

VILLAGE OF QUEEN CHARLOTTE
ZONING BYLAW

ZONING BYLAW NO. 64-2013
CONSOLIDATED



Village of Queen Charlotte

Zoning Bylaw No. 64-2013

WHEREAS Council wishes to adopt the new Village of Queen Charlotte Zoning Bylaw No. 64-2013, pursuant to Section 903 of the *Local Government Act*;

AND WHEREAS Council has held a Public Hearing pursuant to Section 890 of the *Local Government Act*.

NOW THEREFORE Council of the Village of Queen Charlotte, in open meeting assembled hereby enacts as follows:

1. Village of Queen Charlotte Zoning Bylaw No. 64-2013
2. This bylaw shall be cited as the “Village of Queen Charlotte Zoning Bylaw No. 64-2013”.
3. The following schedule attached hereto are hereby made part of this Bylaw and adopted as the Zoning Bylaw for the Village of Queen Charlotte:
 - I. Schedule A (Zoning Bylaw text)
 - II. Schedule B (Zoning Bylaw map)

READ A FIRST TIME THIS	12 TH DAY OF AUGUST, 2013
READ A SECOND TIME THIS	3 RD DAY OF SEPTEMBER, 2013
PUBLIC HEARING HELD ON	23 RD DAY OF OCTOBER, 2013
READ A THIRD TIME THIS	24 TH DAY OF OCTOBER, 2013
ADOPTED THIS	24 TH DAY OF OCTOBER, 2013

MAYOR CORPORATE OFFICER

Consolidated for Convenience Only

This Bylaw has been consolidated for convenience
and includes amendments from:

Bylaw number	Date of adoption	Topic
86-2015	May 19, 2015	Rezone parcel from Public Facility (PF) to Low Density Residential (LR)
93-2016	July 4, 2016	Rezone Thrift Store from Low Density Residential (LR) to Blended Commercial (C2)
106-2018	August 13, 2018	Comprehensive Update
132-2020	November 2, 2020	Rezone parcel from Low Density Residential (LR) to Multiple Family Residential (MFR)
139-2021	July 19, 2021	Accessory building height increase, remove accessory building floor area, remove 15-meter setbacks that are in conflict with OCP SPA's.
150-2022	July 18, 2022	More than two principal buildings per lot in the Multiple Family Residential Zone.
152-2022	August 15, 2022	Rezone Parcel from Low Density Residential (LR) to Blended Commercial (C2)

SCHEDULE A: ZONING BYLAW TEXT

TABLE OF CONTENTS

SCHEDULE A: ZONING BYLAW TEXT 2

SECTION 1: DEFINITIONS..... 3

SECTION 2: ADMINISTRATION AND ENFORCEMENT 7

SECTION 3: GENERAL PROVISIONS 9

SECTION 4: ESTABLISHMENT OF ZONES 15

SECTION 5: RESIDENTIAL..... 16

SECTION 6: COMMERCIAL..... 24

SECTION 7: INDUSTRIAL..... 27

SECTION 8: PUBLIC FACILITIES 28

SECTION 9: RESOURCE MANAGEMENT 29

SECTION 10: PARKING..... 30

SCHEDULE B: ZONING BYLAW MAPS 35

SECTION 1:DEFINITIONS

ABATTOIR: a building for the slaughter of animals for human food.

ACCESSORY BUILDING, STRUCTURE OR USE: a building, structure or use customarily incidental and subordinate to the principal buildings, structure or use located on the same site and the definition of accessory building and accessory use shall not include a building or use intended as a dwelling unit or residential use.

AGRICULTURE USE: means a use providing for the growing, rearing, producing and harvesting of agricultural products, including the storing and processing on an individual farm of the primary agricultural products harvested, reared, or produced on that farm and the storage of farm machinery and implements used on the farm; and specifically includes the keeping of livestock.

ASSEMBLY HALL: includes any building occupied or used by a gathering of persons for civic, political, social, religious, educational or recreational purposes.

AUTOMOTIVE SERVICE AND REPAIR: a business devoted exclusively to the service repair and sales of automotive parts, excluding the sale of vehicle fuels.

AVERAGE FINISHED GRADE: the sum of measurements obtained from the midpoint of each exterior wall at the finished grade, divided by the total number of applicable perimeter measures.

BACKYARD LIVESTOCK: means chicken hens, goats, ducks, turkeys and similar animals.

BED AND BREAKFAST ACCOMMODATION: a detached single-family dwelling containing individual sleeping units used for the temporary overnight accommodation and where breakfast is provided by a resident of the single-family dwelling.

BUILDING: a structure having a roof supported by columns or walls and intended for use for the shelter or accommodation of persons, animals or chattels.

BUILDING HEIGHT: the vertical distance from the average finished grade, measured to the highest point of the building or structure excluding chimneys, aerials, antennae, steeples, HVAC and similar service structures having an area of not more than 10% of the area of the roof.

CAMP SITE: a site occupied and maintained to be occupied for the temporary accommodation of the travelling public in recreation vehicles and tents, but does not include a worker camp.

CANNABIS: means a preparation of the cannabis plant intended for use as a medicine or psychoactive drug.

CANNABIS PRODUCTION FACILITY means the cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, or sale of cannabis or cannabis products for medicinal or recreational purposes.

CLASS 1 BICYCLE PARKING: means a secure, weather protected bicycle parking facility used to accommodate long-term parking for residents or employees, usually within a room or covered fenced area.

CLASS 2 BICYCLE PARKING: means a short-term visitor bicycle parking facility that may offer some security, and may be partially protected from the weather such as a bike rack at a building's entrance.

COMMERCIAL USE: a use providing for the selling of goods or services, for personal services, or for the servicing and repair of goods; includes retail uses, personal service, wholesaling in conjunction with retail sales, commercial and governmental offices, service stations, tourist accommodation recreation facilities, commercial schools, household services and all associated repairs; and excludes manufacturing, salvaging, warehousing, the selling, servicing and repair of heavy industrial machinery.

DWELLING UNIT: two or more rooms used or intended to be used as the permanent home or residence of a family, with cooking, eating, living, sleeping, and sanitary facilities.

EDUCATION CENTRE: any use dedicated to education for various age groups and needs, including elementary, secondary, post-secondary, technical and vocational, and includes public and private sector education centres.

ENTERTAINMENT CENTRE: a building or part thereof which is used for the entertainment of the public through provisions of food, alcoholic and non-alcoholic beverages, live music and performances and includes the provision of pool tables, gaming centres, billiard tables, pinball or video game machines.

FAMILY: an individual, or two or more persons related by blood, marriage, adoption, or foster parenthood sharing one dwelling unit; or not more than three unrelated persons sharing one dwelling unit.

FENCE: means a hedge, railing, trellis louvers or other screen forming a boundary to or enclosing a parcel or part thereof, provided that if such *fence* forms a part of any *principal* or accessory building then it shall be regulated as part of such building including setbacks from property lines.

FLOOR AREA: the total area of all the floors of a building measured from the extreme outer limits of the building, including enclosed porches, verandas and balconies, but excluding areas used for parking.

FRONT PROPERTY LINE: the lot line adjacent to a road; for lots flanking more than one road, the property line the main door of the building faces shall constitute the front property line.

GENERAL INDUSTRIAL: the assembly, manufacture, warehousing, processing, fabrication, repair, storage and transfer facilities for industrial commodities.

HOME OCCUPATION: means an accessory use within a dwelling unit or accessory building for a small professional or home-based business, including but not limited to artist studio, workshop, bookkeeping, legal services, and small-scale home sales.

IMPOUNDMENT YARD: the commercial storage of vehicles and boats for an interim period of time but excluding the wrecking or sale of scrap materials.

LOT: an individual parcel of land registered in the Land Title Office.

LOT COVERAGE: means the percentage of the lot covered by buildings and structures, excluding trellises, unenclosed patios, unenclosed decks, and underground parking structures less than 6 metres in height.

MARINE COMMERCIAL: a retail and/or service use including boat and equipment sale and rental, charter operations, chandleries, boat building and repair, water taxis, yacht clubs and moorage, seafood loading, processing and sales.

MOBILE HOME: a dwelling unit structure, whether or not ordinarily equipped with wheels that is designed, constructed or manufactured as an individual unit or module, and is intended to be moved from one place to another by being towed or carried, and which is in compliance with Canadian Standards Association (CSA) Z240 Mobile Home Series of Standards.

MOBILE VENDOR: a commercial activity which is provided on a short-term basis from a vehicle such as a car, truck or trailer.

MULTIPLE FAMILY DWELLING: a building consisting of three (3) or more dwelling units, with each dwelling unit having private exterior or common hallway entrance, and includes apartments, townhouses, triplexes, quadplexes, and condominiums.

OFF STREET PARKING: the temporary parking for vehicles not located on a highway, road, street, or lane.

PARCEL: has the same meaning as lot.

PERSONAL SERVICE: commercial service for the health, grooming, financial, recreational, athletic activities or related well-being of individuals.

PRINCIPAL: means the primary or chief purpose of a building, structure, lot or land use.

PUBLIC INSTITUTIONAL FACILITY: a publicly owned building used or intended to be used to provide one or more of public administrative, judicial, medical, cultural, recreational, educational, and related uses.

PUBLIC UTILITY BUILDING: a building used or intended to be used for the operation and maintenance of publicly owned utilities such as drainage, water supply, wastewater collection (but excluding wastewater treatment), telephone, and electricity.

REAR PROPERTY LINE: the lot line opposite the front property line.

RESIDENTIAL ZONE: any one of the Low Density Residential Zone, the Rural Residential Zone, Rural Oceanfront Zone and the Multiple Family Residential Zone.

RETAIL: the sale and display of goods and services, including food and beverage services, to consumers, and may include wholesale warehousing and distribution.

RIPARIAN ZONE: Riparian zones, located next to streams, rivers, lakes, and wetlands, have a direct influence on bank stability and productivity of aquatic habitats. The root systems and stems of riparian trees and shrubs contribute to chemical and sediment retention and help stabilize banks by holding materials together.

SECONDARY SUITE: means a self-contained living quarters, including cooking equipment and a bathroom, located within the structure of a single-family dwelling, and with its own separate entrance.

SERVICE COMMERCIAL: retail and service uses including ancillary exterior storage and display areas, repair facilities, vehicle and marine sales, service and repairs, transit terminals, horticultural centers, warehouses, recycling centers, wholesale and distribution outlets.

SERVICE STATION: a vehicle fueling station which may include the accessory sale of food and convenience items.

SIDE PROPERTY LINE: an interior or exterior lot line, or series of lines of which one or both ends intersect a front property line and rear property line.

SHORT TERM RENTAL: means temporary, less than 30 days, accommodation use located in a secondary suite, caretaker cottage, tiny home accessory building, or principal residence

SINGLE FAMILY DWELLING: a building that contains one (1) dwelling unit.

SITE: an area of land or water consisting of one or more lots devoted to a common use or development.

STOREFRONT CANNABIS RETAILER: means a facility used for the sale and purchase of cannabis for medical and/or recreational use. It may also sell products derived from cannabis, including hashish and various forms of marijuana for smoking, inhaling, eating, or drinking.

STRUCTURE: any construction affixed to, supported by, or sunk into land or water which requires a permanent location on or attached to the ground, and includes buildings, walls, decks, fences, tanks, swimming pools, piers, sheds, display signs, poles and towers.

TEMPORARY BUILDING: a building not having its exterior walls supported by continuous concrete or masonry foundations or walls and includes bunkhouses, skid shacks, construction skids, huts, tents, trailers or any other similar type of portable buildings or structures, whether or not it is placed on foundations or affixed to the lot in any way, and shall not include a mobile home which is located in a mobile home park, nor a permanent prefabricated residential dwelling, industrial building or warehouse

TRAVELER ACCOMMODATION: the provision of guest rooms to the travelling public and includes hotels or motels, or the provision of space for tents, camper vehicles, recreation vehicles, and may include accessory dining and beverage facilities.

TWO FAMILY DWELLING: a building containing two (2) dwelling units.

SECTION 2: ADMINISTRATION AND ENFORCEMENT

2.1. SUBJECT AREA

This Bylaw applies to the entire geographic of the Village of Queen Charlotte and to all land, buildings and structure within that area.

2.2. ADMINISTRATION

The Chief Administrative Officer or such other person appointed by the Council shall administer this Bylaw.

2.3. INTERPRETATION

- (a) Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word “person” includes a corporation, firm, partnership, trust, and other similar entities, as well as an individual. Words have the same meaning whether they are capitalized or not.
- (b) In the case of any discrepancy between numeric standards measured in the metric system or in the imperial system, the metric measurement shall prevail.
- (c) The reference system used in this Bylaw is:

Section:	1
Subsection:	1.1 and 1.1.1
Article:	(a)
Clause:	1)

2.4. HEADINGS

The headings given to sections, subsections, sentences, clauses or phrases in this Bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.

2.5. INSPECTION

Persons appointed to administer this Bylaw are hereby authorized to enter, at all reasonable times, upon any property subject to the provisions of this Bylaw to ascertain whether this Bylaw is being complied with.

2.6. VIOLATION

Any person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required by any provision of this Bylaw, shall be deemed to have violated the provisions of this Bylaw.

2.7. PENALTY

Any person who violates any of the provisions of this Bylaw commits an offence and shall, upon summary conviction thereof, be liable to all penalties that may be imposed under the *Offence Act*.

2.8. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.

SECTION 3: GENERAL PROVISIONS

3.1. APPLICABILITY OF GENERAL REGULATION

Section 3 applies to all zones established under this Bylaw.

3.2. USES

Except for existing non-conforming uses or development approved by a development variance permit or a Board of Variance order, or another agreement or permit as authorized by the Local Government Act, the use, buildings and structures in each zone shall be in accordance with the uses in the zone and all the appropriate regulations and requirements of this Bylaw.

3.3. REGULATIONS

No land, building, or structure within the Village of Queen Charlotte shall be developed, used, constructed, erected, modified, converted, enlarged, re-constructed, altered, placed, or maintained except in conformance with the provisions of this Bylaw.

3.4. PERMITTED USES

No person shall use land, buildings or structures in any zone for any use except as specifically permitted in this Bylaw.

3.5. SITING, SIZE AND DIMENSIONS OF BUILDING AND STRUCTURES

No building or structure shall be constructed, reconstructed, altered, moved or extended by the owner, occupier or any other person so that it contravenes the requirements for the zone in which it is located.

3.6. SUBDIVISION OF LAND

No owner, occupier or other person shall subdivide any land, except in compliance with the provisions set out in this Bylaw.

3.7. USES PERMITTED IN SEVERAL ZONES

The following uses are permitted as indicated, but are subject to the siting requirements as stated for the Zone in which the use is situated:

- (a) Churches and places of worship are permitted in all Commercial and Residential zones.
- (b) Education centers, providing for education of kindergarten and higher, are permitted in all Residential, Commercial and Public Facilities Zones.

- (c) Public utility buildings are permitted in all zones.
- (d) Public parks and recreation facilities are permitted in all zones.
- (e) Government offices are permitted in all Commercial and Public Facilities Zones.
- (f) Public financed and operated hospitals, medical clinics and treatment centers are permitted in all Residential Commercial and Public Facilities Zones, subject to the lot having a minimum area of 1,100 m².

3.8. TEMPORARY PERMITS AND USES

- (a) Temporary Commercial, Industrial, Residential Use Permits may be issued for parcels zoned Low Density Residential, Rural Residential, Central Commercial, Blended Commercial, General Industrial, Public Facility, and Resource Management to:
 - 1) allow for a commercial, industrial, or residential use not permitted by this Bylaw;
 - 2) specify general conditions under which the temporary use may be carried on; and
 - 3) allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.
- (b) Temporary use permits are only available for uses that are seasonal, or are temporary uses due to site construction, redevelopment, or processing of raw materials on site.
- (c) The owner of land for which a temporary use permit may be available may apply for a temporary use permit for commercial and industrial uses not permitted in this Bylaw.
- (d) In issuing a temporary use permit, Council:
 - 1) may establish special provisions related to the temporary use permit; and
 - 2) shall provide notice in accordance with the provisions of the Local Government Act, as may be amended from time to time.

3.9. BUILDINGS PER LOT

Unless otherwise specified in this Bylaw, no lot shall have sited more than two principal buildings.

3.10. SITING EXCEPTIONS

- (a) Freestanding lighting poles, warning devices, antenna, masts, utility poles, wires, flag poles, signs and sign structures may be sited on any portion of a lot, subject to any other enactment and this section.
- (b) In a Residential zone, television or radio earth station antennae with an antenna diameter of greater than 0.6 meters shall only be sited in the rear yard on the parcel.

3.11. PROJECTIONS INTO SETBACK AREAS

No part of any building or structure shall project into a required front, side or rear yard setback required by this Bylaw, except for the following:

- (a) canopies or awnings in the Central Commercial zone and/or the Blended Commercial zone may project to within 0.6 meters of the front property line, provided that the canopy or awning is not less than 2.7 meters above street level, and subject to the owner of the parcel providing the Village with insurance satisfactory to the Village;
- (b) bay windows, eaves and cornices may project no more than 0.6 meters into a front and/or rear yard setback;
- (c) the foundations for masonry chimneys and fireplaces located in residential zones may project to within 0.6 meters of the side property line. The foundations for chimneys or fireplaces constructed with other materials must adhere to regular setback requirements prescribed under this Bylaw;
- (d) sidewalks, patios, sundecks or stairs located in a residential zone, having a height of more than 1.2 meters above grade may project to within 0.6 meters of the side property line; and

3.12. HEIGHT EXCEPTIONS

The maximum height regulations of this Bylaw do not apply to towers, radio, television and communication antennae, church spires, monuments, chimney and smokestacks, flagpoles, stadium bleachers, lightning poles and stair towers.

3.13. FENCES

No fence in a residential zone shall exceed 1.8 meters in height when located in the rear and side yard areas, or exceed 1.2 meters in height in the front yard or on any street facing side yard of a corner lot.

3.14. HOME OCCUPATIONS

A home occupation shall:

- (a) only be carried on by residents of the dwelling unit in which the home-based business is located;
- (b) only be carried on entirely within the dwelling unit or permitted accessory building and its use shall be accessory to the residential use of the building;
- (c) not be an automobile or machinery repair, job welding, sheet metal, or similar use.
- (d) not be a use that:

- 1) produces any offensive noise, odor, effluent, smoke, dust, vibration, electrical interference, bright or flashing light or other objectionable condition which would interfere with the quiet enjoyment of neighbors;
- 2) results in any exterior signs of the home occupation, including the storage or display of goods or materials, and the parking or storage of vehicles, machinery, or equipment on or about the premises;
- 3) requires regular or frequent delivery or removal of products or materials in bulk by commercial vehicles or trailers; and
- 4) attracts an amount of customer traffic or parking of customer vehicles that exceeds an amount customarily associated with a residential use, nor the parking of customer or client's vehicles in such numbers or frequency as may be considered incompatible with a residential zone.

3.15. USE OF MOBILE HOMES, TENTS OR TRAILERS

- (a) No tent, camper trailer or recreation vehicle shall be used or occupied as a dwelling place or living or sleeping quarters except where permitted in a camp site under this Bylaw or as a temporary seasonal use in a residential zone accordance with a Village permit.
- (b) If a mobile home is in compliance with Canadian Standards Association (CSA) Z240 Mobile Home Series of Standards, the mobile home may be located in a residential zone.

3.16. EDUCATION CENTRE

Education Centres are permitted in all zones and shall comply with the following:

- (a) Minimum site area is 2500 square meters, except where the center comprises part of an office building.
- (b) Parking shall be provided on site subject to off street parking provisions.
- (c) Screening and/or fencing shall be provided where the site abuts a parcel zoned residential.

3.17. BED & BREAKFAST ACCOMMODATION

Bed and Breakfast Accommodation, where permitted, shall comply with the following:

- (a) General Guidelines
 - 1) Bed and breakfasts must comply with the other provisions of this bylaw and with any regulations of the local and provincial government, health code, fire code, electrical code, BC Building code or any other applicable regulation.
 - 2) Be limited to no more than five (5) guest rooms.

- 3) Be located within a single detached single-family dwelling only.
 - 4) The proprietor of a Bed & Breakfast Accommodation shall reside in the dwelling.
 - 5) Rooms used for sleeping may not be part of a stairway, kitchen, utility room or laundry room.
 - 6) The maximum number of Bed & Breakfast Accommodation on one building site, or lot, shall be one (1).
- (b) Parking
- 1) Shall provide parking in the amount of one (1) space per guest room to a maximum of three (3) off street parking space (reference parking section of the bylaw).

3.18. SHORT TERM RENTALS

Short Term Rentals, where permitted, shall comply with the following:

- (a) General Guidelines
- 1) A Business Licenses is required for the operation of a Short Term Rental
- (b) Parking
- 1) One (1) parking space be provided for each sleeping unit utilized for Short Term Rental

3.19. MOBILE VENDORS

Mobile vendors are permitted anywhere along Oceanview Drive where it abuts either the Central Commercial or Blended Commercial zone, subject to receiving a Mobile Vendor Permit from the Village, if required.

3.20. OFF STREET PARKING

Parking requirements shall be determined and calculated as per section 10.1.

3.21. COMMUNITY CARE FACILITY

- (a) All single family residential buildings may be used as a community care facility, licensed under the Community Care and Assisted Living Act, as may be amended from time to time, for the purpose of providing:
- 1) A day care for no more than eight (8) persons;
 - 2) A residence for no more than 10 persons, not more than 6 of whom are persons in care

3.22. SECONDARY SUITES

- (a) Maximum size shall be 40% of gross floor area of the *principal* dwelling, or 85 square metres (915 square feet), whichever is less.
- (b) The maximum number of bedrooms is two.
- (c) An owner of the *principal* single family residential building must occupy either the suite or the *principal* dwelling.
- (d) The minimum size is 29 square meters (312 square feet).

3.23. CANNABIS

- (a) All cannabis sales shall be by a storefront cannabis retailer.
- (b) A *storefront cannabis retailer* must apply for a business license issued by the Village, if required.
- (c) A *storefront cannabis retailer* shall only locate in an established or planned retail location.
- (d) A *storefront cannabis retailer* requires a minimum 200 meters distant, measured in a straight line from closest lot line to closest lot line, from a public or independent elementary, or secondary school.
- (e) A *storefront cannabis retailer* shall not be immediately adjacent to another storefront *cannabis* retailer

3.24. RIPARIAN ZONE AREAS

- (a) Building and structure setbacks from riparian areas are regulated by guidelines of the Watercourse Protection Development Permit Areas of the Official Community Plan.

SECTION 4: ESTABLISHMENT OF ZONES

4.1. ZONES

- (a) The area within the boundaries of the Village is hereby classified and divided into the following zones:
- LR - Low Density Residential Zone
 - RR - Rural Residential Zone
 - THR - Tiny House Residential
 - MFR - Multiple Family Zone
 - RO - Rural Oceanfront
 - C1 - Central Commercial Zone
 - C2 - Blended Commercial Zone
 - GI - General Industrial Zone
 - PF - Public Facilities Zone
 - RM - Resource Management Zone
- (b) The boundaries of the zones established by section 4.1 are shown on the Zoning map which are attached to and form part of this Bylaw.

4.2. ZONING BOUNDARIES

Where a zone boundary on the Zoning Map follows a street, lane, pipeline, power line, utility right-of-way, easement, or watercourse, the zone boundary shall be interpreted as following the center line, unless otherwise clearly indicated on the Zoning Map.

SECTION 5: RESIDENTIAL

5.1. LOW DENSITY RESIDENTIAL ZONE (LR)

<p>5.1.1 Permitted Uses</p>	<ul style="list-style-type: none"> (a) Single family dwelling (b) Two family dwelling (c) Home occupation (d) Bed and breakfast accommodation (e) Accessory buildings and uses (f) Backyard livestock (g) Sale of vegetable produce and eggs grown on site (h) Secondary suite (i) Short Term Rental
<p>5.1.2 Maximum Building Height</p>	<ul style="list-style-type: none"> (a) A principal building shall not exceed 9.0 meters (29.5 feet) in height (b) An accessory building shall not exceed 6 meters (19.7 feet) in height
<p>5.1.3 Maximum Lot Coverage</p>	<ul style="list-style-type: none"> (a) Maximum lot coverage shall not exceed 50%
<p>5.1.4 Building Setbacks</p>	<ul style="list-style-type: none"> (a) A principal building shall not be sited less than: <ul style="list-style-type: none"> 1) 3.6 meters (11.8 feet) from the front property line; 2) 3.0 meters (9.8 feet) from the rear property line; 3) 1.2 meters (3.9 feet) from the side property line; (b) An accessory building shall not be sited less than: <ul style="list-style-type: none"> 1) 0.3 meters (1.0 foot) from the rear property line where the rear property line abuts a public lane; and 2) 1.2 meters (3.9 feet) from the rear property line where the rear property line abuts another parcel; 3) 1.2 metres (3.9 feet) from the side property line 4) 3.6 metres (11.8 feet) from the front property line; and 5) 3 metres (9.8 feet) from a <i>principal</i> building

5.1.5 Special Provisions	a) A single family and a two-family dwelling shall not be permitted on a parcel of less than 464 square meters (5,000 square feet) in size
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5.2. RURAL RESIDENTIAL ZONE

<p>5.2.1 Permitted Uses</p>	<ul style="list-style-type: none"> (a) Abattoir (b) Accessory Agricultural Buildings and structures (c) Accessory buildings and uses (d) Additional Farm House (e) Agriculture (f) Agri-tourism (g) Backyard livestock (h) Bed and Breakfast Accommodation (i) Camp sites (j) Home Occupation (k) Neighbourhood composting (l) Sale of vegetable produce and eggs grown on site (m) Secondary suite (n) Single family Dwelling (o) Short Term Rental
<p>5.2.2 Maximum Building Height</p>	<ul style="list-style-type: none"> (a) Principal building 9.0 meters (29.5 feet) (b) Accessory buildings 6 meters (19.7 feet)
<p>5.2.3 Building Setbacks</p>	<ul style="list-style-type: none"> (a) 3.6 meters (11.8 feet) from the front property line (b) 3.0 meters (9.8 feet) from the rear property line (c) 1.2 meters (3.9 feet) from the side property line
<p>5.2.4 Agricultural Building and Manure Storage</p>	<ul style="list-style-type: none"> (a) For livestock barns, poultry, brooder houses, confined livestock areas, milking facilities and hatcheries: <ol style="list-style-type: none"> 1) Shall not be conducted on a lot with an area of less than 16 ha 2) 200 m from residential building on adjacent lots 3) Shall not be conducted unless a manure storage facility provided with sufficient capacity to contain all manure generated from the livestock operation over a period of at least four months 4) Shall not be conducted unless a mechanical ventilation system is provided for all buildings and structures housing livestock 5) And the storage of manure derived from keeping of livestock shall not be conducted in any building, structure, facility, or enclosure that is within 500 m of the Low Density Residential Zone (LR)
<p>5.2.5 Maximum Lot Coverage</p>	<ul style="list-style-type: none"> (a) Not more than 20% of the total site area

<p>5.2.6 Special Provisions</p>	<ul style="list-style-type: none">(a) Minimum lot size is 1 hectare (2.4 acres) for lots with no community water or sanitary sewer services(b) No part of any accessory building shall be closer to the rear property line than 0.3 meters (1.0 feet) where the building abuts a public lane; and 1.2 meters (3.9 feet) where the rear property line abuts another parcel(c) Agricultural activities are regulated by “home occupation” provisions except with each .25 ha (0.6 acres) of additional land to the minimum lot size, one additional employee can be permitted on premises(d) For cluster (conservation) style subdivision development the following standards apply:<ul style="list-style-type: none">1) Minimum density of 1 (one) dwelling unit per hectare;2) No minimum lot size for lots served with community water and sewer;3) Minimum parcel size for a conservation style subdivision is 10 hectares; and4) A minimum of 50% of the development parcel shall be placed in a conservation easement to be managed by residents as part of a land strata, land trust, government agency, or non-profit organization
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5.3. MULTIPLE FAMILY RESIDENTIAL ZONE (MFR)

5.3.1 Permitted Uses	<ul style="list-style-type: none"> (a) Accessory buildings and uses (b) Multiple family dwelling (c) Secondary suite (d) Senior’s housing
5.3.2 Maximum Density	(a) 75 units per hectare (31 units per acre)
5.3.3 Maximum Building Height	<ul style="list-style-type: none"> (a) Principal building 10.0 meters (32.8 feet) (b) Accessory building 6 meters (19.7 feet)
5.3.4 Building Setbacks	<ul style="list-style-type: none"> (a) 1.8 meters (5.9 feet) from the front property line (b) 1.2 meters (3.9 feet) from the side property line (c) 3.0 meters (9.8 feet) from the rear property line (d) No part of an accessory building shall be closer to the rear lot line than 0.3 meters (1.0 feet) where the building abuts a public lane; and 1.2 meters (3.9 feet) where the building abuts another parcel
5.3.5 Maximum Lot Coverage	(a) Not more than 50% can be covered with all buildings and structures combined
5.3.6 Special Provisions	(a) This bylaw allows for more than two principal buildings per lot in the Multiple Family Residential Zone.

5.4. TINY HOUSE RESIDENTIAL ZONE (THR)

5.4.1 Purpose	(a) Accommodate and support the development of tiny house neighbourhoods with shared common space amenities
5.4.2 Permitted Uses	(a) Accessory buildings and uses (b) Home occupation (c) Single family dwelling (d) Short Term Rental
5.4.3 Density and Minimum Lot Area	(a) The minimum land area for a Tiny House Neighbourhood shall be 1,100 square meters (11,840 square feet) (b) The maximum density of a Tiny House Neighbourhood shall be one dwelling unit per 183 square meters (c) The minimum individual home lot size of 123 square meters (1,332 square feet) when the neighbourhood is subdivided into fee simple titled lots
5.4.4 Dwelling Unit Size	(a) The minimum size of a Tiny House shall be 29 square meters (312 square feet) (b) The maximum size of a Tiny House shall be 60 square meters (650 square feet) on the ground floor and a maximum of 90 square meters (975 square feet) for the combined ground floor and second story
5.4.5 Maximum Building Height	(a) The height limit permitted for structures shall be 5.5 meters (18 feet) (b) The ridge of pitched roofs with a minimum slope of six to 12 may extend up to 7.6 meters (24.9 feet) (c) All parts of the roof above 5.5 meters (18 feet) shall be pitched
5.4.6 Maximum Lot Coverage	(a) The maximum lot coverage for the Tiny House and any accessory structures shall be 50%

<p>5.4.7 Building Setbacks</p>	<p>(a) A <i>principal</i> building shall not be sited less than:</p> <ol style="list-style-type: none"> 1) 1.5 meters (4.9 feet) from the front property line; 2) 1.5 meters (4.9 feet) from the rear property line; and 3) 1.2 meters (3.9 feet) from the side property line <p>(b) Notwithstanding the provisions of Article a), a <i>principal</i> building may be constructed with a zero-lot line setback from an interior property line adjacent to another Tiny House lot, provided the following:</p> <ol style="list-style-type: none"> 1) A minimum distance of 3 (three) meters (9.8 feet) is maintained between buildings on adjacent lots; 2) A maintenance and construction easement shall be executed between the owners of the adjacent zero lot line lots and shall establish a minimum 2 (two) meters width extending in all directions from all zero setback walls
<p>5.4.8 Special Provisions</p>	<p>(a) A Tiny House shall comply with the health and safety provisions of the BC Building Code</p> <p>(b) A Tiny House must be secured to a permanent foundation in accordance with the BC Building Code or CSA-Z240 MH Series specifications</p> <p>(c) A Tiny House may be a manufactured home built to CSA Z240 MH Series specifications</p> <p>(d) Recreation vehicles are not permitted</p> <p>(e) A Trailer House on Wheels (THOW) may be permitted provided it complies with the health and safety provisions of the BC Building Code</p> <p>(f) Required Open Space</p> <ol style="list-style-type: none"> 1) A minimum of 18.5 square metres (200 square feet) per unit of common open space is required 2) At least 50 percent of the tiny houses shall abut the common open space, all of the tiny houses shall be within 18 metres (60 feet) walking distance of the common open space, and the common open space shall have tiny houses abutting at least two sides

5.5. RURAL OCEANFRONT (RO)

5.5.1 Permitted Uses	<ul style="list-style-type: none"> (a) Accessory buildings and uses (b) Bed and Breakfast Accommodation (c) Camp sites (d) Home Occupation (e) Secondary suite (f) Single family dwelling (g) Two family dwelling (h) Short Term Rental
5.5.2 Maximum Building Height	<ul style="list-style-type: none"> (a) Principal building 9.0 meters (29.5 feet) (b) Accessory buildings 6 meters (19.7 feet)
5.5.3 Building Setbacks	<ul style="list-style-type: none"> (a) A principal building shall not be sited less than: <ul style="list-style-type: none"> 1) 3.6 meters (11.8 feet) from the front property line; 2) 3.0 meters (9.8 feet) from the rear property line; 3) 1.2 meters (3.9 feet) from the side property line; (b) An accessory building shall not be sited less than: <ul style="list-style-type: none"> 1) 1.2 meters (3.9 feet) from the rear property line 2) 1.2 metres (3.9 feet) from the side property line 3) 3.6 meters (11.8 feet) from the front property line; and 4) 3 meters (9.8 feet) from a principal building
5.5.4 Maximum Lot Coverage	<ul style="list-style-type: none"> (a) Not more than 50% of the total site area
5.5.5 Special Provisions	<ul style="list-style-type: none"> (a) Minimum lot size is .18 acres (7840 square foot) for lots with no community water or sanitary sewer services (b) All buildings shall be constructed no lower than a minimum Flood Construction Level elevation of 2.5 meters (8.2 feet) above the Natural Boundary of the sea for the building's lowest habitable floor space

SECTION 6:COMMERCIAL

6.1. CENTRAL COMMERCIAL (C1)

<p>6.1.1 Permitted Uses</p>	<ul style="list-style-type: none"> a) Accessory buildings and uses b) Assembly hall c) Entertainment Centre d) Marine commercial e) Offices f) Personal service g) Residential in tandem with any commercial use h) Retail use i) Service commercial j) Storefront cannabis retailer k) Traveler accommodation l) Single family dwelling m) Secondary suite n) Short Term Rental
<p>6.1.2 Maximum Building Height</p>	<p>a) Maximum of 12 meters (39.3 feet) as measured from sidewalk</p>
<p>6.1.3 Building Setbacks</p>	<p>a) 4 meters (13 feet) for traveler accommodation and assembly halls</p>

6.1.4 Special Provisions

- a) Where commercial and residential uses are contained within the same building each use must have a separate exterior entrance
- b) Where commercial use abuts residential use the owner of the commercial property shall build a solid fence of 1.8 meters (6 feet) in height between the lot used as commercial and the lot used as residential
- c) Where commercial area storage abuts residential property the owner of the commercial property shall build a solid fence of 2.5 meters (8 feet) in height between the lot used as commercial and the lot used as residential
- d) Where residential uses are in tandem with commercial, residential use shall occupy no more than 75% of the total gross floor area of a building or buildings occupying a lot in the C1 zone

6.2. COMMERCIAL BLENDED ZONE (C2)

<p>6.2.1 Permitted Uses</p>	<ul style="list-style-type: none"> (a) Accessory buildings and uses (b) Artist studio (c) Assembly hall (d) Automotive sales and repair shop (e) Camp site (f) Contractor office, shop and storage (g) Entertainment Centre (h) Neighbourhood composting (i) Offices (j) Personal establishments (k) Residential in tandem in any commercial use. (l) Retail use (m) Secondary suite (n) Service commercial (o) Service station (p) Single family dwelling (q) Traveler accommodation (r) Workshop (s) Short Term Rental
<p>6.2.2 Maximum Building Height</p>	<ul style="list-style-type: none"> (a) Maximum of 12 meters (39.3 feet) as measured from sidewalk
<p>6.2.3 Building Setbacks</p>	<ul style="list-style-type: none"> (a) 4 meters (13 feet) for travel accommodation and assembly halls
<p>6.2.4 Special Provisions</p>	<ul style="list-style-type: none"> (a) Where commercial and residential use are contained within the same building each use must have a separate exterior entrance (b) Where commercial use abuts residential use the owner of the commercial property shall build a solid fence of 1.8 meters (6 feet) in height between the lot used as commercial and the lot used as residential (c) Where commercial area storage abuts residential property the owner of the commercial property shall build a solid fence of 2.5 metres (8 feet) in height between the lot used as commercial and the lot used as residential

SECTION 7:INDUSTRIAL

7.1. GENERAL INDUSTRIAL (GI)

<p>7.1.1 Permitted Uses</p>	<ul style="list-style-type: none"> (a) Accessory buildings and uses (b) Automotive service and repair (c) Cannabis production facility (d) Freight and truck terminals (e) Fuel, explosives and chemical products loading, unloading and storage (f) General industrial (g) Impoundment and wrecking yard (h) Log booming and sorting (i) Marine commercial (j) Neighbourhood composting (k) Residential in tandem in any industrial use. (l) Service Commercial (m) Service station (n) Storefront cannabis retailer
<p>7.1.2 Building Setbacks</p>	<ul style="list-style-type: none"> (a) 6 meters (19.68 feet) from the front property line (b) 5 meters (16.4 feet) from any property zoned residential
<p>7.1.3 Special Provisions</p>	<ul style="list-style-type: none"> (a) A building or container used for “fuel, explosives and chemical products loading, unloading and storage” must be separated from any Residential zone by a minimum 30 m (100ft) landscaped buffer and enclosed by a solid fence of at least 2.5 meters (8 feet) in height (b) All storage yards shall be secured by a minimum 2.5 meters (8 feet) fence

SECTION 8:PUBLIC FACILITIES

8.1. PUBLIC FACILITIES ZONE

8.1.1 Permitted Uses	(a) Accessory buildings and uses (b) Assembly hall (c) Cemetery (d) Parks and recreation facility (e) Public institutional facility (f) Public housing (g) Public utility building
8.1.2 Maximum Lot Coverage	(a) Not more than 50% can be covered with all buildings and structures combined
8.1.3 Special Provisions	(a) Any building permitted under Section 8.1.1 and abutting any Residential zone must be separated by 5 meters (16.4 feet) from side or rear property line

SECTION 9:RESOURCE MANAGEMENT

9.1. RESOURCE MANAGEMENT ZONE

9.1.1 Permitted Uses	(a) Accessory buildings and uses (b) Agriculture (c) Deer hunting (d) Dirt bike recreation (e) Hunting gathering activities (f) Logging, logging road construction and silviculture (g) Mushroom picking (h) Parks and recreation facilities (i) Sand and gravel extraction
9.1.2 Special Provisions	(a) Any non-timber related activities will be addressed on development specific bases in consultation with relevant Haida, Provincial and Federal agencies

SECTION 10: PARKING

10.1. OFF-STREET PARKING

Where off-street parking is required under the provisions of this Bylaw, it shall be provided and maintained in accordance with the following:

(a) Location

1) Residential Zones

In a residential zone, off-street parking spaces shall be located on the same parcel as the use the service, or where impractical to do so, off-street parking spaces shall be located on an adjacent parcel owned by the same owner as the parcel as the use the service.

2) Non-residential zones

In zones other than residential zones, off-street parking spaces may be provided on a parking lot or parking garage, provided that the owner of the parcel for which the off-street parking is required enters into an agreement with the Village that such off-street parking will be available at all times during which they are required to be provided under bylaws of the Village.

(b) Size

1) Individual and end off-street parking spaces shall be not less than 2.6 metres in width and 5.8 metres in length.

2) Off-street parking spaces bounded on both sides by parking spaces shall not be less than 2.7 metres in width and 5.8 metres in length.

(c) Construction and Maintenance of Parking Spaces

All parking spaces shall be constructed and maintained to be safe and convenient for the user thereof; and, in particular, the driveway access, maneuvering area and parking spaces shall be smooth and well drained and kept free of mud, snow, ice or other obstructions to vehicular or pedestrian traffic at all times.

(d) Layout Design and Marking Signs

The layout design of driveways, maneuvering areas, ramps and parking spaces shall be in accordance with architectural and engineering standards for such work and the marking of spaces and installation of signs shall be made to clearly indicate the proper order of parking and traffic routes.

- (e) Required number of parking and loading spaces
- 1) Except as otherwise provided for in this Bylaw, the number of off-street parking spaces for motor vehicles required for any use is calculated according to Table 1 of this Bylaw, in which “Use” classifies the type of uses and “Parking Required” sets out the number of required off-street parking spaces that are to be provided for each use.
 - 2) where the calculation of the required off-street parking spaces results in a fraction, one parking or loading space shall be provided in respect of the fraction;
 - 3) where more than one use is located on a parcel, the total number of parking spaces to be required shall be the sum total of the requirements for each use;
 - 4) where more than one standard may apply to a use, the most stringent standard shall be used.

Table 1: Required Parking Spaces	
Use	Parking Required
Animal Hospital or Clinic	1 space for each 20 m ² of gross floor area
Automobile Gasoline Bars and Laundries	1 space for each 5 m ² of sales floor area plus 2 spaces for each service bay or car wash bay
Automotive Service & Repair	1 space for each 10 m ² of sales floor area plus 1 space for each service bay
Bed & Breakfast	1 space per room or suite available for rent
Beverage Container Return Centres	1 space for every 40 m ² of gross floor area or a minimum of 6 parking spaces, whichever is greater.
Community & Commercial Assembly Halls	1 space for each 12 m ² of gross floor space
Elementary Schools	1 space per employee
General Industrial use	1 space for each 100 m ² for gross building floor area
Hospitals, Convalescent Homes	1 space for every four (4) patient beds
Laundromat	3 off-street parking spaces for any Laundromat

Table 1: Required Parking Spaces	
Liquor Primary Establishments	1 space for each 3 seats
Medical & Dental Offices	1 space per 18 m ² of net floor area
Offices	1 off street parking space for every 45 m ² of gross leasable floor space.
Retail Use	1 space for every 20 m ² of gross floor area with a minimum of 3 spaces for every retail use
Personal Service Shops	1 space for each 20 m ² of gross floor area
Residential, Multiple Family	1 space for each dwelling unit
Residential, single or two family	1 space per unit
Restaurant	1 off-street parking space for every two (2) employees, plus one (1) space for each five (5) seats in the restaurant
Secondary Schools or other adult education center	1 space per 10 students
Secondary Suite	1 space
Senior Citizens & Public Housing	1 space for every 4 living units
Service Station	1.5 spaces for every service bay.
Short Term Rental	1 space for every one (1) Short Term Rental
Theatres, Assembly Hall, Churches, Funeral Homes	1 space for every ten (10) seats provided for public seating
Traveler Accommodation	1 space for each sleeping unit plus 1 space for each 3 seats in a café, restaurant, cocktail lounge, bar or beer parlor, plus 1 space for each 12 m ² of meeting area
Warehousing, storage, mini storage, and similar uses	1 space for each 200 m ² of gross floor area

10.1.1 Special Parking Provisions

The following special provisions and exemptions shall apply:

(a) Exceptions

The required off-street parking shall not apply to any existing building or structure so long as the building or structure continues to be put to a use that does not require more parking or loading spaces than were required for the use existing at the time this Bylaw came into force.

(b) Commercial Parking Lots

Parking lots operated for commercial purposes by renting or leasing shall be governed by the regulations of (b), (c), and (d) contained in Section 10.1.

10.1.2 Parking for the Physically Challenged

(a) Parking spaces for the use of physically challenged persons shall be provided according to the following cumulative ratios:

No. of Required Parking Spaces	No. of spaces for the use of physically challenged persons
1-10	1
11-20	1
21-100	2
101-1000	2 per 100 required spaces or part thereof

- (b) Each parking space for the use of a physically challenged person shall be:
- 1) a minimum of 3.7 meters in width and a minimum of 5.8 meters in depth.
 - 2) clearly identified as being for the exclusive use of physically challenged persons.
 - 3) located within convenient access of an accessible building entrance or in a central location where a parking lot serves several buildings.

(c) The maximum grade of the parking space and access to a building or structure shall not exceed 8%.

10.1.3 Unlawful Uses of Parking Facilities

- (a) No area designated as a required parking area in connection with any designated building or use shall be operated as a commercial or public parking lot providing parking spaces for the general public or for the occupants, tenants, customers, clients, or residents of any other use or activity for a fee or other compensation.
- (b) Required parking facilities accessory to a residential use which are developed in accordance with the requirements of this Bylaw shall be used solely for the parking

of passenger automobiles or commercial vehicles of not more than 8,600 kg gross weight owned by occupants of the dwelling structures to which such facilities are accessory, or by guests of such occupants.

10.1.4 Off-street Loading

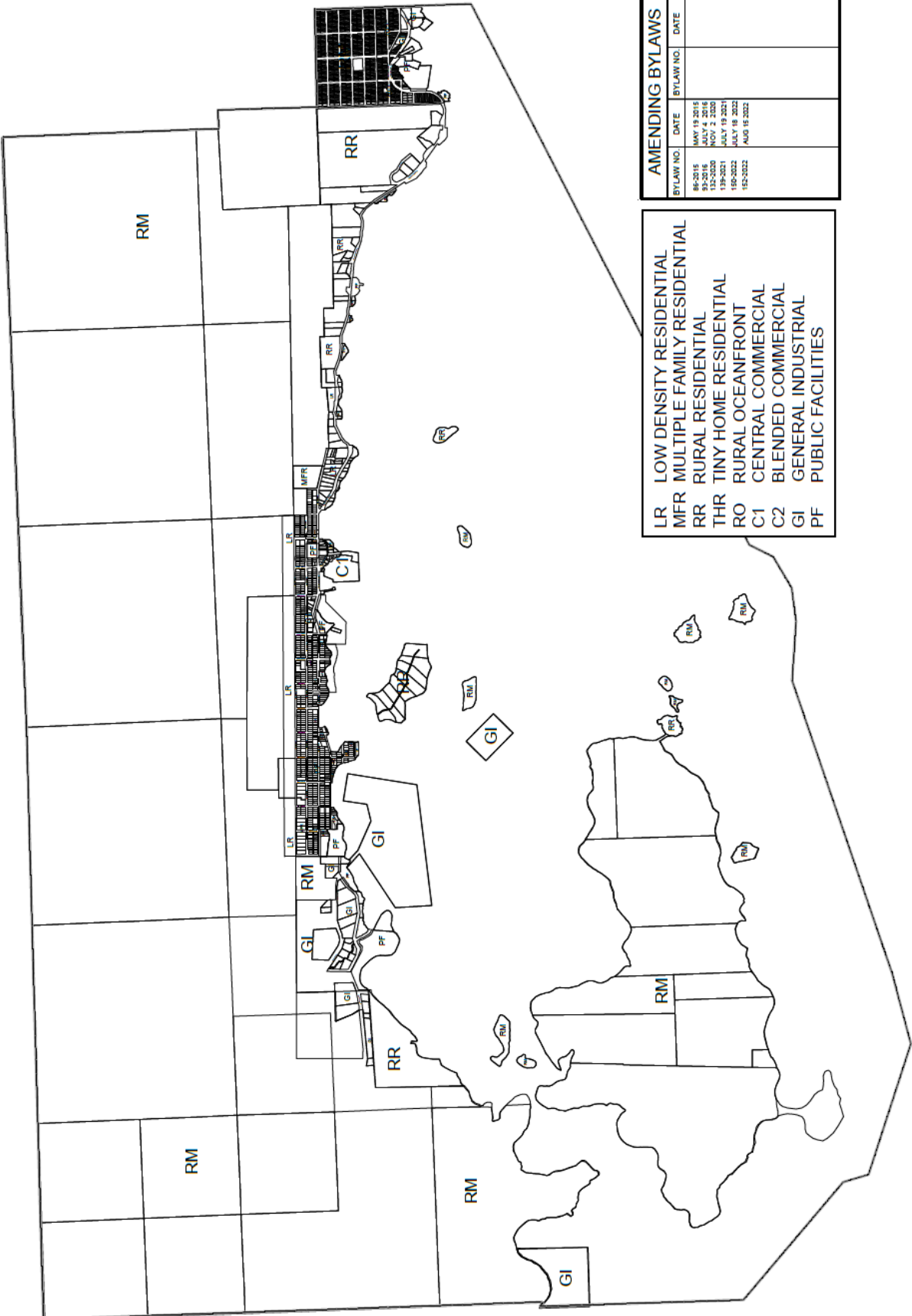
- (a) Except as hereinafter provided, every owner or occupier of any building in any zone is required to provide off-street loading space for such building in which a business is or will be carried on involving the receipt or delivery of goods or materials by vehicles, and all such off-street loading spaces shall be so constructed that every vehicle involved in the loading and unloading operation will be entirely off any highway or any other public property;
- (b) In every zone where there is a registered lane at the rear or side of the building site upon which an off-street loading space or spaces, is or are required, such space or spaces shall be accessible for vehicular ingress and egress to such registered lane;
- (c) Where any off-street loading space is bounded by a building or structure, the minimum clearance shall not be less than 3.4 meters in height, 3.7 meters in width, and 6.1 meters in depth, provided that in no case shall such clearance be less than required to provide for conformity to (a) preceding.

10.2. BICYCLE PARKING

- (a) All Multiple-family Residential, Office, Retail, Restaurant, Medical and Dental Office or Clinic uses shall provide bicycle parking in accordance with Table 2 Required Bicycle Parking.
- (b) Notwithstanding Article a), no bicycle parking shall be required if public communal bicycle parking is available within 20 meters of the entrance to a use that requires bicycle parking.

Table 2 Required Bicycle Parking		
Use	Class 1 Bicycle Facility (Long Term)	Class 2 Bicycle Facility (Short Term)
Multiple-family Residential	1 space per unit	One 6 space rack at entrance
Office	1 space per 400 m ² gross floor area	1 space per 400 m ² gross floor area
Retail and Restaurant		1 per 250 m ² gross floor area: Minimum 4 spaces
Medical and dental office or clinic	1 per 500 m ² gross floor area	1 per 500 m ² gross floor area

SCHEDULE B: ZONING BYLAW MAPS



AMENDING BYLAWS		
BYLAW NO.	DATE	DATE
85-2016	MAY 19 2016	
89-2016	MAY 4 2016	
132-2020	NOV 2 2020	
139-2021	JULY 19 2021	
150-2022	JULY 19 2022	
152-2022	AUG 18 2022	

- LR LOW DENSITY RESIDENTIAL
- MFR MULTIPLE FAMILY RESIDENTIAL
- RR RURAL RESIDENTIAL
- THR TINY HOME RESIDENTIAL
- RO RURAL OCEANFRONT
- C1 CENTRAL COMMERCIAL
- C2 BLENDED COMMERCIAL
- GI GENERAL INDUSTRIAL
- PF PUBLIC FACILITIES