

## DIVISION 100 - ENACTMENT AND INTERPRETATION

### 101 TITLE AND REPEAL

101.1 This bylaw may be cited as the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.

101.2 The “District of Ucluelet Zoning Bylaw No. 800, 1999” and all its amendments, and all previous zoning bylaws, are hereby repealed.

### 102 SCHEDULES

102.1 The following schedules are attached to and form a part of this Bylaw:

Schedule A - Zoning Map

Schedule B - The Zones

### 103 DEFINITIONS

103.1 In this bylaw, the following terms have the following meanings:

#### A

“**Accessory**” means customarily associated with and ancillary but clearly incidental and subordinate to a lawfully established principal use on the same lot;

“**Accessory Building**” means a detached *building*, the use or intended use of which is *accessory* to that of the principal use and *building* on the same lot;

“**Accessory Residential Dwelling Unit**” means one *accessory dwelling unit*, for *residential* use only, primarily intended for the caretaking, management, staffing or security of the principal *non-residential* uses on the same lot;

“**Accessory Retail Sales and Administration Office**” means the *accessory* use of a minor portion of the *gross floor area* of permitted principal commercial, industrial or institutional use for *retail* sales or office directly related to the principal use in the same *building*;

“**Affordable Housing**” means *residential* housing under the terms of a housing agreement with the District pursuant to section 905 of the *Local Government Act*;

“**Auto Repair Shop**” means the use of land and a principal *building* for the repair and servicing of automobiles and recreational vehicles, specifically excluding *service station*;

## B

“**Basement**” means the lowest level of a *building* which is located below or at grade, and used for utilities, *accessory* laundry, *accessory* parking, *accessory* storage and similar non-habitable space, or no use, and specifically excluding *residential* use and commercial use;

“**Bed and Breakfast**” or “**B&B**” means the *accessory* use of a *single family dwelling* where up to a maximum of three *bedrooms* are for use as guest rooms, provided in accordance with Section 404 of this Bylaw;

“**Bedroom**” means a room used or designated for use for sleeping purposes in which there is no kitchen or cooking facilities;

“**Bistro/Café**” means a small-scale *restaurant*, with or without some food prepared off-site and pre-packaged, with a maximum *gross floor area* of 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) or with seating at tables or counters (or both) not exceeding a total of 20 seats;

“**Boat Building and Repair**” means the use of land, *buildings* or *structures* for the manufacturing, servicing or repair of watercraft;

“**Boutique Retail**” means a small-scale *retail* specialty shop with a maximum *gross floor area* of 185 m<sup>2</sup> (2,000 ft<sup>2</sup>);

“**Building**” means any *structure* that is used or intended to be used for sheltering a use or occupancy;

## C

“**Campground**” means the use of land for *commercial tourist accommodation* of a recreation nature only, in tents, campers and motorized recreational vehicles, specifically excluding Park Models and other *buildings*, *structures* and *vehicles* that are or appear permanent or *residential* in nature;

“**Camping Space**” means the area of a *campground* intended for one tent, camper or motorized recreational vehicle;

**“Carport”** means a roofed *structure* open on a minimum of three sides, other than the necessary supporting posts, or columns attached to the principal *building*, not higher than the *first storey* of the principal *building* and not exceeding 7 m (23 ft) in length by 3.7 m (12 ft) in width, and used for the undercover parking of *vehicle(s)*;

**“Commercial Entertainment”** means the commercial use of a *building* by which the public is entertained or amused including an amusement arcade, casino, bingo hall, dance hall, cabaret, theatre, or movie theatre, specifically excluding *commercial recreation*;

**“Commercial Recreation”** means the commercial use of a *building* for sports and leisure activities, including a billiard/pool hall, bowling alley, indoor mini-golf or other games court;

**“Commercial Tourist Accommodation”** means the non-*residential*, daily or short-term (not exceeding 30 consecutive days) accommodation of paying guests, transient motorists, tourists or vacationers, as commonly associated with *hotels, motels, resorts, vacation rentals, guest houses, hostels, bed and breakfasts, and campgrounds*;

**“Community Care Facility”** means the use of land and a *building* for the care of three (3) or more persons and licensed pursuant to the *Community Care and Assisted Living Act*;

**“Community Use”** means the use of land and *buildings* to provide primarily non-commercial social, social enterprise, education, administration, recreation and other public services to the community;

**“Convenience Store”** means a small-scale retail store, with a maximum *gross floor area* of 140 m<sup>2</sup> (1,507 ft<sup>2</sup>), with particular emphasis of books, magazines, food and beverage household staples, accessories and items regularly used by *residential* uses;

## D

**“Daycare Centre”** means the provincially-licensed use of land and principal *building* for care and supervision of children through a prescribed program;

**“Duplex Dwelling”** (or **“Duplex”**) means a *building* that contains two *dwelling units* (specifically excluding *secondary suite*), both for *residential* use only unless *commercial tourist accommodation* is specifically permitted in accordance with the *vacation rental (VR-1)* provisions of Section 406 of this Bylaw;

**“Dwelling Unit”** means a self-contained set of contiguous habitable rooms, consisting of at least kitchen, sanitary, living and sleeping rooms and facilities, in a *building*;

**“Drive-Through Use”** means a land use configured to accommodate users remaining in their *vehicles* while receiving food, services or goods from a use otherwise permitted on the lot;

## E

**“Emergency Services”** means the non-commercial use of land, *buildings* or *structures* for a fire hall, police station, ambulance headquarters, tsunami relief stations and similar essential on-call or relief services;

## F

**“Financial Institution”** means a bank, credit union, acceptance corporation, trust company, finance company, pay-day loans, or similar establishment;

**“First Storey”** means the *storey* of a *building* directly above the *basement*, or where there is no *basement*, the lowest *storey* of a *building*;

**“Front Face”** means the portion of the *building* facing and closest to the *front lot line*, but where there is more than one *front lot line*, the portion of the *building* facing and closest to the *frontage*;

**“Frontage”** means the length of the *front lot line* which provides primary access;

## G

**“Garage”** means an *accessory building*, or a portion of a principal *building*, designated and used solely for the parking or temporary storage of private *vehicles* and where there are no facilities for repairing or servicing of such *vehicles*;

**“Gross Floor Area”** means the total area of all floors of a *building(s)* or use within a *building* (as the case may be) on a lot, measured to the exterior walls of the *building*, specifically excluding only non-habitable portions of a *basement* and areas designated and used solely for the parking or temporary storage of private *vehicles*;

**“Guest Cottage”** means an *accessory detached dwelling unit* built on a full and continuous foundation on the same lot as the principal use of a *guest house* or *single family dwelling*, and is used for *commercial tourist accommodation*;

**“Guest House”** means the *accessory* use of a *single family dwelling* where a minimum of three and up to a maximum of six *bedrooms* are for use as *guest rooms*, if provided in accordance with Section 405 of this Bylaw;

**“Guest Room”** means a room used or designated for use for sleeping purposes, with or without an *en suite* bathroom and cooking facilities limited to:

- (a) Kettle
- (b) Coffee maker
- (c) Toaster (not including a toaster-oven)
- (d) Microwave (excluding convection/microwave combination),

and is used for *commercial tourist accommodation*;

## H

**“Heavy Equipment Display”** means the use of land, *buildings* or *structures* for the display, sale or rental of *manufactured homes*, industrial vehicles and machinery including sales and *accessory* repair or servicing of such equipment, vehicles or machinery;

**“Height”** means:

- (a) the shortest vertical distance from the average elevation of the natural grade of the lot measured at the base of the *building* or *structure*, to the highest point of that *building* or *structure*; or
- (b) in a *Marine (M) Zone*,
  - (i) for a floating *building*, *structure* or floathome stationary for more than 30 days, the shortest vertical distance from the water level to the highest point of that *building*, *structure* or floathome;
  - (ii) for a *building* or *structure* affixed to a dock or built on pilings, the shortest vertical distance from high high tide to the highest point of that *building* or *structure*;

**“Highway”** includes a public street, road, path, *lane*, walkway, trail, bridge, viaduct, thoroughfare and any other way, but specifically excludes private rights of way on private property;

**“High Level Support Services Housing”** means the use of an otherwise *residential duplex* or *multiple family residential building* to include housing that is fully operated by a third party service provider that requires full support, such

as emergency shelters, 24/7 care for people requiring assistance with mental illness, or people that have addictions to drugs or alcohol;

**“Home Occupation”** means the *accessory* use of a *residential dwelling unit* for the purposes of a commercial occupation, profession or craft conducted by its full-time resident, and in accordance with the regulations contained in Section 402 of this Bylaw;

**“Hostel”** means the use of a *building*, which *building* is at least 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) in *gross floor area*, for *commercial tourist accommodation* in the form of one or more dormitories for sleeping facilities and common bathrooms, kitchen, dining and social facilities, specifically excluding private *guest rooms* and *dwelling units*;

**“Hotel”** means the use of one or more *buildings* providing three or more separate *guest rooms* or complete *dwelling units*, or combination, with separate entrances to a common hallway or walkway for *commercial tourist accommodation* use, only functioning collectively from an on-site office and staffed lobby, and may include any one or more of the following uses if *accessory*:

- (a) *commercial entertainment*,
- (b) *commercial recreation*,
- (c) *recreational services*,
- (d) *restaurant*,
- (e) *spa*, and
- (f) *pub/lounge*, provided that the hotel contains at least 50 guest rooms/*dwelling units* and provides dining and meeting room facilities;

## I

**“Industry, Light”** means the use of land, *buildings* or *structures* for:

- (a) *wholesale trade*,
- (b) *warehousing*, including packing and crating and mini-storage, and
- (c) *light manufacturing* or servicing of an article, substance, material, fabric or compound;

**“Industry, Medium”** means the use of land, *buildings* or *structures* for

- (a) *assembling*, *processing*, *manufacturing*, *servicing* or *repairing* of a product, article, substance, material, fabric or compound,
- (b) *moving*, *crushing*, *washing*, *screening*, *processing* or *storage* of soil;
- (c) *high technology uses* and *industries*, and
- (d) *recycling facility* and *transfer station*;

**“Industry, Service”** means the use of land, *buildings* or *structures* for:

- (a) *wholesale trade*,

- (b) warehousing, including packing and crating and mini-storage,
- (c) preparation of food products, including bakery but excluding fish processing, and
- (d) testing, servicing, repairing or maintenance of an article or substance, including artisan shops;

## J

## K

**“Kennel”** means the use of land, *building* or *structure* for the keeping, breeding, training and boarding of five or more dogs or cats which are more than four (4) months of age, plus their offspring, and may include *accessory* veterinary services;

## L

**“Landscaping”** means any combination of trees, bushes, plants, flowers, lawns and other vegetation, including combined with bark mulch, decorative boulders and gravel, decorative paving, planters, sculptures, fences and the like, all fully and suitably arranged and maintained so as to enhance the appearance of a property, or where required, to effectively screen a *building*, *lot*, portion of a *lot*, storage or other use. Landscaping does not include parking areas, sidewalks, uncleared undergrowth or weed growth;

**“Lane”** means a *highway* not exceeding 8 m (26 ft) in width, intended to provide only secondary access to a lot;

**“Loading Space”** means a space for the loading and unloading of a *vehicle*, either outside or inside a *building* or *structure*, but specifically excludes maneuvering aisles and other areas providing access for the space;

**“Lot”** means a parcel of land registered in the Land Title Office Registry and includes parcels and strata lots created by bare land strata subdivision, specifically excluding areas dedicated as road or park on a plan of subdivision, and:

- (a) **“corner lot”** means a lot which abuts two or more intersecting *highways*;
- (b) **“through lot”** means a lot abutting two parallel or approximately parallel *highways* or a *highway* and a body of water;

“**Lot Coverage**” means the total horizontal area of all *buildings* or parts thereof, as measured from the outermost perimeter of all *buildings* on the lot, and expressed as a percentage of the total area of the lot;

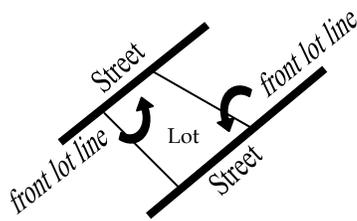
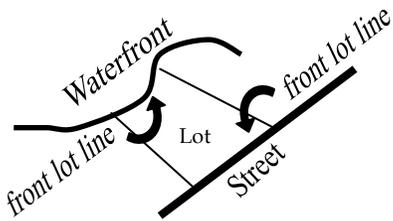
“**Lot Line**” means the property boundary lines of a lot, as identified by survey or other description as registered in the Land Title Office Registry where such records are current and accurate, and

(a) “**front lot line**” means the property boundary line of the lot and the *highway* it abuts or gains primary access from, however:

(i) in the case of a *corner lot*, means the shortest lot line abutting the *highway*;

(ii) in the case of a *panhandle lot*, means the lot line or lines common to a lot and an abutting *highway* and the lot line approximately parallel to such line at the end of the panhandle access strip;

(iii) in the case of a *through lot*, means both the lot lines abutting two parallel or approximately parallel *highways* or a *highway* and the water;



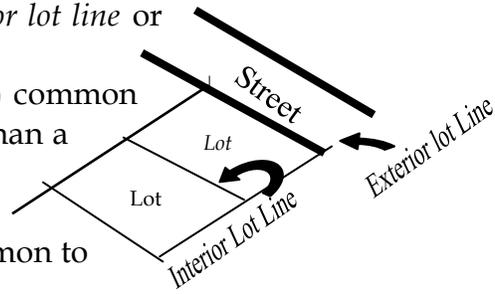
(iv) in the case of a lot that gains access other than from an abutting *highway*, means the lot line from which it gains access, be that easement area, private road, forest service road or water;

(b) “**rear lot line**” means the lot line furthest from, and opposite to, the *front lot line*, and, in the case of a triangular shaped lot, a line 3 m (10 ft) in length entirely within the lot, parallel to and at a maximum distance from the *front lot line*;

(c) “**side lot line**” means either the *exterior lot line* or the *interior lot line*;

(d) “**exterior lot line**” means the *lot line(s)* common to the lot and an abutting *highway* (other than a *lane*), that is not the front line;

(e) “**interior lot line**” means the *lot line(s)* connecting the front and *rear lot lines*, common to the *lot* and another *lot* or *lane*;



“**Lot Width**” means the length of a straight line perpendicular to a straight line connecting the mid-point of the *front lot line* and *rear lot line*, except:

- (a) in the case of a panhandle lot, the *front lot line* is the portion at the end of the panhandle access strip, not abutting the *highway*,
- (b) in the case of a *through lot*, the measurement is at mid-point of the two *front lot lines*; and
- (c) in the case of a *lot* on the rounded portion of *cul-de-sac*, the measurement is taken 7.5 m (25 ft) back from the centre-point of the *front lot line*;

## M

**“Major Road”** means a *highway* designated an arterial or collector road, other than a minor collector road, pursuant to District bylaws and transportation plans;

**“Manufactured Home”** means a *building* containing a *dwelling unit*, certified under Canadian Standards Association (CSA) standard Z-240 or CSA standard A-277 (as updated from time to time), designed to be moved from time to time, which arrives at the *lot* complete and ready for occupancy except for placing on suitable foundations, connection to utilities, and incidental assembly, and is used only for *residential* purposes, specifically excluding recreational vehicles;

**“Manufactured Home Park”** means the *residential* use of land for the purpose of providing pads for two or more *manufactured homes*, each within its own *manufactured home space*, and *accessory* useable open space not less than 5% of the lot area, all in accordance with the provisions of the MH Zone, and subject to compliance with the District's *Mobile Home Park Bylaw*;

**“Manufactured Home Space”** means an area of land within a *manufactured home park* designated for the exclusive use of one *manufactured home*, the total horizontal area of which home plus all additions, *accessory buildings* and *structures* is not to occupy more than 50% of the space;

**“Marina”** means the use of land, *buildings* or *structures* for the commercial or non-commercial moorage of watercraft, excluding permanent storage, and may include any or all of the following as *accessory* uses only:

- (a) Sale or rental of watercraft
- (b) Marine fueling station,
- (c) Marine-related *retail* supplies and equipment,
- (d) *Boat Building and Repair*,
- (e) *Restaurant*,
- (f) *Bistro/Café*,
- (g) Marina management office,
- (h) *One Accessory Residential Dwelling Unit*;

**“Marine Recreation”** means non-commercial leisure or recreational activities on or in the water, such as fishing, swimming, boating and water skiing;

**“Mixed Commercial/Residential”** means the use of a *building* containing a combination of:

- (a) commercial uses that are otherwise permitted within the *Zone* on any *storey*, including *commercial tourist accommodation* uses not on the *first storey*, and
  - (b) *residential* uses located exclusively at the second *storey* or higher,
- unless otherwise specified in a particular *Zone*;

**“Mixed Commercial/Resort Condo”** means the use of a *building* containing a combination of:

- (a) commercial uses that are otherwise permitted within the *Zone*, excluding *commercial tourist accommodation* uses, on any *storey*; and
- (b) *commercial tourist accommodation* uses located exclusively at the second *storey* or higher;

**“Mixed Industrial/Residential”** means the use of a *building* containing a combination of:

- (a) industrial uses that are otherwise permitted within the *Zone*, and
- (b) *residential* uses located exclusively at the second *storey* or higher;

**“Mobile Vending”** means the provision of merchandise, services, or food, while temporarily stationary but primarily on foot, bicycle, *vehicle* or any other means of transportation or with any type of mobile receptacle, including but not limited to carts, tables, and wagons, other than a delivery vehicle owned and operated by a licensed retailer or wholesaler within the District, and specifically excluding hawkers, hucksters and peddlers;

**“Moderate Level Support Services Housing”** means the use of an otherwise *residential duplex* or *multiple family residential building* to include housing that has the option to provide services within the *dwelling units* for people that require social service assistance for people that are victims of abuse, assisted living units with medical need, or disabilities;

**“Motel”** means a *building*, or group of *buildings* on the same *lot*, providing three or more separate *guest rooms* or *dwelling units* with the entrance to each room being to the outside of the *building*, for *commercial tourist accommodation* use only, functioning from an on-site staffed office, and with on-site parking in close proximity to each *guest room* or *dwelling unit*;

**“Multiple Family Residential”** (or “MFR”) means a *building*, or group of *buildings* on the same *lot*, each containing three or more *dwelling units*, for residential use only and specifically excluding *commercial tourist accommodation*, on a *lot* which includes a minimum useable outdoor recreation/ amenity space of:

- (a) 16 m<sup>2</sup> per *bedroom* when in the R-2 Zone;
- (b) 20 m<sup>2</sup> per *bedroom* when in the R-3 Zone;
- (c) 8 m<sup>2</sup> per *bedroom* when in all other Zones (including the residential component of the *mixed residential/commercial* and *mixed residential/industrial* uses);

## N

**“N/A”** means not applicable, in the sense that a specific regulation under the provision noted is not specifically identified in this Bylaw, however the calculations of other regulations may effectively result in a limitation under that provision. (For example, gross floor area for a principal building may have an N/A symbol yet the maximum available would be limited by the combined application of floor area ratio, lot coverage, height and other regulations.) “N/A” does not mean zero or unlimited, as the case may be.

**“Natural Boundary”** means the visible high water mark of any ocean, lake, *watercourse* or other body of water where the presence and action of water are so common and usual, and so long continued in ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and if shown, shall be deemed to be that surveyed and identified on a plan registered with the Land Title Office within the previous six (6) months;

**“Neighbourhood Pub”** means an establishment operating as a neighbourhood public house under a "D" type licence issued pursuant to the *Liquor Control and Licensing Act*;

## O

**“Outdoor Recreation”** means the commercial or non-commercial use of land, with or without *accessory buildings* and *structures*, for a recreational activity undertaken where the outdoor setting and landscape is a significant element in the activity, and the density of recreational users is not a significant element, and includes *park* or open space, playing field, botanical garden, arboretum, and outdoor exhibits, excluding golf courses;

**“Outdoor Sales”** means the use of land, *buildings* and *structures* for the *retail* sale or rental of items that are of such a size or quantity so as to typically and primarily be displayed outdoors, such as:

- (a) lumber and building products,
- (b) nurseries, soils and garden supplies,
- (c) recreational vehicles, automobiles and boats,

and includes *accessory* indoor *retail* and *accessory* administration office.

## **P**

**“Park”** means land for public use or intended for primarily non-commercial outdoor recreational purposes, and includes archeological, historical or natural sites;

**“Parking Lot”** means the principal use of land for *parking spaces* and maneuvering aisles for the short-term parking of *vehicles*, and specifically excluding overnight parking or storage;

**“Parking Space”** means the space for the parking of one *vehicle* either outside or inside a *building* or *structure*, including *garage* or *carport*, excluding maneuvering aisles and areas providing access to the space;

**“Permitted Use, Principal”** means the permissible purpose for which land, *buildings* or *structures* may be used, with or without establishment of other uses;

**“Permitted Use, Secondary”** means the permissible purpose for which land, *buildings* or *structures* may be used, only permitted in conjunction with a *principal* permitted use;

**“Personal Services”** means the use of a *building* for the provision of professional or personal services, with or without the *accessory* sale of goods, wares, merchandise, articles, or things directly related to such services, and includes a barber shop, beauty salon and aesthetics, cosmetic surgery, acupuncture, herbalists and naturopaths, massage services, tattoo parlour, shoe repair shop, dry cleaning shop, and launderette, specifically excluding *financial institutions*, *commercial entertainment* and *offices*;

**“Place of Worship”** means the use of a *building* used for religious worship and *accessory* assembly, entertainment and educational purposes and one *accessory* residential dwelling unit;

**“Public Administration & Utility”** means the use of land, *buildings* or *structures* for non-commercial management of public resources and provision of public

services to the community, and includes *parks*, hospitals, cemetery, community centres, *emergency services*, libraries, museums, law courts and the municipal hall;

**“Public Assembly”** means the use of land, *buildings* or *structures* for primarily non-commercial exhibits, special events, or meetings and includes an auditorium, *place of worship*, museum, community centres, fraternal lodge, youth centre or senior citizens complex, specifically excluding *commercial entertainment* and *commercial recreation*;

## Q

## R

**“Recreational Services”** means the commercial use of land, *buildings* or *structures* for sports and leisure activities and services, both on and off shore, and includes tours, charters, a health club, spa or swimming pool, specifically excluding a fairground;

**“Residential”** means the occupancy or use of a *building* or part thereof as a *dwelling unit*, as the residence and domicile of a person or family who intend to return when absent, and excludes *commercial tourist accommodation*;

**“Resort Condo”** means a *building*, or group of *buildings* on the same *lot*, providing two or more separate *dwelling units*, for *commercial tourist accommodation* use only, without the *accessory* uses commonly associated with or specifically permitted with *hotels* or *motels*.

**“Restaurant”** means an eating establishment where food is prepared and served, in a *building* on the *lot*, to the public for consumption primarily at tables within the building or on a patio on the *lot*, specifically excluding *drive-through uses*, *neighbourhood pubs* and establishments that have a liquor primary licence;

**“Retail”** means the business of selling goods, wares or merchandise to the ultimate consumer for personal consumption or household use, and not for resale purposes, including *boutique retail* but specifically excluding *personal services*, *outdoor sales*, *convenience store* and *mobile vending*;

## S

**“School”** means the use of land, *buildings* or *structures* for the provision of education to children or adults, and includes pre-school, kindergarten, elementary, middle, secondary and post-secondary institutions, as well as language and other professional or technical education;

**“Screening”** means a continuous fencing, wall, compact hedge or combination thereof, supplemented with *landscaping*, that effectively provide a visual separation or enclosure for a *building*, *lot*, portion of a *lot*, storage or other use, and is broken only by limited access drives and walks;

**“Secondary Suite”**:

- (a) in all instances other than a *Vacation Rental (VR-1)* designation, means one separate *accessory dwelling unit*, for *residential* use only, located within a *single family dwelling*, in accordance with Section 403 of this Bylaw; or
- (b) in a *building* with a *Vacation Rental (VR-1)* designation, means one or two separate *accessory dwelling units* used for either *residential* use or *commercial tourist accommodation* in accordance with Section 406 of this Bylaw;

**“Service Station”** means the use of land, *buildings* and *structures* for the retail sale of motor fuels and lubricants, including alternative energy for *vehicles*, and which may include any or all of the following as *accessory* uses only:

- (a) *auto repair shop*;
- (b) towing service;
- (c) retail sale of automobile accessories; and
- (d) convenience *retail* not exceeding 50 m<sup>2</sup> (540 ft<sup>2</sup>) of *gross floor area*;

**“Single Family Dwelling”** (or **“SFD”**) means a detached principal *building* (including a *manufactured home*) that consists of one *dwelling unit*, and may contain a second *dwelling unit* in the form of a *secondary suite* where specifically permitted, all used for *residential* use only unless *commercial tourist accommodation* is specifically permitted and established in accordance with:

- (a) the *bed and breakfast* provisions of Section 404 of this Bylaw,
- (b) the *guest house* provisions of Section 405 of this Bylaw; or
- (c) the *vacation rental* provisions of Section 406 of this Bylaw;

**“Staff Housing”** means *accessory residential dwelling units* associated with but subordinate to, and occupied by the current employees of, one or more *principal permitted uses* on the *lot* on which it is located, or, in the case of comprehensive development *Zones*, in the development area or *Zone* in which it is identified as a permitted use; may be provided under the terms of a housing agreement with the District pursuant to section 905 of the *Local Government Act*;

**“Storey”** means that part of a *building* situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above, not including a *basement* or unused and non-habitable attic;

“**Studio**” means primarily commercial use of a *building* for the production and sale of photographs, paintings, sculptures, jewelry, crafts and similar art, specifically excluding *residential* use unless in accordance with a *mixed residential/commercial* use designation;

“**Structure**” means anything that is constructed, fixed to, supported by or sunk into land or water;

## T

“**Take Out Food Services**” means an eating establishment where food is prepared in a *building* on a *lot*, without table service or seating and sold to the public primarily for consumption off-site;

## U

## V

“**Vacation Rental**” means the use of an otherwise *residential dwelling unit* for *commercial tourist accommodation*, provided in accordance with Section 406 of this Bylaw;

“**Vehicle**” means a vehicle licensed pursuant to the *Motor Vehicle Act*, with any vehicle which has not been licensed for a period of one (1) year and which is not stored in a *building* shall be deemed a derelict vehicle;

## W

“**Watercourse**” means any natural or man-made drainage course or source of water, intermittent or not, including any lake, river, creek, spring, ravine, swamp, or source or ground or surface water, or as designated by the *Ministry of Environment*;

“**Wholesale Trade**” means the commercial use of land, *buildings* or structures for the purpose of:

- (a) selling merchandise to retailers;
- (b) selling merchandise to industrial, commercial, institutional, or professional business users;
- (c) selling merchandise to other wholesalers; or
- (d) acting as agents or brokers and buying merchandise for or selling merchandise to such individuals or companies;

X

Y

**“Yard”** means that portion of a *lot* where the siting of *buildings* or structures is prohibited by the minimum setback regulations of this Bylaw, and includes:

(a) **“front yard”** means that part of a *lot* measured perpendicularly from the *front lot line* a distance of the front yard minimum setback and extending across the full width of the *lot* parallel to the *front lot line*;

(b) **“rear yard”** means that part of a *lot* measured perpendicularly from the *rear lot line* a distance of the rear yard minimum setback and extending across the full width of the *lot* parallel to the *rear lot line*;

(c) **“side yard”** means those parts of a *lot* extending from the *front yard* to the *rear yard* and lying between:

(i) the **interior** *side lot line(s)* and the distance measured perpendicularly from the interior side minimum setback(s), and, if any,

(i) the **exterior** *side lot line(s)* and the distance measured perpendicularly from the exterior side minimum setback(s);

Z

**“Zone”** means an area of land established under Division 200 and the Schedules of this Bylaw and subject to regulation in accordance with this Bylaw;

103.2 Defined terms are italicized in this Bylaw (other than headings and most tables) for convenience purposes only, and the above definitions apply whether a term is italicized or not.

## 104 MEASUREMENTS

104.1 All regulations and measurements are in metric. Imperial equivalents are provided in parenthesis for convenience only and have no force or effect.

## 105 SEVERABILITY

105.1 Any section, subsection, sentence, clause or phrase of this Bylaw, which is for any reason held to be invalid by the decision of any Court of competent jurisdiction, may be severed from the balance of this Bylaw without affecting the validity of the remaining portions of this Bylaw.

105.2 For certainty, for *Zones* which include density-bonusing provisions, should any measure of density, condition or amenity be held to be invalid by the decision of any Court of competent jurisdiction, that measure of density, condition or amenity may be severed without affecting the validity of the density-bonusing scheme and other measures of density, conditions or amenities.

**DIVISION 200 - CREATION OF ZONING DISTRICTS**

**201 THE ENTIRE DISTRICT IS DIVIDED INTO ZONES**

201.1 The District of Ucluelet is divided into the following *Zones*:

- (1) as shown on the plan entitled "Zoning Map of the District of Ucluelet" attached as Schedule "A"; and
- (2) as detailed with prohibitions, regulations and requirements in the *Zones* attached as Schedule "B":

<b>Map Symbol</b>	<b>Zone Category and Zone Name</b>
<b>Residential Zones</b>	
RU	Rural Residential
R-1	Single Family Residential
R-2	Medium Density Residential
R-3	High Density Residential
R-4	Small Lot Single Family Residential
MH	Manufactured Home Park
<b>Commercial &amp; Mixed Commercial Accommodation Zones</b> (also includes CD-2B, CD-3B, CD-4, CD-5E and parts of CD-5A CD-5B, CD-5D, CD-6)	
VR-1	Vacation Rental (VR-1)
GH	Guest House
HS	Hostel
CS-1	Village Square Commercial
CS-2	Service Commercial
CS-3	Service Station Commercial
CS-4	Neighbourhood Pub Commercial
CS-5	Tourist Commercial
CS-6	Tourist Commercial Waterfront
CS-7	Tourist Commercial & Residential
<b>Marine Zones</b>	
M-1	Small Craft Harbour Marine
M-2	Community Dock Marine
M-3	Marine Commercial
M-4	Marine Industrial
M-5	Marine Recreation & Protection
<b>Industrial Zones</b> (also includes CD-1)	
I-1	Industrial
I-2	Service Industrial

### **Institutional Zones**

- P-1 Public Institutional
- P-2 Limited Institutional
- P-3 Village Square Institutional

### **Comprehensive Development Zones**

- CD-1 Eco-Industrial Park
- CD-2A Big Beach – District Lot 281 (Lot 1)
- CD-2B Big Beach – Black Rock
- CD-3A Rainforest – District Lot 282
- CD-3B Rainforest – District Lot 281 (Remainder)
- CD-4 Whiskey Landing
- CD-5A Former Weyco Forest Lands – Development Area #1  
(Wyndansea/ Signature Circle)
- CD-5B Former Weyco Forest Lands – Development Area #2  
(Central Park)
- CD-5C Former Weyco Forest Lands – Development Area #3  
(More Oceanwest)
- CD-5D Former Weyco Forest Lands – Development Area #4  
(Wild Pacific)
- CD-5E Former Weyco Forest Lands – Development Area #5  
(Oceanwest Phase I)
- CD-6 Olsen Bay (Lot 5 Plan VIP75113)

(3) For certainty, the *Zone* names and grouping into categories reflects the predominant uses for the respective *Zones*, but mixed uses and uses from other categories may be permitted in accordance with the detailed listing in each respective *Zone*.

201.2 The prohibitions, regulations and requirements of each *Zone* in this Bylaw are applicable to the areas designated on the Zoning Map with the corresponding alphabetical or alpha-numeric “Map Symbol”.

201.3 For certainty, the entirety of the District, including marine (ocean) areas, are regulated by this bylaw and the boundaries of *Marine Zones* extend to the jurisdictional boundary of the District as determined by letters patent, despite scaling on the Zoning Map.

## **202 ZONE BOUNDARIES**

202.1 Except as shown on the Zoning Map,

- (1) where a *Zone* boundary is designated as following a *highway* or a *watercourse*, the centerline of the *highway* or the *watercourse* is the *Zone* boundary;
  - (2) where a *Zone* boundary does not follow a legally defined line, and where distances are not specifically indicated, the location of the boundary is determined by the electronic version of the Zoning Map to the centre of each zoning line; and
  - (3) the *natural boundary* of the marine (ocean) shoreline is a *Zone* boundary.
- 202.2 Where a *lot* is divided by a *Zone* boundary, the areas created by such division are deemed to be separate lots for the purpose of determining the regulations and requirements of this Bylaw, except that setbacks between the *Zones* are not required unless the lot is capable of being subdivided along that *Zone* boundary.

### 203 COMPREHENSIVE DEVELOPMENT ZONES

203.1 For informational purposes only, CD Zone designations originally included large undeveloped or forested areas, which may be developed according to the master plan included with each Zone, generally to include a mixture of uses at a maximum density of 5 units per hectare based on the following equivalencies table, except where otherwise noted. The maximum density may have been increased to a maximum of 25 units per hectare upon provision of additional public open space and other public amenities, with a combination of different land uses may be accommodated in a Comprehensive Development Area based on the following density equivalency table:

<b>0.5</b> <i>single family dwelling unit/ manufactured home</i>
<b>0.3</b> <i>small lot single family residential lots (3,800 - 7,000 ft<sup>2</sup>)</i>
<b>0.3</b> <i>vacation rental lots (1,000 - 1,300 m<sup>2</sup>)</i>
<b>0.5</b> <i>vacation rental lots (1,300 - 1,600 m<sup>2</sup>)</i>

One  
"Planning"  
Unit

=

0.7 vacation rental lots (>1,600 m <sup>2</sup> )
0.3 guest house lots (minimum lot size ½ acre - 1 acre)
1.0 multiple family residential dwelling unit
0.8 resort condo units
2.0 hotel rooms in a hotel with restaurant
3 motel units with kitchen facilities
3 motel units or camping spaces without kitchen facilities
2 recreational vehicle pads
30 square metres of gross floor area for environmentally friendly industrial uses
30 square metres of gross floor area of a restaurant
40 square metres of gross floor area of retail commercial, personal services
40 square metres of gross floor area of a public assembly or recreational use.

203.2 The base density of 5 units per hectare assumes dedication of 5% of the CD Area for public open space or parkland. This base density may be increased in the following manner:

Open Space Dedication/ Amenity Contribution	Maximum Density Allowed
5%	5 units/ha
15%	10 units/ha
25%	15 units/ha
35%	20 units/ha
40%	25 units/ha

203.3 For certainty, the regulations of each CD Zone are solely applicable and the provisions of this section are intended only to inform the basis for such density bonusing and to inform future potential zoning amendments.

## DIVISION 300 – GENERAL PROHIBITIONS & REGULATIONS

### 301 GENERAL COMPLIANCE

- 301.1 No person shall use, occupy or permit any person to use or occupy any land or *building* in contravention of this Bylaw.
- 301.2 Nothing contained within this Bylaw shall relieve any person from the responsibility to seek and comply with other legislation applicable to that use, activity or other matter regulated under this Bylaw.
- 301.3 Every use of land, *building* and structure permitted in each *Zone* shall conform to all the regulations of the applicable *Zone* and all other regulations of this Bylaw.

### 302 GENERAL PROHIBITIONS

- 302.1 No land, *building* or structure may be used or occupied, or left with no use, except in conformity with this Bylaw.
- 302.2 No *building* or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged:
- (1) except in conformity with this Bylaw; or
  - (2) so as to cause any existing *building* or structure on the same *lot* to violate the provisions of this Bylaw.
- 302.3 No subdivision may be approved:
- (1) except in conformity with this Bylaw; or
  - (2) so as to cause any existing *building* or structure to violate the provisions of this Bylaw.

### 303 PERMITTED AND PROHIBITED USES

- 303.1 No land, *building* or structure may be used for a use that is not specifically listed under the heading “**Permitted Uses**” subcategory “**Principal**” in the *Zone* that the land, *building* or structure is located, and no *building* or

structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged for any use other than a specifically permitted use in that *Zone*. For certainty:

- (1) A use listed under the “**Secondary**” subcategory of “Permitted Uses” is only permitted if a use from the “**Principal**” subcategory is lawfully established and ongoing.
- (2) A use not specifically permitted in a *Zone* is prohibited from that *Zone*.
- (3) A use not specifically permitted in this Bylaw is prohibited from the District.

303.2 Despite Subsection 303.1, the following uses are **permitted**:

- (1) in all *Zones*,
  - (a) utilities use provided that any *building* must not exceed a *gross floor area* of 5 m<sup>2</sup> (53.8 ft<sup>2</sup>);
  - (b) *parcs* available daily for primarily non-commercial public use, including *accessory* playground equipment and recreational facilities;
  - (c) *accessory buildings* and *accessory* structures in accordance with Section 401;
  - (d) *accessory* off-street parking in accordance with Division 500;
- (2) in *Zones* in which a *residential* use is permitted as a principal use, the temporary use of camper, trailer or other recreational vehicle for habitation during construction of a principal *dwelling unit* in a *single family dwelling* or *duplex* on the *lot* where:
  - (a) a building permit has been taken out to construct a principal *dwelling unit* on the parcel;
  - (b) the building permit has been endorsed for a temporary shelter in accordance with the *District of Ucluelet Building Bylaw No. 882, 2002*;
  - (c) the owner actively proceeds with the work to complete the principal *dwelling unit*; and

- (d) such use is for a period of time not longer than the lesser of:
  - (i) one year from issuance of the building permit for the principal *dwelling unit*; or
  - (ii) fifteen (15) days following issuance of an occupancy permit for the principal *dwelling unit*;
- (3) in *Zones* in which a *residential* use is permitted as a principal use,
  - (a) *affordable housing*;
  - (b) *staff housing*;
- (4) in *Zones* in which a *single family dwelling* is a *principal permitted use*, one *community care facility*, in accordance with and so long as permitted by section 20 of the *Community Care and Assisted Living Act*, S.B.C. 2002 c.7, being either:
  - (a) a *daycare centre* for no more than 8 children in care; or
  - (b) a residence for no more than 10 persons in care, not more than 6 of whom are persons in care.

303.3 Without limiting the generality of Subsection 303.1, the following uses are **prohibited** in all *Zones*:

- (1) the use of a tent, camper, trailer or other recreational vehicle, or any structure for habitation purposes, except as noted in Subsection 303.2(2) or unless specifically permitted within a *Zone*;
- (2) the parking, storing, assembling or dismantling, for a total of thirty (30) or more consecutive days of any of the following:
  - (a) more than one (1) unlicensed or derelict vehicle which is not in a garage or *carport*;
  - (b) detached vehicle parts unless fully concealed within a *building* or structure;
  - (c) unlicensed or derelict vehicle, commercial vehicle, truck, bus, container or contractor's equipment within a *front yard*;
- (3) auto wrecking,

- (4) salvage or scrap metal yards;
- (5) *drive-through uses*;
- (6) the storage or other keeping of household or business garbage or waste material, and their associated receptacles or containers, anywhere other than within a principal *building*, except on the day of collection, unless kept in:
  - (a) an *accessory building* or garage, or
  - (b) an animal-proof enclosure that is:
    - (i) fully enclosed on all sides, and has a roof, door(s) and a self-latching device of a design and strength sufficient to prevent access by animals, as per the criteria listed in Section 7 of the *District of Ucluelet Garbage Collection & Regulation Bylaw No. 960, 2004*;
    - (ii) fully and suitably screened and landscaped on all sides except a portion of one side facing the principal *building* for the purposes of access; and
    - (iii) sited in accordance with the most restrictive setback requirements for *accessory buildings* or structures for the *Zone* in which the *lot* is located, despite any siting exceptions in the Bylaw.

303.4 Without limiting the generality of Subsection 303.1, the following uses are prohibited in all Marine Zones (M-1 - M-5):

- (1) Commercial or recreational aquaculture;
- (2) Boat, vessel or aircraft storage *buildings*; and
- (3) Landfills/ garbage dumps.

303.5 Where a *Zone* includes a “**Minimum Lot Size**”, “**Minimum Lot Frontage**”, “**Minimum Lot Depth**” and “**Minimum Lot Width**”, then a *lot* that does not satisfy all minimum requirements for the regulated use may not be used for that use, unless:

- (1) the *lot* was created prior to the adoption of this Bylaw and no other permitted use is available for the *lot*; or
- (2) the regulation(s) which is not satisfied has been varied by Council or the Board of Variance.

### 304 DENSITY REGULATIONS

304.1 Where a *Zone* includes a regulation entitled “**Maximum Lot Coverage**”, the *lot coverage* of all *buildings* and structures on the *lot* must not exceed the percentage specified for the *Zone*, or development area in the context of comprehensive development (CD) *Zones*, in which the *lot* is located.

304.2 Where a *Zone* includes a regulation entitled “**Maximum Floor Area Ratio**”, the *gross floor area* of all *buildings*, including *accessory buildings*, on the *lot* divided by the total area of the *lot* must not exceed the ratio identified for the *Zone*, or development area in the context of comprehensive development (CD) *Zones*, in which the *lot* is located.

$$\text{Floor Area Ratio} = \frac{\text{Gross Floor Area}}{\text{Total Lot Area}}$$

304.3 Where a *Zone* includes a regulation entitled “**Maximum Density**” with:

- (1) an absolute number of units figure, no *lot* may be subdivided and no *lot* may be developed with more than the number of *lots* or units identified for the *Zone*, or development area in the context of comprehensive development (CD) *Zones*, in which the *lot* is located;
- (2) with a units/hectare figure, no *lot* may be subdivided and no *lot* may be developed with more than the number of *lots* or units per hectare as determined by applying the figure for the *Zone*, or development area in the context of comprehensive development (CD) *Zones*, in which the *lot* is located to the area of the *lot*;
- (3) with a square metre (m<sup>2</sup>) figure, no *lot* or development area in the context of comprehensive development (CD) *Zones* may be developed

with more than the square footage noted for the *Zone*, or development area in the context of comprehensive development (CD) *Zones*, in which the *lot* is located to the area of the *lot*;

304.4 For certainty, where more than one of the above density regulations apply to any particular *lot*, the most restrictive governs.

304.5 The density bonusing provisions of the *Local Government Act* are incorporated into this Bylaw as follows:

- (1) For Comprehensive Development *Zones*, in accordance with Section 203 with a “**Base Density**” of 5 units/hectare, and a “**Bonus Density**” according to the *Zone*; and
- (2) For all other *Zones*, where noted with the labels “**Base Density**” and “**Bonus Density**”, the latter only applicable upon the satisfaction of the conditions noted (e.g. amenities and/or housing).

### **305 BUILDINGS & STRUCTURES - NUMBER, SIZE AND HEIGHT**

305.1 Not more than one principal *building* may be sited on one *lot*, except as expressly otherwise specified in a *Zone*.

305.2 Where a *Zone* includes a regulation entitled “**Maximum Number**” in relation to a *building* or structure, no *lot* may contain more *buildings* and structures (combined) than the number specified for the *Zone* in which the *lot* is located.

305.3 Where a *Zone* includes a regulation entitled “**Maximum Height**”, no *building* or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged in a manner that exceeds the *height* specified for the *Zone*, or development area in the context of comprehensive development (CD) *Zones*, in which the *building* or structure is located.

- (1) For certainty, maximum *height* in a *Zone* may vary according to the use of the *building* or structure, as specified in the *Zone*.
- (2) Despite Subsection 305.3, the following may exceed the maximum *height* regulations provided that such structures collectively cover no more than five percent (5%) of the *lot*, and no more than five percent (5%) of the roof area of a principal *building*:
  - (a) spires or belfries for *Places of Worship*,
  - (b) domes,
  - (c) monuments,
  - (d) fire and hose towers,
  - (e) observation towers,
  - (f) stadiums,
  - (g) aerials, transmission towers or radio towers,
  - (h) silos,
  - (i) chimneys,
  - (j) flag poles,
  - (k) masts,
  - (l) water tanks,
  - (m) solar panels and photovoltaic cells,
  - (n) cooling towers.

### **306 BUILDINGS & STRUCTURES - SETBACKS AND SITING**

306.1 Where a *Zone* includes a regulation entitled “**Minimum Setbacks**”, no *building* or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged nearer to the lot line than the distance specified for the *Zone* in which the *building* or structure is located, and for certainty:

- (1) Setbacks may vary according to any combination of use, *building*, structure or location within a *Zone* or adjacent *Zone*, or by *lot*

dimensions, or to a specific *highway*, and the provisions of this Bylaw must be interpreted accordingly;

- (2) Any portion of a *building* or structure located below finished grade is subject to all setbacks for the *Zone* in which the *building* or structure is located.

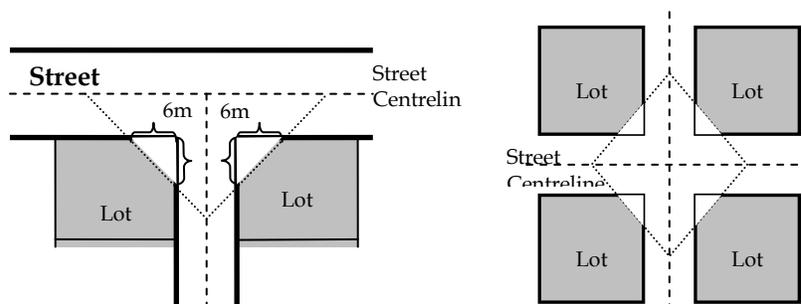
306.2 In addition to minimum setback requirements of other parts of this Bylaw:

- (1) no *building* or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged within
  - (a) 7.5 m (25 ft) on the upland side of the *natural boundary* of the ocean,
  - (b) 30 m (98.5 ft) of the *natural boundary* of any other natural *watercourse* or source of water supply,

except as expressly otherwise specified in a *Zone*;

- (2) for purposes of vision clearance,
  - (a) no fence, wall, *building* or structure, other than a permitted principal *building*, may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged to a *height* exceeding 1.2 m (4 ft), and
  - (b) no hedge, bush, shrub, tree or other growth may be maintained or allowed to grow,

so as to obstruct vision in the area bounded triangularly by extending a minimum 6 m (20 ft) boundary along the *lot* lines from the point of the exterior corner intersection of the *lot* lines and a line connecting these two points, as illustrated below:



306.3 Despite Subsection 306.1, the following are permitted despite minimum setback requirements but subject to the conditions noted in Subsection 306.2, other requirements of this bylaw and below:

- (1) one fence along each property line;
- (2) steps;
- (3) eaves and gutters, cornices, sills, bay windows, chimneys or other similar features, provided that such projections do not project more than 0.6 m (2 ft) into the setback area;
- (4) open porches, marquees, canopies, balconies, and sun shades provided that such projections do not project more than 1.2 m (4 ft) into the setback area;
- (5) arbors and trellises, fishponds, ornaments, flagpoles or similar garden features;
- (6) an uncovered and fully open patio at or within 61 cm (24 inches) of the ground in any *Zone*;
- (7) an uncovered patio or terrace, which may be open or enclosed, in a RU, R-1, R-2, R-3, R-4 or MH *Zone* or on a *lot* with the principal use of a *single family dwelling* or *duplex dwelling* in a CD *Zone*.

### 307 SUBDIVISION - CREATION OF LOTS

307.1 Where a *Zone* includes a regulation entitled "**Minimum Lot Size**", no *lot* may be created by subdivision that has an area less than the figure specified for the *Zone* in which the *lot* is located.

307.2 No *lot* may be created by subdivision that has a *frontage* less than 15 m (50 ft);

- (1) Despite 307.2, the minimum *lot frontage* for a *lot* on the rounded portion of a cul-de-sac or a curved street is 9 m (30 ft), measured at a point 7.5 m (25 ft) back from the *front lot line* radial from the street centre of curvature;
- (2) Despite 307.2 and 307.2(1), where a *Zone* includes a regulation entitled “**Minimum Lot Frontage**”, either for the *Zone* or according to use permitted within that *Zone*, then no *lot* for that use may be created by subdivision that has a *frontage* less than the figure specified for that use within the *Zone*.

307.3 Where a *Zone* includes a regulation entitled “**Minimum Lot Width**”, no *lot* may be created by subdivision that has *lot width* less than the figure specified for the *Zone* in which the *lot* is located.

307.4 For all *Zones*, no **panhandle lot** may be created by subdivision unless the panhandle (access strip) is a minimum of:

- (1) 20 m (66 ft), where further subdivision of the *lot* is possible under the provisions of this Bylaw, or
- (2) 6 m (20 ft), where further subdivision is not possible, unless back to back (abutting) panhandles are created, in which case each panhandle shall have a minimum width of 3.5 m (11.5 ft).

## DIVISION 400 – SUPPLEMENTAL REGULATIONS

### 401 ACCESSORY BUILDINGS & STRUCTURES

401.1 *Accessory buildings* and *accessory* structures are permitted on any *lot* subject to compliance with the more restrictive of:

- (1) the prohibitions, restrictions and regulations of the *Zone* in which the *lot* is located; and
- (2) all the conditions of this Section.

401.2 No *accessory buildings* or *accessory* structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged unless

- (1) the *principal permitted use* is being carried out on the *lot*, or
- (2) the *principal building* for such use is under construction with a valid and current building permit.

401.3 An *accessory buildings* or *accessory* structure must not contain a *dwelling unit* or be used for the purposes of habitation, except for a *guest cottage* in a *Zone* that lists such as a permitted use.

401.4 An *accessory buildings* or *accessory* structure must not be located in a *front yard*, except a *garage* or *carport* in accordance with all of the following conditions:

- (1) topographical reasons of the *lot* prevent or significantly hinder the *garage* or *carport* to be located in other parts of the *lot*, as certified by a professional engineer;
- (2) the *garage* or *carport* is located in an excavation in as little of the *front yard* as possible, such that no part of the *garage*, apart from its roof, or *carport* may:
  - (a) extend more than 1.2 m (4 ft) above the surface of the finished grade at any point other than the driveway,
  - (b) be less than 3 m (10 ft) from the *front lot line*.

401.5 Any *building* (such as *garage*) is deemed to be an *accessory buildings* unless it is attached to and shares a foundation and wall with opening, common services and functional use and integration, with the principal *building* for at least 15% of the total perimeter of the principal *building*.

## 402 HOME OCCUPATIONS

402.1 Where a *Zone* specifically includes *home occupation* as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the *home occupation*:

- (1) Only one *home occupation* per *dwelling unit* is permitted and must be conducted from within the *dwelling unit* or *accessory building* on the same *lot*, or combination.
- (2) A *home occupation* is not permitted in a *secondary suite, guest house, guest cottage, vacation rental, resort condo or other commercial tourist accommodation*.
- (3) The *home occupation* must be solely operated by one or two persons who are full-time and present residents of the *dwelling unit* and may involve the employment of one additional person who is a non-resident.
- (4) The maximum *gross floor area* of the *home occupation* must not exceed 40% of the *gross floor area* of the *dwelling unit*.
- (5) Only goods manufactured, produced or assembled within the *home occupation* portion of the *dwelling unit* or *accessory buildings* may be sold from the *dwelling unit* or *accessory buildings*.
- (6) Exterior Appearance:
  - (a) Not more than one non-illuminated sign not exceeding 0.18 m<sup>2</sup> (2 ft<sup>2</sup>) in total area may be posted per *home occupation*, either on the *dwelling unit* or , in a window, freestanding or on a fence, but at all

times in accordance with and subject to more restrictive regulations and requirements under the *District's Sign Bylaw*.

- (b) Otherwise, there must be no external indication of the existence of the *home occupation*, whether by displays, floodlighting, storage of materials, alteration of the appearance of *building(s)* or by any other means.
- (7) *Home occupations* must not discharge or emit the following across *lot lines*:
  - (a) dust, odorous, toxic or noxious matter or vapours;
  - (b) heat, glare, electrical interference or radiation;
  - (c) recurring ground vibration;
  - (d) noise levels exceeding 45 decibels.
- (8) A valid District of Ucluelet Business Licence is required for a *home occupation* use.
- (9) Off-street parking must be provided in accordance with Division 500.

402.2 For greater certainty, *Bed & Breakfasts*, *Vacation Rentals* or other *commercial tourist accommodation* may not be conducted as a *home occupation* under this Section.

#### **403 SECONDARY SUITES**

403.1 Where a *Zone* specifically includes *Secondary Suite* as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the *secondary suite*:

- (1) *Secondary Suites* are only permitted:
  - (a) in the *Zones* where *single family dwelling* or *vacation rental* is listed as a *principal permitted use* and *secondary suite* is identified as a *secondary permitted use*;
  - (b) *accessory* to a permanent *residential* use and administered by the full-time and present resident;

- (c) within one *single family dwelling* per lot; and
  - (d) within a *building* and on a *lot* that does not include a *Daycare Centre* or other *Community Care Facility*.
- (2) A *Secondary Suite* must not have more than 2 *bedrooms*.
  - (3) The *gross floor area* of the *secondary suite* must not exceed the lesser of:
    - (a) 90 m<sup>2</sup> (969 ft<sup>2</sup>); or
    - (b) 35% of the habitable area of the *single family dwelling* in which it is located.
  - (4) A *Secondary Suite* must comply with all relevant provisions of the BC Building Code.
  - (5) A valid District of Ucluelet Business Licence is required in order to register a *secondary suite*.
  - (6) Off-street parking must be provided in accordance with Division 500.

403.2 For certainty, notwithstanding other provisions of this Bylaw, *Secondary Suites*:

- (1) must not contain a *home occupation*;
- (2) must not be established or operate in a *single family dwelling* that is used as a *Bed & Breakfast* or *Guest House*.

#### **404 BED & BREAKFASTS**

404.1 One *bed and breakfast* use is permitted within a *single family dwelling* if all the following conditions are satisfied for the establishment and continued use and operation of the *bed and breakfast*:

- (1) *Bed and Breakfasts* are only permitted:
  - (a) in the *Zones* where *single family dwelling* is listed as a *principal permitted use* and *bed and breakfast* is identified as a *secondary permitted use*;

- (b) *accessory* to a permanent *residential* use and administered and operated by the full-time and present resident;
  - (c) within one *single family dwelling* per lot; and
  - (d) within a *building* and on a *lot* that does not include a *Daycare Centre* or other *Community Care Facility*.
- (2) A maximum of three (3) guest rooms may be used for the *Bed and Breakfast*.
- (3) The area designated for *Bed and Breakfast* use (including guest rooms and any common room provided outside of the *residential* occupant's personal area) must not contain the following.
- (a) Cooking Facilities, with the exception of:
    - (i) Kettle
    - (ii) Coffee maker
    - (iii) Toaster (not including a toaster-oven)
    - (iv) Microwave (excluding convection/microwave combination)
  - (b) 220 volt supply which could be used for larger appliances;
  - (c) Refrigerators in excess of 6.0 cubic feet capacity
- (4) A valid District of Ucluelet Business Licence is required in order to register a bed & breakfast.
- (5) Off-street parking must be provided in accordance with Division 500.

404.2 For certainty, notwithstanding other provisions of this Bylaw, *Bed and Breakfasts*:

- (a) must not be combined with *Guest House, Vacation Rentals, Resort Condo* or other *commercial tourist accommodation*;
- (b) must not be combined with *Guest Cottage* use unless *guest cottage* is a specifically permitted use for the *Zone* in which the *Bed & Breakfast* is located; and
- (c) must not be combined with or located, in whole or in part, in a *duplex, multiple family residential building, mixed*

*commercial/residential, mixed industrial/residential, accessory residential dwelling unit, or in a secondary suite or a single family dwelling that has a secondary suite.*

#### **405 GUEST HOUSES & GUEST COTTAGES**

405.1 Where a *Zone* specifically includes *Guest House* as a permitted use, one *guest house* use is permitted within a *single family dwelling* if all the following conditions must be satisfied for the establishment and continued use and operation of the *guest house*:

- (1) *Guest Houses* are only permitted:
  - (a) in the GH and CD *Zones* where *Guest House* is listed as a permitted use;
  - (b) as *accessory* to a permanent *residential* use and administered by the full-time and present resident;
  - (c) within one *building* per lot;
  - (d) within a *building* and on a *lot* that does not include a *Daycare Centre* or other *Community Care Facility*.
- (2) The number of *guest rooms* may vary according to *Zone* and *lot* size, and unless otherwise specified in a *Zone*, a minimum of three (3) *guest rooms* must, and a maximum of six (6) *guest rooms* may, be used for the *Guest House*.
- (3) The area designated for *Guest House* use (including *guest rooms* and any common room provided outside of the *residential* occupant's personal area) must not contain the following.
  - (a) *Cooking Facilities*, with the exception of:
    - (i) *Kettle*
    - (ii) *Coffee maker*
    - (iii) *Toaster* (not including a *toaster-oven*)

- (iv) Microwave (excluding convection/microwave combination)
- (b) 220 volt supply which could be used for larger appliances;
- (c) Refrigerators in excess of 6.0 cubic feet capacity
- (4) A valid District of Ucluelet Business Licence is required in order to register a *Guest House*.
- (5) Off-street parking must be provided in accordance with Division 500.

405.2 Where a *Zone* specifically includes *Guest Cottage* as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the *guest cottage*:

- (1) *Guest Cottages* are only permitted:
  - (a) in the GH and CD *Zones* where *Guest Cottage* is listed as a permitted use;
  - (b) in conjunction with a *guest house* or *single family dwelling*;
  - (c) as *accessory* to a permanent *residential* use and administered by the full-time and present resident;
- (2) *Guest Cottages* must not be attached to each other and must exist as separate independent *buildings*;
- (3) The number of *guest cottages* may vary according to *Zone* and lot size, and unless otherwise specified in a *Zone*, a maximum of four (4) *guest cottages* may be permitted per *lot*.
- (4) A valid District of Ucluelet Business Licence is required in order to register a *Guest Cottage*.
- (5) Off-street parking must be provided in accordance with Division 500.

405.3 For certainty, notwithstanding other provisions of this Bylaw:

- (1) Where *Guest House* is identified as the principal use without *Single Family Dwelling* also being identified as the principal use, then a *Single Family Dwelling* is not permitted unless operating and established as a *Guest House*.

- (2) *Guest House* must not be combined with *Bed and Breakfast*, *Vacation Rentals*, *Resort Condo* or other *commercial tourist accommodation*,
- (3) *Guest Cottage* must not be combined with *Vacation Rentals*, *Resort Condo* or other *commercial tourist accommodation*, except *Bed and Breakfast*, and
- (4) *Guest House* or *Guest Cottage* uses must not be combined with or located, in whole or in part, in a *duplex*, *multiple family residential building*, *mixed commercial/residential*, *mixed industrial/residential*, *accessory residential dwelling unit*, or in a *secondary suite*.

#### 406 VACATION RENTALS

406.1 Where a *Zone* specifically includes *Vacation Rental (VR-1)* or *Vacation Rental (VR-2)* as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the *vacation rental*:

- (1) The "VR-1" designation restricts the *commercial tourist accommodation* as:
  - (a) *accessory* to a permanent *residential* use and administered by the full-time and present resident occupying at least sixty percent (60%) of the principal *building*;
  - (b) occupying a maximum of two (2) *secondary suites*; and
  - (c) occupying a maximum of forty percent (40%) of the principal *building* on the *lot*, and no part of an or structure.
- (2) The "VR-2" designation permits the *commercial tourist accommodation* to be either an *accessory* use or a principal use, as follows:
  - (a) If *accessory*, the VR-1 provisions of section 406.1(1) apply fully; and
  - (b) If principal,
    - (i) only one *dwelling unit* per *lot* that is not a *secondary suite* may be used for *commercial tourist accommodation*;
    - (ii) a *secondary suite*, if present, must only be used for *residential* use.

- (3) A *Vacation Rental* must not be located within a *building* or on a *lot* that includes a *Daycare Centre* or other *Community Care Facility*.

406.2 For certainty, notwithstanding other provisions of this Bylaw:

- (1) VR-1 uses are permitted within *single family dwellings* and *duplexes* (including their *secondary suites*), but are not permitted in *multiple family residential buildings*;
- (2) VR-2 uses are permitted within *single family dwellings* only, but are not permitted in *duplexes*, or *multiple family residential buildings*, or the *secondary suite(s)* of a *single family dwelling*; and
- (3) *Bed and Breakfasts*, *Guest Houses*, *Guest Cottages*, *Guest Rooms*, *Hostels*, *Hotels*, *Motels*, *Mixed Commercial/Residential*, and *Resort Condo* are, or may include, other *commercial tourist accommodation* and are regulated separately under this Bylaw.

406.3 A valid District of Ucluelet Business Licence is required in order to register a *vacation rental*.

406.4 Off-street parking must be provided in accordance with Division 500.

**DIVISION 500  
OFF-STREET PARKING AND OFF-STREET LOADING**

**501 OFF-STREET PARKING & OFF-STREET LOADING REQUIREMENTS**

501.1 For all uses, *buildings* and structures identified in this Division and the *Zones*, off-street parking and off-street loading must be provided and maintained in accordance with the regulations of this Bylaw. For certainty:

- (1) The regulations and requirements of this Division are cumulative.
- (2) For the purpose of computing the number of off-street *parking spaces* and off-street *loading spaces*, any fraction must be rounded up to the nearest whole number.
- (3) An off-street *loading space* is not considered as an off-street *parking space*, and vice versa.
- (4) If a use, *building* or structure is not listed in the off-street parking requirements table or the off-street loading requirements table, the respective number of required spaces is calculated on the basis of the most similar use, *building* or structure that is listed.

501.2 For existing uses, *buildings* and structures lawfully established, the number of off-street *parking spaces* and off-street *loading spaces* is the lesser of:

- (1) the number of respective spaces existing on the *lot* at the date of adoption of this Bylaw, provided such satisfied the applicable regulations when the uses, *buildings* or structures were established, or
- (2) the number of spaces required by applying the regulations set out in this Division to the existing uses, *buildings* and structures.

501.3 For additions to existing *buildings* or structures, or for changes or additions to an existing use, the numerical requirement for off-street *parking spaces* and off-street *loading spaces* is determined by applying the

regulations of this Division to those changes or additions, but must not result in the loss of any existing spaces.

501.4 The location and design standard regulations and requirements of Sections 503 and 504 of this Bylaw apply fully to off-street *parking spaces* and off-street *loading spaces* provided in excess of Bylaw requirements.

## 502 USE

502.1 All required off-street *parking spaces* may only be used for the purpose of accommodating the *vehicles* of clients, customers, employees, members, residents, tenants or visitors who make use of the principal *building* or use for which the parking area is provided.

502.2 Without limiting the generality of the forgoing, and for greater certainty:

- (1) all required off-street parking areas must not be used for off-street loading, driveways, *highway* access or egress, commercial repair work, display, or sale or storage of any kind;
- (2) off-street *parking spaces* provided in excess of this Bylaw's requirements may be used for temporary *accessory* displays, events or sales if otherwise permitted on that *lot*.

## 503 LOCATION

503.1 All required off-street *parking spaces* and off-street *loading spaces* must be located on the same *lot* as the uses, *buildings* or structures for which the spaces are provided, subject to the following limited exceptions for uses other than *residential dwelling units*:

- (1) Off-street *parking spaces* may be provided and used collectively by two or more uses, *buildings* or structures on the same *lot*, provided that the total number of *parking spaces* when used in conjunction is not less than the sum of the required *parking spaces* for each individual use;

- (2) Off-street *parking spaces* may be located on a *lot* within 150 m (492 ft) of the *lot* containing the use, *building* or structure requiring the *parking spaces*, if access is secured by written agreement and use of area on the *lot* containing the spaces is restricted to parking by means of covenant registered under section 219 of the *Land Title Act*.

503.2 Off-street *parking space(s)* must not be located:

- (1) Within 3 m (10 ft) of the *lot* line which abuts a *highway*;
- (2) Within 1.5 m (5 ft) of all other *lot* lines;
- (3) So as to require the backing out of *vehicles* onto a *highway*, other than for *residential dwelling units*.

#### **504 OFF-STREET PARKING DESIGN STANDARDS**

504.1 All off street *parking spaces* must contain a clear minimum rectangular dimension of:

- (1) for standard spaces, 6 m (20 ft) in length by 2.5 m (8 ft) in width,
- (2) for small spaces, 5.2 m (17 ft) in length by 2.5 m (8 ft) in width,
- (3) for spaces parallel to a maneuvering aisle, 7 m (23 ft) in length by 2.5 m (8 ft) in width,
- (4) for spaces designated for disabled persons, 6 m (20 ft) in length by 3.7 m (12 ft) in width,
- (5) for any of the above spaces that abuts a wall or structure over 0.3 m (1 ft) in *height*, the above widths shall be increased by 0.3 m (1 ft).

504.2 A minimum of 70% of required off-street *parking spaces* must be standard spaces.

504.3 All off-street *parking spaces* must provide for individual access and egress by *vehicles* at all times by means of unobstructed maneuvering aisles, with minimum widths based on parking angle as follows:

- (1) For 90 degree parking angle, a minimum aisle width of 7.5 m (25 ft);
- (2) For 60 degree parking angle, a minimum aisle width of 5.5 m (18 ft);

- (3) For 45 degree parking angle, a minimum aisle width of 4.5 m (15 ft);

504.4 All off-street *parking spaces* that abut a *building*, fence, wall, hedge or landscaped area must include a solid and durable (e.g. concrete) barrier curb located:

- (1) no less than 1 m (3.3 ft) from the end of the parking stall so abutting, and
- (2) in such a manner as to prevent vehicular damage to *landscaping* or *vehicle valances*.

504.5 All off-street *parking spaces* must:

- (1) Be surfaced with asphalt, concrete, or crushed 19 mm minus gravel or rock, so as to provide a trafficable surface which is durable and serviceable;
- (2) Be properly graded to shed incident surface water to suitable discharge locations, being a public storm sewer system if available, and if not available then, to an approved planting area, bioswale, rock pit or private storm sewer system;
- (3) For certainty, variances to these surfacing and grading requirements may be considered in accordance with the authority and procedures under the *Local Government Act*, and for such purposes, it is the District's intent that:
  - (a) spaces that collect water which is ultimately discharged to a sensitive lake, *watercourse* or the sea, other measures may be taken to mitigate erosion or contamination to the receiving environment;
  - (b) variance requests should be supported by a Stormwater Management Plan, including an engineered drainage conveyance plan);
  - (c) a pervious pavement structure may be permissible instead of hard surfacing in areas;
    - (i) where traffic will not be channelized (i.e. in one *lane*),

- (ii) that will not receive repeated heavy traffic loads such as delivery trucks garbage dumpster pick-up heating oil and the like,
- (iii) that will not result in the creation of a public nuisance, including from pothole formation or gravel being washed or pushed onto *highways*;
- (d) the provisions of this subsection are for information purposes only and do not limit the matters which may be considered by the District or fetter its discretion in any manner.

## 505 OFF-STREET PARKING REQUIREMENTS

505.1 Off-street *parking spaces* must be provided for each use, *building* and structure on each *lot*, calculated in accordance with the following requirements:

Use, Building or Structure	Off-Street Parking Spaces Required
<i>Single Family Dwelling</i>	2 spaces for use of <i>principal dwelling unit</i>
<i>Duplex Dwelling</i>	3 spaces for use of both <i>dwelling units</i>
<i>Multiple Family Residential (including Affordable Housing and Staff Housing)</i>	1.5 spaces per <i>dwelling unit</i> , Plus 1 Visitor Parking Space per 5 <i>dwelling units</i>
<i>Residential above Commercial</i>	1 space per <i>dwelling unit</i> ,
<i>Accessory Residential Dwelling Unit</i>	1 space per <i>dwelling unit</i> ,
<i>Secondary Suite</i>	1 space per suite
<i>Home Occupation</i>	1 space per non-resident
<i>Bed &amp; Breakfast</i>	1 space per <i>bedroom</i> or guest room for B&B use
<i>Vacation Rental</i>	1 space per unit
<i>Guest House</i>	1 space per guest room
<i>Guest Cottage</i>	1 space per cottage
<i>Manufactured Home Park</i>	1 space per <i>manufactured home space</i>
<i>Hotel</i> <i>Motel</i> <i>Resort Condo</i>	1 space per guest room or <i>dwelling unit</i> , Plus 1 space per 40 m <sup>2</sup> <i>gross floor area</i> of <i>accessory</i> administrative offices
<i>Hostel</i>	1 space per 15 m <sup>2</sup> of <i>gross floor area</i> used for sleeping facilities

<b>Use, Building or Structure</b>	<b>Off-Street Parking Spaces Required</b>
<i>Campground</i>	1 space per <i>camping space</i>
<i>Financial Institution</i>	1 space per 30 m <sup>2</sup> <i>gross floor area</i>
<i>Office</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Emergency Services</i>	1 space
<i>Restaurant</i> <i>Bistro/Café</i> <i>Pub</i> <i>Lounge</i> <i>Commercial Entertainment</i>	1 space per 4 seats, - <i>Except</i> in OCP designation of Village Square, then the lesser of 1 space per 4 seats or 1 space per 30 m <sup>2</sup> <i>gross floor area</i> - <i>Except</i> if directly accessed from Peninsula Road, then 1 space per 3 seats
<i>Take Out Food Services</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Retail</i> <i>Boutique Retail</i>	1 space per 30 m <sup>2</sup> <i>gross floor area</i> - <i>Except</i> if directly accessed from Peninsula Road, then 0.75 spaces per 10 m <sup>2</sup> of <i>gross floor area</i> , or 6.5 space per 100 m <sup>2</sup> of lot area if in shopping centre/ plaza/ supermarket format
<i>Convenience Store</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Accessory Retail Sales &amp; Administrative Offices</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Outdoor Sales</i>	1 space per 70 m <sup>2</sup> of outdoor sales area <i>plus</i> 1 space per 15 m <sup>2</sup> <i>gross floor area</i> covered retail
<i>Mobile Vending</i>	No Parking Required
<i>Public Market</i>	No Parking Required
<i>Kennel</i>	2 spaces
<i>Personal Services</i>	1 space per 30 m <sup>2</sup> <i>gross floor area</i> - <i>Except</i> if directly accessed from Peninsula Road, then 0.75 spaces per 10 m <sup>2</sup> of <i>gross floor area</i>
<i>Art Gallery</i> <i>Museum</i> <i>Marine Museum</i> <i>Aquarium</i> <i>Library</i> <i>Studio</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Tourist Information Booth</i>	2 spaces
<i>Commercial Recreation</i> - <i>Billiard/ Pool Hall</i> - <i>Bowling Alley</i> - <i>Other</i>	- 2 spaces per table - 3 spaces per bowling lane - 1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Recreational Services</i>	1 space per 40 m <sup>2</sup> <i>gross floor area</i>
<i>Outdoor Recreation</i>	1 space per 70 m <sup>2</sup> <i>commercial recreation area</i>
<i>Golf Course</i>	40 spaces for 9 hole course 75 spaces for 18 hole course
<i>Public Assembly</i> <i>Place of Worship</i> <i>Community Use</i>	1 space per 10 seats
<i>Community Care Facility</i>	1 space per 3 beds, <i>plus</i> 1 space per 3 employees

<b>Use, Building or Structure</b>	<b>Off-Street Parking Spaces Required</b>
<i>Daycare Centre</i>	1 space per 5 children
<i>School</i> - Pre-school - Kindergarten/ Elementary - Secondary - Other	1 space per 5 children 2 spaces per classroom 3 spaces per classroom 3 spaces per classroom
<i>Service Station</i>	1 space per 40 m <sup>2</sup> gross floor area
<i>Auto Repair Shop</i>	1 space per 40 m <sup>2</sup> gross floor area
<i>Light Industry</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Medium Industry</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Service Industry</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Wood Processing</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Shipping Yard</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Heavy Equipment Display</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Boat Building and Repair</i>	1 space per 70 m <sup>2</sup> gross floor area
<i>Marina</i> - Commercial or Recreational Wharf	1 space per 4 moorage berths

505.2 Where ten (10) or more off-street *parking spaces* are required, collectively for all the uses, *buildings* and structures on the *lot*, a minimum one (1%) percent of those *parking spaces* must be designed, sited, designated and reserved for disabled persons as follows:

- (1) the *parking space(s)* must be located closest to the *building* entrance, or where there is no *building*, then closest to the use or *structure* requiring the parking;
- (2) the *parking space(s)* must be clearly marked and signed for use by disabled persons only with the international symbol of Accessibility for the Disabled;
- (3) the *parking space(s)* must be a minimum design standards for disabled persons identified in other parts of this Division.

## 506 CASH-IN-LIEU OF PARKING SPACES

506.1 An owner or occupier of a *lot* within the OCP designation of Village Square may pay cash-in-lieu in the amount of \$8,000 per space, of up to fifty percent (50%) of the required off-street *parking spaces*.

## **507 OFF-STREET LOADING DESIGN STANDARDS**

507.1 All off street *loading spaces* must contain a clear minimum rectangular dimension of 9 m (30 ft) in length by 3 m (10 ft) in width, and a vertical clearance of 4.3 m (14 ft).

507.2 All off-street *loading spaces* must provide for individual access and egress by *vehicles* at all times by means of unobstructed maneuvering aisles, with minimum width of 6 m (20 ft).

507.3 All off-street *loading spaces* must:

- (1) Be surfaced with asphalt, concrete, or similar surface, so as to provide a trafficable surface which is durable and serviceable;
- (2) Be properly graded to shed incident surface water to suitable discharge locations, being a public storm sewer system if available, and if not available then, to an approved planting area, bioswale, rock pit or private storm sewer system;
- (3) If lighted, have the lighting placed in such a manner so as to minimize light falling on abutting properties.

## **508 OFF-STREET LOADING SPACE REQUIREMENTS**

508.1 Every *lot* containing at least one use, *building* or *structure* of a commercial, industrial or institutional nature, or other use that requires or receives supplies by truck transport, must provide one off-street *loading space* for each 1900 m<sup>2</sup> (20,450 ft<sup>2</sup>) of *gross floor area*.

**DIVISION 600  
LANDSCAPING AND SCREENING**

**601 SEPARATION OF RESIDENTIAL USES**

601.1 For all *Zones*, a *lot* which contains a *single family dwelling* as the principal *building* and *residential* as the principal use without any *commercial tourist accommodation*, or a *manufactured home park*:

- (1) May, but is not required to be, fully and suitably *landscaping* and screened; and
- (2) Must not have a fence of a *height* exceeding:
  - (a) 1.4 m (4.6 ft) in the required *front yard*, and
  - (b) 2 m (6.6 ft) to the rear of the required *front yard*.

601.2 For the R-2, R-3, R-4, VR-1 GH, CS-1, CS-2, CS-3, CS-4, CS-5, CS-6, CS-7, I-1 and I-2 *Zones* and all CD *Zones*, any *lot* containing any commercial (including *home occupation* or *commercial tourist accommodation*), industrial or *multiple family residential* use must be fully and suitably landscaped and screened from adjacent uses as follows:

- (1) Along every *lot* line that abuts a *lot* containing a lawful *residential* use (zoned or non-conforming), with:
  - (a) continuous *landscaping* not less than 1.5 m (5 ft) in width and 1.5 m (5 ft) in *height*; and
  - (b) a solid decorative fence not less than 1.5 m (5 ft) in *height* and a maximum of 2 m (6.6 ft) in *height*;
- (2) Along every other *lot* line that abuts a *highway*, with continuous *landscaping* not less than 1.5 m (5 ft) in width, except only for access points to the abutting *highway(s)*.

**602 SEPARATION OF OUTDOOR STORAGE AND OPEN USES**

602.1 For all *Zones*, any of the following uses that are not within a principal or or *accessory building* or a fully enclosed *structure* must be fully and suitably landscaped and screened from all adjacent *lots* and uses by a solid decorative fence or continuous *landscaping* not less than 1.8 m (6 ft) in *height* and 1.8 m (6 ft) in width:

- (1) garbage containers and receptacles,
- (2) outdoor storage yards,
- (3) utilities,
- (4) recycling facilities, and
- (5) transfer station.

### **603 SEPARATION OF PARKING LOT USE**

603.1 *Parking Lots* must be fully and suitably landscaped and screened from all adjacent uses as follows:

- (1) Along every *lot* line that abuts a *lot* containing a lawful *residential* use (zoned or non-conforming), with continuous *landscaping* not less than 1.8m (6 ft) in width and 1.2 m (4 ft) in *height*; and
- (2) Along every other *lot* line, with continuous *landscaping* not less than 1.8m (6 ft) in width, except only for access points to abutting *highway(s)*.

**DIVISION 700  
ADMINISTRATION AND ENFORCEMENT**

**701 DESIGNATED OFFICIALS & INSPECTION**

701.1 Unless supplemented by other District bylaws, the following are designated Bylaw Enforcement Officers with the authority to administer this Bylaw:

- (1) District's Chief Administrative Officer;
- (2) District's Bylaw Enforcement Officer;
- (3) District's Director of Planning;
- (4) District's Building Inspector;
- (5) Royal Canadian Mounted Police ("RCMP") officers.

701.2 The designated Bylaw Enforcement Officer or any other official appointed for the purpose of inspection by Council, and their deputies, may enter on to premises or lands that are subject to the regulations of this Bylaw in accordance with section 16 of the *Community Charter*, S.B.C. 2003, c. 26 and all amendments thereto and any other applicable legislation.

701.3 No person shall prevent or obstruct, or attempt to prevent or obstruct, the designated Bylaw Enforcement Officer.

**702 ORDERS AND DIRECTIONS**

702.1 District officials designated Bylaw Enforcement Officers, or such other person as is authorized by resolution of Council, may order or direct any person:

- (1) to discontinue or refrain from proceeding with any work or using or occupying any land or *building* or doing anything that is in contravention of this Bylaw; and

- (2) to carry out any work or do anything to bring any land or *building* into conformity with this Bylaw.

702.2 An order or direction pursuant to this Section that is to be given to a person who is an owner of property shall be sufficiently served if sent by registered mail to the owner at the owner's address as it appears on the records of the Assessment Authority of British Columbia.

702.3 This section does not apply to lawfully conforming uses and siting governed by section 911 of the *Local Government Act*.

### **703 TICKETING**

703.1 Violation tickets issued for offences against this Bylaw shall be in accordance with District bylaws.

### **704 PENALTIES**

704.1 Any person who violates any provisions of this Bylaw, or who causes or permits any act in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing to be done or thing which is required to be done by any provisions of this Bylaw, commits an offence against this Bylaw and is

- (1) liable to the penalties imposed under this Bylaw; or
- (2) punishable upon summary conviction:
  - (a) in accordance with the procedure set out in the *Offence Act*, R.S.B.C. 1996, c. 338 and all amendments thereto and is liable to a fine not exceeding \$10,000, or
  - (b) where information is laid by means of a violation ticket, in accordance with the procedure set out in the *Offence Act*, a fine that is stipulated by bylaw,

and, in either case, costs including legal fees and disbursements for each offence.

704.2 If a corporation violates any provision of this Bylaw, each director, manager and secretary of the corporation who has assented to the commission of the violation is a party to that violation.

704.3 Each day that a violation is permitted to exist shall constitute a new and separate offence.

## SCHEDULE A ZONING MAP OF THE DISTRICT OF UCLUELET

In accordance with Division 200 and Schedule B of this Bylaw, the District is divided into *Zones*, as shown on the Zoning Map attached to this Bylaw on adoption. This paper copy represents the official version of the location and extent of the *zones* on adoption, but the electronic version on file at the District municipal offices will be the official version for legal interpretation purposes and future updating, noting:

1. Where there is a conflict between the electronic version and the attached paper version as of the date of adoption of this Bylaw, the paper version prevails;
2. The base or underlying layers of unofficial information (e.g. subdivisions, road layouts, etc.) on the Zoning Map may be updated to reflect development without further amendment to this Bylaw; but
3. The location and extent of *Zones* may only be updated in accordance with official amendments to this Bylaw, adopted by bylaw.

**SCHEDULE B**  
**THE ZONES**

For all Zones, unless specifically exempted, the regulations of all other Divisions of the District of Ucluelet Zoning Bylaw No. 1160, 2013 are applicable.

## **RU Zone - RURAL RESIDENTIAL**

*This Zone is intended for large landholdings with minimal residential uses and associated or accessory uses suited to larger parcels.*

### **RU.1 Permitted Uses:**

RU.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Kennel*
  - (b) *Bed and Breakfast*
  - (c) *Home Occupation*
  - (d) *Secondary Suite*

### **RU.2 Lot Regulations**

RU.2.1	Minimum Lot Size:	10 hectares (24.7 acres)
RU.2.2	Minimum Lot Frontage:	60 m (196 ft)
RU.2.3	Minimum Lot Width:	N/A
RU.2.4	Minimum Lot Depth:	N/A

### **RU.3 Density:**

RU.3.1	Maximum Density:	2 <i>single family dwellings per lot</i>
RU.3.2	Maximum Floor Area Ratio:	0.50
RU.3.3	Maximum Lot Coverage:	3%

### **RU.4 Maximum Size (Gross Floor Area):**

RU.4.1	Principal Building:	N/A
RU.4.2	Accessory Buildings:	100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) combined total

### **RU.5 Maximum Height:**

RU.5.1	Principal Buildings & Structures:	8.5 m (28 ft) or 2 ½ <i>storey</i>
RU.5.2	Accessory Buildings & Structures:	5.5 m (18 ft)

### **RU.6 Minimum Setbacks:**

RU.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)	15 m (50 ft)
(2) Accessory	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)	15 m (50 ft)

## **R-1 Zone - SINGLE FAMILY RESIDENTIAL**

*This Zone is intended for traditional low density single family residential development, with accessory uses providing a minimal impact on the surrounding residential neighbourhood.*

### **R-1.1 Permitted Uses**

R-1.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a and costs including legal fees and disbursements for each offence *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

### **R-1.2 Lot Regulations**

- |         |                       |   |
|---------|-----------------------|---|
| R-1.2.1 | Minimum Lot Size:     | 650 m <sup>2</sup> (7,000 ft <sup>2</sup> ) |
| R-1.2.2 | Minimum Lot Frontage: | 18 m (60 ft)                                |
| R-1.2.3 | Minimum Lot Width:    | N/A   |
| R-1.2.4 | Minimum Lot Depth:    | N/A   |

### **R-1.3 Density:**

- |         |                           |   |
|---------|---------------------------|---|
| R-1.3.1 | Maximum Density:          | 1 <i>single family dwelling per lot</i> |
| R-1.3.2 | Maximum Floor Area Ratio: | 0.35                                    |
| R-1.3.3 | Maximum Lot Coverage:     | 35%                                     |

### **R-1.4 Maximum Size (Gross Floor Area):**

- |         |                      |   |
|---------|----------------------|---|
| R-1.4.1 | Principal Building:  | N/A   |
| R-1.4.2 | Accessory Buildings: | 60 m <sup>2</sup> (645 ft <sup>2</sup> ) combined total |

### **R-1.5 Maximum Height:**

- |         |                                   |                             |
|---------|-----------------------------------|-----------------------------|
| R-1.5.1 | Principal Buildings & Structures: | 8.5 m (28 ft) or 2 ½ storey |
| R-1.5.2 | Accessory Buildings & Structures: | 5.5 m (18 ft)               |

### **R-1.6 Minimum Setbacks:**

- R-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)

R-1.6.2 In addition, the *side yards* combined must not be less than 20% of the *lot width*.

## **R-2 Zone - MEDIUM DENSITY RESIDENTIAL**

*This Zone is intended for low to medium density residential uses in a variety of housing types.*

### **R-2.1 Permitted Uses:**

R-2.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

R-2.1.2 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Duplex Dwelling*
  - (b) *Multiple Family Residential*
    - (i) Despite the above, *Multiple Family Residential* is not permitted on Lots 3, 4, 5 and 6 of Plan VIP76238.
- (2) Secondary:
  - (a) *Home Occupation*

R-2.1.3 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Moderate Level Support Services Housing*

### **R-2.1 Lot Regulations:**

R-2.1.1 Minimum Lot Size:

- |                                  |   |
|----------------------------------|---|
| (1) Single Family Dwelling:      | 650 m <sup>2</sup> (7,000 ft <sup>2</sup> ) |
| (2) Duplex Dwelling:             | 750 m <sup>2</sup> (8,075 ft <sup>2</sup> ) |
| (3) Multiple Family Residential: | 1,000 m <sup>2</sup> (¼ acre)               |

R-2.1.2 Minimum Lot Frontage:

- |                             |              |
|-----------------------------|--------------|
| (1) Single Family Dwelling: | 18 m (60 ft) |
| (2) Duplex Dwelling:        | 20 m (66 ft) |

- (3) Multiple Family Residential: 23 m (75 ft)
- R-2.1.3 Minimum Lot Width: N/A
- R-2.1.4 Minimum Lot Depth: N/A

**R-2.2 Density:**

- R-2.2.1 Maximum Density:
  - (1) Single Family Dwelling: 1 per lot, or
  - (2) Duplex Dwelling: 1 per lot, or
  - (3) Multiple Family Residential
    - (a) Base Density: 10 units/hectare per lot
    - (b) Bonus Density - Level 1: 40 units/ hectare per lot on the provision of minimum 70% of the required off-street parking being provided underground or concealed within the *building* on the lot.

- R-2.2.2 Maximum Floor Area Ratio:
  - (1) Single Family Dwelling: 0.50
  - (2) Duplex Dwelling: 0.70
  - (3) Multiple Family Residential: 0.70
- R-2.2.3 Maximum Lot Coverage:
  - (1) Single Family Dwelling: 35%
  - (2) Duplex Dwelling: 35%
  - (3) Multiple Family Residential: 40%

**R-2.3 Maximum Size (Gross Floor Area):**

- R-2.3.1 Principal Building: N/A
- R-2.3.2 Accessory Buildings: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total

**R-2.4 Maximum Height:**

- R-2.4.1 Principal Buildings & Structures:
  - (1) Single Family Dwelling: 8.5 m (28 ft) or 2 ½ storey
  - (2) Duplex Dwelling: 8.5 m (28 ft) or 2 ½ storey
  - (3) Multiple Family Residential: 11 m (36 ft) or 3 storey
- R-2.4.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**R-2.5 Minimum Setbacks:**

R-2.5.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal SFD/ Duplex	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) Principal Other	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(3) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	5 m (16.5 ft)	1.5 m (5 ft)

R-2.5.2 In addition, for *single family dwelling* and *duplex dwellings*, the *side yards* combined must not be less than 20% of the *lot width*.

R-2.5.3 In addition, all *accessory buildings* and *structures* must be located:

- (1) to the rear of the *front face* of the principal building, and
- (2) at least 3 m (10 ft) from the principal building(s).

### **R-3 Zone - HIGH DENSITY RESIDENTIAL**

*This Zone is intended for a mixture of medium to high density residential uses.*

#### **R-3.1 Permitted Uses:**

R-3.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Multiple Family Residential*
- (2) Secondary:
  - (a) *Home Occupation*

#### **R-3.2 Lot Regulations**

- |         |                       |                               |
|---------|-----------------------|-------------------------------|
| R-3.2.1 | Minimum Lot Size:     | 1,000 m <sup>2</sup> (¼ acre) |
| R-3.2.2 | Minimum Lot Frontage: | 18 m (60 ft)                  |
| R-3.2.3 | Minimum Lot Width:    | N/A                           |
| R-3.2.4 | Minimum Lot Depth:    | N/A                           |

#### **R-3.3 Density:**

- R-3.3.1 Maximum Density: Multiple Family Residential
- (1) Base Density: 65 units/ hectare per *lot*
  - (2) Bonus Density - Level 1: 75 units/ hectare per *lot* on the provision of minimum 70% of the required off-street parking being provided underground or concealed within the building on the *lot*;
  - (3) Bonus Density - Level 2: 85 units/ hectare per *lot* on the provision of minimum 30 % of the *dwelling units* as *affordable housing* units.
  - (4) Bonus Density - Level 3: 95 units/ hectare per *lot* on the provision of:
    - (a) minimum 70% of the required off-street parking being provided underground or concealed within the building on the *lot*; and
    - (b) minimum 30 % of the *dwelling units* as *affordable housing* units.
- R-3.3.2 Maximum Floor Area Ratio: 1.5
- R-3.3.3 Maximum Lot Coverage: 50%

#### **R-3.4 Maximum Size (Gross Floor Area):**

- |         |                      |   |
|---------|----------------------|---|
| R-3.4.1 | Principal Building:  | N/A   |
| R-3.4.2 | Accessory Buildings: | 70 m <sup>2</sup> (750 ft <sup>2</sup> ) combined total |

**R-3.5 Maximum Height:**

R-3.5.1 Principal Buildings & Structures: 11 m (36 ft)

R-3.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**R-3.6 Minimum Setbacks:**

R-3.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(2) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)

R-3.6.2 In addition, *accessory buildings* and *structures* must be located:

- (1) to the rear of the *front face* of the principal building, and
- (2) at least 3 m (10 ft) from the principal building(s).

## **R-4 Zone – SMALL LOT SINGLE FAMILY RESIDENTIAL**

*This Zone is intended to facilitate smaller single family dwellings on smaller lots, with some exceptions for The Pass of Melfort subdivision.*

### **R-4.1 Permitted Uses**

R-4.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

### **R-4.2 Lot Regulations**

- R-4.2.1 Minimum Lot Size: 360 m<sup>2</sup> (3,875 ft<sup>2</sup>)
- R-4.2.2 Minimum Lot Frontage: 10 m (33 ft)
- R-4.2.3 Minimum Lot Width: N/A
- R-4.2.4 Minimum Lot Depth: N/A

### **R-4.3 Density:**

- R-4.3.1 Maximum Density: 1 *single family dwelling per lot*
- R-4.3.2 Maximum Floor Area Ratio: 0.2, except with respect to the following:
- (1) 0.35 for lands legally described as Lots 2-9, 13-15, 18-20, 22, and 25 Clayoquot District Plan VIS5896;
  - (2) 0.39 for lands legally described as Lot 1 Clayoquot District Plan VIS5896;
  - (3) 0.5 for lands legally described as Lot 21 Clayoquot District Plan VIS5896;
  - (4) 0.66 for lands legally described as Lot 17 Clayoquot District Plan VIS5896;
  - (5) 0.67 for lands legally described as Lot 16 Clayoquot District Plan VIS5896.
- R-4.3.3 Maximum Lot Coverage: 45%

### **R-4.4 Maximum Size (Gross Floor Area):**

- R-4.4.1 Principal Building: N/A
- R-4.4.2 Accessory Buildings: 50 m<sup>2</sup> (535 ft<sup>2</sup>) combined total

### **R-4.5 Maximum Height:**

- R-4.5.1 Principal Buildings & Structures: 8.5 m (28 ft) or 2 ½ *storey*

R-4.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**R-4.6 Minimum Setbacks:**

R-4.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	4.5 m (15 ft)	6 m (20 ft)	1.5 m (5 ft)	2.5 m (8 ft)
(2) Accessory	4.5 m (15 ft)	1.5 m (5 ft)	1.5 m (5 ft)	2.5 m (8 ft)

**MH Zone - MANUFACTURED HOME PARK**

*This Zone is intended for residential use of manufactured home parks in accordance with the District's related bylaws.*

**MH.1 Permitted Uses**

MH.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Manufactured Home Park*
- (2) Secondary:
  - (a) *Home Occupation*

**MH.2 Lot Regulations**

- MH.2.1 Minimum Lot Size: 8,094 m<sup>2</sup> (2 acres)
- MH.2.2 Minimum Lot Frontage: N/A
- MH.2.3 Minimum Lot Width: N/A
- MH.2.4 Minimum Lot Depth: N/A

**MH.3 Density:**

- MH.3.1 Maximum Density: 20 *manufactured home spaces* per hectare
- MH.3.2 Maximum Floor Area Ratio: 0.2
- MH.3.3 Maximum Lot Coverage: 50%

**MH.4 Maximum Size (Gross Floor Area):**

- MH.4.1 Principal Building: N/A
- MH.4.2 Accessory Buildings: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total

**MH.5 Maximum Height:**

- MH.5.1 Principal Buildings & Structures: 7.5 m (25 ft)
- MH.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**MH.6 Minimum Setbacks:**

MH.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively, of the *manufactured home park*:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)

MH.6.2 The following minimum setbacks apply, as measured from the front (internal access road), rear and side *lot lines(s)* of each *manufactured home space*, respectively:

	(a) Front (Internal Access Road)	(b) Rear	(c) Sides
(1) Principal	3 m (10 ft)	1.5 m (5 ft)	1.5 m (5 ft)
(2) Accessory	3 m (10 ft)	1.5 m (5 ft)	1.5 m (5 ft)

## **VR-1 Zone - VACATION RENTAL (VR-1)**

*This Zone is intended for commercial tourist accommodation accessory to traditional single family residential use and appearance, though traditional residential use may occur.*

### **VR-1.1 Permitted Uses**

VR-1.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Vacation Rental (VR-1)*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

### **VR-1.2 Lot Regulations**

VR-1.2.1	Minimum Lot Size:	650 m <sup>2</sup> (7,000 ft <sup>2</sup> )
VR-1.2.2	Minimum Lot Frontage:	18 m (60 ft)
VR-1.2.3	Minimum Lot Width:	N/A
VR-1.2.4	Minimum Lot Depth:	N/A

### **VR-1.3 Density:**

- VR-1.3.1 Maximum Density:
- (1) *1 single family dwelling per lot;*
  - (2) *2 secondary suites per single family dwelling.*
- VR-1.3.2 Maximum Floor Area Ratio: 0.5
- VR-1.3.3 Maximum Lot Coverage: 45%

### **VR-1.4 Maximum Size (Gross Floor Area):**

- VR-1.4.1 Principal Building: N/A
- VR-1.4.2 Accessory Buildings: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total

### **VR-1.5 Maximum Height:**

- VR-1.5.1 Principal Buildings & Structures: 8.5 m (28 ft) or 2 ½ storey
- VR-1.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

### **VR-1.6 Minimum Setbacks:**

- VR-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)

VR-1.6.2 In addition, the *side yards* combined must not be less than 20% of the *lot width*.

## **GH Zone - GUEST HOUSE**

*This Zone is intended for commercial tourist accommodation mixed with residential in the form and appearance of traditional single family dwelling buildings, with or without small scale guest cottages, generally on larger lots.*

### **GH.1 Permitted Uses:**

GH.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
  - (b) *Guest House*
- (2) Secondary:
  - (a) *Guest Cottage*

### **GH.2 Lot Regulations**

- GH.2.1 Minimum Lot Size: 2,000 m<sup>2</sup> (½ acre)
- GH.2.2 Minimum Lot Frontage: 24 m (80 ft)
- GH.2.3 Minimum Lot Width: N/A
- GH.2.4 Minimum Lot Depth: N/A

### **GH.3 Density:**

- GH.3.1 Maximum Density:
- (1) 1 *single family dwelling* per lot or 1 *guest house* per lot, the latter with up to:
    - (a) 4 *guest rooms* if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
    - (b) 6 *guest rooms* if lot area exceeds 4,000 m<sup>2</sup> (1 acre); plus
  - (2) 2 *guest cottages* per lot if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
  - (3) 4 *guest cottages* per lot if lot area exceeds 4,000 m<sup>2</sup> (1 acre).
- GH.3.2 Maximum Lot Coverage: 40%

### **GH.4 Maximum Size (Gross Floor Area):**

- GH.4.1 Principal Building: N/A
- GH.4.2 Accessory Buildings:
- (1) Guest Cottages: 37.2 m<sup>2</sup> (400 ft<sup>2</sup>)
  - (2) Other Accessory Buildings:
    - (a) 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) combined total if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>,  
or

(b) 5% of lot area combined total if lot area exceeds 4,000 m<sup>2</sup> (1 acre).

**GH.5 Maximum Height:**

GH.5.1 Principal Buildings & Structures: 8.5 m (28 ft) or 2 ½ storey

GH.5.2 Guest Cottages & Other Accessory Buildings & Structures: 5.5m (18ft)

**GH.6 Minimum Setbacks:**

GH.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	6 m (20 ft)	4.6 m (15 ft)	7.5 m (25 ft)
(2) Accessory Guest Cottage	7.5 m (25 ft)	4 m (13 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(3) Accessory Other	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	3.5 m (11.5 ft)

GH.6.2 In addition, *guest cottages and all other accessory buildings and structures* must be located:

- (1) to the rear of the *front face* of the principal building, and
- (2) at least 3 m (10 ft) from the principal building.

GH.6.3 In addition, each *guest cottage* must be located at least 9 m (30 ft) from every other *guest cottage*.

## HS Zone - HOSTEL

*This Zone is intended for commercial tourist accommodation in the form of hostel dormitory style use and building.*

### HS.1 Permitted Uses:

HS.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hostel*
- (2) Secondary:
  - (a) *Accessory Residential Dwelling Unit*

### HS.2 Lot Regulations

- HS.2.1 Minimum Lot Size: 2,000 m<sup>2</sup> (½ acre)
- HS.2.2 Minimum Lot Frontage: 23 m (75 ft)
- HS.2.3 Minimum Lot Width: N/A
- HS.2.4 Minimum Lot Depth: N/A

### HS.3 Density:

- HS.3.1 Maximum Density:
- (1) 1 *hostel per lot*, with up to 50% of *gross floor area* dedicated for sleeping facilities (*areas excluding bathrooms, kitchen, dining and social facilities, accessory and other areas not used for sleeping*);
  - (2) 1 bed per 5 m<sup>2</sup> (55 ft<sup>2</sup>) of *gross floor area* dedicated for sleeping facilities;
  - (3) 1 *accessory residential dwelling unit*.
- HS.3.2 Maximum Lot Coverage: N/A

### HS.4 Maximum Size (Gross Floor Area):

- HS.4.1 Principal Building: 500 m<sup>2</sup> (5,375 ft<sup>2</sup>) combined total
- HS.4.2 Accessory Buildings:
- (1) 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) combined total if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
  - (2) 5% of lot area combined total if lot area exceeds 4,000 m<sup>2</sup>.
- HS.4.3 Despite any other section of this Bylaw, an *Accessory Residential Dwelling Unit* in this Zone must not be less than 35 m<sup>2</sup> (375 ft<sup>2</sup>) *gross floor area* and must not exceed 90 m<sup>2</sup> (970 ft<sup>2</sup>).

### HS.5 Maximum Height:

HS.5.1 Principal Buildings & Structures: 11 m (36 ft) or 3 storey

HS.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**HS.6 Minimum Setbacks:**

HS.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	8.5 m (28 ft)	8 m (26 ft)	8.5 m (28 ft)	8.5 m (28 ft)
(2) Accessory	8.5 m (28 ft)	1.5 m (5 ft)	1.5 m (5 ft)	3.5 m (11.5 ft)

HS.6.2 In addition, all other *accessory buildings* and *structures* must be located:

- (1) to the rear of the *front face* of the principal building, and
- (2) at least 3 m (10 ft) from the principal building.

## **CS-1 Zone - VILLAGE SQUARE COMMERCIAL**

*This Zone is intended for a mixture of commercial, residential, tourist commercial accommodations and personal services uses in the downtown core harbour front business area with pedestrian oriented shops and offices. Generally corresponding to the Village Square designation in the District Official Community Plan, it is intended to provide a vibrant social and cultural centre of the District with a mix of community uses, public amenity spaces and a strong pedestrian emphasis.*

### **CS-1.1 Permitted Uses:**

CS-1.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Mixed Commercial/Residential*
  - (c) *Retail*
  - (d) *Personal Services*
  - (e) *Office*
  - (f) *Tourist Information Booth*
  - (g) *Financial Institution*
  - (h) *Mobile Vending, only along Peninsula Road and Main Street*
  - (i) *Restaurant*
  - (j) *Bistro/Café*
  - (k) *Take Out Food Services*
  - (l) *Commercial Recreation*
  - (m) *Commercial Entertainment*
  - (n) *Public Assembly*
  - (o) *Community Use*
  - (p) *Daycare Centre*
  - (q) *Studio*
  - (r) *Boat Building and Repair*
- (2) Secondary: *N/A*

### **CS-1.2 Lot Regulations**

CS-1.2.1 Minimum Lot Size: 200 m<sup>2</sup> (2,150 ft<sup>2</sup>)

CS-1.2.2 Minimum Lot Frontage: 15 m (50 ft)

CS-1.2.3 Minimum Lot Width: N/A

CS-1.2.4 Minimum Lot Depth: N/A

**CS-1.3 Density:**

CS-1.3.1 Maximum Floor Area Ratio: 2.0

CS-1.3.2 Maximum Lot Coverage: 85%

**CS-1.4 Maximum Size (Gross Floor Area):**

CS-1.4.1 Principal Building: N/A

CS-1.4.2 Accessory Buildings: N/A

**CS-1.5 Maximum Height:**

CS-1.5.1 Principal Buildings & Structures: 11 m (36 ft) or 3 storey

CS-1.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-1.6 Minimum Setbacks:**

CS-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	0 m (0 ft)	4 m (13 ft)	1.5 m (5 ft)	1.5 m (5 ft)
(2) Accessory	1.5 m (5 ft)	1.5 m (5 ft)	1.5 m (5 ft)	7.5 m (25 ft)

CS-1.6.2 In addition, the minimum *yard* setback of 4.5 m (15 ft) applies to all *lot lines* abutting Peninsula Road.

## **CS-2 Zone - SERVICE COMMERCIAL**

*This Zone is intended for convenient shopping opportunities for those travelling in vehicles and those commercial uses which, due to their service nature, may require larger lot areas. Vibrancy is added with mixed uses including residential and tourist commercial accommodation.*

### **CS-2.1 Permitted Uses:**

CS-2.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

(1) Principal:

- (a) *Hotel*
- (b) *Motel*
- (c) *Mixed Commercial/Residential*
- (d) *Mixed Commercial/Resort Condo*
- (e) **Office**
- (f) **Tourist Information Booth**
- (g) *Retail, including supermarket*
- (h) *Convenience Store*
- (i) *Mobile Vending, only along Peninsula Road and Main Street*
- (j) *Restaurant*
- (k) *Bistro/Café*
- (l) *Take Out Food Services*
- (m) *Personal Services*
- (n) *Commercial Recreation*
- (o) *Studio*
- (p) *Community Use*

(2) Secondary:

- (a) *Accessory Residential Dwelling Unit*

### **CS-2.2 Lot Regulations**

CS-2.2.1 Minimum Lot Size:

- (1) Hotel: 1,000 m<sup>2</sup> (¼ acre)
- (2) Motel: 1,000 m<sup>2</sup> (¼ acre)
- (3) All other uses: 800 m<sup>2</sup> (8,600 ft<sup>2</sup>)

CS-2.2.2 Minimum Lot Frontage: 15 m (50 ft)

CS-2.2.3 Minimum Lot Width: N/A

CS-2.2.4 Minimum Lot Depth: N/A

**CS-2.3 Density:**

CS-2.3.1 Maximum Number

(1) Mixed Commercial/Residential: 4 residential dwelling units per 1,000 m<sup>2</sup> (¼ acre) lot area

(2) Accessory Residential Dwelling Unit: 1 per 250 m<sup>2</sup> (2,700 ft<sup>2</sup>) non-residential gross floor area

CS-2.3.2 Maximum Floor Area Ratio: 0.60

CS-2.3.3 Maximum Lot Coverage: 50%

**CS-2.4 Maximum Size (Gross Floor Area):**

CS-2.4.1 Principal Building:

(1) Restaurant: 40 seats or 167 m<sup>2</sup> (1,800 ft<sup>2</sup>)

(2) Other: N/A

CS-2.4.2 Accessory Buildings: N/A

CS-2.4.3 Despite any other section of this Bylaw, an Accessory Residential Dwelling Unit in this Zone must not be less than 42 m<sup>2</sup> (450 ft<sup>2</sup>) gross floor area and must not exceed 90 m<sup>2</sup> (970 ft<sup>2</sup>).

**CS-2.5 Maximum Height:**

CS-2.5.1 Principal Buildings & Structures: 8.5 m (28 ft) or 2 ½ storey

CS-2.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-2.6 Minimum Setbacks:**

CS-2.6.1 The following minimum setbacks apply, as measured from the front lot line, rear lot line and side lot line(s), respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	0 m (0 ft)	3 m (10 ft)	1.5 m (5 ft)	3 m (10 ft)
(2) Accessory	15 m (50 ft)	1.5 m (5 ft)	1.5 m (5 ft)	3 m (10 ft)

CS-2.6.2 In addition, the minimum yard setback of 4.5 m (15 ft) applies to all lot lines abutting Peninsula Road.

**CS-3 Zone - SERVICE STATION COMMERCIAL**

*This Zone is intended for the principal use of a service station with accessory uses to service the needs of vehicular traffic in harmony with surrounding development.*

**CS-3.1 Permitted Uses:**

CS-3.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Service Station*
- (2) Secondary:
  - (a) Accessory Car Wash
  - (b) *Accessory Residential Dwelling Unit*

**CS-3.2 Lot Regulations**

- CS-3.2.1 Minimum Lot Size: 1,200 m<sup>2</sup> (12,917 ft<sup>2</sup>)
- CS-3.2.2 Minimum Lot Frontage: 18 m (60 ft)
- CS-3.2.3 Minimum Lot Width: N/A
- CS-3.2.4 Minimum Lot Depth: N/A

**CS-3.3 Density:**

- CS-3.3.1 Maximum Number
  - (1) *Accessory Residential Dwelling Unit*: 1 per lot (non-strata only)
- CS-3.3.2 Maximum Floor Area Ratio: 0.35
- CS-3.3.3 Maximum Lot Coverage: 35%

**CS-3.4 Maximum Size (Gross Floor Area):**

- CS-3.4.1 Principal Building: N/A
- CS-3.4.2 Accessory Buildings: N/A

**CS-3.5 Maximum Height:**

- CS-3.5.1 Principal Buildings & Structures: 8.5 m (28 ft) or 2 ½ storey
- CS-3.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-3.6 Minimum Setbacks:**

CS-3.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback

(1) Principal	7.5 m (25 ft)	3 m (10 ft)	3 m (10 ft)	7.5 m (25 ft)
(2) Accessory	7.5 m (25 ft)	3 m (10 ft)	3 m (10 ft)	7.5 m (25 ft)

CS-3.6.2 In addition, the minimum *yard* setback of 7.5 m applies to all *lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

**CS-4 Zone - NEIGHBOURHOOD PUB COMMERCIAL**

*This Zone is intended to provide for the use of a Neighborhood Pub in harmony with its surrounding neighbourhood uses.*

**CS-4.1 Permitted Uses:**

CS-4.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Neighbourhood Pub*
- (2) Secondary: N/A

**CS-4.2 Lot Regulations**

- CS-4.2.1 Minimum Lot Size: 750 m<sup>2</sup> (8,073 ft<sup>2</sup>)
- CS-4.2.2 Minimum Lot Frontage: 15 m (50 ft)
- CS-4.2.3 Minimum Lot Width: N/A
- CS-4.2.4 Minimum Lot Depth: N/A

**CS-4.3 Density:**

- CS-4.3.1 Maximum Floor Area Ratio: N/A
- CS-4.3.2 Maximum Lot Coverage: 35%

**CS-4.4 Maximum Size (Gross Floor Area):**

- CS-4.4.1 Principal Building: 300 m<sup>2</sup> (3,225 ft<sup>2</sup>)
- CS-4.4.2 Accessory Buildings: N/A

**CS-4.5 Maximum Height:**

- CS-4.5.1 Principal Buildings & Structures: 8.5 m (28 ft)
- CS-4.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-4.6 Minimum Setbacks:**

CS-4.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)

## **CS-5 Zone - TOURIST COMMERCIAL**

*This zone is intended to provide for tourist commercial accommodations and other related recreational and primarily tourist commercial uses outside the District's Village Square and its residential areas, but in proper relationship to major thoroughfares and surrounding uses.*

### **CS-5.1 Permitted Uses:**

CS-5.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Motel*
  - (c) *Resort Condo*
  - (d) *Mixed Commercial/Resort Condo*
  - (e) *Campground*
  - (f) *Restaurant*
  - (g) *Bistro/Café*
  - (h) *Commercial Recreation*
  - (i) *Marina*
  - (j) *Art Gallery*
  - (k) *Public Assembly*
  - (l) *Tourist Information Booth*
- (2) Secondary:
  - (a) *Accessory Residential Dwelling Unit*

### **CS-5.2 Lot Regulations**

CS-5.2.1 Minimum Lot Size:

- (1) Tourist Information Booth: N/A
- (2) All other uses: 1,000 m<sup>2</sup> (¼ acre)

CS-5.2.2 Minimum Lot Frontage: 15 m (50 ft)

CS-5.2.3 Minimum Lot Width: N/A

CS-5.2.4 Minimum Lot Depth: N/A

### **CS-5.3 Density:**

CS-5.3.1 Maximum Number

- (1) *Accessory Residential Dwelling Unit*: 1 per lot (non-strata only)

CS-5.3.2 Maximum Floor Area Ratio: 0.70

CS-5.3.3 Maximum Lot Coverage: 40%

**CS-5.4 Maximum Size (Gross Floor Area):**

CS-5.4.1 Principal Building: N/A

CS-5.4.2 Accessory Buildings: N/A

**CS-5.5 Maximum Height:**

CS-5.5.1 Principal Buildings & Structures: 12 m (39 ft)

CS-5.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-5.6 Minimum Setbacks:**

CS-5.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)	6 m (20 ft)
(2) Accessory	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)	6 m (20 ft)

CS-5.6.2 In addition, the minimum *yard* setback of 6 m (20 ft) applies to all *lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

**CS-6 Zone - TOURIST COMMERCIAL WATERFRONT**

*This Zone is intended as a variation of the Tourist Commercial CS-5 Zone, with similar purposes but in a waterfront context and therefore with greater emphasis on marine-oriented uses.*

**CS-6.1 Permitted Uses:**

CS-6.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Motel*
  - (c) *Resort Condo*
  - (d) *Mixed Commercial/ Resort Condo*
  - (e) *Office*
  - (f) *Restaurant*
  - (g) *Bistro/Café*
  - (h) *Take Out Food Services*
  - (i) *Marina*
  - (j) *Fish Buying and Selling Station*
  - (k) *Boat Building and Repair*
  - (l) *Art Gallery*
  - (m) *Tourist Information Booth*
  - (n) *Aquarium*
  - (o) *Museum*
- (2) Secondary:
  - (a) *Accessory Residential Dwelling Unit*

**CS-6.2 Lot Regulations**

CS-6.2.1 Minimum Lot Size:

- (1) Tourist Information Booth: N/A
- (2) All other uses: 1,000 m<sup>2</sup> (¼ acre)

CS-6.2.2 Minimum Lot Frontage: N/A

CS-6.2.3 Minimum Lot Width: N/A

CS-6.2.4 Minimum Lot Depth: N/A

**CS-6.3 Density:**

CS-6.3.1 Maximum Number

(1) *Accessory Residential Dwelling Unit:* 1 per lot (non-strata only)

CS-6.3.2 Maximum Floor Area Ratio: N/A

CS-6.3.3 Maximum Lot Coverage: 70%

**CS-6.4 Maximum Size (Gross Floor Area):**

CS-6.4.1 Principal Building: N/A

CS-6.4.2 Accessory Buildings: N/A

**CS-6.5 Maximum Height:**

CS-6.5.1 Principal Buildings & Structures: 12 m (39 ft)

CS-6.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-6.6 Minimum Setbacks:**

CS-6.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	3 m (10 ft)	3 m (10 ft)	3 m (10 ft)	3 m (10 ft)
(2) Accessory	3 m (10 ft)	3 m (10 ft)	3 m (10 ft)	3 m (10 ft)

CS-6.6.2 In addition, the minimum yard setback of 6 m (20 ft) applies to all *lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

**CS-7 Zone - TOURIST COMMERCIAL & RESIDENTIAL**

*This Zone is intended as a variation of the Tourist Commercial CS-5 Zone, with similar purposes but including optional residential, for areas closer to Village Square or transitional areas to residential neighbourhoods or tourist accommodation enclaves. It allows a broader range of commercial and office uses without detracting from the focus and top of the "hierarchy" of Village Square and permits residential uses if combined with commercial or commercial tourist accommodation uses.*

**CS-7.1 Permitted Uses:**

CS-7.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Motel*
  - (c) *Resort Condo*
  - (d) *Mixed Commercial/Residential*
  - (e) *Mixed Commercial/Resort Condo*
  - (f) *Boutique Retail*
  - (g) *Convenience Store*
  - (h) *Office*
  - (i) *Bistro/Café*
  - (j) *Art Gallery*
  - (k) *Daycare Centre*
  - (l) *Public Assembly*
- (2) Secondary:
  - (a) *Accessory Residential Dwelling Unit*

**CS-7.2 Lot Regulations**

- CS-7.2.1 Minimum Lot Size: 1,000 m<sup>2</sup> (¼ acre)
- CS-7.2.2 Minimum Lot Frontage: 15 m (50 ft)
- CS-7.2.3 Minimum Lot Width: N/A
- CS-7.2.4 Minimum Lot Depth: N/A

**CS-7.3 Density:**

- CS-7.3.1 Maximum Number
  - (1) Hotel: 1 guest room or dwelling unit per 95 m<sup>2</sup> (1,025 ft<sup>2</sup>) lot area

- (2) Motel: 1 guest room or dwelling unit per 95 m<sup>2</sup> (1,025 ft<sup>2</sup>) lot area
- (3) Resort Condo: 1 dwelling unit per 250 m<sup>2</sup> (2,700 ft<sup>2</sup>) lot area
- (4) Residential component of Mixed Commercial/Residential use:  
1 dwelling unit per 250 m<sup>2</sup> (2,700 ft<sup>2</sup>) lot area

(5) Accessory Residential Dwelling Unit: 1 per lot (non-strata only)

CS-7.3.2 Maximum Floor Area Ratio: 0.70

CS-7.3.3 Maximum Lot Coverage: 40%

**CS-7.4 Maximum Size (Gross Floor Area):**

CS-7.4.1 Principal Building: N/A

CS-7.4.2 Accessory Buildings: N/A

**CS-7.5 Maximum Height:**

CS-7.5.1 Principal Buildings & Structures: 12 m (39 ft)

CS-7.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CS-7.6 Minimum Setbacks:**

CS-7.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)	6 m (20 ft)
(2) Accessory	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)	6 m (20 ft)

CS-7.6.2 In addition, the minimum yard setback of 6 m (20 ft) applies to all *lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

**M-1 Zone - SMALL CRAFT HARBOUR MARINE**

*This Marine Zone is intended for active use of near land areas for Marina and related commercial and community activities, generally to coincide with the District's three small craft harbours.*

**M-1.1 Permitted Uses**

M-1.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Marina, except no sales of watercraft and no accessory residential dwelling unit*
  - (b) Fish Buying & Selling Stations
  - (c) *Recreational Services*
  - (d) *Community Use*
  - (e) *Marine Recreation*
- (2) Secondary
  - (a) *N/A*

**M-1.2 Lot Regulations**

- M-1.2.1 Minimum Lot Size: *N/A*
- M-1.2.2 Minimum Lot Frontage: *N/A*
- M-1.2.3 Minimum Lot Width: *N/A*
- M-1.2.4 Minimum Lot Depth: *N/A*

**M-1.3 Density:**

- M-1.3.1 Maximum Number: *N/A*
- M-1.3.2 Maximum Floor Area Ratio: *N/A*
- M-1.3.3 Maximum Lot Coverage: *N/A*

**M-1.4 Maximum Size (Gross Floor Area):**

- M-1.4.1 Principal Building: *N/A*
- M-1.4.2 Accessory Buildings: *N/A*

**M-1.5 Maximum Height:** 5.5 m (18 ft)

**M-1.6 Minimum Setbacks:** *N/A*

## **M-2 Zone - COMMUNITY DOCK MARINE**

*This Marine Zone is intended for a plethora of commercial, community and transportation uses, including to facilitate the vibrancy of Village Square.*

### **M-2.1 Permitted Uses**

M-2.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal
  - (a) *Marina*
  - (b) Fish Buying & Selling Stations
  - (c) Aquarium
  - (d) Public Market
  - (e) *Mobile Vending*
  - (f) *Recreational Services*
  - (g) *Community Use*
  - (h) *Marine Recreation*
  - (i) Water and Air Transportation
- (2) Secondary            *N/A*

### **M-2.2 Lot Regulations**

- |         |                       |            |
|---------|-----------------------|------------|
| M-2.2.1 | Minimum Lot Size:     | <i>N/A</i> |
| M-2.2.2 | Minimum Lot Frontage: | <i>N/A</i> |
| M-2.2.3 | Minimum Lot Width:    | <i>N/A</i> |
| M-2.2.4 | Minimum Lot Depth:    | <i>N/A</i> |

### **M-2.3 Density:**

- |         |                           |            |
|---------|---------------------------|------------|
| M-2.3.1 | Maximum Number:           | <i>N/A</i> |
| M-2.3.2 | Maximum Floor Area Ratio: | <i>N/A</i> |
| M-2.3.3 | Maximum Lot Coverage:     | <i>N/A</i> |

### **M-2.4 Maximum Size (Gross Floor Area):**

- |         |                      |            |
|---------|----------------------|------------|
| M-2.4.1 | Principal Building:  | <i>N/A</i> |
| M-2.4.2 | Accessory Buildings: | <i>N/A</i> |

**M-2.5 Maximum Height:** 8.5 m (28 ft)

**M-2.6 Minimum Setbacks:** *N/A*



## **M-4 Zone - MARINE INDUSTRIAL**

*This Marine Zone is intended for commercial development and transportation complementary to upland industrial uses.*

### **M-4.1 Permitted Uses**

M-4.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal
  - (a) *Marina, only when abutting upland zone that permits "marina" use*
  - (b) Fish Buying & Selling Stations
  - (c) *Recreational Services*
  - (d) *Marine Recreation*
  - (e) Water and Air Transportation
- (2) Secondary            N/A

### **M-4.2 Lot Regulations**

- M-4.2.1 Minimum Lot Size:            N/A
- M-4.2.2 Minimum Lot Frontage:        N/A
- M-4.2.3 Minimum Lot Width:            N/A
- M-4.2.4 Minimum Lot Depth:            N/A

### **M-4.3 Density:**

- M-4.3.1 Maximum Number:            N/A
- M-4.3.2 Maximum Floor Area Ratio:    N/A
- M-4.3.3 Maximum Lot Coverage:        N/A

### **M-4.4 Maximum Size (Gross Floor Area):**

- M-4.4.1 Principal Building:            N/A
- M-4.4.2 Accessory Buildings:            N/A

**M-4.5 Maximum Height:**                    8.5 m (28 ft)

**M-4.6 Minimum Setbacks:**                N/A

**M-5 Zone - MARINE RECREATION & PROTECTION**

*This Marine Zone is intended for minimal use and development.*

**M-5.1 Permitted Uses**

M-5.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal
  - (a) *Marine Recreation*
  - (b) Environmental Conservation
- (2) Secondary            N/A

M-5.1.2 *Residential* Use is permitted on Water Lot 2087 (BC Packers site) but only if *accessory* to upland development.

**M-5.2 Lot Regulations**

- M-5.2.1 Minimum Lot Size:            N/A
- M-5.2.2 Minimum Lot Frontage:        N/A
- M-5.2.3 Minimum Lot Width:            N/A
- M-5.2.4 Minimum Lot Depth:            N/A

**M-5.3 Density:**

- M-5.3.1 Maximum Number:            1 *dwelling unit* on Water Lot 2087
- M-5.3.2 Maximum Floor Area Ratio: N/A
- M-5.3.3 Maximum Lot Coverage:        N/A

**M-5.4 Maximum Size (Gross Floor Area):** 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) on Water Lot 2087

**M-5.5 Maximum Height:** 5.5 m (18 ft)

**M-5.6 Minimum Setbacks:** N/A

## **I-1 Zone - INDUSTRIAL**

*This Industrial Zone is intended for a range of light and medium industries which are not dependent on accessory commercial uses and intended to have minimal conflict to surrounding uses.*

### **I-1.1 Permitted Uses:**

I-1.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

(1) Principal:

- (a) *Light Industry*
- (b) *Medium Industry*
- (c) *Bistro/Café*
- (d) *Outdoor Sales*
- (e) *Heavy Equipment Display*
- (f) *Shipping Yard*
- (g) *Wood Processing*
- (h) *Auto Repair Shop*

(2) Secondary:

- (a) *Accessory Residential Dwelling Unit*
- (b) *Accessory Retail Sales and Administration Office*

### **I-1.2 Lot Regulations**

I-1.2.1 Minimum Lot Size: 2,000 m<sup>2</sup> (½ acre)

I-1.2.2 Minimum Lot Frontage: 23 m (75 ft)

I-1.2.3 Minimum Lot Width: N/A

I-1.2.4 Minimum Lot Depth: N/A

### **I-1.3 Density:**

I-1.3.1 Maximum Number:

- (1) *Accessory Residential Dwelling Unit:* 1 per lot (non-strata only)
- (2) *Accessory Retail Sales and Administration Office:* 1 per business

I-1.3.2 Maximum Floor Area Ratio: 1.0

I-1.3.3 Maximum Lot Coverage: 60%

### **I-1.4 Maximum Size (Gross Floor Area):**

**I-1.4.1 Principal Building:**

- (1) *Accessory Retail Sales and Administration Office:* 30% of gross floor area
- (2) *Other:* N/A

**I-1.4.2 Accessory Buildings:** N/A

**I-1.4.3** Despite any other section of this Bylaw, an *Accessory Residential Dwelling Unit* in this Zone must not be less than 32.5 m<sup>2</sup> (350 ft<sup>2</sup>) *gross floor area* and must not exceed 75 m<sup>2</sup> (800 ft<sup>2</sup>).

**I-1.5 Maximum Height:**

**I-1.5.1** Principal Buildings & Structures: 12 m (39 ft)

**I-1.5.2** Accessory Buildings & Structures: 5.5 m (18 ft)

**I-1.6 Minimum Setbacks:**

**I-1.6.1** The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	8 m (26 ft)	6 m (20 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(2) Accessory	8 m (26 ft)	1.5 m (5 ft)	1.5 m (5 ft)	7.5 m (25 ft)

**I-1.6.2** In addition, the minimum *yard* setback of 7.5 m applies to all *side lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

## **I-2 Zone - SERVICE INDUSTRIAL**

*This Industrial Zone is intended for a variety of service and light industry uses in conjunction with those recreational, commercial and public emergency uses which may be better suited in a closer proximity to residential neighbourhoods.*

### **I-2.1 Permitted Uses:**

I-2.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

(1) Principal:

- (a) *Light Industry*
- (b) *Service Industry*
- (c) *Restaurant*
- (d) *Bistro/Café*
- (e) *Take Out Food Services*
- (f) *Outdoor Sales*
- (g) *Commercial Recreation*
- (h) *Emergency Services*

(2) Secondary:

- (a) *Accessory Residential Dwelling Unit*
- (b) *Accessory Retail Sales and Administration Office*

### **I-2.2 Lot Regulations**

- I-2.2.1 Minimum Lot Size: 1,500 m<sup>2</sup> (16,150 ft<sup>2</sup>)
- I-2.2.2 Minimum Lot Frontage: 23 m (75 ft)
- I-2.2.3 Minimum Lot Width: N/A
- I-2.2.4 Minimum Lot Depth: N/A

### **I-2.3 Density:**

I-2.3.1 Maximum Number:

- (1) *Accessory Residential Dwelling Unit:* 1 per lot (non-strata only)
- (2) *Accessory Retail Sales and Administration Office:* 1 per business

I-2.3.2 Maximum Floor Area Ratio: 0.60

I-2.3.3 Maximum Lot Coverage: 50%

### **I-2.4 Maximum Size (Gross Floor Area):**

I-2.4.1 Principal Building:

(1) *Accessory Retail Sales and Administration Office*: 40% of gross floor area

(2) *Other*: N/A

I-2.4.2 *Accessory Buildings*: N/A

I-2.4.3 Despite any other section of this Bylaw, an *Accessory Residential Dwelling Unit* in this Zone must not be less than 32.5 m<sup>2</sup> (350 ft<sup>2</sup>) *gross floor area* and must not exceed 75 m<sup>2</sup> (800 ft<sup>2</sup>)

**I-2.5 Maximum Height:**

I-2.5.1 *Principal Buildings & Structures*: 12 m (39 ft)

I-2.5.2 *Accessory Buildings & Structures*: 5.5 m (18 ft)

**I-2.6 Minimum Setbacks:**

I-2.6.1 The following minimum setbacks apply, as measured from the *front lot line*, *rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	10 m (33 ft)	3 m (10 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(2) Accessory	10 m (33 ft)	3 m (10 ft)	5 m (16.5 ft)	7.5 m (25 ft)

I-2.6.2 In addition, the minimum *yard* setback of 7.5 m applies to all *side lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

**P-1 Zone – PUBLIC INSTITUTIONAL**

*This Institutional Zone is intended for the governmental, administrative, educational recreational, cultural and related uses which serve the District and its residents.*

**P-1.1 Permitted Uses:**

P-1.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *School*
  - (b) *Public Administration & Utility*
  - (c) *Public Assembly*
  - (d) *Community Care Facility*
  - (e) *Outdoor Recreation*
  - (f) *Park*
- (2) Secondary: *N/A*

**P-1.2 Lot Regulations**

- P-1.2.1 Minimum Lot Size: *N/A*
- P-1.2.2 Minimum Lot Frontage: *N/A*
- P-1.2.3 Minimum Lot Width: *N/A*
- P-1.2.4 Minimum Lot Depth: *N/A*

**P-1.3 Density:**

- P-1.3.1 Maximum Floor Area Ratio: 1.0
- P-1.3.2 Maximum Lot Coverage: 60%

**P-1.4 Maximum Size (Gross Floor Area):**

- P-1.4.1 Principal Building: *N/A*
- P-1.4.2 Accessory Buildings: *N/A*

**P-1.5 Maximum Height:**

- P-1.5.1 Principal Buildings & Structures: 10 m (33 ft)
- P-1.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**P-1.6 Minimum Setbacks:**

P-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
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(June 10, 2013)

(1) Principal	7.5 m (25 ft)			
(2) Accessory	7.5 m (25 ft)			

## **P-2 Zone – LIMITED INSTITUTIONAL**

*This Institutional Zone is intended as a variation of the P-1 Zone, with less administration and more service uses generally to service the District and its residents.*

### **P-2.1 Permitted Uses:**

P-2.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *School*
  - (b) *Daycare Centre*
  - (c) *Place of Worship*
  - (d) *Community Care Facility*
- (2) Secondary: *N/A*

### **P-2.2 Lot Regulations**

P-2.2.1	Minimum Lot Size:	<i>N/A</i>
P-2.2.2	Minimum Lot Frontage:	<i>N/A</i>
P-2.2.3	Minimum Lot Width:	<i>N/A</i>
P-2.2.4	Minimum Lot Depth:	<i>N/A</i>

### **P-2.3 Density:**

P-2.3.1	Maximum Number	
(1)	Principal Building:	<i>N/A</i>
(2)	Accessory Buildings & Structures:	<i>1 per lot</i>
P-2.3.2	Maximum Floor Area Ratio:	<i>0.5</i>
P-2.3.3	Maximum Lot Coverage:	<i>30%</i>

### **P-2.4 Maximum Size (Gross Floor Area):**

P-2.4.1	Principal Building:	<i>N/A</i>
P-2.4.2	Accessory Buildings:	<i>N/A</i>

### **P-2.5 Maximum Height:**

P-2.5.1	Principal Buildings & Structures:	<i>10 m (33 ft)</i>
P-2.5.2	Accessory Buildings & Structures:	<i>5.5 m (18 ft)</i>

### **P-2.6 Minimum Setbacks:**

P-2.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)

**P-3 Zone – VILLAGE SQUARE INSTITUTIONAL**

*This Institutional Zone is intended for the social, education, administration, recreation and other services for the community, both public and private, which enhance the Village Square Development Area and underline the policies and objectives within the Official Community Plan.*

**P-3.1 Permitted Uses:**

P-3.1.1 The following uses are permitted, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Public Administration & Utility*
  - (b) *Public Assembly*
  - (c) *Mobile Vending*
  - (d) *Public Market*
  - (e) *Community Care Facility*
  - (f) *Outdoor Recreation*
  - (g) *Parking Lot*
  - (h) *Park*
- (2) Secondary: *N/A*

**P-3.2 Lot Regulations**

- P-3.2.1 Minimum Lot Size: *N/A*
- P-3.2.2 Minimum Lot Frontage: *N/A*
- P-3.2.3 Minimum Lot Width: *N/A*
- P-3.2.4 Minimum Lot Depth: *N/A*

**P-3.3 Density:**

- P-3.3.1 Maximum Floor Area Ratio: 1.0
- P-3.3.2 Maximum Lot Coverage: 60%

**P-3.4 Maximum Size (Gross Floor Area):**

- P-3.4.1 Principal Building: *N/A*
- P-3.4.2 Accessory Buildings: *N/A*

**P-3.5 Maximum Height:**

- P-3.5.1 Principal Buildings & Structures: 10 m (33 ft)
- P-3.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**P-3.6 Minimum Setbacks:**

- P-3.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)

## **CD-1 Zone - ECO-INDUSTRIAL PARK**

*In this Comprehensive Development Zone, and Industrial Zone, the densities identified below were bonused and based on a 20% open space dedication/ amenity contribution further to Section 203 of this Bylaw, with development at 5 units/hectare as the base density if amenities were not provided.*

*2013 Update: The base density of 5 units/hectare no longer applies as the amenities have been provided. Parkland Exchange Bylaw No.838, 2000 exchanged land to create current park.*

*Save for the multiple-family residential portion of the CD-1 Comprehensive Development Plan ("CD-1 Plan"), this zone has been largely subdivided and uses and density allocated as detailed below. Future variations would require amendment of the Zoning Bylaw.*

### **Comprehensive Development ("CD-1") Plan (Per Zoning Amendment Bylaw 894, 2002)**

**CD-1.1 Permitted Uses:**

CD-1.1.1 The following uses are permitted in the area of the CD-1 Comprehensive Development Plan labeled “Single Family Residential”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

CD-1.1.2 The following uses are permitted in the area of the CD-1 Comprehensive Development Plan labeled “Multi-family Residential”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Duplex Dwelling*
  - (b) *Multiple Family Residential*
  - (c) *Community Care Facility*
- (2) Secondary:
  - (a) *Home Occupation*

CD-1.1.3 The following uses are permitted in the area of the CD-1 Comprehensive Development Plan labeled “Industrial”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
  - (b) *Mixed Industrial/Residential*
  - (c) *Light Industry*
  - (d) *Medium Industry*
  - (e) *Service Industry*
  - (f) *Service Station, with accessory car wash*
  - (g) *Auto Repair Shop*
  - (h) *Bistro/Café*

- (i) *Outdoor Sales*
- (j) *Heavy Equipment Display*
- (k) *Wood Processing*
- (2) *Secondary:*
  - (a) *Accessory Residential Dwelling Unit*
  - (b) *Accessory Retail Sales and Administration Office*

CD-1.1.4 The following uses are permitted in the area of the CD-1 Comprehensive Development Plan labeled “Park”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) *Principal*
  - (a) *Park*
  - (b) *Public Assembly*
- (2) *Secondary*
  - (a) *Outdoor Recreation*

#### **CD-1.2 Lot Regulations**

CD-1.2.1 Minimum Lot Size:

- (1) *Single Family Dwelling:*
  - (a) 600 m<sup>2</sup> (6,450 ft<sup>2</sup>) in “Industrial” Area of CD-1 Plan
  - (b) 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) in “Single Family Residential” Area of CD-1 Plan
- (2) *Duplex Dwelling:* 750 m<sup>2</sup> (8,075 ft<sup>2</sup>)
- (3) *Multiple Family Residential:* 1,000 m<sup>2</sup> (¼ acre)
- (4) *All other uses:* 2,000 m<sup>2</sup> (½ acre)

CD-1.2.2 Minimum Lot Frontage:

- (1) *Single Family Dwelling:*
  - (a) 15 m (50 ft) in “Industrial” Area of CD-1 Plan
  - (b) 18 m (60 ft) in “Single Family Residential” Area of CD-1 Plan
- (2) *Duplex Dwelling:* 20 m (66 ft)
- (3) *Multiple Family Residential:* 23 m (75 ft)
- (4) *All other uses:* 23 m (75 ft)

CD-1.2.3 Minimum Lot Width: N/A

CD-1.2.4 Minimum Lot Depth: N/A

**CD-1.3 Density:**

CD-1.3.1 Maximum Number:

- (1) Single Family Dwelling: 1 per lot
- (2) Duplex Dwelling: 1 per lot
- (3) Multiple Family Residential: 30 dwelling units per hectare
- (4) Accessory Residential Dwelling Unit: 1 per business

CD-1.3.2 Maximum Floor Area Ratio:

- (1) Single Family Dwelling: 0.50
- (2) Duplex Dwelling: 0.70
- (3) Multiple Family Residential: 0.70
- (4) All other uses: 1.0

CD-1.3.3 Maximum Lot Coverage:

- (1) Single Family Dwelling: 35%
- (2) Duplex Dwelling: 35%
- (3) Multiple Family Residential: 40%
- (4) All other uses: 60%

**CD-1.4 Maximum Size (Gross Floor Area):**

CD-1.4.1 Principal Building:

- (1) Accessory Retail Sales and Administration Office: 40% of principal permitted use
- (2) Other: N/A

CD-1.4.2 Accessory Buildings: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total per lot

CD-1.4.3 Despite any other section of this Bylaw, an Accessory Residential Dwelling Unit in this Zone must not be less than 32.5 m<sup>2</sup> (350 ft<sup>2</sup>) gross floor area and must not exceed 90 m<sup>2</sup> (970 ft<sup>2</sup>).

**CD-1.5 Maximum Height:**

(1) Principal Buildings & Structures:

- (a) Single Family Dwelling: 8.5 m (28 ft) or 2 ½ storey
- (b) Duplex Dwelling: 8.5 m (28 ft) or 2 ½ storey
- (c) Multiple Family Residential: 11 m (36 ft) or 3 storey
- (d) All other uses: 12 m (39 ft)

(2) Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-1.6 Minimum Setbacks:**

CD-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal: SFD or Duplex	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) Principal: MFR	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(3) Principal: All other uses	9 m (30 ft)	6 m (20 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(4) Accessory: SFD, Duplex, MFR	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(5) Accessory: All other uses	8 m (26 ft)	1.5 m (5 ft)	1.5 m (5 ft)	7.5 m (25 ft)

CD-1.6.2 In addition, for *single family dwelling* and *duplex dwelling*, the *side yards* combined must not be less than 20% of the *lot width*.

CD-1.6.3 In addition, all *accessory buildings* and *structures* to *residential* uses must be located:

- (1) to the rear of the *front face* of the principal building, and
- (2) at least 3 m (10 ft) from the principal *building(s)*.

CD-1.6.4 In addition, the minimum *yard* setback of 7.5 m applies to all *side lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

## **CD-2 Zone - BIG BEACH**

*In this Comprehensive Development Zone, the density bonusing framework is based on a 15-20% parkland dedication/ amenity contribution, which is to be in the form of*

- 1. public recreational amenities, open space and green space;*
- 2. new swimming pool and fitness facility, which will be privately owned and maintained*
- 3. 10 metre vegetation buffer abutting all existing residential lots in abutting Zones in order to provide a buffer between existing homes and the development in this zone.*

*2013 Update: The latter two amenities remain to be provided with the future development of Remainder Lot 16, as defined below, in the CD-2A SubZone. The amenities for the CD-2B SubZone have been accounted for. Descriptions for the SubZones follow.*

**Comprehensive Development Plan** *(Per Zoning Amendment Bylaw 886, 2002 as amended)*

**CD-2A SubZone – District Lot 281 (Lot 1)**

2013 Update: Plan VIP76214 created 16 lots, and most of the development parcels as follows:

- Lot 1 is designated for neighbourhood pub use.
- Lot 2 was developed as multiple family residential only per Strata Plan VIS5917 (The Primera). In 2008, an owner was successful in its Court case against the original developer regarding representations as to tourist accommodation use but a related challenge of the zoning designation was unsuccessful. The Court upheld the District's zoning as multiple family residential only, with no nightly rentals or other commercial tourist accommodation.
- Lots 5 and 7 were removed from the CD-2A Zone and placed in the Vacation Rental (VR-1) Zone, further to rezoning applications.
- Lot 11 was originally intended for a wellness centre but was subsequently rezoned and subdivided into single family dwelling lots.
- Lot 16 was the large lot created north of Marine Drive, labeled "Big Beach Estates". It remains only partially subdivided and developed:
  - Lot A, Plan VIP80735 created a lot for two buildings, The Ridge which was stratified into 24 units per Strata Plan VIS6275.
  - Plan VIP86140 created 5 single family dwelling lots.
  - PID 025-812-823 Lot 16, Plan VIP76214 except that part in Plan VIP80735, VIP83067 and VIP86140 ("Remainder Lot 16") will support additional subdivision and development according to this zone, noting the **Big Beach Estates Master Plan** may require further consideration following requested alteration of uses and densities in rezonings subsequent to the preparation of that plan. Amenities are outstanding in this area, and are preferred to be accessed off Matterson Drive to create synergy with the Community Centre.
  - The maximum density for Multiple Family Residential use has been reached, through the 18 dwelling units in The Primera and 12 dwelling units in The Ridge.
  - With 12 Resort Condo units developed at The Ridge, up to 76 Resort Condo units may be provided on Remainder Lot 16, in addition to other uses noted below.

**Subdivision Plan VIP76214:**

**Subdivision Plan VIP80735:**

**Big Beach Estates Master Plan (per Zoning Amendment Bylaw 1045, 2006):**

**CD-2A.1 Permitted Uses:**

CD-2A.1.1 The following uses are permitted on Lots 3, 4, 6, 8-15 Plan VIP76214 (and lots subdivided therefrom) and on Lots A-E, Plan VIP86140, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

CD-2A.1.2

CD-2A.1.3 The following uses are permitted on Lot 1, Plan VIP76214, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Neighbourhood Pub*
- (2) Secondary:
  - (a) *Mixed Commercial/Residential*

CD-2A.1.4 The following uses are permitted on Strata Plan VIS5917 (*The Primera*), but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Multiple Family Residential*
- (2) Secondary:
  - (a) *Home Occupation*

CD-2A.1.5 The following uses are permitted on Strata Plan VIS6275 (*The Ridge*), but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Multiple Family Residential*
- (2) Secondary:

(a) *Home Occupation*

CD-2A.1.6 The following uses are permitted on Strata Plan VIS6275 (*The Ridge*), with no secondary permitted uses:

- (1) Principal:
  - (a) *Resort Condo*
- (2) Secondary: *N/A*

CD-2A.1.7 The following uses are permitted on *Remainder Lot 16* (and lots subdivided therefrom) in the area of the CD-2A Comprehensive Development Plan labeled “Big Beach Estates” east of Marine Drive and generally adjacent to Matterson Street, not already developed per previous subsections, with no secondary permitted uses:

- (1) Principal:
  - (a) *Resort Condo*
  - (b) *Retail*
  - (c) *Personal Services*
  - (d) *Recreational Services*
  - (e) *Community Use*
- (2) Secondary: *N/A*

**CD-2A.2 Lot Regulations**

CD-2A.2.1 Minimum Lot Size:

- (1) Single Family Dwelling:
  - (a) 1,000 m<sup>2</sup> (¼ acre) for 5 lots in Plan VIP86140
  - (b) 2,000 m<sup>2</sup> (½ acre) otherwise
- (2) Multiple Family Residential: 1,000 m<sup>2</sup> (¼ acre)
- (3) Resort Condo: 1,000 m<sup>2</sup> (¼ acre)
- (4) Neighbourhoob Pub with Mixed Commercial/Residential: 6,475 m<sup>2</sup> (1.6 acre)
- (5) Retail: 800 m<sup>2</sup> (8,600 ft<sup>2</sup>)
- (6) Personal Services: 800 m<sup>2</sup> (8,600 ft<sup>2</sup>)
- (7) Recreational Services 800 m<sup>2</sup> (8,600 ft<sup>2</sup>)
- (8) All other uses: *N/A*

CD-2A.2.2 Minimum Lot Frontage:

- (1) Single Family Dwelling: 18 m (60 ft)
- (2) Duplex Dwelling: 18 m (60 ft)
- (3) Multiple Family Residential: 23 m (75 ft)
- CD-2A.2.3 Minimum Lot Width: N/A
- CD-2A.2.4 Minimum Lot Depth: N/A

**CD-2A.3 Density:**

CD-2A.3.1 Maximum Number:

- (1) Single Family Dwelling: 1 per lot
- (2) Multiple Family Residential:
  - (a) 18 dwelling units on Strata Plan VIS5917 (*The Primera*)
  - (b) 12 dwelling units on Strata Plan VIS6275 (*The Ridge*)
- (3) Resort Condo:
  - (a) 12 dwelling units on Strata Plan VIS6275 (*The Ridge*)
  - (b) 76 dwelling units on *Remainder Lot 16*
- (4) Neighbourhoob Pub with Mixed Commercial/Residential:
  - (a) Neighbourhoob Pub: 1,942 m<sup>2</sup> (20,900 ft<sup>2</sup>)
  - (b) Residential component of Mixed Commercial/Residential:
    - 6 dwelling units with 487.5 m<sup>2</sup> (5,250 ft<sup>2</sup>) gross floor area combined, and each unit must not be less than 46.5 m<sup>2</sup> (500 ft<sup>2</sup>) gross floor area
- (5) Retail, Personal Services & Commercial Recreation:
  - 1,672 m<sup>2</sup> (18,000 ft<sup>2</sup>) combined total
- (6) All other uses: N/A

CD-2A.3.2 Maximum Floor Area Ratio:

- (1) Single Family Dwelling: 0.50
- (2) Multiple Family Residential: 0.70
- (3) Neighbourhoob Pub with Mixed Commercial/Residential: N/A
- (4) All other uses: 0.50

CD-2A.3.3 Maximum Lot Coverage:

- (1) Single Family Dwelling: 35%
- (2) Multiple Family Residential: 40%

- (3) Neighbourhoob Pub with Mixed Commercial/Residential: 50%
- (4) All other uses: 30%

**CD-2A.4 Maximum Size (Gross Floor Area):**

CD-2A.4.1 Principal Building: N/A

- (1) Neighbourhoob Pub with Mixed Commercial/Residential:
  - (a) Neighbourhoob Pub: 1,942 m<sup>2</sup> (20,900 ft<sup>2</sup>)
  - (b) Residential component of Mixed Commercial/Residential:
 

*6 dwelling units with 487.5 m<sup>2</sup> (5,250 ft<sup>2</sup>) gross floor area combined, limited to gross floor area above pub*

(2) All other uses: N/A

CD-2A.4.2 Accessory Buildings:

- (1) Single Family Dwelling: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total per lot
- (2) Multiple Family Residential: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total per lot
- (3) Neighbourhoob Pub with Mixed Commercial/ Residential: N/A
- (4) All other uses: 80 m<sup>2</sup> (860 ft<sup>2</sup>) combined total per lot

**CD-2A.5 Maximum Height:**

- (1) Principal Buildings & Structures:
  - (a) Single Family Dwelling: 9 m (30 ft) or 2 ½ storey
  - (b) Multiple Family Residential: 12 m (39 ft) or 3 storey
  - (c) Neighbourhoob Pub with Mixed Commercial/Residential: 11 m (36 ft)
  - (d) All other uses: 11 m (36 ft)
- (2) Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-2A.6 Minimum Setbacks:**

CD-2A.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Single Family Dwelling – Lots less than 2,023 m <sup>2</sup> (½ acre) in lot area:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(2) Single Family Dwelling – Lots at least 2,023 m <sup>2</sup> (½ acre) in lot area:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	7.5 m (25 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(3) Multiple Family Residential:				
(i) Principal	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(4) Neighbourhood Pub, Recreational Services or Community Use:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(5) All other uses:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	8 m (26 ft)	1.5 m (5 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 7.5 m minimum yard setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot or <i>multiple family residential</i> lot or lot with a <i>principal residential</i> use.				

**CD-2B SubZone - BLACK ROCK**

*2013 Update: Portions of the original CD-2B Zone were removed and placed in the CD-3 Zone (per Zoning Amendment Bylaw 1025, 2006). The remainder represents the constructed Black Rock Resort and adjacent Lot 1 Plan VIP85870 currently restricted by Covenant for use as passive recreation and accessory parking, until consolidated with adjacent Lot 12 Plan VIP84686 (portion of CD-5 Zone) for development of staff housing. Amenities have been provided.*

**CD-2B Plan (Updated):**

**CD-2B.1 Permitted Uses:**

CD-2B.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Parking Lot*

(2) Secondary:

(a) *Accessory Residential Dwelling Unit*

CD-2B.1.2 *Staff Housing* is permitted on Lot 1 Plan VIP85870 when lot consolidated with Lot 12 Plan VIP84686.

**CD-2B.2 Lot Regulations**

CD-2B.2.1 Minimum Lot Size: 10,000 m<sup>2</sup> (2½ acres)

CD-2B.2.2 Minimum Lot Frontage: 18 m (60 ft)

CD-2B.2.3 Minimum Lot Width: N/A

CD-2B.2.4 Minimum Lot Depth: N/A

**CD-2B.3 Density:**

CD-2B.3.1 Maximum Number:

(1) Hotel: 150 *guest rooms or dwelling units*

(2) *Accessory Residential Dwelling Unit*: 1 per lot (non-strata only)

CD-2B.3.2 Maximum Floor Area Ratio: 0.70

CD-2B.3.3 Maximum Lot Coverage: 40%

**CD-2B.4 Maximum Size (Gross Floor Area):**

CD-2B.4.1 Principal Building:

(1) Spa: 743.2 m<sup>2</sup> (8,000 ft<sup>2</sup>)

(2) Other: N/A

CD-2B.4.2 Accessory Buildings: N/A

**CD-2B.5 Maximum Height:**

(1) Principal Buildings & Structures: 12 m (39 ft)

(2) Accessory Buildings & Structures: 5 m (16 ft)

**CD-2B.6 Minimum Setbacks:**

CD-2B.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	6 m (20 ft)	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)
(2) Accessory	6 m (20 ft)	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)

CD-2B.6.2 In addition, the *side yards* combined must not be less than 20% of the *lot width*.

CD-2B.6.3 In addition, the minimum *yard* setback of 7.5 m applies to all *lot lines* abutting a RU, R-1, R-2, R-3, R-4, VR-1 or MH Zone or a *single family dwelling* or *duplex dwelling* in a CD Zone.

### **CD-3 Zone - RAINFOREST**

*In this Comprehensive Development Zone, the density bonusing framework is based on a 10% parkland dedication/ amenity contribution, provided in the form of public recreational amenities, open space and green space as follows:*

1. *A “tot” park worth approx. \$20,000.00;*
2. *A skateboard park and associated parking area worth approx. \$200,000.00;*
3. *The rebuilding and reconstruction of the Big Beach Trail from Bay Street to Marine Drive and dedication of a public right-of-way from Bay Street to Big Beach (Big Beach Trail) worth approx. \$25,000.00;*
4. *The construction 1,500 metres of Trail within District right-of-ways (1,500 metres at \$80/m) valued at \$120,000.00;*
5. *The donation of a 7,100 ft<sup>2</sup> lot to the District of Ucluelet for a daycare centre and the dedication of an additional 4.12 acres of parkland on DL 282. (\$50,589.00);*
6. *The construction of a basketball court worth approx. \$55,000.00;*
7. *A \$100,000.00 monetary contribution to the District of Ucluelet payable at the time of the completion of subdivision of DL 282 (2004);*
8. *10 metre vegetation buffer abutting all existing residential lots in abutting Zones in order to provide a buffer between existing homes and the development in this zone.*

*The CD-3 Zone is divided into two (2) development areas, as reflected in the CD-3A SubZone and the CD-3B SubZone.*

#### **2013 UPDATE:**

*All amenities have been provided, and continue to form an integral part of the community Except for the potential to subdivide Lot 2, Plan VIP 80044 into two fee simple Multiple Family Residential Lots, the original CD-3 Zone (now CD-3A SubZone) has been fully subdivided (Building Stratas may be possible on certain lots). A number of parcels remain vacant and undeveloped, but the uses have been established by way of the subdivision in accordance with the original Comprehensive Development Plans. Given this, no plans are attached to this Bylaw, but rather uses and their respective regulations are identified by subdivision plan and lot number.*

#### **CD-3 Plan (Original per Zoning Amendment Bylaw 886, 2002)**

**CD-3A SubZone - District Lot 282**

*Except for the potential to subdivide Lot 2, Plan VIP 80044 into two fee simple lots with Multiple Family Residential use, the original CD-3 Zone (now CD-3A SubZone) has been fully subdivided, as uses allocated, as shown below and described in this section.*

**CD-3A Plan (Updated)**

**CD-3A.1 Permitted Uses:**

CD-3A.1.1 The following uses are permitted on Lots 1-18, 20-28, 30-32, 35-49, all of Plan VIP79602, and Remainder Lot A Plan VIP17853 but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*

- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

CD-3A.1.2 The following uses are permitted on PID 026-514-681 Lot 1, District Lot 282, Clayoquot District, Plan VIP80044, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
  - (b) *Duplex Dwelling*
- (2) Secondary:
  - (a) *Home Occupation*
- (3) *This lot was stratified into Strata Lots A & B, Plan VIS6305 for a side-by-side duplex. For greater certainty, each of the lots may only contain one dwelling unit.*

CD-3A.1.3 The following uses are permitted Lot 50, Plan VIP79602 and Lot 2, Plan VIP8044, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Multiple Family Residential*
- (2) Secondary:
  - (a) *Home Occupation*

CD-3A.1.4 The following uses are permitted on Lots 19, 29, 33 & 34, all of Plan VIP79602, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Office*
  - (b) *Retail*
  - (c) *Personal Services*
  - (d) *Daycare Centre*
  - (e) *Commercial Entertainment*
  - (f) *Recreational Services*

(g) *Community Use*

(2) Secondary:

(a) *Mixed Commercial/Residential*

(b) *Mixed Commercial/Resort Condo*

CD-3A.1.5 The following uses are permitted on Lot A Plan VIP77437, with no *secondary permitted uses*:

(1) Principal:

(a) *Community Care Facility*

(b) *Community Use*

(2) Secondary: *N/A*

**CD-3A.2 Lot Regulations**

CD-3A.2.1 Minimum Lot Size:

(1) Single Family Dwelling:

(a) 645 m<sup>2</sup> (6,940 ft<sup>2</sup>) for 16 small lots.

(b) 1,450 m<sup>2</sup> (15,600 ft<sup>2</sup>) for maximum of 50 lots.

(2) Multiple Family Residential: 4,856 m<sup>2</sup> (1.2 acres)

(3) Mixed Commercial/Residential: 2,305 m<sup>2</sup> (24,800 ft<sup>2</sup>)

(4) Mixed Commercial/Resort Condo: 2,305 m<sup>2</sup> (24,800 ft<sup>2</sup>)

CD-3A.2.2 Minimum Lot Frontage:

(1) Single Family Dwelling: 18 m (60 ft)

(2) Duplex Dwelling: 18 m (60 ft)

(3) Multiple Family Residential: 23 m (75 ft)

CD-3A.2.3 Minimum Lot Width: *N/A*

CD-3A.2.4 Minimum Lot Depth: *N/A*

**CD-3A.3 Density:**

CD-3A.3.1 Maximum Number:

(1) Single Family Dwelling: 1 per lot

(2) Duplex Dwelling: 1 per lot

(3) Multiple Family Residential: 20 dwelling units per lot

(4) *Dwelling Unit* component of Mixed Commercial/Residential & Mixed Commercial/Resort Condo combined:

- (a) 6 *dwelling units* on Lot 19, Plan VIP79602
- (b) 12 *dwelling units* on Lot 29, Plan VIP79602
- (c) 6 *dwelling units* on Lot 33, Plan VIP79602
- (d) 6 *dwelling units* on Lot 34, Plan VIP79602

CD-3A.3.2 Maximum Floor Area Ratio:

- (1) Single Family Dwelling: 0.50
- (2) Duplex Dwelling: 0.50
- (3) Multiple Family Residential: 0.70
- (4) All other uses 0.50

CD-3A.3.3 Maximum Lot Coverage:

- (1) Single Family Dwelling: 35%
- (2) Duplex Dwelling: 35%
- (3) Multiple Family Residential: 40%
- (4) All other uses: 30%

**CD-3A.4 Maximum Size (Gross Floor Area):**

CD-3A.4.1 Principal Building:

- (1) Mixed Commercial/Residential & Mixed Commercial/Resort Condo:
  - (a) 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>) *gross floor area* combined on Lot 19, Plan VIP79602;
  - (b) 743.2 m<sup>2</sup> (8,000 ft<sup>2</sup>) *gross floor area* combined on Lot 29, Plan VIP79602;
  - (c) 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>) *gross floor area* combined on Lot 33, Plan VIP79602;
  - (d) 464.5 m<sup>2</sup> (5,000 ft<sup>2</sup>) *gross floor area* combined on Lot 34, Plan VIP79602.
- (2) All other uses: N/A

CD-3A.4.2 Accessory Buildings:

- (1) Single Family Dwelling: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total per lot
- (2) Duplex Dwelling: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total per lot
- (3) Multiple Family Residential: 300 m<sup>2</sup> (3,225 ft<sup>2</sup>) combined total per lot
- (4) All other uses: 80 m<sup>2</sup> (861 ft<sup>2</sup>) combined total per lot

**CD-3A.5 Maximum Height:**

- (1) Principal Buildings & Structures:
  - (a) Single Family Dwelling: 9 m (30 ft) or 2 ½ *storey*
  - (b) Duplex Dwelling: 9 m (30 ft) or 2 ½ *storey*

(c) Multiple Family Residential: 11 m (36 ft) or 3 storey

(d) All other uses: 10 m (33 ft)

(2) Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-3A.6 Minimum Setbacks:**

CD-3A.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Single Family Dwelling - Lots less than 1,450 m <sup>2</sup> (15,600 ft <sup>2</sup> ) in lot area:				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	3 m (10 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting Marine Drive.				
(2) Single Family Dwelling - Lots at least 1,450 m <sup>2</sup> (15,600 ft <sup>2</sup> )				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting Marine Drive.				
(3) Duplex				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting Marine Drive.				
(4) Multiple Family Residential:				
(i) Principal	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting Marine Drive.				
(5) <i>Community Care Facility, Daycare Centre or Community Use:</i>				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(6) All other uses:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	8 m (26 ft)	5 m (16.5 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 7.5 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot, duplex lot or <i>multiple family residential</i> lot.				

**CD-3B SubZone - District Lot 281 (Remainder)**

*This SubZone was originally part of the CD-2 Zone, with a road closure and exchange creating a lot at the T-Intersection of Marine Drive and Rainforest Drive, across from the Community Centre.*

***Plan from Zoning Amendment Bylaw No 1025, 2006:***

**CD-3B.1 Permitted Uses:**

CD-3B.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) Office
  - (b) *Retail*
  - (c) *Personal Services*

(2) Secondary:

- (a) *Mixed Commercial/Resort Condo*
- (b) *Mixed Commercial/Residential*
- (c) *Home Occupation for Residential of Mixed Commercial/Residential*

**CD-3B.2 Lot Regulations**

CD-3B.2.1 Minimum Lot Size:

- (1) Mixed Commercial/Residential: 1,725 m<sup>2</sup> (18,550 ft<sup>2</sup>)
- (2) Mixed Commercial/Resort Condo: 1,725 m<sup>2</sup> (18,550 ft<sup>2</sup>)
- (3) All other uses: N/A

CD-3B.2.2 Minimum Lot Frontage: N/A

CD-3B.2.3 Minimum Lot Width: N/A

CD-3B.2.4 Minimum Lot Depth: N/A

**CD-3B.3 Density:**

CD-3B.3.1 Maximum Number:

- (1) 3 *Dwelling Units* for SubZone
- (2) 520 m<sup>2</sup> (5,600 ft<sup>2</sup>) for 3 *Dwelling Units* combined

CD-3B.3.2 Maximum Floor Area Ratio: 0.50

CD-3B.3.3 Maximum Lot Coverage: 30%

**CD-3B.4 Maximum Size (Gross Floor Area):**

CD-3B.4.1 Principal Building: N/A

CD-3B.4.2 Accessory Buildings: N/A

**CD-3B.5 Maximum Height:**

CD-3B.5.1 Principal Buildings & Structures: 9 m (30 ft)

CD-3B.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-3B.6 Minimum Setbacks:**

CD-3B.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	8 m (26 ft)	5 m (16.5 ft)	7.5 m (25 ft)	7.5 m (25 ft)

## **CD-4 Zone - WHISKEY LANDING**

*This Comprehensive Development Zone was originally established in 2003 and named “Main Street Dock” following the clean-up of the old “Chevron” property.*

*2013 Update: Phase 1 of Whiskey Landing has been constructed as a 4-storey building, with lower restaurant/pub space and basement. The first storey has shop frontages only to the northwest (parking lot) side of the building. The southeast side finished grade is higher with second storey shops level with and facing the Main Street Dock and the Ucluelet Aquarium. As a modification to the “Mixed Commercial/Residential” use definition, residential units in this Phase 1 building may only be located on the top two storeys and those portions of the second storey that do not directly exit at the southeast finished grade (e.g. This allows Unit 107 to be residential). The Phase 2 building is expected to have the same finished grade on all sides of the building and therefore the use definitions apply without modification.*

### **CD-4.1 Permitted Uses:**

CD-4.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Hotel*
  - (b) *Resort Condo*
  - (c) *Mixed Commercial/Residential, as modified per above.*
  - (d) *Marina*
  - (e) *Restaurant*
  - (f) *Neighbourhood Pub*
  - (g) *Retail*
  - (h) *Personal Services*
  - (i) *Commercial Entertainment*
  - (j) *Recreational Services*
  - (k) *Office*
  - (l) *Public Assembly*
  - (m) *Tourist Information Booth*
  - (n) *Daycare Centre*
  - (o) *Studio*
- (2) Secondary:           N/A

### **CD-4.2 Lot Regulations**

- CD-4.2.1 Minimum Lot Size: 2,428 m<sup>2</sup> (26,150 ft<sup>2</sup>)
- CD-4.2.2 Minimum Lot Frontage: N/A
- CD-4.2.3 Minimum Lot Width: N/A
- CD-4.2.4 Minimum Lot Depth: N/A

**CD-4.3 Density:**

CD-4.3.1 Maximum Number:

- (1) Hotel & Resort Condo combined:  
1 guest room or dwelling unit per 140 m<sup>2</sup> (1,522 ft<sup>2</sup>) lot area
- (2) Restaurant: 167 m<sup>2</sup> (1,800 ft<sup>2</sup>)
- (3) Neighbourhood Pub: 111 m<sup>2</sup> (1,200 ft<sup>2</sup>)
- (4) Retail: 784 m<sup>2</sup> (8,435 ft<sup>2</sup>)

CD-4.3.2 Maximum Floor Area Ratio: 2.2

CD-4.3.3 Maximum Lot Coverage: 90%

**CD-4.4 Maximum Size (Gross Floor Area):**

CD-4.4.1 Principal Building:

- (1) Restaurant: 167 m<sup>2</sup> (1,800 ft<sup>2</sup>)
- (2) Neighbourhood Pub: 111 m<sup>2</sup> (1,200 ft<sup>2</sup>)
- (3) Retail: 784 m<sup>2</sup> (8,437 ft<sup>2</sup>)

CD-4.4.2 Accessory Buildings: N/A

**CD-4.5 Maximum Height:**

- (1) Principal Buildings & Structures: 12 m (39 ft)
- (2) Accessory Buildings & Structures: 5 m (16 ft)

**CD-4.6 Minimum Setbacks:**

CD-4.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	0 m	0 m	4.2 m (14 ft)	0 m
(2) Accessory	5 m (16.5 ft)	1.5 m (5 ft)	0 m	1.5 m (5 ft)

## **CD-5 Zone - FORMER WEYCO FOREST LANDS**

*This Comprehensive Development Zone was established in 2005 from the following parent parcels:*

- *PID: 025-635-735 Lot 3 District Lots 286, 471, 472 and 473 Clayoquot District Plan VIP75113 Except that part in Plan VIP77604;*
- *PID: 025-635-743 Lot 4 District Lots 285, 286 and 473 Clayoquot District Plan VIP75113;*
- *PID: 009-398-031 District Lot 283 Clayoquot District Except part in Plans 31490 and 26106.*

*The density bonusing framework is based on a 15% parkland dedication/ amenity contribution, provided in the form of the Central Park dedication, cash contributions, public recreational amenities and open space, green space and trail areas secured by either dedication on a plan of subdivision or statutory right of way, along with requirements for affordable housing and staff housing. A Master Development Agreement was registered under S.219 Covenant EV125879 (October 3, 2005) and continues to apply, as amended, to govern the development and provision of remaining amenities.*

*The CD-5 Zone is divided into five (5) development areas, as reflected in CD-5A through CD-5E. The following three (3) plans aide in the interpretation of this zone:*

1. ***Overall Illustrative Land Use Concept Plan*** – *a representative example of the proposed layout and potential building form and scale, with exact configuration, siting, form and character to be determined at subdivision and development permit stage of development.*
2. ***Illustrative CD Zoning Plan and the Density*** – *dictates and confines the location of permitted uses and density, variations to require amendment to the Zoning Bylaw.*
3. ***Wild Pacific Trail / Trail Network Plan*** – *general representation of proposed approximate location of the Wild Pacific Trail and Subsidiary Trails (red dotted lines), with exact configuration to be determined at subdivision and development permit stage of development.*

*2013 Update: Subdivision and some development has commenced in this comprehensive development zone, as detailed below. The initial amenities were provided, and several are ongoing and expected as development proceeds, including parkland and trails.*

**CD-5 Zone Plans (Overall)**

**CD-5A SubZone (Development Area #1) WYNDANSEA/ SIGNATURE CIRCLE**

*2013 Update: This area was subdivided into 5 development parcels being Lots 1-4, Plan VIP84561 and Remainder Lot A. As detailed below:*

- *Lot 1 is intended for single family dwellings and has yet to be subdivided.*
- *Lot 2 is intended for a Hotel development with on or off-site Staff Housing.*
- *Lot 3 is intended for multiple family residential or resort condo or combination, density limited until affordable housing is provided off-site (in CD-5C – Lot 13 Plan VIP84686).*
- *Lot 4 was subdivided as the 30-lot “Signature Circle” bare land Strata Plan VIS6504.*
- *The Remainder Lot A is combined with the Adjacent Lot A, Plan VIP77604 for the proposed golf course (with holes also on CD-6 Zone).*

*The development stalled, and went into receivership, after initial subdivision.*

**CD-5A Plan (Development Area #1)**

**CD-5A.1 Permitted Uses:**

CD-5A.1.1 The following uses are permitted on Remainder Lot A, Plan 80031 and Adjacent Lot A, Plan VIP77604 but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) Golf Course
- (2) Secondary:
  - (a) Golf Course Clubhouse
  - (b) *Retail*

CD-5A.1.2 The following uses are permitted on Lot 1, Plan VIP84561 (and lots subdivided therefrom) but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

CD-5A.1.3 The following uses are permitted Lot 2, Plan VIP84561 but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*, though the *principal permitted use* in this case may be developed on-site or off-site if linked to and dedicated for use of the *Hotel*:

- (1) Principal:
  - (a) *Staff Housing*
- (2) Secondary:
  - (a) *Hotel*

CD-5A.1.4 The following uses are permitted Lot 3, Plan VIP84561 but *secondary permitted uses* are only permitted to exceed 50% density in conjunction with the *principal permitted use*, though the *principal permitted use* in this case is expected to be developed off-site, in CD-5C (Development Area #3) SubZone:

- (1) Principal:
  - (a) *Affordable Housing*
- (2) Secondary:
  - (a) *Multiple Family Residential*
  - (b) *Resort Condo*

CD-5A.1.5 The following uses are permitted on Strata Plan VIS6504 with no secondary permitted uses:

- (1) Principal:
  - (a) *Vacation Rental (VR-2)*
  - (b) *Park*
- (2) Secondary: *N/A*

**CD-5A.2 Lot Regulations**

CD-5A.2.1 Minimum Lot Size:

- (1) Single Family Dwelling:
  - (a) 728.5 m<sup>2</sup> (0.18 acre) with maximum of 1,375 m<sup>2</sup> (0.34 acre) for 40 lots
  - (b) 1,416 m<sup>2</sup> (0.35 acre) for 40 lots
- (2) Vacation Rental (VR-2): 1,618 m<sup>2</sup> (0.4 acre)
- (3) Multiple Family Residential: 4,047 m<sup>2</sup> (1 acre)
- (4) Hotel: 4 ha. (10 acre)
- (5) Resort Condo: 1,618 m<sup>2</sup> (0.4 acre)
- (6) All other uses: *N/A*

CD-5A.2.2 Minimum Lot Frontage:

- (1) Single Family Dwelling: 25 m (82 ft)
- (2) Vacation Rental (VR-2): 25 m (82 ft)
- (3) Multiple Family Residential: 23 m (75 ft)
- (4) Hotel: *N/A*
- (5) Resort Condo: 23 m (75 ft)
- (6) All other uses: *N/A*

CD-5A.2.3 Minimum Lot Width: *N/A*

CD-5A.2.4 Minimum Lot Depth: *N/A*

**CD-5A.3 Density:**

CD-5A.3.1 Maximum Number:

- (1) Single Family Dwelling: 80 lots; 1 per lot
- (2) Vacation Rental (VR-2): 30 lots; 1 per lot (*Signature Circle*)
- (3) Multiple Family Residential:
  - (a) Base Density: 35 *dwelling units*
  - (b) Bonus Density: Additional 35 *dwelling units* for maximum of 70 *dwelling units* on the provision of 10 *affordable housing units* in Development Area #3 (CD-5C SubZone).
- (4) Hotel:
  - (a) Base Density: 25 *guest rooms* or *dwelling units* combined
  - (b) Bonus Density Factor: Additional *guest rooms* or *dwelling units* on the provision of *staff housing* units constructed and secured by LGA s.905 Housing Agreement at a rate of 15% of total *guest rooms* or *dwelling units* combined;
  - (c) Bonus Density Maximum: 275 *guest rooms* or *dwelling units* combined on the provision of 42 *staff housing* units constructed and secured by LGA s.905 Housing Agreement.
- (5) Resort Condo:
  - (a) Base Density: 30 *dwelling units*
  - (b) Bonus Density: Additional 30 *dwelling units* for maximum of 60 *dwelling units* on the provision of 10 *affordable housing units* in Development Area #3 (CD-5C SubZone - Lot 13, Plan VIP84686) secured by LGA s.905 Housing Agreement.
- (6) Retail: 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)

CD-5A.4 Maximum Floor Area Ratio: N/A

CD-5A.4.1 Maximum Lot Coverage:

- (1) Single Family Dwelling: 20%
- (2) Vacation Rental (VR-2): 20%
- (3) Multiple Family Residential: 30%
- (4) Hotel: 20%
- (5) Resort Condo: 30%

(6) All other uses: N/A

**CD-5A.5 Maximum Size (Gross Floor Area):**

CD-5A.5.1 Principal Building: N/A

CD-5A.5.2 Accessory Buildings:

- (1) Single Family Dwelling: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (2) Vacation Rental (VR-2): 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (3) Multiple Family Residential: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (4) Hotel: 75 m<sup>2</sup> (800 ft<sup>2</sup>)
- (5) Resort Condo: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

**CD-5A.6 Maximum Height:**

- (1) Principal Buildings & Structures:
  - (a) Single Family Dwelling: 9 m (30 ft) or 2 ½ storey
  - (b) Vacation Rental (VR-2): 9 m (30 ft) or 2 ½ storey
  - (c) Multiple Family Residential: 11 m (36 ft) or 3 storey
  - (d) Hotel: 12 m (39 ft) or 3 storey
  - (e) Resort Condo: 11 m (36 ft) or 3 storey
  - (f) All other uses: 11 m (36 ft) or 3 storey
- (2) Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-5A.7 Minimum Setbacks:**

CD-5A.7.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Single Family Dwelling:				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , 7.5 m minimum <i>yard</i> setback applies to all <i>lot lines</i> of waterfront lots.				
(iv) In addition, for principal <i>building</i> , 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a golf course.				
(v) In addition, for principal <i>building</i> , 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
(2) Vacation Rental (VR-2):				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	5 m (16.5 ft)	7.5 m (25 ft)

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(iii) In addition, 10 m minimum yard setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> or <i>multiple family residential lot</i> .				
(iii) In addition, for principal <i>building</i> , 7.5 m minimum yard setback applies to all <i>lot lines</i> of waterfront lots.				
(iv) In addition, for principal <i>building</i> , 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a golf course.				
(v) In addition, for principal <i>building</i> , 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
(3) Multiple Family Residential:				
(i) Principal	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 10 m minimum yard setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> .				
(4) Hotel:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, for principal <i>buildings</i> , 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
(5) Resort Condo:				
(i) Principal	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	8 m (26 ft)
(iii) In addition, for principal <i>buildings</i> , 15 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> or <i>multiple family residential lot</i> .				

**CD-5B SubZone (Development Area #2) CENTRAL PARK**

*2013 Update: There has been no subdivision or development yet of the parent parcel Lot 4, Plan VIP75113 in this SubZone.*

**CD-5B Plan (Development Area #2)**

**CD-5B.1 Permitted Uses:**

CD-5B.1.1 The following uses are permitted but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Home Occupation*
  - (c) *Secondary Suite*

CD-5B.1.2 The following uses are permitted but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:

- (a) *Guest House*
- (2) Secondary:

- (a) *Guest Cottage*

CD-5B.1.3 The following uses are permitted but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Staff Housing*
- (2) Secondary:
  - (a) *Hotel*

CD-5B.1.4 The following uses are permitted but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Affordable Housing*
- (2) Secondary:
  - (a) *Multiple Family Residential*
  - (b) *Resort Condo*

CD-5B.1.5 The following uses are permitted with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Vacation Rental (VR-2)*
  - (b) *Community Use*
  - (c) *Park*
- (2) Secondary: *N/A*

## **CD-5B.2 Lot Regulations**

CD-5B.2.1 Minimum Lot Size:

- (1) *Single Family Dwelling*:
  - (a) 1,000 m<sup>2</sup> (¼ acre) for 10 *lots*
  - (b) for 26 *lots* combined total:
    - (i) 1,416 m<sup>2</sup> (0.35 acre) if accessed off minor collector road
    - (ii) 1,618 m<sup>2</sup> (0.4 acre) if accessed off a *major road*
- (2) *Vacation Rental (VR-2)*:
  - (a) for 22 *lots* combined total:

- (i) 1,416 m<sup>2</sup> (0.35 acre) if accessed off minor collector road
- (ii) 1,618 m<sup>2</sup> (0.4 acre) if accessed off a *major road*
- (3) Guest House: 2,000 m<sup>2</sup> (½ acre)
- (4) Multiple Family Residential: 1 ha (2.5 acres)
- (5) Hotel: 2 ha (5 acres)
- (6) Resort Condo: 8,094 m<sup>2</sup> (2 acres)
- (7) All other uses: N/A

CD-5B.2.2 Minimum Lot Frontage:

- (1) Single Family Dwelling:
  - (a) 21.3 m (70 ft) for *lots* less than 1,416 m<sup>2</sup> (0.35 acre)
  - (b) 25 m (82 ft) for *lots* equal to or exceeding 1,416 m<sup>2</sup> (0.35 acre)
- (2) Vacation Rental (VR-2):
  - (a) 21.3 m (70 ft) for lots less than 1,416m<sup>2</sup> (0.35 acre)
  - (b) 25 m (82 ft) for lots equal to or exceeding 1,416 m<sup>2</sup> m<sup>2</sup> (0.35 acre)
- (3) Guest House: 24 m (80 ft)
- (4) Multiple Family Residential: 23 m (75 ft)
- (5) Hotel: N/A
- (6) Resort Condo: 30 m (98.5 ft)
- (7) All other uses: N/A

CD-5B.2.3 Minimum Lot Width: N/A

CD-5B.2.4 Minimum Lot Depth: N/A

CD-5B.2.5 In addition, all lots having access onto a *major road* must have dual access easement for the purposes of a shared driveway.

**CD-5B.3 Density:**

CD-5B.3.1 Maximum Number:

- (1) Single Family Dwelling: 36 *lots*; 1 per *lot*
- (2) Vacation Rental (VR-2): 22 *lots*; 1 per *lot*
- (1) Guest House & Guest Cottages: 7 *lots* with
  - (a) 1 *guest house* per lot, with up to:
    - (i) 4 *guest rooms* if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
    - (ii) 6 *guest rooms* if lot area exceeds 4,000 m<sup>2</sup> (1 acre); plus

(b) 2 *guest cottages* per lot if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or

(c) 4 *guest cottages* per lot if lot area exceeds 4,000 m<sup>2</sup> (1 acre).

(3) Multiple Family Residential: 75 *dwelling units*

(4) Hotel: 75 *guest rooms* or *dwelling units* combined

(5) Resort Condo: 30 *dwelling units*

CD-5B.3.2 Maximum Floor Area Ratio: *N/A*

CD-5B.3.3 Maximum Lot Coverage:

(1) Single Family Dwelling: 20%

(2) Vacation Rental (VR-2): 20%

(3) Guest House: 40%

(4) Multiple Family Residential: 30%

(5) Hotel: 20%

(6) Resort Condo: 30%

(7) All other uses: *N/A*

CD-5B.3.4 In addition, *Guest House* lots must not exceed 20% of the CD-2B SubZone area.

**CD-5B.4 Maximum Size (Gross Floor Area):**

CD-5B.4.1 Principal Building: *N/A*

CD-5B.4.2 Accessory Buildings:

(1) Single Family Dwelling: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

(2) Vacation Rental (VR-2): 40 m<sup>2</sup> (430 ft<sup>2</sup>)

(3) Guest House & Guest Cottages:

(a) Guest Cottages: 46.45 m<sup>2</sup> (500 ft<sup>2</sup>)

(b) Other Accessory Buildings:

(i) 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) combined total if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or

(ii) 5% of lot area combined total if lot area exceeds 4,000 m<sup>2</sup> (1 acre)

(4) Multiple Family Residential: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

(5) Hotel: 75 m<sup>2</sup> (800 ft<sup>2</sup>)

(6) Resort Condo: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

**CD-5B.5 Maximum Height:**

- (1) Principal Buildings & Structures:
- (a) Single Family Dwelling: 9 m (30 ft) or 2 ½ storey
  - (b) Vacation Rental (VR-2): 9 m (30 ft) or 2 ½ storey
  - (c) Guest House: 9 m (30 ft) or 2 ½ storey
  - (d) Multiple Family Residential: 11 m (36 ft) or 3 storey
  - (e) Hotel: 12 m (39 ft) or 3 storey
  - (f) Resort Condo: 11 m (36 ft) or 3 storey
- (2) Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-5B.6 Minimum Setbacks:**

CD-5B.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Single Family Dwelling (Non-waterfront lots less than 1,618 m <sup>2</sup> (0.4 acres) in lot area):				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	2.5 m (8 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	2.5 m (8 ft)	2.5 m (8 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
(2) Single Family Dwelling (Non-waterfront lots equal to or exceeding 1,618 m <sup>2</sup> (0.4 acres) in lot area):				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	2.5 m (8 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
(3) Single Family Dwelling (All waterfront lots):				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
(4) Vacation Rental (VR-2):				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> or <i>multiple family residential</i> lot.				

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback															
<p>(iii) In addition, for principal <i>building</i>, 7.5 m minimum <i>yard</i> setback applies to all <i>lot lines</i> of waterfront lots.</p> <p>(iv) In addition, for principal <i>building</i>, 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a golf course.</p> <p>(v) In addition, for principal <i>building</i>, 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i>.</p>																			
<p>(5) Guest House &amp; Guest Cottages:</p> <table border="0"> <tr> <td>(i) Principal</td> <td>7.5 m (25 ft)</td> <td>6 m (20 ft)</td> <td>4 m (13 ft)</td> <td>7.5 m (25 ft)</td> </tr> <tr> <td>(ii) Accessory Guest Cottage</td> <td>7.5 m (25 ft)</td> <td>4 m (13 ft)</td> <td>4 m (13 ft)</td> <td>7.5 m (25 ft)</td> </tr> <tr> <td>(iii) Accessory Other</td> <td>7.5 m (25 ft)</td> <td>5 m (16.5 ft)</td> <td>4 m (13 ft)</td> <td>5 m (16.5 ft)</td> </tr> </table> <p>(iv) In addition, <i>guest cottages</i> and all other <i>accessory buildings</i> and <i>structures</i> must be located:</p> <p style="padding-left: 40px;">(A) to the rear of the <i>front face</i> of the principal <i>building</i>, and</p> <p style="padding-left: 40px;">(B) at least 3 m (10 ft) from the principal <i>building</i>.</p> <p>(v) In addition, each <i>guest cottage</i> must be located at least 3 m (10 ft) from every other <i>guest cottage</i>.</p>					(i) Principal	7.5 m (25 ft)	6 m (20 ft)	4 m (13 ft)	7.5 m (25 ft)	(ii) Accessory Guest Cottage	7.5 m (25 ft)	4 m (13 ft)	4 m (13 ft)	7.5 m (25 ft)	(iii) Accessory Other	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	4 m (13 ft)	7.5 m (25 ft)															
(ii) Accessory Guest Cottage	7.5 m (25 ft)	4 m (13 ft)	4 m (13 ft)	7.5 m (25 ft)															
(iii) Accessory Other	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)															
<p>(6) Multiple Family Residential:</p> <table border="0"> <tr> <td>(i) Principal</td> <td>8 m (26 ft)</td> <td>8 m (26 ft)</td> <td>8 m (26 ft)</td> <td>8 m (26 ft)</td> </tr> <tr> <td>(ii) Accessory</td> <td>7.5 m (25 ft)</td> <td>5 m (16.5 ft)</td> <td>5 m (16.5 ft)</td> <td>5 m (16.5 ft)</td> </tr> </table> <p>(iii) In addition, 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i>.</p>					(i) Principal	8 m (26 ft)	(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)								
(i) Principal	8 m (26 ft)	8 m (26 ft)	8 m (26 ft)	8 m (26 ft)															
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)															
<p>(7) Hotel:</p> <table border="0"> <tr> <td>(i) Principal</td> <td>7.5 m (25 ft)</td> <td>8 m (26 ft)</td> <td>5 m (16.5 ft)</td> <td>8 m (26 ft)</td> </tr> <tr> <td>(ii) Accessory</td> <td>7.5 m (25 ft)</td> <td>5 m (16.5 ft)</td> <td>5 m (16.5 ft)</td> <td>5 m (16.5 ft)</td> </tr> </table> <p>(iii) In addition, for principal <i>buildings</i>, 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i>.</p>					(i) Principal	7.5 m (25 ft)	8 m (26 ft)	5 m (16.5 ft)	8 m (26 ft)	(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)					
(i) Principal	7.5 m (25 ft)	8 m (26 ft)	5 m (16.5 ft)	8 m (26 ft)															
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)															
<p>(8) Resort Condo:</p> <table border="0"> <tr> <td>(i) Principal</td> <td>7.5 m (25 ft)</td> <td>7.5 m (25 ft)</td> <td>7.5 m (25 ft)</td> <td>7.5 m (25 ft)</td> </tr> <tr> <td>(ii) Accessory</td> <td>5 m (16.5 ft)</td> <td>5 m (16.5 ft)</td> <td>7.5 m (25 ft)</td> <td>7.5 m (25 ft)</td> </tr> </table> <p>(iii) In addition, for principal <i>buildings</i>, 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i>, <i>vacation rental</i> or <i>multiple family residential</i> lot.</p> <p>(iv) In addition, for principal <i>buildings</i>, 8 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>vacation rental</i> lot.</p> <p>(v) In addition, for principal <i>buildings</i>, 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting the adjacent (non CD-5) <i>lot</i> to the northwest.</p>					(i) Principal	7.5 m (25 ft)	(ii) Accessory	5 m (16.5 ft)	5 m (16.5 ft)	7.5 m (25 ft)	7.5 m (25 ft)								
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)															
(ii) Accessory	5 m (16.5 ft)	5 m (16.5 ft)	7.5 m (25 ft)	7.5 m (25 ft)															

*(June 10, 2013)*

**CD-5C SubZone (Development Area 3) - MORE OCEANWEST**

*2013 Update: There has been subdivision and some development, named "OceanWest Phase II", of the east half of this SubZone. Plan VIP84686 created 36 lots with Lots 13-36 in this SubZone.*

- *Lot 13 is intended for Affordable Housing (including the density bonusing component of the CD-5A Subzone Lot 3 development).*
- *Lot 16-36 were created as single family dwelling lots;*
- *Lot 14 was subdivided into 19 additional single family dwelling lots (Lots 37-55 Plan VIP86134); and*
- *Lot 15 was subdivided into 18 additional single family dwellings lots (Lots 56-73 Plan VIP86449).*

*Additional single family dwelling, multiple family dwelling and other uses remain to be subdivided and developed in accordance with the original development concept.*

**CD-5C Plan (Development Area #3)**

**CD-5C.1 Permitted Uses:**

CD-5C.1.1 The following uses are permitted on Lots 14-36 Plan VIP84686 (and lots subdivided therefrom) and portions of the undeveloped remainder in accordance with the Concept Plan, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Bed and Breakfast*
  - (b) *Secondary Suite*

CD-5C.1.2 The following uses are permitted on Lot 13 Plan VIP84686 and portions of the undeveloped remainder in accordance with the Concept Plan but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Affordable Housing*
- (2) Secondary:
  - (a) *Multiple Family Residential*

CD-5C.1.3 The following uses are permitted on portions of the undeveloped remainder in accordance with the Concept Plan with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Retail*
  - (b) *Institutional*
  - (c) *Community Use*
  - (d) *Park*
- (2) Secondary: *N/A*

**CD-5C.2 Lot Regulations**

CD-5C.2.1 Minimum Lot Size:

- (1) Single Family Dwelling:
  - (a) 405 m<sup>2</sup> (0.1 acre) with maximum of 647.5 m<sup>2</sup> (0.16 acre) for at least 40 *lots* but not exceeding 50 lots;

(b) 647.5 m<sup>2</sup> (0.16 acre) between 1,416 m<sup>2</sup> (0.35 acre) for at least 10 *lots* but not exceeding 15 *lots*;

(c) 1,416 m<sup>2</sup> (0.35 acre) for at least 55 *lots* but not exceeding 70 *lots*;

- (2) Multiple Family Residential: 1 ha (2.5 acres)
- (3) *Affordable Housing*: 12,140 m<sup>2</sup> (3 acres)
- (4) Retail: 2,000 m<sup>2</sup> (½ acre)
- (5) Institutional: 2,000 m<sup>2</sup> (½ acre)
- (6) All other uses: N/A

CD-5C.2.2 Minimum Lot Frontage:

- (1) Single Family Dwelling:
  - (a) 10 m (33 ft) for *lots* less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)
  - (b) 25 m (82 ft) for *lots* equal to or exceeding 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)
- (2) Multiple Family Residential: 23 m (75 ft)
- (3) *Affordable Housing*: 23 m (75 ft)
- (4) Retail: N/A
- (5) Institutional: 23 m (75 ft)
- (6) *Community Use*: 23 m (75 ft)
- (7) All other uses: N/A

CD-5C.2.3 Minimum Lot Width:

- (1) Single Family Dwelling: 10 m (33 ft) for *lots* less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)

CD-5C.2.4 Minimum Lot Depth: N/A

CD-5C.2.5 In addition, all *lots* having access onto a *major road* must have dual access easement for the purposes of a shared driveway.

**CD-5C.3 Density:**

CD-5C.3.1 Maximum Number:

- (1) Single Family Dwelling: 120 *lots*; 1 per lot
- (2) Multiple Family Residential: 80 *dwelling units*
- (3) Retail: 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)

**CD-5C.4 Maximum Floor Area Ratio:** N/A

CD-5C.4.1 Maximum Lot Coverage:

- (1) Single Family Dwelling:
  - (a) 40% for *lots* less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)
  - (b) 25% for *lots* equal to or exceeding 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)
- (2) Multiple Family Residential: 30%
- (3) *Affordable Housing*: 25%
- (4) Retail: 25%
- (5) Institutional: 30%
- (6) *Community Use*: 30%
- (7) All other uses: N/A

**CD-5C.5 Maximum Size (Gross Floor Area):**

CD-5C.5.1 Principal Building: N/A

CD-5C.5.2 Accessory Buildings:

- (1) Single Family Dwelling: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (2) Multiple Family Residential: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (3) *Affordable Housing*: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (4) Retail: 80 m<sup>2</sup> (860 ft<sup>2</sup>)
- (5) Institutional: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (6) *Community Use*: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (7) All other uses: N/A

**CD-5C.6 Maximum Height:**

- (1) Principal Buildings & Structures:
  - (a) Single Family Dwelling: 9 m (30 ft)
  - (b) Multiple Family Residential: 11 m (36 ft)
  - (c) *Affordable Housing*: 11 m (36 ft)
  - (d) Retail: 10 m (33 ft)
  - (e) Institutional: 11 m (36 ft)
  - (f) *Community Use*: 11 m (36 ft)
  - (g) All other uses: N/A
- (2) Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-5C.7 Minimum Setbacks:**

CD-5C.7.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Single Family Dwelling (Lots less than 647.5 m <sup>2</sup> (0.16 acres) in lot area):				
(i) Principal	5 m (16.5 ft)	5 m (16.5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
(2) Single Family Dwelling (Lots at least 647.5 m <sup>2</sup> (0.16 acre) but not exceeding 1,416 m <sup>2</sup> (0.35 acre) in lot area):				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(3) Single Family Dwelling (Lots equal to or exceeding 1,416 m <sup>2</sup> (0.35 acre) in lot area)				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(iv) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
(6) Multiple Family Residential & Affordable Housing:				
(i) Principal	8 m (26 ft)	8 m (26 ft)	8 m (26 ft)	8 m (26 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot.				
(4) Retail, Institutional & Community Use:				
(i) Principal	3 m (10 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)

**CD-5D SubZone (Development Area 4) WILD PACIFIC**

*2013 Update: There has been no subdivision or development of the SubZone.*

**CD-5D Plan (Development Area #4):**

**CD-5D.1 Permitted Uses:**

CD-5D.1.1 The following uses are permitted but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*, though the *principal permitted use* in this case may be developed on-site or off-site if linked to and dedicated for use of the *Hotel*:

- (1) Principal:
  - (a) *Staff Housing*
- (2) Secondary:
  - (a) *Hotel*

CD-5D.1.2 The following uses are permitted with no *secondary permitted uses*:

(1) Principal:

(a) *Park*

(2) Secondary: *N/A*

**CD-5D.2 Lot Regulations**

CD-5D.2.1 Minimum Lot Size:

(1) Hotel: 4 ha. (10 acre)

(2) All other uses: *N/A*

CD-5D.2.2 Minimum Lot Frontage: *N/A*

CD-5D.2.3 Minimum Lot Width: *N/A*

CD-5D.2.4 Minimum Lot Depth: *N/A*

**CD-5D.3 Density:**

CD-5D.3.1 Maximum Number: 2 *Hotels*

(1) Hotel:

(a) Base Density: 25 *guest rooms or dwelling units* combined

(b) Bonus Density Factor: Additional *guest rooms or dwelling units* on the provision of *staff housing* units constructed and secured by LGA s.905 Housing Agreement at a rate of 15% of total *guest rooms or dwelling units* combined;

(c) Bonus Density Maximum: 350 *guest rooms or dwelling units* combined on the provision of 52 *staff housing* units constructed and secured by LGA s.905 Housing Agreement.

**CD-5D.4 Maximum Floor Area Ratio:** *N/A*

CD-5D.4.1 Maximum Lot Coverage:

(1) Hotel: 50%

(2) All other uses: *N/A*

**CD-5D.5 Maximum Size (Gross Floor Area):**

CD-5D.5.1 Principal Building: *N/A*

CD-5D.5.2 Accessory Buildings:

(1) Hotel: 75 m<sup>2</sup> (800 ft<sup>2</sup>)

(2) All other uses: *N/A*

**CD-5D.6 Maximum Height:**

- (1) Principal Buildings & Structures:
  - (a) Staff Housing: 9 m (30 ft)
  - (b) Hotel: 12 m (39 ft) or 3 storey
- (2) Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-5D.7 Minimum Setbacks:**

CD-5D.7.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Staff Housing:				
(i) Principal	15 m (50 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	15 m (50 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(2) Hotel:				
(i) Principal	15 m (50 ft)	8 m (26 ft)	7.5 m (25 ft)	8 m (26 ft)
(ii) Accessory	15 m (50 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, for principal <i>buildings</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot or <i>multiple family residential</i> lot.				

**CD-5E SubZone (Development Area 5) OCEANWEST PHASE I**

*2013 Update: This SubZone has been completed subdivided. Plan VIP84686 created 36 lots, Lots 1-12 of which are in this development area:*

- *Lot 1 was subdivided into 8 bare land strata lots (VIS6520).*
- *Lots 2 to 11 uses are allocated as identified below.*
- *Lot 12 (resort condo) has been transferred to the adjacent Black Rock Resort who has identified the intent to apply for future rezoning for staff housing on their adjacent Lot 1 Plan VIP85870 combined with additional density for Lot 12 (See Covenant FB224322). The existing resort condo and proposed affordable housing can proceed without rezoning but additional density or alternate uses will require a rezoning application.*

*Amenities for this development area have been provided with the creation of the development lots in this SubZone. Several lots have yet to be built upon.*

**CD-5E Plan (Development Area #5)**

**CD-5E.1 Permitted Uses:**

CD-5E.1.1 The following uses are permitted on Lots 2 and 5-11 Plan VIP84686 and Lots A-G Plan VIS6520 and the area of the CD-5E Comprehensive Development Plan labeled “Vacation Rental (VR-1)”, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Vacation Rental (VR-1)*
- (2) Secondary: *N/A*

CD-5E.1.2 The following uses are permitted on Lots 3 and 4 Plan VIP84686 and Lot H Plan VIS6520, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Guest House*
- (2) Secondary:
  - (a) *Guest Cottage*

CD-5E.1.3 The following uses are permitted on Lot 12 Plan VIP84686 and Lots A-G Plan VIS6520 and the area of the CD-5E Comprehensive Development Plan labeled “Vacation Rental (VR-1)”, with no *secondary permitted uses*:

- (1) Principal:
  - (a) *Resort Condo*
- (2) Secondary: *N/A*

**CD-5E.2 Lot Regulations**

CD-5E.2.1 Minimum Lot Size:

- (1) *Vacation Rental (VR-1)*, for 16 lots combined total:
  - (i) 1,416 m<sup>2</sup> (0.35 acre) if accessed off minor collector road
  - (ii) 2,000 m<sup>2</sup> (½ acre) if accessed off a *major road*
- (2) Guest House: 2,000 m<sup>2</sup> (½ acre)
- (3) Resort Condo: 1 ha (2.5 acres)

CD-5E.2.2 Minimum Lot Frontage:

- (1) *Vacation Rental (VR-1)*: 25 m (82 ft)
- (2) Guest House: 24 m (80 ft)

- (3) Resort Condo: 23 m (75 ft)
- CD-5E.2.3 Minimum Lot Width: N/A
- CD-5E.2.4 Minimum Lot Depth: N/A
- CD-5E.2.5 In addition, all *lots* having access onto a *major road* must have dual access easement for the purposes of a shared driveway.

**CD-5E.3 Density:**

CD-5E.3.1 Maximum Number:

- (1) Vacation Rental (VR-1): 16 *lots*; 1 per *lot*
- (2) Guest House & Guest Cottages: 3 *lots*;
  - (a) 1 *guest house* per *lot*, with up to:
    - (i) 4 *guest rooms* if *lot area* between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
    - (ii) 6 *guest rooms* if *lot area* exceeds 4,000 m<sup>2</sup> (1 acre); plus
  - (b) 2 *guest cottages* per *lot* if *lot area* between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
  - (c) 4 *guest cottages* per *lot* if *lot area* exceeds 4,000 m<sup>2</sup> (1 acre).
- (2) Resort Condo: 30 *dwelling units*

CD-5E.3.2 Maximum Floor Area Ratio: N/A

CD-5E.3.3 Maximum Lot Coverage:

- (1) Vacation Rental (VR-1): 25%
- (2) Guest House: 40%
- (3) Resort Condo: 25%

**CD-5E.4 Maximum Size (Gross Floor Area):**

CD-5E.4.1 Principal Building: N/A

CD-5E.4.2 Accessory Buildings:

- (1) Vacation Rental (VR-1): 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (2) Guest House & Guest Cottages:
  - (a) Guest Cottages: 46.45 m<sup>2</sup> (500 ft<sup>2</sup>)
  - (b) Other Accessory Buildings:
    - (i) 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) combined total if *lot area* between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup> (1 acre), or
    - (ii) 5% of *lot area* combined total if *lot area* exceeds 4,000 m<sup>2</sup> (1 acre).
- (3) Resort Condo: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

**CD-5E.5 Maximum Height:**

- (1) Principal Buildings & Structures:
  - (a) Vacation Rental (VR-1): 9 m (30 ft) or 2 ½ storey
  - (b) Guest House: 9 m (30 ft) or 2 ½ storey
  - (c) Resort Condo: 11 m (36 ft) or 3 storey
- (2) Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-5E.6 Minimum Setbacks:**

CD-5E.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Vacation Rental (VR-1) Non-waterfront lots:				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, 10 m minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> or <i>multiple family residential lot</i> .				
(iii) In addition, for principal <i>building</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>major road</i> .				
(2) Vacation Rental (VR-1) All waterfront lots:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	5 m (16.5 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(3) Guest House & Guest Cottages:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	4 m (13 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	4 m (13 ft)	4 m (13 ft)	7.5 m (25 ft)
Guest Cottage				
(iii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	4 m (13 ft)	5 m (16.5 ft)
Other				
(v) In addition, each <i>guest cottage</i> must be detached from every other <i>guest cottage</i> .				
(iv) In addition, <i>guest cottages</i> and all other <i>accessory buildings</i> and <i>structures</i> must be located:				
(A)	to the rear of the <i>front face</i> of the principal <i>building</i> , and			
(B)	at least 3 m (10 ft) from the principal <i>building</i> .			
(4) Resort Condo:				

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(i) Principal	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)	10 m (33 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, for principal <i>buildings</i> , 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> or <i>guest house</i> or <i>multiple family residential lot</i> .				

**CD-6 Zone - OLSEN BAY (Lot 5, Plan VIP75113)**

*This Comprehensive Development Zone was intended as an extension of and complement to Development Area #1 of the CD-5 Zone (now CD-5A SubZone), with golf course crossing Peninsula Road into both zones and trails expected to connect, but can be developed on its own.*

*The densities identified below were bonused and based on a 15% open space dedication/amenity contribution, provided in the form of the park dedication (minimum 12.9 ha), cash contributions, public recreational amenities and open space, green space and trail areas secured by either dedication on a plan of subdivision or statutory right of way, further to Section 203 of this Bylaw, along with requirements for staff housing, with development (other than the golf course) at 5 units/hectare base density if amenities not provided.*

*2013 Update: There has been no subdivision or development and amenities remain outstanding and, in some cases, overdue.*

*The regulations and requirements of this Zone are supplemented with Master Development Agreement and S.219 Covenant registered on title under FA102255 (August 22, 2006) as amended.*

*The below Overall Land Use Concept Plan, intended as the CD-6 Comprehensive Development Plan ("CD-6 Plan"), dictates and confines the location of permitted uses and density, with variations to require amendment of the Zoning Bylaw. However, exact configuration of roads and buildings may be determined at subdivision and development permit stage of development without bylaw amendment.*

**CD-6 Plan per Zoning Amendment Bylaw 1030, 2006**

**CD-6.2 Permitted Uses:**

CD-6.2.1 The following uses are permitted in the area of the CD-6 Comprehensive Development Plan labeled “Guest Houses”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Guest House*
- (2) Secondary:
  - (a) *Guest Cottage*

CD-6.2.2 The following uses are permitted in the area of the CD-6 Comprehensive Development Plan labeled “Single Family”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
  - (b) *Vacation Rental (VR-1)*
  - (c) *Vacation Rental (VR-2)*
- (2) Secondary:
  - (a) *Secondary Suite*

CD-6.2.3 The following uses are permitted in areas of the CD-6 Comprehensive Development Plan not labeled “Single Family” or “Guest House”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Retail*
  - (b) *Golf Course*
- (2) Secondary:
  - (a) *Golf Course Clubhouse*

CD-6.2.4 The following uses are permitted in areas of the CD-6 Comprehensive Development Plan not labeled “Single Family” or “Guest House”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Staff Housing*

- (2) Secondary:
  - (a) *Hotel*

**CD-6.3 Lot Regulations**

CD-6.3.1 Minimum Lot Size:

- (1) Single Family Dwelling: 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) with maximum of 1,115 m<sup>2</sup> (12,000 ft<sup>2</sup>)
- (2) Vacation Rental (VR-1): 1,000 m<sup>2</sup> (¼ acre)
- (3) Vacation Rental (VR-2):
  - (a) 1,000 m<sup>2</sup> (¼ acre) for 85 lots
  - (b) 1,600 m<sup>2</sup> (17,220 ft<sup>2</sup>) for 35 lots
- (4) Guest House: 2,000 m<sup>2</sup> (½ acre)
- (5) Hotel: 4 ha. (10 acre)
- (6) All other uses: N/A

CD-6.3.2 Minimum Lot Frontage:

- (1) Single Family Dwelling: 25 m (82 ft)
- (2) Vacation Rental (VR-1): 25 m (82 ft)
- (3) Vacation Rental (VR-2): 25 m (82 ft)
- (4) Guest House: 24 m (80 ft)
- (5) Hotel: N/A
- (6) Retail: 23 m (75 ft)

CD-6.3.3 Minimum Lot Width: N/A

CD-6.3.4 Minimum Lot Depth: N/A

**CD-6.4 Density:**

CD-6.4.1 Maximum Number:

- (1) Single Family Dwelling: 147 lots; 1 per lot
- (2) Vacation Rental (VR-1): 50 lots; 1 per lot
- (3) Vacation Rental (VR-2): 120 lots; 1 per lot
- (4) Guest House & Guest Cottages: 4 lots with
  - (i) 1 guest house per lot, with up to:
  - (ii) 4 guest rooms if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
  - (iii) 6 guest rooms if lot area exceeds 4,000 m<sup>2</sup>; plus

- (b) 2 *guest cottages* per lot if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup>, or
- (c) 4 *guest cottages* per lot if lot area exceeds 4,000 m<sup>2</sup>.

(5) Hotel:

- (a) Base Density: 10 *guest rooms* or *dwelling units* combined
- (b) Bonus Density Factor: Additional *guest rooms* or *dwelling units* on the provision of *staff housing* units constructed and secured by LGA s.905 Housing Agreement at a rate of 17% of total *dwelling units* and *guest rooms* combined;
- (c) Bonus Density Maximum: 125 *guest rooms* or *dwelling units* combined on the provision of 22 *staff housing* units constructed and secured by LGA s.905 Housing Agreement.

(6) Retail: 2,000 m<sup>2</sup> (½ acre) combined total

CD-6.4.2 Maximum Floor Area Ratio: N/A

CD-6.4.3 Maximum Lot Coverage:

- (1) Single Family Dwelling: 20%
- (2) Vacation Rental (VR-1): 20%
- (3) Vacation Rental (VR-2): 20%
- (4) Guest House: 30%
- (5) Hotel: 30%
- (6) Retail: 30%

**CD-6.5 Maximum Size (Gross Floor Area):**

CD-6.5.1 Principal Building: N/A

CD-6.5.2 Accessory Buildings:

- (1) Single Family Dwelling: 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (2) Vacation Rental (VR-1): 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (3) Vacation Rental (VR-2): 40 m<sup>2</sup> (430 ft<sup>2</sup>)
- (4) Guest Houses and Guest Cottages:
  - (a) Guest Cottages: 46.45 m<sup>2</sup> (500 ft<sup>2</sup>)
  - (b) Other Accessory Buildings:
    - (i) 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) combined total if lot area between 2,000 m<sup>2</sup> and 4,000 m<sup>2</sup> (1 acre), or

(ii) 5% of lot area combined total if lot area exceeds 4,000 m<sup>2</sup> (1 acre).

(5) Hotel: 200 m<sup>2</sup> (2,150 ft<sup>2</sup>)

(6) Retail: 40 m<sup>2</sup> (430 ft<sup>2</sup>)

**CD-6.6 Maximum Height:**

(1) Principal Buildings & Structures:

(a) Single Family Dwelling: 10 m (33 ft)

(b) Vacation Rental (VR-1): 10 m (33 ft)

(c) Vacation Rental (VR-2): 10 m (33 ft)

(d) Guest House: 9 m (30 ft) or 2 ½ storey

(e) Hotel: 12 m (39 ft) or 3 storey

(f) Retail: 11 m (36 ft) or 3 storey

(2) Accessory Buildings & Structures: 5.5 m (18 ft)

**CD-6.7 Minimum Setbacks:**

CD-6.7.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Single Family Dwelling:				
(i) Principal	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	5 m (16.5 ft)	5 m (16.5 ft)	5 m (16.5 ft)
(iii) In addition, 7.5 m minimum yard setback applies to all <i>lot lines</i> of waterfront lots.				
(iv) In addition, 10 m minimum yard setback applies to all <i>lot lines</i> abutting a golf course.				
(v) In addition, all <i>lots</i> exceeding 929 m <sup>2</sup> (10,000 ft <sup>2</sup> ) must have dual access easement for the purposes of a shared driveway.				
(2) Vacation Rental (VR-1) and Vacation Rental (VR-2):				
(i) Principal	10 m (33 ft)	10 m (33 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 7.5 m minimum yard setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot.				
(iv) In addition, all <i>lots</i> exceeding 929 m <sup>2</sup> (10,000 ft <sup>2</sup> ) must have dual access easement for the purposes of a shared driveway.				
(3) Guest House:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(ii) Accessory	N/A	N/A	N/A	N/A
(iii) In addition, all <i>lots</i> exceeding 929 m <sup>2</sup> (10,000 ft <sup>2</sup> ) must have dual access easement for the purposes of a shared driveway.				
(4) Hotel:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 30 m (98.5 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>single family dwelling</i> lot.				
(iv) In addition, 15 m (50 ft) minimum <i>yard</i> setback applies to all <i>lot lines</i> abutting a <i>vacation rental (VR-1)</i> or <i>vacation rental (VR-2)</i> lot.				

**READ A FIRST TIME** this XX day of XXX, 20XX.

**READ A SECOND TIME** this XX day of XXX, 20XX.

**READ A THIRD TIME** this XX day of XXX, 20XX.

**ADOPTED** this XX day of XXX, 20XX.

**CERTIFIED A TRUE AND CORRECT COPY** of "District of Ucluelet Zoning Bylaw No. 1160, 2013."

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Mayor  
Bill Irving

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CAO  
Andrew Yeates

**THE CORPORATE SEAL** of the  
District of Ucluelet was hereto  
affixed in the presence of:

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CAO  
Andrew Yeates