>4</sup>

19.05      Screening

All activity and storage not being displayed for retail sale shall be enclosed by a landscape screen not less than two metres (6.56 ft.) high.

19.06      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

19.07      Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 20 - LIGHT INDUSTRIAL ZONE (M1)**

20.01

### **Permitted Uses**

- (1) In the Light Industrial Zone the following principal uses of land, buildings or structures, and no other principal uses, are permitted:
  - (a) light manufacturing including the construction, assembly and repair of wood and fibreglass products, signs, boats and ceramic products;
  - (b) food products manufacturing, processing and packaging excluding processing and packaging of fish and including only pre-dressed and government inspected meats and eviscerated poultry;
  - (c) building supplies and lumber yard;
  - (d) automotive repair garage including auto body work and painting, muffler shops, transmission shops, tire sales and service, carwashes and excluding the wrecking, salvage and storage of automobiles;
  - (e) commercial workshop including machine shop, welding shop, private or government garage and workshop;
  - (f) storage compounds;
  - (g) retail sales of petroleum products;
  - (h) contracting;
  - (i) motor vehicle rentals;
  - (j) warehousing;
- (2) If a principal use of land has been established in the Light Industrial Zone, the following secondary uses of land, buildings or structures are permitted:
  - a) one dwelling unit per parcel;
  - b) buildings and structures accessory to the permitted principal and secondary uses;
  - c) retail sales and rentals.

20.02      Parcel Area

The minimum parcel area required in the Light Industrial Zone is 1 hectare (2.47 acres).

20.03      Parcel Coverage

In the Light Industrial Zone buildings and structures shall not cover more than forty percent of the area of a parcel not served by a community sewer system.

20.04      Setback

In the Light Industrial Zone no building or structure or part thereof, except a fence, shall be located within:

- (i)      7.5 metres of any parcel line which does not abut a residential zone; or
- (ii)     15 metres of any parcel line which abuts a residential zone.

20.05      Screening

All industrial activity and storage not being displayed for retail sale shall be enclosed by a landscape screen not less than two metres (6.56 ft.) high.

20.06      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

20.07      Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.

**SECTION 20.1 –SPECIAL LIGHT INDUSTRIAL – AGRICULTURAL ZONE (M1A)**

20.1.01 Permitted Uses

- (1) In the Special Light Industrial - Agricultural Zone the following uses of land, buildings or structures, and no other uses, are permitted:
  - (a) agriculture;
  - (b) horticulture, nursery, greenhouse;
  - (c) intensive agriculture;
  - (d) two single family dwellings;
  - (e) wood products manufacture and processing including sawmill, chipper, grinder and associated log storage;
  - (f) commercial workshop including machine shop, welding shop, private or government garage and workshop;
  - (g) storage compounds.
- (2) If a principal use of land has been established in the Special Light Industrial - Agricultural Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) office;
  - (b) home occupation;
  - (c) buildings and structures accessory to the permitted principal uses.

20.1.02 Parcel Area

The minimum parcel area required in the Special Light Industrial - Agricultural Zone is 16 hectares (39.5 acres).

20.1.03 Setback

- (1) In the Special Light Industrial - Agricultural Zone no building or structure or part thereof, except a fence shall be located within 7.5 metres (24.61 ft.) of any parcel line.

- (2) In the Special Light Industrial - Agricultural Zone no building or structure or portion thereof used for intensive agriculture shall be located within:
- (i) 60 metres (196.9 ft.) of a parcel line;
  - (ii) 30 metres (98.4 ft.) of a domestic well, spring or the natural boundary of a lake or watercourse.

20.1.04 Screening

All industrial activity and associated materials shall be enclosed by a landscape screen not less than two metres (6.56 ft.) high.

20.1.05 Parking

Off-street parking space shall be provided in accordance with provisions of Section 27 of this bylaw.

20.1.06 Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 20.2 - LIGHT INDUSTRIAL - CONTRACTING SERVICE ZONE (M1B)**

### **20.2.01      Permitted Uses**

- (1) In the Light Industrial Zone – Contracting Service Zone the following uses of land, buildings or structures, and no other uses, are permitted:
  - (a) contracting;
  - (b) motor vehicle rentals;
  - (c) warehousing.
- (2) If a principal use of land has been established in the Light Industrial Zone – Contracting Service Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) office;
  - (b) one dwelling unit per parcel;
  - (c) building and structure accessory to the permitted principal uses.

### **20.2.02      Parcel Area**

The minimum parcel area required in the Light Industrial Zone – Contracting Service Zone is 1 hectare (2.47 acres).

### **20.2.03      Setback**

In the Light Industrial Zone – Contracting Service Zone no building or structure or part thereof, except a fence, shall be located within:

- (i) 7.5 metres of any parcel line which does not abut a residential zone; or
- (ii) 15 metres of any parcel line which abuts a residential zone.

### **20.2.04      Screening**

All industrial activity and associated materials shall be enclosed by a landscape screen not less than two metres (6.56 ft.) high.



20.2.05      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

20.2.06      Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 21 - HEAVY INDUSTRIAL ZONE (M2)**

### **21.01      Permitted Uses**

- (1) In the Heavy Industrial Zone the following principal uses of land, buildings or structures, and no other principal uses, are permitted:
  - (a) wood products manufacture and processing including sawmill, shake mill, planner mill, pulp mill, log storage yard, lumber remanufacturing plant, plywood plant, particle board plant, and hardboard plant;
  - (b) public utility uses;
  - (c) wrecking, salvage and storage of automobiles;
  - (d) concrete, asphalt and rock-crushing plant;
  - (e) waste disposal site.
- (2) If a principal use of land has been established in the Heavy Industrial Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) office;
  - (b) one dwelling unit per parcel;
  - (c) buildings and structures accessory to the permitted principal and secondary uses.

### **21.02      Parcel Area**

The minimum parcel area required in the Heavy Industrial Zone is 2 hectares (4.94 acres).

### **21.03      Parcel Coverage**

In the Heavy Industrial Zone buildings and structures shall not cover more than forty percent of the area of a parcel not served by a community sewer system.

### **21.04      Setback**

In the Heavy Industrial Zone no building or structure or part thereof, except a fence, shall be located within:

- (i) 7.5 metres of any parcel line which does not abut a residential zone; or
- (ii) 15 metres of any parcel line which abuts a residential zone.

21.05      Screening

All industrial activity and storage shall be enclosed by a landscape screen not less than two metres (6.56 ft.) high.

21.06      Buffer Area

- (1) Buffer areas are required for uses in the Heavy Industrial Zone permitted by clause (e) of Section 21.01. Such buffer areas shall comply with the provisions of Section 4.08 of this bylaw.
- (2) The depth of buffer required in the case of uses permitted by clause (e) of Section 21.01 shall be 50 metres (164 ft.).

21.07      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

21.08      Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 22 - AGRICULTURAL INDUSTRY ZONE (M3)**

### **22.01      Permitted Uses**

- (1) In the Agricultural Industry Zone the following principal uses of land, buildings or structures, and no other principal uses, are permitted:
  - (a) the processing, storage, wholesaling and retailing of agricultural products;
  - (b) livestock auction;
  - (c) farm implement repair and sales;
  - (d) growth and sale of nursery products, commercial crops and garden supplies.
- (2) If a principal use of land has been established in the Agricultural Industry Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) one dwelling unit per parcel;
  - (b) buildings and structures accessory to the permitted principal and secondary uses.

### **22.02      Parcel Area**

The minimum parcel area required in the Agricultural Industry Zone is:

- (i) 4 hectares (9.88 acres) for the processing and storage of meat and poultry products, as permitted under Section 22.01(1)(a);
- (ii) 4 hectares (9.88 acres) for uses permitted under Section 22.01(1)(b);
- (iii) 0.75 hectares (1.85 acres) for uses permitted under Section 22.01(1)(d);
- (iv) 2 hectares (4.94 acres) for all other uses permitted under Section 22.01.

22.03      Parcel Coverage

In the Agricultural Industry Zone buildings and structures shall not cover more than forty percent of the area of a parcel not served by a community sewer system.

22.04      Setback

In the Agricultural Industry Zone no building or structure or part thereof, except a fence, shall be located within:

- (i)      7.5 metres of any parcel line which does not abut a residential zone; or
- (ii)     30 metres of any parcel line which abuts a residential zone.

22.05      Screening

For uses permitted under clauses (a), (b) and (c) of Section 22.01(1) all industrial activity and storage not being displayed for retail sale shall be enclosed by a landscape screen not less than two metres (6.56 ft.) high.

22.06      Storage

The storage of any pesticides, herbicides or fertilizers shall comply with Floodplain Management Bylaw No. 1300, 2004 if the parcel abuts a river, lake, or any other watercourse.

22.07      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

22.08      Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.

## **SECTION 23 - CIVIC/INSTITUTIONAL ZONE (P1)**

### **23.01      Permitted Uses**

- (1) In the Civic/Institutional Zone the following principal uses of land, buildings or structures, and no other principal uses, are permitted:
  - (a) public institutional uses including schools, hospitals, fire halls, police stations, and correctional centres;
  - (b) churches and cemeteries;
  - (c) community halls and associated recreation facilities including baseball diamonds, tennis courts, riding rings and skating rinks;
  - (d) fraternal lodges and clubs;
  - (e) community care facilities;
  - (f) fire suppression crew camps;
  - (g) public utility uses;
  - (h) government offices, storage structures and compounds
  - (i) multiple family dwellings, with a maximum combined total of 12 dwelling units, for the parcel legally described as Lot B, District Lot 716, Range 4, Coast District, Plan 1379 only.
- (2) If a principal use of land has been established in the Civic/Institutional Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) one dwelling unit per parcel;
  - (b) buildings and structures accessory to the permitted principal and secondary uses.

### **23.02      Parcel Coverage**

In the Civic/Institutional Zone buildings and structures shall not cover more than forty percent of the area of a parcel not served by a community sewer system.

23.03      Setback

In the Civic/Institutional Zone no building or structure or part thereof, except a fence, shall be located within:

- (a)      7.5 metres (24.6 ft.) of the front parcel line;
- (b)      5 metres (16.4 ft.) from one side parcel line where is no developed rear lane;
- (c)      5 metres (16.4 ft.) from any side parcel line which abuts a highway;
- (d)      1.5 metres from all other parcel lines.

23.04      Parking

Off-street parking space shall be provided in accordance with the provisions of Section 27 of this bylaw.

23.05      Loading

Off-street loading space shall be provided in accordance with the provisions of Section 27 of this bylaw.

**SECTION 24 - RECREATIONAL ZONE (P2)**

24.01 Permitted Uses

- (1) In the Recreational Zone the following principal uses of land, buildings or structures, and no other principal uses, are permitted:
  - (a) outdoor recreation facilities;
  - (b) fairgrounds and rodeo grounds.
- (2) If a principal use of land has been established in the Recreational Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) one dwelling unit per parcel;
  - (b) buildings and structures accessory to the permitted principal and secondary uses.

24.02 Setback

In the Recreational Zone no building or structure or part thereof, except a fence, shall be located within:

- (a) 7.5 metres (24.6 ft.) of the front parcel line;
- (b) 1.5 metres (5 ft.) from any other parcel line which does not abut a highway;
- (c) 5 metres (16.4 ft.) from any other parcel line which abuts a highway.



## **SECTION 24.1 - MOTOR SPORT ZONE (P3)**

### **24.1.01      Permitted Uses**

- (1) In the Motor Sport Zone the following principal uses of land, buildings or structures, and no other uses are permitted:
  - (a) motor sports.
- (2) If a principal use of land has been established in the Motor Sport Zone, the following secondary uses of land buildings or structures are permitted:
  - (a) restaurant;
  - (b) tourist retail store;
  - (c) single family dwelling;
  - (d) home occupation;
  - (e) agriculture;
  - (f) buildings and structures accessory to the permitted principal and secondary uses.

### **24.1.02      Parcel Area**

The minimum parcel area required in the Motor Sport Zone is 10 hectares (24.71 acres).

### **24.1.03      Density**

Not more than one single family dwelling shall be located on a parcel in the Motor Sport Zone.

### **24.1.04      Setback**

In the Motor Sport Zone no building or structure or part thereof, except a fence, shall be located within 25 metres (82.02 ft.) of a parcel line.

### **24.1.05      Restriction**

In the Motor Sport Zone restaurant use and tourist retail use are prohibited except when a motor sport event is in progress.

### **24.1.06      Parking**

Off-street parking spaces shall be provided in accordance with the provisions of Section 27.01 of this bylaw.

## **SECTION 24.2 – COMMUNITY DEVELOPMENT AND PUBLIC USE ZONE (P4)**

### **24.2.1      Permitted Uses**

- (1) In the Community Development and Public Use Zone the following uses of land, buildings or structures and no other uses, are permitted;
  - (a) farmers' market;
  - (b) visitor information centre;
  - (c) non profit society offices;
  - (d) outdoor recreation facilities;
  - (e) parks;
- (2) If a principal use of land has been established in the Community Development and Public Use Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) one dwelling unit per parcel;
  - (b) buildings and structures accessory to the permitted principal and secondary uses.

### **24.2.2      Parcel Coverage**

In the Civic/Institutional Zone buildings and structures shall not cover more than forty percent of the area of a parcel not served by a community sewer system

### **24.2.3      Setback**

In the Civic/Institutional Zone no building or structure or part thereof, except a fence, shall be located within:

- (a) 7.5 metres (24.6 ft.) of the front parcel line;
- (b) 5 metres (16.4 ft.) from one side parcel line where is no developed rear lane;
- (c) 5 metres (16.4 ft.) from any side parcel line which abuts a highway;
- (d) 1.5 metres from all other parcel lines.

24.2.4 Parking

Notwithstanding the Off-street parking provisions of Section 27 of this bylaw, the following parking regulation applies to farmer's markets as defined by this bylaw:

One space per 15 m<sup>2</sup> (161 ft<sup>2</sup>) of retail space, stalls or similar display facilities whether indoor or outdoor, open or roofed

**SECTION 25 - MANUFACTURED HOME PARK ZONE (R7)**

25.01 Permitted Uses

- (1) In the Manufactured Home Park Zone the following principal uses of land, buildings or structures, and no other uses, are permitted:
  - (a) manufactured home parks pursuant to "Regional District of Bulkley-Nechako Manufactured Home Park Bylaw No. 740, 1993".

25.02 Standards

Every use of land, building or structure permitted in the Manufactured Home Park Zone shall conform with the provisions of the "Regional District of Bulkley-Nechako Manufactured Home Parks Bylaw No. 740, 1993" and amendments thereto.

## **SECTION 26 - AIRPORT ZONE (A1)**

### **26.01      Permitted Uses**

- (1) In the Airport Zone the following principal uses of land, buildings or structures, and no other uses, are permitted:
  - (a) airports, heliports, including terminal buildings and structures.
- (2) If a principal use of land has been established in the Airport Zone, the following secondary uses of land, buildings or structures are permitted:
  - (a) weather stations;
  - (b) agriculture;
  - (c) logging and silviculture;
  - (d) one dwelling unit per parcel;
  - (e) buildings and structures accessory to the permitted principal and secondary uses.

### **26.02      Parcel Area**

The minimum parcel area in the Airport Zone is 20 hectares (49.4 acres).

### **26.03      Setback**

In the Airport zone no building or structure shall be located within 7.5 metres (24.6 ft.) of a parcel line.

## **SECTION 27 - OFF-STREET PARKING AND LOADING SPACE REQUIREMENTS**

### **27.01 Off-Street Parking**

- (1) The number of off-street parking spaces required for motor vehicles shall be provided in accordance with the following table where Column I classifies the type of use and Column II establishes the number of required off-street parking spaces.

<b>COLUMN 1 <u>USE</u></b>	<b>COLUMN 2 <u>OFF-STREET PARKING REQUIREMENT</u></b>
Single Family Residential	2 spaces per principal dwelling unit 1 space per secondary suite
Two-Family Residential	2 spaces per dwelling unit
Multiple Family Residential	1 space per dwelling unit under 55 m <sup>2</sup> , 1.5 spaces per dwelling unit between 55 and 95 m <sup>2</sup> , 2 spaces per dwelling unit greater than 95 m <sup>2</sup>
Group Residential	1 space per bed
Seasonal Dwelling	2 spaces per principle dwelling unit
Bed and Breakfast	1 space per bedroom that is used in the bed and breakfast in addition to the number of spaces per dwelling unit required otherwise by this bylaw
Retail Store	1 space per 15 m <sup>2</sup> (161 ft <sup>2</sup> ) of gross floor area
Convenience Store	1 space per 15 m <sup>2</sup> (161 ft <sup>2</sup> ) of gross floor area
Business and Professional Offices	1 space per 30 m <sup>2</sup> (323 ft <sup>2</sup> ) of gross floor area
Hotel, Motel, Resort Lodge	1.25 spaces per sleeping unit plus spaces required for any adjoining restaurant
Marina	1 space per two boat spaces plus 1 space per employee

Restaurants and Neighbourhood Pubs	1 space per 3 seat capacity
Personal Service Establishment	1 space per 15 m <sup>2</sup> (161 ft <sup>2</sup> ) of gross floor area
Printing and Publishing	1 space per 15 m <sup>2</sup> (161 ft <sup>2</sup> ) of gross floor area
Laundromat	1 space per 3 washing machines
Commercial Indoor Recreation and Amusement	1 space per 15 m <sup>2</sup> (161 ft <sup>2</sup> ) of gross floor area
Fraternal Lodges, Clubs, Community Halls, Churches, Theatres	1 space per 4 persons - based upon the capacity of the building
Service Stations	1 space per 60 m <sup>2</sup> (645.9 ft <sup>2</sup> ) of gross floor area plus 2 spaces per service bay
Auto Sales and Repair	1 space per 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) of commercial floor area and outside display area plus 1 space per two employees
Boat and R.V. Sales and Repair	1 space per 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) of commercial floor area and outside display area plus 1 space per two employees
Farm Implement and Machinery Sales and Repair	1 space per 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) of commercial floor area and outside display area plus 1 space per two employees
Service Commercial Uses	1 space per 40 m <sup>2</sup> (430 ft <sup>2</sup> ) of gross floor area
Manufacturing, Wood Processing and Warehousing	1 space per 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) of gross floor area
Building Supplies and Lumber Yards	1 space per 200 m <sup>2</sup> (2,153 ft <sup>2</sup> ) of gross floor area used for sales and storage plus 1 space per two employees
Nurseries and Greenhouses	1 space per 15 m <sup>2</sup> (161 ft <sup>2</sup> ) of gross floor area in the retail sales portion of the business
Kennels and Veterinary Clinics	1 space per employee plus 3 spaces per veterinarian
School, Elementary	2 spaces per classroom
School, Secondary	1 space per five students

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Hospital	1 space per 5 beds plus 1 space per 2 employees
Golf i) Golf ii) Driving Range iii) Miniature Golf	20 spaces per 9 holes 1 space per tee 2 spaces per hole plus 1 space per employee
Airport	1 space per 50 m <sup>2</sup> (538.2 ft <sup>2</sup> ) of gross floor area of terminal facilities
Motor Sport	1 space per 3 seats provided for public seating

- (2) Off-street parking spaces shall be a minimum area of 17 m<sup>2</sup> (183 ft<sup>2</sup>) and shall have convenient vehicular access to a highway.
- (3) Off-street parking spaces shall have a minimum length of 5.8 metres (19.03 ft), a minimum width of 2.6 metres (8.53 ft), and a minimum height of 2.7 metres (8.9 ft.).
- (4) The minimum width of aisles shall be as follows:
  - i) 3.5 metres (11.5 ft.) where parking spaces are oriented at a 45 degree angle or parallel to the aisle; and
  - ii) 7.0 metres (23.0 ft.) where parking spaces are oriented at a 90 degree angle to the aisle.
- (5) Required off-street parking spaces shall be located on the same parcel as the use being served.
- (6) Parking spaces required for the storage of commercial or government vehicles shall be provided in addition to the number of of parking spaces otherwise required by this section.



27.02 Off-Street Loading

- (1) The number of off-street loading spaces required for motor vehicles shall be provided in accordance with the following table where Column I classifies the type of use and Column II establishes the number of required off-street loading spaces.

COLUMN 1 <u>USE</u>	COLUMN II <u>OFF-STREET LOADING REQUIREMENT</u>
Retail Store	1 space for buildings with less than 700 m <sup>2</sup> (7,534 ft <sup>2</sup> ) of floor area and one additional space for each additional 500 m <sup>2</sup> (5,382 ft <sup>2</sup> ) of gross floor area
Convenience Store	1 space
Business and Professional Offices	1 space per 2,000 m <sup>2</sup> (21,528 ft <sup>2</sup> ), or any part thereof, of gross floor area
Hotel, Motel, Resort Lodge	1 space per 1,500 m <sup>2</sup> (16,146 ft <sup>2</sup> ), or any part thereof, of gross floor area
Restaurants and Neighbourhood Pubs	1 space per 1,500 m <sup>2</sup> (16,146 ft <sup>2</sup> ), or any part thereof, of gross floor area
Other Commercial, Industrial and Civic/Institutional Uses	1 space per 2,000 m <sup>2</sup> (21,528 ft <sup>2</sup> ), or any part thereof, of gross floor area

- (2) Off-street loading spaces shall be a minimum area of 34 m<sup>2</sup> (366 ft<sup>2</sup>) and shall have convenient vehicular access to a highway.
- (3) Off-street loading spaces shall have a minimum length of 9.0 metres (29.5 ft.), a minimum width of 3.5 metres (11.5 ft.), and a minimum height of 4.0 metres (13.1 ft.).
- (4) Required off-street loading spaces shall be located on the same parcel as the use being served.