



*District of*  
**SECHELT**

DISTRICT OF SECHELT  
ZONING BYLAW No. 25, 1987

Consolidated for convenience January 2022 to include amendments up to Bylaw No. 25-313, 2021.

THIS VERSION OF THIS BYLAW IS A CONSOLIDATION OF AMENDMENTS TO THE ORIGINAL BYLAW AS OF THE DATE SPECIFIED. THIS CONSOLIDATION IS DONE FOR THE CONVENIENCE OF USERS AND ACCURATELY REFLECTS THE STATUS OF THE BYLAW AS OF THE SPECIFIED DATE BUT MUST NOT BE CONSTRUED AS THE ORIGINAL BYLAW AND IS NOT ADMISSIBLE IN COURT UNLESS SPECIFICALLY CERTIFIED BY THE DIRECTOR OF CORPORATE SERVICES FOR THE DISTRICT OF SECHELT. PERSONS INTERESTED IN THE DEFINITIVE WORDING OF THIS BYLAW AND ITS AMENDMENTS SHOULD VIEW THE ORIGINAL BYLAWS AT THE DISTRICT OF SECHELT.

# TABLE OF CONTENTS

---

<b>PART ONE - INTERPRETATION</b>	<b>5</b>
101. TITLE .....	5
102. DEFINITIONS .....	5
<b>PART TWO - BASIC PROVISIONS</b>	<b>18</b>
201. PROHIBITION .....	18
202. APPLICATION .....	18
203. APPLICATION FOR REZONING .....	18
204. APPEAL UNDER BOARD OF VARIANCE .....	18
205. SEVERABILITY .....	18
<b>PART THREE - GENERAL PROVISIONS</b>	<b>18</b>
301. APPLICABILITY OF GENERAL PROVISIONS .....	18
302. PRINCIPAL BUILDING LOT .....	19
303. USES PERMITTED IN ALL ZONES .....	19
304. KEEPING OF LIVESTOCK .....	20
305. ACCESSORY BUILDINGS AND STRUCTURES .....	20
306. TEMPORARY BUILDINGS .....	21
307. HOME OCCUPATION .....	22
308. SITING OF BUILDINGS AND STRUCTURES .....	24
309. IRREGULAR SHAPED LOTS .....	24
310. GARAGE LOCATION AND CARPORTS ON HILLSIDES .....	24
311. SITING EXCEPTIONS .....	25
312. SITING REQUIREMENTS - APPLICATION TO STRATA AND BARE LAND STRATA LOTS .....	25
313. HEIGHT OF FENCES .....	25
314. HEIGHT EXCEPTIONS .....	26
315. MINIMUM LOT AREA .....	26
316. LOT SIZE EXCEPTIONS .....	27
317. VISION CLEARANCE AT INTERSECTION .....	28
318. DERELICT VEHICLES AND AIRCRAFT .....	28
319. DERELICT BOATS .....	28
320. FLOOD CONTROL REQUIREMENTS .....	29
321. AGRICULTURAL LAND RESERVE .....	33
322. NON-CONFORMING USES .....	33
323. SHORT TERM RESIDENTIAL RENTAL .....	34
324. SECONDARY SUITES .....	35
325. MOBILE VENDING .....	35
326. USES PROHIBITED IN ALL RESIDENTIAL ZONES .....	36
327. CANNABIS SPECIFIC USE REGULATIONS .....	36
<b>PART FOUR - ESTABLISHMENT AND REGULATION OF ZONES</b>	<b>40</b>
401. ESTABLISHMENT OF ZONES .....	40
<b>PART FIVE - RESIDENTIAL ZONES</b>	<b>42</b>
501. R-1 - RESIDENTIAL 1 ZONE .....	42
538. R-1A - RESIDENTIAL 1A ZONE .....	44
577. R-1B - RESIDENTIAL 1B ZONE .....	46

509.	R-2 - RESIDENTIAL 2 ZONE .....	48
516.1	R-2A - RESIDENTIAL VILLAGE INFILL R-2A ZONE.....	50
517.	R-3 - RESIDENTIAL 3 ZONE .....	53
526.	R-4 - RESIDENTIAL 4 ZONE .....	55
547.	R-4A - RESIDENTIAL 4A ZONE.....	57
557.	R-4B - RESIDENTIAL 4B ZONE.....	59
567.	R-4C – RESIDENTIAL 4C ZONE .....	61
534.	R-5 - RESIDENTIAL 5 ZONE .....	62
596.1	R-7 - RESIDENTIAL 7 ZONE .....	63
598.	R-9 - RESIDENTIAL 9 ZONE .....	65
<b>PART SIX - COMMERCIAL ZONES</b>		<b>67</b>
601.	C-1 - COMMERCIAL 1 ZONE .....	67
609.	C-2 - COMMERCIAL 2 ZONE .....	68
617.	C-3 - COMMERCIAL 3 ZONE .....	71
626.	C-4 - COMMERCIAL 4 ZONE .....	73
635.	C-5 - COMMERCIAL 5 ZONE .....	75
646.	C-6 - COMMERCIAL 6 ZONE .....	78
655.	C-7 - COMMERCIAL 7 ZONE .....	80
664.	C-5A - COMMERCIAL 5A ZONE.....	82
<b>PART SEVEN - INDUSTRIAL ZONES</b>		<b>84</b>
701.	I-1 - INDUSTRIAL 1 ZONE .....	84
709.	I-2 - INDUSTRIAL 2 ZONE .....	85
717.	I-3 - INDUSTRIAL 3 ZONE .....	86
725.	I-4 - INDUSTRIAL 4 ZONE .....	88
733.	I-5 - INDUSTRIAL ZONE .....	89
741.	I-6 - INDUSTRIAL ZONE .....	91
749.	I-7 - INDUSTRIAL 7 ZONE .....	93
<b>PART EIGHT - MARINE ZONES</b>		<b>95</b>
801.	M-1 - MARINE 1 ZONE .....	95
808.	M-2 - MARINE 2 ZONE .....	97
814.10	M-3 - MARINE 3 ZONE.....	99
814.26	M-3A - MARINE 3A ZONE.....	100
814.18	M-4 - MARINE 4 ZONE.....	100
815.	W-1 - WATER 1 ZONE .....	103
<b>PART NINE - RURAL ZONES</b>		<b>104</b>
901.	RR-1 - RURAL 1 ZONE .....	104
909.	RR-2 - RURAL 2 ZONE .....	106
917.	RR-3 - RURAL 3 ZONE .....	108
<b>PART TEN - PARK, RECREATION &amp; ASSEMBLY ZONES</b>		<b>110</b>
1001.	PA-1 - PARK, RECREATION AND ASSEMBLY 1 ZONE .....	110
1008.	PA-2 - PARK, RECREATION AND ASSEMBLY 2 ZONE .....	112
<b>PART 10A - COMPREHENSIVE DEVELOPMENT ZONES</b>		<b>113</b>
10A01.	COMPREHENSIVE DEVELOPMENT 1 ZONE (CD-1).....	113
10B01.	COMPREHENSIVE DEVELOPMENT ZONE (CD-2) CANADIAN TIRE .....	115

10D01. COMPREHENSIVE DEVELOPMENT ZONE (CD-4) BUSINESS PARK.....	117
10E01. COMPREHENSIVE DEVELOPMENT ZONE (CD-5) WARD COURT .....	120
10F01. COMPREHENSIVE DEVELOPMENT ZONE 6 (CD-6) THE WEST .....	121
10G01. COMPREHENSIVE DEVELOPMENT ZONE 7 (CD-7) WAKEFIELD PHASE I .....	124
10H01. COMPREHENSIVE DEVELOPMENT ZONE 8 (CD-8) THE TRAILS.....	126
10J01. COMPREHENSIVE DEVELOPMENT ZONE 10 (CD-10) FOLEY.....	130
10L01. COMPREHENSIVE DEVELOPMENT ZONE 12 (CD-12) HABITAT FOR HUMANITY .....	132
10R01. COMPREHENSIVE DEVELOPMENT ZONE 18 (CD-18) MIDTOWN DEVELOPMENT .....	134
10N01. COMPREHENSIVE DEVELOPMENT ZONE 20 (CD-20) WAKEFIELD PHASE II.....	136
10O01. COMPREHENSIVE DEVELOPMENT ZONE 21 (CD-21) SENIORS LODGE .....	138
10ZCD27.01 COMPREHENSIVE DEVELOPMENT ZONE 27 (CD-27) THE TRAILS.....	141
10ZCD29.01 COMPREHENSIVE DEVELOPMENT ZONE 29 (CD-29) SCCS & HEALTH SERVICES.....	146
10ZCD31.01 COMPREHENSIVE DEVELOPMENT ZONE 31 (CD-31) EMERSON .....	148
10ZCD30.01 COMPREHENSIVE DEVELOPMENT ZONE 30 (CD-30) PACIFIC SPIRIT PROPERTIES .....	152
10ZCD35.01 COMPREHENSIVE DEVELOPMENT ZONE 35 (CD-35) ORACLE.....	158
10ZCD39.01 COMPREHENSIVE DEVELOPMENT ZONE 39 (CD-39) RTC PROPERTIES LTD.....	160
10ZCD43.01 COMPREHENSIVE DEVELOPMENT ZONE 43 (CD-43) BC HOUSING .....	164
10ZCD44.01 COMPREHENSIVE DEVELOPMENT ZONE 44 (CD-44) GREENECOURT.....	167
<b>PART 10B - INSTITUTIONAL ZONES</b>	<b>170</b>
10B.1 IN1 – INSTITUTIONAL 1 ZONE .....	170
<b>PART ELEVEN - OFF-STREET PARKING AND LOADING</b>	<b>172</b>
1101. OFF-STREET PARKING.....	172
1102. REQUIRED PARKING SPACES.....	172
1103. REQUIRED OFF-STREET LOADING SPACES.....	178
1104. VOLUNTARY ESTABLISHMENT OF FACILITIES.....	179
1105. MINISTRY OF TRANSPORTATION AND HIGHWAYS REGULATIONS.....	179
<b>PART TWELVE - ADMINISTRATION</b>	<b>180</b>
1201. INSPECTION .....	180
1202. VIOLATION.....	180
1203. OFFENCE.....	180
1204. PENALTY .....	180
1205. REPEAL OF PREVIOUS BYLAWS .....	180
1206. TRANSITION.....	181
<b>PART THIRTEEN - SITE SPECIFIC ZONES</b>	<b>182</b>
13F01. COMPREHENSIVE DEVELOPMENT ZONE 13 (CD 13) SILVERBACK.....	182
<b>APPENDICES</b>	<b>190</b>
1. SCHEDULE A ZONING MAP (CAN BE VIEWED AT WWW.SEHEL.T.CA) .....	190
2. SCHEDULE B FLOOD PLAIN MAPS .....	190

## DISTRICT OF SECHELT ZONING BYLAW NO. 25, 1987

A bylaw to establish zones, and to regulate the use of land, buildings and structures within the zones, pursuant to the *Local Government Act*.

The Council of the District of Sechelt in open meeting assembled ENACTS AS FOLLOWS:

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### PART ONE - INTERPRETATION

101. **TITLE**

This bylaw may be cited for all purposes as the "District of Sechelt Zoning Bylaw No. 25, 1987".

102. **DEFINITIONS**

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

**"AGRICULTURE"** means cultivating, producing or harvesting crops and marketing and selling the crops harvested on the same parcel;

a) includes:

i) the storage and sale on a farm of the crops harvested on the same farm;

ii) the storage on a farm of farm machinery, implements and supplies used on that farm;

iii) repairs on a farm to farm machinery and implements used on the same farm;

b) **excludes** rearing livestock and all manufacturing, processing, storage and repairs not referred to in this definition;

**"AMUSEMENT ARCADE"** means an establishment that has more than three (3) coin operated electronic game machines;

**"ANIMAL KENNEL"** means an establishment for the breeding or boarding of four or more dogs over six months old or four or more cats over six months old;

**"AQUACULTURE"** means the hatching, rearing and harvesting of finfish and shellfish, for commercial purposes, in any natural or artificial water environment and **excludes** all activities that are within the scope of the "aquaculture processing" use.

**"AQUACULTURE PROCESSING"** means the treating or preparing of fish, shellfish, mollusks, crustaceans and marine algae and any treatment or use of fish offal for the preparation of fish feed;

- a) includes, in respect of fish, shellfish, mollusks, crustaceans and marine algae, the cleaning, smoking, shucking, packaging, cooking or canning, provided that the cleaning smoking, packaging, cooking and canning is carried out within a fully enclosed building permitted in this bylaw, and includes the storage of live fish for holding or breeding purposes, and the storage of oyster shells and includes the storage and any treatment of fish offal for the production of fish feed, provided that the storage and treatment of fish offal is carried out within a fully enclosed building permitted in this bylaw; and
- b) **excludes** any treatment or preparation not included in this definition and specifically **excludes** rendering;

**"ASSEMBLY"** means the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes but **does not** include the provision of sleeping or dwelling units;

**"AUTOMOBILE"** means a 4-wheeled, self-propelling vehicle for passenger transportation on streets and roadways;

**"BASEMENT"** means a space between two floors, the lower floor of which is more than zero point five (0.5) metres, but less than one point five (1.5) metres, below the average finished ground level at the perimeter of the building;

**"BUILDING"** means a structure, located on the ground, which is designed, erected, or intended for the support, enclosure, or protection of persons or property. When a structure is separated by party walls located upon lot lines, then each portion of such structure shall be deemed a separate building;

**"BUILDING WIDTH"** means the length of the building face as measured along the foundation generally facing the front lot line.

**"CAMPGROUND"** means a site occupied and maintained, or intended to be occupied and maintained for the temporary accommodation of travellers, which is either operated for reward or is licensed accommodation under regulations made pursuant to the British Columbia Travel Regulation Act, but **does not** include a mobile home park, hotel or an auto court;

**"CANNABIS"** means cannabis as defined in the *Cannabis Act* of Canada.

**"CANNABIS, CULTIVATION"** means the authorized large-scale growing of cannabis plants and harvesting material from those plants as well as those ancillary activities authorized under the *Cannabis Act* of Canada.

**"CANNABIS, MICRO CULTIVATION"** means the authorized small-scale growing of cannabis plants and harvesting material from those plants, as well as those ancillary activities authorized under the *Cannabis Act* of Canada.

**“CANNABIS PRODUCTION”** means the large-scale manufacturing of cannabis or cannabis products as permitted by the *Cannabis Act* of Canada. For clarity, this definition includes a facility used for the cultivation, processing, packaging, storage, distribution, or analytical testing and research of cannabis and cannabis products, but does not include the retail sale of cannabis.

**“CANNABIS, MICRO-PRODUCTION”** means the small-scale manufacturing of cannabis or cannabis products as permitted by the *Cannabis Act* of Canada. For clarity, this definition includes a facility used for the cultivation, processing, packaging, storage, distribution, or analytical testing and research of cannabis and cannabis products, but does not include the retail sale of cannabis.

**“CANNABIS RETAIL STORE”** means a retail establishment that is licensed by the Liquor and Cannabis Regulation Branch (LCRB) of British Columbia for the sale of cannabis for non-medical purposes.

**“CAR-WASH”** means an enterprise offering facilities for the washing or cleaning of cars on an automated or semi-automated basis;

**“CELLAR”** means a space between two floors, the lower floor of which is more than one point five (1.5) metres, below the average finished ground level at the perimeter of the building;

**“CHILD CARE FACILITY”** means a group day care or childminding facility licensed under the Community Care Facility Act and Regulations thereto;

**“CHURCH”** means an assembly building used for public worship;

**“CLUB HOUSE”** means a place of assembly associated with a golf course, which may include a restaurant;

**“COMMERCIAL AND/OR NON COMMERCIAL RECREATION”** means a use providing for open air recreation such as race track events, model airplane events and music concerts.

**“COMMERCIAL RECREATION FACILITY”** includes rental of non-motorized recreational equipment, a fitness centre, gymnasium, mini golf, bowling alley and other similar uses;

**“COMMERCIAL USES”** means an occupation, employment or enterprise that is carried out for gain or monetary profit by any person or corporation

**“COMMUNITY CARE FACILITY”** means a facility defined and licenses under the Community Care Facility Act;

**“CONTRACTOR SERVICES”** means premises for the provision of building, electrical, plumbing, heating, painting and similar services primarily to households and the accessory sales of goods which are kept within the premises.

**"CONVENIENCE STORE"** means a retail sales outlet which sells or offers for sale food stuffs, fresh fruits and vegetables, hygienic or cosmetic goods, other similar daily household goods and the auxiliary sale of books, periodicals and videos, up to a maximum floor area of 465 m<sup>2</sup> unless otherwise limited in the permitted uses of a zoning schedule.

**"DEVELOPED PARK"** means that land zoned PA-1 Park, Recreation and Assembly 1 that has upon it, a constructed facility such as a playground, tennis court, gazebo, ball diamond, soccer field, structure, or building that is maintained and owned by the District of Sechelt.

**"DOMESTIC CONSUMPTION"** means utilization of livestock by residents of the parcels being utilized for the raising of livestock and **does not** include retailing or wholesaling;

**"DROP-IN CENTRE"** means a non-profit facility where people of common interest gather on a regular basis;

**"DWELLING UNIT"** means a suite of rooms which provides accommodations for one family, has its respective entrance, and contains sleeping, toilet facilities and not more than one set of cooking facilities;

**"DWELLING, SINGLE FAMILY"** means any detached building consisting of one dwelling unit or a building consisting of a combination of one dwelling unit and one secondary suite;

**"DWELLING, TWO FAMILY"** means any detached building divided into two dwelling units, each of which is occupied or intended to be occupied as the home or residence of one family;

**"DWELLING, MULTIPLE FAMILY"** means any building consisting of three or more dwelling units, each of which is occupied or intended to be occupied as the home or residence of one family;

**"FAMILY"** means an individual, or two or more persons related by blood, marriage, or adoption, or a group of not more than five unrelated, non-transient persons, living together as a single non-profit group in a housekeeping unit and including servants (caregivers) employed on the premises;

**"FARM"** means a parcel or portion or set of parcels used for agriculture;

**"FENCE"** includes a screen, trellis and wall;

**"FITNESS CENTRE"** means an establishment in which facilities are provided for recreational athletic activities including but not limited to body-building and exercise classes, recreation club and gymnasium, and may include customarily ancillary facilities;

**"FLOATING HOME"** means a house-like structure built on a floatation system, which is not self-propelled and intended primarily for use as residential accommodation and not primarily intended for navigation;

**"FLOOR AREA"** means the total floor area of all floors in a building measured to the extreme outer limits of the building including all areas giving access thereto such as corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies and mezzanines, enclosed porches or verandas and excluding auxiliary parking, unenclosed swimming pools, balconies or sundecks, elevators or ventilating machinery and building features referred to in Section 311 of this Bylaw;

**"FLOOR AREA RATIO (FAR)"** means the figure obtained when the total gross Floor Area of all buildings on a lot, is divided by the area of the lot;

**"FRONTAGE"** means the length of the front lot line;

**"GARDEN NURSERY"** means an area used for the display, wholesale or retail sale of plants, fertilizer, insecticide, herbicide, seeds, small garden hand tools, Christmas trees, animal feed and animal bedding and **excludes** all other wholesale or retail sales;

**"GASOLINE SERVICE STATION, CONVENTIONAL"** means any building or land used or intended to be used for the retail sale of motor fuels and lubricants that are dispensed by an attendant for the customer, and which may include the servicing and minor repairing of motor vehicles, and the sale of automobile accessories. A gasoline service station, conventional, may also include a self-serve facility for the dispensing of motor fuels and lubricants by the customer may also be provided as an accessory use on the site, but shall be limited to one pump island only;

**"GASOLINE SERVICE STATION, SELF-SERVE"** means any building or land used or intended to be used for the retail sale of motor fuels and lubricants that are dispensed by the customer;

**"GOLF RETAIL/RENTAL"** means the sale and rental of golf equipment and apparel;

**"GRADE"** means one of the following:

- a) for single and two family dwellings "grade" means the lowest of the average elevations of finished ground adjoining each face of a structure, except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average elevation of finished ground;
- b) for all other buildings "grade" means the average natural elevation (prior to any regrading, subdivision, or construction) as measured around the perimeter of the proposed building footprint or directly below its outermost exterior walls;

**"GUEST COTTAGE"** means a building used as a dwelling, the floor area of which **does not** exceed fifty-five (55) square metres;

**"HEIGHT"** means one of the following:

- a) for single and two family dwellings "height" means the vertical distance along the projected line of the face of the building from the grade to the highest point of the roof;
- b) for all other buildings "height" means the distance measured vertically along the projected line of the face of the building from the grade to the highest point of the roof surface of a flat roof, to the mean level between the eaves and ridge of a gable, hip, or other sloping roof, and in the case of a structure without a roof, to the highest point of the structure;

**"HIGHWAY"** means 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;

**"HOME OCCUPATION"** means an occupation, profession or craft meeting the requirements of Section 307 of this bylaw;

**"HOME OCCUPATION (SPECIALIZED)"** means a Home Occupation subject to Section 307 of this bylaw with the exception that an activity carried out by Residential Artisans shall be permitted to undertake outdoor activity between the hours of 10:00 AM and 12:00 PM and 2:00 PM to 4:00 PM (except Sundays and Statutory Holidays) and shall be permitted to display their crafts outdoors as long as the display area **does not** exceed 5% of the lot area or 50 m<sup>2</sup> whichever is smaller;

**"HORTICULTURE"** means the growing of flowers, fruits, vegetables, plants, shrubs and trees, indoors or outdoors, for personal enjoyment and consumption, and includes Personal Cannabis use (four plants or less), but **excludes** all other cannabis-related plants and products, including, but not limited to, Cannabis Cultivation and Cannabis Micro Cultivation, Cannabis Production, Cannabis Micro-Production and Cannabis Retail Stores.

**"HOTEL"** means a building in which the transient public are provided, for consideration, with:

- a) Lodging without provision of housekeeping facilities, and
- b) An office, with a public register, and
- c) An attendant on duty at all times, and
- d) A public dining room or restaurant, and
- e) Access to sleeping rooms through a common lobby;

**"HOUSEBOAT"** means a boat or vessel fitted for use as a dwelling, or for leisurely cruising;

**"INSTITUTION"** means an ambulance station, arena, art gallery, cemetery, college, court of law, community centre, federal office, fire hall, library, municipal office, museum, park, playground, police station, provincial office, school (excluding private educational facilities), stadium or public swimming pool and **excludes** a public storage yard or works yard;

**"KINDERGARTEN"** includes play school, day nursery and nursery school;

**"LAND"** includes the surface of water;

**"LANE"** means a highway which provides a second access to a parcel and is less than eight (8) metres wide;

**"LANEWAY HOUSE"** means an accessory detached dwelling unit constructed in a rear yard and accessed by a rear lane.

**"LIGHT INDUSTRY"** means assembly, distributing, fabricating, processing, repairing, storing, testing, or transporting of goods, machines or materials, and includes autobody shops, but **excludes** animal processing, autowrecking, bulk fuel or chemical storage or refining, gravel extraction, log storage, manufacture of concrete products, refuse disposal, and wood processing;

**"LIVE/WORK"** means the use of a portion of a building by an artisan, artist or craft person for both commercial and residential uses, where the commercial use is located on the ground floor and the residential use is located on a storey or storeys above the commercial use;

**"LIVE-ABOARD"** means a marine vessel designed primarily for the purpose of navigation, which is used incidentally as residential accommodation;

**"LIVESTOCK"** means domestic farm animals and **excludes** piggeries;

**"LODGE"** means a tourist establishment containing sleeping rooms which provide accommodation to the travelling public;

**"LOT"** means a parcel of land registered in the Land Title Office;

"**LOT AREA**" shall mean the area of a lot determined from Land Title Office records;

"**LOT COVERAGE**" means the percentage of the total horizontal area of a lot that may be built upon including accessory buildings and other structures (carports, covered patios, verandahs and decks over 0.6 meters in height); and excluding eaves to a maximum of 0.6 meters (2 feet), open courtyards, patios, driveways and parking stalls;

"**LOT LINE**" means a boundary of a parcel and in particular:

- a) front lot line means:
  - i) the lot line contiguous to a highway; and
  - ii) where the lot is contiguous to the intersection of two highways, the shorter of the lot lines contiguous to a highway other than a lane;
- b) **rear lot line** means the lot line opposite to, most distant from and not connected to the front lot line and where the rear portion of the lot is bounded by intersecting side lot line, it shall be the point of such intersection; and
- c) **side lot line** means a parcel line other than a front or rear lot line;

"**LOT WIDTH**" means one of the following:

- a) where a lot has only one front lot line, the distance measured along that front lot line, between the projections of the two flanking lot lines **OR**;
- b) where a lot has two or more front lot lines, the distance measured along the shortest front lot line between the projections of the two flanking lot lines **OR**;
- c) where a lot is a panhandle lot, the distance measured along the lot line common to the panhandle subdivision (that is, the lot line broken by the panhandle corridor opening into the body of the panhandle lot), and measured along that lot line between the flanking lot lines so as to include the panhandle, **OR**;
- d) where a lot is a cul de sac lot or other irregularly shaped lot, the horizontal distance between projected flanking lot lines measured 10 metres inside the lot from the lot line common to the road right-of-way;

"**MARINA**" means a boat moorage or launching facility which may include a dock, pier, wharf or float and which may offer boat-related sales, service, boat sales, boat rentals, and related showers and washroom facilities, but **excludes** rental of powered personal water craft (including jet skis), boat building and heavy repairs;

"**MARINE AND FISHING RELATED RETAIL**" means sales of boat and marine accessories and parts and related supplies, fishing equipment, and fishing licenses. BUT **excludes** motorized water craft sales and rentals;

**"MARINE FUEL INSTALLATION"** means the provision of tanks and pumping facilities for the storage, dispensing and sale of fuels used by boats and seaplanes unless otherwise limited in the permitted uses of a zoning schedule;

**"MEDICAL MARIHUANA CULTIVATION"** means the use of land, buildings or structures, licenced under federal regulations for the growing, and/or drying, packaging, storage, or wholesale distribution, of "Medical Marihuana."

**"MEDICAL MARIHUANA PRODUCTION"** means the use of land, buildings or structures, licenced under federal regulations for the growing, drying, processing, processing into derivative products, packaging, storage, wholesale distribution, a and sale, of any "Medical Marihuana."

**"MICROBREWERY"** means an establishment that includes the manufacturing use, licenced by the BC Liquor Control and Licensing Branch, for the brewing and bottling of beers and ales.

**"MICRODISTILLERY"** means an establishment that includes the manufacturing use, licenced by the BC Liquor Control and Licensing Branch, for the distilling of spirits.

**"MIXED COMMERCIAL-RESIDENTIAL DEVELOPMENT"** means a development where both commercial and residential floor space is designed as a single environment in which both commercial and residential amenities are provided;

**"MOBILE HOME"** means a single-family dwelling unit suitable for year-round occupancy, specially designed to be moved along the highway from time to time by means of a vehicular chassis, and that arrives at the site where it is to be occupied complete and ready for occupancy except for placing on foundation supports, connection to utilities, and some incidental assembly;

**"MOBILE VENDING"** means the sale of goods (excluding alcoholic beverages) or services from a mobile apparatus (for example a vehicle, trailer, and cart);

**"MOORAGE"** means a dock, float or buoy for the purpose of securing boats thereto;

**"MOTEL"** means a building or buildings which contains sleeping units for transient use and which may contain auxiliary assembly, commerce, entertainment, indoor recreation or restaurant uses and premises licensed to serve alcoholic beverages;

**"NATURAL BOUNDARY"** means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or 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;

**"OFFICE"** means the operation of banks, finance and trust companies, federal, provincial and municipal offices, business or professional offices, police stations, post offices, health centres, ambulance stations and fire halls, and similar uses;

**"OUTDOOR MARKET"** means the use of land, unenclosed buildings or structures or part thereof for the purpose of selling fruit, vegetables, crafts and other similar items;

**"PARKING SPACE"** means a space within a building or a parking area for the parking of one vehicle, excluding driveways, ramps, columns, office, and work areas;

**"PERSONAL CANNABIS"** means the use of land, buildings or structures on a lot, for the cultivation of no more than 4 cannabis plants per dwelling situated on the same lot, for consumption by the dwelling's residents, and no other persons.

**"PERSONAL SERVICE"** means a barbershop, beauty shop, drycleaner, Laundromat or shoe repair shop and includes the sale of goods where the sale of goods is auxiliary to the provision of a service;

**"PIGGERY"** means, other than in respect of pigs each weighing less than eighteen (18) kilograms, the raising of more than ten pigs, three or fewer of which are sows;

**"PRINCIPAL"** means the essential nature of basic and determinant characteristics as applicable to any building, structure or use;

**"PRIVATE UTILITY"** means cable television, electricity, natural gas, water (both grey and potable) distribution, sewage collection and treatment;"

**"RECREATIONAL VEHICLE"** means a motor vehicle or a vehicle towed by a motor vehicle, providing temporary living accommodation, and includes travel trailer, tent trailer, camper, caravan and motor home;

**"RESEARCH ESTABLISHMENT"** means a building or premises for used primarily for scientific research, investigation or experimentation;

**"RESIDENTIAL ARTISAN"** means a craftsperson who produces a finished product and without limiting the foregoing may include an artist, a sculptor, a potter, a weaver, a seamstress and a knitter;

**"RESORT"** means an establishment that provides accommodation to the travelling public and may contain ancillary services and recreational facilities;

**"RESTAURANT"** means a dining establishment where food is sold to the public for immediate consumption within the premises, but where no provision is made for the consumption of food in motor vehicles which are parked on the same site;

**"RESTAURANT, (DRIVE-IN)"** means a building from which food or drink is served on a self-service or car-service basis;

**"RETAIL"** includes the operation of retail stores, bakery shops, auction rooms, supermarkets, greenhouses and nurseries, but **does not** include the operation of service stations and car washes;

**"SCHOOL BUSINESS"** means the use of premises for training or instruction in business skill, arts, or sports;

**"SEASONAL OUTDOOR MARKET"** means an outdoor market operating during maximum of eight calendar months in a calendar year;

**"SECONDARY SUITE"** means an accessory dwelling unit that:

- a) is located within a single family dwelling, and;
- b) has a total floor area of not more than 90m<sup>2</sup> nor more than 40% of the total floor area of the building;
- c) is located in and part of a building which is a single real estate entity;
- d) meets all the applicable requirements from the BC Building Code.

**"SERVICE BUSINESS"** includes the operation of lock, shoe, bicycle, electronic and appliance repair shops, barbershops and beauty parlours, dance and music studios, trade, business or driving schools, restaurants and cafes, billiard halls, printing establishments, laundrettes, dry cleaners, coin operated dry cleaners, upholstery or tailor shops, parking lots and garages, clubs, fraternal lodges, radio and television stations, telephone exchanges and veterinary clinics, but **does not** include the operation of conventional service stations and car washes;

**"SETBACK"** means the minimum permitted distance required under this bylaw between a structure and a specified parcel line;

**"SHELTER RESIDENTIAL"** means a building, or part of a building, that provides temporary accommodation, without charge, to homeless persons.

**"SHOPPING CENTRE"** means a unified group of retail and office and service business establishments on a site planned, developed and managed as a single operating unit, with shared on-site parking;

**"SHORT TERM RESIDENTIAL RENTAL"** means the rental of a dwelling unit on a daily, weekly or other short term basis for less than four (4) consecutive weeks;

**"SLEEPING UNIT"** means a suite of rooms used for residential accommodation, or temporary medical respite accommodation, of one or two persons, that includes sleeping, toilet and bathing facilities, but **does not** include cooking facilities such as ranges, cooktops or hotplates.

**"SPECIALITY COMMERCIAL"** means commercial units each of which would be limited to a maximum of seven point five (7.5) meters of the frontage and an interior floor area of one hundred (100) square meters and limited to the following uses:

- a) Retail & mobile vending
- b) Service Business, but only for the following:
  - i) barber shop
  - ii) beauty parlour
  - iii) photographer studio
  - iv) picture framing studio
  - v) restaurants and cafes (but excluding take-out and drive-in restaurants or cafes)
  - vi) tailor shop
  - vii) veterinary clinic or dog grooming studio;

**"STORAGE WAREHOUSE"** means the use of a wholly enclosed building for the storage of non-hazardous goods, materials, machinery or equipment;

**"STRUCTURE"** means an erection or construction of any kind whether fixed to, supported by or sunk into land or water;

**"SUPPORT AND AMENITY SERVICES"** means meal preparation, meal service, administration services, and may include any of the following: counselling, medical services, social and recreation uses, house cleaning, and laundry service; provided to residents in conjunction with their Supportive Living Housing or Assisted Living Housing;

**"SUPPORTIVE LIVING HOUSING"** means a residential rental housing facility which provides Apartment Dwelling Units or Sleeping Units, and Support and Amenity Services;

**"SUPPLEMENTARY OFFICE AND RETAIL"** means an area of up to forty percent of the commercial floor area of a building which may be used for office use and/or separate retail stores, up to 93 m<sup>2</sup> in floor area, which may be used for office use and/or separate retail stores, limited to hair dresser, bake shop, book shop, video rental shop, souvenir shop, craft shop, and art shop;

**"TASTING LOUNGE"** means an establishment, licenced by the BC Liquor Control and Licencing Branch, for the purpose of tasting beer, ale, spirits, cider, or wine, and consumption of beverages, and includes the retail sale of take home beverage containers, such as kegs, growlers, or bottles.

**"TOURIST ACCOMMODATION"** means a hotel, motel, lodge or cabin(s) which provides accommodation to the travelling public and may include accessory uses including food service, recreation facilities, office and retail, and assembly space;

**"TOURIST COMMERCIAL"** means the provision of services and the sale or rental of equipment for recreation activities normally associated with leisure;

**"TRANSPORTATION"** means the operation of bus and truck terminals, railways, freight handling, passenger and transit depots;

**"TRANSITION HOUSE"** means a single family dwelling which provides temporary housing for persons (maximum 12 persons) fleeing abusive situations, typically women and children;

**"USE"** means construction re-construction, alteration, extension, maintenance, and occupancy;

**"USABLE LOT AREA"** means the area of a lot measured in a horizontal plan between the lot boundaries, excluding land in excess of thirty (30%) percent slope;

**"UTILITY SERVICES"** means development for utility infrastructure which is likely to have a minor impact on the site or adjacent land uses by virtue of appearance, noise, size, traffic generation or operational characteristics. Typical uses include but are not limited to telephone exchanges, wire centers, switching centers, surface reservoirs or storm water detention including adjacent landscaping and walkways, minor pump houses and communication towers;

**"VETERINARY HOSPITAL"** means an establishment in which animals are cared for, treated, maintained, or hospitalized, but which **does not** provide for the boarding of animals;

**"WATERCOURSE"** is any natural or man-made depression with well-defined banks and a bed zero point six (0.6) metres or more below the surrounding land servicing to give direction to a current of water at least six (6) months of the year or having a drainage area of two (2) square kilometres or more, or as required by a designated official of the Ministry of Environment and Parks of the Province of British Columbia;

**"WINERY"** means an establishment involved in the manufacture, packaging, storing and sale of grape and fruit-based wines, including a wine bar and restaurant.

## **PART TWO - BASIC PROVISIONS**

### 201. **PROHIBITION**

No person shall use land, or construct, alter, and locate buildings and structures except as specifically permitted by this Bylaw.

### 202. **APPLICATION**

1. This Bylaw applies to all land, buildings and structures including surface of water within the boundaries of the District of Sechelt, with the exception of:
  - a) that land designated "Agricultural Land Reserve" is subject to the *Agricultural Land Commission Act*, which is subject to relevant Orders of the Provincial Agricultural Land Commission made pursuant to the *Agricultural Land Commission Act*; and
  - b) Tree Farm or Provincial Forest, and land designated in a Tree Farm License, or to land designated a Provincial Forest pursuant to the *Forest Act*, or to land designated in a Tree Farm Certificate under the *Assessment Act* so long as the land continues to be so designated.

### 203. **APPLICATION FOR REZONING**

A person wishing to have this Bylaw amended shall apply in writing at the Municipal Offices on the form prescribed in the District of Sechelt Development Procedures Bylaw No. 29, 1987.

### 204. **APPEAL UNDER BOARD OF VARIANCE**

The Board of Variance established under the Board of Variance Bylaw of the District of Sechelt shall hear and determine any appeal pursuant to Section 961 of the *Municipal Act*.

### 205. **SEVERABILITY**

If any section, sub-section, 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 remainder.

## **PART THREE - GENERAL PROVISIONS**

### 301. **APPLICABILITY OF GENERAL PROVISIONS**

Except as otherwise specified in this Bylaw, the following Sections 302 to 322 inclusive apply to all zones established under this Bylaw.

302. **PRINCIPAL BUILDING LOT**

Not more than one (1) principal building is permitted on a lot except as otherwise specified in Part IV of this Bylaw.

303. **USES PERMITTED IN ALL ZONES**

1. The following uses are permitted in all zones:
  - a) horticulture or silviculture;
  - b) forest management practices;
  - c) real estate field sales office;
  - d) a system, work, building, plant, equipment or resource owned by a Municipality, Regional District, the Province of British Columbia, and Improvement District of other government agency for the provision of water, sewer, drainage, gas, electricity, transportation, communication services or public works storage; and
  - e) temporary assembly uses to a maximum of nine (9) consecutive days for any one organization, on property owned and administered by the District of Sechelt.
  - f) Licensed Community Care Facility containing six beds or less.
  - g) public buildings, owned by the District of Sechelt, the Sunshine Coast Regional District, the province of British Columbia and the Government of Canada shall be permitted in all C-2 Zones (Commercial 2 Zones), in accordance with the provisions of the C-2 Zone.
  - h) Personal Cannabis

304. **KEEPING OF LIVESTOCK**

In the RR-1 and the RR-2 Zones, on a lot having an area **of four thousand (4,000) square metres or more**, keeping of livestock is permitted provided that:

1. The keeping of livestock shall be for the purposes of **domestic use only**;
2.
  - a) an enclosure or other structure;
  - b) feeding or drinking trough;
  - c) a structure used or intended to be used for the storage of feed, bedding or manure related to the keeping of livestock shall not be located within **seven point five (7.5) metres of a lot line**;
3. In any Residential Zone other than an R-1 Zone, on a parcel having an area of one (1) hectare or more, the use of land, buildings and structures may include the keeping of poultry or rabbits for domestic consumption only provided that:
  - a) an enclosure or other structure;
  - b) feeding or drinking trough; and
  - c) a structure used or intended to be used for the storage of feed, bedding or manure related to the keeping of rabbits or poultry shall not be located within **seven point five (7.5) metres of a parcel line**.

305. **ACCESSORY BUILDINGS AND STRUCTURES**

1. Accessory buildings and structures shall be permitted in conjunction with a principal use in any zone provided that:
  - a) accessory buildings **do not** include agricultural buildings; and
  - b) the combined gross floor area of accessory buildings and structures shall be in conformity with the regulations set out in the following table:

LOT SIZE	ACCESSORY BUILDING
i) less than 750 square metres	55 square metres
ii) less than 1500 square metres	75 square metres
iii) 1500 sq metres up to 3500 sq metres	100 square metres
iv) 3500 sq metres up to 1.2 hectares	150 square metres
v) 1.2 hectares up to 1.75 hectares	200 square metres
vi) 1.75 hectares or greater	250 square metres

- c) Accessory buildings situated on lots with a lot area of less than two thousand (2000) square metres may not be used for Bed and Breakfast operations; and

- d) Accessory buildings may not be used as dwelling units.

306. **TEMPORARY BUILDINGS**

1. A temporary building or structure may only be erected on a lot in conjunction with the construction of a principal use, and shall only be permitted for a period not to exceed the duration of such construction.
2. Temporary buildings or structures shall be subject to the following requirements:
  - a) application shall be made in writing to the Building Inspector for a permit to erect a temporary building or structure;
  - b) such permit may be granted for a period of not more than **six (6) months**, provided however, that it may be renewed upon further application for one further period not to exceed **six (6) months**;
  - c) at the expiration of a permit such temporary building or structure shall be removed and the site thereof restored as nearly as possible to its former condition.
3. Recreational vehicles or trailers may be permitted as temporary buildings or structures in conjunction with construction on a lot, subject to the obtaining of a permit as outlined in subsection 2 above, and subject to the provision of approved water, power and sanitary sewage disposal facilities (including holding tanks).
4. Notwithstanding subsections 1, 2, and 3, above, temporary toilet, washroom, shower and locker facilities may be erected or placed on a property in connection with a sports event for a maximum period of two days, subject to compliance with appropriate permit requirements and health standards.
5.
  - a) Notwithstanding subsections 1, 2, 3, and 4 above, temporary buildings or structures may be placed or erected on a property as part of a temporary special public event including special public sports events, for up to ten days subject to obtaining the necessary permits and complying with other applicable bylaws and statutory requirements.
  - b) The permit application and permit for a temporary building or structure for a special public event shall be in writing and obtained from the Building Inspector.
  - c) At the expiration of the initial ten day period, the permit issued under subsection 5(b) shall be extendible one time only upon application for an additional period of a maximum of four days.
  - d) The permit issued under subsection 5(b) shall be subject to inclusion of suitable water, power and ancillary washroom, toilet and other sanitary disposal facilities where applicable.

- e) Upon the expiration of the permit, the buildings or structures shall be removed forthwith and the property on which the temporary buildings or structures are located shall be restored to its former condition without delay and prior to reimbursement of security required under the Building Bylaw.
  - f) The placement of temporary buildings and structures for special events need not comply with setback, site coverage or height restrictions in this bylaw except where public safety is unreasonably compromised.
6. Notwithstanding subsections 1, 2, 3, 4 and 5 above, temporary buildings including recreational vehicles or trailers may be erected or placed on a property in connection with the sale of Christmas trees only during the month of December.
  7. Notwithstanding subsections 1, 2, 3, 4, 5 and 6, temporary portable modular toilet cubicles each of less than 2 square metres in area, may be located by the municipality on property owned or leased or controlled by the municipality for the use of the public on a seasonal basis for a maximum of seven months in any one calendar year.

307. **HOME OCCUPATION**

**General**

1. A home occupation must be located on or within a residential premises and must be clearly accessory to the primary residential use and may include group day care facilities in a single family dwelling and bed and breakfast accommodations; **excludes** a body shop, metal fabricating, and repair and maintenance of vehicles, boats, and other equipment, AND is subject to all other provisions of this and other bylaws of the District of Sechelt.

**External Indications**

2. No external indication shall exist that a building is used for a purpose other than that normally associated with a residential building, EXCEPT for a single non-internally illuminated sign not to exceed 0.3 m<sup>2</sup>. Signs are not permitted for home occupations carried out in multiple family buildings.

**Outdoor Use Limited**

3. All uses shall be conducted entirely within a completely enclosed building permitted under this Bylaw, EXCEPT in the case of a group day care where outdoor recreation uses are required under the *Community Care Facilities Act*; and there shall be no outdoor storage of materials, equipment, containers, or finished products.

**Employees**

4. The home occupation shall be conducted by residents in the dwelling unit, plus one other person. A home occupation in a secondary suite shall be conducted only by

residents of the secondary suite. (Where the employees of a home occupation do not frequent or conduct their occupation on the subject property, there shall be no restriction to the number of employees).

### **Product**

5. No product which is highly combustible, toxic, or potentially harmful shall be made or sold on the premises
6. No product shall be sold on the premises except that which is made or produced on the premises.

### **Vehicles**

7. Not more than one vehicle shall be used in connection with the home occupation and no such vehicle shall be in excess of 5,000 kg. GVW.

### **Customers**

8. A home occupation shall not generate pedestrian/vehicular traffic or parking so as to cause a nuisance to the neighbourhood or to a person in the vicinity in which it is located. No customers are permitted to home occupations located in multiple family buildings. Home occupations that attract customers or clients not permitted on a lot that contains a secondary suite.

### **Regulations**

9. A home occupation must have a District of Sechelt business licence. If the applicant is not the land owner, written permission from the owner must also be provided.
10. A Group Day Care facility (maximum eight children) requires approval from the Ministry of Health in accordance with the requirements of the *Community Care Facilities Act* and Child Care Regulation.
11. A home occupation must conform to all Federal and Provincial statutes and regulations including, but limited to, the *Agricultural Land Commission Act*.

### **Bed and Breakfast**

12. Despite any other provisions of this Bylaw:
  - a) Accessory buildings situated on lots with a lot area of less than two thousand (2000) square metres may not be used for Bed and Breakfast operations;
  - b) Bed and breakfast operations must be conducted within a single dwelling unit;
  - c) Not more than three (3) sleeping rooms in the dwelling unit may be used for Bed and Breakfast operations;
  - d) Not more than six (6) guests may use the bed and breakfast facility at any one time;

- e) For the purposes of this Section 307 (12), "guests" shall mean an individual who uses and directly or indirectly pays for the use of bed and breakfast facilities.
- f)
  - i) Each Bed and Breakfast operation shall provide 1 guest parking space for each guest room in addition to the parking provided for residential purposes.
  - ii) Any guest parking or guest outdoor amenity space shall be landscaped to buffer that area from abutting residential premises.
  - iii) Guest bedrooms in Bed and Breakfast operations shall not exceed 40% of the gross floor area of the residence.
  - iv) No Bed and Breakfast operation shall be permitted in a residence containing a secondary suite.

**Number of Home Occupations**

- 13. Up to two home occupations are permitted on a lot.

**Safety**

- 14. Each home occupation must be equipped with an installed smoke alarm and a minimum 5lb ABC extinguisher on site and mounted.

308. **SITING OF BUILDINGS AND STRUCTURES**

- 1. Except as otherwise provided in this Bylaw, no structure shall be located on a parcel in the setback required under this Bylaw between a structure and the specified lot line.
- 2. Except as otherwise permitted within the M-1 zoning schedule, the placement and occupation of Live-aboard and Floating Homes, whether on land, tidal or non-tidal water, are prohibited, except that a live-aboard may be occupied on tidal or non-tidal water for not more than **10 (ten)** days in any **30 (thirty)** day period.

309. **IRREGULAR SHAPED LOTS**

In the case of lots irregular in shape, the front and rear yard may only be required to be measured from one corner at the front or the rear of the building.

310. **GARAGE LOCATION AND CARPORTS ON HILLSIDES**

When the average difference in elevation between the centerline of a fully constructed road, or in the case of a road not constructed the proposed centerline elevations as deemed to be by the District within a dedicated road allowance and a **point three (0.3) metres to the rear of the front lot line is in excess of one point seventy-five (1.75) metres**, a garage or carport not exceeding **fifty (50) square metres in area**, may be sited **not less than one**

**(1) metre from the front or rear lot line**, but when so built shall, in the case of a corner lot, **not be less than six (6) metres from any side lot line common to lot and street.**

311. **SITING EXCEPTIONS**

1. "Where chimneys, gutters, or eaves, project beyond the face of the building, the minimum distance to an abutting lot line as permitted elsewhere in this Bylaw may be reduced by not more than 700 mm (27.56 inches) provided that such reduction shall only apply to the projected feature."
2. Floodlights, warning devices, observation and water towers; radio and television antennae, masts and aerials, utility wires, poles and guys; flag pole, sign and sign structures, shall **not** be subject to siting.

312. **SITING REQUIREMENTS - APPLICATION TO STRATA AND BARE LAND STRATA LOTS**

Siting regulations under this Bylaw apply to bare land strata lots.

The interior side parcel line requirements of this Bylaw shall not apply to strata lots under a registered plan pursuant to the *Condominium Act* where there is a common wall shared by two or more dwellings within a building.

313. **HEIGHT OF FENCES**

Subject to the provisions of any other Municipal bylaw relating to the construction and maintenance of fences:

1. In any R. Zone, no fence, or wall:
  - a) constructed between the front parcel line and front building line shall exceed one point three (1.3) metres in height unless such construction is adjacent to Provincial Highway or Arterial Road (as defined under the Official Community Plan), in which case the maximum permitted height shall be two point zero (2.0) metres.
  - b) constructed on the parcel other than between the front parcel line and the front building line shall **exceed two (2) metres in height.**
2. In any C, I, M or P zone, no fence, wall or projecting retaining wall:
  - a) constructed between the front parcel line and the front building line shall **exceed one (1.0) metre in height**, except where this Bylaw requires otherwise;
  - b) constructed on the parcel other than between the front parcel line and the front building line shall **exceed two point five (2.5) metres in height.**
3. Notwithstanding clauses (a) and (b) above, and with the exception of playing fields, the maximum height for chain link type fences **shall be two point five (2.5) metres.**

314. **HEIGHT EXCEPTIONS**

Church spires, chimneys, flag poles, masts, aerials, fire hall hose drying towers, water tanks, domes, windmills, public monuments, observation towers, transmission towers, elevators and ventilation machinery and farm buildings including silos, shall not be subject to the height requirements of this Bylaw provided that such structures occupy no more than **ten (10%) percent** of the surface of the parcel, or if situated on a building, not more than **fifteen (15%) percent** of the roof area of the principal building.

315. **MINIMUM LOT AREA**

No plan of subdivision shall be approved where any lot proposed to be created by the plan of subdivision would have an area less than that specified in **Part Four** of this Bylaw.

REPEALED

316. **LOT SIZE EXCEPTIONS**

Minimum lot size provisions of this Bylaw do not apply in the case where:

- a) Two or more lots are to be consolidated into one parcel, or
- b) the lot being created is to be used solely for an unattended building or equipment necessary for the operation of:
  - a community sewer system;
  - a community water system;
  - a community gas distribution system;
  - a radio or television receiving or broadcasting antenna;
  - a telecommunication relay station;
  - an air navigation aid; or
  - an electrical substation or power generation station;
- c) the parcel is intended for public park/space; or
- d) lot lines are relocated to facilitate an existing development or improve a subdivision pattern provided that:
  - i) no additional parcels are created,
  - ii) all parts of all parcels are contiguous, and
  - iii) no parcel shall be enlarged to a size permitting further subdivision.
- e) buildings or other development are proposed on lots, on record in the Land Title Office as of December 31st, 1995, where the lot area or width does not meet the requirements of a zoning schedule, but the proposed development conforms with all other District of Sechelt requirements.

317. **VISION CLEARANCE AT INTERSECTION**

Except in the C-2 Zone, no fence, wall, or structure other than a permitted principal building or accessory building shall be erected to a greater height than one point zero (1.0) metres and so as to obstruct vision clearance in the area bounded by:

- a) the intersecting lot lines at a street corner and a line joining points along said lot lines **nine (9) metres from their point of intersection.**
- b) the intersecting lot lines at a lane corner and line joining points along said lot lines **six (6) metres from their point of intersection.** A lane intersection shall include the intersection of a lane with any other lane or with a street.

Subject to the provision that where a street intersects with an Arterial Highway, the provision of B.C. Regulations 822-74 shall apply.

318. **DERELICT VEHICLES AND AIRCRAFT**

No wrecked, derelict or abandoned motor vehicle or trailer or aircraft, or engine, frame, chassis, body, box or van unit thereof shall be kept, stored or parked except within a building in any Zone except where otherwise provided by this Bylaw.

319. **DERELICT BOATS**

No wrecked, derelict or abandoned boat or vessel or parts thereof shall be kept, stored or parked except within a building in any Zone except where otherwise provided by this Bylaw.

REPEALED

320. **FLOOD CONTROL REQUIREMENTS**

1. **Definitions**

For the purpose of this section the following definitions shall apply:

**Alluvial Fan** means the alluvial deposit of a stream where it issues from a steep mountain valley or gorge upon a plain or at the junction of a tributary stream with the main stream.

**Designated Flood** means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval, based on a frequency analysis of unregulated historic flood records or by regional analysis where there is inadequate stream flow data available. Where the flow of a large watercourse is controlled by a major dam, the designated flood shall be set on a site specific basis.

**Designated Flood Level** means the observed or calculated elevation for the

**Designated Flood** and is used in the calculation of the Flood Construction Level.

**Flood Construction Level** means the Designated Flood Level plus the allowance for freeboard and is used to establish the elevation of the underside of a wooden floor system or top of a concrete slab for habitable buildings. In the case of a mobile home, the ground level or top of a concrete or asphalt pad, on which it is located shall be no lower than the above-described elevation. It also establishes the minimum crest level of a Standard Dyke. Where the Designated Flood Level cannot be determined or where there are overriding factors, an assessed height above the natural boundary of the waterbody or above the natural ground elevation may be used.

**Floodproofing** means the alteration of land or structures either physically or in use to reduce or eliminate flood damage and includes the use of elevation and/or building setbacks from water bodies to maintain a floodway and to allow for potential erosion.

**Freeboard** means a vertical distance added to the Designated Flood Level and is used to establish the Flood Construction Level.

**Habitable Area** means any room or space within a building or structure which is or can be used for human occupancy, commercial sales, or storage of goods, possessions or equipment (including furnaces) which would be subject to damage if flooded.

**Mobile Home** means a structure manufactured as a unit, intended to be occupied in a place other than at its manufacturer, and designed as a dwelling unit, and specifically **excludes** recreation vehicles.

**Natural Boundary** means the visible high watermark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself (Land Act, Section 1). In addition, the natural boundary includes the best estimate of the edge of dormant or old side channels and marsh areas.

**Pad** means a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a mobile home or unit.

**Setback** means a withdrawal of a building or landfill from the natural boundary or other reference line to maintain a floodway and to allow for potential land erosion.

**Watercourse** means any natural or man-made depression with well defined banks and a bed **zero point six (0.6) metres or more below the surrounding land** serving to give direction to a current of water at least **six (6) months of the year** or having a drainage area of **two (2) square kilometres or more** upstream of the point of consideration, or as designated by the Minister of Environment and Parks, or a Designated Official.

Pursuant to Section 969 of the *Municipal Act*, areas of the District of Sechelt hereby designated as floodplain are as follows:

1. The alluvial fans of Chapman Creek, Wilson Creek, and Gray Creek, Angus Creek, and Burnett Creek as shown on the attached Schedule "B" of this Bylaw.
2. The alluvial fan of Irvine Creek, the mapping of which was not available at the time of adoption of this Bylaw.
3. Designation of all other floodplain areas of the District of Sechelt are described by the following provisions (except where the Flood Construction Level has been determined in response to a site-specific situation) until such time as floodplain mapping is prepared.

2. **Setback Requirements**

Notwithstanding any other provisions of this Bylaw, no building, mobile home or unit, modular home or structure or any part thereof shall be constructed, reconstructed, moved, extended or located:

- i) within seven point five (7.5) metres of the natural boundary of a lake, swamp or pond;
- ii) within fifteen (15) metres of the natural boundary of the sea;
- iii) within thirty (30) metres of the natural boundary of Chapman Creek and Gray Creek, and within fifteen (15) metres of the natural boundary of any other watercourse.

3. **Elevation Requirements**

a) Notwithstanding any other provisions of this Bylaw, no building, mobile home or unit, modular home or structure or any part thereof shall be constructed, reconstructed, moved, extended or located with the underside of a wooden floor system or top of a concrete slab of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a mobile home or unit the ground level or top of the concrete or asphalt pad on which it is located:

- i) lower than the Flood Construction Level for any watercourse or the sea where it has been determined to the satisfaction of the Ministry of Environment and Parks, or where it has not been determined or a site-specific Flood Construction Level has not been determined;
- ii) nor lower than three (3.0) metres above the natural boundary of Chapman Creek and Gray Creek;
- iii) nor lower than one point five (1.5) metres above the natural boundary of the sea, a lake, swamp or pond;
- iv) nor lower than one point (1.5) metres above the natural boundary of any other watercourse;
- v) nor in any case lower than **zero point six (0.6) metres above the natural ground elevation taken at any point on the perimeter of the building** for locations on the alluvial fans of Chapman Creek, Wilson Creek, Gray Creek, Angus Creek, and Burnett Creek as shown on the attached Schedule "B", and the alluvial fan of Irvine Creek, the mapping of which was not available at the time of adoption of this Bylaw.

- b) The required elevation may be achieved by structural elevation of the said habitable, business, or storage area or by adequately compacted landfill on which any building is to be constructed or mobile home or unit located, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwater.
- c) Where landfill is used to achieve the required elevation stated in clause 3.(a) above, no portion of the landfill slope shall be closer than the distances in clause 2 from the natural boundary, and the face of the landfill slope shall be adequately protected against erosion from flood flows, wave action or other debris.
- d) Foundations of construction in alluvial fan areas shall be designed by a Professional Engineer to ensure that structures are anchored to minimize the impact of flood, sediment and erosion damage; footings are extended below scour depth, or fill materials are armoured where elevation is achieved by fill, to protect against scour, erosion and flood flows.

4. **Exemptions**

**Clause 3 shall not apply to:**

- a) A renovation of an existing building or structure that does not involve an addition thereto; or an addition to a building or structure that would increase the size of the building or structure by less than twenty-five (25%) percent of the floor area existing as of April 27th, 1976.
- b) That portion of a building or structure to be used as a carport or garage.
- c) On-loading and off-loading facilities associated with water-oriented industry. Main electrical switchgear shall be placed above the Flood Construction Level.

5. **Purposes of Conditions**

The purpose of these conditions is to reduce the risk of injury, loss of life, and property damage due to flooding and erosion. However, the District of Sechelt **does not** represent to the owner or any other person that any building constructed or mobile home or unit located in accordance with the following conditions will not be damaged by flooding or erosion.

6. **Relaxation**

The Ministry of Environment, Lands and Parks may exempt developments from the requirements of Section 320, **except** for the 15.0 metre setback from the natural boundary of the ocean from S.I.G.D. #2 to Shorncliffe Avenue.

321. **AGRICULTURAL LAND RESERVE**

1. Notwithstanding the provisions of this Bylaw, land within the Municipality designated as "Agricultural Land Reserve" pursuant to the *Agricultural Land Commission Act*, shall be subject to the *Agricultural Land Commission Act* regulations made under the *Agricultural Land Commission Act*, and relevant orders of the Agricultural Land Commission under the *Agricultural Land Commission Act*; that is to say, and without limiting the generality of the foregoing, where land within an "Agricultural Land Reserve" is also within a zone established under this Bylaw, the bylaw shall be binding only insofar as it is not contrary to the *Agricultural Land Commission Act*, regulations made thereunder and orders of the Agricultural Land Commission.
2. Where land outside an "Agricultural Land Reserve" is pursuant to the *Agricultural Land Commission Act*, regulations made thereunder, or orders of the Agricultural Land Commission excluded from an "Agricultural Land Reserve" or exempted by the *Agricultural Land Commission Act*, or exempted by regulations made under the *Agricultural Land Commission Act*, the provisions of this bylaw shall be binding.

322. **NON-CONFORMING USES**

The lawful use of land, buildings, or structures existing at the time of the adoption of this Bylaw may be continued, subject to the following provisions of Section 970 of the *Municipal Act*:

"970 (1) Where land, a building or a structure is lawfully used, at the time of the enactment of a rural land use bylaw or adoption of a bylaw under this Division, but that use **does not** conform to the bylaw, the use may be continued as a non-conforming use, but if the non-conforming use is discontinued for a continuous period of 6 months, any subsequent use of the land, building or structure become subject to the bylaw.

970 (2) The use of land, buildings or structures for seasonal uses or for agricultural purposes is not discontinued as a result of normal seasonal or agricultural practices, including:

- a) seasonal, market or production cycles,
- b) the control of disease or pests, or
- c) the repair, replacement or installation of equipment to meet standards for the health or safety of people or animals.

970 (3) A building or structure that is lawfully under construction at the time of the enactment or a rural land use bylaw or the adoption of a bylaw under this Division shall, for the purpose of this section, be deemed to be a building or structure existing at that time and to be then in use for its intended purposes as determined from the building permit authorizing its construction.

970 (4) Where subsection (1) and (2) authorize a non-conforming use of part of a building or structure to continue, the whole of that building or structure may be used for that non-conforming use.

970 (5) A structure alteration or addition, except one that is required by an enactment or permitted by a Board of Variance under Section 962 (2), shall not, subject to subsection (9), be made in or to a building or structure while the non-conforming use is continued in all or any part of it.

970 (6) In relation to land, subsection (1) or (4) **does not** authorize the non-conforming use of land to be continued on a scale or to an extent or degree greater than that at the time of the enactment of the rural land use bylaw or the adoption of the bylaw under this Division.

970 (7) For the purposes of this section, a change of owners, tenants or occupants of any land, or of a building or structure, **does not**, by reason only of the change, affect the use of the land or building or structure.

970 (8) Where a building or a structure, the use of which **does not** conform to the provisions of a rural land use bylaw or a bylaw under this Division is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the building inspector, it shall not be repaired or reconstructed except for a conforming use in accordance with the bylaw.

970 (9) Where:

- a) the siting, size or dimensions of:
  - i) a building or structure, or
  - ii) off-street parking or loading spaces, or
- b) the number of off-street parking or loading spaces

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

### 323. **SHORT TERM RESIDENTIAL RENTAL**

1. The registered owner of a dwelling unit that is used for Short Term Residential Rental must have a valid District of Sechelt Business License with respect to that use.
2. No property shall be used for Short Term Residential Rental except in accordance with the terms and conditions of a valid District of Sechelt Business License issued for that purpose.

324. **SECONDARY SUITES**

1. A secondary suite is a permitted use within any single family dwelling that is in conformance with this bylaw.
2. Only one secondary suite is permitted in any single family dwelling.
3. The owner of a single family dwelling containing a secondary suite shall be resident of either the principal dwelling unit or the secondary suite for a minimum of 9 months a year.
4. Off-street parking shall be provided and maintained in accordance with Part Eleven of this bylaw.
5. Home occupations on a lot containing a secondary suite shall be in accordance with Section 307 (HOME OCCUPATION) of this bylaw.
6. A secondary suite must be registered with the District of Sechelt.

325. **MOBILE VENDING**

1. Mobile Vending use is permitted as an accessory use in the following zones and on certain lands subject to the conditions outlined in this section:
  - a) in zones where seasonal outdoor market is a permitted use;
  - b) in zones where retail is a permitted use, provided the lot area is no less than 2,000 m<sup>2</sup> (approx. ½ acre)
  - c) on any municipally owned lands subject to the applicable municipal requirements.
2. Mobile Vending shall not impede access nor replace any parking spaces that are required under Part eleven of this bylaw for the use on a lot.
3. Mobile Vending equipment shall not remain overnight on the lot where the Mobile Vending sales take place.
4. Any Mobile Vending operator shall have a valid District of Sechelt Business License.
5. Mobile Vending operators shall provide sufficient garbage receptacles and daily garbage removal.
6. Mobile Vending use is only allowed on a lot where a washroom facility is available for mobile vending customers.
7. Mobile Vending operators shall have all applicable health or safety permits posted.
8. Mobile Vending locations shall have safe access and egress.

326. **USES PROHIBITED IN ALL RESIDENTIAL ZONES**

1. With the exception of the Personal Cannabis use, no person shall use residential premises for the cultivation or production of cannabis, except a person who is authorized to do so under Part 14 of the Cannabis Regulations under the *Cannabis Act*. Those persons authorized under the Cannabis Regulations and *Cannabis Act* may not cultivate or produce cannabis in a multi-unit development or in any structure that does not have a District of Sechelt Building Permit for a Cannabis Production facility.

327. **CANNABIS SPECIFIC USE REGULATIONS**

1. **CANNABIS RETAIL STORES**

Cannabis Retail establishments are permitted in select C-2-Commercial zones which are also designated in the Official Community Plan as either *Downtown Centre* (in schedule C1 of the OCP) or *Regional Commercial* (in Schedule C3 of the OCP)

- (a) No primary public entry to a cannabis retail store shall be located within 150 m of a parcel boundary of a public elementary or secondary school, including:
  - i) Chatelech Secondary School located at 5904 Cowrie Street;
  - ii) Kinnikinnick Elementary School located 6030 Lighthouse Avenue;
  - iii) West Sechelt Elementary School located at 5609 Mason Road;
  - iv) Davis Bay Elementary School located at 5078 Davis Bay Road.
- (b) Notwithstanding 327.1(a), no primary public entry to a cannabis retail store shall be located within 50 m of a parcel boundary of the Sunshine Coast Alternative School located on 5545-5549 Inlet Road; AND
- (c) All facilities must have an odour control system so that any odour associated with the cannabis use cannot be detected beyond the property line of the lot on which the cannabis retail establishment is located.

2. **CANNABIS PRODUCTION AND CULTIVATION - INDUSTRIAL AREAS**

Cannabis Production and Cultivation facilities are permitted in designated Industrial zones and are subject to the following conditions:

- (a) All production activities must occur within an enclosed facility;
- (b) No outdoor cultivation, production or storage is permitted;
- (c) No building or structure is located within 50 m of any lot line abutting a residential area zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any Comprehensive Development Zone;

- (d) No facility may be located within 300 m of an elementary or secondary school;
- (e) The minimum lot area for a standard production facility is 3,000 m<sup>2</sup>; AND,
- (f) All facilities must have an odour control system so that any odour associated with the cannabis use cannot be detected beyond the property line of the lot on which the cannabis production facility is located.

**3. CANNABIS, MICRO-PRODUCTION AND MICRO-CULTIVATION - INDUSTRIAL AREAS**

Cannabis Micro-Production and Micro-Cultivation is permitted in designated Industrial zones subject to the following conditions:

- (a) All production activities must occur within an enclosed facility;
- (b) No outdoor cultivation, production or storage is permitted;
- (c) No building or structure is located within 50 m of any lot line abutting a residential area zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any Comprehensive Development Zone;
- (d) No facility may be located within 300 m of an elementary or secondary school;
- (e) The minimum lot area for a micro-production facility is 3,000 m<sup>2</sup>; AND,
- (f) All facilities must have an odour control system so that any odour associated with the cannabis use cannot be detected beyond the property line of the lot on which the cannabis production facility is located.

#### 4. CANNABIS CULTIVATION - AGRICULTURAL AREAS

Cannabis uses on agricultural lands are limited to the RR-2 zone and are limited to authorized standard cultivation, and nursery licensed operations only and are subject to the following conditions:

- (a) The use must comply with the provincial Agricultural Land Reserve Use Regulation (BC Reg 30/2019) as amended from time to time.
- (b) The cannabis cultivation use is entirely within the BC Agriculture Land Reserve;
- (c) A maximum of 1 Health Canada Cannabis Cultivation Licence (of any type) is permitted on a lot.
- (d) The maximum combined gross floor area of all the building(s) associated with a Health Canada Cannabis Standard Cultivation Licence is 1,000 m<sup>2</sup>.
- (e) No building or structure is located within 100 m of any lot line;
- (g) No security fencing greater than 1.2 m in height is located within 30 m of any lot line;
- (h) Cannabis cultivation is prohibited in a structure with a base consisting, in part or entirely, of any material that is not soil;
- (i) No building height exceeds 10.5 m; AND
- (j) Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs 2 m, or more, in width and 1.5 m, or more in height.

5. **CANNABIS, MICRO CULTIVATION - AGRICULTURAL AREAS**

Cannabis Micro-Cultivation is limited to the RR-2 zone and are limited to authorized micro cultivation and nursery licenced operations only, and are subject to the following conditions:

- (a) The use must comply with the provincial Agricultural Land Reserve Use Regulation (BC Reg 30/2019) as amended from time to time.
- (b) The cannabis micro-cultivation use is entirely within the BC Agriculture Land Reserve;
- (c) A maximum of 1 Health Canada Cannabis Cultivation Licence (of any type) is allowed on a lot.
- (d) The maximum combined gross floor area of the building(s) associated with a Health Canada Cannabis Micro-Cultivation Licence on a lot is 500 m<sup>2</sup>.
- (e) No building or structure is located within 100 m of any lot line;
- (f) No security fencing greater than 1.2 m in height is located within 30 m of any lot line;
- (g) Cannabis Micro-Cultivation is prohibited in a structure with a base consisting, in part or entirely, of any material that is not soil;
- (h) No building height exceeds 10.5 m; AND
- (i) Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs 3 m, or more, in width and 1.5 m, or more in height.

**PART FOUR - ESTABLISHMENT AND REGULATION OF ZONES**

401. **ESTABLISHMENT OF ZONES**

**R ZONES**

R-1	RESIDENTIAL 1
R-2	RESIDENTIAL 2
R-3	RESIDENTIAL 3
R-4	RESIDENTIAL 4
R-5	RESIDENTIAL 5
R-7	RESIDENTIAL 7

**C ZONES**

C-1	COMMERCIAL 1
C-2	COMMERCIAL 2
C-3	COMMERCIAL 3
C-4	COMMERCIAL 4
C-5	COMMERCIAL 5
C-6	COMMERCIAL 6
C-7	COMMERCIAL 7

**I ZONES**

I-1	INDUSTRIAL 1
I-2	INDUSTRIAL 2
I-3	INDUSTRIAL 3
I-4	INDUSTRIAL 4
I-5	INDUSTRIAL 5
I-6	INDUSTRIAL 6

**M ZONES**

M-1	MARINE 1
M-2	MARINE 2
M-3	MARINE 3
M-3A	MARINE 3A
W-1	WATER 1

**RR ZONES**

RR-1	RURAL 1
RR-2	RURAL 2

**PA ZONES**

**PA-1**

**PARK, RECREATION & ASSEMBLY 1**

**PA-2**

**PARK, RECREATION & ASSEMBLY 2**

**CD ZONES**

**CD-1**

**COMPREHENSIVE DEVELOPMENT 1**

**CD-2**

**COMPREHENSIVE DEVELOPMENT 2**

**CD-3**

**COMPREHENSIVE DEVELOPMENT 3**

**CD-4**

**COMPREHENSIVE DEVELOPMENT 4**

**CD-5**

**COMPREHENSIVE DEVELOPMENT 5**

**CD-6**

**COMPREHENSIVE DEVELOPMENT 6**

**CD-7**

**COMPREHENSIVE DEVELOPMENT 7**

**CD-8**

**COMPREHENSIVE DEVELOPMENT 8**

**CD-9**

**COMPREHENSIVE DEVELOPMENT 9**

**CD-10**

**COMPREHENSIVE DEVELOPMENT 10**

**CD-12**

**COMPREHENSIVE DEVELOPMENT 12**

**CD-13**

**COMPREHENSIVE DEVELOPMENT 13**

**CD-18**

**COMPREHENSIVE DEVELOPMENT 18**

**CD-20**

**COMPREHENSIVE DEVELOPMENT 20**

**CD-21**

**COMPREHENSIVE DEVELOPMENT 21**

**CD-27**

**COMPREHENSIVE DEVELOPMENT 27**

**CD-29**

**COMPREHENSIVE DEVELOPMENT 29**

**CD-30**

**COMPREHENSIVE DEVELOPMENT 30**

2. The extent of each zone is established on Schedule "A", the Official Zoning Map of this Bylaw.
3. Where a zone boundary is shown in Schedule "A", the Official Zoning Map, as following a road or water course, the centre line of such road allowance or water course shall be the zone boundary.

## **PART FIVE - RESIDENTIAL ZONES**

### 501. **R-1 - RESIDENTIAL 1 ZONE**

### 502. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as R-1:

- a) single family dwelling;
- b) with a lot area exceeding two thousand (2,000) square metres, one (1) guest cottage;
- c) with a lot area exceeding four thousand (4,000) square metres, two (2) single family dwellings;
- d) home occupation;
- e) transition house;
- f) accessory buildings, subject to the regulations in **Part 3, Section 305** of this Bylaw.
- g) Short Term Residential Rental
- h) Secondary Suites

### 503. **LOT AREA AND WIDTH**

- a) For lots serviced by Community Sewer System, the minimum lot area required is five hundred (500 m<sup>2</sup>) square metres and the minimum width is eighteen (18) metres.
- b) Smaller lots on record at the time of passing of the bylaw may be occupied by a single family dwelling.
- c) The minimum lot area for lots not serviced with Community Sewer System is nine hundred (900 m<sup>2</sup>) square metres, and the minimum width is eighteen (18) metres.

### 504. **LOT COVERAGE**

Buildings shall not cover more than 35 percent (35%) of the lot area.

505. **SITING OF BUILDINGS AND STRUCTURES**

- 1. No building or structure except a fence shall be located within:
  - a) five (5.0) metres of a front lot line;
  - b) five (5.0) metres of a rear lot line;
  - c) three (3.0) metres of one side lot line, and one point five (1.5) metres of the other side lot line, where there is no developed rear lane; where there is a rear lane, no building or part thereof shall be located within one point five (1.5) metres of any side lot line;
  - d) three (3.0) metres where the side lot line abuts a street.
- 2. Accessory buildings shall not be located within one (1.0) metre of any lot line.

506. **HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

507. **WIDTH OF BUILDING**

No building containing a dwelling unit shall have a width less than six (6.0) metres, of which at least seven point three (7.3) metres (twenty-four (24.0) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

508. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

538. **R-1A - RESIDENTIAL 1A ZONE**

539. **INTENT**

The intent of the R-1A zone is to provide an intermediate single family residential zone to supplement the existing Residential 1 and Residential 3 zones. The R-1A zone will enable land owners to subdivide land serviced by sewer to a minimum 700 m<sup>2</sup> parcels. This provides an alternative to the lot sizes provided under the R-1 zone.

540. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **R-1A**:

- a) single family dwelling;
- b) with a lot area exceeding two thousand (2,000) square metres, one (1) guest cottage;
- c) with a lot area exceeding four thousand (4,000) square metres, two (2) single family dwellings;
- d) home occupation;
- e) accessory buildings, subject to the regulations in **Part 3, Section 305** of this Bylaw.
- f) Transition Residential
- g) Secondary Suites

541. **LOT AREA AND WIDTH**

- a) For lots serviced by Community Sewer System, the minimum lot area required is seven hundred (700 m<sup>2</sup>) square metres and the minimum width is eighteen (18) metres.
- b) The minimum lot area for lots not serviced with Community Sewer System is nine hundred (900 m<sup>2</sup>) square metres, and the minimum width is eighteen (18) metres.

542. **LOT COVERAGE**

Buildings shall not cover more than 35 percent (35%) of the lot area.

543. **SITING OF BUILDINGS AND STRUCTURES**

1. No building or structure except a fence shall be located within:
  - a) five (5.0) metres of a front lot line;
  - b) five (5.0) metres of a rear lot line;
  - c) three (3.0) metres of one side lot line, and one point five (1.5) metres of the other side lot line, where there is no developed rear lane; where there is a rear lane, no building or part thereof shall be located within one point five (1.5) metres of any side lot line;
  - d) three (3.0) metres where the side lot line abuts a street.
2. Accessory buildings shall not be located within one (1.0) metre of any lot line.

544. **HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

545. **WIDTH OF BUILDING**

No building containing a dwelling unit shall have a width less than six (6.0) metres, of which at least seven point three (7.3) metres (twenty-four (24.0) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

546. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

577. **R-1B - RESIDENTIAL 1B ZONE**

578. **INTENT**

The intent of the R-1B zone is to provide an intermediate single family residential zone to supplement the existing Residential 1 and Residential 3 zones. The R-1A zone will enable land owners to subdivide land serviced by sewer to a minimum 900 m<sup>2</sup> parcels. This provides an alternative to the lot sizes provided under the R-1 zone.

579. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **R-1B**:

- a) single family dwelling;
- b) with a lot area exceeding two thousand (2,000) square metres, one (1) guest cottage;
- c) with a lot area exceeding four thousand (4,000) square metres, two (2) single family dwellings;
- d) home occupation;
- e) accessory buildings, subject to the regulations in **Part 3, Section 305** of this Bylaw.
- f) transition residential
- g) secondary suites

580. **LOT AREA AND WIDTH**

- a) For lots serviced by Community Sewer System, the minimum lot area required is nine hundred (900 m<sup>2</sup>) square metres and the minimum width is eighteen (18) metres.
- b) The minimum lot area for lots not serviced with Community Sewer System is nine hundred (2,000 m<sup>2</sup>) square metres, and the minimum width is eighteen (18) metres.
- c) Notwithstanding subsections (a) and (b), a lot in existence and registered in the Land Title Office prior to September 1, 1995 may be developed.

581. **LOT COVERAGE**

Buildings shall not cover more than 35 percent (35%) of the lot area.

582. **SITING OF BUILDINGS AND STRUCTURES**

- 1. No building or structure except a fence shall be located within:
  - a) five (5.0) metres of a front lot line;
  - b) five (5.0) metres of a rear lot line;

- c)
  - i) One point five (1.5) metres of any side lot line where there is a rear lane, or
  - ii) three (3.0) metres of one side lot line, and one point five (1.5) metres of the other side lot line, where there is no developed rear lane, and
  - iii) three (3.0) metres of a side lot line where that side lot line abuts a street or a lane.

2. Accessory buildings shall not be located within one (1.0) metre of any lot line.

583. **HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

584. **WIDTH OF BUILDING**

No building containing a dwelling unit shall have a width less than six (6.0) metres, of which at least seven point three (7.3) metres (twenty-four (24.0) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

585. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

509. **R-2 - RESIDENTIAL 2 ZONE**

510. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **R-2**:

- a) single family dwelling;
- b) two-family dwelling;
- c) home occupation;
- d) accessory buildings, subject to the regulations in **Part 3, Section 305** of this Bylaw.
- e) Short Term Residential Rental
- f) Secondary suites

511. **LOT AREA AND WIDTH**

- a) The minimum lot area required is eleven hundred and ten (1,110) square metres and the minimum width is eighteen (18) metres.
- b) Smaller lots on record at the time of passing of the Bylaw may be occupied by a single family dwelling.

512. **LOT COVERAGE**

Buildings shall not cover more than forty (40%) percent of the lot area.

513. **SITING OF BUILDINGS AND STRUCTURES**

1. No principle building or structure except a fence shall be located within:
  - a) five (5.0) metres of a front lot line;
  - b) five (5.0) metres of a rear lot line;
  - c) three (3.0) metres of one side lot line, and one point five (1.5) metres of the other side lot line, where there is no developed rear lane; where there is a rear lane, no building or part thereof shall be located within one point five (1.5) metres of any side lot line.
  - d) three (3.0) metres where the side lot line abuts a street.
2. Accessory buildings shall not be located within one (1) metre of any lot line.

514. **HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height.

b) No accessory building shall exceed six (6.0) metres in height.

515. **WIDTH OF BUILDING**

No building containing a dwelling unit shall have a width less than six (6) metres, of which at least seven point three (7.3) metres (twenty-four (24) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

516. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

516.1 **R-2A - RESIDENTIAL VILLAGE INFILL R-2A ZONE**

516.2 **INTENT**

Properties in this zone are designated as Village Residential Infill in the OCP, which supports small-scale incremental infill on existing single residential lots. The R-2A zone provides for a range of residential infill options for properties that have rear lane access available. Within the prescribed height, setback, floor area ratio and site coverage limits, property owners have the option of building several building types.

516.3 **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **R-2A**:

**Principal Uses**

- a) Single-Family Dwelling;
- b) Two-Family Dwelling on lots over seven hundred (700) square metres;

**Accessory Uses**

- c) Secondary Suite, accessory to a Single-Family Dwelling;
- d) Laneway House on lots over seven hundred (700) square metres, accessory to a Single-Family Dwelling;
- e) Accessory Buildings, subject to the regulations in Part 3, Section 305 of this Bylaw;
- f) Home Occupation, subject to:
  - i) Despite Part 3, Section 307 of this Bylaw, Bed & Breakfast use is not permitted;

516.4 **DENSITY AND LOT COVERAGE**

- a) The maximum floor area ratio (FAR) for a single-family dwelling is fifty (50) percent.
- b) Buildings and structures shall not cover more than forty-five (45) percent of the lot area.
- c) Impervious surfaces including patios, decks, and pavement shall not cover more than fifty (55) percent of the lot area.

516.5 **LOT AREA AND WIDTH**

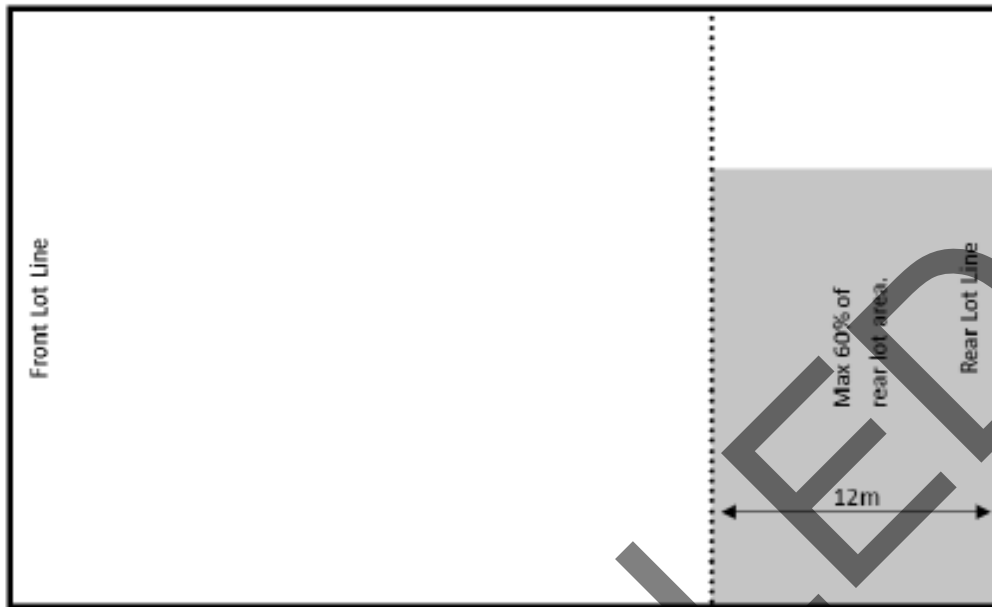
- a) The minimum lot area required is seven hundred (700) square metres and the minimum width is eighteen (18) metres.

- b) Despite Section 516.5(a) if the owner of land proposed to be subdivided pays to the District prior to the time of subdivision approval, an amount of \$5,000 per additional Lot to be deposited in the Community Amenity Reserve Fund, the minimum lot area required is three hundred and fifty (350) square metres.
- c) Section 516.5(b) applies exclusively to the property located at 5547 Trail Avenue, legally described as Lot 13 Block 11 District Lot 303 Plan VAP8400 PID: 010-092-561.

**516.6 SITING OF BUILDINGS AND STRUCTURES**

- a) No principal building or structure except a fence shall be located within:
  - i) five (5.0) metres of a front lot line;
  - ii) two (2.0) metres of a rear lot line;
  - iii) three (3.0) metres of one side lot line, and one point five (1.5) metres of the other side lot line, where there is no developed rear lane; where there is a rear lane, no building or part thereof shall be located within one point five (1.5) metres of any side lot line;
  - iv) three (3.0) metres where the side lot line abuts a street;
  - v) one (1.0) metre of a corner truncation;
  - vi) Accessory buildings shall not be located within one (1) metre of any lot line;
- b) A laneway house is subject to the following siting regulations:
  - i) A laneway house must be setback a minimum of seven-point-five (7.5) metres from the principal dwelling.
  - ii) A laneway house footprint must be sited entirely within twelve (12) metres of the rear lot line.
  - iii) A laneway house may not occupy more than 60% of the width of the rear parcel area.

Figure showing rear parcel area and siting of laneway home:



516.7 **HEIGHT OF BUILDINGS**

- a) The maximum height of a single family or two-family dwelling is eight point five (8.5) metres;
- b) The maximum height of a laneway house is six (6.0) metres;
- c) The maximum height of an accessory building is four point five (4.5) metres.

516.8 **OFF-STREET PARKING**

- a) Off-street parking shall be provided and maintained in accordance with Part Eleven of this Bylaw;
- b) One (1) off-street parking space must be provided for a laneway house.

516.9 **CONDITIONS OF USE**

- a) The maximum permitted floor area of a laneway house is ninety (90) square metres.
  - i) An additional thirty-seven (37) square metres is permitted for enclosed parking.

517. **R-3 - RESIDENTIAL 3 ZONE**

518. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **R-3**:

- a) single family dwellings;
- b) home occupation;
- c) accessory buildings, subject to the regulations in **Part 3, Section 305** of this Bylaw.
- d) Short Term Residential Rental
- e) Secondary Suites

519. **LOT AREA AND WIDTH**

- a) The minimum lot area for new subdivisions for a lot not serviced by Community Sewer System is 2,000 m<sup>2</sup> and the minimum width is 23 m. The minimum lot area for new subdivisions for a lot serviced by Community Sewer System is 900 m<sup>2</sup> and the minimum width is 23 m.
- b) Smaller lots on record at the time of passing of the Bylaw may be occupied by a single-family dwelling.

520. **BUILDINGS PER LOT**

Two (2) single family dwellings are permitted on a lot of two thousand (2,000) square metres or more.

521. **LOT COVERAGE**

Buildings or structures shall not cover more than:

- a) Twenty percent (20%) of a lot area that is greater than 2,000 square metres, or;
- b) Thirty five percent (35%) of a lot area that is 2,000 square metres or less.

522. **SITING OF BUILDINGS AND STRUCTURES**

1. No building or structure except a fence shall be located within:
  - a) five (5.0) metres of a front lot line;
  - b) five (5.0) metres of a rear lot line;
  - c) three (3.0) metres of one side lot line, and one point five (1.5) metres of the other side lot line, where there is no developed rear lane; where there is a rear lane, no building or part thereof shall be located within one point five (1.5) metres of any side lot line.
  - d) three (3.0) metres where the side lot line abuts a street.
2. Accessory buildings shall not be located within one (1.0) metre of any lot line.

523. **HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height. b) No accessory building shall exceed six (6.0) metres in height.

524. **WIDTH OF BUILDING**

No building containing a dwelling unit shall have a width less than six (6) metres, of which at least seven point three (7.3) metres (twenty-four (24) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

525. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with Part Eleven of this Bylaw.

526. **R-4 - RESIDENTIAL 4 ZONE**

527. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **R-4**:

- a) multiple family dwelling;
- b) home occupations;
- c) accessory buildings, subject to the regulations in **Part 3, Section 305** of this Bylaw.

528. **LOT AREA AND WIDTH**

The minimum lot area required is one thousand (1,000) square metres, and the minimum width twenty-five (25) metres.

529. **DENSITY**

- a) The number of dwelling units per lot for apartments shall not exceed one (1) for each two hundred (200) square metres.
- b) The number of dwelling units per lot for townhouses shall not exceed one (1) per each two hundred and fifty (250) square metres.
- c) The number of dwelling units per lot for apartments or townhouses shall not exceed one (1) per each one hundred and twenty (120) square metres of lot area where the District of Sechelt and the owner have entered into a housing agreement under Section 905 of the *Local Government Act*.

530. **LOT COVERAGE**

Buildings, parking area and driveways shall not cover more than seventy-five (75%) percent of the lot area.

531. **SITING OF BUILDINGS AND STRUCTURES**

1. No principle building or structure except a fence shall be located within:
  - a) seven point five (7.5) metres of a front lot line;
  - b) seven point five (7.5) metres of a rear lot line;
  - c) six (6.0) metres of one side lot line for apartments;
  - d) three (3.0) metres of a side lot line for townhouses;
  - e) three (3.0) metres where the side lot line abuts a street.
2. Accessory buildings shall not be located within one (1.0) metre of any lot line.

532. **HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

533. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with Part Eleven of this Bylaw.

533.1 **SITE SPECIFIC USES**

Despite regulations for this zone, the following site specific uses, densities, and regulations apply to the noted properties:

1. On PARCEL C DISTRICT LOT 304 PLAN 15854, subject to a housing agreement for 100% rental units, the following applies:
  - a) The number of dwelling units for apartments shall not exceed 170 units per hectare.
  - b) The maximum floor area ratio is 1.70.
  - c) The maximum height of a building shall not exceed 19.0 metres.
  - d) Off-street parking shall be provided at a rate of 1 space per apartment dwelling unit.

547. **R-4A - RESIDENTIAL 4A ZONE**

548. **INTENT**

The intent of the R-4A zone is to create a specified multi-family residential zone in close proximity to the downtown core so as to permit greater density, increased height, and reduced parking.

549. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **R-4A**:

- a) dwelling, multiple family;
- b) home occupation;
- c) accessory buildings.

550. **LOT AREA AND WIDTH**

The minimum lot area required is one thousand (1,000) square metres, and the minimum width twenty-five (25) metres.

551. **DENSITY**

The number of dwelling units per lot for apartments shall not exceed one (1) for each one hundred and sixty-three (163) square metres.

552. **LOT COVERAGE**

Buildings, parking area, and driveways shall not cover more than seventy-five (75%) percent of the lot area.

553. **SITING OF BUILDINGS AND STRUCTURES**

1. No building or structure except a fence shall be located within:
  - a) seven point five (7.5) metres of a front lot line;
  - b) seven point five (7.5) metres of a rear lot line;
  - c) six (6.0) metres of one side lot line for apartments and townhouses except where a side lot line abuts a street;
  - d) three (3.0) metres where the side lot line abuts a street notwithstanding any other setback requirements.
2. Accessory buildings shall not be located within one (1.0) metre of any lot line.

554. **HEIGHT OF BUILDING**

- a) No building shall exceed seventeen point six (17.6) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

555. **WIDTH OF BUILDING**

No building containing a dwelling unit shall have a width less than six (6.0) metres, of which at least seven point three (7.3) metres (twenty-four (24.0) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

556. **OFF-STREET PARKING**

Off-street parking shall be provided as follows:

- a) 1.25 spaces per apartment unit

557. **R-4B - RESIDENTIAL 4B ZONE**

558. **INTENT**

The intent of the R-4B zone is to create a specialized multi-family residential zone. The zone allows for the development of single-family dwellings, townhouses, and apartments.

559. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **R-4B**:

- a) dwelling, single family;
- b) dwelling, two family;
- c) dwelling, multiple family
- d) home occupation;
- e) accessory buildings.
- f) secondary suites

560. **LOT AREA AND WIDTH**

The minimum lot area required is one thousand (1,000) square metres, and the minimum lot width is twenty-five (25) metres.

561. **DENSITY**

The number of dwelling units per lot shall not exceed one (1) for each two hundred and fifty (250) square metres.

562. **LOT COVERAGE**

Buildings, parking area, and driveways shall not cover more than seventy-five (75%) percent of the lot area.

563. **SITING OF BUILDINGS AND STRUCTURES**

1. No building or structure except a fence shall be located within:
  - a) seven point five (7.5) metres of a front lot line for apartments and townhouses;
  - b) seven point five (7.5) metres of a rear lot line for apartments and townhouses;
  - c) six (6.0) metres of one side lot line for apartments and townhouses, except where a side lot line abuts a street;
  - d) three (3.0) metres where the side lot line abuts a street notwithstanding any other side lot line setback requirement;
  - e) five (5) metres of a front lot line for single family dwellings and two family dwellings;
  - f) five (5) metres of a rear lot line for single family dwellings and two family dwellings;
  - g) three (3) metres of a side lot line for single family dwellings and two family dwellings.
2. Accessory buildings shall not be located within one (1.0) metre of any lot line.

564. **HEIGHT OF BUILDING**

- a. No building shall exceed fifteen (15.0) metres in height.
- b. No accessory building shall exceed six (6.0) metres in height.

565. **WIDTH OF BUILDING**

No building containing a dwelling unit shall have a width less than six (6.0) metres, of which at least seven point three (7.3) metres (twenty-four (24.0) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

566. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with Part Eleven of this Bylaw.

567. **R-4C – RESIDENTIAL 4C ZONE**

568. **PERMITTED USES**

Except as otherwise provided in Part 3, Section 303 of this bylaw, the following and no other uses are permitted in the area designated as R-4C:

- a) two-family dwelling;
- b) accessory educational uses; and
- c) accessory uses customarily incidental and subordinate to the two-family dwelling.

569. **LOT AREA AND WIDTH**

- a) The minimum lot area required is one thousand square metres (1,000 m<sup>2</sup>).
- b) The minimum lot width is twenty metres (20 m).

570. **DENSITY**

The number of dwelling units per shall not exceed twenty-two units per hectare.

571. **LOT COVERAGE**

Buildings shall not cover more than forty percent (40%) of the lot area.

572. **SITING OF BUILDINGS AND STRUCTURES**

No building or structure except a fence shall be located within:

- a) five metres (5.0 m) of a front lot line;
- b) five metres (5.0 m) of a rear lot line; and
- c) three metres (3.0 m) of a side lot line.

573. **HEIGHT OF BUILDING**

No building or structure shall exceed ten and a half metres (10.5 m) in height.

574. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with Part Eleven of this Bylaw.

575. **SITE-SPECIFIC REGULATIONS**

On REMAINDER LOT A DISTRICT LOT 1028 PLAN BCP46877, PID: 028-407-288 the following provisions apply:

- a) multiple family dwelling is a permitted use.
- b) The number of dwelling units per shall not exceed thirty units per hectare.

534. **R-5 - RESIDENTIAL 5 ZONE**

535. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **R-5**:

- a) mobile home park;
- b) home occupation;
- c) auxiliary retail sale of goods for residents of the mobile home park provided that the maximum display and sale area **does not** exceed thirty (30.0) square metres.
- d) accessory buildings including one (1) single family dwelling and service buildings;

536. **LOT AREA AND WIDTH**

The minimum lot area required is two (2.0) hectares and width of ten (10%) percent of the perimeter of the lot.

537. **DENSITY**

Not more than eighteen (18) mobile homes per hectare are permitted in a mobile home park.

**NOTE: Conditions of mobile home park development are subject to the requirements of the Mobile Home Parks Bylaw No. 37, 1989.**

REPEALED

596.1 **R-7 - RESIDENTIAL 7 ZONE**

596.2 **INTENT**

The intent of the Residential 7 zone is to provide areas which permit local artists and artisans to create and display their wares on a limited basis in residential areas adjacent to a provincial highway as an attraction for tourists and passersby and to create a point of interest along the highway.

596.3 **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **R-7**:

- a) single family dwelling
- b) home occupation (specialized)
- c) accessory buildings, subject to the regulations in **Part 3, Section 305** of this Bylaw.
- d) secondary suite

596.4 **LOT AREA AND WIDTH**

- a) For lots serviced by a Community Sewer System, the minimum lot area required is five hundred (500 m<sup>2</sup>) square meters, and the minimum lot width is eighteen (18) metres.
- b) For lots not serviced by a Community Sewer System, the minimum lot area required is two thousand (2,000 m<sup>2</sup>) square meters, and the minimum lot width is eighteen (18) metres.

596.5 **LOT COVERAGE**

Buildings shall not cover more than thirty five (35%) percent of the lot areas.

#### 596.6 **SITING OF BUILDINGS AND OTHER STRUCTURES**

No building or other structure, except a fence, shall be located within:

- a) five (5.0) metres of a front lot line.
- b) five (5.0) metres of a rear lot line.
- c)
  - i) one point five (1.5) metres of any side lot line where there is a rear lane,
  - ii) three (3.0) metres of one side lot line, and one point five (1.5) metres of the other side lot line, where there is not developed rear lane, and
  - iii) three (3.0) metres of a side lot line where that side lot line abuts a street or a lane.

#### 596.7 **HEIGHT OF BUILDING**

- a) No building or other structure shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

#### 596.8 **WIDTH OF BUILDING**

- a) No building containing a dwelling unit shall have a width less than six (6.) metres, of which at least seven point three (7.3) metres (twenty four (24.0) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

#### 596.9 **OFF-STREET PARKING**

- a) Off-street parking shall be provided and maintained in accordance with Part Eleven of this Bylaw.

598. **R-9 - RESIDENTIAL 9 ZONE**

598.2 **INTENT**

To provide for small lot subdivision with single family dwelling residential use.

598.3 **PERMITTED USES**

The permitted principal and accessory uses are as follows:

Principal Uses	Accessory Uses
Single Family Dwelling	Secondary Suite Home Business

598.4 **SITING**

The minimum setbacks for lot lines are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Single Family Dwelling	5 m	5 m	1.5 m	3 m
Garage/Carport (attached or detached)	6 m	3 m	1.5 m	3 m
Accessory Structure	6 m	3 m	1.5 m	3 m

Attached garages or carports must be designed to be recessed within the building.

Detached garages or carports must be set back a minimum of 6 m from front parcel line and 1 m from front of dwelling facing the street.

598.5 **HEIGHT**

The maximum heights are as follows:

Structure	Maximum Height
Single Family Dwelling	8.5 m
Accessory Structure	4.5 m

**598.6 GROSS FLOOR AREA**

The maximum gross floor area of the single family dwelling is 160 m<sup>2</sup>.

The maximum gross floor area of the second storey is 60% of the first storey gross floor area.

**598.7 LOT COVERAGE**

The maximum lot coverage is 35%.

**598.8 DENSITY**

Density is a Floor Area Ratio of 0.4.

**598.9 SUBDIVISION**

The subdivision regulations are as follows:

Criteria	Regulation
Minimum Lot Area for subdivision	500 m <sup>2</sup>
Minimum Lot Width for subdivision	14 m

**598.10 CONDITIONS OF USE**

The following are conditions of use:

Conditions of Use
Off-street parking in accordance with Part 11. All properties and parking areas shall be landscaped and screened in accordance with Part 11.

## **PART SIX - COMMERCIAL ZONES**

### 601. **C-1 - COMMERCIAL 1 ZONE**

### 602. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **C-1**:

- a) convenience store provided that the total floor area of the building in which the store is located **does not** exceed one hundred seventy-five (175) square metres;
- b) personal service establishments;
- c) one dwelling unit in conjunction with the commercial use;
- d) accessory buildings and uses customarily incidental to the above uses.

### 603. **LOT AREA AND WIDTH**

The minimum lot area required is one thousand (1,000) square metres, and the minimum width is thirty (30.0) metres.

### 604. **LOT COVERAGE**

Buildings and structures, parking area and driveways shall not cover more than forty (40%) percent of the lot area.

### 605. **SITING OF BUILDINGS AND STRUCTURES**

- a) No building or structure except a fence shall be located within five (5) metres of a lot line.
- b) No parking, loading or storage areas shall be located in a setback required under this Bylaw where the abutting property is designated R Zones and RR-1 Zone.

### 606. **HEIGHT OF BUILDING**

- a) No principal building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

### 607. **LIGHTING**

Adequate lighting of open areas within the lot shall be provided and shall be so arranged as to deflect light away from residential uses.

### 608. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

609. **C-2 - COMMERCIAL 2 ZONE**

610. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **C-2**:

- a) retail purposes, including shopping centre;
- b) office;
- c) service business;
- d) gasoline service station, conventional; and gasoline service station, self-serve, carwash;
- e) commercial school;
- f) parking lots, parking buildings and structures;
- g) residential purposes, if the dwelling units permitted are located above the first storey of the building, and are provided with a separate entrance from the ground level;
- h) fitness centre
- i) libraries
- j) child care facility
- k) drop-in centre
- l) home occupation
- m) seasonal outdoor market
- n) accessory buildings and uses customarily incidental to the above uses.
- o) mobile vending
- p) tasting lounge
- q) Microbrewery or Microdistillery, in conjunction with a Tasting Lounge or Restaurant, provided that:
  - i) the gross floor area of the Microbrewery and Microdistillery combined does not exceed 50% or 110.0 square metres, whichever is less, of gross floor area of the combined gross floor area of the Microbrewery, Microdistillery, and associated Tasting Lounge and Restaurant;
  - ii) the effluent from the Microbrewery and Microdistillery is pre-treated prior to entering the community sewage treatment system; and,
  - iii) provided there is community sewage treatment capacity.
- r) Cannabis Retail Store (subject to Section 327)
- s) Neighbourhood Pub, ONLY on the property legally described as LOT 18 BLOCK 11 DISTRICT LOT 303 PLAN VAP8643 (PID: 009-988-882), addressed as 5546 Inlet Avenue.

611. **LOT AREA AND WIDTH**

The minimum lot area required is five hundred and fifty (550) square metres, and the minimum width is fifteen (15) metres.

611.1 **DENSITY**

- i) The number of dwelling units per lot shall not exceed the base density of one (1) dwelling unit for each two hundred (200) square metres (50 units/ha) of lot area.
- ii) Notwithstanding subsection 611.1(i), the number of dwelling units may be increased to a maximum density of one (1) dwelling unit for every one hundred (100) square metres (100 units/ha) of lot area, subject to the following conditions or a combination thereof:
  - a) 2% density bonus of units for every 10% of the total number of units built adaptable and accessible;
  - b) 10% density bonus of units for every 5% of total site area as additional protected, publicly accessible open space in locations satisfactory to the District;
  - c) Up to 10% density bonus of units for providing cultural or recreational facilities in locations and forms satisfactory to the District;
  - d) 2% density bonus for every 10% of the total number of units built according to green standards (Built Green Gold or Ashrae 90.1 (2007) or better standards);
  - e) Up to 10% in density bonus of units for other amenities agreed to by Council;
  - f) No less than 20% of any density bonus units (or density “lift”) in a development will consist of Affordable Housing for Groups in Need.

612. **LOT COVERAGE**

Buildings and structures shall not cover more than seventy-five (75%) percent of the lot area.

613. **SITING OF BUILDINGS AND STRUCTURES**

- 1) No building or structure except a fence shall be located within:
  - a) three (3.0) metres of a rear lot line.
  - b) six (6.0) metres of a rear lot line where a lot abuts a lot in R Zones;
  - c) one point five (1.5) metres of a side lot line where a lot abuts a lot in R Zones.

614. **HEIGHT OF BUILDING**

- a) No principal building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.
- c) Subject to an Housing Agreement entered into with the District of Sechelt for affordable rental housing, despite subsection a), no principal building shall exceed twenty-two (22.0) metres or six-stories in height on LOT 36 BLOCK G DISTRICT LOT 303/304 VAP15854 (PID: 007-614-454) and BLOCK P DISTRICT LOT 303 VAP14919 (PID: 029-743-567)

615. **LIGHTING**

Adequate lighting of open areas within the lot shall be provided and shall be so arranged as to deflect light away from residential uses.

616. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

- a) Off-street parking and loading shall be provided and maintained in accordance with Part Eleven of this Bylaw.
- b) Despite subsection a), on LOT 36 BLOCK G DISTRICT LOT 303/304 VAP15854 (PID: 007-614-454) and BLOCK P DISTRICT LOT 303 VAP14919 (PID: 029-743-567), the required parking spaces for Business, Administration and Professional Office, and Drop-In Centre uses shall be provided at a rate of 1 per 45 square metres of floor area.

617. **C-3 - COMMERCIAL 3 ZONE**

618. **PERMITTED USES**

Except as otherwise provided in Part 3, Section 303 of this Bylaw, the following and no other uses are permitted in the area designated as C-3:

- a) hotel;
- b) motel;
- c) lodge;
- d) marina, including boat servicing and sales;
- e) restaurant, restaurant (drive-in);
- f) retail, office, and service purposes when accessory to the above uses;
- g) parking lots, parking buildings and structures;
- h) campground;
- i) one dwelling unit in conjunction with the permitted uses;
- j) seasonal outdoor market;
- k) accessory buildings and uses customarily incidental to the above uses.
- l) mobile vending

619. **LOT AREA AND WIDTH**

- a) The minimum lot area required is one thousand (1,000) square metres, and the minimum width is thirty (30.0) metres.
- b) The minimum lot area requirement for a campground is two (2.0) hectares.

620. **BUILDINGS PER LOT**

More than one principal building on a lot is permitted.

621. **LOT COVERAGE**

Buildings and structures shall not cover more than sixty (60%) percent of the lot area.

622. **SITING OF BUILDINGS AND STRUCTURES**

- 1) No building or structure except a fence shall be located within:
  - a) five (5.0) metres of a rear lot line.
  - b) three (3.0) metres of a rear lot line;
  - c) five (5.0) metres of a rear lot line where a lot abuts a lot in R Zones;
  - d) three (3.0) metres of a side lot line;
  - e) five (5.0) metres where a side lot line abuts a street.

623. **HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height. b) No accessory building shall exceed six (6.0) metres in height.

624. **LIGHTING**

Adequate lighting of open areas within the lot shall be provided and shall be so arranged as to deflect light away from residential uses.

625. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

626. **C-4 - COMMERCIAL 4 ZONE**

627. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **C-4**:

- a) light industry, building supply, transportation, communication;
- b) warehousing;
- c) retail and wholesale;
- d) machine and repair shop;
- e) office and service business;
- f) restaurant;
- g) retail and service of new automobiles and trucks;
- h) retail and service of used automobiles and trucks when in conjunction with (g) above;
- i) marina, including boat servicing and sales;
- j) veterinary hospital;
- k) seaplane base and heliport;
- l) one dwelling unit in conjunction with the permitted uses;
- m) lodge;
- n) shelter residential, ONLY on the property legally described at Lot C (seeN37416), Except Part in Reference Plan 19878, Block G, District Lot 304, Plan 10030 (PID 009-596-305), addressed as 5653 Wharf Avenue;
- o) accessory buildings and uses customarily incidental to the above uses; and
- p) mobile vending

628. **LOT AREA AND WIDTH**

The minimum lot area required is two hundred and thirty-five (235) square metres, and the minimum width is seven point five (7.5) metres.

629. **BUILDINGS PER LOT**

More than one principal building on a lot is permitted.

630. **LOT COVERAGE**

Buildings and structures shall not cover more than seventy (70%) percent of the lot area.

631. **SITING OF BUILDINGS AND STRUCTURES**

- 1) No building or structure except a fence shall be located within:
  - a) seven point five (7.5) metres of a front lot line. b) three (3.0) metres of a rear lot line
  - c) three (3.0) metres of a side lot line where a lot abuts a lot in R Zones; and C-2 Zones or a street or lane;

632. **HEIGHT OF BUILDING**

- a) No principal building shall exceed ten point five (10.5) metres in height. b) No accessory building shall exceed six (6.0) metres in height.

633. **LIGHTING**

Adequate lighting of open areas within the lot shall be provided and shall be so arranged as to deflect light away from residential uses.

634. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

635. **C-5 - COMMERCIAL 5 ZONE**

636. **INTENT**

The intent of the C-5 zone is to provide for small scale uses compatible with both Commercial (C) Zones and nearby Residential (R) Zones and to accommodate some residential and office uses in addition to pedestrian oriented commercial uses such as specialty stores, boutiques, restaurants and cafes.

637. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following, and no other uses are permitted in the area(s) designated at **C-5**:

- a) "specialty commercial" purposes;
- b) business or professional offices but no other type of office;
- c) residential purposes:
  - i) for new buildings, where the dwelling units permitted are located above the first story (ground level) of the building; and are provided with a separate entrance from the ground level;
  - ii) for single story buildings that existed on January 1st, 1996, where the dwelling unit permitted is located on the ground level, accessed by a separate entrance, and where a portion of the ground floor is occupied by a separate commercial operation;
  - iii) for multiple story buildings that existed on January 1st, 1996, where the dwelling unit permitted is located on the second story, accessed by a separate entrance, and where the ground floor level is occupied by a separate commercial operation.
- d) accessory buildings and uses customarily incidental to the above uses when on the same lot.
- e) Despite any other provisions of this bylaw, on the property legally described as Lot 5, Block I, District Lot 303 and 304, Plan 10029 (PID 004-385-438), the uses of restaurants and cafés are not permitted.

638. **LOT AREA AND WIDTH**

- a) the minimum lot area required is five hundred and fifty (550) square metres;
- b) the maximum lot area permitted is eight hundred and fifty (850) square metres except that a lot larger than 850 square meters and so filed in the Land Title Office as of June 30, 1993 may be developed.
- c) the minimum lot width is fifteen (15) metres.

639. **DENSITY**

The number of dwelling units per lot shall not exceed one (1) for each two hundred (200) square metres of lot area.

640. **LOT COVERAGE**

Buildings and structures shall not cover more than forty percent (40%) of the lot area.

641. **SITING OF BUILDINGS AND STRUCTURES**

- 1) No building or structure except a fence shall be located within:
  - a) five (5.0) metres of a front lot line;
  - b) one point five (1.5) metres of a side lot line;
  - c) six (6.0) metres of a rear lot line where a lot abuts a lot in "a Residential (R) Zone" but in all other cases three (3.0) meters of a rear lot line.

642. **HEIGHT OF BUILDINGS**

- a) No principal building shall exceed nine (9.0) metres in height; nor shall it be more than two (2) storeys in height.
- b) No accessory building shall exceed six (6.0) metres in height.

643. **LIGHTING**

Adequate artificial lighting of open areas within the lot shall be provided and shall be so arranged as to deflect light away from adjacent residential zones.

644. **OFF-STREET PARKING AND LOADING**

- a) Except as otherwise provided in this Part, off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.
- b) No parking shall be provided between a front property line and the principal building on a lot.

645. **SIGNS**

- a) Exterior signs shall be restricted to a single sign not to exceed zero point five (0.5) square metres in area for each commercial use on a lot.
- b) No sign shall be at a height greater than 1.5 metres from grade to the top of the sign

REPEALED

646. **C-6 - COMMERCIAL 6 ZONE**

647. **INTENT**

The intent of the Commercial 6 zone is to provide for a full range of tourist related uses which will include some supplementary retail and office uses due to the seasonal nature of the tourism industry.

648. **PERMITTED USES**

1) Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **C-6**:

- a) hotel;
- b) motel;
- c) marine and fishing related retail;
- d) commercial recreation facility;
- e) seasonal outdoor market;
- f) restaurant, restaurant (drive-in);
- g) supplementary office and retail;
- h) convenience store (up to 380 m<sup>2</sup>);
- i) campground;
- j) art gallery;
- k) artist and dance studio;
- l) museum;
- m) tourism office;
- n) Laundromat;
- o) one dwelling unit per lot in conjunction with the permitted use;
- p) uses, buildings, and structures accessory to the above permitted uses but subject to the provisions of Section 305 of the bylaw (Accessory Buildings and Structures).
- q) mobile vending

649. **LOT AREA AND WIDTH**

- 1) For lots serviced by a Community Sewer System, the minimum lot area required is five hundred and fifty (550 m<sup>2</sup>) square meters, and the minimum lot width is fifteen (15) metres.
- 2) For lots not serviced by a Community Sewer System, the minimum lot area required is two thousand (2,000 m<sup>2</sup>) square meters, and the minimum lot width is fifteen (15) metres.

650. **LOT COVERAGE**

- 1) Buildings shall not cover more than sixty (60%) percent of the lot area.

651. **SITING OF BUILDINGS AND OTHER STRUCTURES**

- 1) No building or other structure, except a fence, shall be located within: Five (5.0) metres of a lot line where the lot abuts a Residential (R) zone.

652. **HEIGHT OF BUILDING**

- 1) No building or other structure shall exceed ten point five (10.5) metres in height.
- 2) No accessory building shall exceed six (6.0) metres in height.

653. **WIDTH OF BUILDING**

- 1) No building containing a dwelling unit shall have a width less than six (6) metres, of which at least seven point three (7.3) metres (twenty four (24.0) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

654. **OFF-STREET PARKING**

- 1) Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

655. **C-7 - COMMERCIAL 7 ZONE**

656. **INTENT**

The intent of the Commercial 7 zone is to provide for a full range of marine-oriented and other commercial uses directed primarily to the traveling public.

657. **PERMITTED USES**

- 1) Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **C-7**:
  - a) marine pub;
  - b) neighbourhood pub;
  - c) boat and sea plane terminal;
  - d) marina;
  - e) marine fuel installation;
  - f) marine and fishing related retail;
  - g) outdoor market;
  - h) restaurant;
  - i) supplementary office and retail;
  - j) convenience store (up to 100 m<sup>2</sup>);
  - k) art gallery;
  - l) museum;
  - m) tourism office;
  - n) Laundromat;
  - o) one dwelling unit per lot in conjunction with the permitted use;
  - p) uses, buildings, and structures accessory to the above permitted uses but subject to the provisions of Section 305 of the bylaw (Accessory Buildings and Structures).
  - q) mobile vending

658. **LOT AREA AND WIDTH**

- 1) For lots serviced by a Community Sewer System, the minimum lot area required is five hundred and fifty (550 m<sup>2</sup>) square meters, and the minimum lot width is fifteen (15) metres.
- 2) For lots not serviced by a Community Sewer System, the minimum lot area required is two thousand (2,000 m<sup>2</sup>) square meters, and the minimum lot width is fifteen (15) metres.

659. **LOT COVERAGE**

- 1) Buildings shall not cover more than sixty (60%) percent of the lot area.

660. **SITING OF BUILDINGS AND OTHER STRUCTURES**

- 1) No building or other structure, except a fence, shall be located within: Five (5.0) metres of a lot line where the lot abuts a Residential (R) zone.

661. **HEIGHT OF BUILDING**

- 1) No building or other structure shall exceed ten point five (10.5) metres in height.
- 2) No accessory building shall exceed six (6.0) metres in height.

662. **WIDTH OF BUILDING**

- 1) No building containing a dwelling unit shall have a width less than six (6) metres, of which at least seven point three (7.3) metres (twenty four (24.0) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

663. **OFF-STREET PARKING**

- 1) Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

664. **C-5A - COMMERCIAL 5A ZONE**

665. **INTENT**

The intent of the C-5A zone is to provide for small-scale uses compatible with both Commercial (C) Zones and nearby Residential (R) Zones and to accommodate residential and business and professional office uses.

666. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following, and no other uses are permitted in the area(s) designated at **C-5A**:

- a) "office, business and professional";
- b) "dwelling unit"
- c) accessory buildings and uses customarily incidental to the above uses when on the same lot.

667. **LOT AREA AND WIDTH**

- a) the minimum lot area required is five hundred and fifty (550) square metres;
- b) the maximum lot area permitted is eight hundred and fifty (850) square metres except that a lot larger than 850 square meters and so filed in the Land Title Office as of June 30, 1993 may be developed.
- c) the minimum lot width is fifteen (15) metres.

668. **DENSITY**

The number of dwelling units per lot shall not exceed one.

669. **LOT COVERAGE**

Buildings and structures shall not cover more than forty percent (40%) of the lot area.

670. **SITING OF BUILDINGS AND STRUCTURES**

- 1) No building or structure except a fence shall be located within:
  - a) five (5.0) metres of a front lot line;
  - b) one point five (1.5) metres of a side lot line;
  - c) six (6.0) metres of a rear lot line where a lot abuts a lot in "a Residential (R) Zone" but in all other cases three (3.0) meters of a rear lot line.

671. **HEIGHT OF BUILDINGS**

- a) No principal building shall exceed nine (9.0) metres in height; nor shall it be more than two (2) storeys in height.
- b) No accessory building shall exceed six (6.0) metres in height.

672. **LIGHTING**

Adequate artificial lighting of open areas within the lot shall be provided and shall be so arranged as to deflect light away from adjacent residential zones.

673. **OFF-STREET PARKING AND LOADING**

- a) Except as otherwise provided in this Part, off-street parking and loading shall be provided and maintained in accordance with Part Eleven of this Bylaw.

674. **SIGNS**

- a) Exterior signs shall be restricted to a single sign not to exceed zero point five (0.5) square metres in area for each commercial use on a lot.
- b) No sign shall be at a height greater than 1.5 metres from grade to the top of the sign.

REPEALED

## **PART SEVEN - INDUSTRIAL ZONES**

### 701. **I-1 - INDUSTRIAL 1 ZONE**

### 702. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **I-1**:

- a) log booming and sorting including the storage and maintenance of log booming and sorting equipment used on the same log booming and sorting site;
- b) storage of logging equipment auxiliary to the principal use;
- c) one dwelling unit in conjunction with the permitted uses;
- d) accessory building and uses customarily incidental to the above uses.

### 703. **LOT AREA AND WIDTH**

The minimum lot area required is four (4) hectares, and the minimum width is 15 meters.

### 704. **BUILDINGS PER LOT**

More than one building on a lot is permitted.

### 705. **LOT COVERAGE**

Buildings and structures shall not cover more than two (2%) percent of the lot area.

### 706. **SITING OF BUILDINGS AND STRUCTURES**

No building or structure except a fence shall be located within thirty (30) metres of a lot line.

### 707. **HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height. b) No accessory building shall exceed six (6.0) metres in height.

### 708. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance **with Part Eleven** of this Bylaw.

709. **I-2 - INDUSTRIAL 2 ZONE**

710. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **I-2**:

- a) mineral, sand and gravel processing;
- b) manufacturing of asphalt and concrete products, and ready-mix concrete;
- c) one dwelling unit (for caretaker) in conjunction with the permitted uses;
- d) accessory buildings and uses customarily incidental to the above uses.

711. **LOT AREA AND WIDTH**

The minimum lot area required is one point seven five (1.75) hectares, and the minimum width is 15 meters.

712. **BUILDINGS PER LOT**

More than one principal building on a lot is permitted.

713. **LOT COVERAGE**

Buildings and structures shall not cover more than thirty-five (35%) percent of the lot area.

714. **SITING OF BUILDINGS AND STRUCTURES**

No building or structure except a fence shall be located within thirty (30) metres of a lot line.

715. **HEIGHT OF BUILDING**

- a) No principal building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

716. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance **with Part Eleven** of this bylaw.

717. **I-3 - INDUSTRIAL 3 ZONE**

718. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **I-3**:

- a) light industry, building supply, transportation;
- b) warehousing, including terminal;
- c) retail and wholesale when - ancillary to (a) and (b);
- d) machine and repair shop;
- e) office;
- f) restaurant;
- g) marina, including boat servicing and sales;
- h) veterinary hospital;
- i) aquaculture processing;
- j) retail and service of used cars and trucks;
- k) auto wrecking yards;
- l) processing of forest and wood products;
- m) one dwelling unit (for caretaker) in conjunction with the permitted uses;
- n) funeral parlour, crematorium; and
- o) accessory buildings and uses customarily incidental to the above uses
- p) Cannabis Production (subject to Section 327)
- q) Cannabis, Micro Production (subject to Section 327)
- r) Cannabis Cultivation (subject to Section 327)
- s) Cannabis, Micro Cultivation (subject to Section 327)

719. **LOT AREA AND WIDTH**

The minimum lot area required is one point seven five (1.75) hectares , and the minimum width is 15 meters.

720. **BUILDINGS PER LOT**

More than one principal building on a lot is permitted.

721. **LOT COVERAGE**

Buildings and structures shall not cover more than seventy-five (75%) percent of the lot area.

722. **SITING OF BUILDINGS AND STRUCTURES**

- 1) No building or structure except a fence shall be located within:
  - a) seven point five (7.5) metres of a front lot line;
  - b) three (3.0) metres of a rear lot line;

723. **HEIGHT OF BUILDING**

- a) No principal building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

724. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

725. **I-4 - INDUSTRIAL 4 ZONE**

726. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **I-4**:

- a) aquaculture;
- b) one dwelling unit (for caretaker) in conjunction with the permitted uses;
- c) accessory building and uses customarily incidental to the above uses.

727. **LOT AREA AND WIDTH**

The minimum lot area required is one point seven five (1.75) hectares, and the minimum width is 15 meters.

728. **BUILDINGS PER LOT**

More than one principal building on a lot is permitted.

729. **LOT COVERAGE**

Buildings shall not cover more than thirty-five (35%) percent of the lot area.

730. **SITING OF BUILDINGS AND STRUCTURES**

- a) No building or structure except a fence shall be located within thirty (30.0) metres of a lot line.

731. **HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

732. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

733. **I-5 - INDUSTRIAL ZONE**

734. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **I-5**:

- a) light industry, building supply, transportation;
- b) warehousing, including terminal;
- c) hotel, and motel;
- d) retail and wholesale when - ancillary to (a), (b) and (c);
- e) machine and repair shop;
- f) office;
- g) restaurant;
- h) funeral parlour, and crematorium;
- i) veterinary hospital; the boarding of animals;
- j) airport and heliport;
- k) aquaculture processing;
- l) retail and service of used cars and trucks;
- m) institution;
- n) processing of forest and wood products;
- o) one dwelling unit (for caretaker) in conjunction with the permitted uses; and
- p) fitness centre
- q) accessory buildings and uses customarily incidental to the above uses.
- r) Commercial and or non-commercial recreation uses
- s) Cannabis Production (subject to Section 327)
- t) Cannabis, Micro Production (subject to Section 327)
- u) Cannabis Cultivation (subject to Section 327)
- v) Cannabis, Micro Cultivation (subject to Section 327)

735. **MINIMUM LOT AREA**

The minimum lot area required is two thousand (2,000) square meters.

736. **MINIMUM LOT WIDTH**

The minimum lot width in this zone shall be not less than thirty (30) meters.

737. **LOT COVERAGE**

Buildings and structures shall not occupy more than seventy percent (70%) of the lot area.

738. **SITING OF BUILDINGS AND STRUCTURES**

- a) No buildings and structures shall be located within nine (9) meters of a front lot line;

- b) No buildings and structures shall be located within three (3) meters of a side lot line;
- c) No buildings and structures shall be located within three (3) meters of a rear lot line.

739. **HEIGHT OF BUILDING**

- a) No principal building shall exceed ten point five (10.5) meters in height.
- b) No accessory building shall exceed six (6.0) meters in height.

740. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

741. **I-6 - INDUSTRIAL ZONE**

742. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **I-6**:

- a) light industry, building supply, transportation;
- b) warehousing, including terminal;
- c) retail and wholesale when - ancillary to (a) and (b);
- d) machine and repair shop;
- e) office;
- f) restaurant;
- g) funeral parlour, and crematorium;
- h) veterinary hospital; the boarding of animals;
- i) aquaculture processing;
- j) retail and service of used cars and trucks;
- k) processing of forest and wood products;
- l) fitness centre;
- m) one dwelling unit (for caretaker) in conjunction with the permitted uses; and
- n) accessory buildings and uses customarily incidental to the above uses
- o) Cannabis Production (subject to Section 327)
- p) Cannabis, Micro Production (subject to Section 327);

Notwithstanding any other provision of this bylaw, on the property legally described as LOT P, DISTRICT LOT 1438, GROUP 1 NEW WESTMINSTER DISTRICT, PLAN BCP36498 (PID 027-523-951), and any subsequent property created as a result of the subdivision of this property, the uses of: crematorium; boarding of animals; aquaculture processing; processing of forest and wood products; Medical Marihuana Production; and Medical Marihuana Research and Development, are not permitted.

- q) Cannabis Cultivation (subject to Section 327)
- r) Cannabis, Micro Cultivation (subject to Section 327)

743. **MINIMUM LOT AREA**

The minimum lot area required is two thousand (2,000) square meters.

744. **MINIMUM LOT WIDTH**

The minimum lot width in this zone shall be not less than thirty (30) meters.

745. **LOT COVERAGE**

Buildings and structures shall not occupy more than seventy percent (70%) of the lot area.

## SITING OF BUILDINGS AND STRUCTURES

- a) No buildings and structures shall be located within nine (9) meters of a front lot line;
- b) No buildings and structures shall be located within three (3) meters of a side lot line; except where a lot abuts an arterial road in which case no building or structure shall be located within 5 meters of the property line;
- c) No buildings and structures shall be located within three (3) meters of a rear lot line.

### 746. **HEIGHT OF BUILDING**

- a) No principal building shall exceed ten point five (10.5) meters in height.
- b) No accessory building shall exceed six (6.0) meters in height.

### 747. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with Part Eleven of this Bylaw.

### 748. **BUFFER STRIP**

All lots adjacent to public roads shall maintain a vegetated 5 meter buffer.

REPEALED

749. **I-7 - INDUSTRIAL 7 ZONE**

750. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **I-7**:

- a) light industry, building supply, transportation;
- b) warehousing, including terminal;
- c) retail and wholesale when - ancillary to (a) and (b);
- d) office when ancillary to (a) and (b);
- g) machine and repair shop;
- f) restaurant;
- g) institution;
- j) retail and service of used cars and trucks;
- m) one dwelling unit (for caretaker) in conjunction with the permitted uses;
- n) accessory buildings and uses customarily incidental to the above uses.
- o) Cannabis Production (subject to Section 327)
- p) Cannabis, Micro Production (subject to Section 327)
- q) Cannabis Cultivation (subject to Section 327)
- r) Cannabis, Micro Cultivation (subject to Section 327)

751. **MINIMUM LOT AREA**

The minimum lot area required is three thousand (3,000) square meters.

752. **MINIMUM LOT WIDTH**

The minimum lot width in this zone shall be not less than thirty (30) meters.

753. **LOT COVERAGE**

Buildings and structures shall not occupy more than seventy percent (70%) of the lot area.

754. **SITING OF BUILDINGS AND STRUCTURES**

- a) No buildings and structures shall be located within nine (9) meters of a front lot line;
- b) No buildings and structures shall be located within three (3) meters of a side lot line; except where a lot abuts an arterial road in which case no building or structure shall be located within 5 meters of the property line;
- c) No buildings and structures shall be located within three (3) meters of a rear lot line.

755. **HEIGHT OF BUILDING**

- a) No principal building shall exceed ten point five (10.5) meters in height.

b) No accessory building shall exceed six (6.0) meters in height.

756. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw".

757. **BUFFER STRIP**

All lots adjacent to public roads and residential zoned properties shall maintain a vegetated 3 meter buffer.

REPEALED

## **PART EIGHT - MARINE ZONES**

### 801. **M-1 - MARINE 1 ZONE**

### 802. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **M-1**:

- a) marina mooring facilities, including docks, wharves, piers and floats;
- b) floating boat shelter;
- c) boat rental operation;
- d) boat hoists and launching ramp;
- e) water taxi and seaplane base;
- f) water borne vessel and marine equipment building, storage, maintenance and repair;
- g) engine, machinery and electronic maintenance and repair;
- h) store or sales room for the sale or rental of boats, engines, marine supplies including food and sporting goods;
- i) offices and restaurant;
- j) parking lot;
- k) marine fuel installations;
- l) one dwelling unit (for caretaker) in conjunction with the permitted uses;
- m) accessory building and uses customarily incidental to the above uses.
- n) one floating home or one live-aboard for a caretaker, where a dwelling unit under (l) is not provided and subject to the following criteria:
  - (i) The Floating Home must be equipped with a holding tank for sewage and served by a pump-out facility and must comply with Sections 2 to 3.44 inclusive of the Float Home Standard as prepared by the Building Standards Branch of the Province of British Columbia.
  - (ii) The Live-aboard must be at least 30 (thirty) feet in length and equipped with a holding tank for sewage and served by a pump-out facility.

### 803. **LOT AREA AND WIDTH**

The minimum lot area required is one thousand (1,000m<sup>2</sup>) square metres and the minimum width is thirty (30.0) metres.

### 804. **LOT COVERAGE**

Buildings and structures shall not cover more than sixty (60%) percent of the lot area.

805. **SITING OF BUILDINGS AND STRUCTURES**

- 1) No building or structure except a fence shall be located within:
  - a) seven point five (7.5) metres of a front lot line;
  - b) seven point five (7.5) metres of a rear lot line except where the rear lot line/yard adjoins/abuts the high water mark;
  - c) three (3.0) metres of a side lot line;
  - d) four point five (4.5) metres of a side lot line where the side lot line abuts a street or where the side lot line abuts a lot in the R Zones and RR Zones.
- 2) No parking loading or storage areas shall be located in a setback required in 1(d) above where the lot abuts a lot in R Zones and RR Zones.

806. **HEIGHT OF BUILDING**

No buildings or structures except boat hoists and gantries for stepping masts shall exceed seven point five (7.5) metres in height.

807. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

808. **M-2 - MARINE 2 ZONE**

809. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **M-2**:

- a) aquaculture;
- b) net loft, ice house and other commercial fishing storage facilities;
- c) barge ramp, waterfront freight handling facilities, including bulk handling facilities;
- d) aquaculture processing;
- e) one single family dwelling unit (for caretaker) in conjunction with the permitted uses;
- f) accessory buildings and uses customarily incidental to the above uses.

810. **LOT AREA AND WIDTH**

The minimum lot area required is two thousand (2,000)-square metres, and the minimum width is twenty-five (25) metres.

811. **LOT COVERAGE**

Buildings and structures shall not cover more than sixty (60%) percent of the lot area.

812. **SITING OF BUILDINGS AND STRUCTURES**

- 1) No building or structure except a fence shall be located within:
  - a) seven point five (7.5) metres of a front lot line;
  - b) seven point five (7.5) metres of a rear lot line except where the rear lot/line/yard adjoins/abuts the high water mark;
  - c) three (3.0) metres of a side lot line;
  - d) four point five (4.5) metres of a side lot line where the side lot line abuts a street or where the side lot line abuts a lot in the R Zones and RR Zones.
- 2) No parking, loading or storage areas shall be located in a setback required in 1(d) above where the lot abuts a lot in R Zones and RR Zones.

813. **HEIGHT OF BUILDING**

No buildings or structures except boat hoists and gantries for stepping masts shall exceed seven point five (7.5) metres in height.

814. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

**814.10 M-3 - MARINE 3 ZONE**

**814.11 INTENT**

The intent of the Marine 3 zone is to provide for specific aquaculture uses on a portion of the properties at 7333 Sechelt Inlet Road.

**814.12 PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **M-3**:

- a) land-based aquaculture;
- b) growing of plants using water circulated from fish tanks including the packaging of such plants for wholesale distribution;
- c) education and interpretation programs;
- d) one dwelling unit for the zone area in conjunction with the permitted use;
- e) uses, buildings, and structures accessory to the above permitted uses but subject to the provisions of Section 305 of this bylaw.

**814.13 LOT AREA AND WIDTH**

The minimum lot area required is two thousand (2,000) square metres, and the minimum width is twenty-five (25) metres.

**814.14 LOT COVERAGE**

Buildings shall not cover more than sixty (60%) percent of the lot area.

**814.15 SITING OF BUILDINGS AND OTHER STRUCTURES**

- 1) No building or structure except a fence shall be located within fifteen (15) metres of a lot line or a residential zoning boundary.
- 2) No parking, loading, parking, or storage areas shall be located within fifteen (15) metres of a lot line or a residential zoning boundary.

**814.16 HEIGHT OF BUILDING**

No building or other structure shall exceed eight (8.0) metres in height.

**814.17 OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

814.26 **M-3A - MARINE 3A ZONE**

814.27 **INTENT**

The intent of the Marine 3A zone is to provide for specific aquaculture uses and aquaculture processing uses on a portion of the property at 7333 Sechelt Inlet Road.

814.28 **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **M-3A**:

- a) uses permitted in the M-3 Zone;
- b) aquaculture processing;
- c) uses, buildings, and structures accessory to the above permitted uses but subject to the provisions of Section 305 of this bylaw.

814.30 **LOT COVERAGE**

- a) Buildings shall not cover more than twelve decimal five (12.5%) percent of the area of the land zoned M-3A.
- b) The building floor area used for aquaculture processing shall not exceed 372 square metres (4000 sq. ft.).

814.31 **SITING OF BUILDINGS AND OTHER STRUCTURES**

No building or structure except a fence shall be located within fifteen (15) metres of the most southerly boundary line of the M-3A Zone.

814.32 **HEIGHT OF BUILDING**

No building or other structure shall exceed five meters (5 meters) in height.

814.33 **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this bylaw.

814.18 **M-4 - MARINE 4 ZONE**

814.19 **INTENT**

The intent of the Marine 4 Zone is to permit tourist commercial uses as primary uses and marine/industrial uses as accessory uses.

#### 814.20 **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted in the area designated as **M-4**:

##### **Primary Permitted Uses:**

1. Tourist Accommodation;
2. Restaurant;
3. Marina mooring facilities, including docks, wharves, piers, and floats;
4. Floating boat shelter;
5. Boat rental operation;
6. Boat hoists and launching ramp;
7. Store or sales room for the sale or rental of boats, engines, marine supplies including food and sporting goods; and
8. Marine fuel installations.

##### **Accessory Uses:**

1. One dwelling unit (for caretaker);
2. One floating home or one live-aboard for a caretaker, where a dwelling unit is not provided and subject to the following criteria:
  - The Floating Home must be equipped with a holding tank for sewage and served by a pump-out facility and must comply with Sections 2 to 3.44 inclusive of the Float Home Standard as prepared by the Building Standards Branch of the Province of BC.
  - The Live-aboard must be at least 30 feet in length and equipped with a holding tank for sewage and served by a pump-out facility;
3. Water borne vessel and marine equipment building, storage, maintenance, and repair;
4. Offices; and
5. Accessory buildings and other uses customarily incidental to the primary permitted uses.

#### 814.21 **LOT AREA AND WIDTH**

The minimum lot area required is one thousand (1,000 m<sup>2</sup>) square metres and the minimum lot width is thirty (30 m) metres.

#### 814.22 **LOT COVERAGE**

Buildings and structures shall not cover more than sixty (60%) of the lot area.

#### 814.23 **SITING OF BUILDINGS AND STRUCTURES**

No building or structure except a fence shall be located within:

1. Seven point five (7.5) metres of a front lot line;
2. Seven point five (7.5) metres of a rear lot line except where the rear lot line adjoins/abuts the high water mark;
3. Three (3.0) metres of a side lot line;
4. Four point five (4.5) metres of a side lot line where the side lot line abuts a street or where the side lot line abuts a lot in the R zones.

#### 814.24 **HEIGHT OF BUILDING**

No building or structures shall exceed ten point five (10.5) metres in height. No accessory building shall exceed (6.0) metres in height.

#### 814.25 **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

815. **W-1 - WATER 1 ZONE**

816. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **W-1**:

- a) private boat moorage facility for pleasure craft associated with residential use located or permitted on the abutting upland;
- b) facility for the moorage of one non-pleasure boat per abutting upland lot;
- c) public boat ramp;
- d) park.

817. **HEIGHT OF BUILDING**

No building shall exceed four point five (4.5) metres in height.

REPEALED

## **PART NINE - RURAL ZONES**

### 901. **RR-1 - RURAL 1 ZONE**

### 902. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **RR-1**:

- a) single family dwellings;
- b) home occupation;
- c) agriculture;
- d) garden nursery;
- e) keeping of livestock;
- f) golf course and driving range;
- g) campground;
- h) accessory buildings and uses customarily incidental to the above uses;
- i) winery.

### 903. **LOT AREA AND WIDTH**

- a) The minimum lot area is two thirds (2/3) of a hectare and the minimum lot width is ten (10%) percent of the perimeter, but not less than thirty (30) meters wide.
- b) The maximum permitted number of single family dwellings is two (2) per lot, when the lot area is not less than one (1.0) hectare.
- c) The minimum lot area for campground and recreational vehicle use is two (2) hectares and the maximum permitted number of campsites and recreational vehicle sites is ten (10) per hectare of land.
- d) The minimum parcel size for a winery is 2 hectares (4.94 acres).

### 904. **BUILDINGS PER LOT**

More than one principle building is permitted on a lot.

### 905. **LOT COVERAGE**

Buildings or structures shall not cover more than:

- a) 15% of a lot area that is greater than 2,000 square metres, or;
- b) 35% of a lot area that is 2,000 square metres or less.

906. **SITING OF BUILDINGS AND STRUCTURES**

1. No building or structure (except a fence) shall be located within:
  - a) seven point five (7.5) metres of a front lot line; b) seven point five (7.5) metres of a rear lot line; c) three (3.0) metres of a side lot line;
  - d) four point five (4.5) metres of a side lot line where the side lot line abuts a street;
  - e) three (3) metres of one side lot line, and one point five (1.5) metres of the other side lot line for any lot that is 2,000 square metres or less.
  - f) five (5) metres of a rear lot line or a front lot line, for any lot that is 2,000 square metres or less.

907. **HEIGHT OF BUILDINGS**

- a) No principal building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

908. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

909. **RR-2 - RURAL 2 ZONE**

910. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **RR-2**:

- a) agriculture;
- b) garden nursery;
- c) single-family dwellings;
- d) keeping of livestock;
- e) animal kennel;
- f) riding stable;
- g) golf course and driving range;
- h) campground;
- i) equipment repair and maintenance provided that the use is limited to a fully enclosed building;
- j) home occupation;
- k) accessory buildings and uses customarily incidental to the above uses;
- l) winery
- m) Cannabis Cultivation (subject to Section 327)
- n) Cannabis, Micro Cultivation (subject to Section 327)

911. **LOT AREA, WIDTH AND DENSITY**

- a) The minimum lot area required is four (4) hectares and the minimum width is ten (10%) percent of the perimeter.
- b) The maximum permitted number of single family dwellings is two (2) per lot.
- c) The maximum permitted number of campsites and recreational vehicle sites is ten (10) per hectare.
- d) The minimum parcel size for a winery is 2 hectares (4.94 acres).

912. **BUILDINGS PER LOT**

More than one principal building is permitted on a lot.

913. **LOT COVERAGE**

Buildings or structures shall not cover more than fifteen (15%) percent of the lot area.

914. **SITING OF BUILDINGS AND STRUCTURES**

1. No building or structure except a fence shall be located within:
  - a) seven point five (7.5) metres of a front lot line;
  - b) seven point five (7.5) metres of a rear lot line;
  - c) three (3.0) metres of a side lot line;
  - d) four point five (4.5) metres of a side lot line where the side lot line abuts a street.

915. **HEIGHT OF BUILDING**

- a) No principal building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

916. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

917. **RR-3 - RURAL 3 ZONE**

918. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **RR-3**:

**Principal Uses**

- a) agriculture
- b) single-family dwelling

**Accessory Uses**

- c) secondary suite
- d) cottage, subject to density bonusing s. 924
- e) home occupation
- f) accessory buildings and uses customarily incidental to the above uses

919. **MINIMUM LOT AREA AND LOT WIDTH FOR NEW SUBDIVISIONS**

- a) The minimum lot area required is 4,000 m<sup>2</sup> (0.4 ha) and the minimum lot width is ten (10%) percent of the perimeter.

920. **DWELLING UNITS PER LOT**

- a) The maximum number of single-family dwellings is 1 per lot.
- b) The maximum number of secondary suites is 1 per single-family dwelling.
- c) The maximum number of cottages is 1 per lot, subject to s. 924.

921. **LOT COVERAGE**

- a) All buildings or structures shall not cover more than fifteen (15%) percent of the lot area.

922. **SITING OF BUILDINGS AND STRUCTURES**

No building or structure except a fence shall be located within:

- a) 5m of any lot line.

923. **HEIGHT OF BUILDINGS**

- a. The maximum height of a single-family dwelling is 8.5 m.
- b. The maximum height of a cottage is 6.0 m.
- c. The maximum height of an accessory building is 5.0 m.
- d. Where a property has farm class under the *BC Assessment Act*, the maximum height of a farm building is 15 m.

924. **DENSITY BONUS**

- a) In accordance with Section 482 of the *Local Government Act*, one cottage per lot is permitted upon payment of an amenity fee of \$2,500 per cottage prior to issuance of a building permit.

925. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

## **PART TEN - PARK, RECREATION & ASSEMBLY ZONES**

### 1001. **PA-1 - PARK, RECREATION AND ASSEMBLY 1 ZONE**

#### 1002. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **PA-1**:

- a) church;
- b) institution;
- c) park & outdoor recreation;
- d) camp assembly;
- e) campground;
- f) assembly;
- g) boat launching area;
- h) golf course;
- i) arena skating and curling rink;
- j) hospital;
- k) nursing and rest home;
- l) kindergarten;
- m) funeral parlour;
- n) museum and library;
- o) parking lot;
- p) one single-family dwelling unit (for caretaker) in conjunction with the permitted uses;
- q) accessory buildings and uses customarily incidental to the above uses.

#### 1003. **LOT AREA AND WIDTH**

The minimum lot area required is nine hundred (900) square metres and the minimum width is thirty (30) metres.

#### 1004. **LOT COVERAGE**

Buildings or structures shall not cover more than fifty (50%) percent of the lot area.

#### 1005. **SITING OF BUILDINGS AND STRUCTURES**

No building or structure except a fence shall be located within seven point five (7.5) metres of a lot line;

1006. **HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height. b) No accessory building shall exceed six (6.0) metres in height.

1007. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with **Part Eleven** of this Bylaw.

REPEALED

1008. **PA-2 - PARK, RECREATION AND ASSEMBLY 2 ZONE**

1009. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **PA-2**:

- a) neighbourhood pub;
- b) marine pub;
- c) theatre;
- d) bowling alley;
- e) recreation club;
- f) Retail and Services Business, ONLY on the property legally described as LOT J BLOCK 7 DISTRICT LOT 303 GROUP 1 NEW WESTMINSTER DISTRICT PLAN LMP46433 (PID: 024-799-661), addressed as 5770 Teredo Street;
- g) accessory buildings and uses customarily incidental to the above uses.

1010. **LOT AREA AND WIDTH**

The minimum lot area required is nine hundred (900) square metres and the minimum width is thirty (30) metres.

1011. **BUILDINGS PER LOT**

More than one building on a lot is permitted.

1012. **LOT COVERAGE**

Buildings or structures shall not cover more than fifty (50%) percent of the lot area.

1013. **SITING OF BUILDINGS AND STRUCTURES**

No building or structure except a fence shall be located within seven point five (7.5) metres of a lot line;

1014. **HEIGHT OF BUILDING**

- a) No principal building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

1015. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with Part Eleven of this bylaw.

## **PART 10A - COMPREHENSIVE DEVELOPMENT ZONES**

### **10A01. COMPREHENSIVE DEVELOPMENT 1 ZONE (CD-1)**

#### **10A02. PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **CD-1**:

- a) retail and service of new and used automobiles and trucks;
- b) one dwelling unit in conjunction with the permitted uses;
- c) accessory building and uses customarily incidental to the above use;
- d) parking lots, parking buildings and structures;

#### **10A03. LOT AREA AND WIDTH**

The minimum lot area required is one thousand (1,000) square metres, and the minimum width thirty (30) metres.

#### **10A04. BUILDINGS PER LOT**

More than one principal building on a lot is permitted.

#### **10A05. LOT COVERAGE**

Buildings and structures shall not cover more than sixty (60) percent of the lot.

#### **10A06. SITING OF BUILDINGS AND STRUCTURES**

- 1) No building or structure except a fence shall be located within:
  - a) seven point five (7.5) metres of a front lot line;
  - b) three (3.0) metres of a rear lot line;
  - c) five (5.0) metres of a rear lot line where a lot abuts a lot in R Zones;
  - d) three (3.0) metres of a side lot line;
  - e) five (5.0) metres where a side lot abuts a street.

#### **10A07. HEIGHT OF BUILDING**

- a) No building shall exceed ten point five (10.5) metres in height.
- b) No accessory building shall exceed six (6.0) metres in height.

10A08. **LIGHTING**

Adequate lighting of open areas within the lot shall be provided and shall be so arranged as to deflect light away from residential areas.

10A09. **OFF-STREET PARKING AND LOADING**

Off-street parking and loading shall be provided and maintained in accordance with Part Eleven of this Bylaw.

10A10. **BUFFER ZONE**

A developed and permanent landscaped "green belt" noise and visual buffer at least two (2) metres high and two (2) metres wide will be maintained along a lot line that abuts an R Zone.

SEE BYLAW FOR SCHEDULES.

REPEALED

10B01. **COMPREHENSIVE DEVELOPMENT ZONE (CD-2) CANADIAN TIRE**

10B02. **INTENT**

The intent of the CD-2 zone is to provide for a Canadian Tire Retail, Automotive Centre and Garden Centre on Lot 3, Block 14, Plan 13352 and Lots 12, 13, Plan 4682, DL 1028.

10B03. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted:

**Principle Uses**

- a) retail use;
- b) automotive repair and service;
- c) garden centre and outdoor display
- d) warehouse, indoor storage for products installed, sold or used on the property.

**Accessory Uses**

- a) office supporting the principle business;
- b) recreation vehicle Sani Station

**Prohibited Uses**

- a) intensive uses such as a car wash, gasoline service stations, either conventional or self-serve, and propane storage are prohibited;
- b) restaurant, and/or drive through food service;
- c) servicing and repair of heavy machinery, trucks and truck trailers;
- d) vehicle rental and sales.

10B04. **SITE COVERAGE**

- (1) The floor area of the building and space occupied by the garden centre and outdoor display area shall be as illustrated on the site plan prepared by Kasian Kennedy Architects, dated May 30, 2001 and attached as Schedule "B" to this Bylaw.
- (2) The space occupied by the garden centre and outdoor display area shall not exceed six hundred and eighty two (682) square metres.

**10B05. SITING OF BUILDINGS AND OTHER STRUCTURES**

Building lot coverage and setbacks shall be in accordance with the site plan prepared by Kasian Kennedy Architects, dated May 30, 2001 and attached as Schedule "B" to this Bylaw. No building or structure except a fence shall be located within:

- (1) fifty eight (58.0) metres from front lot line;
- (2) sixteen (16.0) metres of a rear lot line where a lot abuts a lot in a Residential zone;
- (3) thirty (30.0) metres of a side lot line where a lot abuts a lot in a Residential zone.

**10B06. BUILDING ELEVATIONS**

Building elevations and finishes shall be in accordance with the site plan prepared by Kasian Kennedy Architects, dated May 30, 2001 and attached as Schedule "B" to this Bylaw. No building or structure shall exceed ten and one half (10.5) metres in height.

**10B07. BUILDING DIMENSIONS**

The dimensions and elevations of the retail and automotive center and the outdoor garden center shall be as illustrated on the site plan prepared by Kasian Kennedy Architects, dated May 30, 2001 and attached as Schedule "B" to this Bylaw.

**10B08. OFF-STREET PARKING**

Off-street parking shall include 127 parking stalls for customers and staff in accordance with the site plan prepared by Kasian Kennedy Architects, dated May 30, 2001 and attached as Schedule "B" to this Bylaw.

**10B09. LANDSCAPING AND MAINTENANCE**

Landscaping of the subject property shall be in keeping with the details shown on Landscaping Plans L1 and L2 prepared by DMG Landscape Architects and dated April 02, 2001, as attached as Schedule "C" and forming part of this Bylaw, AND the Planting Plan prepared by EBA Engineering Consultants Ltd. and dated August 9, 2001, as attached as Schedule "D" and forming part of this Bylaw.

Maintenance of all landscaping features shall be the responsibility of the property owner.

SEE BYLAW FOR SCHEDULES.

10D01. **COMPREHENSIVE DEVELOPMENT ZONE (CD-4) BUSINESS PARK**

10D02. **INTENT**

The intent of the CD-4 zone is to regulate the development of a Business Park on Lot B, Block 2, Plan 10841 DL 1029

10D03. **DEFINITION**

A Business Park shall mean a comprehensively-planned cluster of buildings designed to accommodate a variety of commercial and non-noxious industrial activities.

10D04. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted:

**Principal Uses**

- e) Commercial use;
- f) Contactor services;
- g) Light industry;
- h) Personal services;
- i) Research establishment;
- j) School, business;
- k) Storage warehouse;
- l) Restaurant;
- m) Office;
- n) Retail use;
- o) Service business;
- p) Utility services;
- q) Veterinary hospital.

**Accessory Uses**

- (a) Residences associated with principal uses;
- (b) Loading bays.

**Prohibited Uses**

- (a) Gasoline service stations, car wash;
- (b) Industrial uses emitting dust, fumes or noise;
- (c) Exterior storage.

**10D05. SITE COVERAGE**

- a) The floor area of the buildings shall be within the building envelopes illustrated on the site plan prepared by Mobius Architect Teryl Mullock Architect, dated June 29, 2004 and attached as Schedule "B" to this bylaw.
- b) The total gross floor area of the buildings within Lot B, Block 2, Plan 10841, DL 1029 shall not exceed 27,000 sq. metres.

**10D06. SITING OF PRINCIPAL BUILDINGS**

No principal building fence shall be located within:

- (1) Ten (10.0) metres of the Field Road property line;
- (2) Ten (10.0) metres of the north property line where it abuts DL 1029;
- (3) Thirty (30.0) metres of the surveyed top of bank of Hudson Creek;
- (4) Forty (40.0) metres of the south property line.

**10D07. HEIGHT OF BUILDING**

- (1) Up to 25% of the buildings or other structures shall not exceed 14 metres in height.
- (2) The remaining 75% of buildings and structures shall not exceed 10.5 metres in height.

**10D08. BUILDING DIMENSIONS**

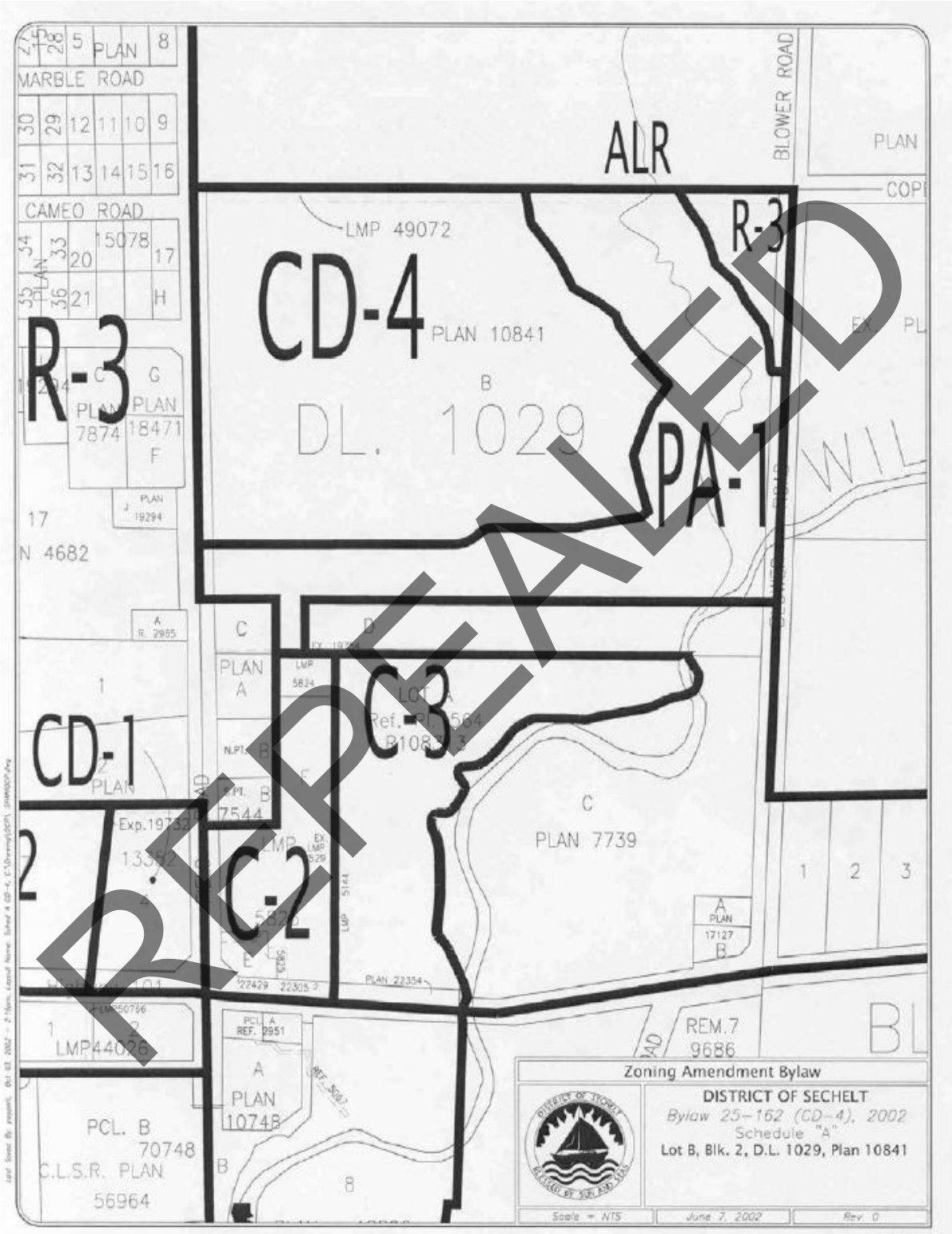
The dimensions of the buildings proposed for the Business Park shall not exceed the building envelopes as illustrated on the site plan prepared by Mobius Architect Teryl Mullock Architect dated June 29, 2004, and attached as Schedule "B" to this Bylaw.

**10D09. OFF-STREET PARKING**

Off-street parking in the Business Park for customers and staff shall be provided in accordance with the site plan prepared by Mobius Architect Teryl Mullock Architect dated June 29, 2004 and attached as Schedule "B" to this bylaw.

**10D10. LANDSCAPING AND MAINTENANCE**

Detailed landscape plans shall be prepared for each phase of development as a condition of Development Permit approval. Landscaping of the subject property shall be in keeping with the details shown on the Landscape Concept Plan and Landscape View from Field Road drawings prepared by Judith Reeve Consultants Ltd. and Tetrahedron Design Collaborative attached as Schedules "C" and "D" to this bylaw



10E01. **COMPREHENSIVE DEVELOPMENT ZONE (CD-5) WARD COURT**

10E02. **INTENT**

The intent of the CD-5 zone is to provide for a water bottling plant and nursery on Lot 18, Plan 4682, DL 1028, except part in Plan 19680.

10E03. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted:

**Principle Uses**

- a) Garden nursery and garden center;
- b) Greenhouses;
- c) Water bottling plant;
- d) Dwelling, single family;
- e) Wholesale and retail sales of products associated with (a) (b) and (c).

**Accessory Uses**

- a) storage facilities and uses customarily incidental to the principal uses, subject to the requirements of District of Sechelt Bylaw 25.

10E04. **SITING OF BUILDINGS AND OTHER STRUCTURES**

No building or structure except a fence shall be located within:

- (i) 5 metres from front the lot line where the lot abuts a street.

10E05. **HEIGHT OF BUILDING**

No building or other structure shall exceed ten and one half (10 5) metres in height.

10E06. **OFF-STREET PARKING**

Off street parking shall be in accordance with the provisions of District of Sechelt Bylaw 25.

SEE BYLAW FOR SCHEDULE

10F01. **COMPREHENSIVE DEVELOPMENT ZONE 6 (CD-6) THE WEST**

10F02. **INTENT**

The intent of the CD-6 zone is to provide for a three storey, 59 unit residential structure in conjunction with commercial ground floor use and parking on Lot B and Lot 7, Block 11, Plan 11795, DL 1356.

10F03. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the CD-6 zone:

**Principle Uses**

- a) Multi-Family Residences not to exceed fifty-nine (59) units
- b) Offices
- c) Retail
- d) Restaurant
- e) Service Business
- f) Specialty Commercial

**Accessory Uses**

- a) Parking
- b) Loading bays
- c) Outdoor amenity areas

**Prohibited Uses**

- a) Intensive uses such as a car wash, gasoline service stations, and propane storage are prohibited;
- b) Short term rental accommodation

10F04. **SITE COVERAGE**

- (1) The floor area of the three storey residential structure and the ground floor commercial area shall be as illustrated on the site plan Drawing A2.1 prepared by Besharat Friars Architecture and Planning Ltd, dated April 4, 2005 attached to and forming part of this Bylaw as Schedule "B".
- (2) The floor area of the commercial use area and outdoor patio shall be no more than 200 square meters.

**10F05. SITING OF BUILDINGS AND OTHER STRUCTURES**

No building or structure except a fence consistent with Bylaw 25, 1987 shall be located within:

- (1) 8.28 meters from the lot line which borders the Sunshine Coast Highway;
- (2) 3.0 meters of the north side lot line;
- (3) 3.0 meters of the east side lot line;
- (4) 4.3 meters of the south lot line.

**10F06. HEIGHT OF BUILDINGS**

The height of the three storey portion of the residential condominium shall not exceed 9.7 metres to the parapet and 11.2 metres to the peak of the partial sloped corner roof measured from natural grade as illustrated on Elevations Drawing A4.1 and A4.2 prepared by Besharat Friars attached to and forming part of this Bylaw as Schedules "C-1" and "C-2".

**10F07. BUILDING DIMENSIONS AND SITE COVERAGE**

The dimensions of the residential condominium and commercial building and site coverage shall be as illustrated on the site plan prepared by Besharat Friar Architecture and Planning dated April 4, 2005 attached to and forming part of this Bylaw as Schedule "B".

**10F08. OFF-STREET PARKING**

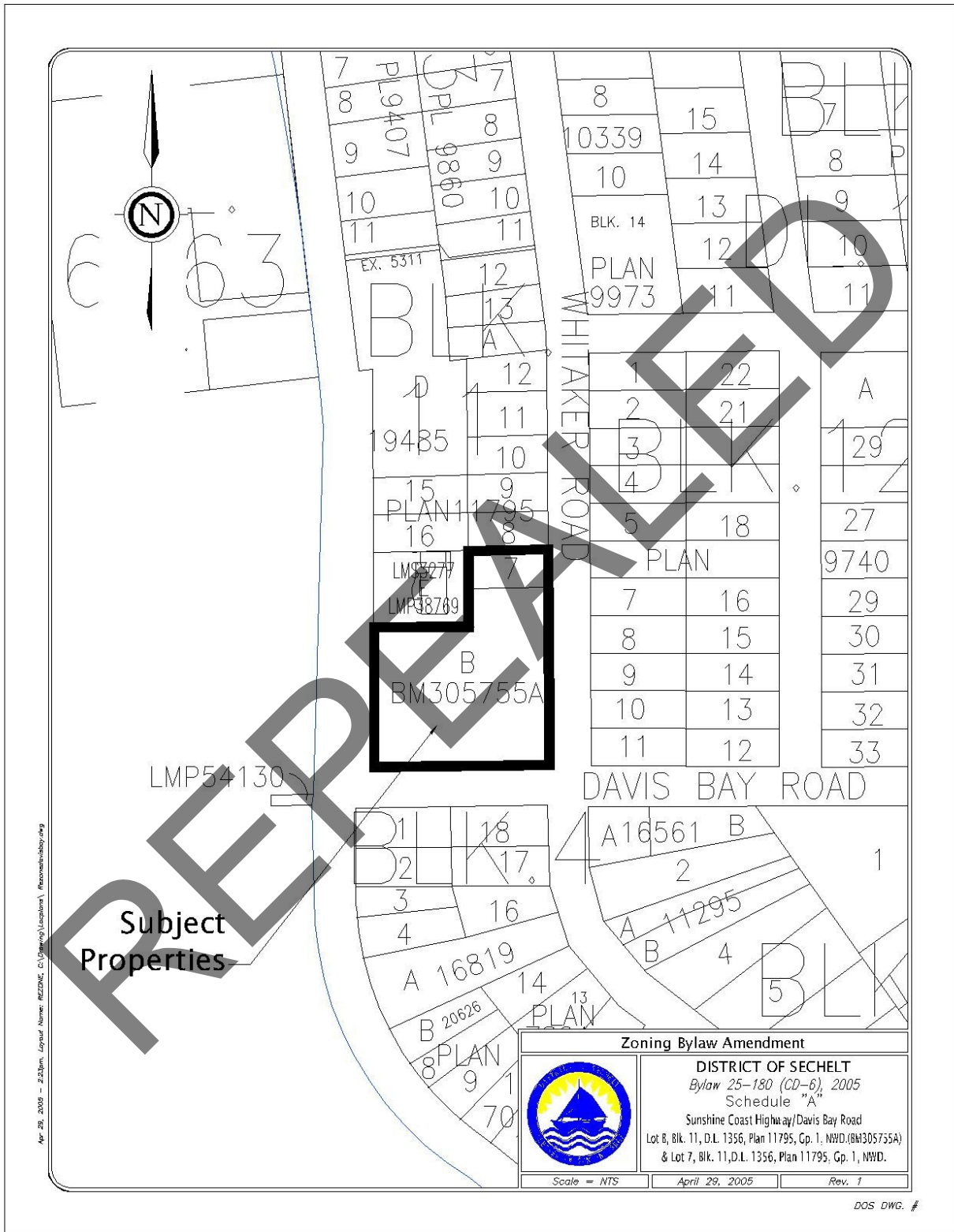
Off-street parking shall include not less than 75 parking stalls for the condominium residences, and 8 parking stalls for the commercial use, in accordance with the site plan prepared by Besharat Friar Architecture and Planning Dated April 4, 2005 attached to and forming part of this Bylaw as Schedule "B".

**10F09. LANDSCAPING AND MAINTENANCE**

Landscaping of the subject property shall be in keeping with the details shown on the Landscape Plan Drawing, L1 prepared by DMG Landscape Architects and dated April 5, 2005 attached to and forming part of this Bylaw as Schedule "D".

Maintenance of all landscaping shall be the responsibility of the property owner.

SEE BYLAW FOR DRAWINGS



10G01. **COMPREHENSIVE DEVELOPMENT ZONE 7 (CD-7) WAKEFIELD PHASE I**

10G02. **INTENT**

The intent of the CD-7 zone is to provide for thirty-one (31) single family, two-family and three-family residential dwelling units on Lot 2, Block 1, District Lot 1310, Plan 7839.

10G03. **PERMITTED USES**

Except as otherwise provided in Part 3, Section 303 of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the CD-7 zone:

**Principle Uses**

- a) Single-Family and Multiple-Family Dwellings not to exceed thirty-one (31) units;
- b) Home occupation;
- c) Public pathway;
- d) Park and open space.

**Accessory Uses**

- a) Accessory buildings, subject to the regulations in Part 3, Section 305 of this Bylaw;
- b) Parking.

10G04. **SITE COVERAGE**

- (1) The total floor area of all buildings shall not exceed five thousand eight hundred (5,800) square metres.
- (2) The total area of elevated decks shall not exceed seven hundred (700) square metres.

10G05. **SITING OF BUILDINGS AND OTHER STRUCTURES**

- (1) No building or structure (excluding landscape features) shall be located outside of the designated building envelope, and, no roof overhang or deck structure shall be located outside of the designated overhang envelope, as indicated on the attached plan entitled "Building Envelope Plan AS-2" prepared by Teryl Mullock Architect Ltd. dated August 29, 2005, and forming part of this Bylaw as Schedule "B".
- (2) The clear space between the outside walls of separate buildings shall not be less than three (3) metres.

- (3) Dwellings may be single family detached homes, two-family homes with one common wall between homes, or triplex homes with two common walls between homes, as illustrated on "Site Plan AS-1" by Teryl Mullock Architect Ltd. dated August 29, 2005 and forming part of this Bylaw as Schedule "C".
- (4) No habitable structure shall be located less than 15 metres from the natural boundary of the sea.

**10G06. HEIGHT OF BUILDINGS**

No building shall exceed ten point five (10.5) metres in height, as per the District of Sechelt Zoning Bylaw definition(s).

**10G07. OFF-STREET PARKING**

- (1) Off-street parking shall include not less than sixty four (64) spaces.
- (2) Off-street parking may include garage, designated guest parking spaces, tandem and driveway parking, all as indicated on the attached plan entitled "Site Plan AS-1" prepared by Teryl Mullock Architect Ltd. dated August 29, 2005, and forming part of this Bylaw as Schedule "C".

**10G08. LANDSCAPING AND MAINTENANCE**

- (1) Landscaping of the subject property shall be in keeping with the details shown on the Landscape Plan Drawings L1, L2, and L3 prepared by Forma Design Ltd., dated August 29, 2005 and forming part of this Bylaw as Schedule "D".
- (2) Maintenance of all landscaping shall be the responsibility of the property owner.

**10G09. ZONING BYLAW AMENDMENT**

Zoning Bylaw 25, 1987 is further amended by adding Schedules A, B and C attached to and forming part of this Bylaw as Schedules A, B, C and D.

SEE BYLAW FOR SCHEDULES

10H01. **COMPREHENSIVE DEVELOPMENT ZONE 8 (CD-8) THE TRAILS**

10H02. **INTENT**

The intent of the CD-8 zone is to provide for a range of single family residences and low density multifamily residences, including two-family, three-family and townhouse residential dwelling units, parks and open space in accordance with “The Trails” Comprehensive Development Plan as summarized in the following table:

Land Use	Lot Size(s)	# of Lots	# of Units
Dwellings, Single Family	900 - 1,600 Sq. m.	144	144
Dwellings, Single Family	1,601 - 2,500 Sq. m.	53	53
Dwellings, Single Family	2,501 - 7, 000 sq. m	14	14
Dwellings, Single Family SUB TOTAL		211	211
Dwellings Multi Family- Sites	Sites 1 - 3	3	132
<b>TOTAL DWELLING LOTS/UNITS</b>		214	343
Park and Open Space	18.48 ha.		

10H03. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the **CD-8** zone:

**Principle Uses**

- a) Dwellings, single family R-3 to a maximum of 211 units, restricted to one dwelling per lot, in accordance with Schedule A
- b) Dwellings, two-family, three-family, and Dwellings, multiple family R-4 to a maximum of 132 units in accordance with Section 10H04
- c) Parks and Open Space (PA-1) shall include passive recreation including nature conservation, trails and pathways, benches and gazebos. No buildings are permitted.
- d) Accessory Buildings, subject to the regulations in Part 3, Section 305 of Bylaw 25, except as otherwise provided in Section 10H04, 10H07 and 10H08 of this Bylaw.

### **Other Uses**

Part 3, Section 307 of Bylaw 25, 1987 is amended for the purposes of the CD-8 Zone, as follows:

- a) The operation of a Bed and Breakfast Home Occupation within the CD-8 Zone is a prohibited use.

### **10H04. DENSITY**

- (1) Single family residential density shall not exceed 1 dwelling unit per lot except on lots greater than 3531 sq. meters where 2 single family dwellings, or a single family dwelling and a guest house no greater than 112 m<sup>2</sup> in area, shall be allowed per lot.
- (2) Residential density within the R-4 multifamily zone shall not exceed 25 units per hectare (10 units per acre) where the lot area is greater than 1 ha in area.
- (3) Accessory buildings shall not exceed 75 m<sup>2</sup> in area.

### **10H05. SITE COVERAGE**

- (1) In the R-3 single family residential zone buildings and structures shall not cover more than:
  - a) Twenty percent (20%) of a lot area that is greater than 2,000 square metres, or;
  - b) Thirty-five percent (35%) of lot area that is not less than 900 square metres and no greater than 2,000 square metres.
- (2) In the R-4 multifamily residential zone buildings and structures (including common areas such as storage, garbage and mailboxes) shall not cover more than forty-five (45%) of the lot area.

### **10H06. LOT SIZE AND WIDTH**

The minimum lot size required is nine hundred (900) square metres, and the minimum width required is eighteen (18) metres.

#### **10H07. SITING OF BUILDINGS AND OTHER STRUCTURES**

In the single family R-3 residential zone single family dwellings shall be located as follows:

- (1) The front and rear setbacks shall have a minimum of 5.0 meters. Where a dwelling is situated on a flanking street the setback shall be 4.5 meters from the flanking street.
- (2) The side lot lines shall be 3.0 meters of one side lot line and 1.5 meters on the opposite side lot line.
- (3) In the R-4 multifamily zone, (R-4) multifamily dwellings shall be sited no less than 3.0 meters from any lot line.
- (4) Accessory buildings shall not be located within 1.5 meters of any lot line.

#### **10H08. HEIGHT OF BUILDINGS**

- (1) No building or other structure shall exceed 10.5 meters in height, except on steeply sloping sites in excess of 12.5% slope, in which case the structure shall not exceed eleven (11) meters in height.
- (2) No accessory building shall exceed six (6.0) meters in height.

#### **10H09. OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with Part Eleven of Bylaw 25, 1987 except that where necessary, tandem parking spaces are allowed to be provided in two family, three family and multiple family dwelling buildings.

All two family, three family and multiple family dwelling buildings shall provide 2 off street parking spaces per dwelling unit plus .5 off street spaces per unit for visitor parking. For purposes of this Bylaw, tandem spaces are included in meeting the off street parking requirement.

#### **10H10. LANDSCAPING AND MAINTENANCE**

All portions of a residential lot not covered by buildings, structures, or pavement shall be landscaped in accordance with the Design Guidelines for the single family dwelling sites and where possible include the retention of mature trees.

Landscaping of multifamily sites shall be consistent with the development permit requirements in respect to form and character.

Maintenance of all landscaping shall be the responsibility of the owner.



10J01. **COMPREHENSIVE DEVELOPMENT ZONE 10 (CD-10) FOLEY**

10J02. **INTENT**

The intent of the CD-10 zone is to permit a two-family dwelling unit while retaining the single family character of the area.

10J03. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the **CD-10** zone:

**Principle Uses**

- (a) Two-family dwelling unit;
- (b) home occupation;
- (c) accessory buildings, subject to regulations in Part 3, Section 305 of this Bylaw.

10J04. **SITE COVERAGE**

In the CD-10 two-family residential zone buildings and structures shall not cover more than forty percent (40%) of a lot area.

10J06. **LOT SIZE AND WIDTH**

The minimum lot size required is five hundred and fifty hundred (550m<sup>2</sup>) square metres, and the minimum width required is eighteen (18) metres.

10J07. **SITING OF BUILDINGS AND OTHER STRUCTURES**

1. In the CD-10 two-family residential zone single family dwellings shall be located as follows:
  - (a) five (5) metres of a front lot line;
  - (b) five (5) metres of a rear lot line;
  - (c) three (3) metres of one side lot line and one point five (1.5) metres on the opposite side lot line, where there is no developed rear lane. Where there is a rear lane, no building or part thereof shall be located within one point five (1.5) metres of any side lot line;
  - (d) three (3) metres where a side lot line abuts a street.
2. Accessory buildings shall not be located within one (1.0) metre of any lot line.

10J08. **HEIGHT OF BUILDINGS**

- (1) No building or other structure shall exceed 10.5 metres in height,
- (2) No accessory building shall exceed six (6.0) metres in height.

10J09. **WIDTH OF BUILDINGS**

No building containing a dwelling unit shall have a width of less than six (6) metres, of which at least seven point three (7.3) metres (twenty four (24) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

10J10. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with Part Eleven of Bylaw 25, 1987.

SEE BYLAW FOR SCHEDULE

REPEALED

10L01. **COMPREHENSIVE DEVELOPMENT ZONE 12 (CD-12) HABITAT FOR HUMANITY**

10L02. **INTENT**

The intent of the CD-12 zone is to permit a two-family dwelling unit while retaining the single family character of the area.

10L03. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the **CD-12** zone:

Principle Uses

- (a) two-family dwelling unit;
- (b) home occupation;
- (c) accessory buildings, subject to regulations in Part 3, Section 305 of this Bylaw.

10L04. **SITE COVERAGE**

In the CD-12 two-family residential zone buildings and structures shall not cover more than twenty percent (25%) of a lot area.

10L05. **LOT SIZE AND WIDTH**

The minimum lot size required is six hundred and ninety-seven (697m<sup>2</sup>) square metres, and the minimum width required is eighteen (18) metres.

10L06. **SITING OF BUILDINGS AND OTHER STRUCTURES**

1. In the CD-12 two-family residential zone single family dwellings shall be located as follows:
  - (a) six (6) metres of a front lot line;
  - (b) nine (9) metres of a rear lot line;
  - (c) three (3) metres of the north side lot line and six (6) metres on the south side lot line;
2. Accessory buildings shall not be located within one (1.0) metre of any lot line.

10L07. **HEIGHT OF BUILDINGS**

- (1) No building or other structure shall exceed 10.5 metres in height,
- (2) No accessory building shall exceed six (6.0) metres in height.

10L08. **WIDTH OF BUILDINGS**

No building containing a dwelling unit shall have a width of less than six (6) metres, of which at least seven point three (7.3) metres (twenty four (24) feet) or forty (40%) percent of the building length (whichever is greater) is enclosed climate controlled habitable living area.

10L09. **OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with Part Eleven of Bylaw 25, 1987.

SEE BYLAW FOR SCHEDULE

REPEALED

10R01. **COMPREHENSIVE DEVELOPMENT ZONE 18 (CD-18) MIDTOWN DEVELOPMENT**

10R02. **INTENT**

The intent of the CD-18 zone is to provide for twenty-four residential apartment dwelling units, partly guaranteed affordable housing, in two attached high rise buildings on Inlet Avenue in Downtown Sechelt as shown on Schedule A which forms part of this bylaw.

10R03. **PERMITTED USES**

Except as otherwise provided in Part 3, Section 303 of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the CD-18 zone:

**Principle Uses**

- a) Multi-family residences

**Accessory Uses**

- a) Storage
- b) Parking for residents and visitors c) Landscaped open space

10R04. **SITE DENSITY**

The maximum number of units shall not exceed twenty-four (24). Eleven (11) of these units are allowed subject to a Housing Agreement for affordable housing with the District of Sechelt (Section 219 Land Title Act, Section 905 *Local Government Act*).

10R05. **SITE COVERAGE**

- 1) Buildings, structures shall not cover more than 35 % of the total site area
- 2) The area of the landscaped open space shall be a minimum of 30% of the total site area

10R06. **SITING OF BUILDINGS AND OTHER STRUCTURES**

- 1) Buildings, structures and roofs (excluding landscape features) shall be located inside the designated building envelope and roof plan as indicated on the attached site plan "Proposed Site Plan 2" dated March 2007 and roof plan "Proposed Roof Plan 8.1" dated March 2007 forming part of this Bylaw as respectively Schedule "B" and "C".

**10R07. HEIGHT OF BUILDINGS**

- 1) The building on the west side (Inlet Avenue) shall not exceed a height of 3.5 storeys
- 2) The building on the east side (Lamprey Lane) shall not exceed a height of 4.5 storeys
- 3) No building or part of the building shall exceed 17.6 m

**10R08. OFF-STREET PARKING & LOADING**

- 1) The parking requirement shall be thirty (30) spots. This requirement can be reduced to twenty-one (21) parking spots if the developer guarantees the provision of a car co-op
- 2) included in the parking requirement is the provision of 2 handicapped parking and access for a Handy dart vehicle

**10R09. ZONING BYLAW AMENDMENT**

Zoning Bylaw 25, 1987 is further amended by adding Schedules A, B and C attached to and forming part of this Bylaw as Schedules A, B, and C.

SEE BYLAW FOR SCHEDULES

REPEALED

10N01. **COMPREHENSIVE DEVELOPMENT ZONE 20 (CD-20) WAKEFIELD PHASE II**

10N02. **INTENT**

The intent of the CD-20 zone is to provide for 3 single family and 4 three-family residential buildings on a strata lot (total 15 residential strata units) on Lot 1, Block 1, District Lot 1310, Plan 7839.

10N03. **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the **CD-20** zone:

**Principle Uses**

- a) Single-Family and Multiple-Family Dwellings not to exceed fifteen (15) units;
- b) Home occupation;
- c) Public pathway;
- d) Park and open space.

**Accessory Uses**

- a) Accessory buildings, subject to the regulations in Part 3, Section 305 of this Bylaw;
- b) Parking.

10N04. **SITE COVERAGE**

- (1) The total floor area of all residential buildings shall not exceed three thousand (3,000) square metres.
- (2) The total area of elevated residential strata decks shall not exceed five hundred (500) square metres.
- (3) The total area of the park shall be a minimum of 244 square metres.

10N05. **SITING OF BUILDINGS AND OTHER STRUCTURES**

- (1) No building or structure (excluding landscape features) shall be located outside of the designated building envelope, and no roof overhang or deck structure shall be located outside of the designated overhang envelope, as indicated on the attached plan entitled "Site Plan A02" prepared by Helliwell + Smith Blue Sky Architecture Inc. dated February 28, 2007 and forming part of this Bylaw as Schedule "A".
- (2) The clear space between the outside walls of separate buildings shall not be less than one (1) metre.

- (3) Dwellings may be single family detached homes or triplex homes with two common walls between homes, as illustrated on “Site Plan A02” by Helliwell + Smith Blue Sky Architecture Inc. dated February 28, 2007 and forming part of this Bylaw as Schedule “A”.
- (4) No building shall be located less than fifteen (15) metres from the natural boundary of the sea.

**10N06. HEIGHT OF BUILDINGS**

No residential building shall exceed ten point five (10.5) metres in height, as per the District of Sechelt Zoning Bylaw definition(s).

**10N07. OFF-STREET PARKING AND LOADING**

- (1) Off-street parking shall include not less than thirty-six (36) on-site spaces for the residential strata units.
- (2) Off-street parking may include garage, designated guest parking spaces, tandem and driveway parking, all as indicated on the attached revised plan entitled “Parking Plan A03” prepared by Helliwell + Smith Blue Sky Architecture Inc. dated February 28, 2007, and forming part of this Bylaw as Schedule “B”.

**10N08. LANDSCAPING AND MAINTENANCE**

- (1) Landscaping of the subject property shall be in keeping with the details shown on Landscape Drawings L1 and L2 prepared by Forma Design Ltd., dated February 28, 2007 and forming part of this Bylaw as Schedules “C-1 and C-2” respectively.
- (2) Maintenance of all landscaping shall be the responsibility of the property owner.

SEE BYLAW FOR SCHEDULES

10001. **COMPREHENSIVE DEVELOPMENT ZONE 21 (CD-21) SENIORS LODGE**

10002. **INTENT**

The intent of the CD-21 zone is to provide for a 193 residential unit complex (72 rental apartment units, 113 strata apartment units and 8 guest suites) including ancillary amenity services and spaces such as meal preparation, laundry, transportation services, assembly areas and indoor and outdoor amenity spaces, on Lot B, District Lot 1331, Plan 18108.

10003. **DEFINITIONS**

**“AMENITY SERVICES”** means house cleaning, meal preparation, shuttle bus service, recreation programming and can include the provision of medical services.

**“AMENITY SPACES”** means spaces provided for the operation of a “congregate housing” facility including: medical clinic, fitness centre, restaurant, commercial kitchen, laundry, beauty salon, reading room, crafts room, woodworking shop, multi-purpose room and administrative offices all provided in conjunction with the housing.

**“GUEST SUITES”** means guest accommodations, for the use of visitors, with a sleeping room and bathroom, without kitchen, that are common property of a strata corporation.

**“CONGREGATE HOUSING”** A residential housing facility which provides apartment dwellings with kitchens. “Amenity services” must be provided. “Guest Suites” must be provided. “Amenity spaces” must be provided – their total floor area to be provided at a minimum rate of 8% of the gross residential apartment component floor area.

10004. **PERMITTED USES**

Except as otherwise provided in Part 3, Section 303 of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the CD-21 zone:

**Principle Uses**

- a) “Congregate Housing” not to exceed one hundred eighty-five (185) apartment dwelling units;
- b) Open space accessible to the public.

**Accessory Uses**

- a) “Amenity Spaces”
- b) “Guest Suites” (not to exceed 8 suites)
- c) “Amenity Services”
- d) Parking

**10005. SITE DENSITY**

- 1) The maximum number of apartment dwellings and guest suites is forty-six (46) units.
- 2) Provided the applicable conditions from the Housing Agreement (a section 219 / 905 covenant pursuant to the *Local Government Act*) for this location are met, the maximum number of apartment dwellings and guest suites can be increased up to one hundred ninety -three (193) units.

**10006. SITE COVERAGE**

- 1) Buildings and structures shall not cover more than twenty-five percent (25%) of the total site area.
- 2) Vehicle driveways and surface parking shall not cover more than eighteen percent (18%) of the total site area.
- 3) The area of the dedicated public park shall be a minimum of 3,806 square metres.

**10007. SITING OF BUILDINGS AND OTHER STRUCTURES**

- 1) No building or structure (excluding landscape features) shall be located outside of the designated building envelope, and, no roof overhang or deck structure shall be located outside of the designated overhang envelope, as indicated on the attached plan numbered A01 entitled "Site Plan, Project Data, Key Plan" prepared by Toby Russell Buckwell & Partners Architects dated August 27, 2007, and forming part of this Bylaw as Schedule "B".
- 2) "Congregate Housing" shall be contained in one building, as illustrated on the attached plans numbered:
  - a. Plan A02, entitled "Typical Floor Plan Residential" prepared by Toby Russell Buckwell & Partners Architect, dated August 27, 2007 and forming part of this Bylaw as Schedule "C"
  - b. Plan A03, entitled "Basement Floor Plan Parking" prepared by Toby Russell Buckwell & Partners Architect, dated August 27, 2007 and forming part of this Bylaw as Schedule "D"
- 3) Public open space shall be located as indicated on Plan A01 entitled "Site Plan, Project Data, Key Plan" prepared by Toby Russell Buckwell & Partners Architects dated August 27, 2007, and forming part of this Bylaw as Schedule "B".

**10008. HEIGHT OF BUILDINGS**

No building shall exceed seventeen and one half (17.5) metres in height.

**10009. OFF-STREET PARKING & LOADING**

- 1) Off-street parking shall include not less than one hundred ninety-six (196) vehicle spaces.
- 2) Off-street parking shall include a minimum of 20 designated visitor parking spaces, 16 designated staff parking spaces, 159 designated resident parking spaces, 40 designated scooter parking spaces and 1 bus parking space, as indicated on Schedule "B" (for surface parking) and Schedule "D" (for underground parking) of this bylaw.
- 3) Loading Spaces in accordance with Section 1103 of Bylaw 25, 1987

SEE BYLAW FOR SCHEDULES

REPEALED

10ZCD27.01 **COMPREHENSIVE DEVELOPMENT ZONE 27 (CD-27) THE TRAILS**

10ZCD27.02 **INTENT**

The intent of the CD-27 zone is to provide for a rural subdivision development comprising single family lots, multifamily residences, parks and open space in District Lots 2337 and 2338

10ZCD27.03 **INTERPRETATION AND APPLICATION OF CD 27 ZONE REGULATIONS**

Except as otherwise provided in Part 3, Section 303 of this bylaw, the uses listed under the headings “principal uses”, “accessory uses” and “permitted uses”, and no other uses, are permitted on the specific areas identified in Schedule A

There shall be a maximum of 170 dwelling units constructed in the Trails development illustrated on Schedule A

Multi family dwellings shall be subject to a development permit pursuant to Section 920 of the *Local Government Act*

An accessory building shall not be used as a dwelling (no cooking or sleeping facilities)

A single family dwelling unit shall have no more than one kitchen

10ZCD27.04 **SINGLE FAMILY ZONE (RES SF)**

**Permitted Uses**

**1.1 Principal Uses**

Dwelling, Single family

**1.2 Accessory Uses**

Garages Garden Sheds Home Occupation Barns

Guest Cottages on lots greater than 2000 sq meters.

### 1.3 Siting of Buildings and Other Structures

No building or structure, except a fence, shall be located within:

- 1) 6.5 metres of a front lot line;
- 2) 2.0 metres and 3.0 metres of an interior and exterior side lot line respectively; or
- 3) 7.0 metres of a rear lot line, except where a rear lot line abuts a park area the setback shall be 8 metres.
- 4) Accessory structures shall be located no less than 3 meters from a lot line

#### 1.1.3 Height of Building

- 1) No principal building shall exceed a height of 2.5 storeys or 10.5 metres.
- 2) No accessory building shall exceed a height of 6.0 metres.

#### 1.1.4 Lot Area and Dimensions

All lot dimensions shall comply with the following requirements:

- (a) The minimum lot area in the Res SF Zone shall be .10 ha (.25 acres)
- (b) The minimum lot width in the Res SF Zone shall be 23 metres. No lot shall have a frontage less than ten percent of the lot perimeter.

#### 1.1.5 Lot Coverage

In the Res (SF) Zone the following lot coverage requirements shall apply:

- (a) On lots greater than .407 ha (1 acre) lot coverage shall not exceed 15%
- (b) On lot sizes between 2000 sq meters and .407 ha. (.5 acre – 1 acre) the lot coverage shall not exceed 20 %
- (c) On lot sizes less than 2000 sq meters, the lot coverage shall not exceed 30%

#### 1.1.6 Parking

Off-street parking shall be in accordance with **Part Eleven** of this Bylaw.

All off street parking shall be provided on the lot in which the principal use is located.

10ZCD27.05 **RESIDENTIAL MULTI FAMILY (RES MF)**

**2.1 Permitted Uses**

**Principal Uses**

Dwelling, two family  
Dwelling, three family  
Dwelling, four family  
Townhouses

**2.2 Accessory Uses**

Home occupation

**2.3 Building Height**

- 1) No principal building shall exceed a height of 10.5 meters.
- 2) No accessory building shall exceed a height of 6.0 metres.

**2.4 Lot Coverage**

Buildings shall not cover more than 45% of the lot area.

**2.5. Siting of Buildings and Other Structures**

- 1) No building or other structure, except a fence, may be located within:
  - a) 7.5 metres of a front lot line;
  - b) 5 metres of a rear lot line;
  - c) 3 metres of an exterior side lot line; or
  - d) 2.5 metres of an interior side lot line.

**2.6 Density**

The density in the Residential Multi Family Zone (Res MF) shall not exceed 40 units / hectare.

**2.7 Parking**

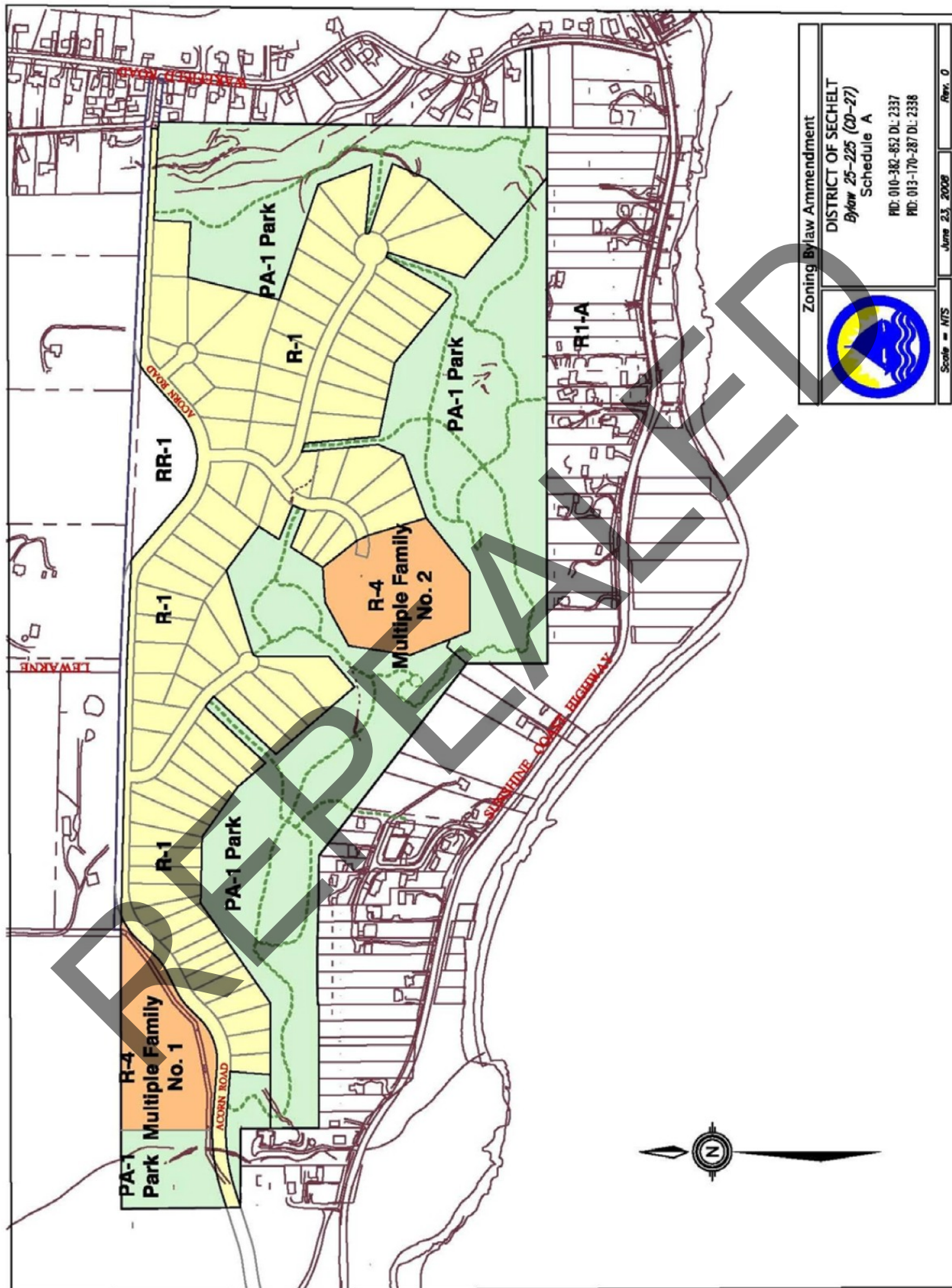
Off-street parking shall be in accordance with **Part Eleven** of this Bylaw.


10ZCD27.10 **PARKS AND OPEN SPACE ZONE (PA 1)**

**1.1 Permitted Uses**

- (a) Parks and Open Space and park appurtenances
- (b) Trails
- (c) Parking
- (d) Churches
- (e) Community Hall

REPEALED



	<b>Zoning Bylaw Amendment</b> <b>DISTRICT OF SECHELT</b> <i>Bylaw 25-225 (00-27)</i> Schedule A
	PID: 010-382-832 DL: 2337 PID: 013-170-287 DL: 2338
Scale = NTS	June 23, 2008 Rev. 0

10ZCD29.01 **COMPREHENSIVE DEVELOPMENT ZONE 29 (CD-29) SCCS & HEALTH SERVICES**

10ZCD29.02 **DEFINITIONS**

10ZCD29.03 **INTENT**

The intent of the CD-26 zone is to provide for the development of a supported-living, multi-family residential apartment unit complex and a community social and health services centre including accessory uses such as commercial kitchen, offices, laundry, retail, assembly and education areas, and indoor and outdoor amenity spaces.

10ZCD29.04 **PERMITTED USES**

Except as otherwise provided in Part 3, Section 303 of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the CD-29 zone:

**Principle Uses**

- a) Multi-family apartment dwelling units, “not-for-profit and/or government supported”
- b) “Not-for Profit and/or government supported” Social Services
- c) “Not-for Profit and/or government supported” Health Services

**Accessory Uses when ancillary to a Principle Use**

- d) Commercial Kitchen
- e) Offices
- f) Education and Training
- g) Parking, including vehicular and bicycle
- h) Outdoor amenity spaces
- i) Boutique Retail for not-for-profit/social enterprise to a maximum size of twenty square metres (20 m<sup>2</sup>)

10ZCD29.05 **SITE DENSITY**

- 1) The number of apartment dwelling units, shall not exceed one (1) for each one hundred and ten (110) square metres of site area.

10ZCD29.06 **SITE COVERAGE**

- 1) Buildings and structures shall not cover more than forty percent (40%) of the total site area.
- 2) Vehicle driveways and surface parking shall not cover more than thirty-five percent (35 %) of the total site area, as shown on Schedule B.

10ZCD29.07 **SITING OF BUILDINGS AND OTHER STRUCTURES**

- 3) No building or structure (excluding landscape features and fencing) shall be located within:
  - a. Two metres (2 m) of the Periwinkle Lane lot lines, except that balconies and roof overhangs may protrude into the setback area to the extent of the lot lines, as shown on Schedule B of this bylaw.
  - b. Three and four tenths metres (3.4 m) of the Dolphin Street lot line, except that balconies and roof overhangs may protrude into the setback area by 700 mm, as shown on Schedule B of this bylaw.
  - c. Two metres (2 m) of the Inlet Avenue lot lines, except that balconies and roof overhangs may protrude into the setback area to the extent of the lot lines, as shown on Schedule B of this bylaw.
  - d. Five metres (5 m) of the south lot line, except that balconies and roof overhangs may protrude into the setback area by 700 mm, as shown on Schedule B of this bylaw.

10ZCD29.08 **HEIGHT OF BUILDINGS**

No building shall exceed 10.5 metres in height.

10ZCD29.09 **OFF-STREET PARKING & LOADING**

A minimum of ten (10) off street parking spaces shall be provided, including 1 physically handicapped space, a maximum of 3 small car spaces and one designated drop-off/pick-up space.

SEE BYLAW FOR SCHEDULES

10ZCD31.01 **COMPREHENSIVE DEVELOPMENT ZONE 31 (CD-31) EMERSON**

10ZCD31.02 **INTENT**

The intent of the CD-31 zone is to provide for a small-lot residential, bareland strata subdivision development.

10ZCD31.03 **PERMITTED USES**

Except as otherwise provided in Part 3, Section 303 of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the CD-31 zone:

**Principle Uses**

- a) Single-family dwelling
- b) Home Occupation
- c) Public pathways and roadways;
- d) Open landscaped green space.

**Accessory Uses**

- a) Parking
- b) Accessory buildings, subject to the regulations in Part 3, Section 305 of this Bylaw

10ZCD31.04 **CD-31 SITE DEFINITION, DENSITY AND OPEN SPACE**

- (a) The CD-31 zone site is shown on CD-31- Schedule 1- Site Plan attached to and forming part of this zone and defined as all of:
  - Lot 6, District Lot 4305, Plan 20036;
  - Lot 7, District Lot 4305, Plan 20036 except portions in plans BCP14263 and BCP29814;
- b) The total number of dwelling units for the CD-31 zone site, as defined, shall not exceed four (4).
- c) Notwithstanding subsection (b) above, the total number of dwelling units may be increased to a maximum of fifty (50) if the owner of the lands in the CD-31 zone enters into a Housing Agreement, under Section 905 of the Local Government Act, to provide five (5) of the dwelling units as affordable housing units, in accordance with Official Community Plan Bylaw 492, 2010.

- d) The total area of open-landscaped, strata common, green space shall be not less than 10,375 square metres, of the CD-31 site.

10ZCD31.05 **BARE LAND STRATA LOTS – LOT AREA AND WIDTH**

- 1) Minimum lot area is four hundred sixteen square metres (416 m<sup>2</sup>).
- 2) Notwithstanding subsection (1) above, the lot area of lots SL#1 and SL#2 (as located on attached CD-31 -Schedule 1 - Site Plan) shall be no less than three hundred twenty-five square metres (325 m<sup>2</sup>).
- 3) Notwithstanding subsection (1) above, the lot area of lots SL#46 and SL#47 (as located on attached CD-31 -Schedule 1 - Site Plan) shall be no less than three hundred fifty-five square metres (355 m<sup>2</sup>).
- 4) Minimum lot width is fifteen metres (15 m).
- 5) Notwithstanding subsection (4) above, the lot width of lots SL#1 and SL#2 (as located on attached CD-31 -Schedule 1 - Site Plan) shall be no less than thirteen metres (13 m).
- 6) Notwithstanding subsection (4) above, the lot width of lots SL#46 and SL#47 (as located on attached CD-31 -Schedule 1-Site Plan) shall be no less than thirteen and nine tenths meters (13.9 m).

10ZCD31.06 **BARE LAND STRATA LOTS - DENSITY**

- 1) One dwelling unit per bare land strata lot.

10ZCD31.07 **BARE LAND STRATA LOTS– LOT COVERAGE**

- 1) Buildings and structures shall not cover more than 35 percent (35%) of the lot area.

10ZCD31.08 **BARE LAND STRATA LOTS - SITING OF BUILDINGS**

- 1) No building shall be located within:
  - a) five (5) metres of a front lot line
  - b) five (5) metres of a rear lot line
  - c) three (3.0) metres of one side lot line, and one point five (1.5) metres of the other side lot line
  - d) three (3.0) metres where the side lot line abuts a highway or strata road.

- 2) Notwithstanding subsection (1) above, the side lot line setback between Strata Lot SL1 and Strata Lot SL2, and between Strata Lot SL46 and Strata Lot SL47 (as shown on attached CD-31-Schedule 1 - Site Plan) may be reduced to zero (0)

#### **Garage and Carport Siting**

- 3) Notwithstanding subsection (1) above or subsection (5) below, all garage doors and carport entrance ways facing a highway or strata road, must be setback at least 7m from the back of sidewalk and curb of the facing highway or strata road.

#### **Front Porch Siting**

- 4) Notwithstanding (1) above, a dwelling's covered, but unenclosed, front entry porch may project one and one-half metres (1.5m) into the minimum required front yard setback provided the encroachment is no more than four and one-half square metres in area (4.5 m<sup>2</sup>).

#### **Accessory Building Siting**

- 5) Notwithstanding subsection (1) above, no accessory buildings shall be located within one and one-half (1.5) metres of any lot line.

#### 10ZCD31.09 **HEIGHT OF BUILDINGS**

- 1) No building shall exceed two storeys and 8 metres in height measured from the average natural grade (the distance measured vertically from the final lot grading plan, approved by the Approving Officer or his delegate, and measured at the outermost corners of the building).
- 2) No accessory building shall exceed one storey and 5 metres in height.

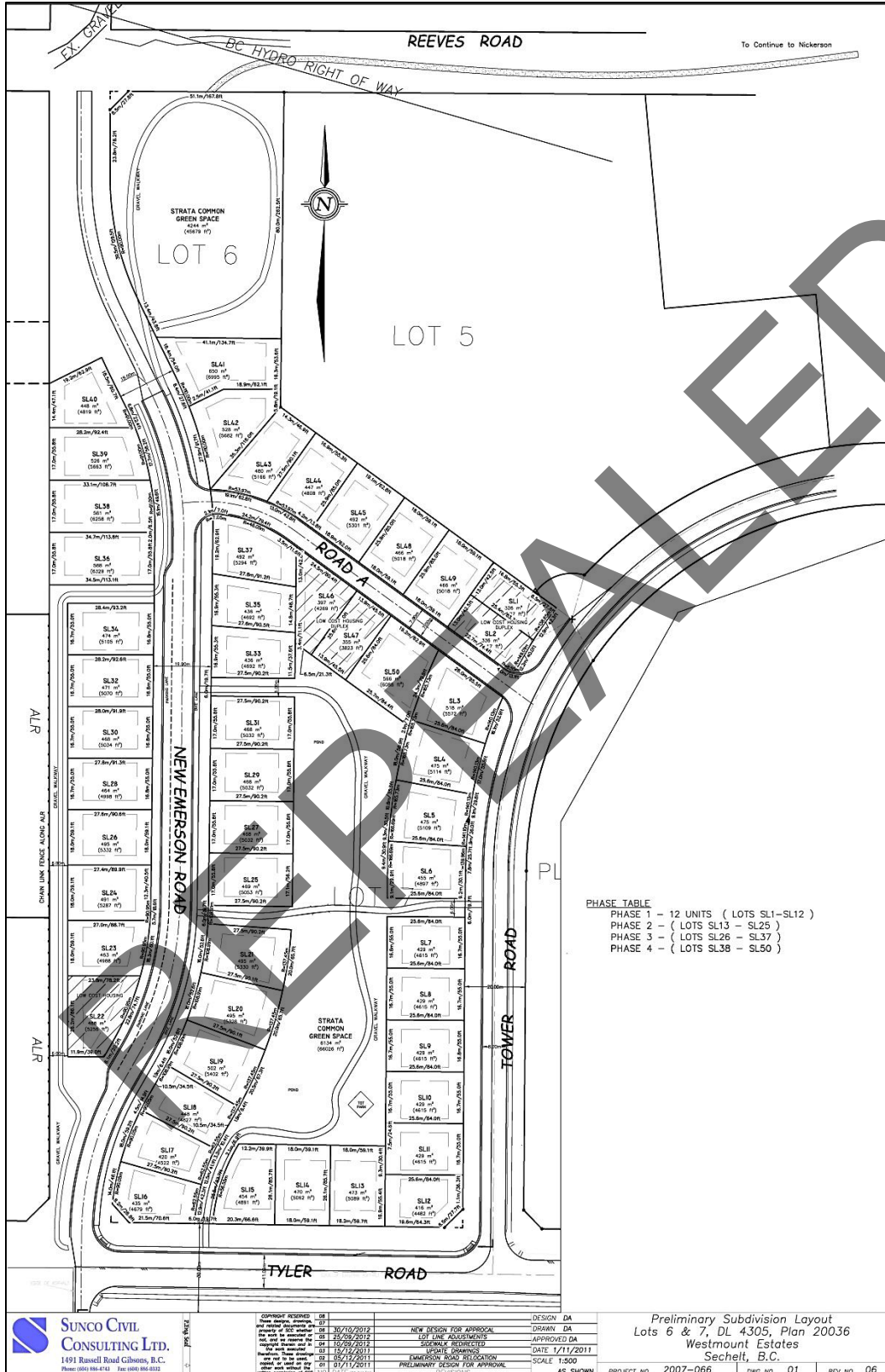
#### 10ZCD31.10 **WIDTH OF BUILDINGS**

No building containing a dwelling unit shall have a width less than six (6.0) metres, of which at least seven point three (7.3) metres (twenty-four (24.0) feet) or forty per cent (40%) of the building length (whichever is greater) is enclosed climate controlled habitable living area.

#### 10ZCD31.11 **OFF-STREET PARKING**

Parking is subject to the regulations in Part 11 - Off-Street Parking and Loading.

**CD-31 SCHEDULE 1 - SITE PLAN**



**PHASE TABLE**

- PHASE 1 - 12 UNITS ( LOTS SL1-SL12 )
- PHASE 2 - ( LOTS SL13 - SL25 )
- PHASE 3 - ( LOTS SL26 - SL37 )
- PHASE 4 - ( LOTS SL38 - SL50 )

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DESIGN DA	DATE 1/11/2011
DRAWN DA	SCALE 1:500
APPROVED DA	PROJECT NO. 2007-066
DATE 1/11/2011	DWG. NO. 01
EMERSON ROAD SUBDIVISION	REV. NO. 06
PRELIMINARY DESIGN FOR APPROVAL	
AS SHOWN	

Preliminary Subdivision Layout  
 Lots 6 & 7, DL 4305, Plan 20036  
 Westmount Estates  
 Sechelt, B.C.

10ZCD30.01 **COMPREHENSIVE DEVELOPMENT ZONE 30 (CD-30) PACIFIC SPIRIT PROPERTIES**

10ZCD30.02 **DEFINITIONS**

**“COMMERCIAL ART GALLERY”** means a retail establishment engaged in the display and sale of artwork, which may include a broad range of visual arts including but not limited to: fine woodworking, sculpture, paintings, pottery, glassworks, textiles and photography.

**“LIVE/ WORK UNIT”** means a suite of rooms where both residential and commercial (either “offices” or “specialty retail”) floor space is designed as a single environment and in which residential and commercial amenities are provided.

**“FLOOR AREA RATIO (FAR)”** means the gross floor area of a building divided by the lot area.

10ZCD30.03 **INTENT**

The intent of the CD-30 zone is to regulate a 5 and 6 storey, mixed use development complex comprising one hundred seven (107) residential dwelling units (includes 3 live/work units) and commercial/retail spaces and a free standing restaurant on the property legally described as: Lot A, Block B, District Lot 303, Group 1, New Westminster District, Reference Plan LMP 18610 (PID: 018-983-677); and as located on attached Schedule A.

10ZCD30.04 **PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this bylaw, the following and no other uses are permitted:

**Principal Uses**

- a) Dwelling, multiple family, apartment
- b) Fitness centre
- c) Offices
- d) Specialty Commercial
- e) Restaurant
- f) Live /work unit
- g) Public/civic outdoor uses
- h) Commercial Art Gallery

### **Accessory Uses**

- a) Parking
- b) Loading bay
- c) Service and storage rooms
- d) Apartment amenity rooms and storage
- e) Apartment outdoor uses

#### **10ZCD30.05 DENSITY**

The number of dwelling units shall not exceed one hundred seven (107) including all live-work units. No less than three (3) live /work units shall be provided.

#### **10ZCD30.06 LOT COVERAGE**

- (1) The lot coverage shall be consistent with the layout as illustrated on attached Schedules B and C.
- (2) The lot coverage of all buildings and structures, excluding underground parking and driveways, shall be no greater than 4,075 m<sup>2</sup> or 36 % of the lot area.
- (3) The Floor Area Ratio (FAR) of the building complex to the lot area excluding balconies, underground parking and driveways shall be no more than 1.26. The maximum gross floor area of the building complex shall be no greater than 14,255 m<sup>2</sup>.
- (4) The floor area of the waterfront restaurant shall be no greater than 167 m<sup>2</sup>.
- (5) The combined floor area of any and all Fitness Centre, Offices and Specialty Commercial uses shall have a floor area of no less than six hundred square metres (600 m<sup>2</sup>).

10ZCD30.07 **SITING OF BUILDINGS AND STRUCTURES**

- (1) The siting and composition of the buildings shall be in accordance with the following:
  - Level 1: (Parkade/Teredo Street level): live-work units; retail/commercial units; underground parking garage; loading bay; strata apartment amenity spaces, storage, entrance lobbies, scooter storage, bicycle storage; and building services spaces.
  - Level 2: multiple-family residential, apartment dwelling units; waterfront-oriented restaurant; landscaped outdoor public/civic open space; and landscaped private outdoor open space.
  - Levels 3 - 6, multiple-family residential, apartment dwelling units.
- (2) No building, structure or balcony (excluding landscape features) shall be located outside of the designated building envelope/setbacks, except that roof overhangs/eaves may project into the setback areas by 0.80 metres.
- (3) The location of Buildings A and B shall be consistent with the building envelope illustrated on Schedule C attached. Building A and B shall be articulated at an angle of approximately twelve degrees (12°) off the Teredo Street property line with a building axis parallel to, or mirrored to, the northern portion of Inlet Ave. as illustrated on Schedule C attached.
- (4) Level 1, the underground parking garage level, shall be located no less than 9.2 metres from the south (the Boulevard) property line, 6.7 meters from the west property line (Driftwood Motor Inn) and 2.7 meters from the east property line (Inlet Avenue) as indicated on attached Schedule B.
- (5) No building above finished grade, except unenclosed, Level 3 balconies, shall be located less than 15.2 metres from the south (the Boulevard) property line, except that a single-storey, above grade, restaurant no greater than 167 square meters in floor area, may be located no less than 4.27 meters from the south (the Boulevard) property line. Level 3 unenclosed balconies may encroach into the 15.2 metre setback area by no more than 1.5 meters as illustrated on Schedule C attached.
- (6) No building or balcony above finished grade shall be located less than 6.0 metres from the west property line.
- (7) No building or balcony shall be located less than 1.5 metres from the north (Teredo Street) property line of Lot A, Block B, DL 303, Group 1, NWD, Reference Plan LMP 18610.

- (8) No building or balcony shall be located less than 2.74 metres from the east (Inlet Ave.) property line of Lot A, Block B, DL 303, Group 1, NWD, Reference Plan LMP 18610.

10ZCD30.08 **BUILDING FORM**

- (1) The building form shall be an articulated, setback, appearance consistent with the illustrated plan, elevation and section drawings attached as Schedules C, D & E.
- (2) Levels 2 through 6, buildings and unenclosed balconies shall be located no less than 4.25 metres setback from, and maintain an average setback of no less than 8.5 metres from Teredo Street.
- (3) Level 4 buildings, except unenclosed balconies, shall be located no less than 24.0 metres from the south (the Boulevard) property line. Level 4, unenclosed balconies may encroach into the 24.0 metre setback area by no more than 1.8 metres.
- (4) Levels 5 and 6 buildings, except unenclosed balconies, shall be located no less than 30.45 metres from the south (the Boulevard) property line. Levels 5 and 6, unenclosed balconies may encroach into the 30.45 metre setback area by no more than 1.8 metres.
- (5) As illustrated on Schedule C, the separation distance between Buildings A and B, except unenclosed balconies, shall be no less than 40.0 metres. Building A and B's Levels 3 to 6, unenclosed balconies may each encroach into the minimum 40.0 metre separation distance area by no more than 1.8 metres.

10ZCD30.09 **HEIGHT OF BUILDINGS**

- (1) The buildings shall not exceed six storeys, 18.6 metres in height measured from existing top-of-curb height at the north property line of Teredo Street.
- (2) The buildings shall not exceed five storeys, nor 16.3 metres, in height measured from the existing finished grade level at the south property line at the Boulevard.
- (3) The waterfront restaurant building shall not exceed one storey, nor 5 metres, in height measured from the existing finished grade level at the south property line at the Boulevard.

10ZCD30.10 **PUBLIC/CIVIC OPEN SPACE**

The area of civic/ public-accessible open space, excluding landscaped residential buffered areas, provided on the property shall be no less than 40 % of the lot area. Situated along the waterfront and linking the Boulevard with Teredo Street through the centre of the site, as illustrated on Schedule C, the public/civic open space shall be for the public's use, enjoyment and traverse by foot.

10ZCD30.11 **OFF-STREET PARKING, LOADING, SCOOTER STORAGE AND BICYCLE STORAGE**

- (1) Off-street loading shall include not less than one loading bay accessed from Inlet Avenue and shall conform to the requirements of Part 11 of Zoning Bylaw 25.
- (2) Off-street parking shall conform to the requirements of Part 11 of Zoning Bylaw 25 except for the following:
  - a. Parking shall be provided in an enclosed, partial-underground building/structure, non-visible from adjoining streets and accessed from Inlet Avenue.
  - b. Off-street parking shall include a minimum of one hundred sixty-seven (167) vehicle parking spaces for the building's residential, live/work and commercial units, of which, no less than:
    - forty-four (44) of the vehicle parking spaces shall be designated and reserved for commercial and visitor use;
    - twenty (20) shall be provided with electric vehicle plug-ins and at least two of which must be located in the area of commercial and visitor parking;
    - two (2) shall be designated and reserved for car-co-operative use;
    - eight (8) shall be designated and designed "handicapped accessible" with a minimum size of 3.7 metres x 5.7 metres and with a minimum clearance of 2.2 metres overhead;
  - c. A maximum of 22 vehicle parking spaces of the total vehicle spaces provided, may be designated "small car" with a size no less than 2.43 metres x 4.86 metres and with a minimum clearance of 2.1 metres overhead.
  - d. A minimum of fifteen (15) additional scooter-wheelchair, electricity supplied, underground parking spaces shall be provided for apartment residents;

- e. A minimum of fifty (50) additional bicycle underground parking spaces shall be provided for apartment residents and minimum of 10 weather protected bicycle parking spaces shall be provided for public use.

10ZCD30.10 **ZONING BYLAW AMENDMENT**

Zoning Bylaw 25, 1987 is further amended by adding Schedules A, B, C, D, E attached to and forming part of this Bylaw as Schedules A, B, C, D and E to Comprehensive Development Zone 30 (CD-30) Pacific Spirit Properties (Teredo) Development.

SEE BYLAW FOR SCHEDULES

REPEALED

10ZCD35.01 **COMPREHENSIVE DEVELOPMENT ZONE 35 (CD-35) ORACLE**

10ZCD35.02 **INTENT**

The intent of the CD-35 zone is to provide for a small-lot, zero lot line, semi-detached, residential development.

10ZCD35.03 **PERMITTED USES**

1. Except as otherwise provided in Part 3, Section 303 of Bylaw 25, 1987 and amendments thereto, the following and no other uses are permitted in the CD-35 zone:

**a) Principle Uses:**

- i. One Single-family dwelling
- ii. Public pathways and roadways;

**b) Accessory Uses:**

- i) Home Occupation, Limited
- ii) Accessory buildings, subject to the regulations in Part 3, Section 305 of this Bylaw.

10ZCD35.04 **LOT AREA AND WIDTH**

- (a) Minimum lot area is 375 square metres.
- (b) Minimum lot width is 11.8 metres.

10ZCD35.05 **LOT COVERAGE**

Buildings and structures shall not cover more than 35 percent (35%) of the lot area.

10ZCD35.06 **SITING OF BUILDINGS AND STRUCTURES**

- 1. No building or structure, except a fence, shall be located within:
  - (a) ten (10.0) metres of a front lot line
  - (b) five (5.0) metres of a rear lot line
  - (c) two (2.0) metres of a side lot line

### **Zero Lot Line**

2. Notwithstanding 1.(c) above, the side lot line setback between Lot SL1 and Lot SL2 (indicated on Schedule A to Bylaw No. 25-261, 2014) may be reduced to zero (0.0).

### **Garage and Carport Siting**

3. Notwithstanding 1. (a) above, all garage doors and carport entrance ways must be setback at least 7m from the line of any front yard Statutory Right of Way for pedestrian or emergency vehicle passage.

### **Front Porch Siting**

4. Notwithstanding 1.(a) above, a dwelling's covered, but unenclosed, front entry porch may project one and one-half metres (1.5m) into the minimum required front yard setback provided the encroachment is no more than four and one-half square metres in area (4.5 m<sup>2</sup>).

### **Accessory Building Siting**

5. Notwithstanding subsection 1.(b) and 1.(c) above, an accessory building may be located within the rear yard, but must setback a minimum of one and one-half (1.5) metres of a rear lot line or a side yard lot line.

### 10ZCD35.07 **HEIGHT OF BUILDINGS**

- (a) No principle building shall exceed two storeys and 8 metres in height.
- (b) No accessory building shall exceed one storey and 5 metres in height.

### 10ZCD35.08 **WIDTH OF BUILDINGS**

No building containing a dwelling unit shall have a width less than six (6.0) metres, of which at least seven point three (7.3) metres (twenty-four (24.0) feet) or forty per cent (40%) of the building length is enclosed climate controlled habitable living area.

### 10ZCD35.09 **OFF-STREET PARKING**

Parking is subject to the regulations in Part 11 - Off-Street Parking and Loading.

10ZCD39.01 **COMPREHENSIVE DEVELOPMENT ZONE 39 (CD-39) RTC PROPERTIES LTD.**

10ZCD39.02 **INTENT**

The intent of the CD-39 zone is to facilitate the development of a mixed form, multiple family residential development.

10ZCD39.03 **INTERPRETATION AND APPLICATION OF CD-36 ZONE REGULATIONS**

1. Except as otherwise provided in Part 3, Section 303 of this bylaw, the uses listed under the headings “principal uses” and “accessory uses” in the CD-39 zone, and no other uses, are permitted.
2. The CD-39 Subzones are shown on CD-39 – Map Schedule 1 attached to and forming part of this zone.

10ZCD39.04 **GENERAL REGULATIONS**

**1. Permitted Uses**

1.1 Principal Use:

- a) Dwelling, Multiple Family

1.2 Accessory Use:

- b) Accessory uses customarily incidental and subordinate to 1.1 a) above.

**2. Lot Area**

- 2.1 The minimum Lot Area is 8,000 m<sup>2</sup>.

**3. Lot Coverage**

- 3.1 The maximum Lot Coverage is 40% and inclusive of all parking areas, notwithstanding any stipulations of the definition of “Lot Coverage” of Part One – Interpretation Section 102. DEFINITIONS of Zoning Bylaw No. 25, 1987.

- 3.2 Notwithstanding subsection 10ZCD39.04 3.1, unenclosed balconies and extended roof overhangs attached to buildings may occupy up to 10% of additional Lot Area.

**4. Density**

- 4.1 The number of Dwelling Units shall not exceed 20 units.

**5. Siting of Buildings and Structure**

- 5.1 No building shall be located within:
- a) 5.0 m of the north Lot Line;
  - b) 4.5 m of the east Lot Line;
  - c) 15.0 m of the natural boundary of the ocean;
  - d) 1.0 m of the south Lot Line;
  - e) 3.0 m of the west Lot Line; and
  - f) 3.0 m of another building.

**6. Off Street Parking**

- 6.1 In addition to the parking requirements for each building, at least 0.2 parking spaces per dwelling unit shall be provided for visitor parking.
- 6.2 The quantity, size and design of parking aisles and spaces shall be in accordance with Part Eleven of this Bylaw except that 10% of the parking spaces may be for small vehicles with each small vehicle parking space measuring 2.5 m x 5.0 m.
- 6.3 A minimum of one parking space per building shall be designed as accessible parking.

10ZCD39.05 **SUBZONE A**

**1. Building Height**

- 1.1 No Building in Subzone A shall exceed 13.5 metres in Height.

**2. Building Width**

- 2.1 No Building in Subzone A shall exceed 45.0 metres in Building Width.

10ZCD39.06 **SUBZONE B**

**1. Building Height**

- 1.1 No Building in Subzone B shall exceed 10.5 m in Height.

10ZCD39.07 **SUBZONE C**

**1. Building Height**

1.1 No Building in Subzone C shall exceed 7.5 m in Height.

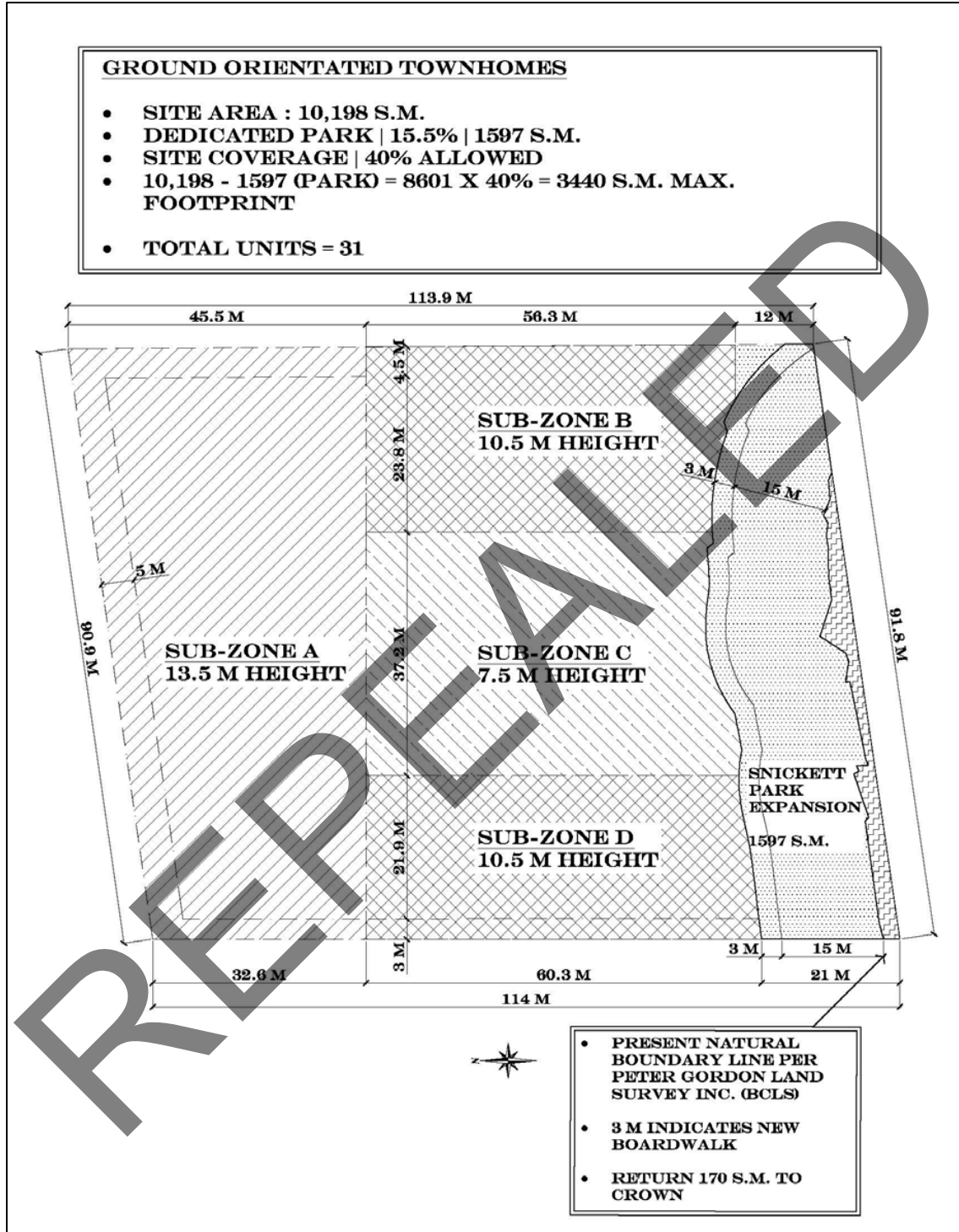
10ZCD39.08 **SUBZONE D**

**1. Building Height**

1.1 No Building in Subzone D shall exceed 10.5 m in Height.

REPEALED

**MAP SCHEDULE 1 TO CD-39**



10ZCD43.01 **COMPREHENSIVE DEVELOPMENT ZONE 43 (CD-43) BC HOUSING**

10ZCD43.02 **INTENT**

The intent of the CD-43 zone is to facilitate the development of a site-specific affordable Supportive Living Housing development.

10ZCD43.03 **INTERPRETATION AND APPLICATION OF CD-43 ZONE REGULATIONS**

Except as otherwise provided in Part 3, Section 303 of this bylaw, the uses listed under the headings “principal uses” and “accessory uses” in the CD-43 zone, and no other uses, are permitted.

10ZCD43.04 **SUPPORTIVE LIVING HOUSING**

**1. Permitted Uses**

1.1 Principal Uses:

- a) Supportive Living Housing apartment dwelling units;

1.2 Accessory uses, spaces, structures and buildings:

- a) Support and Amenity Services;
- b) Accessory buildings and structures, subject to the regulations in Part 3, Section 305 of this Bylaw.

**2. Density**

2.1 The number of Supportive Living Housing apartment dwelling units shall not exceed the base density of one (1) unit for each two hundred (200) square metres (50 units/hectare) of Lot Area.

2.2 Notwithstanding subsection 10ZCD43.04 2.1, the number of Supportive Living Housing apartment dwelling units may be increased to a maximum of one (1) unit for each 45.425 square metres (221 units/ha) of Lot Area OR 40 Supportive Living Housing apartment dwelling units on the lot, whichever is less, subject to the following conditions:

- a) Provision of four of the Supportive Living Housing apartment units are constructed to an adaptable accessibility standard and four of the Supportive Living Housing apartment units are built to a wheelchair accessible standard with roll-in showers, and wheelchair sinks, counters and kitchenettes;

- b) Provision of 100% of the Supportive Living Housing apartment dwelling units on the lot are guaranteed as affordable rental housing where the District of Sechelt and the owner have entered into a Housing Agreement under Section 483 of the *Local Government Act*; and
- c) Provision of a no-subdivision covenant, registered on the lot.

**3. Lot Area and Lot Width**

- 3.1 The minimum lot area required is one thousand eight hundred (1,800) square metres.
- 3.2 The minimum lot width required is thirty-six (36) metres.

**4. Floor Area Ratio (FAR)**

- 4.1 The Floor Area Ratio (FAR) of the building shall not exceed 1.10.

**5. Lot Coverage**

- 5.1 Buildings, parking areas and driveways shall not cover more than seventy-five (75%) percent of the lot area.

**6. Building Height**

- 6.1 No building shall exceed 3 storeys and 10.5 metres in height.
- 6.2 No accessory building shall exceed six (6.0) metres in height.

**7. Siting of Buildings and Structures**

- 7.1 No principle building shall be located within:
  - a) 7.5 m of the lot line facing west (Hightide Ave.);
  - b) 7.5 m of the lot line facing east (Lamprey Lane);
  - c) 5.0 m of the lot line facing north; and
  - d) 3.0 m of the lot line facing south.
- 7.2 Accessory buildings shall not be located within the front yard facing Hightide Avenue nor within 1.5 metres of any lot line.

**8. Exterior Lighting**

8.1 All open spaces, pathways, building exits, and building entrances shall be lit with exterior, downcast, energy efficient, lighting fixtures.

**9. Off Street Parking and Loading**

9.1 The size and design of parking aisles, spaces, and loading spaces shall be in accordance with Part Eleven of this Bylaw.

9.2 The number of parking spaces and loading spaces provided shall be in accordance with Part Eleven of this Bylaw for apartment dwellings.

9.3 Notwithstanding subsection 10ZCD43.04 9.2 above, the number of parking spaces and loading spaces provided on the lot, may be decreased to 5 vehicle parking spaces, of which at least one vehicle parking space shall be designed as accessible parking, and no loading space is required, subject to the following conditions:

- a) Provision of 100% of the Supportive Living Housing apartment dwelling units are guaranteed as affordable rental housing where the District of Sechelt and the owner have entered into a Housing Agreement under Section 483 of the *Local Government Act*;
- b) Provision of a no-subdivision covenant, registered on the lot; and,
- c) Provision of a covered bicycle parking area for at least 15 bicycles.

SEE BYLAW FOR SCHEDULES

10ZCD44.01 **COMPREHENSIVE DEVELOPMENT ZONE 44 (CD-44) GREENECOURT**

10ZCD44.02 **INTENT**

The intent of the CD-44 zone is to provide affordable seniors rental housing residential units consisting of a mix of unit sizes and accessory amenity spaces such as administration office, kitchen and dining, laundry, assembly, indoor and outdoor communal spaces.

10ZCD44.03 **INTERPRETATION AND APPLICATION OF CD-44 ZONE REGULATIONS**

Except as otherwise provided in Part 3, Section 303 of this bylaw, the uses listed under the headings “principal uses” and “accessory uses” in the CD-44 zone, and no other uses, are permitted.

10ZCD44.04 **PERMITTED USES**

Principle Uses – the following uses shall be permitted principle uses in the CD-44 Zone, subject to all applicable regulations of Bylaw 25.

**1. AREAS 1, 2, & 3:**

- a) Rental apartment dwelling units
- b) Supported Independent Living
- c) Child care facility

Accessory Uses – the following uses shall be permitted accessory uses in the CD-44 Zone, subject to all applicable regulations of Bylaw 25.

**2. AREAS 1, 2 & 3:**

- a) Meeting hall for public or non-profit community service organization
- b) Support and Amenity Services
- c) Commercial kitchen and dining room
- d) Administration offices
- e) Home based business
- f) Outdoor amenity space including patios and open space
- g) Parking facilities and structures
- h) Accessory uses, buildings and structures

10ZCD44.05 **DENSITY**

1. **AREA 1:** maximum number of dwelling units is 104 with a Housing Agreement.
2. **AREA 2:** maximum number of dwelling units is 65 with a Housing Agreement.
3. **AREA 3:** maximum number of dwelling units is 46.

10ZCD44.06 **LOT AREA**

1. **AREA 1:** 4,000 square metres minimum
2. **AREA 2:** 2,500 square metres minimum
3. **AREA 3:** 5,000 square metres minimum

10ZCD44.07 **FLOOR AREA RATIO**

1. **AREA 1:** 1.76 maximum
2. **AREA 2:** 1.60 maximum
3. **AREA 3:** 1.00 maximum

10ZCD44.08 **SITING OF BUILDINGS AND STRUCTURES**

1. **AREA 1:**
  - a) 6.0 m of the lot line facing north (Medusa Street)
  - b) 6.5 m of the lot line facing west
  - c) 7.5 m of the lot line facing south
  - d) 3.0 m of the lot line facing east (Ocean Avenue)
  - e) Building separation distance between Lot 1 and SL Lot 1 & 2 shall not be less than 10.0 m.
2. **AREA 2:**
  - a) 5.0 m of the lot line facing north
  - b) 6.5 m of the lot line facing west
  - c) 7.5 m of the lot line facing south
  - d) 3.75 m of the lot line facing east (Ocean Avenue)
3. **AREA 3:**
  - a) 6.0 m of the lot line facing north (Medusa Street)
  - b) 6.0 m of the lot line facing west
  - c) 7.5 m of the lot line facing south
  - d) 6.0 m of the lot line facing east

10ZCD44.09 **LOT COVERAGE**

**AREAS 1, 2, & 3:**

Building and structures shall not cover more than 55% of the total site area. The total site area to remain as open space shall not be less than 30%.

10ZCD44.10 **BUILDING HEIGHT**

1. **AREA 1:** 17.5 m maximum
2. **AREA 2:** 13.0 m maximum
3. **AREA 3:** 10.5 m maximum
4. **AREAS 1, 2, & 3:** All other buildings 6.0 m maximum

10ZCD44.11 **OTHER REGULATIONS**

The general design and proposed layout of the development shall be in keeping with the plans attached to this bylaw.

10ZCD44.11 **EXTERIOR LIGHTING**

All open spaces, pathways, building exits, and building entrances shall be lit with exterior, downcast, energy efficient, lighting fixtures.

10ZCD44.12 **OFF STREET PARKING AND LOADING**

1. The size and design of parking aisles, spaces, and loading spaces shall be in accordance with Part Eleven of this Bylaw.
2. The number of parking spaces provided shall be 70 and loading spaces provided shall be 1.
3. Covered bicycle and scooter parking area for at least 40.

SEE BYLAW FOR SCHEDULES

## **PART 10B - INSTITUTIONAL ZONES**

### **10B.1 IN1 – INSTITUTIONAL 1 ZONE**

#### **10B.1.1 INTENT**

This zone provides for a community care facility for long term care that is licensed and operated in accordance with the *Community Care and Assisted Living Act*, the Residential Care Regulation, and the Home and Community Care Policy Manual.

#### **10B.1.2 PERMITTED USES**

Except as otherwise provided in **Part 3, Section 303** of this Bylaw, the following and no other uses are permitted in the area designated as **IN1**:

##### **Principal Uses**

- a) community care facility for long term care

##### **Accessory Uses**

- a) hospice
- b) adult day centre
- c) kitchen and dining facilities
- d) laundry facilities
- e) indoor and outdoor recreation facilities
- f) office and therapy facilities
- g) accessory buildings and uses customarily incidental to the principal use

#### **10B.1.3 MINIMUM LOT AREA, LOT WIDTH, AND LOT DEPTH FOR NEW SUBDIVISIONS**

- a) The minimum lot area required is 12,000 m<sup>2</sup> (1.2 ha).
- b) The minimum lot width is 144 m.
- c) The minimum lot depth is 84 m.

#### **10B.1.4 CARE BEDROOMS PER LOT**

- a) The maximum number of care bedrooms is 136

#### **10B.1.5 GROSS FLOOR AREA, BUILDING FOOTPRINT, AND FLOOR SPACE RATIO**

- a) The maximum gross floor area of all buildings and structures is 8,400 m<sup>2</sup>.
- b) The maximum horizontal footprint of all buildings and structures is 3,900 m<sup>2</sup>.
- c) The maximum floor space ratio is 0.70.

**10B.1.6 LOT COVERAGE**

- a) All buildings and structures shall not cover more than 33% of the lot area.
- b) Impervious surfaces shall not cover more than 40% of the lot area.

**10B.1.7 SITING OF BUILDINGS AND STRUCTURES**

No building or structure except a fence shall be located within:

- a) 18 m of the front lot line.
- b) 6 m of any other lot line.

**10B.1.8 HEIGHT OF BUILDINGS**

- a) The maximum height of the long term care facility is 13 m.
- b) The maximum height of the hospice facility is 8 m.
- c) The maximum height of an accessory building is 4 m.

**10B.1.9 LANDSCAPING & SCREENING**

- a) The minimum width of the front (south) landscaped buffer area is 3 m.
- b) The minimum width of the side (west) landscaped buffer area is 4 m.
- c) The minimum height of landscaped buffer area plantings is 2 m.

**10B.1.10 OFF-STREET PARKING**

Off-street parking shall be provided and maintained in accordance with Part Eleven of this Bylaw.

## PART ELEVEN -OFF-STREET PARKING AND LOADING

### 1101. OFF-STREET PARKING

### 1102. REQUIRED PARKING SPACES

1. Off-street parking spaces for each building and use shall be provided in accordance with the following table:

<b>USE</b>	<b>REQUIRED PARKING SPACES</b>
<b>RESIDENTIAL (PRIVATE &amp; COMMERCIAL)</b>	
Single family dwelling	2
Single family dwelling with a secondary suite	3
Two-family dwelling	2 per dwelling unit
Multiple family dwelling - Townhouse	2 per dwelling unit
Apartment	1.5 per dwelling unit
Dwelling unit/s in conjunction with Commercial or Industrial use	1 per dwelling or sleeping unit
Boarding, lodgings, rooming house	1 per dwelling or sleeping unit
Senior citizen housing and rest home	1 per 4 dwelling units
Short Term Residential Rental	The greater of 1 per sleeping unit or 2
Affordable Rental Housing Subject to a Housing Agreement	1 per dwelling unit
<b>INSTITUTIONAL, PUBLIC ASSEMBLY and RECREATION</b>	
Hospital (Public)	1 per 2 beds
Hospital (Private)	1 per 4 beds
Schools	
Kindergarten/Elementary	2 per classroom
Secondary	4 per classroom
Church	1 per 10 seats
Places of public assembly, including arenas, assembly halls, auditoriums, clubs, lodges and fraternal buildings, community centres,	1 per 10 seats or 1 per 10 square metres of floor area used or intended

conventional halls, dance halls, funeral parlours, meeting halls, public library, museums, stadiums, theatres and similar uses

to be used for public assembly, whichever is greater.

**USE**

**REQUIRED PARKING SPACES**

Bowling alleys	3 per lane
Billiard and pool halls	2 per table
Roller rinks, curling rinks, skating rinks, swimming pools	1 per 46 metres of floor rinks, area/water surface, plus 1 per 10 spectator seats
Marinas, yacht, boating clubs and boat rental establishments	1 per 2 berths or mooring
<b>COMMERCIAL</b>	
Business, administration and professional offices	1 per 35 square metres of floor area
Retail stores, supermarkets, banks, shopping centres and personal service establishments	1 per 25 square metres of floor area
Medical or dental offices & clinics	4 per doctor or dentist
Convenience store	1 per 15 square metres of floor area
Hotel, motel, motor hotel and auto courts	1 per rental unit
Restaurant, cafes and beverage rooms	1 per 3 seats
Restaurant - Take-out	8 plus 1 per 5 seats
Gasoline service station and repair garages	4 per service bay
Building material supply and contractor's yard	1 per 50 m <sup>2</sup>
Auto, boat, truck, trailer, mobile home sales and rentals, machinery, small equipment and tool sales and rentals	1 per 90 square metres of sales floor area, plus 1 per 2 employees
Fitness Centre	1 per 20 sq m of area
Child Care Facilities	1 per 2 employees plus 1 per 10 children or portion thereof
Taxi Dispatch Office	1 per taxi plus 1 per office employee

Drop-In Centre

1 space per 35 m<sup>2</sup>

USE	REQUIRED PARKING SPACES
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**INDUSTRIAL**

Industrial and manufacturing buildings, wholesale and establishments or other similar uses

1 per 90 square metres of floor area, plus  
1 per 25 square metres of floor area used for ancillary retail and office purposes

Warehousing, storage buildings, wholesale establishments or other similar uses

1 per 140 square metres of floor area

1. **Existing Buildings, Structures and Uses**

The requirements of Sub-section (1) shall not apply to buildings, structures or uses existing on the effective date of this Bylaw except that:

Off-street parking shall be provided in accordance with Sub-section (1) for any addition to such building or structure; or any change or addition to such existing uses outside of the Downtown Parking Standards Area shown on Schedule "C".

Any further addition must comply fully with the off-street parking requirements of this Part.

Off-street parking existing on the effective date of this Bylaw shall not be reduced below the application of off-street parking requirements of this Part.

Within the Downtown Parking Standards Area Shown on Schedule "C", additional parking requirements under Sub-section (1) shall not apply to a change of use in a building which existed at the date of adoption of Zoning Amendment Bylaw 25-144, 1999.

An owner of a parcel with vehicular access to Highway 101 shall obtain approval from the Ministry of Transportation and Highways as required under the Highways Act for parking and access when there is a change of land use or additional building floor area is constructed.

3. **Use Not Specifically Mentioned**

In the case of a use not specifically mentioned, the required off-street parking spaces shall be the same as for the similar use.

4. **Mixed Occupancy**

In the case of mixed uses, the total requirements for the off-street parking facilities shall be the sum of the requirements for each use computed separately.

5. **Voluntary Establishment of Parking Facilities**

Where off-street parking facilities are provided when not required, the location, design and operation of such facilities shall comply with all the regulations of this Part of the Bylaw.

6. **Design Requirements**

1. All off-street parking spaces required by this Bylaw shall be used exclusively for the parking of motor vehicles.
2. All off-street parking spaces shall be provided on the same lot as the building for which such spaces are required, except that,
  - a) where all required parking spaces cannot be provided on the same parcel, the excess spaces may be provided on a separate parcel or portion thereof, if they are thusly:
    - (i) within one hundred (100) metres of the main parcel;
    - (ii) in the same zone as a parcel for which the parking is required, or in a zone where parking is a permitted use; and
    - (iii) in accordance with the zoning regulations.
  - b) Where the maximum use of parking spaces for two or more premises occurs at different periods of time, and when such premises are on the same or adjacent lots, the premises may share such parking and the number of parking spaces may be reduced to seventy-five (75%) percent of those otherwise required by this Bylaw for such premises.
  - c) A restrictive covenant must be registered in favour of the Municipality against any parcel benefiting from the above exceptions guaranteeing that such parking spaces are permanently reserved and maintained for the premises for which they are required.

7. **Size of Parking Spaces and Aisle Width**

- a) All off-street parking spaces shall have a clear length of not less than six (6) metres, a clear width of not less than two point six (2.6) metres, and a clear height of not less than two point two (2.2) metres.
- b) Manoeuvring aisles of not less than the following width shall be provided:

<b>Parking Angles in Degrees</b>	<b>Width of Aisle in Metres</b>
90	7.5
60	5.5
45 and less	3.8

8. **Parking Space for Physically Handicapped**

Commercial, industrial and public assembly buildings shall provide off- street parking spaces marked for the exclusive use of vehicles properly displaying the decal issued to the physically handicapped by the Social Planning and Review Council of British Columbia on the following basis:

- a) one space where 22 to 199 parking spaces are required;
- b) two spaces where 200 or more parking spaces are required; and such spaces shall be located near the building entrance designed to serve the physically handicapped;
- c) parking spaces for the use of the physically handicapped shall be not less than three point seven (3.7) metres wide, five point seven (5.7) metres long, and two point one (2.1) metres high.

9. **Surfacing and Screening**

All parking areas for more than 3 vehicles shall be surfaced with asphalt, concrete (or similar pavement) and a landscape screen shall be provided and maintained along that portion of the perimeter of any open parking areas abutting or opposite any lot in a Residential Zone.



1103. **REQUIRED OFF-STREET LOADING SPACES**

1. **Required Loading Spaces**

- a) On every site used as a retail store, business, industry, warehouse or other similar use, the minimum number of spaces shall be as follows:

<b>Total Gross Floor Area of Buildings(s)</b>	<b>Spaces Required</b>
<b>Less than 470 square metres</b>	<b>1</b>
<b>470 square metres - 2,300 square metres</b>	<b>2</b>
<b>2,300 square metres - 4,600 square metres</b>	<b>3</b>
<b>Each additional 4,600 square metres or each fraction thereof in excess of 2,300 square</b>	<b>1 Additional metres</b>

- b) On every site used as an office building, place of public assembly, hospital, institution, hotel, club or lodge, auditorium, public utility, school or other similar use, the minimum number of spaces shall be as follows:

<b>Total Gross Floor Area of Buildings(s)</b>	<b>Spaces Required</b>
<b>2,800 square metres</b>	<b>1</b>
<b>2,800 square metres - 5,600 square metres</b>	<b>2</b>
<b>Each additional 5,600 square metres or each fraction thereof in excess of 2,800 square</b>	<b>1 Additional metres</b>

OR

All commercial and industrial buildings shall provide at least **one (1) off-street loading space located adjacent to the loading bays or doors of the building.**

2. **Existing Buildings, Structures and Uses**

The requirements of Sub-section (1) shall not apply to buildings, structures or uses existing on the effective date of this Bylaw, except that:

Off-street loading shall be provided in accordance with Sub-section (1) where there is a change in principal use or where the total floor area is increased in **excess of ten (10%) percent over the existing floor area.**

3. **Mixed Occupancies**

In the case of mixed uses, the total requirements for off-street loading facilities shall be **the sum of the requirements for the various uses computed separately.**

4. **Size and Access**

All off-street loading and unloading spaces shall be **of adequate size, and with adequate access thereto, to accommodate a vehicle nine point zero (9.0) metres in length, two point four (2.4) metres in width and three point five (3.5) metres in height.**

5. **Surfacing of Loading Area**

Each loading space and accesses shall **be surfaced with asphalt, concrete or similar pavement** so as to provide a durable dust-free surface.

1104. **VOLUNTARY ESTABLISHMENT OF FACILITIES**

Where off-street parking and loading facilities are provided when not required, the location, design and operation of such facilities shall comply with the regulations and standards of this Part.

1105. **MINISTRY OF TRANSPORTATION AND HIGHWAYS REGULATIONS**

Notwithstanding any other provisions of this Part, where a use is within eight hundred (800) metres of a Controlled Access Highway, compliance with the Ministry of Transportation of Highways Regulations may be required.

REPEALED

## **PART TWELVE - ADMINISTRATION**

### 1201. **INSPECTION**

The Municipal Clerk, being an officer, and the Municipal Planner, Building Inspector or the Bylaw Enforcement Officer being hereby appointed to act in place of the Municipal Clerk for the purposes of this Section, are authorized at all reasonable times to enter on property that is subject to regulation under this Bylaw to ascertain whether the regulations or directions under this Bylaw are being observed.

### 1202. **VIOLATION**

Every person who:

- a) violates any of the provisions of this Bylaw;
- b) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
- c) neglects or omits to do anything required under this Bylaw;
- d) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this Bylaw;
- e) fails to comply with an order, direction or notice given under this Bylaw; or
- f) prevents or obstructs or attempts to prevent or obstruct the authorized entry of an officer onto property under **Section 1201**;

shall be deemed to be guilty upon summary conviction of an offence under this Bylaw.

### 1203. **OFFENCE**

Each day a continuance of an offence under **Section 1202** constitutes a new and distinct offence.

### 1204. **PENALTY**

Every person who commits an offence under this Bylaw is liable on summary conviction to a fine not exceeding two thousand dollars (\$2,000) and the costs of prosecution.

### 1205. **REPEAL OF PREVIOUS BYLAWS**

Village of Sechelt Zoning Bylaw Number 146 and S.C.R.D. Zoning Bylaw Number 264 (where pertaining to the District of Sechelt) and all amendments thereto, are hereby repealed in their entirety.

1206. **TRANSITION**

READ A FIRST TIME THIS 17th day of July, 1987.

READ A SECOND TIME THIS 4th day of November, 1987. READ A THIRD TIME THIS 12th day of November, 1987. PUBLIC HEARING HELD THIS 7th day of November, 1987.

RECONSIDERED AND ADOPTED THIS 2nd day of December, 1987.

REPEALED

## **PART THIRTEEN - SITE SPECIFIC ZONES**

### **13F01. COMPREHENSIVE DEVELOPMENT ZONE 13 (CD 13) SILVERBACK**

#### **13F02. INTENT**

The intent of the CD-13 zone is to provide for a golf course resort development in association with a sea side village and a system of parks and trails on Lot 1, DL 1557 and 7903 Plan BCP 4625; Lot B, DL 1557 Plan LMP 27859; Lot C, DL 1557 Plan LMP 27859; Lot D, DL 1557 Plan LMP 27859; DL 4682; DL 4683; DL 4684; DL 4685; DL 4686; and DL 4687.

#### **13F03. INTERPRETATION AND APPLICATION OF CD 13 ZONE REGULATIONS**

Except as otherwise provided in Part 3, Section 303 of this bylaw, the uses listed under the headings “principal uses”, “secondary uses”, “accessory uses” and “permitted uses”, and no other uses, are permitted on the specific areas identified on Schedule “A”.

There shall be a maximum of 575 dwelling units that may be constructed on Parcels 2, 3, 4, 5, 6, 7, 8, and 9.

There shall be a total maximum of 1600 dwelling units within the entire project.

#### **13F04. GOLF COURSE ZONE (AREAS 21, 23, 33, 40)**

##### **1.1 Principal Uses**

Golf Course, including Driving Range, Maintenance facilities and buildings, and Club House.

##### **1.2 Accessory Uses**

Restaurant

Lounge

Golf retail/rental Indoor recreation Meeting rooms Outdoor amenity area Parking lot

Restaurant

##### **1.3 Parking and Loading**

Off-street parking and loading shall be in accordance with Part Eleven of this Bylaw.

## 13F05. RESIDENTIAL ZONES

### 1.1 Low Density Residential (Areas 24, 34, 36,)

#### 1.1.1 Permitted Uses

Dwelling, Single Family

Dwelling, Two Family on lots with areas of at least 800 square metres and widths of at least 20 metres

Home occupation

#### 1.1.2 Siting of Buildings and Other Structures

No building or structure, except a fence, shall be located within:

- 1) 4.5 metres of a front lot line;
- 2) 1.5 metres and 3.0 metres of an interior and exterior side lot line respectively; or
- 3) 5.0 metres of a rear lot line, except where a rear lot line abuts a golf course in which case the setback shall be 7.5 metres.

#### 1.1.3 Height of Building

- 1) No principal building shall exceed a height of 2.5 storeys or 10.5 metres.
- 2) No accessory building shall exceed a height of 6.0 metres.

#### 1.1.4 Lot Area and Dimensions

The minimum lot area is 500 square metres, the minimum lot width is 15 metres and the minimum lot depth is 28 metres.

#### 1.1.5 Parking

Off-street parking shall be in accordance with Part Eleven of this Bylaw.

### 1.2 Medium Density Residential (Areas 10, 14, 15, 16, 22, 26, 29, 32, 35, 38, 42)

#### 1.2.1 Permitted Uses

Residential multi-family including townhouses and apartments

Home occupation

Short term rentals

#### 1.2.2 Height of Building

- 1) No principal building shall exceed a height of four (4) storeys.
- 2) No accessory building shall exceed a height of 6.0 metres.

### 1.2.3 Lot Coverage

Buildings shall not cover more than 45% of the lot area.

### 1.2.4. Siting of Buildings and Other Structures

- 1) No building or other structure, except a fence, may be located within:
  - a) 6 metres of a front lot line;
  - b) 10 metres of a rear lot line;
  - c) 7.5 metres of an exterior side lot line; or d) 6 metres of an interior side lot line.
- 2) Despite the foregoing, no apartment building may be located within:
  - a) 5.0 metres of any front lot line;
  - b) 7.5 metres of any side lot line or the distance from the side lot line that is equal to .6 times the building height; whichever is less; or
  - c) 10 metres of any rear lot line or the distance from the rear lot line that is equal to the height of the building, whichever is less.
- 3) Despite the foregoing, any parking structure providing off-street parking spaces for an apartment building may be located anywhere on a lot.

### 1.2.5 Lot Area and Dimensions

The minimum lot area is 3000 square metres, the minimum lot width is 30 metres and the minimum lot depth is 30 metres.

### 1.2.6 Parking

Off-street parking shall be in accordance with Part Eleven of this Bylaw.

**13F06. MIXED USE SEASIDE VILLAGE ZONE (AREAS 2, 3, 4, 5, 6, 7, 8, 9)**

**1.1 Permitted Uses**

- (a) Multiple-family dwellings
- (b) Apartments and townhouses above ground floor commercial uses
- (c) Short term rentals
- (d) Live / work (Areas 4, 5, 6, 7, 8, 9 only)
- (e) Tourist commercial
- (f) Retail (Areas 2, 3 only)
- (g) Restaurant / Cafe (Areas 2, 3 only)
- (h) Bakery / Delicatessen (Areas 2, 3 only)
- (i) Neighbourhood Pub (Areas 2, 3 only)

**1.2 Regulations**

- (a) The floor area of uses other than residential uses and live/work uses must not exceed a combined total of 2,180 square metres for Areas 2, 3, 4, 5, 6, 7, 8, 9.

**1.3 Siting of Buildings and Other Structures**

- 1) No building or structure, except a fence, shall be located within:
  - a) 5 metres of any front lot line or the distance from the front lot line that is equal to .6 times the building height, whichever is less;
  - b) 6 metres of any side lot line or the distance from the side lot line that is equal to .6 times the building height, whichever is less; or
  - c) 7.5 metres of the rear lot line or the distance from the rear lot line that equal to the height of the building, whichever is less.
- 2) Notwithstanding the foregoing, any parking structure providing off-street parking spaces for an apartment building may be located anywhere on a lot.

**1.4 Height of Building**

No building shall exceed a height of 6 storeys.

**1.5 Lot coverage**

Buildings shall not cover more than 45% of the lot area.

**1.6 Lot Area**

The minimum lot area is 5000 square metres.

## **1.7 Parking and Loading**

Off-street parking and loading shall be in accordance with Part Eleven of this Bylaw.

### **13F07. HOTEL ZONE (AREA 20)**

#### **1.1 Permitted Uses**

Hotel

#### **1.2 Secondary Uses within the Hotel Building**

- (a) Neighbourhood Pub
- (b) Personal services
- (c) Restaurant
- (d) Spa
- (e) Hairdresser
- (f) Meeting and assembly

#### **1.3 Lot Coverage**

Buildings shall not cover more than 45% of the lot area.

#### **1.4 Height of Buildings**

No building shall exceed a height of 6 storeys.

#### **1.5 Siting of Buildings and Other Structures**

No building or structure, except a fence, shall be located within:

- 1) 4.5 metres of a front lot line;
- 2) 3.0 metres of a side lot line; or
- 3) 4.5 metres of a rear lot line.

#### **1.6 Parking and Loading**

Off-street parking and loading shall be in accordance with Part Eleven of this Bylaw.

## 13F08. CONVENIENCE COMMERCIAL ZONE (AREA 13)

### 1.1 Permitted Uses

- (a) Convenience store
- (b) Personal services
- (c) Medical and Dental offices
- (d) Drycleaner
- (e) Liquor Store
- (f) Post Office
- (g) Apartments and townhouses above ground floor commercial uses

### 1.2 Regulations

- (a) The commercial/retail floor area in Area 13 must not exceed 820 square metres.
- (b) No building that has a mix of residential and commercial uses may have a residential use on the ground floor.

### 1.3 Lot Coverage

Buildings shall not cover more than 45 % of the lot area.

### 1.4 Height of Building

No building shall exceed a height of 3 storeys.

### 1.5 Siting of Buildings and Other Structures

No building or structure shall be located within:

- 1) 5.0 metres of a front lot line;
- 2) 3.0 metres of a side lot line; or
- 3) 3.0 metres of a rear lot line.

### 1.6 Parking and Loading

Off-street parking and loading shall be in accordance with Part Eleven of this Bylaw.

**13F09. UTILITY ZONE (AREAS 18, 27, 30, 38, 44)**

**1.1 Permitted Uses**

- (a) Waste water treatment plant
- (b) Water treatment plant
- (c) Water reservoir
- (d) Fire hall

**1.2 Lot Coverage**

Buildings shall not cover more than 25% of the lot area.

**1.3 Height of Buildings**

No building shall exceed a height of 2.5 storeys.

**1.4 Siting of Buildings and Other Structures**

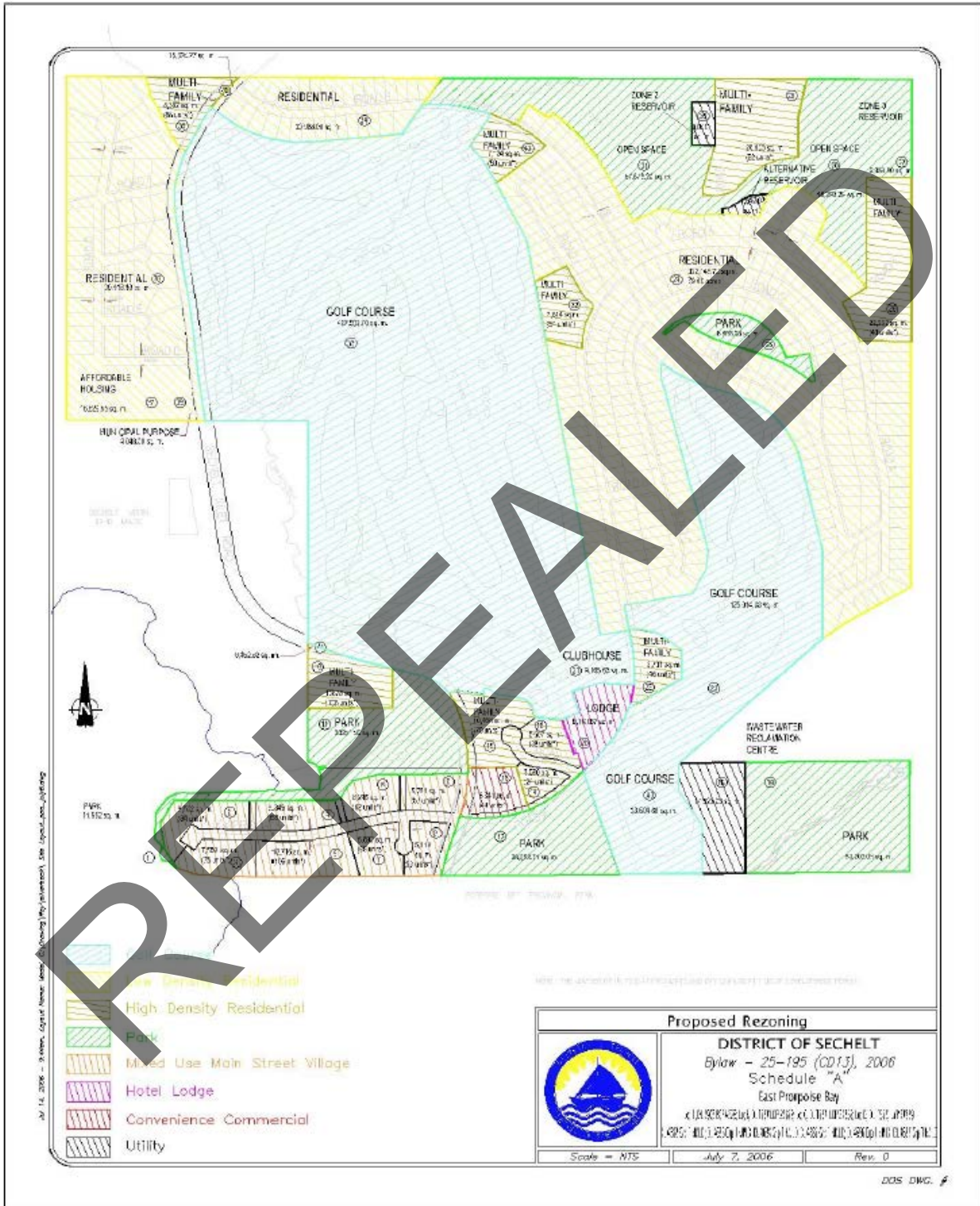
No structure except a fence shall be located within 7.5 metres of any lot line.

**13F10. PARKS AND OPEN SPACE ZONE (AREAS 1, 11, 12, 19, 25, 28, 31)**

**1.1 Permitted Uses**

- (a) Active Parks
- (b) Passive Parks
- (c) Accessory buildings and uses

# Zoning Bylaw Amendment 25-195, (CD-13) 2006 SCHEDULE "A"

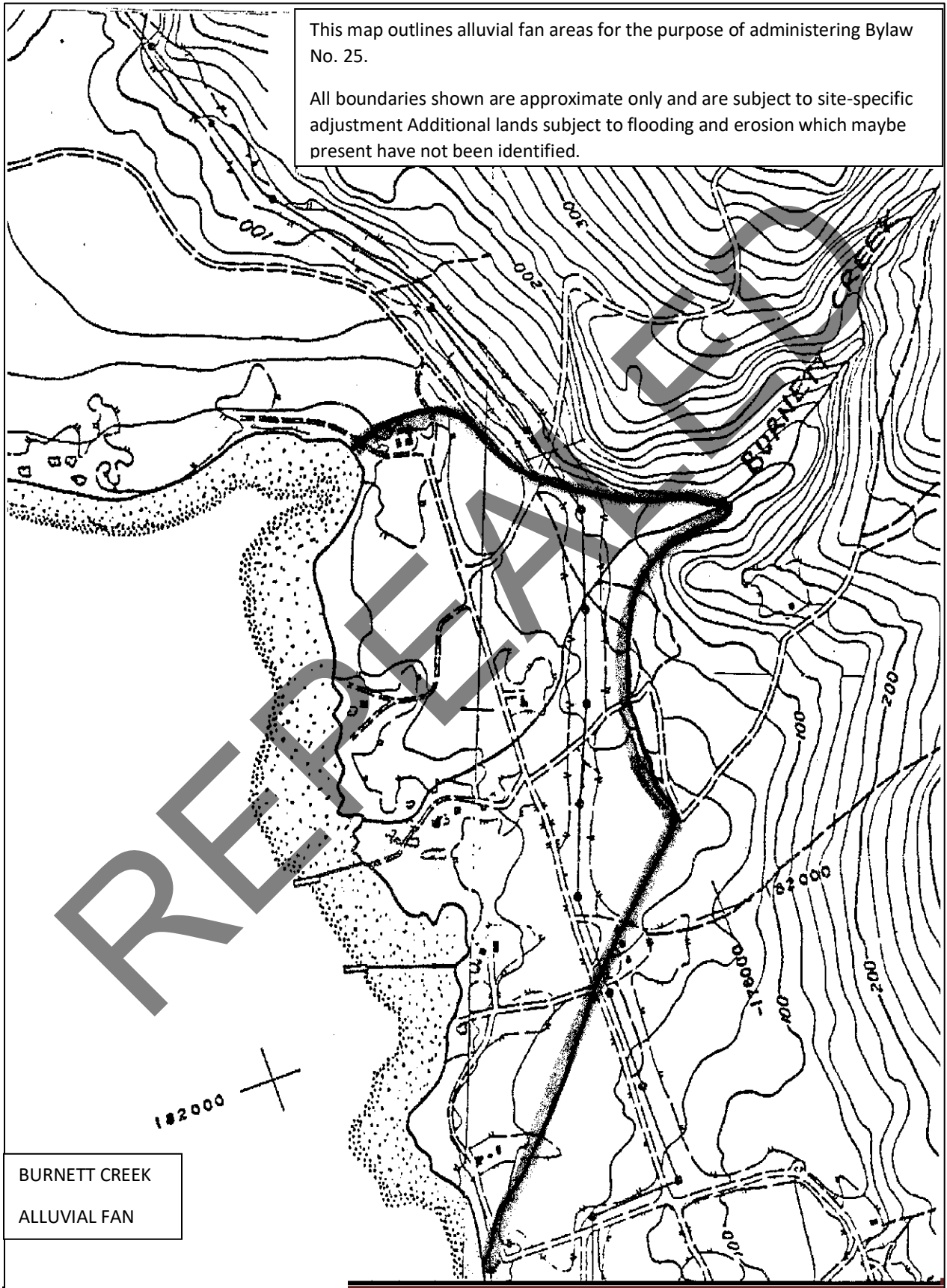


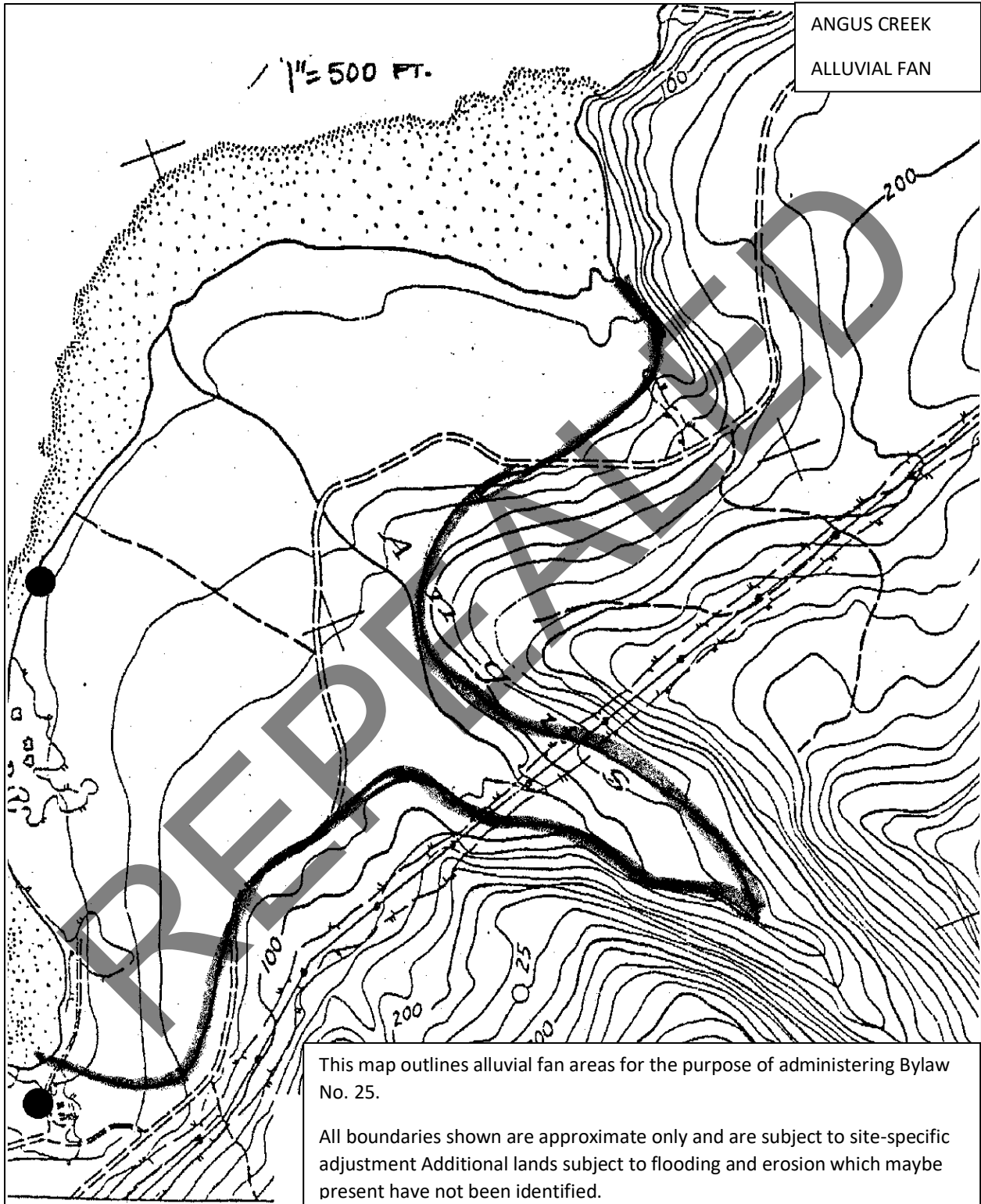
## APPENDICES

1. SCHEDULE A ZONING MAP (CAN BE VIEWED AT [WWW.SEHELTC.A](http://WWW.SEHELTC.A))
2. SCHEDULE B FLOOD PLAIN MAPS

REPEALED

**SCHEDULE B**







**Chapman Creek & Wilson Creek Fan Boundaries**  
This map outlines alluvial fan areas for the purpose of administering Bylaw No. 25. All boundaries shown are approximate only and are subject to site-specific adjustment. Additional lands subject to flooding and erosion which may be present have not been identified.