

# Village of Belcarra

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Zoning Bylaw No. 510, 2017

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# VILLAGE OF BELCARRA BYLAW NO. 510, 2017

## **A BYLAW TO REGULATE THE ZONING AND DEVELOPMENT OF REAL PROPERTY WITHIN THE MUNICIPALITY**

**WHEREAS** the Local Government Act authorizes a local government to enact bylaws respecting zoning and certain other related developmental matters;

**AND WHEREAS** the Local Government Act also authorizes a local government to exercise these powers in a single bylaw;

**NOW THEREFORE** the Municipal Council of the Village of Belcarra in open meeting assembled enacts as follows.

## Section 100: Scope and Definitions

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### 101 – TITLE

This Bylaw may be cited for all purposes as “Village of Belcarra Zoning Bylaw No. 510, 2017”.

### 102 – PURPOSE

The principal purpose of this Bylaw is to regulate development in the municipality for the benefit of the community as a whole.

### 103 – APPLICATION

No land, water surface, building or structure shall be used or occupied, and no building or structure or part thereof shall be erected, moved, altered or enlarged, unless in conformity with this Bylaw, except as otherwise provided for by statute.

### 104 – DEFINITIONS

In this Bylaw:

- **Accessory Building** means a building located on a parcel, the use of which building is incidental and ancillary to the principal permitted use of the land or buildings or structures located on the same parcel;
- **Accessory Coach House Use** means a separate dwelling unit that is completely contained within an Accessory Building and is subordinate to the principal Dwelling Unit on the same parcel;
- **Accessory Parking Use** means a Parking Use that is clearly incidental and ancillary to, the principal use of the land, buildings or structures located on the same parcel;
- **Accessory Single Family Residential Use** means a residential use accessory to a Civic, Assembly or Park Facility use consisting of one Dwelling Units for the accommodation of an owner, operator, manager or employee on the same parcel as that on which the use occurs;
- **Accessory Secondary Suite Use** means a separate Dwelling Unit that is completely contained within the Principal Building and is subordinated to the principal Dwelling Unit on the same parcel;
- **Accessory Structure** means construction of any kind whether fixed to, supported by or sunk into land (e.g., Fences, Retaining Walls, Sewage System, storage sheds, swimming pools, platforms, display signs), and the use of which is incidental and ancillary to the principal permitted use of the land, or buildings or structures located on the same parcel;
- **Accessory Use** – see Permitted Accessory Use;
- **Approving Officer** means the Approving Officer appointed pursuant to the Land Title Act;
- **Alter** means any change to a building or structure that would result in an increase in floor area;

- **Assembly Use** means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, private recreational or private educational purposes; includes churches, places of worship, auditoriums, youth centres, social halls, group camps, private schools, kindergartens, play schools, day nurseries and group day cares;
- **Average Finished Grade** means the average of elevations taken at the outermost corners of the finished elevation adjoining each exterior wall of a building;
- **Average Natural Grade** means the average of natural elevations of each exterior wall of a proposed building prior to construction and grading, taken at the time of enactment of this Bylaw (refer to General Regulation Section 206 for method of calculation);
- **Basement** means a Storey or Storeys of a building below the First Storey;
- **Berth** means an allotted place at a wharf or dock for a marine vessel;
- **Boat Launch (Cartop) Use** means a place for launching a boat or watercraft that can be easily transported on the roof of a car (e.g., canoes, kayaks, small rowboats, bass boats, sailboats, inflatable boats);
- **Building** means any structure and portion thereof, including affixed mechanical devices, that is used or intended to be used for the purpose of supporting or sheltering any use or occupancy;
- **Building Footprint** means the area of the lowest floor contained within the building's exterior walls measured from the exterior face of the exterior walls at the point the exterior walls are supported by the foundation; (Amended as per Bylaw 414, 2009)
- **Building Inspector** means the Building Inspector of the Village of Belcarra;
- **Building Setback** means the required minimum horizontal distance between a portion of a building or structure to a designated lot line;
- **Carport** means an open or partially enclosed structure attached to the Principal Building for the use of parking or for temporary storage of private motor vehicles;
- **Chief Administrative Officer** means the Chief Administrative Officer (CAO) of the Village of Belcarra;
- **Childcare, Family** means use of a Dwelling Unit for the care of not more than seven (7) children, licensed under the Community Care Facility Act;
- **Childcare, Group** means a use or facility providing for the care of more than seven (7) children in a group setting, licensed under the Community Care Facility Act, and includes a nursery school and pre-school;
- **Civic Use** means a use providing for public functions; includes municipal offices, schools, community centres, libraries, museums, parks, playgrounds, cemeteries, fire halls, and works yards;
- **Council** means the Council of the Village of Belcarra;

Proposed changes or items currently being discussed by the ZAC are noted with yellow highlights

- **Derelict Vehicle** means a car, boat, truck or similar vehicle that has not been licensed for a period of one (1) year, or has been abandoned, and is not enclosed within a structure or building;
- **Development** means a change in the use of any land, building or structure, the carrying out of any building, engineering, construction or other operation, or the construction, addition or alteration of any building or structure;
- **Duplex Residential Use** means a residential use in a single building which is used only for two (2) Dwelling Units, the two (2) Dwelling Units to be situated side by side sharing a common wall for a minimum of 10 metres (32.8 feet);
- **Dwelling Unit** means one or a set of habitable rooms used or intended to be used for the residential accommodation of one family and containing only one set of cooking facilities;
- **Elevation** means, with respect to the definition of Average Finished Grade, a measurement of the height of land above an assumed datum;
- **Family** means:
  - (a) one person alone, or two or more persons related by blood, marriage, adoption, or foster parenthood sharing one dwelling unit; or
  - (b) not more than three unrelated persons sharing one Dwelling Unit;
- **Fence** means a type of screening consisting of a structure that is used to form a boundary or enclose an area, but excludes hedges, trees and other types of natural vegetation;
- **First Storey** means the uppermost Storey having its floor level not more than 2 metres (6.6 feet) above grade;
- **Floor Area Ratio** (FAR) means the figure obtained when the area of the floors of the buildings on a parcel is divided by the area of the parcel.
- **Garage** means an Accessory Building or that portion of a Principal Building, that is used for the parking of one or more motor vehicles and is totally enclosed with a roof, walls, and one or more doors;
- **Grade** (as applying to the determination of building height) means the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions such as for vehicle or pedestrian entrances shall be excluded in the determination of average levels of finished ground;
- **Gross Floor Area** means the total area of all floors of principal and accessory buildings on a lot measured to the outermost surface of the exterior walls, minus applicable floor area exclusions (refer to General Regulation Section 209 for floor areas excluded from Floor Area Ratio);
- **Guard** means a protective barrier around openings in floors at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways or other locations to prevent accidental falls from one level to another. Such barrier may or may not have openings through it;
- **Height (of a building or structure)** means the vertical distance from the Average Natural Grade to the top of a flat roof or the vertical midpoint of a sloped roof (refer to General Regulation Section 204 for height regulations);

- **Highest Building Face** means of the four building elevations (front, rear, left or right side) the one which has the building's lowest Average Natural Grade or finished grade along that face;
- **Highest Building Face Envelope** means a three dimensional envelope, within which the entire building must be situated (see Section 207);
- **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;
- **Home Based Business Use** means an occupation or profession carried on by an occupant of the dwelling unit for consideration which is clearly incidental and subordinate to the use of the parcel for residential purposes, shall be subject to the provisions of Section 207, and includes a Childcare (Family) Use;
- **Horticulture** means the use of land for growing grass, flowers, ornamental shrubs and trees;
- **Junk Yard** means any building or land used for the wrecking, salvaging, dismantling or disassembly of vehicles, vehicle parts, vehicle frames or vehicle bodies;
- **Land** means real property without improvements, and includes the surface of water;
- **Lane** means a highway more than 3.0 metres (9.8 feet) but less than 10 metres (32.8 feet) in width, intended to provide secondary access to parcels of land;
- **Lot** means any parcel, block, or other area in which land is held or into which it is subdivided, but does not include a highway;
- **Lot Area** means the total horizontal area within the lot lines of a lot. In the case of panhandle lot, the access strip shall not be included in the calculation of lot size;
- **Lot, Corner** means a lot which fronts on two or more intersecting streets;
- **Lot Coverage** means the total horizontal area at grade 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 Depth** means the distance between the front lot line and the most distant part of the rear lot line of a parcel;
- **Lot Line, Exterior Side** means a lot line or lines not being the front or rear lot line, common to the lot and a street;
- **Lot Line, Exterior Forested Land** means a lot line or lines not being the front or rear lot line, common to the lot and Crown Lands or Regional Parks; (Amended as per Bylaw 490, 2015)
- **Lot Line, Front** means the lot line common to the lot and an abutting street. Where there is more than one lot line abutting a street, the shortest of these lines shall be considered the front. In the case of a Panhandle Lot, the front lot line, for the purpose of determining setback requirements, is at the point where the access strip ends and the lot widens;

- **Lot Line, Front Waterfront** means the lot line shared with the high water mark, where access to the lot is by water only;
- **Lot Line, Interior Side** means a lot line not being a rear lot line, common to more than one lot or to the lot and a lane;
- **Lot Line, Rear** means the lot line opposite to and most distant from the front lot line or where the rear portion of the lot is bounded by intersecting side lot lines, it shall be the point of such intersection;
- **Lot Line, Rear Waterfront** means the lot line opposite to and distant from the front lot line or where the rear portion of the lot is bounded by intersecting side lot lines, it shall be the point of such interaction, shared with the high water mark for parcels with road access;
- **Lot Width** means the mean distance between side lot lines, excluding access strips of Panhandle Lots;
- **Minimum Lot Area** means the smallest area into which a parcel may be subdivided;
- **Municipality** means the Village of Belcarra;
- **Natural Boundary** means the visible high water mark on any watercourse where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the watercourse a character distinct from that of the banks thereof, in respect to vegetation as well as in respect to the nature of the soil itself, and in cases where there is no visible high water mark shall mean the average high water mark;
- **Off-Street Parking** means the use of land for the parking of vehicles other than on a highway including the parking spaces and the maneuvering aisle;
- **Panhandle Lot** means any lot, the building area of which is serviced and gains street frontage through the use of a relatively narrow strip of land which is an integral part of the lot, called "the access strip";
- **Parcel** – see Lot definition;
- **Park Facilities** means parks headquarter buildings, parks work area, public information and display booths, picnic shelters, playgrounds, interpretative centres, food services and concession buildings excluding a restaurant;
- **Parking Area** means a portion of a lot that is used to accommodate Off-Street Parking;
- **Parking Space** means the space for the parking of one vehicle either outside or inside a building or structure, but excludes maneuvering aisles and other areas providing access to the space;
- **Parking Use** means providing Parking Spaces for the temporary parking of vehicles where such use is the principal use of the parcel or building;
- **Passive Outdoor Recreation** means outdoor recreational activities, such as nature observation, hiking, and canoeing or kayaking, that require a minimum of facilities or development and that have minimal environmental impact on the recreational site;

- **Permitted Accessory Use** means a use combined with, but clearly and customarily incidental and ancillary to, a Permitted Principal Use of land, buildings or structures located on the same parcel;
- **Permitted Principal Use** means the principal permissible purpose for which land, or buildings may be used;
- **Premises** means the buildings and structures located on a parcel of land;
- **Principal Building** means the building for the principal use of the lot as listed under the permitted uses of the applicable zone;
- **Public Service Use** means a use providing for the essential servicing of the Village of Belcarra with water, sewer, electrical, telephone and similar services where such use is established by the Village, by another governmental body or by a person or company regulated by and operating under Federal and Provincial utility legislation, and includes broadcast transmission facilities;
- **Residential Use** means a use providing for the accommodation and home life of a person or persons, and domestic activities customarily associated with home life including gardening, recreation, storage and the keeping of animals as household pets when such animals are normally kept within a dwelling unit and when such animals are not kept for financial gain;
- **Retaining Wall** means a structure erected to hold back or support a bank of earth;
- **Road** means the portion of a highway that is improved, designed, and ordinarily used for vehicular traffic;
- **Roof Drip Line** means the outermost projection of the roof beyond the exterior walls of the building and includes eaves, parapet structures, fascia boards, gutters and flashings; (Amended as per Bylaw 414, 2009)
- **Setback** – please see Building Setback;
- **Sewage System** building means any component of a sewage disposal system that contains mechanical devices or vents septic gases, whether located above or below grade; (Amended as per Bylaw 319, 2001)
- **Single Family Residential Use** means a residential use in a building which is used for only one Dwelling Unit, except where an Accessory Secondary Suite Use is developed, in which case the building may be used for two Dwelling Units;
- **Storey** means the space between a floor level and the ceiling above it;
- **Strata Lot** means a strata lot as created under the Condominium Act;
- **Street** means a public highway, road or thoroughfare which affords the principal means of access to abutting lots, but not lanes or walkways;
- **Subdivision** means the division of land into two (2) or more parcels, whether by plan, apt description, words, or otherwise;
- **Watercourse** means any natural or man-made depression with well defined banks and a bed of 0.6 metres (1.6 feet) or more below the surrounding land serving to give direction to or containing a current of water at least six (6)

months of the year or having a drainage area of 2 square kilometers (200 hectares) or more upstream of the point under consideration;

- **Watershed Area** means the total natural upstream land drainage area above any point of reference;
- **Wharfage Facility, Group** means a wharf owned and operated by a Group Wharfage Association which is a group of four to six Village residents that is formed pursuant to the Society Act for the purpose of owning and operating a group wharfage facility. The maximum length for a group wharf is 18.5 metres (60.7 feet); (Amended as per Bylaw 319, 2001)
- **Wharfage Facility, Shared** means a wharf owned and operated by an individual or group of Village residents which will accommodate more than 3 boats; (Amended as per Bylaw 319, 2001)
- **Yard** means that portion of a parcel that may not be built upon as defined by the minimum setback requirements;
- **Zone** means a zoning district established by the Bylaw.

## Section 200: General Regulations

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### 201 – General Operative Clauses

- (1) No land, building or structure in any zone shall be used for any purpose other than that specified for the zone in which it is located in accordance with the Zoning Map.
- (2) No building or structure shall be constructed, sited, moved or altered unless it complies with the General Regulations of this Bylaw and all regulations and requirements specified for the zoning district in which it is located.
- (3) No building or structure shall be constructed, sited, moved, or altered unless its screening and landscaping requirements are provided as specified for the zone in which it is located in accordance with the Zoning Map, unless otherwise specified in this Bylaw.
- (4) No parcel shall be created by subdivision unless such parcel is equal to or greater than the minimum lot area and minimum lot width specified for the zone in which it is located in accordance with the Zoning Map, unless otherwise specified in this Bylaw.

### 202 – Prohibited Uses of Land, Buildings and Structures and Water

- (1) Unless a zone expressly provides otherwise, the following uses shall be prohibited in all zones;
  - (a) A tent or trailer used for habitation, except as specifically permitted in this Bylaw;
  - (b) The storage of derelict vehicles except if such a derelict vehicle is maintained in working order and is used for work on the lot, or is used for fire department training purposes;
  - (c) A junk yard;
  - (d) Uses which produce malodorous, toxic or noxious matter, or generate vibrations, heat, glare or radiation discernible beyond the boundaries of the lot.

### 203 – Public Service Uses

- (1) A Public Service Use shall only be permitted in the CI-1 zone;
- (2) Notwithstanding Section 203(1), a Public Service Use that is within a structure or a building of an area less than 5 square metres (53.8 square feet) and having a height less than 2 metres (6.6 feet) is permitted in any zone provided that the structure or building complies with all the applicable siting requirements of the zone in which the use is located.

## 204 – Height Regulations

(1) Measuring height:

(a) Height is measured from the Average Natural Grade.

(b) Height is measured up to:

- i. the highest point of a building with a flat roof (for example, the top of the highest of the roof finish, parapet, or roof deck railing) (see Figure 1);
- ii. the vertical midpoint between the top plate and the ridge of a hipped, gable, gambrel, or other sloped roof (see Figure 2);
- iii. the deck line of a mansard roof; or
- iv. the highest point of all other structures.

Figure 1. Measurement of Height - Flat Roof

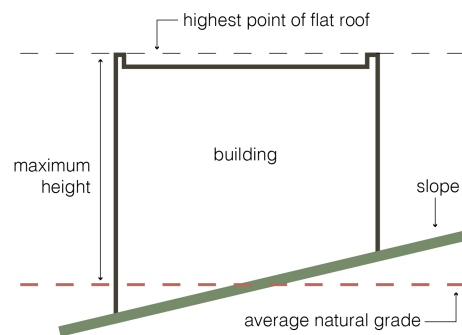
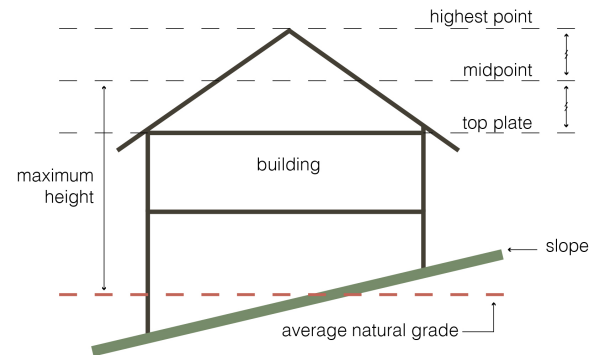


Figure 2. Measurement of Height - Pitched Roof



(c) Where a roof is composed of a combination of pitched and flat elements, height is measured to the higher of:

- i. the highest point of the flat roof, or
- ii. the midpoint of a pitched roof as described above using the "projected" peak of the pitched roof as the highest point.

(d) A roof having a slope of less than 2 in 12 is considered to be a flat roof for purposes of this section.

(e) In calculating height, mechanical equipment and enclosures, and skylights over 0.6 metre (2.0 feet) in height, shall be included. Skylights less than 0.6 metres (2.0 feet) in height shall only be exempted, if they are less than 3 metres (9.8 feet) in horizontal length.

## 205 – Exceptions to Height Requirements

- (1) A chimney having no horizontal dimension greater than 1.2 metres (3.9 feet), fire department hose tower, water tank, flag pole, aerial or non-commercial receiving antenna or similar object not used for human occupancy are not subject to the height limitations of this Bylaw, provided that such structures when sited on a roof shall not occupy more than 10% of the roof area of a building.
- (2) Satellite dish antennae shall be subject to the requirements of Section 212.

## 206 – Average Grade (Natural and Finished) Calculations for Building and Structure Height or for Floor Area Ratio (FAR)

- (1) Average grade (natural and finished) is measured around the perimeter of:
  - (a) A building at or directly above the outermost projections of the exterior walls and includes the dimensions around the posts of an attached carport. A deck attached to a building is not considered in determining the perimeter.
  - (b) A structure that is not defined as a building.
- (2) To calculate the average finished grade and natural grade for the building:
  - (a) calculate the average grade elevation for each wall section having a constant grade along the finished and natural wall section by dividing the grade elevation at each end by 2 [(grade 'x' + grade 'y') ÷ 2 = average], then multiply this average grade elevation by the length of that wall section;
  - (b) add the resulting numbers for each section of wall;
  - (c) divide this total number by the total perimeter wall length of the building.
    - i. This will be the average grade, natural or finished.
- (3) Additional calculation points and sections are required along a wall if there is a significant change in elevation or grade slope along that length of the wall (for example, if it is level along half the wall and then drops significantly over the second half, there would be two average grade elevations on that section of wall).
- (4) ) Where the undisturbed ground level of natural grade cannot be ascertained because of existing landscaping, buildings or structures, and appears to have been significantly altered, the level of natural grade shall be determined by the District Building Inspector, who may rely on the professional opinion of a British Columbia Land Surveyor on the determination of natural grade at the cost of the property owner.
- (5) An example of calculating average grade is shown below (see Figure 1).

Example:

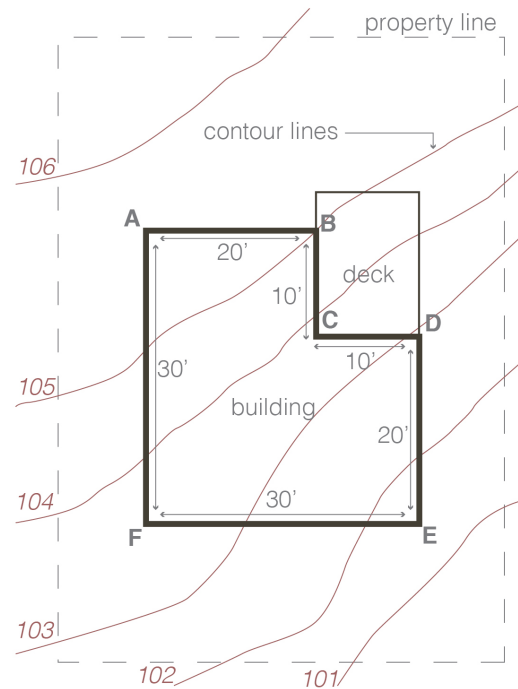
Wall Section	Average Grade (Natural & Finished)	Length	= Y
A – B	$(105.5 + 105.0) \div 2 = 105.25 \text{ m}$	x 6 m	= 631.50
B – C	$(105.0 + 104.0) \div 2 = 104.5 \text{ m}$	x 3 m	= 313.50
C – D	$(104.0 + 103.0) \div 2 = 103.5 \text{ m}$	x 3 m	= 310.50
D – E	$(103.0 + 101.5) \div 2 = 102.25 \text{ m}$	x 6 m	= 613.50
E – F	$(105.5 + 103.5) \div 2 = 104.5 \text{ m}$	x 9 m	= 940.50
F – A	$(103.5 + 105.5) \div 2 = 104.5 \text{ m}$	x 9 m	= 940.50
<b>Totals:</b>		<b>36 m</b>	<b>= 3750</b>

Total Y ÷ Total Perimeter Length = Average Grade

$$3750 \div 36 = 104.2 \text{ m}$$

The Average Grade is calculated to be 104.2 m.

**Figure 1.** Calculation of Average Grade for Building and Structure Height



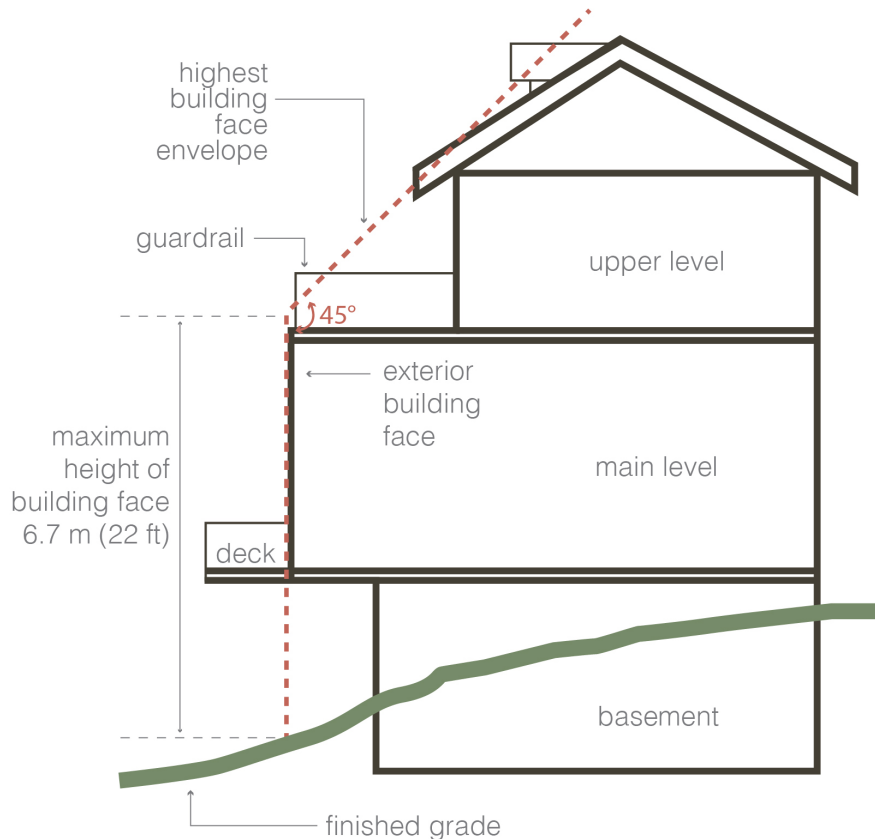
### 207 – Highest Face of Building Envelope – still being discussed by Zoning Advisory Committee

- (1) Highest building face envelope is created by drawing a series of vertical lines at all points along the exterior face of a building, up to the height specified in the zone from ground level then inward over the building at right angles to the plane of the building face at an angle of 45°.
- (2) For purposes of this regulation, ground level:
  - (a) is measured from the outermost extent of the enclosed portion of the building projected to the finished grade.
  - (b) in front of a garage door, is interpreted as a line joining the ground level at each side of the garage door;
  - (c) is based off of finished grade.
- (3) One third of the length of the building need not comply with this requirement.
- (4) All other portions of the building must be within the highest building face envelope, except:
  - (a) decks, eaves, projecting decorative features not enclosing the interior of the building,
  - (b) the pitched roof portion of either gable ends or dormers; and
  - (c) for pitched roof portions:

- (i) the area above the intersection of the ceiling joist and the exterior wall which encloses a non-habitable attic; and
- (ii) the area above the intersection of the vaulted roof joist and the exterior wall.

(5) Highest building face envelope is shown in Figure 1.

**Figure 1.** Highest Building Face Envelope



## 208 – Exceptions to Siting Requirements

- (1) Where chimneys, cornices, headers, gutters, pilasters, sills, bay windows, window wells or ornamental features project beyond the face of a building, the minimum distance to an abutting lot line as permitted elsewhere in this Bylaw may be reduced by not more than 0.6 metres (2 feet) providing such reduction shall only apply to the projecting feature.
- (2) Where steps, eaves, sunlight control projections, canopies, balconies, or porches project beyond the face of a building, the minimum distance to an abutting front, rear or exterior lot line as permitted elsewhere in this Bylaw may be reduced by not more than 1.2 metres (3.9 feet) and the minimum distance to an interior side lot line as permitted in this Bylaw may be reduced by 0.6 metres (2 feet) provided such reduction shall apply only to the projecting feature.

Proposed changes or items currently being discussed by the ZAC are noted with yellow highlights

- (3) An uncovered patio or terrace no greater than 0.6 metres (2 feet) above grade, which may be open or enclosed, may be sited in any portion of a lot except as otherwise provided for in this Bylaw.
- (4) An uncovered swimming pool may project into a front, side or rear yard provided that the pool shall not be constructed within 1.8 metres (5.9 feet) of a property line.
- (5) A retaining wall to a maximum height of 1.2 metres (3.9 feet) may be sited on any portion of a lot.
- (6) An access walkway with or without Guards less than 2 metres (6.6 feet) wide may be sited on any portion of a lot except as otherwise provided for in this Bylaw.

## 209 – Floor Area Ratio Exclusions

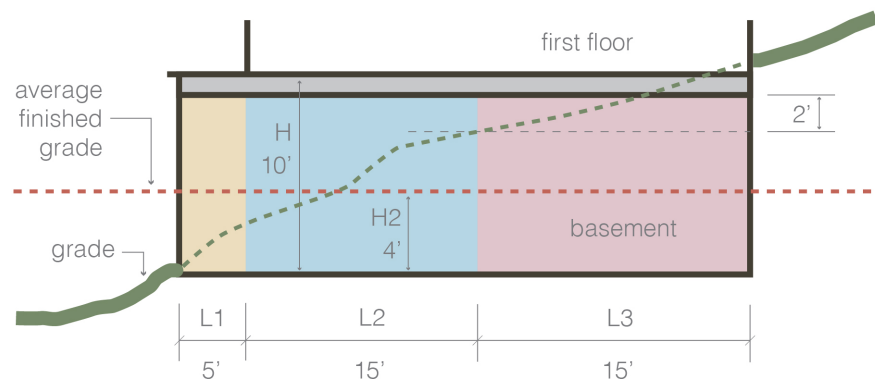
(1) The following areas are excluded from FAR calculations:

- (a) Garages up to 55.7 sq.m (600 sq.ft.). Any area exceeding 55.7 sq.m (600 sq.ft.) is included in FAR;
- (b) Basement space below Average Finished Grade as shown in Figure 1 and outlined in the clause and calculation below;

*The exempt percentage of the floor area in one basement level located directly below the building above, equal to the percentage of the basement volume below the lower of the Average Finished Grade. The percentage referred to in this clause is determined as follows:*

$$\frac{\text{Average grade elevation} - \text{basement floor elevation}}{\text{Main floor elevation} - \text{basement floor elevation}} \times 100$$

**Figure 1.** Basement Floor Area Section



### Legend

- L1 The area is entirely included in FAR for portions extending beyond the perimeter of the storey above.
- L2 Area partially included, as determined by the formula given above.
- L3 The underside of the ceiling is less than 2' above finished grade, so this area is entirely excluded from FAR.

- (c) Open balconies, decks, and other appurtenances (i.e, chimneys);
- (d) Floors with a ceiling height of less than 2.1 metres (6.9 feet) (i.e., crawl space);
- (e) An Accessory Building used for sewage disposal components; and
- (f) Floor areas that are open to above (i.e., stairs) are only counted once.

## **210 – Size, Shape and Siting of Buildings & Structures**

- (1) No more than one principal building may be sited on one lot, except as otherwise specified in this Bylaw.
- (2) No building or structure shall be constructed, reconstructed, silted, altered, or extended so as to cause any existing building or structure on the same lot to violate the provisions of this Bylaw.
- (3) The interior lot line setbacks of this Bylaw shall not apply to adjoining Strata Lots under a deposited plan pursuant to the Condominium Act with regard to a common wall shared by two or more units within a building.

## **211 – Home-Based Business Use**

In any zone in which a Home-Based Business Use is permitted, the following conditions shall be satisfied:

- (1) The activities shall be conducted entirely within the principal building or accessory building except where such activity involves horticulture or a family day care.
- (2) The home occupation shall not involve external structural alterations to the dwelling unit or show any exterior indications that the dwelling unit is being utilized for any purpose other than that of a dwelling unit.
- (3) The use shall not involve the storing, exterior to the building or buildings, of any materials used directly or indirectly in the processing or resulting from the processing or any product of such craft or occupation.
- (4) The use may involve the display and the sale of a commodity that is produced on the premises, however in no case shall the retailing of the commodity be the primary home occupation use.
- (5) The use within the principal building shall occupy no more than 20% of the floor area of the principal building, up to a maximum of 50 square metres (538.2 square feet).
- (6) The use within one or more accessory buildings shall occupy a total of not more than 50 square metres (538.2 square feet).
- (7) In no case shall the aggregate floor area of all buildings used for home occupation use exceed 50 square metres (538.2 square feet) on a parcel of land.
- (8) The total display area of any outdoor advertising sign shall not exceed 0.4 square metres (4.3 square feet).
- (9) Not more than the equivalent of two full-time persons shall be engaged in a home occupation, one of which shall be a resident of the dwelling unit.

Proposed changes or items currently being discussed by the ZAC are noted with yellow highlights

- (10) Home crafts or occupations shall not discharge or emit the following across lot lines:
  - (a) odorous, toxic or noxious matter or vapours;
  - (b) heat, glare, electrical interference or radiation;
  - (c) recurring ground vibration;
  - (d) noise levels exceeding 45 decibels, except during the hours of 9:00 AM to 5:00 PM from Monday to Friday, in which case the noise levels shall not exceed 55 decibels.
- (11) The use shall provide parking in accordance with the requirements in the applicable zone.
- (12) No automobile, boat, or other machinery servicing or repair is permitted as a home occupation use.

## **212 - Accessory Single Family Residential Use**

An Accessory Single Family Residential Use shall:

- (1) be limited to one per lot;
- (2) have a minimum floor area of 75 square metres (807.3 square feet); and
- (3) where located within the same building as the principal use, be provided with a separate entrance.

## **213 – Accessory Buildings and Structures**

- (1) Buildings and structures containing an accessory use are permitted in each zone, unless otherwise specified, provided that:
  - (a) the principal use is being carried out on the parcel;
  - (b) a building for the purpose of the principal use has been constructed on the parcel; or,
  - (c) a building for the purpose of the principal use is in the process of being constructed on the parcel.
- (2) An accessory building or structure shall not contain a dwelling unit, except as provided for in this Bylaw.

## **214 – Accessory Secondary Suite Use**

- (1) Not more than one Accessory Secondary Suite Use shall be permitted on a parcel of land;
- (2) An Accessory Secondary Suite Use must be located within a principal building;
- (3) The maximum allowable floor area of an Accessory Secondary Suite Use within a Principal Building is 40% of the dwelling up to a maximum of 90 square metres (968 square feet) of finished living space;
- (4) An Accessory Secondary Suite Use is not permitted in the Duplex and Four-Home Zone (RM-1) or Duplex and Four-Home Zone (Waterfront Access) (RM-2); and

- (5) An Accessory Secondary Suite Use may be permitted provided that a Sewage Disposal Permit can be obtained from the responsible authority.

## **215 – Accessory Coach House Use**

- (1) Not more than one Accessory Coach House Use shall be permitted on a parcel of land;
- (2) An Accessory Coach House Use must be located in an Accessory Building; provided that an Accessory Coach House is located in an accessory building only in cases where the accessory building also is used as a Garage except that an Accessory Coach House is permitted within an Accessory Building that is not used as a Garage, on a parcel that has no improved road access; (Amended as per Bylaw 319, 2001)
- (3) An Accessory Coach House Use within an Accessory Building shall not have a floor area that exceeds 92.9 square metres (1,000 square feet);
- (4) An Accessory Coach House Use is not permitted in the Duplex and Four-Home Zone (RM-1) or Duplex and Four-Home Zone (Waterfront Access) (RM-2);
- (5) An Accessory Coach House Use may be permitted provided that a Sewage Disposal Permit can be obtained from the responsible authority;
- (6) Where an Accessory Building is used to accommodate an Accessory Coach House, the Accessory Coach House shall only occupy one storey of the Accessory Building.

## **216 – Setbacks from Watercourses**

- (1) Notwithstanding the setback requirements specified in each of the zones, no building shall be constructed, reconstructed, sited, moved, extended, or located:
  - (a) within 7.5 metres (24.6 feet) of the natural boundary of the sea, or any natural watercourse; nor
  - (b) 15 metres (49.2 feet) of the natural boundary of Ray Creek, Sasamat Creek or Capon Creek;whichever is greater.
- (2) No area used for habitation shall be located within any building such that the underside of the floor system or top of the concrete slab is less than:
  - (a) 3.5 metres (11.5 feet) Geodetic Survey of Canada datum for locations adjacent to the sea;
  - (b) 1.5 metres (4.9 feet) above the natural boundary of the sea where a benchmark is not available; or
  - (c) 1.5 metres (4.9 feet) above the natural boundary of Ray Creek, Sasamat Creek, Capon Creek or any other natural watercourse.
- (3) Section 211(2) shall not apply to:
  - (a) a renovation of an existing building or structure used as a residence that does not involve an addition thereto; or an addition to a building

or structure for residential use that would increase the size of the building or structure by less than 25% of the gross floor area existing at the date of adoption of Bylaw No. 47 (first bylaw containing flood-proofing conditions); and

- (b) that portion of a building or structure to be used as a carport or garage.
- (4) Where landfill is used to achieve the required elevation stated in Section 211(a) above, no portion of the landfill slope shall be closer than the distances in Sections 211(1)(a) and (b) from the natural boundary, and the face of the landfill slope shall be adequately protected against erosion from floodwaters.
- (5) Where a parcel of land is of such a size or shape or is so located that because of the requirements of this Bylaw, no usable site exists on the parcel for a building or structure otherwise permitted to be built thereon by other bylaws, enactments of the Province of British Columbia, and all other rules of law, an application for a development variance permit may be made by an owner of such a parcel for a reduction of such siting provisions from adjacent watercourses, following consultation with the Ministry of Environment as to recommended requirements for protection from flooding and erosion.

#### **217 – Satellite Dish Antennae**

A satellite dish antenna installed on the ground or the roof of a building shall be subject to the siting and height regulations for accessory building and structures for the zone in which it is located.

#### **218 – Undersized Parcels**

- (1) Notwithstanding Section 301.2(a), parcels of land that are shown on a plan deposited in the Land Title Office prior to the adoption of this Bylaw, which have less than the minimum lot size requirement as established in the zone in which that parcel is situated, may be used for any use permitted in that zone, subject to all the regulations for that zone.
- (2) Section 213(1) shall not apply so as to allow a Duplex Residential Dwelling in the RS-1A zone.

#### **219 – Obstruction of Vision – Traffic**

On a corner parcel in any zone there shall be no obstruction to the line of vision between the heights of 1.0 metres (3.3 feet) and 3.0 metres (9.8 feet) above the established grade of a highway (excluding a lane) within the sight triangle, being a triangular area formed by extending a 4.5 metres (14.8 feet) boundary along the parcel lines from the point of the exterior corner intersection of the parcel lines and a line connecting these two points.

#### **220 – Fences and Retaining Walls**

- (1) Fences shall not exceed a height of 1.8 metres (5.9 feet) in the front yard or a height of 2 metres (6.6 feet) to the rear of the front face of a building;
- (2) A Retaining Wall or berm, including a Guard, shall not exceed a height of 2.4 metres (7.9 feet);

- (3) In cases where a Retaining Wall or berm is combined with a Fence or a Guard, the height shall not exceed 2.4 metres (7.9 feet) and shall be measured from the Grade of the Retaining Wall or berm to the top of the Fence or Guard.

### **221 – Watershed Protection**

No area shall be developed for public recreational use or access within a watershed or catchment area of any stream used as a potable water source under water licence and shown on Schedule B Watershed Map which is attached hereto forming a part of this Bylaw and bearing the title “Schedule B Village of Belcarra Watershed Map”.

### **222 – Domestic Water Protection**

Notwithstanding any other provision of this Bylaw, no building or any part thereof shall be constructed, reconstructed, moved, or extended within 15 metres (49.2 feet) of a stream in which a water licence for domestic purposes has been issued pursuant to the Water Act, if such construction is to occur upstream from any portion of the stream which is subject to an existing licence.

### **223 – Conversion of Buildings**

- (1) Buildings may be converted, altered or remodelled for another use provided that:
  - (a) the building is structurally suitable for such conversion in accordance with the Village of Belcarra “Building and Plumbing Code Administration Bylaw”; and
  - (b) the converted building conforms to all the provisions and requirements prescribed for the intended use in the zone in which it is located.

### **224 – Temporary Buildings**

- (1) A temporary building or structure may be erected or installed in conjunction with the permanent construction of a building or structure on the same lot.
- (2) In all cases, temporary buildings or structures shall be subject to the following regulations:
  - (a) that the application shall provide a letter of intent and undertaking to remove the temporary building, to the Building Inspector in support of an application for a building permit to erect a temporary building or structure;
  - (b) the proposed temporary building or structure shall not constitute or cause a public hazard or public nuisance;
  - (c) all permitted temporary buildings and structures shall conform with the regulations of the Village of Belcarra “Building and Plumbing Code Administration Bylaw”; and
  - (d) temporary buildings or structures are removed from the site upon completion of the construction or upon written notice from the Village's Building Inspector prior to occupancy of the permanent building or structure.

## 225 – Off-Street Parking

- (1) When any development takes place on any site, off-street parking shall be provided and maintained in accordance with the regulations contained in this section and other pertinent sections of the Bylaw, and all required parking spaces shall be used exclusively for the parking of motor vehicles.
- (2) The off-street parking regulations specified for each zone shall not apply to buildings, structures or uses existing at the time of adoption of this Bylaw, except that:
  - (a) off-street parking shall be provided and maintained for any addition to such existing building or structure, or any change or addition to such existing use;
  - (b) off-street parking existing at the time of adoption of this bylaw shall not be reduced below the applicable off-street parking regulations of this section.
- (3) Off-street parking shall conform to the following requirements:
  - (a) each parking space be not less than 2.7 metres (8.9 feet) wide, and 6 metres (19.7 feet) long;
  - (b) the minimum width of maneuvering aisles be as follows:

### Angle between Parking

#### Stall and Aisle

30° – 45°

45° – 60°

60° – 75°

75° – 90°

#### Width of Aisle

4.6 metres (15.1 feet)

5.5 metres (18.0 feet)

6.0 metres (19.7 feet)

7.3 metres (24.0 feet)

- (c) parking areas to accommodate four or more vehicles shall have a surface which is continually dust free, with individual parking spaces, maneuvering aisles, entrances, and exits clearly marked.

## 226 – Sewage System Buildings

- (1) Notwithstanding the interior lot line setback requirements for Accessory Buildings and Accessory Structures within each of the zones of this Bylaw, a sewage system building shall not be located within:
  - (a) 3.0 metres (9.8 feet) of an interior lot line; and
  - (b) 6.0 metres (19.7 feet) of a principal building on an adjoining property in cases where said principal building precedes the construction of said Accessory Building or Accessory Structure.
- (2) Where an Accessory Building is only used for sewage disposal components:
  - (a) the floor space of the Accessory Building shall be excluded from the calculation of the total floor space of all Accessory Buildings on the parcel; and

Proposed changes or items currently being discussed by the ZAC are noted with yellow highlights

- (b) the Accessory Building shall not be included in the determination of the permitted number of Accessory Buildings permitted on the parcel.”

(Amended as per Bylaw 319, 2001)

## **227 – Landscaping & Permeability Requirements**

- (1) On a parcel located in a residential zone a minimum of 30% of the total surface area of such parcel shall be fully landscaped (landscaped also includes area that it is in its natural vegetative state) and properly maintained in a permeable state.
- (2) The maximum driveway width shall be limited to 30 feet or no more than 50% of the total lot width, whichever is less.
- (3) For the purposes of Section 227 (1), the following surfaces are not permeable:
  - (a) buildings and structures;
  - (b) asphalt;
  - (c) concrete; and
  - (d) un-grouted pavers.
- (4) For the purposes of Section 227 (1), water surfaces of structures designed to retain water, including swimming pools, reflecting pools, and ornamental ponds, are permeable.

## Section 300: Zoning District Schedules

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***For the purpose of this bylaw the area incorporated into the Village of Belcarra is hereby divided into zoning districts as shown upon the plan entitled “Zoning Map of the Village of Belcarra” which, with all explanatory matter on it, accompanies and forms part of this bylaw.***

***The zoning districts, as shown on the Zoning Map, are as follows:***

<b>Section</b>	<b>Zoning District Name</b>	<b>Short Form</b>	<b>Page No.</b>
302	Inland Residential Zone	RS-1	27
303	Waterfront Residential Zone	RS-2	30
304	Esplanade Waterfront Residential Zone	RS-3	33
305	Waterfront Residential Zone (No Public Road Access)	RS-4	36
306	Duplex or One or Two-House Zone (No Public Road Access)	RM-1	39
307	Duplex or Four-Home Zone	RM-2	42
401	Civic Institutional	CI-1	45
501	Regional Park	P-1	46
502	Provincial Park	P-2	48
601	Rural	R-1	49
701	Marine 1	W-1	51
702	Marine 2	W-2	52
703	Marine 3	W-3	53

The requirements of each Zoning District Schedule as set out in Section 300 of this by-law shall be applied to areas designated on the Zoning Map with the corresponding alphanumeric symbol.

## Section 301: Interpretation

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### 301.1 Permitted Uses

The list of uses under the heading “Permitted Uses” in each of the zoning districts set out in this Division shall be interpreted to mean the uses listed in that particular zoning district and no others shall be permitted.

### 301.2 Minimum Lot Area

Where a “Minimum Lot Area” regulation applies in a zoning district, the dimensions which follow such regulations are to be interpreted as:

- (a) the minimum dimensions permissible for a lot which is to be used as the site of buildings for the use specified therein; and
- (b) the minimum dimensions permissible for a new lot that is to be created by subdivision.

### 301.3 Minimum Lot Width

Where a “Minimum Lot Width” regulation applies in a zoning district, the dimensions which follow such regulations are to be interpreted as the minimum dimensions permissible for the width of a new lot, and where a percentage is used it shall mean the percentage of the perimeter of the new lot.

### 301.4 Maximum Heights

The specification of measurements for buildings, structures or accessory buildings under the general heading of “Maximum Heights” in a zoning district schedule shall be interpreted as meaning the greatest height, as height is defined in this Bylaw, to which a building, structure or accessory building may be constructed on a lot which is designated on the Zoning Map as being regulated by that schedule.

### 301.5 Minimum and Maximum Setbacks from Property Lines

The specification of measurements for front yard, side yard and rear yard under the general heading of “Minimum Building Setbacks” in a zoning district schedule shall be interpreted as defining the minimum distance permitted for buildings and structures (except fences) between the front, side or rear property line and the appropriate setback line on a lot which is designated on the Zoning Map as being regulated by that schedule; such setback areas constituting the front yard, side yard and rear yard respectively.

Where a use or structure is specifically referenced with a following measurement, it shall be interpreted as meaning that the minimum setback from a property line for that use or structure shall be the measurement specified.

### 301.6 Maximum Lot Coverage

Where a zoning district schedule includes a regulation entitled “Maximum Lot Coverage”, such regulation shall be interpreted as meaning that a lot which is designated on the Zoning Map as being regulated by that schedule may not have a lot coverage, as defined in this Bylaw, which exceeds the percentage specified.

### **301.7 Maximum Floor Area Ratio (FAR) or Maximum Permitted Floor Area**

Where a zoning district schedule includes a regulation entitled “Maximum Floor Area Ratio (FAR)” or “Maximum Permitted Floor Area”, it shall be interpreted to mean that a lot in an area designated as being regulated by that zoning schedule may not have buildings erected on that lot that exceed the maximum floor area or floor area ratio, as defined in this Bylaw.

### **301.8 Zoning District Boundaries**

- (1) Where a zone boundary is designated as following a highway or a watercourse, the centre line of the highway or the natural boundary of the watercourse shall be 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 shall be determined by scaling from the Zoning Map by a surveyor.
- (3) Where a parcel is divided by a zone boundary, the areas created by such division shall be deemed to be separate lots for the purpose of determining the requirements of each zoning district.

## Section 302: Inland Residential Zone (RS-1)

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### 302.1 Intent

***This zone is intended to provide land solely for the purpose of single family housing.***

### 302.2 Permitted Principal Uses

- a) Single Family Residential Use

### 302.3 Permitted Accessory Uses

- a) Home-Based Business Use (subject to the requirements of Section 211)
- b) Accessory Secondary Suite Use (subject to the requirements of Section 214)
- c) Accessory Coach House Use (subject to the requirements of Section 215)
- d) Accessory Parking Use

### 302.4 Floor Area Ratio (FAR) and Maximum Building Size

- a) Maximum Floor Area Ratio and Maximum Building Size to be determined
- b) A Principal Building shall have a Gross Floor Area of not less than 75 square metres (807.3 square feet) and have a building width of not less than 7.5 metres (24.6 feet).
- c) The maximum Gross Floor Area of all Accessory Buildings and Accessory Structures on a parcel shall not exceed 131.5 square metres (1,415 square feet) and the maximum building footprint of all Accessory Buildings on a parcel shall not exceed 55.7 square metres (600 square feet).

### 302.5 Subdivision of Land

- a) Minimum lot area – 0.5 acres (as per the Official Community Plan Bylaw 435, 2011)
- b) Minimum lot width: 10% of the perimeter of the lot

### 302.6 Site Coverage

Maximum 40%

### 302.7 Minimum Building Setbacks

Use	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line	Lot Line Exterior Forested Land

Principal Building	7.5 m (24.6 ft)	7.5 m (24.6 ft)	3 m (9.8 ft)	1.5 m (4.9 ft)	3 m (9.8 ft)
Accessory Buildings and Accessory Structures	See <sup>(a)</sup>	1.5 m (4.9 ft) <sup>(b)</sup>	3 m (9.8 ft) <sup>(b)</sup>	1.5 m (4.9 ft) <sup>(b)</sup>	3 m (9.8 ft) <sup>(b)</sup>

**(Table Replaced as per Bylaw 490, 2015)**

- a) No Accessory Building shall be located nearer to the front lot line than the front wall of the Principal Building, except in the case of Garages which may be located within the front yard but not within 3 metres (9.8 feet) of the front lot line.
- b) Except for Fences and Retaining Walls, which can be built at the property line.

### 302.8 Buildings and Structures

	Maximum Number	Maximum Height
Principal Buildings	1	9.6 m (31.5 ft) <sup>(a)</sup>
Accessory Buildings	1 <sup>(e)</sup>	7 m (23.0 ft) <sup>(b)(c)(d)</sup>
Accessory Structures	Not Applicable	7 m (23.0 ft) <sup>(d)</sup>

- a) The Highest Building Face shall be no greater than 6.7 metres (22 feet) as calculated in Section 207.
- b) The Roof Drip Line of any accessory building shall not at any point project into a required setback more than 60 centimetres (23.6 inches).
- c) All exterior perimeter of an accessory building shall rise vertically at 90 degrees from the foundation throughout the fullest vertical extension of the exterior wall.
- d) Maximum height of Fences and Retaining Walls are subject to Section 220.
- e) Where an Accessory Building is only used for sewage disposal components, the Accessory Building shall not be included in the determination of the permitted number of Accessory Buildings permitted on the parcel.

### 302.9 Off-Street Parking

Off-street parking spaces shall be provided on the same lot as the use being served in accordance with the following requirements:

- a) Minimum of 2 spaces per principal Single Family Residential Use;
- b) Minimum of 1 space per non-resident employee for Accessory Home-Based Business Use;
- c) Minimum of 1 space per Accessory Secondary Suite Use; and
- d) Minimum of 1 space per Accessory Coach House Use.

### 302.10 Sustainability

All new construction must fulfill Step Code 3 requirements.

### **302.11 Special Conditions**

#### **(1) Signage**

Signage shall be limited to that permitted pursuant to Section 211 (8) – Home Based Business use.

## Section 303: Waterfront Residential Zone (RS-2)

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### 303.1 Intent

***This zone is intended to provide land solely for the purpose of single family housing on a lot adjacent to the waterfront.***

### 303.2 Permitted Principal Uses

- a) Single Family Residential Use

### 303.3 Permitted Accessory Uses

- a) Home-Based Business Use (subject to the requirements of Section 211)
- b) Accessory Secondary Suite Use (subject to the requirements of Section 214)
- c) Accessory Coach House Use (subject to the requirements of Section 215)
- d) Accessory Parking Use

### 303.4 Floor Area Ratio (FAR) and Maximum Building Size

- a) Maximum Floor Area Ratio and Maximum Building Size to be determined
- b) A Principal Building shall have a Gross Floor Area of not less than 75 square metres (807.3 square feet) and have a building width of not less than 7.5 metres (24.6 feet).
- c) The maximum Gross Floor Area of all Accessory Buildings and Accessory Structures on a parcel shall not exceed 131.5 square metres (1,415 square feet) and the maximum building footprint of all Accessory Buildings on a parcel shall not exceed 55.7 square metres (600 square feet).

### 303.5 Subdivision of Land

- a) Minimum lot area – 0.5 acres (as per the Official Community Plan Bylaw 435, 2011)
- b) Minimum lot width: 10% of the perimeter of the lot

### 303.6 Site Coverage

Maximum 40%

### 303.7 Minimum Building Setbacks

Use	Front Lot Line	Rear Lot Line, Waterfront	Exterior Lot Line	Interior Lot Line	Lot Line Exterior Forested Land
Principal Building	7.5 m	7.5 m	3 m	1.5 m	3 m

	(24.6 ft)	(24.6 ft)	(9.8 ft)	(4.9 ft)	(9.8 ft)
Accessory Buildings and Accessory Structures	See <sup>(a)</sup>	7.5 m (24.6 ft) <sup>(b)</sup>	3 m (9.8 ft) <sup>(b)</sup>	1.5 m (4.9 ft) <sup>(b)</sup>	3 m (9.8 ft) <sup>(b)</sup>

**(Table Replaced as per Bylaw 490, 2015)**

- a) No Accessory Building shall be located nearer to the front lot line than the front wall of the Principal Building, except in the case of Garages which may be located within the front yard but not within 3 metres (9.8 feet) of the front lot line. In cases where the front lot line is the high water mark, the front lot line setback shall be 7.5 metres (24.6 feet) (see Section 216).
- b) Except for Fences and Retaining Walls, which can be built at the property line.

### 303.8 Buildings and Structures

	Maximum Number	Maximum Height
Principal Buildings	1	8.6 m (28.2 ft) <sup>(a)</sup>
Accessory Buildings	1 <sup>(e)</sup>	7 m (23.0 ft) <sup>(b)(c)(d)</sup>
Accessory Structures	Not Applicable	7 m (23.0 ft) <sup>(d)</sup>

- a) The Highest Building Face shall be no greater than 6.7 metres (22 feet) as calculated in Section 207.
- b) The Roof Drip Line of any accessory building shall not at any point project into a required setback more than 60 centimetres (23.6 inches).
- c) All exterior perimeter of an accessory building shall rise vertically at 90 degrees from the foundation throughout the fullest vertical extension of the exterior wall.
- d) Maximum height of Fences and Retaining Walls are subject to Section 220.
- e) Where an Accessory Building is only used for sewage disposal components, the Accessory Building shall not be included in the determination of the permitted number of Accessory Buildings permitted on the parcel.

### 303.9 Off-Street Parking

Off-street parking spaces shall be provided on the same lot as the use being served in accordance with the following requirements:

- a) Minimum of 2 spaces per principal Single Family Residential Use;
- b) Minimum of 1 space per non-resident employee for Accessory Home-Based Business Use;
- c) Minimum of 1 space per Accessory Secondary Suite Use; and
- d) Minimum of 1 space per Accessory Coach House Use.

### 303.10 Sustainability

All new construction must fulfill Step Code 3 requirements.

### 303.11 Special Conditions

(1) Signage

Signage shall be limited to that permitted pursuant to Section 211 (8) – Home Based Business use.

## Section 304: Esplanade Waterfront Residential Zone (RS-3)

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### 304.1 Intent

***This zone is intended to provide land solely for the purpose of single family housing on a lot fronting onto Marine Avenue.***

### 304.2 Permitted Principal Uses

- a) Single Family Residential Use

### 304.3 Permitted Accessory Uses

- a) Home-Based Business Use (subject to the requirements of Section 211)
- b) Accessory Secondary Suite Use (subject to the requirements of Section 214)
- c) Accessory Coach House Use (subject to the requirements of Section 215)
- d) Accessory Parking Use

### 304.4 Floor Area Ratio (FAR) and Maximum Building Size

- a) Maximum Floor Area Ratio and Maximum Building Size to be determined
- b) A Principal Building shall have a Gross Floor Area of not less than 75 square metres (807.3 square feet) and have a building width of not less than 7.5 metres (24.6 feet).
- c) The maximum Gross Floor Area of all Accessory Buildings and Accessory Structures on a parcel shall not exceed 131.5 square metres (1,415 square feet) and the maximum building footprint of all Accessory Buildings on a parcel shall not exceed 55.7 square metres (600 square feet).

### 304.5 Subdivision of Land

- a) Minimum lot area – 0.5 acres (as per the Official Community Plan Bylaw 435, 2011)
- b) Minimum lot width: 10% of the perimeter of the lot

### 304.6 Site Coverage

Maximum 40%

### 304.7 Minimum Building Setbacks

Use	Front Lot	Rear Lot	Exterior	Interior Lot	Lot Line
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	Line	Line	Lot Line	Line	Exterior Forested Land
Principal Building	7.5 m (24.6 ft)	7.5 m (24.6 ft)	3 m (9.8 ft)	1.5 m (4.9 ft)	3 m (9.8 ft)
Accessory Buildings and Accessory Structures	See <sup>(a)(c)</sup>	1.5 m (4.9 ft) <sup>(b)(c)</sup>	3 m (9.8 ft) <sup>(b)(c)</sup>	1.5 m (4.9 ft) <sup>(b)(c)</sup>	3 m (9.8 ft) <sup>(b)(c)</sup>

**(Table Replaced as per Bylaw 490, 2015)**

- a) No accessory building shall be located nearer to the front lot line than the front wall of the principal building, except in the case of Garages which may be located within the front yard but not within 3 metres (9.8 feet) of the front lot line. In cases where the front lot line is the high water mark, the front lot line setback shall be 7.5 metres (24.6 feet) (see Section 216).
- b) In cases where the rear lot line is the high water mark of the sea, the rear lot line setback shall be 7.5 metres (24.6 feet) (see Section 216).
- c) Except for Fences and Retaining Walls, which can be built at the property line.

### 304.8 Buildings and Structures

	Maximum Number	Maximum Height
Principal Buildings	1	8.6 m (28.2 ft) <sup>(a)</sup>
Accessory Buildings	1 <sup>(e)</sup>	7 m (23.0 ft) \ <sup>(b)(c)(d)</sup>
Accessory Structures	Not Applicable	7 m (23.0 ft) <sup>(d)</sup>

- a) The Highest Building Face shall be no greater than 6.7 metres (22 feet) as calculated in Section 207.
- b) The Roof Drip Line of any accessory building shall not at any point project into a required setback more than 60 centimetres (23.6 inches).
- c) All exterior perimeter of an accessory building shall rise vertically at 90 degrees from the foundation throughout the fullest vertical extension of the exterior wall.
- d) Maximum height of Fences and Retaining Walls are subject to Section 220.
- e) Where an Accessory Building is only used for sewage disposal components, the Accessory Building shall not be included in the determination of the permitted number of Accessory Buildings permitted on the parcel.

### 304.9 Off-Street Parking

Off-street parking spaces shall be provided on the same lot as the use being served in accordance with the following requirements:

- a) Minimum of 2 spaces per principal Single Family Residential Use;
- b) Minimum of 1 space per non-resident employee for Accessory Home-Based Business Use;
- c) Minimum of 1 space per Accessory Secondary Suite Use; and
- d) Minimum of 1 space per Accessory Coach House Use.

#### **304.10 Sustainability**

All new construction must fulfill Step Code 3 requirements.

#### **304.11 Special Conditions**

(1) Signage

Signage shall be limited to that permitted pursuant to Section 211 (8) – Home Based Business use.

## Section 305: Waterfront Residential Zone (No Public Road Access) (RS-4)

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### 305.1 Intent

***This zone is intended to apply to residential land that is located on the waterfront, but not serviced by a public road (water access only).***

### 305.2 Permitted Principal Uses

- a) Single Family Residential Use

### 305.3 Permitted Accessory Uses

- a) Home-Based Business Use (subject to the requirements of Section 211)
- b) Accessory Secondary Suite Use (subject to the requirements of Section 214)
- c) Accessory Coach House Use (subject to the requirements of Section 215)
- d) Accessory Parking Use

### 305.4 Floor Area Ratio (FAR) and Maximum Building Size

- a) Maximum Floor Area Ratio and Maximum Building Size to be
- b) A Principal Building shall have a Gross Floor Area of not less than 75 square metres (807.3 square feet) and have a building width of not less than 7.5 metres (24.6 feet).
- c) The maximum Gross Floor Area of all Accessory Buildings and Accessory Structures on a parcel shall not exceed 131.5 square metres (1,415 square feet) and the maximum building footprint of all Accessory Buildings on a parcel shall not exceed 55.7 square metres (600 square feet).

### 305.5 Subdivision of Land

- a) Minimum lot area – 0.5 acres (as per the Official Community Plan Bylaw 435, 2011)
- b) Minimum lot width: 10% of the perimeter of the lot

### 305.6 Site Coverage

Maximum 40%

### 305.7 Minimum Building Setbacks

Use	Front Lot Line, Waterfront	Rear Lot Line	Exterior Lot Line	Interior Lot Line	Lot Line Exterior Forested Land
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Principal Building	7.5 m (24.6 ft)	7.5 m (24.6 ft)	3 m (9.8 ft)	1.5 m (4.9 ft)	4.5 m (14.7 ft)
Accessory Buildings and Accessory Structures	7.5 m (24.6 ft) <sup>(b)</sup>	See <sup>(a)(b)</sup>	3 m (9.8 ft) <sup>(b)</sup>	1.5 m (4.9 ft) <sup>(b)</sup>	4.5 <sup>(b)</sup> m (14.7 ft)

**(Table Replaced as per Bylaw 490, 2015)**

- a) In cases where the rear lot line is the high water mark of the sea, the rear lot line setback shall be 7.5 metres (24.6 feet) (see Section 216).
- b) Except for Fences and Retaining Walls, which can be built at the property line.

### 305.8 Buildings and Structures

	Maximum Number	Maximum Height
Principal Buildings	1	8.6 m (28.2 ft) <sup>(a)</sup>
Accessory Buildings	1 <sup>(e)</sup>	7 m (23.0 ft) <sup>(b)(c)(d)</sup>
Accessory Structures	Not Applicable	7 m (23.0 ft) <sup>(d)</sup>

- a) The Highest Building Face shall be no greater than 6.7 metres (22 feet) as calculated in Section 207.
- b) The Roof Drip Line of any accessory building shall not at any point project into a required setback more than 60 centimetres (23.6 inches).
- c) All exterior perimeter of an accessory building shall rise vertically at 90 degrees from the foundation throughout the fullest vertical extension of the exterior wall.
- d) Maximum height of Fences and Retaining Walls are subject to Section 220.
- e) Where an Accessory Building is only used for sewage disposal components, the Accessory Building shall not be included in the determination of the permitted number of Accessory Buildings permitted on the parcel.

### 305.9 Off-Street Parking

Not Applicable.

### 305.10 Sustainability

All new construction must fulfill Step Code 3 requirements.

### 305.11 Special Conditions

#### (1) Signage

Signage shall be limited to that permitted pursuant to Section 211 (8) – Home Based Business use.

## Section 306: Duplex or One or Two-House Zone (No Public Road Access) (RM-1)

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### 306.1 Intent

***This zone is intended to permit the development of a Single Family Residential Use on residential land that is at least 1 acre (0.4 hectares), or a Duplex Residential Use or two Single Family Residential Uses on residential land that is 2 acres (0.8 hectares) or more.***

### 306.2 Permitted Principal Uses

- a) One Duplex Residential Use or
- b) One Single Family Residential Use or
- c) Two Single Family Residential Uses

### 306.3 Permitted Accessory Uses

- a) Home-Based Business Use (subject to the requirements of Section 211)
- b) Accessory Secondary Suite Use (subject to the requirements of Section 214) (only permitted on lots with one Single Family Residential Use)
- c) Accessory Coach House Use (subject to the requirements of Section 215) (only permitted on lots with one Single Family Residential Use)
- d) Accessory Parking Use

### 306.4 Floor Area Ratio (FAR) and Maximum Building Size

- a) Maximum Floor Area Ratio and Maximum Building Size to be determined
- b) A Principal Building shall have a Gross Floor Area of not less than 75 square metres (807.3 square feet) and have a building width of not less than 7.5 metres (24.6 feet).
- c) The maximum Gross Floor Area of all Accessory Buildings and Accessory Structures on a parcel shall not exceed 131.5 square metres (1,415 square feet) and the maximum building footprint of all Accessory Buildings on a parcel shall not exceed 55.7 square metres (600 square feet).

### 306.5 Subdivision of Land

- a) Minimum lot area – 1.0 acre for one Single Family Residential Use
- b) Minimum lot area – 2.0 acre for Duplex Residential Use or two Single Family Residential Uses
- c) Minimum lot width: 10% of the perimeter of the lot

### 306.6 Site Coverage

Maximum 40%

**306.7 Minimum Building Setbacks**

Use	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line	Lot Line Exterior Forested Land
Principal Building	7.5 m (24.6 ft)	7.5 m (24.6 ft)	3 m (9.8 ft)	1.5 m (4.9 ft)	4.5 m (14.7 ft)
Accessory Buildings and Accessory Structures	See <sup>(a)(c)</sup>	1.5 m (4.9 ft) <sup>(b)(c)</sup>	3 m (9.8 ft) <sup>(c)</sup>	1.5 m (4.9 ft) <sup>(c)</sup>	4.5 <sup>(c)</sup> m (14.7 ft)

**(Table Replaced as per Bylaw 490, 2015)**

- a) No Accessory Building shall be located nearer to the front lot line than the front wall of the Principal Building, except in the case of Garages which may be located within the front yard but not within 3 metres (9.8 feet) of the front lot line. In cases where the front lot line is the high water mark, the front lot line setback shall be 7.5 metres (24.6 feet) (see Section 216).
- b) In cases where the rear lot line is the high water mark of the sea, the rear lot line setback shall be 7.5 metres (24.6 feet) (see Section 216).
- c) Except for Fences and Retaining Walls, which can be built at the property line.

**306.8 Buildings and Structures**

	Maximum Number	Maximum Height
Principal Buildings	2	8.6 m (28.2 ft) <sup>(a)</sup>
Accessory Buildings	2 <sup>(e)</sup>	7 m (23.0 ft) <sup>(b)(c)(d)</sup>
Accessory Structures	Not Applicable	7 m (23.0 ft) <sup>(d)</sup>

- a) The Highest Building Face shall be no greater than 6.7 metres (22 feet) as calculated in Section 207.
- b) The Roof Drip Line of any accessory building shall not at any point project into a required setback more than 60 centimetres (23.6 inches).
- c) All exterior perimeter of an accessory building shall rise vertically at 90 degrees from the foundation throughout the fullest vertical extension of the exterior wall.
- d) Maximum height of Fences and Retaining Walls are subject to Section 220.
- e) Where an Accessory Building is only used for sewage disposal components, the Accessory Building shall not be included in the determination of the permitted number of Accessory Buildings permitted on the parcel.

**306.9 Off-Street Parking**

Not Applicable.

**306.10 Sustainability**

All new construction must fulfill Step Code 3 requirements.

### **306.11 Special Conditions**

(1) Signage

Signage shall be limited to that permitted pursuant to Section 211 (8) – Home Based Business use.

## Section 307: Duplex or Four-House Zone (RM-2)

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### 307.1 Intent

***This zone is intended to permit the development of a Duplex Residential Use or between two to four Single Family Residential Uses on residential land that is 1 acre (0.4 hectares) or more.***

### 307.2 Permitted Principal Uses

- a) One Duplex Residential Use; or
- b) Two to four Single Family Residential Uses.

### 307.3 Permitted Accessory Uses

- a) Home-Based Business Use (subject to the requirements of Section 211)
- b) Accessory Parking Use

### 307.4 Floor Area Ratio (FAR) and Maximum Building Size

- a) Maximum Floor Area Ratio and Maximum Building Size to be determined
- b) A Principal Building shall have a Gross Floor Area of not less than 75 square metres (807.3 square feet) and have a building width of not less than 7.5 metres (24.6 feet).
- c) The maximum Gross Floor Area of all Accessory Buildings and Accessory Structures on a parcel shall not exceed 131.5 square metres (1,415 square feet) and the maximum building footprint of all Accessory Buildings on a parcel shall not exceed 55.7 square metres (600 square feet).

### 307.5 Subdivision of Land

- a) Minimum lot area – 1.0 acre (as per the Official Community Plan Bylaw 435, 2011)
- b) Minimum lot width: 10% of the perimeter of the lot

### 307.6 Site Coverage

Maximum 40%

### 307.7 Minimum Building Setbacks

Use	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line	Lot Line Exterior Forested Land
Principal Building	7.5 m (24.6 ft)	7.5 m (24.6 ft)	3 m (9.8 ft)	1.5 m (4.9 ft)	4.5 m (14.7 ft)

Accessory Buildings and Accessory Structures	See <sup>(a)(c)</sup>	1.5 m (4.9 ft) <sup>(b)(c)</sup>	3 m (9.8 ft) <sup>(c)</sup>	1.5 m (4.9 ft) <sup>(c)</sup>	4.5 <sup>(c)</sup> m (14.7 ft)
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**(Table Replaced as per Bylaw 490, 2015)**

- a) No Accessory Building shall be located nearer to the front lot line than the front wall of the Principal Building, except in the case of Garages which may be located within the front yard but not within 3 metres (9.8 feet) of the front lot line. In cases where the front lot line is the high water mark, the front lot line setback shall be 7.5 metres (24.6 feet) (see Section 216).
- b) In cases where the rear lot line is the high water mark of the sea, the rear lot line setback shall be 7.5 metres (24.6 feet) (see Section 216).
- c) Except for Fences and Retaining Walls, which can be built at the property line.

**307.8 Buildings and Structures**

	Maximum Number	Maximum Height
Principal Buildings	4	8.6 m (28.2 ft) <sup>(a)</sup>
Accessory Buildings	4 <sup>(e)</sup>	7 m (23.0 ft) <sup>(b)(c)(d)</sup>
Accessory Structures	Not Applicable	7 m (23.0 ft) <sup>(d)</sup>

- a) The Highest Building Face shall be no greater than 6.7 metres (22 feet) as calculated in Section 207.
- b) The Roof Drip Line of any accessory building shall not at any point project into a required setback more than 60 centimetres (23.6 inches).
- c) All exterior perimeter of an accessory building shall rise vertically at 90 degrees from the foundation throughout the fullest vertical extension of the exterior wall.
- d) Maximum height of Fences and Retaining Walls are subject to Section 220.
- e) Where an Accessory Building is only used for sewage disposal components, the Accessory Building shall not be included in the determination of the permitted number of Accessory Buildings permitted on the parcel.

**307.9 Off-Street Parking**

Off-street parking spaces shall be provided on the same lot as the use being served in accordance with the following requirements:

- a) Minimum of 2 spaces per Duplex unit or per Single Family Residential Use; and
- b) Minimum of 1 space per non-resident employee for Accessory Home-Based Business Use.

**307.10 Sustainability**

All new construction must fulfill Step Code 3 requirements.

**307.11 Special Conditions**

(1) Signage

Signage shall be limited to that permitted pursuant to Section 211 (8) – Home Based Business use.

## Section 400: Civic Institutional Zones

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## Section 401: Civic Institutional (CI-1)

### 401.1 Intent

***This zone is intended to provide land for the purpose of accommodating facilities owned and operated by a government agency or non-profit organizations.***

### 401.2 Permitted Principal Uses

- a) Civic Use
- b) Public Service Use
- c) Assembly Use

### 401.3 Permitted Accessory Uses

- a) Accessory Single Residential Use
- b) Accessory Uses

### 401.4 Floor Area and Floor Area Ratio (FAR)

Not Applicable

### 401.5 Subdivision of Land

- a) Minimum lot area – Not Applicable
- b) Minimum lot width: 10% of the perimeter of the lot

### 401.6 Site Coverage

Maximum 40%

### 401.7 Minimum Building Setbacks

Use	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line
Principal Building	7.5 m (24.6 ft)	6 m (19.7 ft)	6 m (19.7 ft)	6 m (19.7 ft)
Accessory Buildings and Accessory Structures	7.5 m (24.6 ft)	6 m (19.7 ft)	6 m (19.7 ft)	6 m (19.7 ft)

### 401.8 Buildings and Structures

	Maximum Number	Maximum Height
Principal Buildings	1	10.7 m (35.1 ft)
Accessory Buildings and Accessory Structures	Not Applicable	4.5 m (14.8 ft)

#### **401.9 Off-Street Parking**

Off-street parking spaces shall be provided on the same lot as the use being served in accordance with the following requirements:

- a) Civic or Assembly Use – 1 space per 12 square metres (129.2 square feet) of gross floor area;
- b) Public Service Use – no parking required;
- c) Accessory Single Residential Use – 1 space.

#### **401.10 Special Conditions**

(1) Signage

Signs and other visual advertising devices shall be limited to either:

- a) a single unilluminated board or sign not exceeding 0.4 square metres (4.3 square feet) in area, placed flat against an exterior wall of a building;
- b) a free-standing unilluminated board or sign not exceeding 0.4 square metres (4.3 square feet) in area; or
- c) individual letters attached to the exterior wall of a building, each letter not exceeding 50 square centimetres in area.

## Section 500: Park Zones

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## Section 501: Regional Park (P-1)

### 501.1 Intent

***This zone provides for the location, preservation and development of public land for park uses within Belcarra Regional Park.***

### 501.2 Permitted Principal Uses

- a) Park Facilities
- b) Parking Area
- c) Passive Outdoor Recreation Use
- d) Boat Launch (Cartop) Use
- e) Single Family Residential Use

### 501.3 Permitted Accessory Uses

- a) Accessory Single Residential Use
- b) Accessory Uses
- c) Telecommunications equipment on that portion of Belcarra Regional Park identified on Schedule “A” attached hereto this bylaw and generally identified as Drawing(s) No. 3018-S7, 3018-A3, 3018-A3B and 3018-A1 (Amended as per Bylaw 308,2000)

### 501.4 Floor Area and Floor Area Ratio (FAR)

Not Applicable

### 501.5 Subdivision of Land

- c) Minimum lot area – Not Applicable
- d) Minimum lot width – Not Applicable

### 501.6 Site Coverage

Not Applicable

### 501.7 Minimum Building Setbacks

Use	Front Lot Line	Rear Lot Line	Exterior Lot Line	Interior Lot Line
Principal Building	7.5 m (24.6 ft) <sup>(a)</sup>	7.5 m (24.6 ft) <sup>(a)</sup>	7.5 m (24.6 ft) <sup>(a)</sup>	7.5 m (24.6 ft) <sup>(a)</sup>
Accessory Buildings and Accessory Structures	7.5 m (24.6 ft) <sup>(a)</sup>	7.5 m (24.6 ft) <sup>(a)</sup>	7.5 m (24.6 ft) <sup>(a)</sup>	7.5 m (24.6 ft) <sup>(a)</sup>

- a) In the case where the abutting property is zoned a Residential Zone, no building shall be located within 30 metres (98.4 feet) of the property line, except for a building used as an Accessory Single Residential Dwelling, which shall not be located within 7.5 metres (24.6 feet) of the property line.

### 501.8 Buildings and Structures

	Maximum Number	Maximum Height
Principal Buildings a. Notwithstanding the Maximum Height of 10.7 metres for Principal Buildings, the maximum height for telecommunication equipment shall be in accordance with the drawings attached as Schedule A hereto this bylaw and generally identified as Drawing(s) No. 3018-S7, 3018-A3, 3018-A3B and 3018-A1. (Amended as per Bylaw 308, 2000)	Not Applicable	10.7 m (35.1 ft)
Accessory Buildings and Accessory Structures	Not Applicable	10.7 m (35.1 ft)

### 501.9 Off-Street Parking

Off-street parking spaces shall be provided on the same lot as the use being served in accordance with the following requirements:

- a) Park Facilities – 1 space per 50 square metres (4.6 feet) of Gross Floor Area.

### 501.10 Special Conditions

#### (1) Watershed Protection

- a) Use and/or development of land zoned P-1 and P-2 shall be subject to Section 221 of this Bylaw – Watershed Protection.

## Section 502: Provincial Park (P-2)

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### 502.1 Intent

***This zone is intended to apply to land within the Indian Arm Provincial Park.***

### 502.2 Permitted Principal Uses

- a) Passive Outdoor Recreation Use

### 502.3 Permitted Accessory Uses

- a) Accessory Uses

### 502.4 Floor Area and Floor Area Ratio (FAR)

Not Applicable

### 502.5 Subdivision of Land

- a) Minimum lot area – Not Applicable
- b) Minimum lot width – Not Applicable

### 502.6 Site Coverage

Not Applicable

### 502.7 Minimum Building Setbacks

Not Applicable

### 502.8 Buildings and Structures

	Maximum Number	Maximum Height
Principal Buildings	Not Applicable	4 m (13.1 ft)
Accessory Buildings and Accessory Structures	Not Applicable	4 m (13.1 ft)

### 502.9 Off-Street Parking

Not Applicable

### 502.10 Special Conditions

- (1) The use of Accessory Buildings and Structures shall be limited to servicing and maintenance activities such as public washrooms;
- (2) Boat launching facilities shall not be permitted.

## Section 600: Rural Zones

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## Section 601: Rural (R-1)

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### 601.1 Intent

***This zone is intended to apply to land that is required for either the supply of domestic water to Village residents or for future park use.***

### 601.2 Permitted Principal Uses

Not Applicable

### 601.3 Permitted Accessory Uses

Not Applicable

### 601.4 Floor Area and Floor Area Ratio (FAR)

Not Applicable

### 601.5 Subdivision of Land

Not Applicable

### 601.6 Site Coverage

Not Applicable

### 601.7 Minimum Building Setbacks

Not Applicable

### 601.8 Buildings and Structures

Not Applicable

### 601.9 Off-Street Parking

Not Applicable

### 601.10 Special Conditions

- (1) Land within the Residential Zones may be used for the catchment, containment and diversion of water;
- (2) Land within the Residential Zones shall remain undisturbed in a natural state;
- (3) Land within the Residential Zones shall be subject to Section 221 of this Bylaw – Watershed Protection.

## Section 700: Marine Zones

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## Section 701: Marine 1 (W-1)

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### 701.1 Intent

***This zone provides for the development of water-oriented uses in compatibility with the adjacent residential uses and public recreation area.***

### 701.2 Permitted Principal Uses

- a) Floats, wharves, piers and walkways necessary for practical access to property immediately abutting the foreshore except a Wharfage Facility (Group) and Wharfage Facility (Shared);  
**(Amended as per Bylaw 319, 2001)**
- b) Recreational vessel moorage;
- c) Marine parks.

### 701.3 Permitted Accessory Uses

Not Applicable

### 701.4 Floor Area and Floor Area Ratio (FAR)

Not Applicable

### 701.5 Subdivision of Land

Not Applicable

### 701.6 Site Coverage

Not Applicable

### 701.7 Minimum Building Setbacks

Not Applicable

### 701.8 Buildings and Structures

Not Applicable

### 701.9 Off-Street Parking

Not Applicable

### 701.10 Special Conditions

- (1) No commercial or industrial activity other than private residential boat chartering and water taxi operations shall take place on a float, wharf or pier.

- (2) All floats, wharves, piers and walkways must be located within the boundaries of water licence or sublicence of occupation granted or approved by the Vancouver Port Corporation and, where applicable, the Village of Belcarra. Vessels navigating the harbour and their mooring, berthing, etc. are subject to the regulation and control of the Vancouver Port Corporation.
- (3) No float or wharf shall extend any further distance from the shore than is necessary for boat access and in cases where the length may exceed 45 metres (147.6 feet), shall in no event extend beyond a point where there is more than 2.5 metres (8.2 feet) depth of water at extreme low Spring tides.
- (4) No section of a float or wharf shall exceed a width of 6 metres (19.7 feet), except for a maximum of 2 wharf fingers, each of which may have a length of no more than 7.5 metres (24.6 feet) and a width of no more than 1.2 metres (3.9 feet). (Note: No portion of an access walkway that connects a public road to a float or wharf shall exceed a width of 2 metres (6.6 feet).)  
**(Amended as per Bylaw 319, 2001)**
- (5) No building, shed or structure may be erected on any float or wharf in this zone other than necessary posts to carry lighting fixtures and the necessary wiring thereto together with such other posts, rails, and supports as may be necessary for safety.
- (6) Floats, wharves, piers and walkways shall be designed and constructed as to not impede pedestrian access along the public foreshore nor diminish public access to the beach.
- (7) Signage of wharfage facilities shall be restricted to improvements within the boundaries of a water license or lease, and signs shall not be situated on municipally administered lands.
- (8) Float homes and houseboats shall not be permitted.
- (9) All discharged effluent shall be from a certified treatment system that complies with the standards for sewage discharge into a marine environment as established by the responsible authority.
- (10) The maximum length of a wharf shall not exceed 17 metres (55.8 feet).  
**(Amended as per Bylaw 319, 2001)**

## Section 702: Marine 2 (W-2)

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### 702.1 Intent

***This zone is intended to accommodate group wharfage facilities.***

### 702.2 Permitted Principal Uses

- a) Wharfage Facility (Group);
- b) All uses permitted within the W-1 zone.

### 702.3 Permitted Accessory Uses

Not Applicable

### 702.4 Floor Area and Floor Area Ratio (FAR)

Not Applicable

### 702.5 Subdivision of Land

Not Applicable

### 702.6 Site Coverage

Not Applicable

### 702.7 Minimum Building Setbacks

Not Applicable

### 702.8 Buildings and Structures

Not Applicable

### 702.9 Off-Street Parking

Not Applicable

### 702.10 Special Conditions

- (1) All uses shall comply with Section 701.10 of the Marine 1 (W-1) zone (Special Conditions), except for Section 701.10 (4).
- (2) No section of a float or wharf shall exceed a width of 6 metres (19.7 feet), except for a maximum of 3 wharf fingers, each of which may have a length of no more than 7.5 metres (24.6 feet) and a width of no more than 1.2 metres (3.9 feet). (Note: No portion of an access walkway that connects a public road to a float or wharf shall exceed a width of 2 metres (6.6 feet).)

**(Amended as per Bylaw 319, 2001)**

## Section 703: Marine 3 (W-3)

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### 703.1 Intent

***This zone is intended to accommodate shared wharfage facilities.***

### 703.2 Permitted Principal Uses

- a) Wharfage Facility (Shared);
- b) All uses permitted within the W-1 zone.

### 703.3 Permitted Accessory Uses

Not Applicable

### 703.4 Floor Area and Floor Area Ratio (FAR)

Not Applicable

### 703.5 Subdivision of Land

Not Applicable

### 703.6 Site Coverage

Not Applicable

### 703.7 Minimum Building Setbacks

Not Applicable

### 703.8 Buildings and Structures

Not Applicable

### 703.9 Off-Street Parking

Not Applicable

### 703.10 Special Conditions

- (1) All uses shall comply with Section 701.10 of the Marine 1 (W-1) zone (Special Conditions), except for Section 701.10 (4).
- (2) No section of a float or wharf shall exceed a width of 6 metres (19.7 feet), except for a maximum of 3 wharf fingers, each of which may have a length of no more than 7.5 metres (24.6 feet) and a width of no more than 1.2 metres (3.9 feet). (Note: No portion of an access walkway that connects a public road to a float or wharf shall exceed a width of 2 metres (6.6 feet).)

**(Amended as per Bylaw 319, 2001)**

## Section 800: Subdivision of Land

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### **801 Regulation of Subdivision**

The purpose of this Division is to regulate the minimum dimensions and area of parcels of land which may be created by subdivision.

### **802 Minimum Lot Size and Width**

- (1) The size and width of a parcel to be created by subdivision and which may lawfully be used as the site for a building shall not be less than the minimum dimensions and area for the construction of buildings or dwellings, as set out in the minimum lot size and width statement in the applicable zoning district schedule, where such minimum area and width have been specified.

### **803 Minimum Frontage**

- (1) As required by the Municipal Act, no parcel of land in any proposed subdivision shall have less than 10% of its perimeter fronting on a highway. This regulation may be relaxed by the Council upon application by the property owner.
- (2) Notwithstanding Section 403(1), the minimum frontage for parcels of land in a cul-de-sac subdivision may be less than 10% of the perimeter of the parcel, provided that the minimum frontage is not less than 15 metres (49.2 feet) and the width of the lot is not less than 20 metres (65.6 feet) measured 10 metres (32.8 feet) back in a perpendicular manner from the front lot line.

### **804 Parcels Exempt from Minimum Lot Size Requirements**

- (1) The consolidation of two or more parcels into a single parcel is permitted, notwithstanding that the consolidated parcel may not comply with the minimum parcel size requirement as specified in the zoning district in which the new parcel is situated.
- (2) The realignment of property lines to create new parcels may be permitted provided that:
  - (a) the number of new parcels created by subdivision would be equal to or less than the number of parcels that existed prior to the subdivision, and;
  - (b) the boundary change would not result in the creation of a parcel having less than 80% of the area of any of the original parcels.

### **805 Parcel Shape**

- (1) Unless the pattern of existing subdivision precludes it, and unless it is impracticable, side lot lines shall be perpendicular or radial to the adjoining highway.
- (2) No panhandle lot shall be created where the access strip is narrower than 7.5 metres (24.6 feet).

## Section 900: Severability and Enforcement

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### **901 Severability of Bylaw**

If any Division, Section, Subsection, Sentence, Clause or Phrase of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw.

### **902 Violations**

Each person who contravenes any of the provisions of this Bylaw shall commit an offence against the Bylaw; and each day that such contravention continues shall constitute a separate offence.

### **903 Penalty**

Each person who commits an offence against this Bylaw shall be liable on summary conviction to a penalty of up to \$5,000.00.

### **904 Entry**

The Clerk/ Treasurer and the Building Inspector may enter at all reasonable times premises or lands subject to this Bylaw in order to ascertain whether the provisions of the Bylaw are being observed. Obstruction of the Clerk/ Treasurer or Building Inspector on entry, under this section, shall constitute an offence.

### **905 Administration**

The Building Inspector or any other official who may be appointed by Council shall interpret and administer the provisions of this Bylaw.

## Section 1000: Repeal and Effective Date

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### 1001 – REPEAL OF PREVIOUS BYLAW

- (1) “Village of Belcarra Zoning Bylaw ~~No. 85 (1985)~~” and all amendments thereto are hereby repealed.
- (2) “Greater Vancouver Regional District Electoral Area B Zoning Bylaw ~~No. 511, 1984~~” and all amendments thereto that apply to the Village of Belcarra are hereby re-pealed.

**READ A FIRST TIME** this ~~22nd day of July, 1996.~~

**READ A SECOND TIME** this ~~22nd day of July, 1996.~~

**PUBLIC HEARING HELD** this ~~24th day of September, 1996.~~

**READ A THIRD TIME** this ~~7th day of October, 1996.~~

**RECONSIDERED AND FINALLY ADOPTED** this ~~7th day of October, 1996.~~

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Schedule A – Zoning Map**

TO BE PROVIDED

**Schedule B – Watershed Map**

TO BE PROVIDED