



COUNCIL REPORT

File: 3360-09

Date: February 26, 2018

From: John Stubbs, Chair, on behalf of the Zoning Advisory Committee

Subject: Village of Belcarra Zoning Bylaw No. 510, 2018

Recommendations

That the Zoning Advisory Committee (ZAC) report dated February 26, 2018 be received; and
That the Zoning Advisory Committee (ZAC) report be referred to staff to bring forward to the next Regular Council Meeting for consideration of first reading and referral to Public Hearing.

Purpose

To present the Village of Belcarra Zoning Bylaw No. 510, 2018 for consideration.

Background

Formation of Zoning Advisory Committee

Following the enactment of Bylaw Amendment No. 502 in November, 2016, Council voted to form a Zoning Advisory Committee (ZAC / Committee). The purpose of the ZAC was to undertake a substantial review of the Zoning Bylaw and make recommendations to Council with respect to potential changes and improvements that could be implemented.

The ZAC Terms of Reference (Attachment 1) set out the Committee's scope, including to consider:

- Issues of housing bulk, size and scale;
- Architectural incentives and dis-incentives;
- Clarification of existing definitions and adding new definitions;
- Viewscales and compatibility with the Community Wildfire Protection Plan;
- Floor area exclusions, inclusions and inclusions with limitations;
- Coach houses and accessory suites;
- Compatibility with the Official Community Plan;
- Lot placement, building setbacks and building feature setbacks; and
- Environmental impacts including energy efficiency standards.

The Terms of Reference identified three objectives of the process, which include:

1. Fairness to the existing residents of the village;
2. Consistency with the Village's Official Community Plan (OCP); and
3. Practicality – implementation will be practical, easily understood and within the constraints of the *Local Government Act*.

ZAC Composition

At its inception, the ZAC was comprised of 18 Belcarra residents, including 1 member of Council. As one Committee member has resigned, the Committee now stands at 17 members. The current ZAC membership list is included in Attachment 2 of this report. At the first meeting, the ZAC elected a chair, John Stubbs, and a vice-chair, Martin Greig. The ZAC's work was supported by Village Staff, and a team of planning consultants including Richard White of RWPAS Ltd and Laura Beveridge, Dan Watson, and Chi Chi Cai of Brook Pooni Associates. The Committee heard a presentation on architectural implications of changes to the Zoning Bylaw by Architect Robert Bradbury and a presentation on the BC Energy Step Code by City of Richmond Sustainability Manager Brendan McEwan.

Official Community Plan Context

The Village of Belcarra's Official Community Plan (OCP) was enacted in 2011 and sets out goals, objectives, and policies for the future growth and change in the municipality. This includes development and land use decisions, water use, transportation, services, and environmental policies. The OCP identifies Belcarra's village character as a key consideration, highlighting the semi-rural nature of the community, along with its connection to the natural environment, viewscales, and outdoors.

With respect to proposed changes to the Zoning Bylaw, the OCP provides direction for new subdivision activity in the community, namely that the minimum lot size regulations for single-family lots shall be 0.5 acres (0.2 ha). For areas where there is no public road access (Farrer Cove, Twin Islands, and Cosy Cove), the minimum lot size shall be 1 acre (0.5 ha) for water access only subdivisions (OCP Section 3.1.1.b).

The OCP also provides direction to explore alternative housing opportunities within the Zoning Bylaw (OCP Section 3.1.1.c). This includes exploring:

- Stand alone accessory suites within an accessory building;
- Up to four small houses on 1 acre (0.4 ha) lot; and
- Duplexes.

The Committee has considered these directions from the OCP and endeavoured to propose recommendations that are in alignment with the approved OCP.

Engagement Process

The ZAC's process represents a significant achievement in community consultation and engagement. Since the process began in January 2017, the Committee has carried out 17 meetings, 3 community open houses, and is making a presentation to Council. This represents over 14 months of work by the ZAC. The Committee has contributed well over 1,000 hours of volunteer time dedicated to this process, not counting time spent preparing, reviewing materials, researching alternatives, and considering potential impacts on the community. The ZAC has often carried on its meetings late into the evening in an effort to ensure the best proposals be brought forward.

The ZAC has spent substantial time reviewing and discussing the best practices of zoning, looking at examples of bylaws in other municipalities, and weighing the impacts of various zoning decisions. Through thoughtful analysis and discussion, the ZAC has been able to identify significant areas of agreement within the Zoning Bylaw and put forward a set of recommendations that hold the broad support of the Committee. While some areas of the Bylaw were more contentious, such as the regulation of height and floor area, the Committee has achieved broad consensus on the majority of topics that it has addressed.

With at least 130 members of the community having participated in the ZAC open houses, over 20% of the community has been directly engaged in the ZAC's work. Attendance at the Committee's open houses included representation from across the Village (see Attachment 4 for a map of where open house attendees live). The breadth of representation in this process is a substantial achievement for community participation and engagement, and a highly commendable effort from the community. The Zoning Advisory Committee has contributed significant effort to this process and should be duly recognized for the work it has produced.

The Committee's process was broken into three phases, which included:

- Phase 1 – Introduction to Zoning;
- Phase 2 – Reviewing Belcarra's Zoning Bylaw and identifying proposed changes; and
- Phase 3 – Refining proposed changes and preparing recommendations to Council.

The Committee hosted a public open house during each phase of the process, providing members of the public with an opportunity to give input and feedback to the Committee. The open houses were held April 12, 2017; October 4, 2017; and January 24, 2018.

Open House #1 (April 12, 2017)

At the first open house, the Committee presented the material that had been covered during the first phase of the process. This included an overview of the key components of a zoning bylaw, and how zoning bylaws relate to provincial law, regional, and municipal policies, including the Official Community Plan. The Committee also presented findings from a review of other municipalities' zoning bylaws.

In total, 29 members of the public were counted at the open house. Attendees were invited to complete comment forms, which asked whether there was anything they would like the ZAC to consider in Phase 2 of the process. In total, 13 comment forms were received. Feedback covered a range of themes, including:

- Existing non-conforming houses,
- Viewscapes,
- Energy efficiency and sustainability,
- House sizes,
- Apartments/duplexes,
- Short-term rentals,
- Minimum lot size requirements,
- Multiple zones,
- Vacant homes, and
- Fire risk.

Open house feedback was shared the Committee and considered in Phase 2 of the process.

Open House #2 (October 4, 2017)

At the conclusion of Phase 2, the ZAC held its second open house, and presented the recommendations that had been considered to date. Over 100 members of the public attended the open house, and over 110 comment forms were received during and after the open house.

The presentation material included proposed new definitions, new and revised general regulations, exclusions, and sustainability requirements. The Committee also presented two alternatives for maximum home sizes and a zoning map that identified six potential zones.

Attendees were asked whether they preferred the updated Bylaw to set maximum house sizes based on what is currently permitted in the existing Bylaw, or whether they preferred houses sizes to be limited to a size more in line with the average size that currently exists in Belcarra. A strong majority of responses, 80%, favoured the option that permitted house sizes in line with the current Bylaw, while 12% of respondents preferred an option that would limit houses to a size more in line with the average size of existing homes in the village.

Members of the public were also asked questions about coach house sizes and identifying zones within the village. The Committee considered this feedback, along with other comments shared at the open house, in Phase 3 of the process.

Open House #3 (January 24, 2018)

At open house #3, the ZAC shared a set of refined recommendations to Council, including proposed new definitions, new and revised general regulations, exclusions, and sustainability requirements. Based on community feedback and further Committee discussion, the ZAC presented maximum house size limits in line with those currently permitted in the Village, and presented four residential zones. In total, 61 members of the community attended the open house and 73 comment forms were received during and after the open house.

Attendees were asked whether they agreed with the Committee's recommended maximum permitted houses sizes, which are in line with the current Bylaw, but reduced to account for additional exclusions that the Committee has proposed. Of the responses, 58% indicated "Yes" that they supported the recommendation and 23% indicated "No."

Members of the public were also asked whether they supported the Committee's recommendation to allow one-storey garages in front of Principal Buildings, where they are not permitted under the existing Bylaw. Of the responses, 66% indicated "Yes" and 18% indicated "No."

This feedback, along with other comments shared with the Committee at the open house, was considered by the ZAC at the final Committee meeting on February 7. Final adjustments to the Committee's recommendations were made at this meeting.

Belcarra Zoning Bylaw No. 510, 2018 – Changes Proposed by the Zoning Advisory Committee

The ZAC has prepared a draft Zoning Bylaw for Council consideration (Attachment 3). This Bylaw includes a number of minor housekeeping edits, as well as significant changes to the regulations to clarify their interpretation, respond to direction from the Official Community Plan, and address input from the community. Changes applied to the draft Bylaw fall into the following categories:

- New definitions;
- New and revised general regulations;
- New residential zones;
- Changes applied to all zones (district schedules); and
- Changes applied to individual zones (district schedules).

These proposed changes are outlined below.

New Definitions

The Committee is recommending 9 new definitions be introduced or revised in the Zoning Bylaw.

1. Accessory Coach House Use
2. Accessory Secondary Suite Use

The current Bylaw provides a definition for Accessory Suites. Separate definitions were introduced to the proposed Bylaw to clarify what constitutes an Accessory Coach House Use and an Accessory Secondary Suite Use. The new definitions clarify that an Accessory Coach House Use is a separate Dwelling Unit in a separate Accessory Building, while an Accessory Secondary Suite Use is a separate Dwelling Unit contained within the Principal Building.

As outlined below in New General Regulations, the Committee is recommending that either one Accessory Coach House Use or one Accessory Secondary Suite Use be permitted per Principal Residential Use.

3. Accessory Structure

This definition has been added to clarify the distinction between an Accessory Structure and an Accessory Building. Accessory Structures include fences, retaining walls, sewage systems, storage sheds, swimming pools, platforms, display signs, etc. The number of Accessory Buildings on each property is limited in each Zoning District Schedule, but the number of Accessory Structures is not. Clarifying these distinctions removes the limit on the number of Accessory Structures on a property, permitting more flexibility with incidental structures on a property.

4. Average Natural Grade

This new definition distinguishes Average Natural Grade from the existing definition of Average Finished Grade. Under the proposed General Regulations, Average Natural Grade is used to calculate height, while Average Finished Grade is used to calculate excluded Floor Area.

5. Gross Floor Area

The current definition of Gross Floor Area has been changed to refer specifically to Principal Buildings and Accessory Buildings (not Accessory Structures), and to clarify that excluded areas do not count toward Gross Floor Area.

6. Height (of a building or structure)

A change to this definition is proposed to clarify how height is measured in buildings with sloped roofs, and to measure from the Average Natural Grade, rather than the Average Finished Grade. This change has been proposed to limit the viewscape impacts of property owners building up the grade of their properties and impacting other residents' views.

7. Front Waterfront Lot Line

8. Rear Waterfront Lot Line

Front and Rear Waterfront Lot Line definitions were introduced to clarify that for properties accessed by public road, the Front Lot Line would be that side of the property facing the street. For properties with public road access and a waterfront lot line, this would be the Rear Waterfront Lot Line. For properties without public road access, the shoreline would constitute the Front Waterfront Lot Line. The determination of which is the front and which is the rear lot line impacts where accessory buildings may be located (i.e. only garages or coach houses less than 4 m may be situated nearer to the Front Lot Line than the front of the Principal Building in the proposed RS-1 zone, whereas Accessory Buildings up to 7 m may be located behind the front of the Principal Building).

9. Derelict Vehicles

The current bylaw defines a derelict vehicle as 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. As many residents of the village have boats and cars that they may not keep licensed or enclosed, the Committee is recommending that the definition be changed to remove references to enclosing vehicles and the length of time the vehicle has been unlicensed. The Committee asked members of the public to comment on this proposed change at Open House #3 and no comments were received addressing this question.

New General Regulations

The Committee is recommending the addition of 6 new General Regulations in the Zoning Bylaw. These General Regulations are intended to provide clarity to the Bylaw and how its regulations will be implemented. For example, the existing Zoning Bylaw does not define which parts of buildings are excluded from the calculation of Gross Floor Area, leading to uncertainty in assessing permitted building size and other architectural considerations. Additional language has been added to clarify how Height should be measured, how Average Grade is calculated, Landscaping and Permeability Requirements, and regulations related to Accessory Secondary Suite Uses and Accessory Coach House Uses.

1. Height Regulations

Aside from defining Height as “the vertical distance from the Average Finished Grade to the highest point of the building or structure,” the existing Bylaw provides no standardized methodology for measuring the height of buildings. The proposed updated regulation clarifies how height will be measured for buildings with flat roofs and for buildings with sloped roofs. Diagrams have also been added to the Bylaw to provide clarity in interpreting the proposed methodology for measuring height.

2. Average Grade (Natural and finished) Calculations for Building and Structure Height or for Floor Area Ratio (FAR)

Under the proposed changes to the Zoning Bylaw, the height of buildings would be measured from the Average Natural Grade and the excluded floor area would be measured from the Average Finished Grade. The measurement of Height from Average Natural Grade is intended to discourage property owners from building up the grade of their properties to gain extra height. The measurement of excluded areas based on Average Finished Grade is to exclude those spaces that are primarily underground, and therefore shielded from view.

In both cases, Average Grade (natural and finished) is measured around the perimeter of the building (or proposed building). The elevation is measured at the corners of buildings, and then averaged with the other corner making up that wall segment, and multiplied by the length of that wall segment. The sum of these figures is then divided by the perimeter of the building, giving the Average Grade. Whether the elevations are measured from the natural or finished grade determines the Average Natural Grade or the Average Finished Grade. A diagram and a sample calculation have been added to the Bylaw to clarify the implementation of this new regulation.

3. Floor Area Exclusions

The identification of areas that are excluded from the calculation of Gross Floor Area is standard practice in zoning bylaws in British Columbia. The existing Village of Belcarra Zoning Bylaw does not specify which areas of proposed buildings will be excluded from this calculation, leading to uncertainty as to which areas will be included and which will be excluded. The proposed Bylaw articulates that Garages up to 92.9 sq m (1,000 sq ft), basement space, open balconies, decks, and other appurtenances, Accessory Buildings used only for sewage disposal components, and floors with a ceiling height of less than 2.1 metres (6.9 ft) will be excluded. The proposed Bylaw also states that floor areas open to above, such as stairs, will only be counted once toward the total floor area of the building. The Committee has estimated that approximately 24% of buildings will be excluded under these new regulations.

A diagram and formula have been introduced to clarify which portions of below-grade floor area will be excluded from Gross Floor Area. The determination of which portions of the basement are included and excluded is based on the following three criteria:

- Any area that extends beyond the perimeter of the storey above is entirely included in Gross Floor Area.

- Portions of the basement that are below Average Finished Grade are excluded proportionately (e.g. if 40% of the height of a portion of the basement is below Average Finished Grade, then 40% of that floor area will be excluded).
- Any area where the underside of the ceiling is less than 0.61 m (2 ft) below Finished Grade is entirely excluded from FAR.

These new regulations allow for the exclusion of areas that are mostly or entirely unseen—i.e. basements, as well as spaces that are typically unoccupied, un-inhabitable, and/or typically unconditioned, such as attics, basements, decks, and cellars. With the proposed changes, the emphasis is put on including those spaces that are primarily intended for habitation and are likely to add to the bulk of a Principal or Accessory Building.

4. Accessory Secondary Suite Use
5. Accessory Coach House Use

The Committee is recommending splitting the existing regulation of Accessory Suites into two distinct regulations of Accessory Secondary Suite Use and Accessory Coach House Use. An Accessory Secondary Suite Use is located within the Principal Building, and an Accessory Coach House Use is located in an Accessory Building. The proposed Bylaw limits each lot to one Accessory Secondary Suite Use or one Accessory Coach House use per Principal Residential Use. This regulation will allow up to two dwelling units per lot on properties with Single Family Residential Uses and up to four dwelling units per lot on properties with a Duplex Residential Use or two Single Family Residential Uses.

While the Committee had contemplated allowing one Accessory Secondary Suite Use *and* one Accessory Coach House Use per Principal Residential Use, the Committee ultimately felt that further consideration was required prior to implementing this change.

The Committee has proposed increasing the maximum size of an Accessory Secondary Suite Use from 75 sq m (807.3 sq ft) to 90 sq m (968 sq ft), which is the maximum size permitted by the Building Code. The Committee has proposed increasing the maximum size of Accessory Coach House Uses from 72 sq m (807.3 sq ft) to 92.9 sq m (1,000 sq ft). The Committee has discussed the importance providing a range of housing options in the Village and encouraging ways to facilitate economic diversity in the Village, given the high cost of property in Belcarra. The Committee has sought to provide for large enough Accessory Secondary Suite and Accessory Coach House sizes that a family could be accommodated in these units, while balancing this goal with the desire to preserve viewsapes and limit the massing of Accessory Buildings.

In both cases a Sewage Disposal Permit must be obtained in order to permit an Accessory Coach House or Accessory Secondary Suite. For properties accessed by public road, one parking stall must be provided for each Accessory Secondary Suite Use and Accessory Coach House Use, in addition to the two parking spaces required for the principal Single Family Residential Use.

Under the current Bylaw, an Accessory Coach House Use must only be located in an Accessory Building that is also used as a Garage. The Committee is recommending retaining this requirement, except in cases where the Accessory Coach House Use is limited to one storey in height. This change would allow a one-storey Accessory Building containing an Accessory Coach House Use to be built on a property with an existing house that has an attached garage. This recommendation is supported by OCP Policy 3.1.1.c., which provides direction to explore opportunities for stand-alone accessory suites within an accessory building.

6. Landscaping and Permeability Requirements

The Committee is recommending introducing new Landscaping and Permeability requirements for new construction. This requirement is for a minimum of 30% of the total surface area of a parcel to be fully landscaped and maintained in a permeable state. This includes natural vegetation, stone outcroppings, and natural rock terrain.

The intent of this regulation is to provide for the drainage of water and to discourage the introduction of additional impermeable surfaces, such as asphalt and concrete, which may lead to water detention and filtration concerns. This regulation is also intended to encourage the preservation of natural landscaping and habitat in alignment with the OCP's vision for environmentally sensitive growth and development (OCP Section 2.3.a).

Home-Based Business Uses

In addition to the proposed new and modified General Regulations above, the Committee has reviewed the regulations pertaining to Home Based Business Use (Home Occupation Use under the existing Bylaw). The existing regulation states the following: "No automobile, boat, or other machinery servicing or repair is permitted as a Home-Based Business Use." The Committee asked members of the public to share their thoughts on this regulation at open house #3. Only one written comment was received, which supported removing this clause. The Committee is recommending removing this clause as many residents prefer to have their vehicles and boats serviced within the Village and there is no other land in Belcarra zoned for this use.

New Residential Zones

The existing Bylaw includes three (3) residential zones, as follows:

- RS-1 – Residential 1, permitting single family houses on minimum lot size of 4,047 sq m;
- RS-1A – Residential 1A, permitting single family houses on properties with a minimum lot size of 4,047 sq m and duplexes on properties with a minimum lot size of 8,094 sq m; and
- RS-2 – Residential 2, with a minimum lot size of 4,047 sq m, but no district schedule in the Bylaw providing regulations for this zone.

Properties accessed by road are primarily zoned RS-1 by the existing Bylaw, properties accessed primarily by water or without public road access are primarily zoned RS-1A, and one property off Senkler Road is zoned RS-2.

The updated zoning map proposed by the Committee is based largely on the existing zoning of the Village, with minor amendments:

- The proposed new RS-1 – One Family Residential Zone follows the existing RS-1 zone, but includes the property currently zoned RS-2 and excludes the properties at Cosy Cove. The intent of this zone is to provide land solely for the purpose of a Single Family Residential use, as well as either one Accessory Coach House Use or one Secondary Suite Use per Principal Residential Use.
- The proposed new RM-1 – Duplex or One or Two-House Zone and RM-2 –Farrer Cove South Zone include the properties currently zoned RS-1A under the existing Bylaw, as well as the properties located in Cosy Cove. These zones include those properties without public road access and are intended to permit the development of a Duplex Residential Use, or two Single Family Residential Uses on land that is at least 2 acres or the development of a Single Family Residential Use. The two zones are identical in their regulations, but are differentiated in order to recognize the distinct nature of those properties in Farrer Cove South and the direction in the OCP for potential future road access to Farrer Cove South.
- The proposed new RM-3 – Duplex or Four House Zone is not modelled after an existing zone in

Belcarra, but is derived from direction in the OCP (Section 3.1.1.c.) to explore alternative housing opportunities such as permitting duplexes or up to four small houses on a one acre property. The Committee has not proposed applying the RM-3 zone to any properties in the Village, but provides this zone as a template for future potential rezonings should an applicant wish to explore alternative housing forms.

Changes Recommended in All Zones

- Key changes recommended in all zones include:
 - Height
 - Accessory Uses
 - Gross Floor Area and Floor Area Ratio
 - Setbacks
 - Sustainability

Height

The Committee is recommending an increase in permitted Height in all residential zones from the current maximum Height of 8.6 m (28.2 ft) to a maximum of 9.6 m (31.5 ft). Overall, this change will allow for taller buildings in the village, particularly with sloped roofs, as the current Bylaw measures to the top of the roof, whereas the proposed Bylaw measures to the midpoint of a sloped roof. As the Height of buildings is proposed to be measured from the Average Natural Grade under the proposed new Bylaw, compared to the Average Finished Grade under the current Bylaw, view impacts resulting from the increased permitted height may be mitigated by the fact that the grade below buildings cannot be shored up to allow building at a higher elevation without impacting the overall height of the building. Additionally, the Committee has recognized that a large majority of lots in Belcarra are steeply sloped, which minimizes the impact of this height in most instances.

The Committee is also recommending a reduction in height of Accessory Structures from the current 7 m (23 ft) to 3 m (9.8 ft). The Maximum Height of Accessory Buildings remains the same at 7 m (23 ft).

Accessory Uses

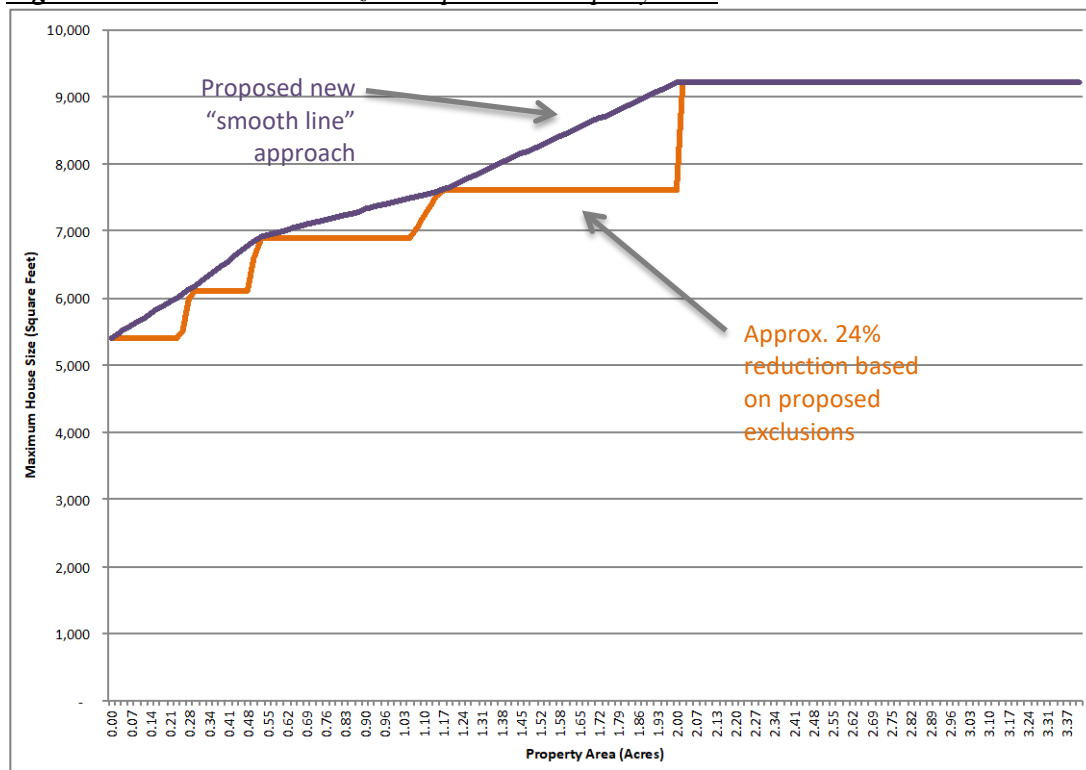
The Accessory Uses permitted in each zone have been revised to clarify that either one Accessory Coach House Use or one Accessory Secondary Suite Use is permitted per Principal Residential Use. Accessory Parking Use has also been included to clarify that the Accessory Parking associated with a permitted use on a property is permitted.

Gross Floor Area and Floor Area Ratio

The Committee is recommending a new approach to calculating permitted Maximum Gross Floor Areas based on property size. The Committee has incorporated a number of considerations into this approach, which are illustrated in **Figure 1**, below. These considerations include:

- Ensuring that maximum house sizes are at least equivalent to those in the existing Bylaw;
- Accounting for new exclusions being recommended by the Committee (orange line); and
- “Smoothing out” the calculation of Maximum Gross Floor Area to avoid large jumps in permitted houses sizes between properties of similar area (purple line).

Figure 1. Maximum House Size Compared to Property Area



The Committee has sought to recommend maximum permitted house sizes that are generally in line with those permitted under the current Bylaw. The Committee estimates that the exclusion of spaces such as portions of basements, up to 1,000 sq ft of garage space, attics, and decks, is equivalent to approximately 24% of the floor area. As such, the Committee took the existing calculations for Maximum Gross Floor Area and applied a 24% reduction to account for the excluded areas being recommended. The Committee has then proposed a new set of formulas to “smooth out” the relationship between property area and permitted house sizes to avoid significant jumps in permitted house sizes between properties of similar sizes.

This Committee has made these recommendations in response to concerns that lowering the permitted Gross Floor Area and/or Floor Area Ratios could have a detrimental impact on those who expected to be able to build to a larger size, and would no longer be able to if permitted sizes were reduced. The Committee was concerned about potential impacts on property values if home sizes were decreased, and had a desire to ensure to the greatest reasonable extent that all existing houses would conform to the Bylaw. To this end, the Committee has also recommended including a clause specifically indicating that all existing houses will be permitted to rebuild to at least the same size that existed on the property at the time of the enactment of the proposed new Bylaw.

While the majority of ZAC members are supportive of the above recommendation, there remains concern among some members of the Committee that the size of houses permitted under the existing and proposed Bylaws could result in a change to or loss of the Village’s rural character. Over the years, the average size of houses in the Village has tended to increase – from an average size of 1,877 sq ft in the 1960s to an average of 4,501 sq ft in the 2010s, which is typical throughout the region.¹ Under the proposed update to the Zoning Bylaw, the average house size in the Village should be expected to continue to increase.

¹ Based on the proposed methodology of determining exclusions, these figures exclude half the basement, as well as garages, crawl spaces, attics and decks).

The Committee has engaged in extensive dialogue regarding the potential of changes to permitted house sizes, and has twice brought the question to the public, at Open House #2 and Open House #3. At Open House #2, 80% of comment form respondents indicated that they preferred the Bylaw to set maximum house sizes in line with what is currently permitted under the existing Bylaw. This response was reinforced at Open House #3, where over 58% of respondents indicated support for the Committee's proposal to recommend house sizes in line with what is currently permitted under the existing Bylaw.

Given the strong indication of community support for the proposed option and the rationale provided above, the Committee is recommending regulations that permit house sizes be broadly in line with what is currently permitted under the existing Bylaw.

Setbacks

The Committee has recommended increasing the Rear Lot Line Waterfront Setback to 7.5 m in cases where the rear lot line is the high water mark in order to align with watercourse setback requirements already included in the existing Bylaw. All other proposed setbacks remain in alignment with the existing Bylaw.

Sustainability

The new BC Energy Step Code provides standardized metrics for municipalities to require higher energy efficiency standards in new construction. The Committee is proposing to introduce a requirement for a 20% improvement or better in energy efficiency in new construction from current requirements. For most new construction in Belcarra, this will mean meeting "Step 3" of the BC Energy Step Code.

The Committee heard a guest presentation from Brendan McEwan, Sustainability Manager for the City of Richmond, who outlined the Step Code's performance-driven metrics, and provided a summary of costing implications.

Introducing higher energy standards in the Zoning Bylaw will allow the Village to begin addressing greenhouse gas reduction targets identified in the Official Community Plan. The Village's goal is to reduce the carbon footprint of buildings by 33% by 2020 and by 80% by 2050. While the impacts on the Village's carbon footprint have not been estimated, increasing the energy efficiency requirements of new construction will help to address this objective of the OCP.

Key Changes Recommended in the RS-1 Zone

Subdivision

The Village of Belcarra Official Community Plan states that, "for the purpose of new subdivision activity, within the Zoning Bylaw the minimum lot size regulations for single family lots shall be 0.5 acres (0.2 ha) (Section 3.1.1.b). To this end, the Committee is recommending a change to the minimum lot area for subdivision to 0.5 acres, from the 1-acre requirement of the existing Bylaw.

Setbacks and Siting of Accessory Buildings

The Committee is recommending adjustments to the setback and siting requirements for Accessory Buildings. The existing Bylaw only permits one-storey Garages in front of Principal Buildings. The Committee is proposing that Accessory Coach Houses and/or Garages be permitted in front of Principal Buildings as long as they are limited to a maximum height of 4.0 m (13 ft). The 4.0 m maximum height is intended to allow flexibility while preserving views, as a one-storey Accessory Coach House is likely to have the same view impact as a one-storey Garage. If the grade permits, this change also allows for a below-grade Garage with an Accessory Coach House above to be located in front of the Principal Building. Taller accessory buildings (up to 7.0 m) remain permitted behind the front face of the Principal Building.

Key Changes Recommended in the RM-1 and RM-2 Zones

Setbacks and Siting of Accessory Buildings

Similar to the proposed changes in the RS-1 zone, the Committee has recommended that Accessory Buildings must be no closer to the Front Waterfront Lot Line than the front wall of Principal Buildings. As properties in the RM-1 and RM-2 Zones do not have public road access, language permitting Garages in front of Principal Buildings has been removed.

Subdivision

The Committee is recommending a minimum lot area for subdivision in the RM-1 and RM-2 zones to be 1 acre, in line with direction given in the OCP (3.1.1.b), and is also recommending a minimum lot width for the purposes of subdivision of approximately 50 ft (15 m).

The existing Bylaw states that the Minimum Lot Width for properties in the RS-1A zone (on which RM-1 and RM-2 are based) is 10%. The proposed change would allow for significantly narrower lots than are currently permitted by the existing Zoning Bylaw. The Committee has discussed the potential implications of allowing smaller subdivisions, such as risks related to fire and emergency services in remote areas, and also discussed the potential for fire suppression techniques or access improvements in these areas.

Maximum Gross Floor Area for Two Houses on One Property

The Committee is recommending introducing language to the proposed Bylaw to clarify that where two houses are proposed on a single property greater than two acres in area in the RM-1 or or RM-2 zone, the Maximum Gross Floor Area of each Principal Building and its associated Accessory Building shall be determined by using half the total lot area. This change is intended account for the fact that the Maximum Gross Floor Area on a two-acre property, when divided between two buildings, would be less than the smallest houses permitted in the village. The Committee is also recommending a 3 m separation between these two buildings, which is in line with existing setback regulations.

Proposed new RM-3 Zone

As described above, the proposed new RM-3 – Duplex or Four House Zone is not modelled after an existing zone in Belcarra, but is derived from direction in the OCP (Section 3.1.1.c.) to explore alternative housing opportunities such permitting up to four small houses on one acre and duplexes. The Committee has not proposed applying the RM-3 zone to any properties in the Village, but provides this zone as a template for future potential rezonings should an applicant wish to explore alternative housing forms.

Conclusion

The Zoning Advisory Committee has dedicated considerable time and energy to responding to its terms of reference, which has resulted in a draft new Zoning Bylaw. In accordance with the ZAC's terms of reference, the Committee has gone to great lengths to ensure its recommendations are practical, fair to existing residents, consistent with the Village's Official Community Plan. The extent of Community engagement in this process has been atypical for most municipalities in British Columbia, and the Village should be commended for its efforts to ensure broad participation in the process. Over 20% of Village residents have provided direct input into this process over the course of 14 months. The Committee encourages Council to give due consideration to the recommendations contained in this report in light of the significant thought, energy, and community input that has gone into this work.

Attachments

1. Zoning Advisory Committee Terms of Reference
2. Zoning Advisory Committee Members List
3. Draft “Village of Belcarra Zoning Bylaw No. 510, 2018” including Draft Village of Belcarra Zoning Map
4. Open House Attendance Map



Village of Belcarra Terms of Reference Zoning Advisory Committee



November 14, 2016

The purpose of the Zoning Advisory Committee is to advise Council of recommended changes to the zoning bylaw relative to issues of housing bulk, size and scale and to ensure that appropriate community input occurs on this subject.

To satisfy the above purpose, the Zoning Advisory Committee will also consider:

- architectural incentives and dis-incentives;
- clarification of existing definitions and adding new definitions;
- viewsapes and compatibility with the Community Wildfire Protection Plan;
- floor area exclusions, inclusions and inclusions with limitations;
- coach houses and accessory suites;
- compatibility with the Official Community Plan;
- lot placement, building setbacks and building feature setbacks; and
- environmental impacts including energy efficiency standards.

Authority

- *Community Charter, Part 5, Div. 4, Section 142*
- *Consolidated Council Procedure Bylaw No., 356, 2004, Part 4, Committees*

Objectives

In undertaking its work and making recommendations the Committee should be guided by the following objectives:

1. Fairness to the existing residents in the Village:
2. Consistency with the Village's Official Community Plan (OCP): and
3. Practicality – implementation will be practical, easily understood and within the constraints the *Local Government Act*.

Process and Tasks

The Committee will meet and identify issues, undertake research, and make recommendations to Council. The Committee will meet in public and observers will be permitted to its deliberations. The Committee may receive submissions.

The Committee will hold three open houses. The first open house will be to identify issues and the tools available to the municipality to respond to these issues. The second open house will be to consider a draft set of recommendations for a Community review. The third open house will be to consider a draft set of recommendations to Council.

To provide an opportunity for community input, the second open house will include the opportunity for attendees to complete a comment sheet where they will be able to express their

views on the proposed changes to the zoning bylaw. This comment sheet will be available at the open house and on the Village website for those unable to attend.

The Committee will specifically make recommendations on changes to the zoning bylaw including the possible use of a Floor Area Ratio (FAR), building size caps, setbacks, accessory building caps, height calculations, grade regulations, and definitions with respect to floor area inclusions and exclusions including, but not limited to garages, decks and basements.

Committee Composition

The Committee will comprise of 18 individuals including 1 member of Council. The Committee will be advertised in the community – on the Belcarra Website and in the bus shelters. Community members will be invited to apply for the Committee. Council will appoint the members. In doing so, Council will seek to ensure a balance of residents with varying views.

The Committee will elect its own Chair from those appointed. Participation will be voluntary and without remuneration. Recommendations will preferably be made on the basis of a consensus, but where that is not possible, by simple majority of those present with contrary views noted.

Staff

The Committee will be supported by the Superintendent of Public Works / Building Official, and other staff as directed by the Chief Administrative Officer (CAO).

Resources

The CAO will work with the Committee to ensure that Committee has the necessary resources. The CAO will be the contact person and liaison for Committee consultants which will include, but not be limited to:

- ☐ A professional planner to provide input on planning matters;
- ☐ An architect;
- ☐ A real estate appraiser who will be asked to provide an estimate of the value implications for changes to the zoning bylaw; and
- ☐ The municipal lawyer;
- ☐ An Environmental Consultant.

Meetings

An established schedule will be agreed to by the majority of committee members. As per the Consolidated Council Procedure Bylaw No. 356, 2004.

Timeline

The Committee will undertake its work and make recommendations within nine months of its inception.

Budget

The Village will establish a budget for this work to cover consultant and open house costs.



VILLAGE OF BELCARRA

"Between Forest and Sea"

4084 BEDWELL BAY ROAD, BELCARRA, B.C. V3H 4P8

TELEPHONE 604-937-4100 FAX 604-939-5034

belcarra@belcarra.ca • www.belcarra.ca



Zoning Advisory Committee Members

John Stubbs, Chair
Martin Greig, Vice-Chair
Rob Begg
John Carlson
Jim Chisholm
Carolina Clark
Rex Crider
Paul Degraaf
Bruce Douglas
Clive Evans
Braam Le Roux
Ken Mikkelsen
Adrienne Peacock
John Reynolds
Deborah Struk
Des Wilson

Council Representative: Jamie Ross

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.

Village of Belcarra

Zoning Bylaw No. 510, 2018

Table of Contents

Section No.	Section	Page
100	Scope and Definitions	3
200	General Regulations	10
300	Zoning District Schedules	23
301	Interpretation	24
	Residential Zones	
302	RS-1 - One-Family Residential Zone	26
303	RM-1 - Duplex or One or Two-House Zone	30
304	RM-2 - Farrer Cove South Zone	34
305	RM-3 - Duplex or Four-House Zone	38
400	Civic Institutional Zones	43
401	CI-1 - Civic Institutional	44
500	Park Zones	46
501	P-1 - Regional Park	47
502	P-2 - Provincial Park	50
600	Rural Zones	52
601	R-1 - Rural	53
700	Marine Zones	54
701	W-1 - Marine 1	55
702	W-2 - Marine 2	57
703	W-3 - Marine 3	59
800	Subdivision of Land	61
900	Severability and Enforcement	63
1000	Repeal and Effective Date	64

Section 100: Scope and Definitions

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 Lot;
- **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 Unit 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 subordinate 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 of each exterior wall of a proposed building taken at the time of enactment of this Bylaw (refer to General Regulation Section 206 for method of calculation);
- **Average Natural Grade** means the average of natural elevations at 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;
- **Derelict Vehicle** means a car, boat, truck or similar vehicle that has been abandoned.
- **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 two Principal Residential Uses in a single building, situated side by side and 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 and Average Natural 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 total Gross Floor Area of the buildings on a parcel is divided by the area of the parcel.
- **Garage** means an Accessory Building or a 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** means the levels of finished ground adjoining each exterior wall of a building;
- **Gross Floor Area** means the total area of all floors of Principal Buildings and Accessory Buildings on a lot measured to the outermost surface of the exterior walls, less applicable floor area exclusions (refer to General Regulation Section 208 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);
- **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, including a Childcare (Family) Use, 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. Home Based Business Uses shall be subject to the provisions of Section 210;
- **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 or where no public access road exists;

- **Lot Line, Interior Side** means a lot line that is not a rear lot line and that is 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. 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, for parcels with road access, the lot line that is shared with the high water mark and that is opposite to and most distant from the front lot line;
- **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;
- **Principal Residential Use** means the primary dwelling unit in a Residential Use.
- **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

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

- (5) 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. Height Measurement – Flat Roof

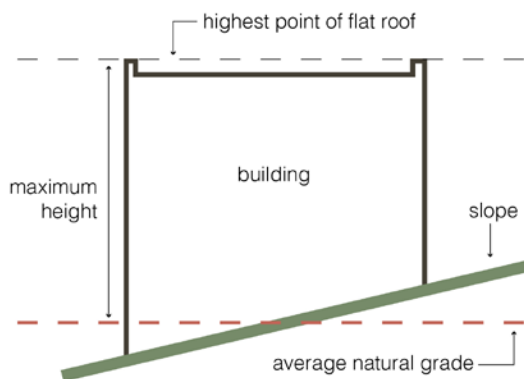
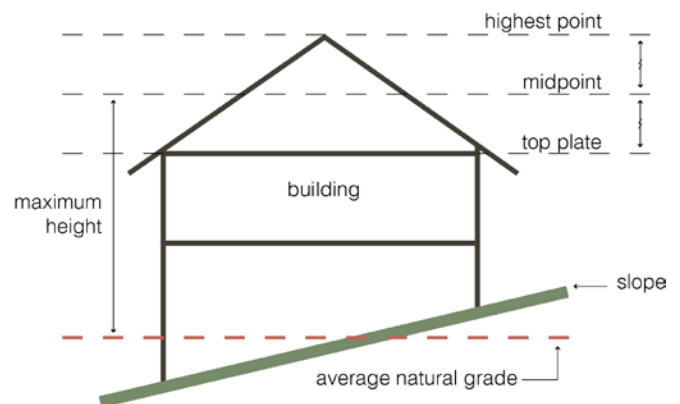


Figure 2. Height Measurement – Pitched Roof



- 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 metres (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

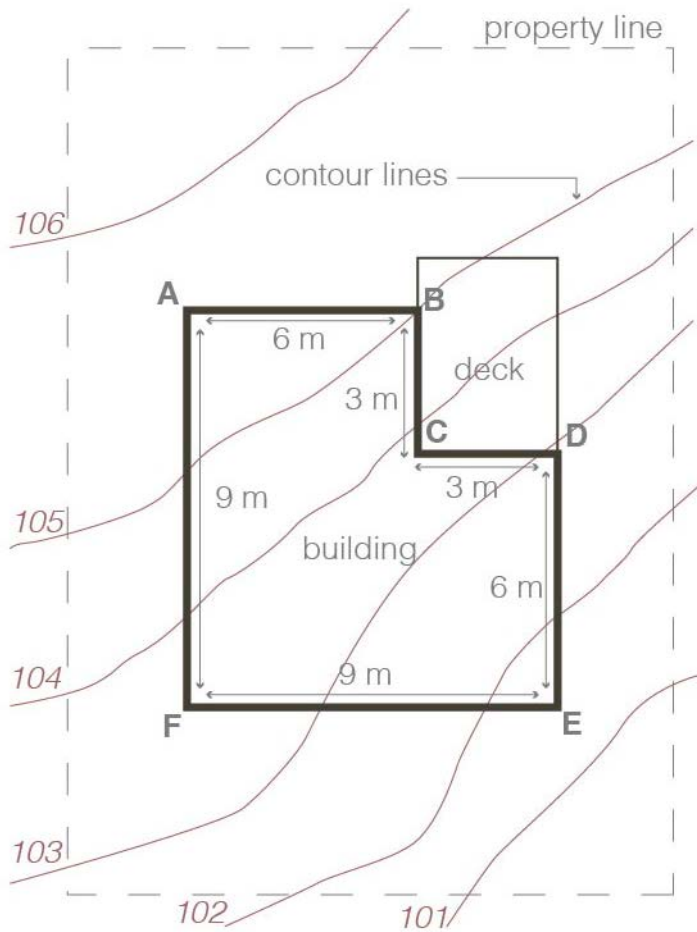
- (1) A chimney having no horizontal dimension greater than 1.2 metres (3.9 feet), fire department hose tower, water tank, flag pole, aerial or non-commercial receiving antenna or similar object not used for human occupancy are not subject to the

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 216.

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. Attached carports and decks are not considered in determining the perimeter of the building.
 - b) A structure that is not defined as a building.
- (2) To calculate the Average Grade (Natural and Finished) for the building (refer to Figure 3):
 - 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 $[(\text{grade 'x'} + \text{grade 'y'}) \div 2 = \text{average}]$, 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;
 - d) 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 a British Columbia Land Surveyor at the cost of the property owner.
- (5) An example of calculating average grade is shown below (see Figure 3).

Figure 3. Calculation of Average Grade for Building and Structure Height

Example (based on Figure 3):

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	$(101.5 + 103.5) \div 2 = 102.5 \text{ m}$	x 9 m	= 922.50
F – A	$(103.5 + 105.5) \div 2 = 104.5 \text{ m}$	x 9 m	= 940.50
Totals:		36 m	= 3732

Total Y ÷ Total Perimeter Length = Average Grade

$$3732 \div 36 = 103.6 \text{ m}$$

The Average Grade is calculated to be 103.6 m.

207 – Exceptions to Siting Requirements

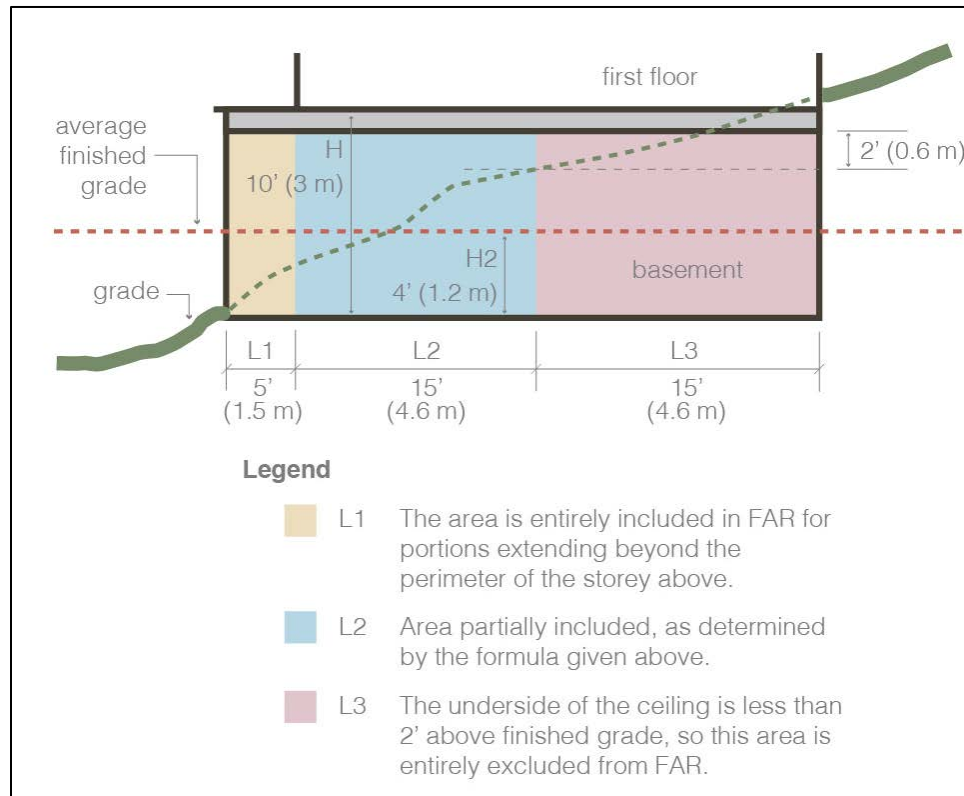
- (1) Where chimneys, cornices, headers, gutters, pilasters, sills, bay windows, window wells or ornamental features project beyond the face of a building, the minimum distance to an abutting lot line as permitted elsewhere in this Bylaw may be reduced by not more than 0.6 metres (2 feet) providing such 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.
- (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.

208 – Floor Area Exclusions

- (1) The following areas are excluded from Gross Floor Area calculations:
 - a) Garages up to 92.9 square metres (1,000 square feet). Any area exceeding 92.9 square metres (1,000 square feet) is included in Gross Floor Area (except as described in 208(1)(b)).
 - b) Basement space, including garages, below Average Finished Grade as shown in Figure 4 and outlined in the clause and calculation below:

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

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

Figure 4. Basement Floor Area Section

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

209 – 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, sited, 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.

210 – Home-Based Business Use

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

- a) The activities shall be conducted entirely within the principal building or accessory building except where such activity involves horticulture or a family day care.
- b) The Home-Based Business Use 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.
- c) 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.
- d) 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-Based Business Use.
- e) 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).
- f) The use within one or more accessory buildings shall occupy a total of not more than 50 square metres (538.2 square feet).
- g) In no case shall the aggregate floor area of all buildings used for the Home-Based Business Use exceed 50 square metres (538.2 square feet) on a parcel of land.
- h) The total display area of any outdoor advertising sign shall not exceed 0.4 square metres (4.3 square feet).
- i) Not more than the equivalent of two full-time persons shall be engaged in a Home-Based Business Use, one of which shall be a resident of the dwelling unit.
- j) Home crafts or occupations shall not discharge or emit the following across lot lines:
 - i. odorous, toxic or noxious matter or vapours;
 - ii. heat, glare, electrical interference or radiation;
 - iii. recurring ground vibration;
 - iv. 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.
- k) The use shall provide parking in accordance with the requirements in the applicable zone.

211 - Accessory Single Family Residential Use

- (1) An Accessory Single Family Residential Use shall:
 - a) be limited to one per lot;
 - b) have a minimum floor area of 75 square metres (807.3 square feet); and
 - c) where located within the same building as the principal use, be provided with a separate entrance.

212 – 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.

213 – Accessory Secondary Suite Use

- (1) Not more than one Accessory Secondary Suite Use shall be permitted per Principal Residential Use;
- (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 may be permitted provided that a Sewage Disposal Permit can be obtained from the responsible authority.

214 – Accessory Coach House Use

- (1) Not more than one Accessory Coach House Use shall be permitted per Principal Residential Use;
- (2) An Accessory Coach House Use must:
 - a) be located in an Accessory Building that is also used as a Garage; or
 - b) must be limited to one storey in height;
- (3) An Accessory Coach House Use shall not have a floor area that exceeds 92.9 square metres (1,000 square feet);
- (4) An Accessory Coach House Use may be permitted provided that a Sewage Disposal Permit can be obtained from the responsible authority;
- (5) 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.

215 – 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:

- c) within 7.5 metres (24.6 feet) of the natural boundary of the sea, or any natural watercourse; nor
 - d) 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 215(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 215(a) above, no portion of the landfill slope shall be closer than the distances in Sections 215(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.

216 – Satellite Dish Antennae

- (1) 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.

217 – Undersized Parcels

- (1) 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

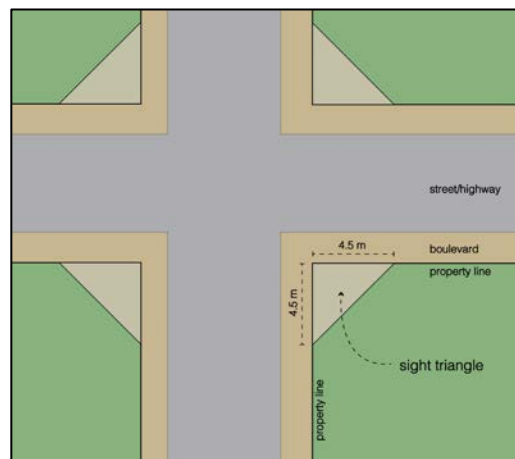
as established in the zone in which that parcel is situated, may be used for any use permitted in that zone, subject to all the regulations for that zone.

- (2) Section 217(1) shall not apply so as to allow a Duplex Residential Dwelling in the RM-1 or RM-2 zones.

218 – Obstruction of Vision – Traffic

- (1) 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-metre (14.8-foot) boundary along the parcel lines from the point of the exterior corner intersection of the parcel lines and a line connecting these two points. The sight triangle is illustrated in Figure 5.

Figure 5. Sight Triangle



219 – 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.

220 – Watershed Protection

- (1) 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 license 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."

221 – Domestic Water Protection

- (1) 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 license 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 license.

222 – 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.

223 – 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) 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.

224 – 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.

225 – Sewage System Buildings

- (4) 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.
- (5) 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
 - 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)

226 – Landscaping & Permeability Requirements

- (1) For new construction, on a parcel located in a residential zone a minimum of 30% of the total surface area of such parcel shall be fully landscaped and properly maintained in a permeable state.
 - a) Landscaped and permeable areas include those areas that are in their natural vegetative state, including stone outcroppings and natural rock terrain.
- (2) For the purposes of Section 226 (1), the following surfaces are not permeable:
 - a) buildings and structures;
 - b) asphalt;
 - c) concrete; and
 - d) grouted pavers.
- (3) For the purposes of Section 226 (1), water surfaces of structures designed to retain water, including swimming pools, reflecting pools, and ornamental ponds, are permeable.
- (4) The maximum driveway width shall be limited to 30 feet or no more than 50% of the total lot width, whichever is less.

Section 300: Zoning District Schedules

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” forming Schedule A of this Bylaw 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:

Section	Zoning District Name	Short Form
302	One Family Residential Zone	RS-1
303	Duplex or One or Two-House Zone	RM-1
304	Farrer Cove South Zone	RM-2
305	Duplex or Four-House Zone	RM-3
401	Civic Institutional	CI-1
501	Regional Park	P-1
502	Provincial Park	P-2
601	Rural	R-1
701	Marine 1	W-1
702	Marine 2	W-2
703	Marine 3	W-3

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

Section 301: Interpretation

301.1 Permitted Uses

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

301.2 Minimum Lot Area

- (1) 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

- (1) 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

- (1) The specification of measurements for buildings, structures or accessory buildings under the general heading of “Maximum Height” 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

- (1) 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.
- (2) 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

- (1) 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 Gross Floor Area

- (1) Where a zoning district schedule includes a regulation entitled “Maximum Floor Area Ratio (FAR)” or “Maximum Gross 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 Gross Floor Area or Maximum 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.

301.9 Interpretation of Units of Measurement

- (1) In all cases, metric units (metres, square metres) shall be the determining measurements. Expressions in imperial units (feet, square feet) are intended for reference only.

Section 302: One-Family Residential Zone (RS-1)

302.1 Intent

This zone is intended to provide land solely for the purpose of single-family housing, as well as one accessory coach house or one secondary suite per lot.

302.2 Permitted Principal Uses

- a) Single Family Residential Use
- b) Properties with an existing Duplex at the time of enactment of this Bylaw shall be permitted to maintain that existing use

302.3 Permitted Accessory Uses

- a) Home-Based Business Use (subject to the requirements of Section 210)
- b) One (1) Accessory Secondary Suite Use (subject to the requirements of Section 213) or one (1) Accessory Coach House Use (subject to the requirements of Section 214)
- c) Accessory Parking Use

302.4 Floor Area and Floor Area Ratio (FAR)

- a) Maximum Gross Floor Area of all Principal and Accessory Buildings shall be limited to those determined by the calculations set out in the table below, excluding those areas listed in Section 208 of this Bylaw:

Lot Area	Maximum Gross Floor Area Calculation
0 – 1,208 sq m (0 – 13,003 sq ft)	= (Lot Area * 0.06) + 502 sq m
1,209 sq m – 2,137 sq m (13,014 sq ft – 23,002 sq ft)	= (Lot Area * 0.07) + 492 sq m
2,138 sq m – 4,738 sq m (23,013 sq ft – 51,000 sq ft)	= (Lot Area * 0.025) + 589 sq m
4,739 sq m – 8,083 sq m (51,010 sq ft - 87,005 sq ft)	= (Lot Area * 0.044) + 499 sq m
> 8,083 sq m (> 87,005 sq ft)	855 sq m (9,203 sq ft)

- b) In addition to (a), the Maximum FAR or Gross Floor Area for a Principal Building that exists or for which a building permit has been issued as of the enactment of this Bylaw shall be the FAR or Gross Floor Area at that time or the maximum allowable FAR or Gross Floor Area in subsection (a), whichever is greater.

- c) 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).
- d) The maximum Gross Floor Area of all Accessory Buildings on a parcel shall not exceed 150 square metres (1,615 square feet) and the maximum building footprint of all Accessory Buildings on a parcel shall not exceed 92.9 square metres (1,000 square feet).
- e) (See also: Section 217 – Undersized Parcels).

302.5 Subdivision of Land

- a) Minimum lot area: 0.5 acres
- b) Minimum lot width: 10% of the perimeter of the lot

302.6 Site Coverage

- a) Maximum 40%

302.7 Minimum Building Setbacks

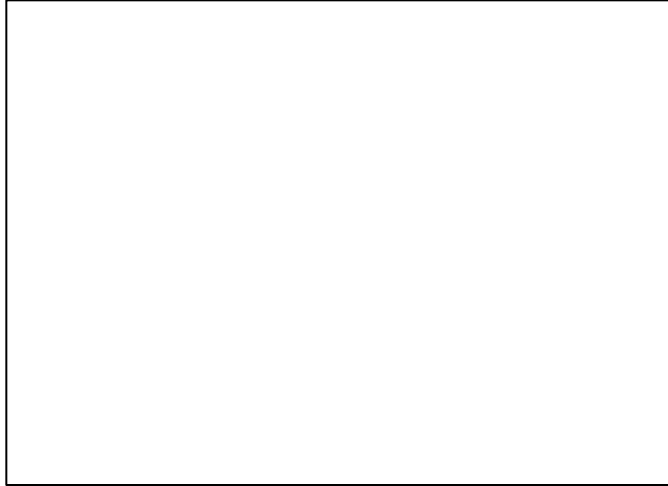
- a) Minimum building setbacks shall be in accordance with the following table:

Use	Front Lot Line	Rear Lot Line	Exterior Side Lot Line	Interior Side Lot Line	Lot Line Exterior Forested Land
Principal Building	7.5 m (24.6 ft)	7.5 m (24.6 ft) ^(d)	3 m (9.8 ft)	1.5 m (4.9 ft)	3 m (9.8 ft)
Accessory Buildings and Accessory Structures	See ^(b)	1.5 m (4.9 ft) ^(d)	3 m (9.8 ft)	1.5 m (4.9 ft)	3 m (9.8 ft)

(Table Replaced as per Bylaw 490, 2015)

- b) No Accessory Building shall be located nearer to the Front Lot Line than the front wall of the Principal Building, except Garages and Accessory Coach Houses with a maximum height not greater than 4 metres (13 feet) above Average Natural Grade, which may be located nearer to the Front Lot Line than the front wall of the Principal Building, but not within 3 metres (9.8 feet) of the Front Lot Line (See Figure 6 for illustration).

Figure 6. Accessory Building Front Setback Illustration (RS-1)



- c) Notwithstanding (a), Fences and Retaining Walls may be built at the property line.
- d) Notwithstanding (a), in cases where the rear lot line is the high water mark, the minimum Rear Lot Line setback shall be 7.5 m (24.6 feet) for all Principal Buildings, Accessory Buildings, and Accessory Structures (see Section 215).

302.8 Buildings and Structures

- a) The maximum number and maximum height of Principal Buildings, Accessory Buildings, and Accessory Structures shall be in accordance with the following table:

	Maximum Number	Maximum Height
Principal Buildings	1	9.6 m (31.5 ft) ^(b)
Accessory Buildings	1 ^(f)	7 m (23.0 ft)
Accessory Structures	Not Applicable	3 m (9.8 ft) ^(e)

- b) No portion of the building shall be greater in height than 11.7 metres to be measured from the lowest finished grade adjacent to any exterior wall to the highest part of the building.
- c) 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).
- d) 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.
- e) Maximum height of Fences and Retaining Walls are subject to Section 219.
- f) 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

- a) Off-street parking spaces shall be provided on the same lot as the use being served in accordance with the following requirements:
 - i. Minimum of 2 spaces per principal Single Family Residential Use;
 - ii. Minimum of 1 space per non-resident employee for Accessory Home-Based Business Use;
 - iii. Minimum of 1 space per Accessory Secondary Suite Use; and
 - iv. Minimum of 1 space per Accessory Coach House Use.

302.10 Sustainability

- a) All new construction for Principal and conditioned Accessory Buildings built under Part 9 of the BC Building Code shall fulfill the requirements of Step 3 of the BC Energy Step Code.
- b) All new construction for Principal and conditioned Accessory Buildings built under Part 3 of the BC Building Code shall fulfill the requirements of Step 2 of the BC Energy Step Code.

302.11 Special Conditions

- a) Signage
 - i. Signage shall be limited to that permitted pursuant to Section 210 (8) – Home Based Business use.

Section 303: Duplex or One or Two-House Zone (RM-1)

303.1 Intent

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

303.2 Permitted Principal Uses

- a) One Single Family Residential Use
- b) One Duplex Residential Use on a lot greater than or equal to 2 acres
- c) Two Single Family Residential Uses on a lot greater than or equal to 2 acres
- d) Properties with lot sizes less than 2 acres at the time of enactment of this Bylaw with an existing Duplex or Two Single Family Residential Uses shall be permitted to maintain that existing use.

303.3 Permitted Accessory Uses

- a) Home-Based Business Use (subject to the requirements of Section 210)
- b) One (1) Accessory Secondary Suite Use (subject to the requirements of Section 213) or one (1) Accessory Coach House Use (subject to the requirements of Section 214) per Principal Residential Use.
- c) Accessory Parking Use

303.4 Floor Area and Floor Area Ratio (FAR)

- a) Maximum Gross Floor Area of all Principal and Accessory Buildings shall be limited to those determined by the calculations set out in the table below, excluding those areas listed in Section 208 of this Bylaw:

Lot Area	Maximum Gross Floor Area Calculation
0 – 1,208 sq m (0 – 13,003 sq ft)	= (Lot Area * 0.06) + 502 sq m
1,209 sq m – 2,137 sq m (13,014 sq ft – 23,002 sq ft)	= (Lot Area * 0.07) + 492 sq m
2,138 sq m – 4,738 sq m (23,013 sq ft – 51,000 sq ft)	= (Lot Area * 0.025) + 589 sq m
4,739 sq m – 8,083 sq m (51,010 sq ft – 87,005 sq ft)	= (Lot Area * 0.044) + 499 sq m
> 8,083 sq m (> 87,005 sq ft)	855 sq m (9,203 sq ft)

- b) In addition to (a), the Maximum FAR or Gross Floor Area for a Principal Building that exists or for which a building permit has been issued as of the enactment of this Bylaw shall be the FAR or Gross Floor Area at that time or the maximum allowable FAR or Gross Floor Area in subsection (a), whichever is greater.
- c) Where two houses are proposed on a single property greater than two (2) acres in area, the Maximum Gross Floor Area of each Principal Building and its associated Accessory Building shall be determined using the table above based on half the total lot area.
 - i. Where two houses are proposed on a single property greater than two (2) acres in area, a separation of 3 m (9.84 ft) must be provided between the two buildings.
- d) 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).
- e) The maximum Gross Floor Area of all Accessory Buildings on a parcel shall not exceed 150 square metres (1,615 square feet) and the maximum building footprint of all Accessory Buildings on a parcel shall not exceed 92.9 square metres (1,000 square feet).
- f) (See also: Section 217 – Undersized Parcels).

303.5 Subdivision of Land

- a) Minimum lot area – 1.0 acre

303.6 Site Coverage

- a) Maximum 40%

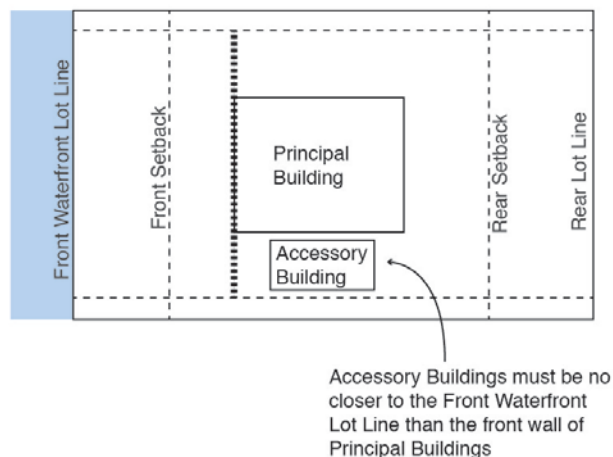
303.7 Minimum Building Setbacks

- a) Minimum building setbacks shall be in accordance with the following table:

Use	Front Lot Line	Rear Lot Line	Exterior Side Lot Line	Interior Side Lot Line	Lot Line Exterior Forested Land
Principal Building	7.5 m (24.6 ft)	7.5 m (24.6 ft) (d)	3 m (9.8 ft)	1.5 m (4.9 ft)	3 m (9.8 ft)
Accessory Buildings and Accessory Structures	See(b)	1.5 m (4.9 ft) (d)	3 m (9.8 ft)	1.5 m (4.9 ft)	3 m (9.8 ft)

- b) No Accessory Building shall be located nearer to the Front Waterfront Lot Line than the front wall of the Principal Building. (See Figure 8 for illustration).

Figure 8. Accessory Building Front Setback Illustration (RM-1 front waterfront)



- c) Notwithstanding (a), Fences and Retaining Walls may be built at the property line.
- d) Notwithstanding (a), in cases where the Front Lot Line is the high water mark, the minimum Front Lot Line setback shall be 7.5 m (24.6 feet) for all Principal Buildings, Accessory Buildings, and Accessory Structures (see Section 215).

303.8 Buildings and Structures

- a) The maximum number and maximum height of Principal Buildings, Accessory Buildings, and Accessory Structures shall be in accordance with the following table:

	Maximum Number	Maximum Height
Principal Buildings	2	9.6 m (31.5 ft) ^(b)
Accessory Buildings	2	7 m (23.0 ft)
Accessory Structures	Not Applicable	3 m (9.8 ft) ^(e)

- b) No portion of the building shall be greater in height than 11.7 metres to be measured from the lowest finished grade adjacent to any exterior wall to the highest part of the building.
- c) 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).
- d) 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.
- e) Maximum height of Fences and Retaining Walls are subject to Section 219.
- f) 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

- a) Not Applicable.

303.10 Sustainability

- a) All new construction for Principal and conditioned Accessory Buildings built under Part 9 of the BC Building Code shall fulfill the requirements of Step 3 of the BC Energy Step Code.
- b) All new construction for Principal and conditioned Accessory Buildings built under Part 3 of the BC Building Code shall fulfill the requirements of Step 2 of the BC Energy Step Code.

303.11 Special Conditions

- a) Signage
 - i. Signage shall be limited to that permitted pursuant to Section 210 (8) – Home Based Business use.

Section 304: Farrer Cove South Zone (RM-2)

304.1 Intent

This zone is intended to permit the development of a Duplex Residential Use or two Single Family Residential Uses on residential land that is at least 2 acres (0.8 hectares) or the development of a Single Family Residential Use in Farrer Cove South.

304.2 Permitted Principal Uses

- a) One Single Family Residential Use
- b) One Duplex Residential Use on a lot greater than or equal to 2 acres
- c) Two Single Family Residential Uses on a lot greater than or equal to 2 acres
- d) Properties with lot sizes less than 2 acres at the time of enactment of this Bylaw with an existing Duplex or Two Single Family Residential Uses shall be permitted to maintain that existing use.

304.3 Permitted Accessory Uses

- a) Home-Based Business Use (subject to the requirements of Section 210)
- b) One (1) Accessory Secondary Suite Use (subject to the requirements of Section 213) or one (1) Accessory Coach House Use (subject to the requirements of Section 214) per Principal Residential Use.
- c) Accessory Parking Use

304.4 Floor Area and Floor Area Ratio (FAR)

- a) Maximum Gross Floor Area of all Principal and Accessory Buildings shall be limited to those determined by the calculations set out in the table below, excluding those areas listed in Section 208 of this Bylaw:

Lot Area	Maximum Gross Floor Area Calculation
0 – 1,208 sq m (0 – 13,003 sq ft)	= (Lot Area * 0.06) + 502 sq m
1,209 sq m – 2,137 sq m) (13,014 sq ft – 23,002 sq ft)	= (Lot Area * 0.07) + 492 sq m
2,138 sq m – 4,738 sq m) (23,013 sq ft – 51,000 sq ft)	= (Lot Area * 0.025) + 589 sq m
4,739 sq m – 8,083 sq m (51,010 sq ft - 87,005 sq ft)	= (Lot Area * 0.044) + 499 sq m
> 8,083 sq m (> 87,005 sq ft)	855 sq m (9,203 sq ft)

- b) In addition to (a), the Maximum FAR or Gross Floor Area for a Principal Building that exists or for which a building permit has been issued as of the enactment of this Bylaw shall be the FAR or Gross Floor Area at that time or the maximum allowable FAR or Gross Floor Area in subsection (a), whichever is greater.
- c) Where two houses are proposed on a single property greater than two (2) acres in area, the Maximum Gross Floor Area of each Principal Building and its associated Accessory Building shall be determined using the table above based on half the total lot area.
 - i. Where two houses are proposed on a single property greater than two (2) acres in area, a separation of 3 m (9.84 ft) must be provided between the two buildings.
- d) 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).
- e) The maximum Gross Floor Area of all Accessory Buildings on a parcel shall not exceed 150 square metres (1,615 square feet) and the maximum building footprint of all Accessory Buildings on a parcel shall not exceed 92.9 square metres (1,000 square feet).
- f) (See also: Section 217 – Undersized Parcels).

304.5 Subdivision of Land

- a) Minimum lot area – 1.0 acre

304.6 Site Coverage

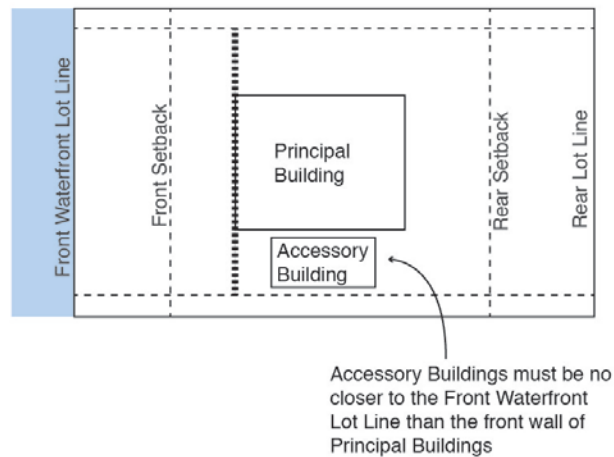
- a) Maximum 40%

304.7 Minimum Building Setbacks

- a) Minimum building setbacks shall be in accordance with the following table:

Use	Front Waterfront Lot Line	Rear Lot Line	Exterior Side Lot Line	Interior Side Lot Line
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)
Accessory Buildings and Accessory Structures	See ^(b)	1.5 m (4.9 ft) ^(d)	3 m (9.8 ft)	1.5 m (4.9 ft)

- b) No Accessory Building shall be located nearer to the Front Waterfront Lot Line than the front wall of the Principal Building. (See Figure 9 for illustration)

Figure 9. Accessory Building Front Setback Illustration (RM-2 front waterfront)

- c) Notwithstanding (a), Fences and Retaining Walls may be built at the property line.
- d) Notwithstanding (a), in cases where the Front Lot Line is the high water mark, the minimum Front Lot Line setback shall be 7.5 m (24.6 feet) for all Principal Buildings, Accessory Buildings, and Accessory Structures (see Section 215).

304.8 Buildings and Structures

- a) The maximum number and maximum height of Principal Buildings, Accessory Buildings, and Accessory Structures shall be in accordance with the following table:

	Maximum Number	Maximum Height
Principal Buildings	2	9.6 m (31.5 ft) ^(b)
Accessory Buildings	2	7 m (23.0 ft)
Accessory Structures	Not Applicable	3 m (9.8 ft) ^(e)

- b) No portion of the building shall be greater in height than 11.7 metres to be measured from the lowest finished grade adjacent to any exterior wall to the highest part of the building.
- c) 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).
- d) 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.
- e) Maximum height of Fences and Retaining Walls are subject to Section 219.
- f) 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

- a) Not Applicable.

304.10 Sustainability

- a) All new construction for Principal and conditioned Accessory Buildings built under Part 9 of the BC Building Code shall fulfill the requirements of Step 3 of the BC Energy Step Code.
- b) All new construction for Principal and conditioned Accessory Buildings built under Part 3 of the BC Building Code shall fulfill the requirements of Step 2 of the BC Energy Step Code.

304.11 Special Conditions

- a) Signage
 - i. Signage shall be limited to that permitted pursuant to Section 210 (8) – Home Based Business use.

Section 305: Duplex or Four-House Zone (RM-3)

305.1 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.

305.2 Permitted Principal Uses

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

305.3 Permitted Accessory Uses

- a) Home-Based Business Use (subject to the requirements of Section 210)
- b) One (1) Accessory Secondary Suite Use (subject to the requirements of Section 213) or one (1) Accessory Coach House Use (subject to the requirements of Section 214) per Principal Residential Use.
- c) Accessory Parking Use

305.4 Floor Area and Floor Area Ratio (FAR)

- a) Maximum Gross Floor Area of all Principal and Accessory Buildings shall be limited to those determined by the calculations set out in the table below, excluding those areas listed in Section 208 of this Bylaw:

Lot Area	Maximum Gross Floor Area Calculation
4,046 sq m – 4,738 sq m) (43,551 sq ft – 51,000 sq ft)	= (Lot Area * 0.025) + 589 sq m
4,739 sq m – 8,083 sq m (51,010 sq ft - 87,005 sq ft)	= (Lot Area * 0.044) + 499 sq m
> 8,083 sq m (> 87,005 sq ft)	855 sq m (9,203 sq ft)

- b) In addition to (a), the Maximum FAR or Gross Floor Area for a Principal Building that exists or for which a building permit has been issued as of the enactment of this Bylaw shall be the FAR or Gross Floor Area at that time or the maximum allowable FAR or Gross Floor Area in subsection (a), whichever is greater.
- c) 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).
- d) The maximum Gross Floor Area of all Accessory Buildings on a parcel shall not exceed 150 square metres (1,615 square feet) and the maximum building footprint

of all Accessory Buildings on a parcel shall not exceed 92.9 square metres (1,000 square feet).

305.5 Subdivision of Land

- a) Minimum lot area – 1.0 acre
- b) Minimum lot width: 10% of the perimeter of the lot

305.6 Site Coverage

- a) Maximum 40%

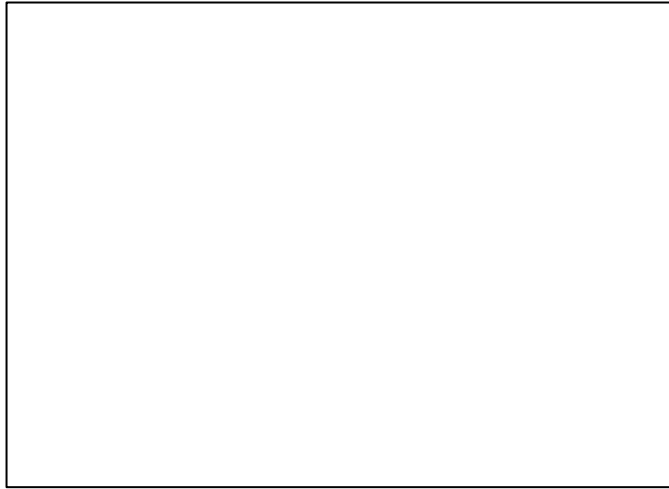
305.7 Minimum Building Setbacks

- a) Minimum building setbacks shall be in accordance with the following table:

Use	Front Lot Line	Rear Lot Line	Exterior Side Lot Line	Interior Side Lot Line
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)
Accessory Buildings and Accessory Structures	See ^{(b)(c)(d)}	1.5 m (4.9 ft) ^(d)	3 m (9.8 ft) ^(d)	1.5 m (4.9 ft) ^(d)

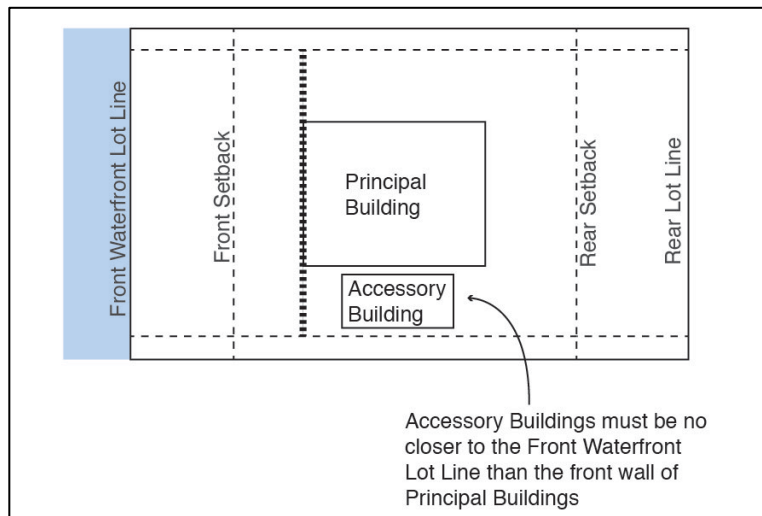
- b) For properties with public road access:
 - i. No Accessory Building shall be located nearer to the Front Lot Line than the front wall of the Principal Building, except Garages and Accessory Coach Houses with a maximum height not greater than 4 metres (13 feet) above Average Natural Grade, which may be located nearer to the Front Lot Line than the front wall of the Principal Building, but not within 3 metres (9.8 feet) of the Front Lot Line (See Figure 10 for illustration).

Figure 10. Accessory Building Front Setback Illustration (RM-3 no waterfront)



- c) For properties with no public road access:
- d) No Accessory Building shall be located nearer to the Front Waterfront Lot Line than the front wall of the Principal Building. (See Figure 11 for illustration).

Figure 11. Accessory Building Front Setback Illustration (RM-3 front waterfront)



- e) Notwithstanding (a), Fences and Retaining Walls may be built at the property line.
- f) Notwithstanding (a), in cases where the Front Lot Line is the high water mark, the minimum Front Lot Line setback shall be 7.5 m (24.6 feet) for all Principal Buildings, Accessory Buildings, and Accessory Structures (see Section 215).

305.8 Buildings and Structures

- a) The maximum number and maximum height of Principal Buildings, Accessory Buildings, and Accessory Structures shall be in accordance with the following table:

	Maximum Number	Maximum Height
Principal Buildings	4	9.6 m (31.5 ft) ^(b)
Accessory Buildings	4	7 m (23.0 ft)
Accessory Structures	Not Applicable	3 m (9.8 ft) ^(e)

- g) No portion of the building shall be greater in height than 11.7 metres to be measured from the lowest finished grade adjacent to any exterior wall to the highest part of the building.
- h) 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).
- i) 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.
- j) Maximum height of Fences and Retaining Walls are subject to Section 119.
- k) 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

- a) Off-street parking spaces shall be provided on the same lot as the use being served in accordance with the following requirements:
- i. Minimum of 2 spaces per Duplex unit or per Single Family Residential Use
 - ii. Minimum of 1 space per non-resident employee for Accessory Home-Based Business Use
 - iii. Minimum of 1 space per Accessory Secondary Suite Use
 - iv. Minimum of 1 space per Accessory Coach House Use

305.10 Sustainability

- a) All new construction for Principal and conditioned Accessory Buildings built under Part 9 of the BC Building Code shall fulfill the requirements of Step 3 of the BC Energy Step Code.
- b) All new construction for Principal and conditioned Accessory Buildings built under Part 3 of the BC Building Code shall fulfill the requirements of Step 2 of the BC Energy Step Code.

305.11 Special Conditions

- a) Signage
 - i. Signage shall be limited to that permitted pursuant to Section 210 (8) – Home Based Business use.

Section 400: Civic Institutional Zones

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 Family 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

- a) Maximum 40%

401.7 Minimum Building Setbacks

Use	Front Lot Line	Rear Lot Line	Exterior Side Lot Line	Interior Side 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

- (1) 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 Sustainability

- a) All new construction for Principal and conditioned Accessory Buildings built under Part 9 of the BC Building Code shall fulfill the requirements of Step 3 of the BC Energy Step Code.
- b) All new construction for Principal and conditioned Accessory Buildings built under Part 3 of the BC Building Code shall fulfill the requirements of Step 2 of the BC Energy Step Code.

401.11 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

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 Family 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
- d) (Amended as per Bylaw 308,2000)

501.4 Floor Area and Floor Area Ratio (FAR)

Not Applicable

501.5 Subdivision of Land

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

501.6 Site Coverage

Not Applicable

501.7 Minimum Building Setbacks

Use	Front Lot Line	Rear Lot Line	Exterior Side Lot Line	Interior Side Lot Line
Principal Building	7.5 m (24.6 ft) ^(a)	7.5 m (24.6 ft) ^(a)	7.5 m (24.6 ft) ^(a)	7.5 m (24.6 ft) ^(a)
Accessory Buildings and Accessory Structures	7.5 m (24.6 ft) ^(a)	7.5 m (24.6 ft) ^(a)	7.5 m (24.6 ft) ^(a)	7.5 m (24.6 ft) ^(a)

- c) 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	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

- (1) 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 Sustainability

- a) All new construction for Principal and conditioned Accessory Buildings built under Part 9 of the BC Building Code shall fulfill the requirements of Step 3 of the BC Energy Step Code.
- b) All new construction for Principal and conditioned Accessory Buildings built under Part 3 of the BC Building Code shall fulfill the requirements of Step 2 of the BC Energy Step Code.

501. 11 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)

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 Sustainability

- a) All new construction for Principal and conditioned Accessory Buildings built under Part 9 of the BC Building Code shall fulfill the requirements of Step 3 of the BC Energy Step Code.
- b) All new construction for Principal and conditioned Accessory Buildings built under Part 3 of the BC Building Code shall fulfill the requirements of Step 2 of the BC Energy Step Code.

502.11 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

Section 601: Rural (R-1)

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

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

Section 700: Marine Zones

Section 701: Marine 1 (W-1)

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 Fraser Port Authority 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 Fraser Port Authority.
- (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)

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

- a) All uses shall comply with Section 701.10 of the Marine 1 (W-1) zone (Special Conditions), except for Section 701.10 (4).
- b) 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)

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

- a) All uses shall comply with Section 701.10 of the Marine 1 (W-1) zone (Special Conditions), except for Section 701.10 (4).
- b) 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

800.1 Regulation of Subdivision

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

800.2 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.

800.3 Minimum Frontage

- (1) No parcel of land in any proposed subdivision, excepting those parcels designated RM-1 or RM-2, shall have less than 10% of its perimeter fronting on a highway, in accordance with Section 512 of the Local Government Act. For parcels designated RM-1 or RM-2, the minimum frontage shall be 15 metres (49.2 feet). 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.

800.4 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.

800.5 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

900.1 Severability of Bylaw

- (1) 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.

900.2 Violations

- (1) 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.

900.3 Penalty

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

900.4 Entry

- (1) The Chief Administrative Officer (CAO) 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 CAO or Building Inspector on entry, under this section, shall constitute an offence.

900.5 Administration

- (1) 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

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 repealed.

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~~.

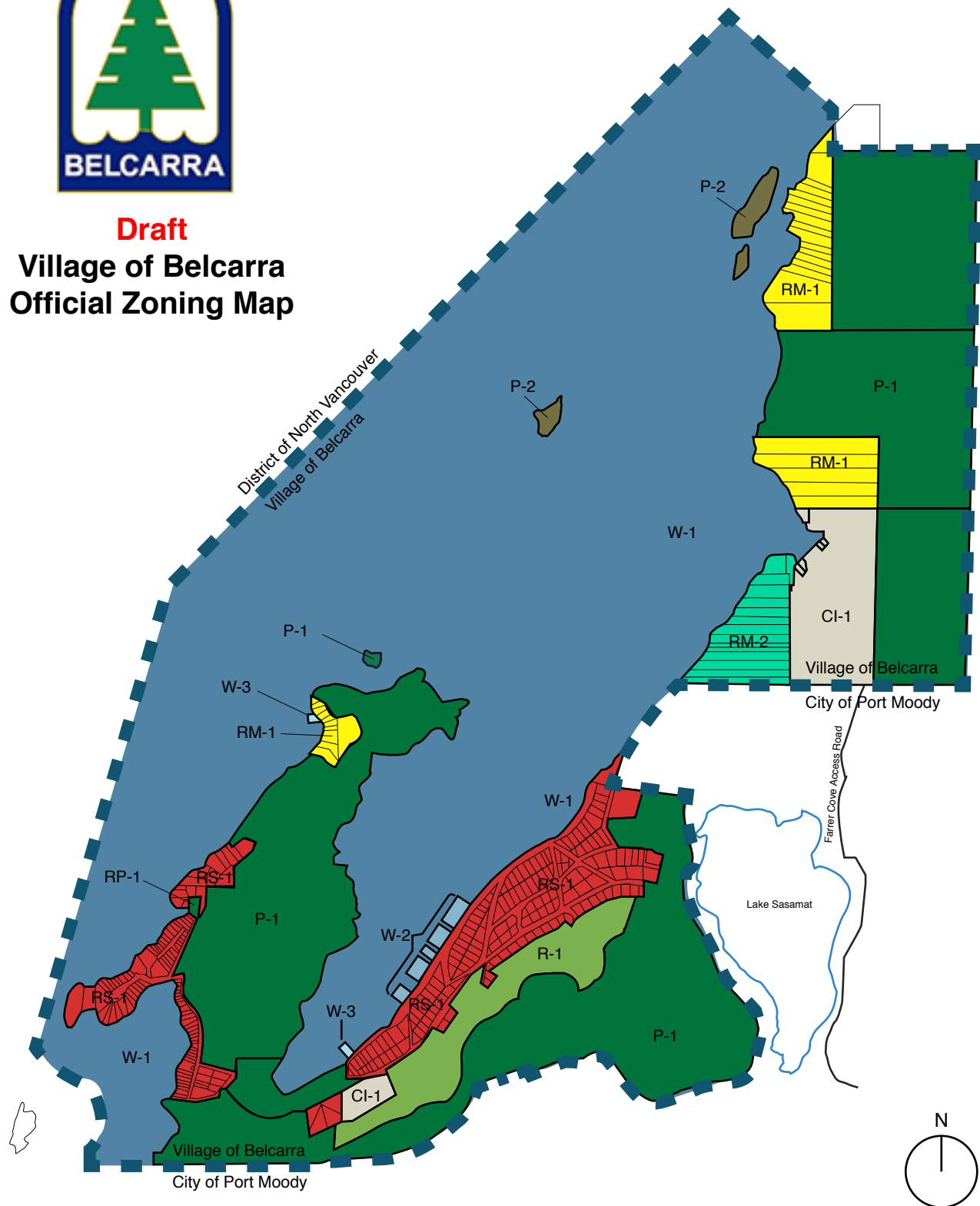
RECONSIDERED AND FINALLY ADOPTED this ~~7th day of October, 1996~~.

Mayor

Chief Administrative Officer



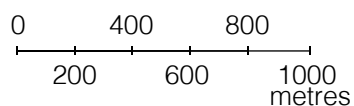
Draft
Village of Belcarra
Official Zoning Map



Schedule A

Village of Belcarra Zoning
Bylaw No 510, 2018
Consolidated Zoning Map

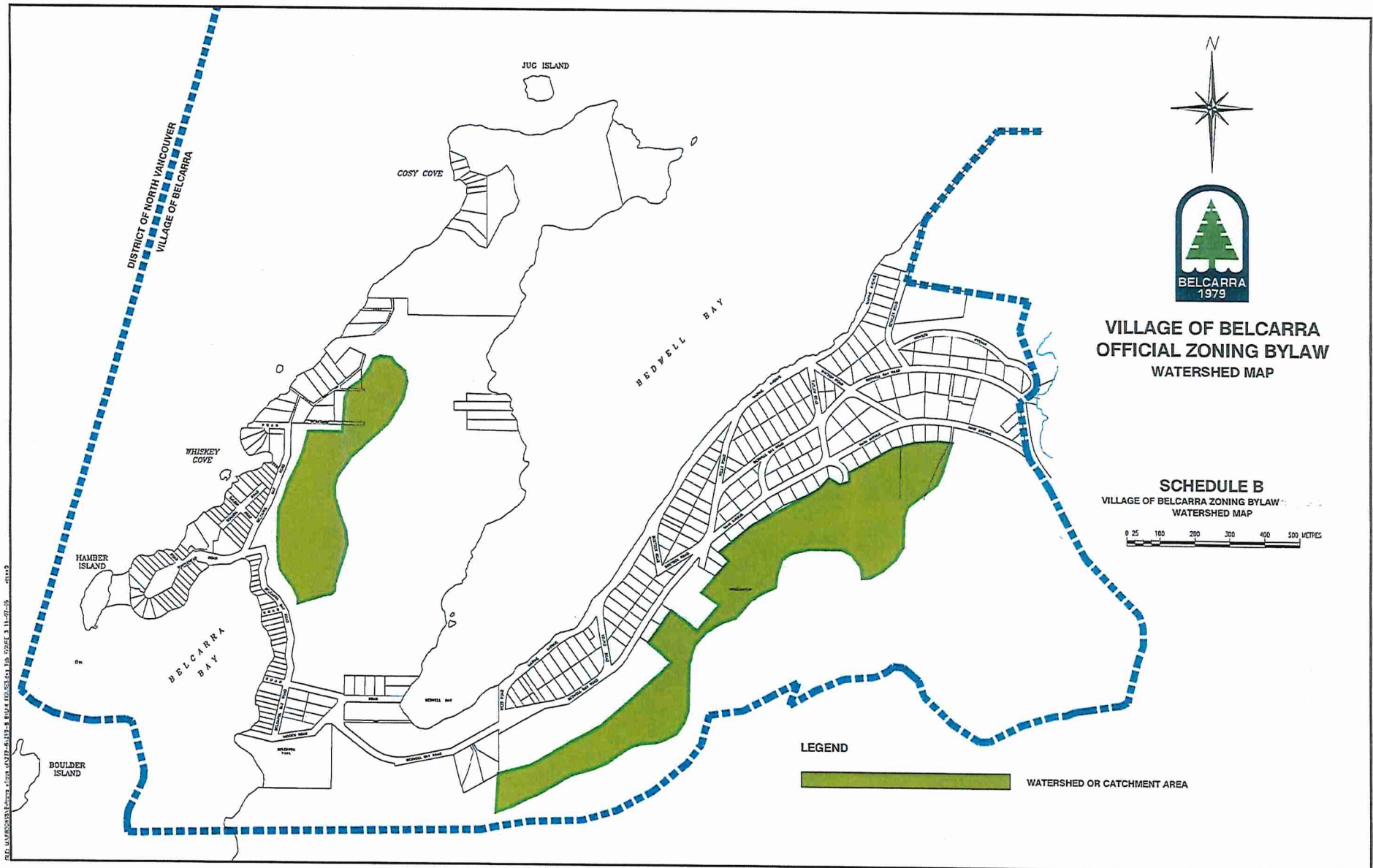
DRAFT



 RS-1 - One Family Residential Zone	 CI-1 - Civic Institutional
 RM-1 - Duplex or One or Two-House Zone *	 P-1 - Regional Park
 RM-2 - Farrer Cove South Zone *	 P-2 - Provincial Park
 RM-3 - Duplex or Four-House Zone (not prezoned)	 R-1 - Rural
 W-1 Marine 1	 W-2 - Marine 2
	 W-3 - Marine 3

* RM-1 and RM-2 properties do not front on a public road; water access

Schedule B



Attendance Map

Where do open house 1, 2, and 3 attendees live?

