



Zoning Bylaw No. 1219, 2001

February 2002

EFFECTIVE DATE: FEBRUARY 28, 2002

CONSOLIDATED FOR CONVENIENCE ONLY
(March 29, 2023)

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for interpretation and application of the bylaws on this subject.

AMENDMENT BYLAW

EFFECTIVE DATE

1226 (Map 10 Amendment)	March 18, 2002
1228 (Map 10 Amendment)	June 24, 2002
1234 (Map 10 Amendment)	July 22, 2002
1236 (Map 10 Amendment)	November 10, 2003
1237 (Map Key Amendment)	October 15, 2002
1240 (Text Amendment)	February 10, 2003
1249 (Text Amendment)	April 14, 2003
1253 (Text Amendment)	May 01, 2003
1260 (Map 10 & Text Amendment)	June 23, 2003
1264 (Text Amendment)	September 29, 2003
1267 (Map 10 Amendment)	October 27, 2003
1269 (Text Amendment)	February 23, 2004
1270 (Map 11 Amendment)	February 23, 2004
1271 (Map 10 Amendment)	January 12, 2004

AMENDMENT BYLAWEFFECTIVE DATE

1283 (Text Amendment)	April 19, 2004
1284 (Text Amendment)	June 14, 2004
1287 (Text Amendment)	July 26, 2004
1298 (Map 10 Amendment)	June 28, 2004
1299 (Map 10 Amendment)	July 12, 2004
1301 (Map 10 Amendment)	September 13, 2004
1308 (Map & Text Amendment)	May 24, 2005
1317 (Map 10 Amendment)	May 24, 2005
1328 (Text Amendment)	October 24, 2005
1329 (Map 10 Amendment)	August 08, 2005
1336 (Text Amendment)	June 26, 2006
1343 (Map 10 Amendment)	October 10, 2007
1345 (Text Amendment)	October 30, 2006
1346 (Map 10 Amendment)	October 30, 2006
1348 (Map 10 & Text Amendment)	February 12, 2007
1351 (Map 10 Amendment)	April 10, 2007
1355 (Map 10 Amendment)	February 12, 2007
1356 (Text Amendment)	April 23, 2007
1364 (Map 10 Amendment)	August 27, 2007
1368 (Map 19 & Text Amendment)	May 10, 2010
1370 (Text Amendment)	December 17, 2007
1371 (Map 10 Amendment)	October 22, 2007
1372 (Map 11 Amendment)	October 01, 2007
1377 (Map 7 Amendment)	October 01, 2007
1378 (Map 7 Amendment)	October 01, 2007
1395 (Text Amendment)	May 26, 2008
1399 (Map 10 Amendment)	May 26, 2008
1408 (Map 7 Amendment)	June 9, 2008
1409 (Map 7 Amendment)	June 23, 2008
1410 (Text Amendment)	July 14, 2008
1428 (Map 31 Amendment)	October 27, 2008
1432 (Map 26 & Text Amendment)	August 24, 2009
1435 (Map 10 Amendment)	April 27, 2009
1438 (Map 10 & Text Amendment)	November 9, 2009
1439 (Text Amendment)	July 13, 2009
1440 (Text Amendment)	July 13, 2009
1442 (Text Amendment)	December 14, 2009
1447 (Text Amendment)	November 9, 2009
1453 (Text Amendment)	April 12, 2010
1457 (Map 10 Amendment)	June 21, 2010
1460 (Map 10 Amendment)	September 12, 2011
1461 (Text Amendment)	June 14, 2011
1462 (Map 15 & Text Amendment)	January 24, 2011
1464 (Text Amendment)	September 7, 2010
1466 (Text Amendment)	November 8, 2010
1468 (Text Amendment)	February 28, 2011
1474 (Text Amendment)	August 15, 2011
1475 (Map 14 Amendment)	April 10, 2012
1477 (Text Amendment)	May 28, 2012
1480 (Map 10 Amendment)	May 28, 2012
1483 (Map 10 Amendment)	June 25, 2012
1484 (Text Amendment)	May 27, 2013

AMENDMENT BYLAWEFFECTIVE DATE

1488 (Map 10 Amendment)	March 11, 2013
1489 (Text Amendment)	September 9, 2013
1501 (Text Amendment)	October 15, 2013
1504 (Text Amendment)	May 26, 2014
1509 (Text Amendment)	July 21, 2014
1510 (Text Amendment)	September 8, 2014
1513 (Text Amendment)	October 14, 2014
1516 (Text Amendment)	November 10, 2014
1517 (Map 10 & Text Amendment)	January 12, 2015
1518 (Text Amendment)	August 17, 2015
1522 (Map 15 Amendment)	July 20, 2015
1523 (Map 10 Amendment)	July 20, 2015
1524 (Text Amendment)	October 13, 2015
1525 (Text Amendment)	October 13, 2015
1538 (Map 10 & Text Amendment)	March 7, 2016
1539 (Text Amendment)	March 7, 2016
1540 (Map 10 Amendment)	March 7, 2016
1541 (Text Amendment)	March 14, 2016
1543 (Map 10 Amendment)	April 25, 2016
1546 (Map 10 Amendment)	April 25, 2016
1548 (Map 10 Amendment)	May 25, 2016
1549 (Text Amendment)	June 13, 2016
1550 (Text Amendment)	July 18, 2016
1551 (Map 11 Amendment)	July 18, 2016
1552 (Map 10 and Text Amendment)	February 26, 2018
1553 (Text Amendment)	November 28, 2016
1555 (Map 10 Amendment)	August 15, 2016
1556 (Map 10 Amendment)	August 15, 2016
1558 (Map 10 Amendment)	September 12, 2016
1573 (Map 14 Amendment)	July 12, 2017
1575 (Text Amendment)	June 26, 2017
1576 (Text Amendment)	November 27, 2017
1578 (Text Amendment)	August 21, 2017
1579 (Map 10 Amendment)	January 22, 2018
1580 (Map 10 Amendment)	June 11, 2018
1586 (Map 25 and Text Amendment)	October 11, 2017
1589 (Map 15 Amendment)	November 15, 2017
1596 (Text Amendment)	April 9, 2018
1597 (Text Amendment)	June 11, 2018
1600 (Map 31 Amendment)	June 11, 2018
1601 (Text Amendment)	November 25, 2019
1602 (Text Amendment)	August 20, 2018
1603 (Map 7 and Text Amendment)	November 14, 2018
1607 (Text Amendment)	September 18, 2018
1612 (Map 10 Amendment)	March 25, 2019
1614 (Text Amendment)	March 25, 2019
1619 (Text Amendment)	January 13, 2020
1622 (Text Amendment)	November 13, 2019
1623 (Map 10 Amendment)	September 16, 2019
1624 (Map 10 Amendment)	September 14, 2020
1625 (Text Amendment)	July 22, 2019
1627 (Map 10 and Text Amendment)	

1632 (Text Amendment)	July 20, 2020
1634 (Map 9 Amendment)	June 8, 2020
1636 (Text Amendment)	February 24, 2020
1638 (Text Amendment)	May 11, 2020
1639 (Text Amendment)	April 27, 2020
1641 (Map 10 Amendment)	May 25, 2020
1642 (Map 10 Amendment)	August 17, 2020
1645 (Map 10 Amendment)	June 29, 2020
1646 (Map 10 Amendment)	July 20, 2020
1649 (Map 9 Amendment)	August 17, 2020
1650 (Map 9 Amendment)	December 14, 2020
1653 (Map 14 and Text Amendment)	October 14, 2020
1655 (Text Amendment)	October 14, 2020
1660 (Map 22 and 26 Amendment)	January 11, 2021
1661 (Map 10 Amendment)	January 11, 2021
1662 (Map 10 Amendment)	March 8, 2021
1665 (Map 10 Amendment)	March 8, 2021
1666 (Map 10 Amendment)	March 22, 2021
1668 (Map 11 Amendment)	March 22, 2021
1669 (Map 10 and Text Amendment)	April 26, 2021
1677 (Text Amendment)	August 16, 2021
1678 (Map 10 Amendment)	July 19, 2021
1680 (Text Amendment)	November 22, 2021
1681 (Map 15 and Text Amendment)	September 8, 2021
1683 (Text Amendment)	December 13, 2021
1687 (Text Amendment)	January 10, 2021
1688 (Text Amendment)	November 8, 2021
1689 (Map 10 Amendment)	February 28, 2022
1690 (Text Amendment)	January 10, 2021
1692 (Map 10 Amendment)	November 14, 2022
1693 Map 7 Amendment)	May 25, 2022
1697 (Text Amendment)	May 9, 2022
1698 (Text Amendment)	July 18, 2022
1701 (Map 7 and Text Amendment)	August 15, 2022
1704 (Map 8 and Text Amendment)	October 12, 2022
1705 (Text Amendment)	December 12, 2022
1706 (Map 10 Amendment)	January 9, 2023
1708 (Map 10 and Text Amendment)	February 13, 2023

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. 1219, 2001. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

THE CORPORATION OF THE DISTRICT OF KENT

BYLAW NO. 1219

“A bylaw to regulate the location and use of buildings and structures and the use of land, including the surface of water, within the boundaries of the Corporation of the District of Kent.”

WHEREAS the Council of the Corporation of the District of Kent deems it necessary to divide the whole or part of the municipality into zones, name each zone, and establish the boundaries of the zones in order to regulate land use under Division 7 of the Local Government Act;

NOW THEREFORE, the Council of the Corporation of the District of Kent adopts Zoning Bylaw 1219, 2001 as outlined on the Table of Contents attached to and including all provisions, areas, zones, regulations, maps and schedules forming part of this bylaw.

Repeal

The Bylaw cited as the “District of Kent Zoning Bylaw 780, 1980” as amended is hereby repealed.

READ A FIRST TIME the 22nd day of October 2001.

READ A SECOND TIME the 22nd day of October 2001.

A PUBLIC HEARING was held November 7, 2001.

RESCINDED SECOND READING on the 28th day of January 2002.

READ A SECOND TIME AS AMENDED on the 28th day of January 2002.

A PUBLIC HEARING was held February 25th, 2002.

READ A THIRD TIME AS AMENDED this 25th day of February 2002.

RECONSIDERED, FINALLY PASSED AND ADOPTED the 28th day of February 2002.

(Original signed) _____
Mayor

CAO

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Schedule A – Zoning Reference Map Key

Part 1 – Short Title

District of Kent Zoning Bylaw No. 1219, 2001 may be cited for all purposes as the Zoning Bylaw.

Part 2 – Purpose

The District of Kent Zoning Bylaw regulates the location and use of **buildings** and **structures** and the use of land, including the surface of water, within the District of Kent. For that purpose, the District is divided into zones pursuant to the provisions of the Local Government Act, having due regard to the promotion of health, safety, convenience, welfare of the public, overcrowding of land, preservation of the amenities peculiar to any zone, the securing of adequate light, air, and access, the value of the land and the nature of its present and prospective use and occupancy, the character of each zone, the character of the **buildings** already erected, and the peculiar suitability of the zone for particular uses, and the conservation of property values.

Part 3 – Definitions

In this Bylaw unless the context otherwise requires:

A

access strip means a narrow strip of land, which forms an integral part of a panhandle lot to provide frontage on a highway and vehicular access from the highway to the remainder of the lot; off-street parking is not permitted within the access strip;

accessory building means a building which is ancillary or subordinate to the principal building;

ZBA 1368, 2007



accessory employee accommodation use means a use where accommodation of an employee or employees is provided within the principal uses permitted on the lot on which the use occurs;

accessory office use means an office area, not exceeding 20% of the gross floor area of all buildings and structures on the lot, for the sale of commodities produced on the premises or commonly associated with the principal activity;

ZBA 1687, 2021



accessory dwelling unit mean a **dwelling unit** that is accessory to the principal dwelling unit on a lot.

ZBA 1489, 2012



accessory residential facilities means the following buildings, structures or improvements associated with a farm residence, accessory dwelling unit, farm employee residence, or home occupation on a lot within the Agricultural Land Reserve:

- (a) attached or detached garages or carports;
- (b) yard area and decorative landscaping;
- (c) attached or detached household greenhouse or sunroom;
- (d) residential accessory buildings including garages, workshops, tool and storage sheds;
- (e) artificial ponds not serving farm drainage or irrigation needs or agriculture use;
- (f) residential related recreation areas and facilities such as, but not limited to, swimming pools and tennis courts;
- (g) residential water well and system; and
- (h) residential sewerage septic system.

accessory single-dwelling residential use means a residential use accessory to a non-residential use where up to a maximum of two (2) dwelling units are included within the building;

ZBA 1440



advertising use means a use of a lot or a portion of a lot, of a building exterior, or of a structure, 2009 or thing for the advertising or promoting by visible or other means of a product, a service, place or event which is for sale, for rent, available, held assembled, grown or manufactured elsewhere than on that lot;

Part 3 – Definitions

adult entertainment means live entertainment or entertainment recorded on film, videotape or other projectable multimedia which includes any exposure of the genitals, pubic region, buttocks, anus, or female breasts immediately below the top of the areola, of any person;

ZBA 1698, 2022

↳ **agri-tourism accommodation** use means the use of land in the Agricultural Land Reserve for providing accommodation to paying guests for temporary lodging (14 days or less in duration) in relation to an agri-tourism activity permitted under the ALR Use Regulation.

ZBA 1698, 2022

↳ **agri-tourism sleeping unit** means a) an area used for sleeping located in a cabin or other structure, excluding a residence; b) a recreational vehicle or tent located on an agri-tourism campsite or an agri-tourism RV campsite.

ZBA 1698, 2022

↳ **agri-tourism campsite** means an area used for one recreational vehicle or tent on a property that qualifies for an agri-tourism accommodation use.

ZBA 1698, 2022

↳ **agri-tourism RV campsite** means an area used for one recreational vehicle with a self-contained toilet and water tank on a property that qualifies for an agri-tourism accommodation use.

ZBA 1683, 2021

↳ **agricultural** use means a farm use as defined under the Agricultural Land Commission Act and regulations that cannot be prohibited by local government as set out in the Agricultural Land Reserve Use Regulation.

apartment use means a multi-family residential use where the building on a lot is used for three or more dwelling units, each unit having access from a hallway or foyer;

approved community sewer system means a public or private system of pipes of sufficient capacity to carry sewage from two or more lots to connected treatment and disposal facilities within the meaning of the Health Act, and which is owned, operated or maintained by the District of Kent, or by an Improvement District, pursuant to the Local Government Act, or by a strata corporation pursuant to the Strata Property Act;

approved community water system means a system of waterworks within the meaning of the Health Act which services two or more lots which are contiguous or which face one another across a road and which is owned, operated or maintained by the District of Kent, or by an Improvement District, pursuant to the Local Government Act, or by a strata corporation pursuant to the Strata Property Act;

ZBA 1284, 2004

↳ **artisan crafts** means the production and retail sale of crafts such as pottery, wood crafts, metal crafts, textile crafts, glass crafts, custom stone crafts, or native crafts; this may also include art, audio visual or a photographic studio;

ZBA 1704, 2022

↳ **assembly** use means a facility providing for the gathering of persons for religious, charitable, philanthropic, cultural, or private educational purposes and includes places of worship, auditoriums, youth centres, social halls, and group camps; but does not include private schools or child care centres;

auxiliary uses means a use which is incidental to the permitted principal use of the land, building or structure located on a particular lot;

Part 3 – Definitions

B

basement means a space seven feet or more in height below the first storey of a building, which is partly underground but which has at least half of its height from finished floor to finished ceiling above adjacent finished grade;

building means a structure located on the ground, wholly or partly enclosed with walls and roofs, and used or intended for supporting or sheltering any use or occupancy;

ZBA 1489, 2012



business vehicle means a vehicle utilized for business purposes full or part time;

C

ZBA 1440, 2009



cabaret / night club means a Liquor Primary Licensed Establishment primarily engaged in providing for dancing by customers and that may provide entertainment (excluding Adult Entertainment and Gaming or Gambling Establishments);

campground use means the provision of space for tents, or recreational vehicles intended to be occupied primarily by the traveling public for overnight accommodation, may include accessory dining, washroom, and laundry facilities and an office for guest registration;

ZBA 1683, 2021



cannabis has the same meaning as defined in the Cannabis Act (Canada).

cannabis cultivation facility use means a facility providing for the cultivating, propagating and harvesting of cannabis for which Health Canada has issued a licence but does not include the retail sale of cannabis or **farm-related commercial** and **farm-related industrial uses**.

ZBA 1336, 2006



caretaker means one that is solely employed to look after a house, building or property

ZBA 1704, 2022



child care centre means a facility for children for group day care, family day care, pre-School, play School, out-of School care, child minding, specialized day care, and emergency child care all as licensed and regulated under the *Community Care and Assisted Living Act*.

civic use means a use providing for public functions by municipal, provincial or federal government and also by a public school board, hospital board, parks board, or library board; includes offices, schools, colleges, museums and archives, public recreational facilities, public hospitals, public and semi-public cemeteries, correctional facilities, courts of law, exhibition grounds, municipal yards, public swimming pools, public washrooms, freeways and waterways; excludes public storage, public utility uses, railway lines and public transportation stations;

ZBA 1607, 2018



coach house use means a dwelling unit located entirely on the second level of a building that is separate from the single-family residence on the lot;

ZBA 1704, 2022



college means a facility authorized under the *College and Institution Act*, for postsecondary education.

ZBA 1575, 2017



commercial use means a use providing for the selling of goods and services, for the servicing and repair of goods, and for commercial office functions:

Part 3 – Definitions

Includes retail sales, liquor sales, building, camping and garden supply sales, automobile, automobile parts and accessory sales, wholesaling incidental to retail sales, commercial education and instruction services, medical services, indoor commercial recreation and entertainment services, household services and all associated repairs, financial services, personal services, administrative, commercial and professional offices, veterinary clinics, funeral homes, and commercial printers.

Excludes manufacturing, welding, salvaging, warehousing, a service station use, an overnight accommodation use, a commercial outdoor recreation use, recreation vehicle, mobile home and boat services, facilities that service, wash or repair automobiles, light trucks, tractors and farm equipment, and enclosed rental storage units.

ZBA 1552, 2016

↪ **commercial agricultural** use means those activities designed to support other agricultural uses by the supply of support services where approved by the Agricultural Land Commission and shall include the following activities:

- (a) maintenance, repair and manufacturing of farm equipment;
- (b) Sales of farm equipment, parts and supplies; and
- (c) Trades contractor that supports agriculture.

ZBA 1269, 2003

↪ **commercial indoor recreation** use means a use providing for low intensity commercial recreation facilities and the minor retail sales and services customarily associated with such facilities, includes sport fishing, boating, canoeing, camping, cycling, golfing, and sports courts;

commercial outdoor recreation use means a use providing for extensive outdoor commercial recreation facilities and the minor retail sales and services customarily associated with such facilities, includes golf courses, driving ranges, stadiums, sports clubs, botanical gardens, marinas, and race tracks;

concealed parking means an off-street parking use which is located within the area of a lot occupied by a building, or underground;

construction contractor means a contractor or trades contractor for road, building, utility, or land construction and maintenance projects;

Council means the Municipal Council of the District of Kent;

D

development means a change in the use of any land, building or structure for any purpose, and shall include the carrying out of any building, engineering, construction or other operation in, on, over and under land, or the construction, addition, or alteration of any building or structure;

dock means a float on the surface of the water that is connected to the shoreline by means of a platform and ramp and that is used as a landing or wharfage place for water craft;

drive-in restaurant means a building from which food or drink is served on a self-service or car-service basis;

Part 3 – Definitions

dwelling unit means one or more habitable rooms used or intended to be used for residential accommodation when such room or rooms together contain or provide for only one set of cooking facilities;

E

ZBA 1704, 2022



education facility means a facility for School, College or University type education but not authorized under the *School Act*, *College and Institution Act*, or *University Act*. Includes: trade school, adult education facility, language school, business school, vocational school, and special education programs.

entertainment and recreation use means a use which provides entertainment or recreation activities for commercial gain; includes the operation of bowling alleys, movie theatres, performing arts, and art galleries;

ZBA 1580, 2018



enclosed mini-storage use means a building containing separate, individual enclosed storage units, designed to be rented or leased to the general public for storage of personal goods, materials or equipment;

exhibition ground means an open area that is used by the general population as a public fairground for special events, the showing of agricultural products and livestock, and may include horse training facilities, an outdoor theatre, and temporary amusement rides; also may consist of the provision of food and beverage services, including temporary liquor licenses such as beer gardens;

exterior side lot line means the lot lines not being the front or rear lot line, common to the lot and a street or lane;

F

ZBA 1489, 2012



farm employee residence use means an additional dwelling on a lot within the Agricultural Land Reserve used as a residence by an individual employed on the same lot that the agricultural use occurs;

ZBA 1489, 2012



farm equipment means specialized equipment used for agricultural purposes but does not include farm vehicles;

ZBA 1489, 2012



farm home plate means the portion of the lot where the single family residence, an employee residence, home occupation, and any associated accessory residential facilities are located;

ZBA 1683, 2021



farm-related commercial and farm-related industrial uses means the use of land for industrial and commercial uses including all buildings, outdoor storage, landscaped areas, parking and loading areas, and new access road permitted by the agricultural Land Commission Act, and without the limiting the generality of the foregoing includes: farm product processing facilities farm product retail sales buildings; alcohol production facilities and their ancillary uses; pet breeding and boarding facilities; Class A compost facilities; and permanent infrastructure to support agri-tourism activities and gathering for event if approved by the Agricultura Land Commission. **Farm-related commercial and farm-related industrial uses** shall not exceed the following maximum lot coverage:

Part 3 – Definitions

Lots greater than 4 ha: 5%
Lots equal to or less than 4 ha: 0.2 ha

ZBA 1489, 2012



farm residence means the principal single dwelling residential use building that accommodates one dwelling unit and is on a lot within the Agricultural Land Reserve.

farm vehicle means a vehicle designed and adapted exclusively for use in agricultural operations but does not include a vehicle used primarily to transport persons on a highway;

ZBA 1489, 2012



finished grade means the average of:

- (a) the highest finished ground elevation within three (3) metres (9.8 feet) of a structure or building, and
- (b) the lowest finished ground elevation at the perimeter of outside walls of the structure or building;

ZBA 1517, 2014



floor area – home occupation means the total floor area of a home occupation use on a lot measured between exterior walls and required firewalls including the space occupied by interior walls and partitions, all areas giving access thereto such as corridors, hallways, landings, foyer, staircases, stairwells, enclosed balconies, mezzanines, enclosed porches or verandas but not including exits, vertical service spaces, and their enclosing assemblies.

ZBA 1517, 2014



floor area – secondary dwelling means the total floor area of the secondary dwelling on a lot measured between exterior walls and required firewalls including the space occupied by interior walls and partitions, all areas giving access thereto such as corridors, hallways, landings, foyer, staircases, stairwells, enclosed balconies, mezzanines, enclosed porches or verandas but not including exits, vertical service spaces, and their enclosing assemblies, attached garages or carports to a maximum of 46 m² (495 ft²).

front lot line means:

- (a) the lot line or lines common to a street and the lot,
- (b) in the case of a lot having lot lines in common with more than one street, the shortest common line, or
- (c) when the lines common to the lot and street are equal in length, the line common to the street towards which the majority of the adjacent buildings are faced;

fueling station use means a use providing for the retail sale of motor vehicle fuel, lubricating oils and automobile accessories, and drive-thru car washes.

G

ZBA 1440, 2009



gaming or gaming establishment means any land, building and structures or any part of any building or structure that is used for any game played with cards, dice, or any gaming device, but excludes the purchase of lottery tickets, bingo halls, and charitable casinos;

Part 3 – Definitions

garage means a detached accessory building or a portion of a principal building used solely for the parking or temporary storage of private motor vehicles and in which there are no facilities for repairing or servicing such vehicles;

garden apartment means an apartment building not more than three storeys, a minimum of 70 square metres (750 square feet) per unit, with individual external entrances to each apartment unit;

ZBA 1687, 2021



garden suite means a single-storey ground-level self-contained accessory dwelling unit.

ZBA 1442, 2009



greenhouse, illuminated means a building or structure used for private or commercial horticultural practices which is illuminated at any time between sunset and sunrise. The flowers, shrubs, trees and similar vegetation which are grown for private use or may be sold either at wholesale or retail;

gross floor area means the total floor area of buildings on a parcel measured to the outer limits of a building including all areas giving access thereto such as corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies and mezzanines, enclosed porches or verandas but excluding auxiliary parking, unenclosed swimming pools, balconies, sun decks, elevators or ventilating machinery;

ZBA 1622, 2019



guest unit means a unit of accommodation, including any guest room, sleeping unit, habitable room or rooms, or dwelling unit located within the short-term rental property;

H

habitable room means a room used for eating, sleeping or human occupancy, excludes utility room, furnace room and storage room;

height means, in reference to a building or structure, the vertical distance from the average finished ground level at the perimeter of the building or structure, or, in the case of a carport or garage, from the finished floor level, to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, and in the case of a structure without a roof, to the highest point of the structure;

ZBA 1639, 2020



home occupation means a business which is auxiliary to the residential use on the same lot, and must be conducted from within the residential dwelling and or within an accessory building;

hotel means a building containing commercial guest accommodation units, and a lobby area for guest registration and access to the accommodation units and may contain accessory uses such as a restaurant, licensed drinking facilities, liquor sales, accessory retail sales and accessory retail services; and meeting rooms;

I

ZBA 1607, 2018



Immediate family member means

- (a) parents, grandparents, and great-grandparents;

Part 3 – Definitions

- (b) spouse, parents of spouse, and stepparents of spouse;
- (c) brothers and sisters; and
- (d) children or stepchildren, grandchildren and great-grandchildren.

industrial use means a use providing for the processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing, repairing, salvaging goods, materials, or things and includes only the sale of goods either manufactured, processed, fabricated, assembled, disassembled or repaired on the same site;

ZBA 1442, 2009
, 1501, 2013 and
1596, 2018

↳ **intensive agricultural use** means an agricultural use that involves the confinement of more than 4,550 kg of poultry or livestock or the operation of a fur farm or the manure-based cultivation of mushrooms; includes retail nurseries, manufacturing and processing plants for agriculture related products; but excludes produce stands, temporary uses (less than 6 months), retail uses less than 100m²; and medical cannabis production facilities;

interior side lot line means the lot line or lines, not being the front or rear lot line, common to more than one lot;

K

ZBA 1395, 2008

↳ **kenel** means any building, structure, compound, group of pens or cages, within a building or property in which, or where six (6) or more dogs or cats are, or are intended to be, trained, cared for, bred, boarded or kept for any purpose whatsoever and charges a fee, for certainty, shall specifically include any building, or part thereof, in which six (6) or more dogs or cats are kept for breeding purposes. **For certainty, whenever in this bylaw there is a reference to a specific number of dogs or cats, the reference shall be read as meaning any combination of dogs or cats or both of that number.*

L

landscape screen means a barrier which may be either a compact, evergreen hedge broken only for access drives or walks, or a fence or a brick, stone or concrete wall which incorporates suitable plant materials, terracing or grassed area, and is broken only for access drives or walks;

ZBA 1269, 2003

↳ **licensed lounge use** means an establishment associated with a restaurant, where the total size shall not exceed 20% of the gross floor area of the restaurant;

ZBA 1541, 2016

↳ **light agricultural use** means a use providing for the growing, rearing, producing, and harvesting of agricultural products and specifically includes nurseries, greenhouses, and the keeping of **livestock**, poultry (excluding roosters), geese, ducks, rabbits, pigeons, and doves;

ZBA 1440, 2009

↳ **liquor primary licensed establishment** means an establishment licensed under the *Liquor Control and Licensing Act* and Regulation where the service of liquor, as opposed to food, is the primary focus of the establishment;

ZBA 1468, 2010

↳

Part 3 – Definitions

liquor retail store means a private liquor store or cold beer and wine store licensed under the *Liquor Control and Licensing Act and Regulation*;

ZBA 1541, 2016



livestock means the following ungulates: cow, bull, horse, mule, ass, sheep, goat, swine or llama and includes their young;

lodge means a building or establishment used by an association or organization for fraternal, social or recreational purposes and which shall be operated for the use of club members and their guests only;

lot means the smallest unit in which land is designated as a separate and distinct lot on a legally recorded subdivision plan or description filed in the Land Registry Office;

lot width means the mean horizontal distance between side lot lines measured at right angles to the lot depth;

M

marina means a system of piers, docks or boathouses that contains more than ten (10) moorage spaces for storing, berthing, securing or launching of water craft and floating air craft; moorage spaces cannot be used for residential purposes, which includes floating homes;

marine-dependent use means a use that either requires direct contact with water and cannot exist at a non-marine location due to the intrinsic nature of its operations, or a use that cannot occur economically in a non-marine location; excludes residential uses, which includes floating homes;

marine service commercial use means a system of piers or docks for the storing, servicing, fuelling, berthing and securing or launching of water craft; may include the sale of incidental supplies for water craft owners, crews, and guests; and may include the sale and service of water craft, marine retail sales, including the sale of groceries, souvenirs, sporting equipment, and rental businesses and guiding, an automated banking machine, and a laundry, washroom and shower facility;

manufacturing use means those manufacturing activities carried out within an enclosed structure involving the assembly of materials or components from pre-manufactured materials;

manufactured home means a housing unit designed for use as a principal residence. It is constructed complete with the necessary plumbing, heating and electrical systems, which meets applicable Canadian Standards Association (CSA) standards. It is designated to be transported to a prepared site, and becomes suitable for permanent occupancy after proper installation on foundation supports and connection to utility services. The term “foundation” in this definition includes basements, crawl spaces, piers or pads with blocking;

ZBA 1596, 2018



medical health officer means an officer appointed by the Provincial Health Officer pursuant to the Health Act;

micro-cannabis cultivation facility use means a facility providing for the cultivating, propagating and harvesting of cannabis for which Health Canada has issued a licence for micro-cultivation but does not include the retail sale of cannabis or **farm-related commercial and farm related industrial uses**.

Part 3 – Definitions

mobile home means a trailer structure manufactured and assembled as a dwelling unit which is intended to be capable of movement from place to place, and which comprises one dwelling unit with complete bathroom facilities and which is intended to be the principal residence of the occupant; excludes recreation vehicles;

motel means a building containing commercial guest accommodation units, each of which has a separate entrance from the exterior of the building(s), and may contain an office for motel administration;

motor vehicle includes automobiles, trucks, motorcycles, all-terrain vehicles and snowmobiles;

N

natural boundary means the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in ordinary years, as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect of vegetation, as well as in respect of the nature of the soil itself;

ZBA 1440, 2009

↳ **neighbourhood pub** means a Liquor Primary Licensed Establishment which offers full lunch and dinner menus complete with hot and cold meals and has a person capacity of not more than 100 or meeting the seating capacity pursuant to the fire and building codes, whichever is less;

O

office use includes the operation of banks and financial institutions; business and professional offices; business and trade schools; government offices; studios, including: artist, display, music, dance, radio recording, television and photographic studios, art galleries and taxi dispatch offices;

off-street parking use means a use providing for parking spaces for the temporary storage of motor vehicles, and recreational vehicles;

ZBA 1704, 2022

↳ **overnight camp** means a youth program with youth staying overnight at accommodations on site.

P

panhandle lot means a lot that fronts on a highway by means of an access strip;

park means an area open to the general population and reserved for outdoor recreational, scenic or conservation purposes;

Part 3 – Definitions

park model means a structure manufactured as a recreational unit for temporary short-term accommodation (less than one month in duration), designed to be towable on its own chassis and sited without requiring a permanent foundation. Such structure shall meet current CSA Z-241 requirements; shall not exceed 50 m² gross floor area; shall have a width greater than 2.6 m in the transit mode; and shall specifically exclude a recreational vehicle;

parking area means an open area of land, other than a street, used for the parking of vehicles of clients, customers, employees, members, residents or tenants;

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

ZBA 1466, 2010



party wall means a wall jointly owned and jointly used by two parties under easement agreement or by right in law and erected at or upon, a line separating two lots of land, each of which is a separate registered title in the Land Registry Office;

ZBA 1704, 2022



personal care use means a facility which contains sleeping units for persons receiving care or assistance where the building and/or operator are regulated or funded by the provincial or federal agencies, including care and assisted living as defined and regulated under the *Community Care and Assisted Living Act*.

personal service use means businesses, which cater to the personal needs of customers, and would include a barbershop, beauty parlour, manicurist and massage parlour. A massage parlour is limited to medical, therapeutic, or cosmetic massage treatment given by a person duly licensed or registered under any applicable enactments;

pier means a structure consisting of a fixed platform above the water that abuts the shoreline and is used as a landing or wharfage place for watercraft;

ZBA 1622, 2019



premise means a legal parcel, and may include more than one parcel where the parcels have a single civic address;

principal use means the main purpose for which the land, buildings, and structures within a single lot are normally used;

ZBA 1622, 2019



principal residence means the dwelling unit where an individual lives, makes their home and conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licences, personal identification, vehicle registration and utility bills;

produce sales use means a use providing for the incidental retail sale of agricultural products produced on the same lot on which the agricultural use occurs;

ZBA 1576, 2017



protected non-farm use means a non-farm use that cannot be prohibited by local government as set out in the *Agricultural Land Reserve Use Regulation*.

public service use means the use of buildings or land for a service or utility owned by the public or by a private agency which provides a service to the public and shall include utility and public works yards, major utilities, public garbage dumps and incineration sites, mortuary/crematorium, animal pound/kennel, or a recycling facility;

Part 3 – Definitions

public utility use means a use providing for the servicing of any area of the District of Kent or through servicing for areas beyond, with water, sewer, electrical, telephone, natural gas or telecommunications and similar services, where such use is established by a corporation or government body regulated by the Utility Commission Act or the Telecommunications Act or similar legislation; including sewer, watermain, natural gas and power line easements, broadcast transmission and telecommunication facilities, pumphouses, substations, telephone exchanges and traffic controls but excludes incineration;

R

rear lot line means the lot line or lines opposite to and most distant from the front lot line, or in the case of a lot having two intersecting side lot lines, the rear lot line shall be deemed to be a line within the lot and six (6.0) metres (20 feet) in length, which is parallel to and most distant from the front lot line;

recreational vehicle means any vehicle or trailer constructed or equipped to be used for recreational enjoyment as temporary living or sleeping quarters not requiring a continuous connection to sanitary, water and electrical hookups and not having a width in transit mode greater than 2.6 metres (8.5 feet) at any point;

ZBA 1698, 2022

↳ **recreational vehicle dump station** means a facility where wastewater from a recreational vehicle can be safely emptied into a sewer or septic system.

ZBA 1622, 2019

↳ **residential** use means a use providing for the accommodation and home life of a person or persons and includes horticulture and the keeping of animals as household pets when such animals are normally kept within the dwelling unit and when such activities are not performed for financial gain or favour; specifically excludes a short-term rental use;

ZBA 1368, 2007

↳ **resort cabin** means an accommodation for overnight accommodation only;

ZBA 1569, 2003

↳ **resort lodge** means a building containing commercial guest accommodation units in which the total number of units does not exceed 20; may contain common indoor and outdoor assembly areas, restaurant, lounge, and an office for resort lodge administration;

resource use means a use providing for the conservation, management or extraction of primary forest, mineral, and other resource materials and includes the preliminary grading, cutting or crushing of such materials for shipment, but excludes all manufacturing of products and any processing not specifically included;

restaurant use means a commercial use where meals and/or refreshments are prepared for consumption on or off the premises, and may include associated equipment; includes cafes; excludes cabaret use;

ZBA 1619, 2019

↳ **retail cannabis sales** means the sale or distribution of cannabis and cannabis accessories as lawfully permitted and authorized under the *Cannabis Control and Licencing Act*

ZBA 1578, 2017

↳ **row house** use means a minimum of two but a maximum of six side by side dwelling units attached to each other in a row with each dwelling unit located on its own fee simple lot.

Part 3 – Definitions

S

ZBA 1704, 2022



school means facility authorized under the *School Act*, or the *Independent School Act* for the teaching of children, including primary, elementary and secondary Schools.

ZBA 1509, 2014



secondary dwelling use means a self-contained dwelling unit that is auxiliary to and separate from the principal residential use on the lot;

ZBA 1632, 2020



secondary suite means an additional dwelling unit within a principal residential use and shall

- a. meet the criteria listed in the B.C. Building Code; and
- b. only be permitted where the building is occupied by the registered owner of the lot as his/her principal place of residence; and

ZBA 1580, 2018



service commercial use means a use that includes the retail sale of building, camping and garden supplies, groceries, automobile parts and accessories, as well as recreation vehicles, mobile homes and boats; services such as restaurants, automated bank machines, and indoor recreation and entertainment facilities; facilities to service, wash or repair automobiles, light trucks, tractors, and farm equipment.

ZBA 1237, 2002



service industrial use means those activities associated with the supply and maintenance of machinery, or equipment, which includes the sale and service of new and/or used recreation vehicles, marine equipment, farm equipment, industrial equipment, snowmobiles, all terrain vehicles, motorcycles, and bicycles; enclosed rental storage units; the sale and service of new vehicle parts; and a contractors equipment storage yard;

service station use means a use of premises for the sale of gasoline, lubricating oil and motor vehicle accessories directly to the users of motor vehicles, including the use of premises for the washing of cars, of the servicing of motor vehicles, recreational vehicles, auto-body work, welding, painting, and the rental of motor vehicles and recreational vehicles;

setback means the required minimum distance between a building or use and each of the respective lot lines;

ZBA 1447, 2009



shipping container means a rectangular metal container customarily used for the transport of freight or for storage;

ZBA 1622, 2019



short-term commercial accommodation (guest unit) use means the rental of a dwelling unit to paying guest for temporary lodging (28 days or less in duration) where the dwelling unit is occupied as a principal residence, with the principal resident on site during the lodging period;

ZBA 1622, 2019



short-term commercial accommodation (principal residence) use means the rental of a dwelling unit to paying guest for temporary lodging (28 days or less in duration) on a property occupied as a principal residence. The principal resident may or may not be on site during the lodging period;

Part 3 – Definitions

ZBA 1622, 2019



short-term commercial accommodation (non-principal residence) use means the rental of a dwelling unit to paying guest for temporary lodging (28 days or less in duration) on a property not occupied as a principal residence. The operator or responsible person may or may not be on site during the lodging period;

ZBA 1622, 2019



short-term rental use means any dwelling unit used for the temporary lodging (28 days or less in duration) of paying guest including a short-term commercial accommodation (guest unit) use, short-term commercial accommodation (principal residence) use, and short-term commercial accommodation (non-principal residence) use;

ZBA 1622, 2019



short-term rental property means premises in the District of Kent where accommodation of paying guest for 28 days or less is a permitted use pursuant to the Zoning Bylaw;

single-dwelling residential use means a residential use where the principal building on a lot accommodates one dwelling unit;

ZBA 1597, 2018



site coverage means the percentage of a lot covered by buildings and structures based on the outermost walls of all buildings and structures and includes the area within projections of the outermost columns of any carport, lean-to, deck, porch, or balcony; excludes decks and porches not exceeding 0.6 m in height above the natural grade;

site built house means a housing unit which meets the requirements of the Building Code and is constructed on a permanent site where building materials are brought to the site and various trades execute the final product;

sleeping unit means one or more habitable rooms used or intended to be used for sleeping, or sleeping and living purposes, but not including a sink or cooking facilities. A bathroom containing a water closet, wash basin and a bath or shower may be shared;

storey means the space between a floor level and the ceiling directly above it, whether or not such space extends throughout the lot coverage of the building concerned, where the floor level at any given point is not more than zero point six (0.6) metres (2 feet) below the highest finished ground elevation located within three (3) metres (9.84 feet) of the nearest outside wall of the building, measured at right angles to such outside wall;

street includes all highways, roads, squares, thoroughfares and any other public way, but excludes lanes, trails and bridges;

structure means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground but shall not include fences and walls that are less than the maximum fence height permitted in any zone;

T

tank vehicle means any vehicle, other than railroad tank cars and boats, with a cargo tank having a capacity of more than 450 litres, mounted or built as an integral part of the vehicle and used for the transportation of fuel products, and including tank trucks, trailers and semi-trailers;

tank vehicle storage use means the parking of any tank vehicle used to transport fuel products for delivery;

Part 3 – Definitions

thermal reduction use means the controlled process by which solid, liquid or gaseous combustible wastes are burned and changed into gases and residue containing little or no combustible material;

townhouse use means a residential use in which the building on a lot is used for three or more dwelling units each of which has its own separate entrance to the building;

ZBA 1489, 2012



trailer means a vehicle that is at any time drawn on a highway by a motor vehicle but does not include a farm vehicle;

two-dwelling residential use means a residential use where a building on a lot accommodates two dwelling units which are separated by a fire wall;

U

unenclosed storage use means a use providing for the storage of goods or things customarily associated with commercial use, a service station use, or an industrial use, when such storage is not contained within a building;

ZBA 1704, 2022



university means a facility authorized under the *University Act*, for post-secondary education.

V

Vehicle means a device in, on or by which a person or thing is or may be transported or drawn on a highway, but does not include a device designed to be moved by human power;

ZBA 1489, 2012



W

walkway means a public access route for pedestrians or non-motorized vehicles, which provides access between two streets;

ZBA 1501, 2013



warehousing use includes a use of buildings for storage, distribution, and wholesaling purposes but excludes goods and commodities from a cannabis cultivation facility;

watercourse means any natural or man-made depression with well defined banks and bed zero point six (0.6) metres or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of two point zero (2.0) square kilometers or more, or as required by a designated official of the appropriate Provincial Ministry;

wharfage means the tying of a boat or other vessel to a wharf, float, pier or dock; cannot be used for residential purposes, including floating homes.

Part 4 – Basic Provisions

4.1 Application

The provisions of this Bylaw apply to the whole of the area within the boundaries of the District and to the **buildings** and **structures** thereon.

4.2 Measurements in Metric Units

Metric units are used for all measurements and standards in this Bylaw. The approximate equivalents of the metric standards in imperial units, shown in brackets following each metric standard, are for convenience only and do not form part of this Bylaw.

4.3 Severability

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

Part 5 – Temporary Use Permits

5.1 Temporary Use Permits

Pursuant to the Local Government Act, the Zoning Bylaw may designate areas where temporary uses may be allowed and may specify general conditions regarding the issuance of Temporary Use Permits in those areas. Temporary Use Permits may be issued for a period of up to 3 years and may be renewed once.

Temporary Use Permits may be issued:

- .1 For the following uses:
 - (a) special events of a commercial nature which are of limited duration and which will not preclude or compromise future permitted uses on the proposed site of the temporary use
 - (b) short-term industrial activity such as portable asphalt plants, portable sawmills, heavy equipment storage and construction yards related to specific industrial projects of limited duration
 - (c) temporary sand and gravel extraction
 - (d) transitional uses which comply with the area designation policies in the Official Community Plan but where appropriate zoning does not presently allow for such uses. To provide for temporary approval of transitional use or uses where uncertainty exists as to their appropriateness or viability and where it is premature to decide upon rezoning and long-term land use rights, a Temporary Use Permit may be issued for a limited period.
 - (e) other temporary uses but only within the areas designated Commercial – Service, Commercial – Town Centre, Commercial - Highway, Industrial – Light and Industrial – Heavy in the Official Community Plan.
- .2 For the following activities within the land use designations listed below:

Activity	Land Use Designation
Special commercial events	All designations
Short-term industrial and construction uses	Resource Management or Agricultural
Temporary sand and gravel operations	Resource Management or Agricultural
Transitional industrial or commercial uses which comply with area designation policies but where appropriate zoning is not available	All designations
Other industrial or commercial uses	Industrial

- .3 Within the Agricultural Land Reserve, pursuant to the Agricultural Land Reserve Act, and subject to regulations made under the Agricultural Land Reserve Act and all relevant orders of the Land Reserve Commission.

Part 6 – Establishment of Zones

6.1 Zones

For the purpose of this Bylaw, the District of Kent is divided into zones identified in short form and described as follows:

	Short Form	Zone Description
		<u>Agricultural Zones</u>
ZBA 1683, 2021 ↙	A/Astr A1/A1str A2	Agricultural / Agricultural Short-term Rental Small Lot Agricultural / Small Lot Agricultural Short-term Rental Agri-Industrial Zone
		<u>Residential Zones</u>
ZBA 1681, 2021 ↙	RR1/RR1str RR2/RR2str RR3/RR3str RS1/RS1str RS2 RSS RT RL/RLstr RM1 RM2 RH	Rural Residential 1 / Rural Residential 1 Short-term Rental Rural Residential 2 / Rural Residential 2 Short-term Rental Rural Residential 3 / Rural Residential 3 Short-term Rental Single-Dwelling Residential 1 / Single-Dwelling Residential 1 Short-term Rental Single-Dwelling Residential 2 Single Dwelling and Secondary Dwelling Residential Two-Dwelling Residential Lake Area Residential / Lake Area Residential Short-term Rental Multiple Dwelling Residential 1 Multiple Dwelling Residential 2 Mobile Home Park
		<u>Commercial Zones</u>
ZBA 1345, 2006 CD1 ↙	CT1 CT2 CS1 CS2 CS3 CS4 CS5 CM CH	Town Centre Commercial Town Centre Commercial and Residential Service Commercial Service Station Commercial Tourist Recreation Commercial Tourist Accommodation Commercial Lakeside Tourist Accommodation Commercial Marine Commercial Highway Commercial
		<u>Industrial Zones/Resource Management Zones</u>
	M1 M2 M3 M4 MR/MRstr	Light Industrial Heavy Industrial Special Industrial Enclosed Storage Industrial Resource Management / Resource Management Short-term Rental
		<u>Parks and Institutional Zones</u>
ZBA 1704, 2022 P3 ↙	P1 P2 P3	Institutional Park, Recreation and Open Space Institutional Assembly

Part 6 – Establishment of Zones

Comprehensive Development Zones

CD1	Comprehensive Development 1
CD2/CD2str	Comprehensive Development 2 / Comprehensive Development 2 Short-term Rental
CD3	Comprehensive Development 3

Part 6 – Establishment of Zones

ZBA 1237, 2002



6.2 Zoning Map

- .1 The location of the zones established by this Bylaw are shown on the Zoning Map of the District of Kent, Schedule A, and all associated inset maps, with all explanatory matter thereon, is hereby made and declared to be an integral part of this Bylaw.
- .2 When the zone boundary is designated on the Zoning Map as following a road allowance, creek or railway right-of-way, the centre line of such road allowance, creek or railway line, shall be the zone boundary.
- .3 Where a zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the Zoning Map.

Part 7- General Regulations

The following general regulations are applicable to all zones.

7.1 Principal Buildings Per Lot

- ZBA 1602, 2018 ↘
- .1 Except as otherwise permitted not more than one **single-dwelling residential** use may be sited on one **lot**.

7.2 Permitted Uses of Land, Buildings and Structures

- .1 In all zones the use of land including the surface of water, of **buildings** and of **structures** shall be in accordance with the permitted uses specified in this Bylaw and in conformity with the regulations for permitted uses specified in this Bylaw; any use contrary to or not expressly permitted by this Bylaw shall be absolutely prohibited.
- .2 In all zones, the following uses are permitted:
 - (a) roads and highways;
 - (b) **parks**; and
 - (c) an **off-street parking use**, if it is accessory to the **principal** use.
- .3 A **public utility** use is permitted in all non-residential zones

7.3 Prohibited Uses of Land, Buildings and Structures

ZBA 1501, 2013 ↘

The following uses of land, buildings and structures shall be prohibited in all zones unless specifically permitted:

- .1 the use of tents, **recreational vehicles** or **mobile homes** except as permitted in this Bylaw or “The District of Kent Mobile Homes Regulation and Control Bylaw No. 590, 1973”;
 - .2 an **advertising** use, except as specifically permitted in the “Sign Bylaw” of the Municipality and in this Bylaw;
 - .3 disposal of any waste matter on land or in marine areas, except such waste matters as may lawfully be discharged under the Sewage Disposal Regulation, the Agricultural Waste Control Regulation or the Waste Management Act;
 - .4 storage of special wastes, as defined in the Waste Management Act, other than the temporary storage of such waste where specifically permitted by this Bylaw, and for the purposes of this exception, “temporary” means that not more than 6 month’s accumulation of such waste may be stored; and
 - .5 storage or disposal of wastes on any island, if the wastes did not originate on that island.
 - .6 the conduct of Adult Entertainment within, or in conjunction with the operation of any Cabaret / Night Club or Neighbourhood Pub, or any other establishment.
- ZBA 1440, 2009 ↘

Part 7 – General Regulations

- .7 Subject to the limitation set out in Section 4 and 8 of the Agricultural Land Reserve Use Regulation or as otherwise specifically permitted, a **cannabis cultivation facility** is prohibited.

Any lawful **cannabis cultivation facility** that cannot be prohibited in accordance with Section 4 and 8 of the Agricultural Land Reserve Use Regulation is subject to Part 7.23 of this bylaw.

7.4 Siting Exceptions

- .1 The following features may project into a required front, side or rear yard **setback**:
- .1 steps;
 - .2 eaves and gutters, cornices, sills, bay windows, chimneys or other similar features, provided that such projections do not exceed zero point six (0.6) metres (2 feet) beyond the siting regulations provided by the Bylaw or approved siting regulation variances which otherwise apply to the **building** of which they are a part;
 - .3 open porches and canopies, provided that such projections do not exceed two (2) metres (6.5 feet) beyond the siting regulations provided by this Bylaw which otherwise apply to the **building** of which they are a part, nor fifty percent (50%) of the width of a required side yard.
 - .4 balconies and sun shades, provided that such projections do not exceed one point two (1.2) metres (4 feet) beyond the siting regulations provided by this Bylaw which otherwise apply to the **building** of which they form a part;
 - .5 an uncovered patio or terrace, which may be open or enclosed, in any yard in a **residential** zone, subject to the fence **height** limitations as specified in Section 7.10 of this Bylaw. The provision of an awning or similar temporary covering for such a terrace shall be permitted;
 - .6 arbors and trellises, fishponds, ornaments, flagpoles, or similar landscape features;
 - .7 an underground **structure** may be sited in any portion of a **lot** provided that the top surface of such **structure** shall at no point extend above the average finished ground elevation.
- .2 Unless specifically regulated elsewhere in this or any other Bylaw, floodlights, warning devices, observation and water towers, radio and television antennae, masts and aerials, utility wires, poles and guys, and flagpoles are exempt from siting regulations.
- .3 Where a common or **party wall** shared by two or more separately owned or operated dwelling or business units within a **building** for **residential** use, a **commercial** use, or an **industrial** use coincides with a side **lot** line, and where the land pertaining to each unit is a registered **lot**, or where such land comprises a strata **lot** shown on a registered strata plan as provided for in the Strata Titles Act, the **setbacks** specified in this Bylaw shall not apply to that side lot line.

Part 7 – General Regulations

- .4 For residential zones, a **walkway** that is maintained by the Municipality or a strata corporation must have a minimum **building setback** of 3 metres (10 feet).
- .5 The minimum **lot width** for a **panhandle lot** shall not include the **access strip** when calculating the mean horizontal distance between side **lot** lines. However, the **access strip** shall not be less than 10 metres wide in order to provide vehicular access.

7.5 Minimum Lot Sizes

.1 Lot Sizes and Requirements

Lot size, width, depth, shape and orientation shall be appropriate for the location and contemplated use of the subdivision and shall conform to the minimum requirements for the respective zones, except that in areas not serviced by community sanitary sewer, no **lot** shall be less than 2,000 square metres (0.5 acres), or the minimum **lot** size for the zone, whichever is greater.

.2 Where Minimum Lot Sizes Do Not Apply

The requirements of Section 7.5.1 shall not apply:

- .1 where the **lot** being created is used solely for the unattended equipment necessary for the operation of:
 - (a) a community water system
 - (b) a community sanitary or storm sewer
 - (c) a community gas distribution system
 - (d) a community radio or television receiving antenna
 - (e) a radio or television broadcasting antenna
 - (f) a telecommunication relay station
 - (g) an automatic telephone exchange
 - (h) an air or marine navigational aid
 - (i) electrical substations or generating stations
 - (j) any other similar **public service** or utility, or
- .2 where the **lot** is a common **lot** intended for use as a private road, or
- .3 to **parks**, or
- .4 where the number of new **lots** in a proposed subdivision does not exceed the number of wholly separate and independent **principal buildings** containing **dwelling units** which have been legally constructed and permanently erected on the land to be subdivided provided that:

Part 7 – General Regulations

- (a) each new **lot** so created contains at least one wholly separate and independent **principal building** containing a **dwelling unit** which was legally constructed prior to the date of effect or the date of adoption of any Official Community Plan and any Zoning Bylaw for the area of the subdivision, and for which the owner applies to and receives from the District of Kent an Occupancy Permit pursuant to the **building** regulations of the district, and
- (b) where a proposed **lot** is not served by an **approved community sewer system**, the written approval of the **Medical Health Officer** is given, and
- (c) for other than **lot** size, each new **lot** so created meets the Bylaw requirements of the zone for the intended use.

7.6 Dwelling Units

- .1 Unless otherwise specified, no more than one **dwelling unit** is permitted per **lot**.
- .2 All rooms in a **dwelling unit** are to be contiguous and accessible from within the **dwelling unit**.
- .3 With the exception of **mobile homes**, the widest portion of a **single-dwelling residential** use must be at least 4.5 metres (15 feet) wide or greater, and for a **two-dwelling residential** use must be at least 9 metres (30 feet).

7.7 Accessory Buildings and Structures

- .1 General
 - .1 No **accessory building** or **structure** shall be erected on any **lot**, unless the **principal building** to which the **accessory building** is an incidental use has been erected or will be erected simultaneously with said **accessory building**.
 - .2 Where an **accessory building** or **structure** which is not completely open on its sides is attached to the **principal building** or attached by a **structure** which is not completely open on its sides, it is to be considered a part of the **principal building** and shall comply in all respects with the requirements of this Bylaw applicable to the **principal building**.
 - .3 Unless otherwise specifically regulated elsewhere in this Bylaw, **accessory buildings** and **structures**:
 - (a) shall not exceed a **height** of three point seven (3.7) metres (12 feet);
 - (b) shall not occupy more than ten percent (10%) of the area of the **lot** upon which they are located;
 - (c) shall be sited to the rear of the front face of a **principal building** on the **lot** upon which they are located;
 - (d) shall be sited not less than:
 - i. three (3) metres (10 feet) from an **exterior side lot line**;

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- ii. one point five (1.5) metres (5 feet) from an **interior side lot line**;
 - iii. one point five (1.5) metres (5 feet) from a **rear lot line** adjacent to a **lane**, or
- .4 Unless otherwise permitted, an **accessory building** or **structure** shall not be used as a **dwelling unit**.
- .2 Agricultural and Residential Zones
 - .1 Not more than two-thirds (2/3) of the width of the rear yard of any **lot** in an Agricultural or Residential Zone shall be occupied by **accessory buildings**.
 - .2 In an Agricultural or Residential Zone, if for topographical reasons a private **garage** or carport cannot be constructed at the side or rear of the **principal building**, such **garage** or carport may be constructed in an excavation in a front yard, provided that no part of such **structure** shall extend more than one point two (1.2) metres (4 feet) above the surface of the surrounding ground at any point other than the driveway, nor be less than three (3) metres (10 feet) from the **front lot line**.
- .3 Non Agricultural and Non Residential Zones
 - .1 On a corner **lot**, an **accessory building** shall be located not closer to the flanking **street** than the **principal building** on the same **lot**, nor closer than the required **setback** from the flanking **street** of the **principal building** on an adjoining **lot**, whether or not a **lane** intervenes.
 - .2 An **accessory building** shall not exceed four (4) metres (13 feet) in **height** if it is located within a required rear yard.

7.8 Temporary Buildings

- .1 A temporary **building** or **structure** may be erected for **residential** or construction purposes on a **lot** being developed for a period not to exceed the duration of such construction and shall be removed prior to the issuance of an occupation permit in accordance with municipal bylaws.
- .2 Temporary **buildings** or **structures** shall be subject to the following requirements:
 - .1 Application shall be made in writing to the Building Official for a permit to erect a temporary **building** or **structure**.
 - .2 If the Building Official is satisfied that the proposed temporary **building** or **structure** would not constitute or cause a public hazard or public nuisance, nor obstruct unnecessarily any public right-of-way, the Building Official shall grant a permit for a period of not more than six (6) months.
 - .3 At the expiration of a permit such temporary **building** or **structure** shall be removed and the site thereof restored as nearly as possible to its former condition.

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7.9 Building Height

- .1 Unless otherwise specified, a fire suppression system is required for all **buildings** that are more than 12 metres (40 feet) in **height**.
- .2 Unless otherwise specified, the maximum **height** for an **accessory building** is 6 metres (20 feet).
- .3 The following shall not be subject to the **building height** requirements of this Bylaw: church spires, belfries, domes, monuments, fire and hose towers, observation towers, stadium bleachers, transmission towers, chimneys, flag poles, radio towers, elevator and ventilating machinery, provided that the **structure** shall cover not more than twenty percent (20%) of the roof area of the **principal building**.
- .4 Where a **structure** is floating on the surface of a water body, **height** is to be determined by measuring from the water surface.
- .5 Where a **structure** is located over a water body, but imbedded in the land beneath the water body, **height** is to be determined by measuring from the elevation of the **natural boundary** of the water body.

7.10 Fences

- .1 Subject to the vision clearance provisions of Section 7.11, the following **height** limitations shall apply to fences and walls:
 - .1 Except in the Light (M1), Heavy (M2), Special (M3), and Enclosed Storage (M4) Industrial Zones, required screening, Parts 7.10.1.2, and Part 7.10.1.3; fences or walls shall not exceed a **height** greater than:
 - (a) one point eight (1.8) metres on any portion of a **lot** within a required **front lot line setback**;
 - (b) Two point four (2.4) metres on any portion of a **lot** outside the required **front lot line setback**;
 - .2 Subsection .1.1 shall not apply to open mesh or chain link type fences erected on a cemetery, public playground, **park**, playfield, elementary or high school area or utility yard. In those cases fences shall not exceed a **height** of three (3) metres (10 feet).
 - .3 fences placed on a retaining wall approved by the District Engineer during subdivision or development shall not exceed one point eight (1.8) metres in height.

ZBA 1601, 2019



ZBA 1601, 2019



7.11 Vision Clearance at Intersections

In any zone, no fence, wall or **structure** other than a permitted **principal building** shall be erected to a greater **height** than one (1) metre (3 feet) and no hedge, bush, shrub, tree or other growth shall be maintained or allowed to grow so as to obstruct vision clearance in the area bounded by:

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- .1 The intersecting **lot** lines at a **street** corner and a line joining points along the **lot** lines eighteen (18) metres (60 feet) from their points of intersection.
- .2 The intersecting **lot** lines at a **lane** corner and a line joining points along the **lot** lines six (6) metres (20 feet) from their point of intersection. A **lane** intersection shall include the intersection of a **lane** with any other **lane** or with a **street**.
- .3 Notwithstanding any other citing provisions of this Bylaw the construction, reconstruction, alteration, moving or extension of **buildings** and **structures** within any zone shall be in conformity with the regulations for the size, shape and citing of **buildings** and **structures** specified in this Bylaw, except that no **building** shall be constructed within a triangular area adjoining an intersection, bounded by four point six (4.6) metres (15.09 feet) of the side property line, and the resulting hypotenuse.

ZBA 1639, 2020



7.12 Home Occupations

.1 General Requirements

- (a) A person may apply for a **home occupation** by completing an application on the prescribed form and shall include a detailed site plan.
- (b) **Home occupations** shall be **auxiliary** to the **single dwelling residential** or **farm employee residence** use on the same **lot**.
- (c) A **home occupation** within the Agricultural Land Reserve shall not be detrimental to any existing or potential farm use on the property.
- (d) A **home occupation** use shall only be permitted when the resident(s) of the property is a registered owner of the **home occupation** business.
- (e) On a **lot** within the Agricultural Land Reserve, construction of an **accessory building** or **off-street parking** to accommodate a **home occupation** outside of an established **farm home plate** area shall not be permitted.
- (f) A **home occupation** shall not involve external structural alterations to the residential dwelling and the use shall in no way indicate its presence from the exterior of any **building, structure**, or fence on the **lot** except for one (1) sign in accordance with the requirements for a **home occupation** sign as outlined in the District of Kent Sign Bylaw.
- (g) A **home occupation** shall not produce excessive noise vibration, smoke, dust, odours, heat glare, litter, noxious uses, traffic congestion, or utilize materials, products that produce inflammable or explosive vapours or gases.
- (h) Any **building** containing a **dwelling unit** shall not be used for any high hazard industrial use as specified in the BC Building Code.

.2 Permitted Home Occupation Building Area

- (a) Any **home occupation** within the Agricultural Land Reserve must be within the **farm home plate area**.

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- (b) The maximum building area permitted for a **home occupation** use including enclosed storage, enclosed business vehicle parking, and enclosed equipment storage, is detailed in Part 7.12.6.
- (c) Where an **accessory building** is larger than the permitted maximum building area for a **home occupation**, the **home occupation** portion of the **building** must be delineated using a framed partition wall.
- (d) Despite the maximum building areas specified in Part 7.12.6, a higher density home occupation use, as measured by the maximum building area, is permitted on lands within the Agricultural Land Reserve that exceed 0.8 ha (2 acres) as follows:
 - i. up to a maximum of 325.16 square metres (3,500 square feet) in return for payment of a cash amenity of \$10,000; or
 - ii. up to a maximum of 557.42 square metres (6,000 square feet) in return for payment of a cash amenity of \$30,000; or
 - iii. up to a maximum of 696.77 square metres (7,500 square feet) in return for payment of a cash amenity of \$75,000; or
 - iv. up to a maximum of 929.03 square metres (10,000 square feet) in return for payment of a cash amenity of \$200,000.
- (e) Amenity payments received for a density bonus shall be payable at the earlier of the time of issuance of a building permit or business licence for a home occupation use and shall be used for downtown façade improvements, farm recycling services and other analogous purposes designed to offset the impact of greater density for commercial or industrial uses in agricultural or rural areas.
- (f) For certainty, where at any time an applicant seeks a building permit or a business licence for an additional density bonus in excess of that authorized by a previous amenity contribution made with respect to the same lands, only the incremental cash amenity contribution is required to be paid.

.3 **Unenclosed Storage**

- (a) Any **unenclosed storage** of a **home occupation** within the Agricultural Land Reserve must be within the **farm home plate** area.
- (b) The maximum **unenclosed storage** area permitted for a **home occupation** use is detailed in Part 7.12.6.
- (c) Unenclosed storage is not permitted within the setback area.

.4 **Non-Resident Employees**

- (a) The maximum number of non-resident employees permitted for a **home occupation** use is detailed in Part 7.12.6.

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.5 Off – Street Parking – Business Vehicles

- (a) Any **off-street parking** of a **home occupation** within the Agricultural Land Reserve must be within **the farm** area.
- (b) **Off-street parking** shall be provided for the **home occupation** use such that no customer **vehicles, business vehicles**, or employee vehicles are parked on the street.
- (c) Unless otherwise stated **business vehicle(s)** shall not exceed 3,900 kg. curb weight.
- (d) The maximum number of **business vehicle(s)** permitted for a **home occupation** use is detailed in Part 7.12.6.

.6 Permitted Number of Home Occupations

The following tables list permitted **home occupations** with associated regulatory requirements

Table 7.12.6(a)	
Permitted Home Occupations	
<ul style="list-style-type: none"> • Artist studio; • Non-medical business and professional office; 	<ul style="list-style-type: none"> • Business office for consultant, contractor • Personal service
# Permitted	A maximum of one (1) home occupation is permitted
Zones	CD1, RH, RM1, RM2, and CD2 multiple-dwelling residential use zones
Lot Size	No Restrictions
Location	Home occupation shall be conducted entirely within the residential dwelling
Building Area	Shall occupy less than twenty percent (20%) of the floor area of the unit or residential dwelling not to exceed 19 m ² (200 ft ²)
Unenclosed Storage	Not permitted
Non-Resident Employees	0
Business Vehicles	1 Maximum
Off-Street Parking	For required off-street parking spaces see Part 7.17 of this Bylaw
Conditions of Use	A maximum of two (2) customers / clients are permitted to attend the home occupation at one time

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Table 7.12.6(b)	
Permitted Home Occupations	
<ul style="list-style-type: none"> • Art gallery and framing shop; • Artists studio; • Assembly or repair of small appliances, audio/visual equipment, office equipment, computers, clocks, musical instruments, alarm systems and electronic equipment; • Business and professional offices such as medical, accounting, insurance; • Business office for consultant, contractor, direct marketing, catalogue sales, telemarketing; • Construction contractor (office); • Daycare with a maximum of 8 children; • Furniture repair and upholstery; • Graphics design studio; 	<ul style="list-style-type: none"> • Home teaching or tutoring service with a maximum of 5 students at one time; • Music studio; • Locksmith, tinsmith, gunsmith, goldsmith, lock/watch repair; • Non-motorized bicycle repair; • Personal service; • Production of artisan crafts including sale of these items on the same lot; • Print shop; • Recreation equipment rentals limited to the rental of motored and unmotored recreational equipment; • Repair and servicing household appliances; • Shoe repair, tailor shop; • Ski and snow board repair
# Permitted	A maximum of one (1) home occupation is permitted with the opportunity for an additional home occupation provided that there is no increase in the home occupation building area, enclosed storage area, non-resident employees, and permitted business vehicles
Zones	A, A1, MR, RR1, RR2, RS1, RS2, RSS, RT, RL, and CD2 (excluding multiple-dwelling residential use)
Lot Size	No Restrictions
Location	<p>For RS1, RS2, RSS, RT, RL, and CD2 zoned lots and A, A1, MR, RR1, and RR2 zoned lots less than 0.1 ha (0.25 acres), the home occupation shall be conducted entirely within the residential dwelling</p> <p>For A, A1, MR, RR1, and RR2 zoned lots equal to or greater than 0.1 ha (0.25 acres), a home occupation may be conducted within the residential dwelling and or within a maximum of one accessory building</p>
Building Area	<p>For RS1, RS2, RSS, RT, RL and CD2 zoned lots - Shall occupy less than twenty percent (20%) of the floor area of the residential dwelling not to exceed 46 m² (495 ft²)</p> <p>For A, A1, RR1, RR2, and MR zoned lots less than 0.2 ha (0.5 acres) Shall not exceed 75 m² (807 ft²) and shall occupy less than twenty percent (20%) of the floor area of the residential dwelling</p> <p>For A, A1 MR, RR1, and RR2 zoned lots equal to or greater than 0.2 ha (0.5 acres) Shall not to exceed 140 m² (1,507 ft²) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling</p> <p>See Part 7.12.2(d) for higher density home occupation opportunities</p>

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Unenclosed Storage	Not permitted	RS1, RS2, RSS, RT, RL, and CD2 zones
	Not permitted	A, A1, RR1, RR2, and MR zoned lots less than 0.2 ha (0.5 acres)
	50 m ² (538 ft ²)	A, A1, RR1, RR2, and MR zoned lots equal to or greater than 0.2 ha (0.5 acres)
Non-Resident Employees	1	All zones
	2	A, A1, RR1, RR2, and MR zoned lots less than 0.2 ha (0.5 acres)
	4	A, A1, MR, RR1 and RR2 zoned lots equal to and greater than 0.2 ha (0.5 acres)
Business Vehicles	1	All zones
	2	Recreation equipment rentals – Maximum of one (1) business vehicle that shall not exceed 3,900 kg curb weight and a maximum of one (1) business related trailer up to 4.88 m (16 ft) in length (not including hitch) provided that it is demonstrated that the trailer is used for secure storage and transport of business related equipment
	2	Construction contractor (office) on lots less than 0.1 ha (0.25 acres) – Maximum of one (1) business vehicle that shall not exceed 3,900 kg curb weight and a maximum one (1) business vehicle trailer with a maximum length of 4.88 m (16 ft) (not including hitch) provided that it is demonstrated the trailer is used for secure storage and transport of business related equipment and or materials;
	3	Construction contractor (office) on lots equal to and greater than 0.1 ha (0.25 acres) – Maximum of (3) business vehicles that shall not exceed 3,900 kg curb weight. Business vehicle trailer is limited to a maximum length of 4.88 m (16 ft) in length (not including hitch) provided that it is demonstrated the trailer is used for secure storage and transport of business-related equipment and or materials;
Off-Street Parking	For required off-street parking spaces see Part 7.17 of this Bylaw	

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Table 7.12.6(c)		
Permitted Home Occupations		
	<ul style="list-style-type: none"> • Construction contractor • Wholesale bakery 	
# Permitted	A maximum of one (1) home occupation is permitted with the opportunity for an additional home occupation provided that there is no increase in the home occupation building area, enclosed storage area, non-resident employees, and permitted business vehicles	
Zones	A, A1, MR, RR1, RR2	
Lot Size	Minimum lot size of 0.4 Ha (1.0 acre)	
Location	The home occupation may be conducted within the residential dwelling and or within a maximum of one accessory building	
Building Area	<p>For lots equal to or greater than 0.4 ha (1.0 acre) but less than 0.8 ha (2 acres) Shall not to exceed 140 m² (1,507 ft²) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling</p> <p>For lots equal to or greater than 0.8 ha (2 acres) - Shall not to exceed 234m² (2,518 ft²) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling</p> <p>See Part 7.12.2(d) for higher density home occupation opportunities</p>	
Unenclosed Storage	150 m ² (1,614 ft ²)	
Non-Resident Employees	2	Wholesale bakery
	6	Construction contractor
Business Vehicles	2	Wholesale bakery
	6	Three (3) of the business vehicles can be in excess of 3,900 kg curb weight
Off-Street Parking	For required off-street parking spaces see Part 7.17 of this Bylaw	
Conditions of Use	<ul style="list-style-type: none"> • The owner may be required to register a Section 219 restrictive covenant against the property title at the Land Title Office which will specify the home occupation details submitted in the application form and accompanying site plan. 	

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Table 7.12.6(d)		
Permitted Home Occupations		
• Mobile mechanic	• Mobile welder	
# Permitted	A maximum of one (1) home occupation is permitted with the opportunity for an additional home occupation provided that there is no increase in the home occupation building area, enclosed storage area, non-resident employees, and permitted business vehicles	
Zones	A, A1, MR, RR1, RR2	
Lot Size	Minimum lot size of 0.8 Ha (2.0 acres)	
Location	The home occupation must be conducted entirely within the residential dwelling	
Building Area	Shall occupy less than twenty percent (20%) of the floor area of the residential dwelling not to exceed 46 m ² (495 ft ²) See Part 7.12.2(d) for higher density home occupation opportunities	
Unenclosed Storage	100 m ² (1,075 ft ²)	
Non-Resident Employees	4	
Business Vehicles	4	Three (3) of the business vehicles can be in excess of 3,900 kg curb weight
Off-Street Parking	For required off-street parking spaces see Part 7.17 of this Bylaw	
Conditions of Use	<ul style="list-style-type: none"> • The owner may be required to register a Section 219 restrictive covenant against the property title at the Land Title Office which will specify the home occupation details submitted in the application form and accompanying site plan. • Home occupation is limited to an office use only. An accessory building is not permitted as any part of the business, including business vehicle parking. 	

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Table 7.12.6(e)	
Permitted Home Occupations	
<ul style="list-style-type: none"> Inboard / outboard watercraft sale, maintenance, repair and manufacturing 	<ul style="list-style-type: none"> Farm equipment sale, maintenance, repair and manufacturing
# Permitted	A maximum of one (1) home occupation is permitted with the opportunity for an additional home occupation provided that there is no increase in the home occupation building area, enclosed storage area, non-resident employees, and permitted business vehicles
Zones	A, A1, MR, RR1, RR2
Lot Size	Minimum lot size of 1.6 Ha (4.0 acres)
Location	The home occupation may be conducted within the residential dwelling and or within a maximum of one accessory building
Building Area	Shall not to exceed 234m ² (2,518 ft ²) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling See Part 7.12.2(d) for higher density home occupation opportunities
Unenclosed Storage	200 m ² (2,152 ft ²)
Non-Resident Employees	6
Business Vehicles	6
Off-Street Parking	Three (3) of the business vehicles can be in excess of 3,900 kg curb weight For required off-street parking spaces see Part 7.17 of this Bylaw
Conditions of Use	<ul style="list-style-type: none"> The owner may be required to register a Section 219 restrictive covenant against the property title at the Land Title Office which will specify the home occupation details submitted in the application form and accompanying site plan. All work shall be performed indoors and not more than six (6) pieces of equipment associated with the home occupation may be located outside within the maximum permitted unenclosed storage area for a maximum of seven (7) days immediately prior to and after the work being conducted.

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Table 7.12.6(f)	
Permitted Home Occupations	
<ul style="list-style-type: none"> • Transport truck owner/operator 	
# Permitted	A maximum of one (1) home occupation is permitted with the opportunity for an additional home occupation provided that there is no increase in the home occupation building area, enclosed storage area, non-resident employees, and permitted business vehicles
Zones	A, A1, MR, RR1, RR2
Lot Size	Minimum lot size of 1.6 Ha (4.0 acres)
Location	The home occupation must be conducted entirely within the residential dwelling
Building Area	Shall not to exceed 234m ² (2,518 ft ²) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling
Unenclosed Storage	Not Permitted
Non-Resident Employees	0
Business Vehicles	1
	Business vehicle can be in excess of 3,900 kg curb weight A tractor-trailer (semi-truck and semi-trailer combination) is considered one (1) business vehicle.
Off-Street Parking	For required off-street parking spaces see Part 7.17 of this Bylaw
Conditions of Use	<ul style="list-style-type: none"> • The owner may be required to register a Section 219 restrictive covenant against the property title at the Land Title Office which will specify the home occupation details submitted in the application form and accompanying site plan. • Home occupation is limited to an office use only. An accessory building is not permitted as any part of the business including, business vehicle parking.

- (g) For the following **lot(s)**, seasonal storage of inboard/outboard watercrafts associated with Inboard / outboard watercraft sale, maintenance, repair and manufacturing **home occupations** shall be permitted within the maximum permitted **unenclosed storage** area:

PID 012-733-482

Lot 17 Section 20 Township 3 Range 28 West of the Sixth Meridian New Westminster District Plan 2516.

- (h) For the following **lot(s)**, a garbage contractor **home occupation**, not exceeding four (4) **business vehicles**, three (3) of which can be in excess of 3,900 kg curb weight:

PID: 002-478-641

Lot 2 Section 35 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 60452.

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.7 Non-Permitted Uses

- (a) Non permitted **home occupation** uses are those not specifically listed as well as the following:

Table 7.12.7(b)	
Non - Permitted Home Occupations	
<ul style="list-style-type: none"> • automotive wrecking and salvage yards; • beverage bottling and distribution; • building supply and lumber yards; • cold storage facilities, ice manufacturing plants, frozen food lockers; • cabinet makers and furniture manufacturers; • electronic games arcades, bowling lanes, billiard and pool halls; • fertilizer, ammunition, and explosive plants; • laboratories; • laundries and dry-cleaning facilities; • leisure and fitness facilities, recreation facilities; • maintenance and repair shops for motor vehicles, recreational vehicles, and farm vehicles; • private schools; 	<ul style="list-style-type: none"> • restaurants, ice cream parlours, coffee and beverage facilities; • sales of motor vehicles, recreational vehicles, farm vehicles, machinery, motorized garden equipment, and inboard / outboard watercrafts; • sales and storage of bulk propane, heating oil, petroleum products, and other combustible fuels; • second-hand stores, antique shops, and thrift shops; • storage facility; • taxi or courier service; • taxidermy, tanneries and abattoirs; • tire sales and rebuild facilities; • trucking yard; • veterinary clinics, pet breeding and animal hospitals, boarding kennels; • welding shops; and • wineries, breweries, and distilleries.

7.13 Short-term Rentals

- .1 All **short-term rental** uses shall:
- a) comply with the licencing requirements of the *Business Licencing and Regulation Bylaw* and amendments hereto;
 - b) comply with the off-street parking requirements in Part 7.17 of this Bylaw and amendments hereto;
 - c) not be simultaneously used for the keeping of roomers or boarders;
 - d) not be permitted in combination with another **short-term rental** use;
 - e) have no more than one (1) sign as prescribed in the *Sign Bylaw*;



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- f) have operators that ensure guests do not create any form of nuisance for surrounding residents, including, but not limited to noise, light or traffic that is disruptive to the surrounding residents' quiet enjoyment of their property;
 - g) where proposed on land within the Agricultural Land Reserve, comply with the *Agricultural Land Commission Act*, and all regulations and orders of the Commission;
 - h) where an area is not served by an approved sewer systems, require approval of the method by which sewage is to be disposed by the Fraser Health Authority; and
 - i) be established and maintained in accordance with all applicable regulations and requirements of the BC Building Code, Fire Code, and all other pertinent health and safety regulations, and all subsequent amendments and revisions thereof.
 - j) A short-term rental use is not permitted within an **accessory dwelling unit** on a lot within the Agricultural Land Reserve.
- .2 In addition to Part 7.13.1, a **short-term commercial accommodation (guest unit)** use shall:
- a) be located within and be accessory to a single-dwelling residential use;
 - b) have the operator on site at all times during the lodging period;
 - c) be limited to one (1) less than the total number of bedrooms in the **dwelling unit**, not to exceed four (4) bedrooms in total; and
 - d) have a maximum of two (2) guest per bedroom and not more than six (6) guests per lodging period.
- .3 In addition to Part 7.13.1, a **short-term commercial accommodation (principal residence)** or a **short-term commercial accommodation (non-principal residence)** shall:
- a) have not more than five (5) bedrooms within the dwelling unit;
 - b) have a maximum of two (2) guest per bedroom and not more than ten (10) guests permitted per lodging period; and
 - c) only have one short-term rental dwelling unit per lot.

ZBA 1489, 2012



7.14 Farm Home Plate and Farm Employee Residence

The following **farm home plate** and **farm employee residence** requirements shall apply to all **lots** within the Agricultural Land Reserve and are subject to the provisions of the Agricultural Land Commission Act.

.1 General Requirements

- (a) With the exception of Part 7.14.1 (b), all **lots** within the Agricultural Land Reserve, the **farm residence**, **farm employee residence**, accessory dwelling units, **home occupation**, and all **accessory residential facilities** must be located within the **farm home plate** area;

ZBA 1509, 2014
(a & b)



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- (b) **Farm home plate** requirements do not apply to **lots** that are exempt from the Agricultural Land Commission Act restrictions on the use of agricultural land.

.2 Siting Requirements

- (a) Maximum area of a **farm home plate** containing one **farm residence** is 2,023 m² (21,780 ft²) (0.5 acres).
- (b) A **farm home plate** containing a **farm employee residence**, a detached accessory dwelling unit and or **home occupation** located within an **accessory building** may be increased by a maximum of 1,000 m² (10,793 ft²) (0.25 acres) and does not need to be contiguous with the remainder of the **farm home plate**.
- (c) Maximum depth for a **farm home plate** is 60 m (196.85 ft) measured from a dedicated road. If the road is not dedicated then the depth shall be measured from the constructed road.
- (d) One boundary of a **farm home plate** must be located at a property line fronting on a road from which vehicular access is obtained.
- (e) The rear face of a **farm residence** or **farm employee residence** must not be less than 10 m (32.81 ft) from the rear of the **farm home plate**.
- (f) Any **buildings** or **structures** containing a non-farm use must be sited completely within the **farm home plate**.
- (g) A Development Variance Permit may be considered in order to vary requirements in Part 7.14.1 and Part 7.14.2 where it can be demonstrated that the variance improves the agricultural suitability of the lot.

ZBA 1576, 2017



.3 Floor Area Requirements

- (a) The maximum **gross floor area** for a **farm residence** shall be 500 m² (5,382 ft²).
- (b) The maximum **floor area** for a **farm employee residence** shall be 279 m² (3,000 ft²).
- (c) The maximum **floor area** shall include permitted **auxiliary** uses within the **farm residence** or **farm employee residence**.
- (d) The following **gross floor area** exclusions are permitted for a **farm residence**:
- i. Attached garages and unenclosed carports to a cumulative maximum of 42 m² (452 ft²).
 - ii. Basements that do not end beyond the outer surface of the exterior wall of the first floor, with basement meaning that portion of any floor area having more than one-half its vertical height below the average finished grade at the perimeter of a building.
 - iii. Attics, with attic meaning the unfinished space between the roof and the ceiling of the top storey of a building or between a partial wall and sloping roof.

ZBA 1550, 2016
(d) & (e)



Part 7 – General Regulations

.4 Farm Employee Residence

- (a) A person may apply for a **farm employee residence** by completing an application on the prescribed form and shall include a detailed site plan.
- (b) The owner will be required to register a Section 219 covenant against the property title at the Land Title Office which will specify the **farm employee residence** details submitted in the application form and accompanying site plan.
- (c) A **farm employee residence** is not permitted on any **lot** less than 4.0 ha (9.88 acres).
- (d) A maximum of one (1) **farm employee residence** is permitted on any **lot** subject to Part 7.14.4 (c).

7.15 Licensed Kennels

- .1 A **kennel** shall not be permitted on a **lot** smaller than 0.5ha (1.2 acres) in area.
- .2 A **kennel** operation shall not cover more than 30% of the **lot**, including all **buildings** related to the **kennel** use, and shall be limited to a maximum of 20 dogs/hectare (8 dogs/acre), and 40 cats/hectare (16 cats/acre).
- .3 All **buildings** used in connection with a licensed **kennel** shall be constructed in accordance with the Building Bylaws of the District of Kent and shall contain at least 8 cm of insulation in all exterior walls and ceilings for the purpose of soundproofing.
- .4 Licensed **kennels** shall contain an inter-communication system between the service area and all pens and runs which is capable of transmitting any sounds or noises emanating from the pens and runs to the service area and capable of transmitting the voice of the operator or other staff from the service area to the pens and runs for the purpose of voice control of the animals being kept therein.
- .5 The outside perimeter of all areas of licensed **kennels** where animals are kept shall be enclosed by a solid fence or a solid hedge at least 1.8 metres in height to screen the areas from adjacent properties.
- .6 All **buildings**, pens and runs where animals are kept in connection with a licensed **kennel** shall;
 - i. be located not less than 15 metres (50 feet) from any property line; and
 - ii. be located not less than 90 metres (300 feet) from residence other than that occupied by the operator of the kennel or an employee thereof.

7.16 Bicycle Parking

- .1 Standards for Bicycle Parking Spaces
 - .1 Each bicycle parking space must be accessible to a highway or vehicle parking lot via an access aisle that is not less than 1.2 metres in width.



Part 7 – General Regulations

- .2 Bicycle parking spaces must be at least 0.8 metres in width and 1.8 metres in length with a minimum overhead clearance of 1.2 metres.
 - .3 Bicycle parking spaces must include a fixed structure that supports the bicycle frame in a stable position without damage to the wheels, frame or components and that enables the frame and both wheels to be locked to the structure by the cyclist's own locking device.
 - .4 Bicycle parking spaces are to be located at the primary entrance to the **building** or use being served.
- .2 Required Number of Bicycle Parking Spaces

The minimum number of **off-street parking** spaces for each use shall be as follows:

Use	Number of Spaces
All commercial uses within a CT-1 and CT-2 zone	1 space per 250 square metres (2,690 square feet) of gross floor space
All apartment uses within a CT-2 zone, RM-1, and RM-2 zone	1 space for every 5 dwelling units

7.17 Off-Street Parking

Subject to the provisions of Section 7.17.1, when any **development** takes place on any **lot**, **off-street parking** shall be provided and maintained in accordance with the regulations contained in this section.

.1 Existing Buildings, Structures and Uses

The regulations contained in this section shall not apply to **buildings, structures** or uses existing on the effective date of this Bylaw, except that:

- .1 Unless otherwise specified, **off-street parking** shall be provided and maintained in accordance with Subsection 7.17.10 for any addition to such existing **building** or **structure**, or any change or addition to such existing use.
 - .2 Unless otherwise specified, **off-street parking** existing on the effective date of this Bylaw shall not be reduced below the applicable **off-street parking** requirements of Subsection 7.17.10.
 - .3 When an existing **building** or **structure** within the Commercial – Town Centre designated lands identified in the District's *Official Community Plan* undergoes a change in commercial use and additional off-street parking is required, the requirement to provide the additional parking is waived, unless the floor area of the existing building is being increased.
- .2 Voluntary Establishment of Parking Facilities

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Where **off-street parking** facilities are provided when not required, the location, design and operation of such facilities shall comply with all the regulations of this section.

.3 Units of Measure

.1 Where **gross floor area** is used as a unit of measurement for the calculation of required **parking spaces**, it shall include the floor area of **accessory buildings** and **basements**, except where they are used for parking, heating or storage.

.2 Where number of employees is used as a unit of measurement, it shall mean the greatest number of persons at work, at any time of the day or night, in a particular **building** or for a particular use during any season of the year.

.3 Where a seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths and the like each zero point five (0.5) metres (1.5 feet) of width of such seating accommodation shall be counted as one seat.

ZBA 1625, 2019



.4 When the calculation of parking requirements results in a fractional **parking space**, one **parking space** the number of parking spaces required shall be rounded to the nearest whole number. For example 6.4 will round to 6.0 and 6.5 will round to 7.0.

.4 Use of Parking Facilities

.1 All required **off-street parking** spaces shall be used only for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or tenants who make use of the **principal building** or use for which the **parking area** is provided, and such **parking area** shall not be used for off-street loading, driveways, access or egress, **commercial** repair work, display, sale or storage of goods of any kind.

ZBA 1395, 2008



.2 All **off-street parking** spaces shall be provided on the same **lot** as the **building** for which such spaces are required, except that where the required spaces cannot be accommodated on the **lot** by reason of size, shape or siting of the **building**, for **commercial** uses in a CT-1 and CT-2 zone, or **restaurant** uses in zones where they are permitted, spaces reserved specifically for the requirements of such **buildings** may be located on a separate **lot** within one hundred and twenty (120) metres (394 feet) of the **building**;

.3 Notwithstanding Subsection 7.17.4.2, an owner or occupier of land or a group of such owners or occupiers may pool their required **off-street parking** spaces within one or more communal parking compounds and may thereby collectively fulfill the provisions of this section; provided that no part of such communal parking compound shall be more than one hundred and twenty (120) metres (394 feet) from a **structure** or use which it serves.

.4 Where a group of uses is served by a communal parking compound the requirements for such a **parking area** shall be the sum of the **off-street parking** requirements for each of the uses served by the parking compound.

.5 Location and Siting of Parking Facilities

Part 7 – General Regulations

Parking areas located in a front or exterior side yard shall provide a two (2) metre (6.5 feet) width of landscaped area between the **parking area** and the **lot** line, except for points of access and egress.

.6 Development and Maintenance Standards

The location of all points of access and egress to a **parking area** are subject to the approval of the Municipal Engineer:

.1 An **off-street parking** use accessory to a use other than one or two dwelling **residential** use:

- (a) may have access to and egress from a **street** via not more than two driveways of not less than three (3) metres (10 feet) nor more than seven point six (7.6) metres (25 feet) wide each, provided that one additional driveway may be added for each four hundred and sixty-four point five (464.5) square metres (4998 square feet) except as otherwise permitted by this Bylaw;
- (b) may have access to and egress from a **lane** along the entire length of a **lot** line common to such **lane**;
- (c) except for **assembly** uses, shall have each **parking space** and all internal access and egress driveways surfaced with asphalt or concrete so as to provide a surface that is durable and dust free and shall be graded and drained as to properly disperse of all surface water.

.2 All **off-street parking** spaces shall have clear measurements as follows:

Dimension	Measurement
Length	5.8 metres (19 feet) minimum
Width	2.7 metres (9 feet) minimum
Height	2.1 metres (7 feet) minimum

.3 A maximum of 20% of all **off-street parking** spaces may be assigned for small **motor vehicles**, subject to the following dimensions:

Dimension	Measurement
Length	5.5 metres (18 feet) minimum
Width	2.4 metres (8 feet) minimum
Height	2.1 metres (7 feet) minimum

Note: When the calculation of off-street parking requirements for small motor vehicles results in a fractional parking space, one parking space may be provided to meet this fractional requirement.

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.4 Accessible Parking

Where a **building** is required to be accessible, at least one space or one percent (1%), whichever is greater, of the required **parking spaces** in any **parking area** shall be reserved and designated as accessible, and be subject to the following dimensions:

Dimension	Measurement
Length	5.5 metres (18 feet) minimum
Width	3.7 metres (12 feet) minimum
Height	2.1 metres (7 feet) minimum

.5 Maneuvering aisles of not less than the following widths shall be provided:

Parking Angle in Degrees	Width of Aisle
90	7.0 metres (23 feet) minimum
60	5.5 metres (18 feet) minimum
45 and less	3.9 metres (12 feet 10 inches) minimum

.7 All **parking areas** shall be provided with adequate curbs in order to retain all vehicles within such permitted **parking areas**, and to ensure that required fences, walls, hedges or landscaped areas, as well as any **buildings**, will be protected from parked vehicles.

.8 All **parking areas** shall be provided with a maintained **landscape screen** along that portion of the perimeter of any open **parking area** abutting or opposite any **lot** in a **residential** zone.

.9 Any lighting used to illuminate any **parking area** or parking **garage** shall be so arranged that all direct rays of light are reflected upon such **parking area**, and not on any adjoining premises.

.10 Required Number of Parking Spaces

The minimum number of **off-street parking** spaces for each use shall be as follows:

Use	Number of Spaces
Residential use	
Single family, two family residential	2 spaces per dwelling unit All spaces must be unenclosed, not located within a garage.

ZBA 1655, 2020



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Use	Number of Spaces
Townhouse	1.5 spaces per dwelling unit , plus 1 parking space for visitor parking for every 10 calculated parking spaces
Apartment	1.0 space per dwelling unit , plus 1 parking space for visitor parking for every 10 calculated parking spaces
Mobile home park	1.5 spaces per dwelling unit
Accessory single-dwelling unit related to non-residential uses	1 additional space per dwelling unit
Accessory Dwelling Unit use	1 space per dwelling unit in addition to the parking spaces required by the principal residential use
Row house use	2 spaces per dwelling unit
Home Occupation use	
Home occupations must provide off-street parking spaces to accommodate permitted business vehicles, non-resident employee and customer parking	
Commercial use	
Shopping centers, department stores, and supermarkets exceeding a retail floor area of 929 square metres (9996 square feet)	1 space for each 28 square metres (301 square feet) of gross floor area
Retail stores and personal service establishments, except as otherwise specified herein, billiard and pool halls	1 space for each 46 square metres (495 square feet) of gross floor area 1 space per 186 m ² (2,000 square feet) of retail storage space
Restaurants and eating establishments, lunch counters, tea rooms, diners, neighbourhood pubs and other similar establishments for the sale and consumption of food or beverages on the premises	1 space for each five (5) seats
Drive-in restaurants and take-out service	1 space for each 56 square metres (600 square feet) of gross floor area
Banks, business, administrative and professional offices	1 space for each 46 square metres (495 square feet) of gross floor area

ZBA 1639, 2020
↪

ZBA 1602, 2018
↪

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Use	Number of Spaces
Medical or dental offices and clinics	1 space for each 46 square metres (495 square feet) of gross floor area
Gasoline service stations , motor vehicle sales , recreational vehicle sales	1 space for each 186 square metres (1993 square feet) of gross floor area
Campground , Resort lodge , motel or hotel	1 space for each sleeping unit or dwelling unit
Commercial Agricultural	1 space per 93 square metres (1,000 square feet) of gross floor area or 1 per 2 employees on duty, whichever is the greater plus one parking space for each company vehicle used in connection with business conducted on or from the premises
Short-term rental use	1 space per licenced guest unit within the short-term rental property
Agri-tourism accommodation use	1 space per agri-tourism sleeping unit
Marina Dependent use	
Marina and moorage	1 stall per 20 metres of berths for water craft
Marine service commercial	1 stall per 2 employees, plus 1 stall for each water craft rental
Industrial use	
Industrial, manufacturing , or service industrial	1 space per 93 square metres (1000 square feet) of gross floor area or 1 per 2 employees on duty, whichever is the greater plus one parking space for each company vehicle used in connection with business conducted on or from the premises

ZBA 1622, 2019



ZBA 1698, 2022



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Use	Number of Spaces
Warehousing use	1 space per 186 square metres (2000 square feet) of gross floor area plus one parking space for each company vehicle used in connection with business conducted on or from the premises
Enclosed mini-storage use	1 space per 372 square metres (4000 square feet) of gross floor area plus one parking space for each company vehicle used in connection with business conducted on or from the premises
Public Assembly use	
Places of public assembly , including churches, arenas, armouries, art galleries, assembly halls, auditoriums, lodges , and fraternal buildings , community centers, dance halls, exhibition halls, funeral homes and undertaking establishments, gymnasiums, meeting halls, museums, public libraries, stadiums, theatres and similar uses	1 for each 10 seats, or 1 for each 9 square metres (97 square feet) of floor area in areas without fixed seats which are used or intended to be used for public assembly , including playing surfaces
For places of public assembly use, for private educational purposes with a maximum occupancy of 30 people	1 parking space per 20 square metres of floor area
Recreational use	
Miniature golf courses, gymnasiums, curling rinks, swimming pools, bowling alleys and similar uses	1 space per 56 square metres (600 square feet)
Personal care use	
Hospitals, sanitariums and private hospitals	1 space for each 2 staff doctors plus 1 space for each 4 employees plus 1 space for each 5 beds

ZBA 1580, 2017



ZBA 1626, 2019



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Use	Number of Spaces
Schools, Public or Private	
Kindergartens, Elementary and Junior High Schools	1 space for each 46 square metres (495 square feet) of gross floor area , plus 4 temporary off-street parking spaces in a designated area near the entrance of a building for the pick-up and drop-off of students
Senior High Schools	1 space for each 46 square metres (495 square feet) of gross floor area plus 1 space for each 10 students, and 4 temporary off-street parking spaces in a designated area near the entrance of a building for the pick-up and drop-off of students
Civic use	
Civic use	1 space for each 46 square metres (495 square feet) of gross floor area

ZBA 1655, 2020



Information Note: Notwithstanding the above noted off-street parking requirements, where the Ministry of Transportation approval is required, their standard prevails.

ZBA 1625, 2019



- .2 Notwithstanding Subsection 7.17.10.1, for all **buildings** within Commercial – Town Centre designated lands identified in the District *Official Community Plan*, the number of required **parking spaces** is reduced by 35% for all Commercial uses excluding motel, hotel, service stations, motor vehicle sales and recreation vehicle sales uses.

ZBA 1240, 2002



.11 Off-Street Parking Restrictions

ZBA 1489, 2012

(.2, .3 & .4)



- .1 **Off-street parking** shall not protrude onto public property or a dedicated public right-of-way.
- .2 Unless otherwise permitted, **off-street parking of business vehicles** in excess of 6.1 m (20 ft) in length or curb weight of 3,900 kilograms (8,598 pounds) is only permitted on lots zoned for a business use and when the vehicle(s) is part of the authorized business.
- .3 Unless otherwise permitted, **off-street parking** shall not be used for **unenclosed parking** or storing of derelict or wrecked **motor vehicles** in all zones except commercial, industrial, and resource management zoned **lots** where they are necessary as part of the authorized business on the **lot**.

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.4 Subject to Council Approval, **off-street parking** of an emergency response vehicle in excess of 6.1 m (20 ft) in length or curb weight of 3.900 kilograms (8.598 pounds) may be permitted on a residential zoned **lot** occupied by the operator/owner of the emergency vehicle subject to suitable **off-street parking** space being available on the **lot**.

.12 Required number and type of EV Charger

.1 the minimum number of EV Chargers provided for each use shall be as follows:

Use	Type and Number of EV Charger
Residential use	
Single family, two family residential	Energized outlets capable of delivering Level 2 (240 volts) charging or higher, including all electrical equipment, shall be installed to service a minimum of 1 required Off-Street Parking Space
Townhouse	Energized outlets capable of delivering Level 2 (240 volts) charging or higher, including all electrical equipment, shall be installed to service a minimum of 1 required Off-Street Parking Space (excluding visitor parking)
Apartment	Energized outlets capable of delivering Level 2 (240 volts) charging or higher, including all electrical equipment, shall be installed to service a minimum of 25% of all Off-Street Parking Spaces (excluding visitor parking) Raceways or conduit, with drawstrings, capable of providing Level 2 (240 volts) charging or higher, including all electrical equipment, shall be installed to service all Off-Street Parking Spaces (excluding visitor parking) This requirement includes raceways for the feeder cabling to the panel board location
Row house use	Energized outlets capable of delivering Level 2 (240 volts) charging or higher, including all electrical equipment, shall be installed to service a minimum of 1 required Off-Street Parking Space

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7.18 Off-Street Loading

Subject to the provisions of Section 7.18.1, when any **development** takes place on any **lot**, off-street loading shall be provided and maintained in accordance with the regulations contained in this section.

.1 Existing Buildings, Structures and Uses

The regulations contained in this section shall not apply to **buildings, structures** or uses existing on the effective date of this Bylaw, except that:

- .1 Off-street loading shall be provided and maintained in accordance with the section where there is a change in the **principal** use, or where the total floor area is increased in excess of 10 percent (10%) over the existing floor area.
- .2 Off-street loading existing on the effective date of the Bylaw shall not be reduced below the applicable off-street loading requirements of this section.

.2 Unit of Measurement

When calculating off-street loading requirements, the **gross floor area** shall include the floor area of **accessory buildings** or **basements**, except where they are used for parking.

.3 Mixed Uses

In the case of mixed uses, the total requirements for off-street loading facilities shall be the sum of the requirements for the various uses calculated separately.

.4 Location and Siting of Loading Facilities

Off-street loading spaces and facilities shall be located

- .1 on the same **lot** as the use served
- .2 not within the required front yard, except for lots in a CT-1 zone, and lots in any zone that are immediately adjacent to the Canadian Pacific Railway line.
- .3 not closer than 7.5 metres (25 feet) to the nearest point of intersection of any two **street** allowances.

.5 Development and Maintenance Standards

The location of all points of access and egress to a loading area shall be subject to the approval of the Municipal Engineer, and:

- .1 All off-street loading spaces shall be of adequate size, and with adequate access thereto, to accommodate the types of vehicles which will be loading and unloading, but in no case shall be insufficient to accommodate a vehicle 10.7 metres (35 feet) in length, 3.7 metres (12 feet) in width and 4.4 metres (14.5 feet) in **height**.

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- .2 All loading areas shall be provided with adequate curbs in order to retain all vehicles within such permitted loading areas, and to ensure that required fences, walls, hedges or landscaped areas, as well as any **buildings**, will be protected from parked vehicles.
- .3 Each loading space shall be surfaced with an asphalt, concrete, or similar pavement so as to provide a durable, dust free surface, and shall be so graded and drained as to properly dispose of all surface water.
- .4 Any lighting used to illuminate any loading area shall be so arranged that all direct rays of light are reflected upon the loading area, and not on any adjoining premises.
- .6 Required Off-Street Loading Spaces
 - .1 On every site used as a retail store, business, industry, warehouse or other similar use, the minimum number of spaces shall be as follows:

Total Gross floor area of Building(s)	Spaces Required
Less than 2800 metres (30,130 square feet)	1
2800 square metres (30,130 square feet) to 5600 square metres (60,260 square feet)	2

- .2 A **building** for a **civic** use involving the movement of goods and materials by truck shall provide not less than one off-street loading space on the **lot**.

ZBA 1601, 2019



7.19 Flood Control Provisions

- .1 Flood control provisions are contained with the District of Kent *Floodplain Bylaw No. 1590, 2018* and its amendments.

7.20 Use of Water Surfaces

No **building** or **structure** located over a water surface may be used as a dwelling or for the **wharfage** of a vessel used as a dwelling, except this restriction does not apply to temporary **wharfage** of transient vessels, to licensed **commercial** fishing boats or to the use of one vessel as a dwelling for security personnel at a public docking facility.

7.21 Tank Vehicle Storage Use

Where **tank vehicle storage** use is permitted, parking or storage of **tank vehicles** shall be:

- .1 within an area bounded on all sides by a wall or fence of not less than 1.5 metres (5 feet) in **height**, restricting access to the **tank vehicle**;
- .2 within an area fully illuminated from dusk to dawn;
- .3 established and maintained in accordance with all applicable regulations and requirements of the Fire Code, the Gas Act and the Propane Installation Code, and all subsequent amendments and revisions thereof; and

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- .4 **setback** not less than 7.5 metres (25 feet) from any **building** or **structure**; or
- .5 **setback** not less than 15 metres (50 feet) from any **building** or **structure** used for **assembly**, institutional or multi-family **residential** occupancy.

ZBA 1447, 2009



7.22 Shipping Containers

No person shall place a **shipping container** in any Zone except in accordance with the following:

ZBA 1501, 2013



- .1 notwithstanding Section 7.8 Temporary Buildings, the use of a **shipping container** shall only be permitted in the Light Industrial (M1), Heavy Industrial (M2), Special Industrial (M3), Agricultural (A), and Park, Recreation Institutional (P1) and Open Space (P2) Zones;
- .2 **shipping containers** are only permitted in A Zoned property that has documented “farm status”;
- .3 **shipping containers** are not permitted on P2 and A Zoned property less than 0.8 HA (2 acres) in size;

ZBA 1501, 2013



- .4 **shipping containers** are only permitted as an auxiliary use in the M1, M2, M3 and P1 zones;
- .5 **shipping containers** are only permitted for “school use” within the P1 zone;
- .6 a **shipping container** installation and relocation on site is subject to **building permit**;
- .7 a **shipping container** shall not exceed a height of 3.28 metres (10 feet) and a total length of 12.2 metres (40 feet);
- .8 **shipping containers** cannot be stacked or placed above ground level;
- .9 **setbacks** for a **shipping container** shall be in accordance with established **accessory building** setbacks for each zone;

ZBA 1501, 2013



- .10 the number of **shipping containers** permitted for storage purposes is limited to a maximum of 10% of the total lot area or five (5) containers, whichever is less within the M1, M2, M3, P1, and P2 Zones;
- .11 the number of **shipping containers** permitted for storage purposes is limited to a maximum of two (2) containers on properties 2 to 4.99 acres and a maximum of five (5) containers on properties 5 or more acres within the A Zone;

ZBA 1501, 2013



- .12 **shipping container** storage area is considered part of the maximum permitted **unenclosed storage** area within the M1, M2 and M3 Zones and part of the maximum permitted **accessory building** area within the A and P2 Zones;

ZBA 1602, 2018



- .13 a **shipping container** in the M1, M2, M3 and A zones shall be screened from view from abutting residential and commercial properties. **Shipping containers** in the P1 and P2 zones shall be screened from view from the street and abutting residential and commercial properties;

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- ZBA 1601, 2019 ↘
- ZBA 1501, 2013 ↘
- ZBA 1601, 2019 ↘
- ZBA 1683, 2021 ↘
- .14 a **shipping container** shall not be located in a required **parking area** and in no case shall encroach into a required landscape buffer;
- .15 unless other wise specified, **shipping containers** may only be used for the storage of materials related to the approved used on the site. They cannot be used as enclosed rental storage units;
- .16 a **shipping container** shall not be used for the purpose of storing a licensed vehicle within the M1, M2, M3, P1, and P2 Zones;
- .17 a **shipping container** may be used for the purpose of storing a licensed and non-licensed farm equipment and vehicles required for the approved uses within the A Zone;
- .18 **shipping containers** shall only be painted in common colours that are complementary to existing site **buildings**;
- .19 a **shipping container** shall not be placed for the purpose of display or **advertising**;
- .20 a **shipping container** shall not be used for the purpose of screening or fencing; and
- .21 in the A zone, a **shipping container** may be used for **agricultural** use.

7.23 Cannabis Production in the Agricultural Land Reserve

- .1 Any lawful **cannabis cultivation facility**, **micro-cannabis cultivation facility**, or associated **farm-related commercial and farm-related industrial uses** shall:
- (a) be licensed by the Government of Canada and have all required provincial licences, permits, and approvals.
 - (b) whether outdoors or within a lawful building or structure, be setback a minimum of:

All lot lines	30 m
Parks and schools	150 m
Non-ALR residential uses	60 m
Well	30 m
Riparian Area	30 m
 - (c) require stormwater and agricultural liquid waste management plans where the total impervious area of buildings and structures exceeds 3,700 square metres (approximately 40,000 square feet).
 - (d) excluding associated **farm-related commercial and farm-related industrial**, not exceed the maximum lot coverage of 35%.
- .2 Any lawful **cannabis cultivation facility** or associated **farm-related commercial and farm-related industrial uses** with a floor area greater than 900 square metres may be required to provide an Agricultural Impact Assessment.
- .3 **Farm-related commercial and farm-related industrial uses** associated with a lawful **cannabis cultivation facility** or **micro-cannabis cultivation facility** shall:

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(a) not exceed the following maximums lot coverage:

Lots greater than 4 ha:	5%
Lots equal to or less than 4 ha:	0.2 ha

(b) have a valid business licence.

.4 A lawful indoor **micro-cannabis cultivation facility** and associated **farm-related commercial and farm-related industrial uses** is permitted and shall not exceed the maximum floor area of 900 square metres.

ZBA 1698, 2022



7.24 Agri-tourism Accommodation Use

.1 The following regulations contained shall apply for an **agri-tourism accommodation use**:

- (a) A person must apply for an **agri-tourism accommodation** use by completing an application on the prescribed form and shall include a detailed site plan.
- (b) An **agri-tourism accommodation** use shall only be permitted when the resident(s) of the property is the operator of the agri-tourism accommodation business.
- (c) The property owner may be required to register a Section 219 restrictive covenant against the property title at the Land Title Office which will specify the **agri-tourism accommodation** use details submitted in the application form and accompanying site plan.
- (d) An **agri-tourism accommodation** use shall not:
 - i. provide cooking facilities within individual sleeping units.
 - ii. be permitted in a vehicle.
 - iii. include storage of recreational vehicles.
- (e) An **agri-tourism accommodation** use shall:
 - i. be accessory and subordinate to a legitimate agriculture operation. The intent is to augment or subsidize and not replace or compete with farm income.
 - ii. be contiguous as possible and located to minimize the impacts on arable land, recognizing that the use is intended to support agriculture and not replace it.
 - iii. be located on a lot that is classified as a farm under the *Assessment Act*.
 - iv. have operators that ensure guests do not create any form of nuisance for surrounding residents, including, but not limited to noise, light or traffic that is disruptive to the surrounding residents' quiet enjoyment of their property.
 - v. comply with the ALC Act and regulations.

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- vi. comply with the licencing requirements of the *Business Licencing and Regulation Bylaw*.
 - vii. be established and maintained in accordance with all applicable regulations and requirements of the BC Building Code, Fire Code, and all other pertinent health and safety regulations, and all subsequent amendments and revisions thereof.
- (f) An operator of an **agri-tourism accommodation** use shall:
- i. not register or accommodate more parties of guests than there are agri-tourism sleeping units.
 - ii. maintain all equipment in a clean, safe, and sanitary condition.
 - iii. ensure all refuse and garbage is placed in receptacles provided for that purpose.
- (g) Zones
- i. An **agri-tourism accommodation** use is permitted on properties within the Agricultural Land Reserve subject to meeting Part 7.24 of the Zoning Bylaw.
- (h) Form
- i. An **agri-tourism sleeping unit** is permitted in the form of:
 1. An area used for sleeping located in a cabin or other structure, excluding a residence.
 2. A recreational vehicle or tent or other similar structures located on an agri-tourism campsite or agri-tourism RV campsite.
- (i) Minimum lot size
- i. An **agri-tourism accommodation** use is permitted on lots equal to or greater than 0.8 hectares.
- (j) Maximum number of sleeping units
- i. The maximum number of **agri-tourism sleeping units** shall be permitted according to the following table:

Lot size	Agri-tourism sleeping units
Less than 0.8 hectares	0
0.8 – 1.9 hectares	1
2.0 – 3.9 hectares	4
4.0 – 5.9 hectares	5
6.0 hectares or greater	6

- ii. When a short-term rental is present on the lot, the number of **agri-tourism sleeping units** permitted is reduced by the number of sleeping units of the short-term rental use.

Part 7 – General Regulations

(k) Maximum sleeping unit size

- i. The maximum size of an **agri-tourism sleeping unit** shall be permitted according to the following table:

Agri-tourism sleeping unit form	Maximum size per unit
Cabin or other structure (including washroom facilities within the agri-tourism sleeping unit)	35 square metres
Agri-tourism campsite or agri-tourism RV campsite	100 square metres

(l) Maximum site coverage

- i. The maximum site coverage for an **agri-tourism accommodation** use is less than 5% of a lot.
- ii. Site coverage for an agri-tourism use is counted towards the permitted site coverage for **farm-related commercial and farm-related industrial uses**.

(m) Location

- i. Setbacks for an **agri-tourism accommodation use** shall be in accordance with the following table:

Setbacks	
Minimum setback from all interior and rear lot lines for:	
Cabin or other structure	3 metres
Agri-tourism campsite or agri-tourism RV campsite	10 metres
Maximum setback from all lot lines	60 metres

- ii. An **agri-tourism accommodation use** shall comply with the District of Kent's *Floodplain Bylaw*.

(n) Access

- i. Driveway and parking areas for an **agri-tourism accommodation** use shall be permeable.
- ii. Where applicable, access approval must be received from the District of Kent or the Ministry of Transportation and Infrastructure before an agri-tourism accommodation is established.

(o) Buffer

- i. An **agri-tourism campsite** or **agri-tourism RV campsite** must be screened by an approved fire-resistant fence not less than 1.8 metres in height or

Part 7 – General Regulations

landscape screen not less than 2.5 metres in height within the required 10 metre setback.

- (p) Parking
 - i. See Part 7.17 of this bylaw for **agri-tourism accommodation** use parking regulations.
- (q) Signs
 - i. See the District of Kent Sign Regulation Bylaw for permitted **agri-tourism accommodation** use signage.
 - ii. Each **agri-tourism sleeping unit** shall be clearly identified by a numbered sign or similar designation.
- (r) Fire prevention and protection
 - i. Fires are permitted only within stoves, incinerators, fire pits or other structures designed for that purpose.
 - ii. Fire pits shall be:
 - 1. not more than 0.5 m x 0.5 m in area;
 - 2. made with fire-resistant material designed for outdoor campfires; and
 - 3. at least 2 m from any flammable fuels to reduce the risk of escaped campfires.
 - iii. The use of “Fire Smart” information is required to reduce the fuel load on the agri-tourism accommodation use area including the replacement of cedar hedges with non-combustible vegetation and installing a non-combustible or fire-resistant type fence on the property line.
 - iv. Standpipes for fire protection shall be located and designed by the Professional Engineer and certified there is an adequate supply of water for fire fighting to the BC Fire Code Standard. Where this requirement is too onerous and cannot be easily achieved, the owner must enter a save harmless restrictive covenant indemnifying the District of any liabilities.
 - v. Portable fire extinguishers must:
 - 1. meet the minimum requirements as set out by NFPA 10;
 - 2. be approved by the Fire Chief;
 - 3. be kept in service buildings and in all other locations specified by the Fire Chief; and,
 - 4. be maintained in good operating condition by the owner.

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- (s) Washroom Facilities
 - i. Unless otherwise stated, a minimum of one washroom facility shall be provided for an **agri-tourism accommodation use**, and shall be located a maximum of 150 metres from any **agri-tourism sleeping unit** and a minimum of 4.5 metres from any **agri-tourism campsite** or **agri-tourism RV campsite**.
 - ii. An **agri-tourism accommodation use** with equal to or less than 2 **agri-tourism RV campsites** that will only be used by RVs with a self-contained toilet and water tank are exempt from providing a washroom facility, potable water, or a sewage treatment and disposal system.
- (t) Water Supply
 - i. Unless otherwise stated, the operator of an **agri-tourism accommodation use** shall provide a minimum of one potable water supply system within a maximum of 150 metres from any agri-tourism sleeping unit.
 - ii. Any potable water system provided must comply with the *Drinking Water Protection Act*.
- (u) Sewage Treatment and Disposal Systems
 - i. Unless otherwise stated, the operator of an **agri-tourism accommodation use** shall provide for the disposal of all wastewater to be discharged into a community sewer system or into a private sewerage system in compliance with the Sewerage System Regulation (Public Health Act) or Municipal Wastewater Regulation (Environmental Management Act).
 - ii. If provided, a **recreational vehicle dump station** shall be located away from public roadways and easily accessible for the access and exiting of a recreational vehicle and its tow vehicle.
- (v) **Agri-tourism campsites** and **agri-tourism RV campsites**
 - i. An **agri-tourism campsite** or **agri-tourism RV campsite** shall be:
 - 1. located on a well-drained site that is always free of stagnant pools, graded for adequate drainage, and is not susceptible to flooding.
 - 2. kept free of flammable debris and rubbish.
 - 3. clearly identified by a numbered sign or similar designation and all such sites shall be grouped so as to be as nearly contiguous as possible.
 - 4. free of building or structures.
- (w) Communal Areas
 - i. Communal facilities are limited to personal sanitation such as bathrooms and showers and non-commercial cooking spaces.

Part 7 – General Regulations

- ii. Communal cooking spaces are to be non-commercial in nature and may include small amenities such as a sink, BBQ, or microwave.
- (x) Exterior Lighting
- i. Exterior lighting shall be designed to:
 - 1. illuminate sanitation facilities and exterior areas only, at levels necessary to ensure safety and security of persons and property;
 - 2. not be directly visible from public roads and residences on adjacent properties; and
 - 3. be shielded and directed toward the ground.

Part 8 – Administration and Enforcement

8.1 Administration

The Building Official, or any other official who may be appointed by the **Council** shall administer this Bylaw.

8.2 Permits and Licenses

Any permits, or license for a **building, structure** or use that violates any of the provisions of this Bylaw shall not be issued.

8.3 Utilities Required Before Commencement

- .1 Notwithstanding any right contained in this Bylaw, the Building Official may prohibit a person who proposes to erect a **building** from commencing the erection of such **building** until firm arrangements have been made to supply such **building** with electric power, potable water, sewage disposal, **street** and other facilities.
- .2 No **building** shall be constructed, erected or occupied on any **lot** not serviced by a municipal sanitary sewer until a permit for the installation thereon of a septic tank has been obtained from the Health Authority and such permit shall not be issued unless the topography, usable area for sewage control, and surface drainage of the **lot** will permit the satisfactory operation of a septic tank.

8.4 Inspection

The Building Official, the Municipal Clerk, or any other official who may be appointed by **Council**, is hereby authorized to enter, at all reasonable times, upon any property or premises to ascertain whether the provisions of this Bylaw are being obeyed.

8.5 Enforcement

- .1 Every person who violates any provision of this Bylaw or who causes, suffers or permits any contravention of its regulations shall be deemed to be guilty of an infraction thereof and shall be liable to the penalties herein imposed.
- .2 Where any **building** or part thereof contravenes this Bylaw, the Building Official, or any other official who may be appointed by **Council**, shall give to the owner or agent or the responsible persons written notice specifying the violation, ordering the cessation thereof, and requiring such remedial work to be done in the time and in the manner the notice shall specify. In the event of failure to comply, the Building Official or any other official who may be appointed by **Council**, may cause such work to be done and the cost of such work shall be recoverable by the District of Kent by summary process at law in any court of competent jurisdiction. In the event of default of payment of such assessed costs, then the cost of such work shall be a charge upon the property and the said costs, when certified, shall be entered in the Collector's Roll and collected in the same manner as the taxes shown thereon.

Part 8 – Administrative and Enforcement

8.6 Penalties

- .1 Any person who violates any of the provisions of this Bylaw is liable on summary conviction to a penalty not exceeding five hundred dollars (\$500.00) and also the cost of prosecution.
- .2 Each day during which such violation is continued shall be deemed to constitute a new and separate offence.
- .3 Upon conviction the Justice or Magistrate having jurisdiction may direct that no prosecution under Subsection 2 may be made, with respect to the continuance of the violation, for such period of time as he or she directs.

Part 9 - Zones

Part 9 – Zones

9.1 Agricultural Zone (A) / Agricultural Short-term Rental Zone (Astr)

Purpose

The purpose of an Agricultural (A) zone is to provide for agricultural and related rural development and to protect the agricultural integrity of land within the Agricultural Land Reserve.

ZBA 1538, 2016



.1 Permitted Uses

The following **principal** uses shall be permitted in an A zone:

- .1 A **single-dwelling residential** use
- .2 An **agricultural** use
- .3 An **intensive agricultural** use

ZBA 1538, 2015



The following **auxiliary** uses shall be permitted in an A zone:

- .4 An **accessory building**
- .5 A **home occupation** use
- .6 A **short-term commercial accommodation (guest unit)** use
- .7 A **resource** use
- .8 A **kennel** use
- .9 An **off-street parking** use

ZBA 1370, 2007



- .10 A **campground** use only on the lots identified in Part 9.1.2 (a) .1

ZBA 1525, 2015,
.10 & .11



- .11 A **commercial** use only on the lots identified in Part 9.1.2 (a) .2 and Part 9.1.2 (a) .3

ZBA 1576, 2017



- .12 A **protected non-farm** use

ZBA 1607, 2018



- .13 an **accessory dwelling unit** use

ZBA 1622, 2019



- .14 a **short-term commercial accommodation (principal residence)** use
- .15 a **short-term commercial (non-principal residence)** use (in Astr zoning only)

.2 Conditions of Use

- .1 A **single-dwelling residential** use shall be permitted only in a **site built house**, a **manufactured home** or a **mobile home**
- .2 A household business, in addition to an **agriculture** use, is limited to two of the following uses:

Part 9 - Zones

ZBA 1489, 2012



- (a) a **short-term commercial accommodation (guest unit)** use
- (b) a **home occupation** use
- (c) a **kennel** use
- (d) a **secondary suite**

.3 A **resource** use shall be conducted in such a way that it does not become an annoyance or nuisance to the surrounding area by reason of:

- i. odourous, toxic, noxious matter, or vapour
- ii. heat, glare, noise, or radiation, or
- iii. recurrently generated ground vibration

ZBA 1370, 2007



.4 **Illuminated Greenhouses**

- (a) shall have sidewall abatement measures, such as curtains, screens, berms or plantings, for all side walls that expose neighboring properties and roads to light emissions and;
- (b) must operate their lighting systems so that the calculated light emissions from the greenhouse do not exceed 5,000 lux.

ZBA 1576, 2017



.5 A **protected non-farm** use may require a Business Licence in accordance with the District's *Business Licencing and Regulation Bylaw*.

ZBA 1687, 2021



.6 the following are permitted as **accessory dwelling units** in this zone:

ZBA 1525, 2015



- (a) A **secondary suite** use.
- (b) A **garden suite** use.
- (c) A **coach house** use.
- (d) A **secondary dwelling** use.

ZBA 1622, 2019



.7 a **short-term rental** use shall comply with requirements of Part 7.13 of this bylaw.

.8 A maximum of one secondary suite and one detached **accessory dwelling unit** is permitted per lot.

.2 (a) Special Conditions of Use

.1 A **campground** use shall be allowed on the following lot(s), as approved by the Agricultural Land Commission:

- i. ALC Resolution #361/2000 for a portion of the property legally described as: Parcel "E" (Plan with fee deposited 53043F) Section 26 Township 3 Range 30 West of the Sixth Meridian Except: Parts of Legal Subdivision shown on Statutory Right of Way Plan 13840, New Westminster District; located on the north side of the dyke and outlined area of the south side of

Part 9 - Zones

the dyke, between statutory right-of-way Plan 13840 and Bateson Slough; PID: 013-177-761 (see Part 9.1.4.1 Site Plan 1).

- .2 A **commercial** use shall be permitted on the following lot(s) as approved by the Agricultural Land Commission:
- i. ALC Resolution #287/2014 for an electrical contractor business on the property legally described as: Lot 2 District Lot 38 Group 1 Yale Division of Yale District Plan BCP40208; PID: 027-876-250 (see Part 9.1.4.2 Site Plan 2).
 - ii. ALC Resolution #2056/75 for a helicopter landing site within a portion of the property legally described as: Lot 112 Section 20 Township 3 Range 28 West of the Sixth Meridian New Westminster District Plan 44978; PID:008-027-064 (see Part 9.1.4.3 Site Plan 3).
 - iii. ALC Resolution #214/2015 for a general contracting business on the property legally described as: Lot 18 Section 20 Township 3 Range 28 West of the Sixth Meridian New Westminster District Plan 2516; PID: 006-499-091 (see Part 9.1.4.5 Site Plan 5).
- .3 A **commercial** use shall be permitted on the following lot(s) that are exempt from Section 23 of the *Agricultural Land Commission Act* (SBC2002) Chapter 36:
- i. Welding shop on a portion of the lot legally described as: Lot 29 District Lot 19 Group 1 Yale Division of Yale District Plan 28013; PID: 008-928-193 (see Part 9.1.4.4 Site Plan 4).

ZBA 1539, 2016



Part 9 - Zones

.3 Regulations

In an A zone the following regulations contained in Table 9.1 shall apply:

Table 9.1	
Element	Regulation
Density	Not regulated
Site Coverage	Not regulated
Lot Size Intensive agricultural use a detached accessory dwelling unit use For a Short-term Commercial Accommodation (non-principal residence) use For all other uses The following lot(s) are exempted from the minimum lot size requirement: ALC Resolution #293/2008 for the property legally known as Lot 1 BCP Plan 42427, Subdivision Plan of Part of Legal Subdivision 1 Section 21 Township 4 Range 28 West of the Sixth Meridian Except: Part Shown on Plan with Bylaw filed 17134 New Westminster District; 0.731ha" (see Schedule A, Reference Map 26);	4.0 hectares (10 acres) minimum 2,000 m ² (0.5 acres) minimum 2,833 m ² (1.0 acre) minimum 2.0 hectares (5 acres) minimum

ZBA 1622, 2019



ZBA 1432, 2009



Part 9 - Zones

Table 9.1	
Element	Regulation
<p>ZBA 1462, 2010 ↘</p> <p>ZBA 1477, 2010 ↘</p>	<p>ALC Resolution #1985/2009 for the property legally known as Lot 2 BCP Plan BCP47067, subdivision Plan of Parcel “C” (Reference Plan 10173) North Half of the South West Quarter Section 1 Township 4 Range 29 West of the Sixth Meridian Except: Part Subdivided by Plan 38656, New Westminster District and of Lot 15 Section 1 Township 4 Range 29 West of the Sixth Meridian New Westminster District Plan 29468; 0.31 ha” (see Schedule “A”, Reference Map 15); and</p> <p>ALC Resolution #505/2011 for the property legally known as Lot 2 Plan Epp19494, Subdivision Plan of Parcel “D” (Reference Plan 1493A) Except Firstly: Part Subdivided by Plan 19646 Secondly: Part on Highway Plan 25182 and Lot 1 Plan 19646 Section 26 township 3 Range 29 West of the Sixth Meridian New Westminster District (see Schedule “A”, Reference Map</p>
<p>ZBA 1538, 2016 ZBA 1607, 2018 ↘</p>	<p>Lot width</p> <p>45.0 metres (148 feet) minimum</p>
<p>ZBA 1538, 2016 ↘</p>	<p>Gross floor area</p> <p>For a detached accessory dwelling unit use on lots smaller than 40 ha 90 m² (968 ft²)</p> <p>For a detached accessory dwelling unit use on lots 40 ha or larger 186 m² (2,000 ft²)</p> <p>For all other buildings and structures Not regulated</p>
<p>ZBA 1538, 2016 ↘</p>	<p>Height</p> <p>For a single-dwelling residential use 9.0 metres (30 feet) maximum</p> <p>For a detached accessory dwelling unit use 7.0 m (23 ft) maximum</p> <p>For all other buildings and structures 12.0 metres (40 feet) maximum</p>

Part 9 - Zones

Table 9.1	
Element	Regulation
<p>Setbacks</p> <p style="padding-left: 20px;">for intensive agricultural uses</p> <p style="padding-left: 40px;">Front lot line</p> <p style="padding-left: 40px;">Rear lot line</p> <p style="padding-left: 40px;">Exterior side lot line</p> <p style="padding-left: 40px;">Interior side lot line</p> <p style="padding-left: 20px;">for all other buildings and structures from:</p> <p style="padding-left: 40px;">Front lot line</p> <p style="padding-left: 40px;">Rear lot line</p> <p style="padding-left: 40px;">Exterior side lot line</p> <p style="padding-left: 40px;">Interior side lot line</p>	<p>61 metres (200 feet) minimum</p> <p>61 metres (200 feet) minimum</p> <p>61 metres (200 feet) minimum</p> <p>30.5 metres (100 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p>

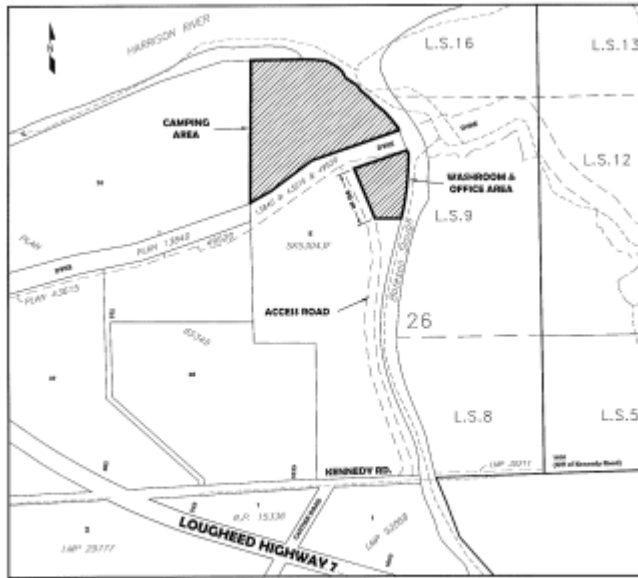
Part 9 - Zones

ZBA 1525, 2015



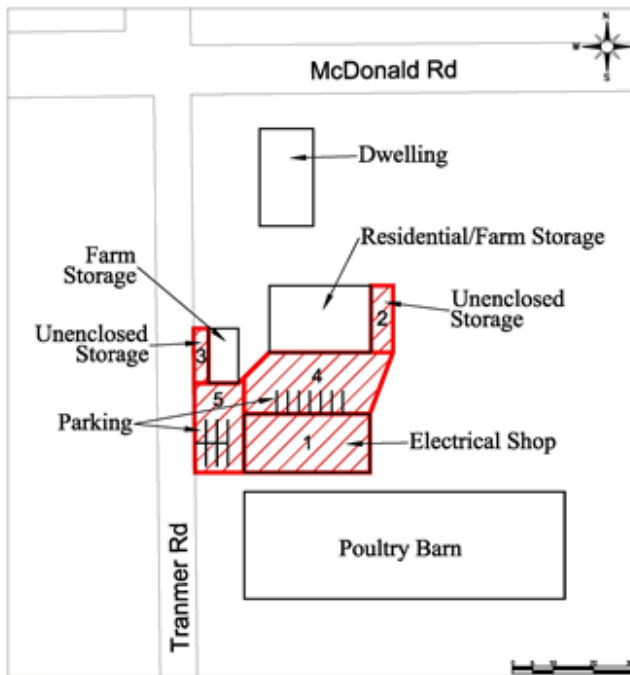
.4 Site Plans

.1 Site Plan 1 (PID: 013-177-761)



CAMPGROUND USE AREA

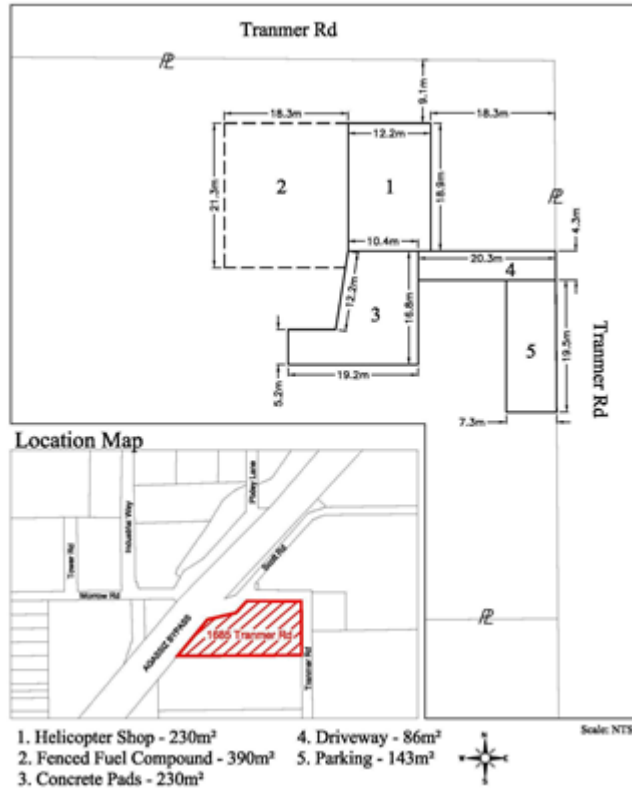
.2 Site Plan 2 (PID: 027-876-250)



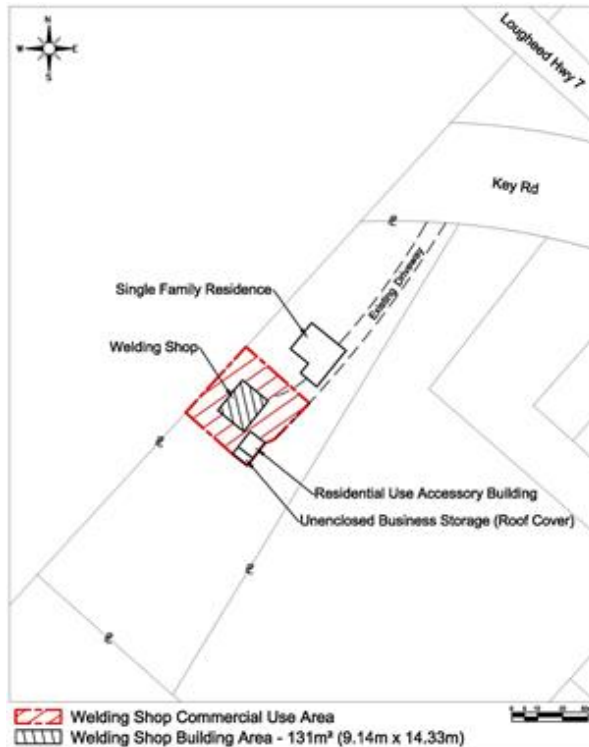
- Electrical Shop = 333m²
- Unenclosed Storage = 19.5m²
- Unenclosed Storage = 16.7m²
- Parking (For Business and Agricultural Use) = 499.4m²
- Parking (For Business and Agricultural Use) = 248.9m²
- Total Business Area = 1,118m²

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.3 Site Plan 3 (PID: 008-027-064)



.4 Site Plan 4 (PID: 008-928-193)



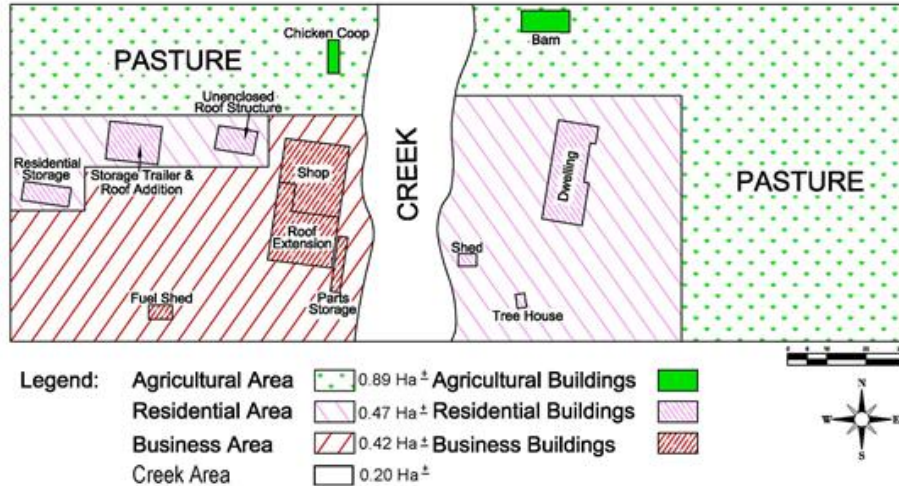
Part 9 - Zones

ZBA 1539, 2016



.5 Site Plan 5 (PID: 006-499-091)

Site Plan - 1423 Tranmer Road, Agassiz BC



.5 Site Specific Exemptions

Table 9.1.5 Site Specific Exemptions

Legal Description	Exemption
Parcel "A" (Reference Plan 915) Section 20 Township 2 Range 28 West of the Sixth Meridian Except: Part on Plan 14190, New Westminster District	Increase the maximum floor area of a secondary suite from 90 m ² (968 ft ²) to 232.3 m ² (2,500 ft ²)
Parcel "C" (Reference Plan 2962) of the South East Quarter of Section 26 Township 3 Range 29 West of the 6th Meridian Except Firstly: The Northerly 20 Feet; Secondly: Part Subdivided by Plan 18392; Thirdly: Part on SRW Plan 25182; New Westminster District	Permit a non-soil based federally licenced micro-cannabis cultivation facility and associated farm product processing facility with the following specifications: <ul style="list-style-type: none"> total floor area of not more than 900 m²; lot coverage not more than 0.2 ha including all buildings, outdoor storage, landscaped areas, parking and loading areas, and new access road, for all permitted farm-related commercial and industrial uses; and minimum lot line setbacks not less than 30 m. Off-street parking, vehicle manoeuvring and loading areas micro-cannabis cultivation facility and associated farm product processing facility may be surfaced with compacted crushed gravel.

ZBA 1636, 2020



ZBA 1680, 2021



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ZBA 1538, 2016



9.1A Small Lot Agricultural Zone (A1) / Small Lot Agricultural Short-term Rental Zone (A1str)

Purpose

The purpose of a Small Lot Agricultural Zone is to provide for agricultural and related rural development on lots created during approved Agricultural Land Commission subdivisions, boundary adjustments or homesite severances.

.1 Permitted Uses

The following principal uses shall be permitted in an A1 zone:

- .1 A **single-dwelling residential** use
- .2 An **agricultural** use

The following auxiliary uses shall be permitted in a A1 zone:

- .3 An **accessory** building
- .4 A **home occupation** use
- .5 A **short-term commercial accommodation (guest unit)** use
- .6 An **off-street parking** use
- .7 a **protected non-farm** use
- .8 an **accessory dwelling unit** use
- .9 a **short-term commercial accommodation (principal residence)** use
- .10 a **short-term commercial accommodation (non-principal residence)** use (in A1str zoning only)

ZBA 1607, 2018



ZBA 1622, 2019



.2 Conditions of Use

- .1 A **single-dwelling residential** use shall be permitted only in a site built house, a **manufactured home** or a **mobile** home.
- .2 A household business, in addition to an **agriculture** use, is limited to two of the following uses:
 - i. **short-term commercial accommodation (guest unit)** use
 - ii. a **home occupation** use
 - iii. a **secondary suite**
- .3 **Illuminated Greenhouses**
 - i. shall have sidewall abatement measures, such as curtains, screens, berms or plantings, for all side walls that expose neighboring properties and roads to light emissions and;

ZBA 1622, 2019



Part 9 - Zones

ii. must operate their lighting systems so that the calculated light emissions from the greenhouse do not exceed 5,000 lux.

.4 a **protected non-farm use** may require a Business Licence in accordance with the District's *Business Licencing and Regulation Bylaw*.

ZBA 1687, 2021
↪

.5 the following are permitted as **accessory dwelling units** in this zone:

- (a) A **secondary suite** use.
- (b) A **garden suite** use.
- (c) A **coach house** use.
- (d) A **secondary dwelling** use.

ZBA 1622, 2019
↪

.6 a **short-term rental** use shall comply with requirements of Part 7.13 of this bylaw.

.7 a maximum of one **secondary suite** and one detached **accessory dwelling unit** is permitted per lot.

.3 Regulations

In an A1 zone the following regulations contained in Table 9.1A shall apply:

Table 9.1A	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures all buildings all accessory buildings and structures	30% of lot size maximum 10% of lot size maximum
Lot Size For an approved Agricultural Land Commission subdivision, boundary adjustment or homesite severance For a detached accessory dwelling unit use For a short-term commercial accommodation (non-principal residence) use	0.4 hectares (1.0 acre) minimum 2,000 m ² (0.5 acres) minimum 2,833 m ² (1.0 acre) minimum
Lot width	30 metres (98.43 feet) minimum

ZBA 1607, 2018
↪

ZBA 1622, 2019
↪

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Table 9.1A	
Element	Regulation
<p>Gross floor area</p> <p>For single dwelling residential use</p> <p>For accessory building use</p> <p>For a detached accessory dwelling unit use</p> <p>For agri-tourism and farm retail sales uses</p>	<p>See Part 7.14 farm home plate floor area regulations</p> <p>Not regulated</p> <p>90 square metres (968 square feet) maximum</p> <p>300 square metres (3,229 square feet) maximum</p>
<p>Height</p> <p>For single dwelling residential use</p> <p>For a detached accessory dwelling unit use</p> <p>For all other buildings and structures use</p>	<p>9.0 metres (30 feet) maximum</p> <p>7.0 metres (23 feet) maximum</p> <p>5.0 metres (16 feet) maximum</p>
<p>Setbacks</p> <p>For a single dwelling residential and detached accessory dwelling unit use from:</p> <p>Front lot line</p> <p>Rear lot line</p> <p>Exterior lot line</p> <p>Interior lot line</p> <p>For all other structures and buildings from:</p> <p>Front lot line</p> <p>Rear lot line</p> <p>Exterior lot line</p> <p>Interior lot line</p>	<p>6.0 metres (20 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>4.5 metres (15 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p> <p>6.0 metres (20 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p> <p>4.5 metres (15 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p>

Part 9 - Zones

.4 Site-Specific Exemptions

Table 9.1A.4 Site Specific Exemptions	
Legal Description	Exemption
Parcel "One" (Reference Plan 16325) of Parcel "H" (Reference Plan 11271) Lot 2 Section 25 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 10517	To reduce the minimum lot size from 0.4 ha to 0.078 ha.

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ZBA 1552, 2016

↳ 9.1B Agri-Industrial Zone (A2)

Purpose

The purpose of an Agri-Industrial Zone is to allow for agricultural, agricultural industrial and agricultural commercial uses permitted and/or approved by the Agricultural Land Commission.

.1 Permitted Uses

The following **principal** uses shall be permitted in an A2 zone:

- .1 An **agricultural** use
- .2 a **commercial agricultural** use
- .3 a **single dwelling residential** use
- .4 a **cannabis cultivation facility** use (subject to Part 7.23)

The following **auxiliary** use shall be permitted in an A2 zone:

- .6 an **accessory office** use
- .7 an **unenclosed storage** use
- .8 a **protected non-farm** use

.2 Conditions of Use

.1 A **cannabis cultivation facility** use within the A2 Zone is:

- (a) is permitted in a non-soil based building; and
- (b) subject to Part 7.23 of this bylaw.

.2 **Illuminated Greenhouses**

- (a) shall have sidewall abatement measures, such as curtains, screens, berms or plantings, for all side walls that expose neighboring properties and roads to light emissions and;
- (b) must operate their lighting systems so that the calculated light emissions from the greenhouse do not exceed 5,000 lux.

.3 A **protected non-farm** use may require a Business Licence in accordance with the District's Business Licencing and Regulation Bylaw.

.4 Any principal use in an A2 zone shall not discharge or emit across lot lines odorous, toxic, or noxious matters or vapours.

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.3 Regulations

In an A2 zone the following regulations contained in Table 9.1B shall apply:

Table 9.1B	
Element	Regulation
Density	
Site Coverage For all buildings and structures an unenclosed storage use farm-related commercial and farm-related industrial uses	35% maximum of the lot size maximum 35% of the lot size maximum Lots greater than 4 ha: 5% Lots equal to or less than 4 ha: 0.2 ha
Lot Size	8,000 square metres (2 acre) minimum
Lot Width	36 metres (118 feet) minimum
Gross Floor Area For a single dwelling residential use	See Part 7.14 Farm Home Plate
Height For all buildings and structures	12.0 metres (40 feet)
Setbacks (except cannabis cultivation facility , see Part 7.23) For all buildings and structures , from:	
Front lot line	6.0 metres (20 feet) minimum
Rear lot line	6.0 metres (20 feet) minimum
Exterior side lot line	6.0 metres (20 feet) minimum
Interior side lot line	6.0 metres (20 feet) minimum

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9.2 Rural Residential 1 Zone (RR1) / Rural Residential 1 Short-term Rental Zone (RR1str)

Purpose

The purpose of a Rural Residential 1 (RR1) zone is to provide for agricultural and related rural development and for single-family development on lots not less than 2.0 hectares (5 acres).

.1 Permitted Uses

The following **principal** uses shall be permitted in a RR1 zone:

- .1 A **single-dwelling residential** use

The following **auxiliary** uses shall be permitted in a RR1 zone:

- .2 An **accessory building**
- .3 A **secondary suite**
- .4 An **agricultural** use
- .5 A **light agricultural** use
- .6 A **home occupation** use
- .7 A **short-term commercial accommodation (guest unit)** use
- .8 A **kennel** use
- .9 A **produce sales** use
- .10 An **off-street parking** use
- .11 a **short-term commercial accommodation (principal residence)** use
- .12 a **short-term commercial accommodation (non-principal residence)** use (in RR1str zoning only)

.2 Conditions of Use

- .1 No more than one **single-dwelling residential** use is permitted on any one **lot**.
- .2 A **single-dwelling residential** use shall be permitted only in a **site built house**, a **manufactured home** or a **mobile home**.
- .3 An **agricultural** use shall only be permitted on lots that are within the Agricultural Land Reserve.
- .4 A household business, in addition to an **agriculture** use, is limited to two of the following uses:
 - (a) a **short-term commercial accommodation (guest unit)** use;
 - (b) a **home occupation** use;

ZBA 1541, 2016



ZBA 1622, 2019



ZBA 1541, 2016



ZBA 1489, 2012



ZBA 1622, 2019



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- (c) a **kennel** use; or
- (d) a **secondary suite**.

ZBA 1576, 2017



- .5 A **light agricultural** use shall have the following **livestock**, poultry, and other animal limitations:
 - (a) **Livestock** with a mature weight of 159 kg (350 lbs) or greater – one (1) livestock for every 0.2 hectares (0.5 acres) with a minimum lot size of 0.4 hectares (1 acres).
 - (b) **Livestock** with the exception of swine, with a mature weight that is less than 159 kg (350 lbs) – three (3) livestock for every 0.2 hectares (0.5 acres) with a minimum lot size of 0.4 hectares (1 acres).
 - (c) Poultry – twenty-four (24) head of poultry for every 0.2 hectares (0.5 acres) with the minimum lot size of 0.2 hectares (0.5 acres).
 - (d) Geese, ducks, rabbits, pigeons and doves – twenty-four (24) geese or ducks or rabbits or pigeons or doves, or a combination thereof for every 0.4 hectares (1 acre) with a minimum lot size of 0.4 hectares (1 acre).

ZBA 1622, 2019



- .6 a **short-term rental** use shall comply with requirements of Part 7.13 of this bylaw.

.3 Regulations

In a RR1 zone the following regulations contained in Table 9.2 shall apply:

Table 9.2	
Element	Regulation
Density	Not regulated
Site Coverage all buildings and structures	20% maximum
Lot Size For a short-term commercial accommodation (non-principal residence) use	2.0 hectares (5 acres) minimum 2,833 m ² (1.0 acre) minimum
Lot width	45.0 metres (148 feet) minimum
Gross floor area For produce sales use For all other buildings and structures	11.15 square metres (120 sq. ft.) maximum Not regulated
Height For single-dwelling residential use	9.0 metres (30 feet) maximum

ZBA 1541, 2016



ZBA 1622, 2019



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Table 9.2	
Element	Regulation
<p>For accessory buildings on a lot less than 1,000 m²</p> <p>For accessory buildings on a lot greater than 1,000 m²</p>	<p>4.0 metres (13 feet) maximum</p> <p>6.0 metres (19 feet) maximum</p>
<p>Setbacks</p> <p>For all residential buildings and structures, from:</p> <p style="padding-left: 20px;">Front lot line</p> <p style="padding-left: 20px;">Rear lot line</p> <p style="padding-left: 20px;">Exterior side lot line</p> <p style="padding-left: 20px;">Interior side lot line</p> <p>For accessory buildings from:</p> <p style="padding-left: 20px;">Front lot line</p> <p style="padding-left: 20px;">Rear lot line</p> <p style="padding-left: 20px;">Exterior side lot line</p> <p style="padding-left: 20px;">Interior side lot line</p>	<p>7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>4.5 metres (15 feet) minimum</p> <p>3.0 metres (10 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p> <p>3.0 metres (10 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p>

ZBA 1237, 2002



ZBA 1237, 2002



Part 9 - Zones

9.3 Rural Residential 2 Zone (RR2) / Rural Residential 2 Short-term Rental Zone (RR2str)

Purpose

The purpose of a Rural Residential 2 (RR2) zone is to provide for single-family rural residential development on lots not less than 0.8 hectares (2 acres).

.1 Permitted Uses

The following **principal** uses shall be permitted in a RR2 zone:

- .1 A **single-dwelling residential** use

The following **auxiliary** uses shall be permitted in a RR2 zone:

- .2 An **accessory building**
- .3 An **accessory dwelling unit** use
- .4 A **home occupation** use
- .5 A **short-term commercial accommodation (guest unit)** use
- .6 A **light agricultural** use
- .7 A **kennel** use
- .8 An **off-street parking** use
- .9 a **short-term commercial accommodation (principal residence)** use
- .10 a **short-term commercial accommodation (non-principal residence)** use (in RR2str zoning only)

ZBA 1541, 2016



ZBA 1607, 2018



ZBA 1622, 2019



.2 Conditions of Use

- .1 No more than one **single-dwelling residential** use is permitted on any one **lot**.
- .2 A **single-dwelling residential** use shall be permitted only in a **site built house**, a **manufactured home** or a **mobile home**.
- .3 A household business is limited to two of the following uses:
 - (a) a **short-term commercial accommodation (guest unit)** use;
 - (b) a **home occupation** use;
 - (c) a **kennel** use; or
 - (d) a **secondary suite** use.

ZBA 1489, 2012



ZBA 1622, 2019



Part 9 - Zones

ZBA 1576, 2016



- .4 A **light agricultural** use shall have the following **livestock**, poultry, and other animal limitations:
- (a) **Livestock** with a mature weight of 159 kg (350 lbs) or greater – one (1) livestock for every 0.2 hectares (0.5 acres) with a minimum lot size of 0.4 hectares (1 acres).
 - (b) **Livestock** with the exception of swine, with a mature weight that is less than 159 kg (350 lbs) – three (3) livestock for every 0.2 hectares (0.5 acres) with a minimum lot size of 0.4 hectares (1 acres).
 - (c) Poultry – twenty-four (24) head of poultry for every 0.2 hectares (0.5 acres) with the minimum lot size of 0.2 hectares (0.5 acres).
 - (d) Geese, ducks, rabbits, pigeons and doves – twenty-four (24) geese or ducks or rabbits or pigeons or doves, or a combination thereof for every 0.4 hectares (1 acre) with a minimum lot size of 0.4 hectares (1 acre).

ZBA 1687, 2021



.5 the following are permitted as **accessory dwelling units** in this zone:

- (a) A **secondary suite** use.
- (b) A **garden suite** use.
- (c) A **coach house** use.
- (d) A **secondary dwelling** use.

ZBA 1622, 2019



- .6 a **short-term rental** use shall comply with the requirements of Part 7.13 of the bylaw.
- .7 a maximum of one **secondary suite** and one detached **accessory dwelling unit** are permitted permit lot.

.3 Regulations

In a RR2 zone the following regulations contained in Table 9.3 shall apply:

Table 9.3	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures	30% maximum
Lot Size	0.8 hectares (2 acres) minimum with an approved community sewer system 2.0 hectares (5 acres) minimum without an approved community sewer system

ZBA 1541, 2016



ZBA 1687, 2021



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Table 9.3	
Element	Regulation
<p>For a detached accessory dwelling unit use</p> <p>For a short-term commercial accommodation (non-principal residence) use</p>	<p>2,000 square metres (0.494 acre) minimum</p> <p>2,833 m² (1.0 acre) minimum</p>
Lot width	36.0 metres (118 feet) minimum
<p>Gross floor area</p> <p>For all buildings and structures</p> <p>For a detached accessory dwelling unit use</p>	<p>Not regulated</p> <p>90 square metres (968 ft²)</p>
<p>Height</p> <p>For single-dwelling residential use</p> <p>For accessory buildings on a lot less than 1,000 m²</p> <p>For accessory buildings on a lot greater than 1,000 m²</p> <p>For a detached accessory dwelling unit use</p>	<p>9.0 metres (30 feet) maximum</p> <p>4.0 metres (13 feet) maximum</p> <p>6.0 metres (19 feet) maximum</p> <p>7.0 metres (23 feet) maximum</p>
<p>Setbacks</p> <p>For all residential buildings and structures and detached accessory dwelling unit, from:</p> <p style="padding-left: 40px;">Front lot line</p> <p style="padding-left: 40px;">Rear lot line</p> <p style="padding-left: 40px;">Exterior side lot line</p> <p style="padding-left: 40px;">Interior side lot line</p> <p>For accessory buildings from:</p> <p style="padding-left: 40px;">Front lot line</p> <p style="padding-left: 40px;">Rear lot line</p> <p style="padding-left: 40px;">Exterior side lot line</p> <p style="padding-left: 40px;">Interior side lot line</p>	<p>7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>4.5 metres (15 feet) minimum</p> <p>3.0 metres (10 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p> <p>3.0 metres (10 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p>

ZBA 1622, 2019
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ZBA 1687, 2021
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ZBA 1237, 2002
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Part 9 - Zones

ZBA 1681, 2021



9.3A Rural Residential 3 Zone (RR3) / Rural Residential 3 Short-term Rental Zone (RR3str)

Purpose

The purpose of the Rural Residential 3 / Rural Residential 3 Short-term Rental zone is to provide for single-family rural residential development on lots not less than 2000 sq metres (0.5 acre) and that may be within the Agricultural Land Reserve but are exempt from ALC Regulations and restrictions.

.1 Permitted Uses

The following **principal uses** shall be permitted in an RR3 zone:

- .1 A **single-dwelling residential** use

The following **auxiliary uses** shall be permitted in an RR3 zone:

- .2 an **accessory building**
- .3 an **accessory dwelling unit** use
- .4 a **home occupation** use
- .5 a **short-term commercial accommodation (guest unit)** use
- .6 a **light agricultural** use
- .7 a **kennel** use
- .8 an **off-street parking** use
- .9 a **short-term accommodation (principal residence)** use
- .10 a **short-term commercial accommodation (non-principal residence)** use (in RR3str zoning only)

.2 Conditions of Use

- .1 No more than one **single-dwelling residential** use is permitted on any lot.
- .2 a **single-dwelling residential** use shall be permitted only in a **site-built house**, a **manufactured home** or a **mobile home**.
- .3 A household business is limited to two of the following uses:
 - (a) a **short-term commercial accommodation (guest unit)** use
 - (b) a **home occupation** use;
 - (c) a **kennel** use; or
 - (d) a **secondary suite** use

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- .4 A **light agricultural** use shall have the following **livestock**, poultry, and other animal limitations:
 - (a) **Livestock** with a mature weight of 159 kg (350 lbs) or greater – one (1) livestock for every 0.2 hectares (0.5 acres) with a minimum lot size of 0.4 hectares (1 acres).
 - (b) **Livestock** with the exception of swine, with a mature weight that is less than 159 kg (350 lbs) – three (3) livestock for every 0.2 hectares (0.5 acres) with a minimum lot size of 0.4 hectares (1 acres).
 - (c) Poultry – twenty-four (24) head of poultry for every 0.2 hectares (0.5 acres) with the minimum lot size of 0.4 hectares (1 acres).
 - (d) Geese, ducks, rabbits, pigeons and doves – twenty-four (24) geese or ducks or rabbits or pigeons or doves, or a combination thereof for every 0.4 hectares (1 acre) with a minimum lot size of 0.4 hectares (1 acre).

- .5 A **short-term rental** use shall comply with the requirements of Part 7.13 of the bylaw.

- .6 the following are permitted as **accessory dwelling units** in this zone:
 - (a) A **secondary suite** use.
 - (b) A **garden suite** use.
 - (c) A **coach house** use.
 - (d) A **secondary dwelling** use.

- .7 a maximum of one **secondary suite** and one detached **accessory dwelling unit** are permitted per lot.

.3 Regulations

Table 9.3A	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures	30% maximum
Lot size	2,000 m ² minimum
For a detached accessory dwelling unit use	2,000 m ² minimum
For a short-term commercial accommodation (non-principal residence) use	4,000 m ² (1.0 acre) minimum

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Table 9.3A	
Element	Regulation
Lot width	15 metres (49 feet) minimum 18 metres (59 feet) for a corner lot
Gross floor area For all buildings and structures For a detached accessory dwelling unit use	Not regulated 90 square metres (968 ft ²)
Height For single-dwelling residential use For accessory buildings on a lot less than 1,000 m ² For accessory buildings on a lot greater than 1,000 m ² For a detached accessory dwelling unit use	9.0 metres (30 feet) maximum 4.0 metres (13 feet) maximum 6.0 metres (19 feet) maximum 7.0 metres (16 feet) maximum
Setbacks For all residential buildings and structures and detached accessory dwelling unit , from: Front lot line Rear lot line Exterior side lot line Interior side lot line For accessory buildings from: Front lot line Rear lot line Exterior side lot line Interior side lot line	7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 4.5 metres (15 feet) minimum 1.5 metres (5 feet) minimum 7.5 metres (25 feet) minimum 1.5 metres (5 feet) minimum 3.0 metres (10 feet) minimum 1.5 metres (5 feet) minimum

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9.4 Single-Dwelling Residential 1 Zone (RS1) / Single-Dwelling Residential 1 Short-term Rental Zone (RS1str)

Purpose

The Single-Dwelling Residential (RS1) zone consists of land within the Agassiz Townsite area which owing to variable levels of servicing is best suited to single-dwelling residential use.

.1 Permitted Uses

The following **principal** uses shall be permitted in a RS1 zone:

- .1 A **single-dwelling residential** use

The following **auxiliary** uses shall be permitted in a RS1 zone:

- .2 An **accessory building**
- .3 A **home occupation** use
- .4 An **off-street parking** use
- .5 A **secondary suite**
- .6 A **short-term commercial accommodation (guest unit)** use
- .7 A **short-term commercial accommodation (principal residence)** use
- .8 A **short-term commercial accommodation (non-principal residence)** use (in RS1str zoning only)

ZBA 1328, 2005
↳

ZBA 1622, 2019
↳

.2 Conditions of Use

- .1 A **single-dwelling residential** use shall be permitted only in a **site built house**, or a **manufactured home**.
- .2 A household business is limited to one of the following uses:
 - (a) a **home occupation** use; or
 - (b) a **short-term commercial accommodation (guest unit)** use.
- .3 Dormers used for **single-family residential** use within a **panhandle lot** are limited to a maximum of 75% of the dwelling's horizontal roof line including overhang.
- .4 a **short-term rental** use shall comply with the requirements of Part 7.13 in this bylaw.

ZBA 1622, 2019
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ZBA 1553, 2016
↳

ZBA 1622, 2019
↳

Part 9 - Zones

.3 Regulations

In a RS1 zone the following regulations contained in Table 9.4 shall apply:

Table 9.4	
Element	Regulation
Density	23 units per hectare (9.3 units per acre) maximum
Site Coverage of all buildings and structures	45% maximum
Accessory buildings	10% maximum
Lot Size	<p>440 square metres (4,736 square feet) minimum for lots serviced by a District water and sewer system</p> <p>550 square metres (5,920 square feet) minimum for lots not serviced by a District water and sewer system</p> <p>2,833 square metres (1.0 acre) minimum</p>
For a short-term commercial accommodation (non-principal residence) use	
Lot width	<p>12 metres (39 feet) minimum for lots serviced by a District water and sewer system</p> <p>15 metres (50 feet) minimum for lots not serviced by a District water and sewer system</p>
Gross floor area	Not regulated
Height	<p>For single-dwelling residential use</p> <p>9.0 metres (30 feet) maximum</p> <p>For single-dwelling residential use in a panhandle lot</p> <p>6.0 metres (20 feet) maximum with a minimum roof pitch steepness of 4.5 vertical to 12 horizontal</p> <p>For accessory buildings on a lot less than 1,000 m²</p> <p>4.0 metres (13 feet) maximum</p> <p>For accessory buildings on a lot greater than 1,000 m²</p> <p>6.0 metres (19 feet)</p>

ZBA 1597, 2018



ZBA 1655, 2020



ZBA 1655, 2020



ZBA 1553, 2016



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Table 9.4	
Element	Regulation
Setbacks	
<p>ZBA 1237, 2002 </p> <p>For all residential buildings and structures from:</p> <p style="padding-left: 40px;">Front lot line</p> <p style="padding-left: 40px;">Rear lot line</p> <p style="padding-left: 40px;">Exterior side lot line</p> <p style="padding-left: 40px;">Interior side lot line</p>	<p>6.0 metres (20 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>4.5 metres (15 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p>
<p>ZBA 1395, 2008 </p> <p>For accessory buildings larger than 9 square metres (100 ft²) from:</p> <p style="padding-left: 40px;">Front lot line</p> <p style="padding-left: 40px;">Rear lot line</p> <p style="padding-left: 40px;">Exterior side lot line</p> <p style="padding-left: 40px;">Interior side lot line</p>	<p>7.5 metres (25 feet) minimum</p> <p>1 metre (3 feet) minimum</p> <p>3.0 metres (10 feet) minimum</p> <p>1 metre (3 feet) minimum</p>
<p>For accessory buildings 9 square metres (100 ft²) or smaller from:</p> <p style="padding-left: 40px;">Front lot line</p> <p style="padding-left: 40px;">Rear lot line</p> <p style="padding-left: 40px;">Exterior side lot line</p> <p style="padding-left: 40px;">Interior side lot line</p>	<p>7.5 metres (25 feet) minimum</p> <p>not regulated</p> <p>3.0 metres (10 feet) minimum</p> <p>not regulated</p>

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9.5 Single-Dwelling Residential 2 Zone (RS2)

Purpose

ZBA 1287, 2004
ZBA 1395, 2008



The purpose of a Single-Dwelling Residential 2 (RS2) zone is to provide for single-family development on lots that are not less than 360 square metres (3875 square feet), and are serviced by an approved community sewer and water system.

.1 Permitted Uses

The following **principal** uses shall be permitted in a RS2 zone:

- .1 A **single-dwelling residential** use

The following **auxiliary** uses shall be permitted in a RS2 zone:

- .2 An **accessory building**
- .3 A **home occupation** use
- .4 An **off-street parking** use
- .5 A **secondary suite** use

ZBA 1466, 2010



.2 Conditions of Use

- .1 In an RS2 zone, the **front lot line** shall be defined as the lot line that is perpendicular to the driveway and/or **garage**.
- .2 A **single-dwelling residential** use shall be permitted only in a **site built house**, or a **manufactured home**.
- .3 Dormers used for **single-family residential** use within a **panhandle lot** are limited to a maximum of 75% of the dwellings horizontal roof line including overhang.

ZBA 1287, 2004



ZBA 1553, 2016



ZBA 1287, 2004



.3 Regulations

In a RS2 zone the following regulations contained in Table 9.5 (a) shall apply except to Bare Land Strata Lots

Table 9.5(a)	
Element	Regulation
Density	25.0 units per hectare (10 units per acre) maximum
Site Coverage of all buildings and structures	50% maximum
Accessory buildings	10% maximum

ZBA 1597, 2018



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Table 9.5(a)	
Element	Regulation
Lot Size	360 square metres (3875 square feet) minimum
Lot width	12 metres (40 feet) minimum, with a minimum lot width of 13.5 metres (45 feet) for a corner lot
Gross floor area (floor area ratio)	60% maximum
Height	
For single-dwelling residential use	9.0 metres (30 feet) maximum, 2 ½ storeys maximum
For single-dwelling residential use in a panhandle lot	6.0 metres (20 feet) maximum with a minimum roof pitch steepness of 4.5 vertical to 12 horizontal
For an accessory building use	4.0 metres (13 feet) maximum
Setbacks	
For all residential buildings and structures from:	
Front lot line	4.5 metres (15 feet) minimum
Rear lot line	7.0 metres (23 feet) minimum
Exterior side lot line	3.0 metres (10 feet) minimum
Interior side lot line	1.5 metres (5 feet) minimum
For accessory buildings larger than 9 square metres (100 ft ²) from:	
Front lot line	7.5 metres (25 feet) minimum
Rear lot line	1 metre (3 feet) minimum
Exterior side lot line	3.0 metres (10 feet) minimum
Interior side lot line	1 metre (3 feet) minimum
For accessory buildings 9 square metres (100 ft ²) or smaller from:	
Front lot line	7.5 metres (25 feet) minimum
Rear lot line	not regulated
Exterior side lot line	3.0 metres (10 feet) minimum
Interior side lot line	not regulated

ZBA 1553, 2016



ZBA 1395, 2008



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In a RS2 zone the following regulations contained in Table 9.5(b) shall apply to Bare Land Strata Lots

Table 9.5(b)	
Element	Regulation
Density	25.0 units per hectare (10 units per acre) maximum
Site Coverage of all buildings and structures	50% maximum
Accessory buildings	10% maximum
Lot Size	360 square metres (3875 square feet) minimum
Lot width	12 metres (40 feet) minimum, with a minimum lot width of 13.5 metres (45 feet) for a corner lot
Gross floor area (floor area ratio)	60% maximum
Height	
For single-dwelling residential use	9.0 metres (30 feet) maximum, 2 ½ storeys maximum
For single-dwelling residential use in a panhandle lot	6.0 metres (20 feet) maximum with a minimum roof pitch steepness of 4.5 vertical to 12 horizontal
For an accessory building use	4.0 metres (13 feet) maximum
Setbacks	
For all residential buildings and structures from:	
Front lot line	6.0 metres (20 feet) minimum
Rear lot line	5.5 metres (18 feet) minimum
Exterior side lot line	3.0 metres (10 feet) minimum
Interior side lot line	1.5 metres (5 feet) minimum
For accessory buildings larger than 9 square metres (100 sf) from:	
Front lot line	7.5 metres (25 feet) minimum
Rear lot line	1 metre (3 feet) minimum
Exterior side lot line	3.0 metres (10 feet) minimum
Interior side lot line	1 metre (3 feet) minimum

ZBA 1597, 2018
↘

ZBA 1553, 2016
↘

ZBA 1395, 2008
↘

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Table 9.5(b)	
Element	Regulation
For accessory buildings 9 square metres (100 sf) or smaller from:	
Front lot line	7.5 metres (25 feet)
Rear lot line	not regulated
Exterior side lot line	3.0 metres (10 feet)
Interior side lot line	not regulated

- .4 Special Conditions of Use
 - .1 On Strata Lots 1 to 16 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Strata Plan NWS1949 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot Shown on Form 1 a **single-dwelling residential use** may be located within a **mobile home**.

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9.5A Single-Dwelling and Secondary Dwelling Residential Zone (RSS)

Purpose

The purpose of a Single Dwelling and Secondary Dwelling Residential Zone (RSS) is to allow single family development with opportunity for an additional separated dwelling unit on appropriately sized lots. This zone offers an affordable housing option that is alternative to secondary suites.

.1 Permitted Uses

The following **principal** uses shall be permitted in an RSS zone:

- .1 A **single dwelling residential** use

The following **auxiliary** uses shall be permitted in an RSS zone:

- .2 A **secondary dwelling** use
- .3 An **accessory building** use
- .4 A **home occupation** use
- .5 An **off-street parking** use
- .6 a **secondary suite** use

.2 Conditions of Use

- .1 No more than one (1) **single dwelling residential** use, one (1) **secondary dwelling** use, and two (2) **accessory buildings** are permitted on any one (1) **lot**.
- .2 A **secondary dwelling** is not permitted on **lots** that are subject to the *Agricultural Land Commission Act* restrictions on the use of agricultural land.
- .3 A restrictive covenant shall be registered on the property assuring that the owner shall remain a resident on the property.
- .4 A **single dwelling residential** use and **secondary dwelling** use shall be permitted only in a **site built house**, or a **manufactured home**.
- .5 Dormers used for the **secondary dwelling** are limited to a maximum of 75% of the dwelling's horizontal roof line including overhang.
- .6 Any storage or parking within or attached to the **secondary dwelling** must serve the occupant or tenant residing in the **secondary dwelling**.
- .7 The **secondary dwelling** shall require independent vehicular access by:
 - (a) a location on a corner **lot**;
 - (b) by *lane* access; or

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- (c) on a **lot** wide enough such that the *rear yard* is accessible by a driveway with a width of not less than 3.5 m (11.48 ft).
 - .8 The **secondary dwelling** shall be sited in the rear yard and setback a minimum of 5.0 m (16.4 ft) from the principal **single dwelling residential** use on the **lot**.
 - .9 Not more than two-thirds ($\frac{2}{3}$) of the width of the rear yard shall be occupied by a **secondary dwelling** or **accessory buildings**.
 - .10 RSS zoned lots within the District's Urban Growth Boundary must be serviced by a District water and sewer system.
 - .11 The **secondary dwelling** shall not be subdivided from the lot which it is an auxiliary use to. This includes subdivision under the *Strata Property Act*.
- .3 Regulations

In an RSS zone the following regulations contained in Table 11.8.1 shall apply:

ZBA 1517, 2014



Table 9.5A	
Element	Regulation
Density	22 units per hectare (9.0 units per acre) maximum
Site Coverage of all buildings and structures	
All buildings	40% of lot size maximum
Secondary dwelling and all accessory buildings	10% of lot size maximum
Lot Size	880 square metres (9,472 square feet) minimum for lots serviced by a District water and sewer system
	2,000 square metres (21, 528 square feet) minimum for lots <u>not</u> serviced by a District water or sewer system
For subdivision	0.8 hectares (2 acres) minimum for lots serviced by a District water sewer system
	2.0 hectares (5 acres) minimum for lots <u>not</u> serviced by a District water and sewer system
	880 square metres (9,472 square feet) minimum for lots serviced by a District water and sewer system

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Table 9.5A	
Element	Regulation
Lot width	12 metres (39 feet) minimum for lots serviced by a District water and sewer system and a rear lane access 15 metres (50 feet) minimum
Gross floor area For single dwelling residential use For secondary dwelling use (see floor area secondary dwelling definition) For accessory building use	Not regulated 90 m ² (969 ft ²) maximum for lots equal to or greater than 1,000 m ² but less than 2,000 m ² 112 m ² (1,206 ft ²) maximum for lots equal to or greater than 2,000 m ² Not regulated
Height For single dwelling residential use For secondary dwelling use For accessory buildings on a lot less than 1,000 m ² For accessory buildings on a lot greater than 1,000 m ²	9.0 m (30 ft) maximum 6.0 m (20 ft), maximum with a minimum roof pitch steepness of 4.5 vertical to 12 horizontal 4.0 m (13 ft) maximum 6.0 m (19 ft) maximum
Setbacks For single dwelling residential use from: Front lot line Rear lot line Exterior side lot line Interior side lot line For secondary dwelling use from: Front lot line Rear lot line Exterior side lot line Interior side lot line For an accessory building use from: Front lot line	 6.0 m (20 ft) minimum 7.5 m (25 ft) minimum 4.5 m (15 ft) minimum 1.5 m (5 ft) minimum See Part 9.5A.2.8 7.0 m (23 ft) minimum 4.5 m (15 ft) minimum 1.5 m (5 ft) minimum 6.0 m (20 ft) minimum 7.5 m (25 ft) minimum

ZBA 1553, 2016



Part 9 - Zones

Table 9.5A	
Element	Regulation
<p>Rear lot line</p> <p>Exterior side lot line</p> <p>Interior side lot line</p> <p>Siting Exemptions</p> <p>Siting exemptions 7.4.1.1, 7.4.1.2, 7.4.1.3, and 7.4.1.4 do not apply to this zone.</p>	<p>4.5 m (15 ft) minimum</p> <p>1.5 m (5 ft) minimum</p>

.4 Site Specific Exemptions

Table 9.5A.1 Site Specific Exemptions	
Legal Description	Exemption
<p>Lot 1 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan LMP5893</p>	<p>Exempt the subject property from being connected to municipal water and sewer as required by Part 9.5A.2.10</p>
<p>Parcel A (Explanatory Plan 15204) Lot 3 Except: Part Highway Plan 26833, Section 19 Township 3 Range 29 West of The Sixth Meridian</p> <p>Lot 4 Except: Part Highway Plan 26833, Section 19 Township 3 Range 29 West of The Sixth Meridian New Westminster District Plan 13458</p>	<p>Exempt the subject property from being connected to municipal water and sewer as required by Part 9.5A.2.10</p>

ZBA 1701, 2022



Part 9 - Zones

9.6 Two-Dwelling Residential Zone (RT)

Purpose

The purpose of a Two-Dwelling Residential (RT) zone is to provide for duplex residential development on lots with an approved community sewer system.

.1 Permitted Uses

The following **principal** uses shall be permitted in a RT zone:

- .1 A **single-dwelling residential** use
- .2 A **two-dwelling residential** use

The following **auxiliary** uses shall be permitted in a RT zone:

- .3 An **accessory building**
- .4 A **home occupation** use
- .5 An **off-street parking** use
- .6 a **secondary suite** use

.2 Conditions of Use


- .1 No more than one **single-dwelling residential** use or one **two-dwelling residential** use, and one **accessory building** is permitted on any one **lot**.
- .2 A **single-dwelling residential** use or a **two-dwelling residential** use shall be permitted only in a **site built house**, or a **manufactured home**.

Part 9 - Zones

.3 Regulations

In a RT zone the following regulations contained in Table 9.6 shall apply:

Table 9.6	
Element	Regulation
Density	30 units per hectare (12 units per acre) maximum
Site Coverage of all buildings and structures	40% maximum
Lot Size Single-dwelling residential use Two-dwelling residential use	440 square metres (4,736 square feet) minimum for lots serviced by a District water and sewer system 550 square metres (5,920 square feet) minimum for lots <u>not</u> serviced by a District water and sewer system 675 square metres (7,265 square feet) minimum
Lot Width Single-dwelling residential and Two-dwelling residential use Single-dwelling residential use	15 metres (50 feet) minimum for lots <u>not</u> serviced by a District water and sewer system 12 metres (39 feet) minimum lots serviced by a District water and sewer system
Gross floor area	Not regulated
Height For single-dwelling residential use and two-dwelling residential use For accessory buildings on a lot less than 1,000 m ² For accessory buildings on a lot greater than 1,000 m ²	9.0 metres (30 feet) maximum 4.0 metres (13 feet) maximum 6.0 metres (19 feet) maximum

ZBA 1655, 2020


Part 9 - Zones

9.7 Lake Area Residential Zone (RL) / Lake Area Residential Short-term Rental Zone (RLstr)

Purpose

The purpose of a Lake Area Residential (RL) zone is to provide for single family development along Harrison Lake and Rockwell Drive on lots not less than 400 square metres (4,300 square feet) with an approved community water and sewer system.

.1 Permitted Uses

The following **principal** uses shall be permitted in a RL zone:

- .1 A **single-dwelling residential** use

The following **auxiliary** uses shall be permitted in a RL zone:

- .2 An **accessory building**
- .3 A **secondary suite**
- .4 A **home occupation** use
- .5 A **short-term commercial accommodation (guest unit)** use; or
- .6 An **off-street parking** use
- .7 a **short-term commercial accommodation (principal residence)** use
- .8 a **short-term commercial accommodation (non-principal residence)** use (in RLstr zoning only)

.2 Conditions of Use

- .1 No more than one **single-dwelling residential** use, and one **accessory building** is permitted on any one **lot**.
- .2 A **single-dwelling residential** use shall be permitted only in a **site built house**, or a **manufactured home**.
- .3 A household business is limited to one of the following uses:
 - (a) a **short-term commercial accommodation (guest unit)** use,
 - (b) a **home occupation** use,
 - (c) a **kennel** use, or;
 - (d) a **secondary suite** use
- .4 a **short-term rental** use shall comply with requirements of Part 7.13 of this bylaw.

ZBA 1622, 2019



ZBA 1489, 2012



ZBA 1622, 2019



ZBA 1622, 2019



Part 9 - Zones

.3 Regulations

In a RL zone the following regulations contained in Table 9.7 shall apply:

Table 9.7	
Element	Regulation
Density	25.0 units per hectare (10 units per acre) maximum
Site Coverage of all buildings and structures	40% maximum
Lot Size	<p>400 square metres (4,300 square feet) minimum, with an approved community water system, an approved community sewer system, and on a bare land strata lot</p> <p>550 square metres (5,920 square feet) minimum, with an approved community water system and an approved community sewer system</p> <p>0.2 hectares (0.5 acres) minimum with an approved community water system or an approved community sewer system</p> <p>2.0 hectares (5 acres) minimum without an approved community water system</p> <p>For a short-term commercial accommodation (non-principal residence) 2,833 m² (1 acre) minimum</p>
Lot width	18.0 metres (59 feet) minimum
Gross floor area	Not regulated
Height	<p>For single-dwelling residential use and two-dwelling residential use 9.0 metres (30 feet) maximum</p> <p>For accessory buildings on a lot less than 1,000 m² 4.0 metres (13 feet) maximum</p> <p>For accessory buildings on a lot greater than 1,000 m² 6.0 metres (19 feet) maximum</p>

ZBA 1622, 2019



Part 9 - Zones

Table 9.7	
Element	Regulation
<p>ZBA 1237, 2002 ↪</p> <p>Setbacks</p> <p>For all residential buildings and structures on a bare land strata lot from:</p> <p style="padding-left: 40px;">Front lot line</p> <p style="padding-left: 40px;">Rear lot line</p> <p style="padding-left: 40px;">Exterior side lot line</p> <p style="padding-left: 40px;">Interior side lot line</p>	<p>6.0 metres (20 feet) minimum</p> <p>5.5 metres (18 feet) minimum</p> <p>3.0 metres (10 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p>
<p>ZBA 1237, 2002 ↪</p> <p>For all residential buildings and structures from:</p> <p style="padding-left: 40px;">Front lot line</p> <p style="padding-left: 40px;">Rear lot line</p> <p style="padding-left: 40px;">Exterior side lot line</p> <p style="padding-left: 40px;">Interior side lot line</p>	<p>6.0 metres (20 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>4.5 metres (15 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p>
<p>ZBA 1237, 2002 ↪</p> <p>For an accessory building from:</p> <p style="padding-left: 40px;">Front lot line</p> <p style="padding-left: 40px;">Rear lot line</p> <p style="padding-left: 40px;">Exterior side lot line</p> <p style="padding-left: 40px;">Interior side lot line</p>	<p>6.0 metres (20 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p> <p>3.0 metres (10 feet) minimum</p> <p>1.5 metres (5 feet) minimum</p>

Part 9 - Zones

9.8 Multiple Dwelling Residential 1 Zone (RM1)

Purpose

The purpose of a Multiple Dwelling Residential 1 (RM1) zone is to provide for attached multiple dwelling housing development with a density no higher than 50 units per hectare (20 units per acre) on lots with an approved community water and sewer system.

.1 Permitted Uses

The following **principal** uses shall be permitted in a RM1 zone:

- .1 An **apartment** use
- .2 A **townhouse** use
- .3 A **personal care** use

The following **auxiliary** uses shall be permitted in a RM1 zone:

- .4 An **accessory building**
- .5 An **off-street parking** use
- .6 A **home occupation** use
- .7 a **secondary suite** use

.2 Conditions of Use

.1 **Off-street parking** shall:

- (a) occupy not more than 30% of the surface of the **lot** area, or shall be **concealed parking**.
- (b) be bounded by a **landscape screen** of not less than 1 metre (3 feet) in **height** when not concealed.
- (c) be sited such that the surface of such use or a driveway for such use at or above ground level is not within a horizontal arc of 3 metres (10 feet) in radius measured from nearest surface of a window to a **habitable room**.

ZBA 1489, 2012



Part 9 - Zones

.3 Regulations

In a RM1 zone the following regulations contained in Table 9.8 shall apply:

Table 9.8	
Element	Regulation
Density	50.0 units per hectare (20 units per acre)
Site Coverage of all buildings and structures	40% maximum
Lot Size townhouse and personal care use apartment use	880 square metres (9,500 sq. ft.) minimum 1300 square metres (14,000 square feet) minimum
Lot width	18.0 metres (59 feet) minimum
Gross floor area of each dwelling unit for apartment or townhouse use	32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom
Height For all residential buildings For accessory buildings	12.0 metres (40 feet) maximum 3.7 metres (12 feet) maximum
Setbacks For a townhouse and personal care use: Front lot line Rear lot line Exterior side lot line Interior side lot line For an apartment use: Front lot line Rear lot line Exterior side lot line Interior side lot line	6.0 metres (20 feet) minimum 6.0 metres (20 feet) minimum 6.0 metres (20 feet) minimum 4.5 metres (15 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum

Part 9 - Zones

9.9 Multiple Dwelling Residential 2 Zone (RM2)

Purpose

The purpose of a Multiple Dwelling Residential 2 (RM2) zone is to provide for multiple dwelling housing development with a density no higher than 75 units per hectare (30 units per acre) on lots with an approved community water and sewer system.

.1 Permitted Uses

The following **principal** uses shall be permitted in a RM2 zone:

- .1 An **apartment** use
- .2 A **townhouse** use
- .3 A **personal care** use

The following **auxiliary** uses shall be permitted in a RM2 zone:

- .4 An **accessory building**
- .5 An **off-street parking** use
- .6 a **home occupation use**
- .7 a **secondary suite** use

.2 Conditions of Use

.1 **Off-street parking** shall:

- (a) occupy not more than 30% of the surface of the **lot** area, or shall be **concealed parking**.
- (b) be bounded by a **landscape screen** of not less than 1 metre (3 feet) in **height** when not concealed.
- (c) be sited such that the surface of such use or a driveway for such use at or above ground level is not within a horizontal arc of 3 metres (10 feet) in radius measured from nearest surface of a window to a **habitable room**.

ZBA 1489, 2012



ZBA 1632, 2020



Part 9 - Zones

.3 Regulations

In a RM2 zone the following regulations contained in Table 9.9 shall apply:

Table 9.9	
Element	Regulation
Density	75.0 units per hectare (30 units per acre)
Site Coverage of all buildings and structures	40% maximum
Lot Size townhouse use apartment use	880 square metres (9,500 sq.ft.) minimum 1300 square metres (14,000 square feet) minimum
Lot width	18.0 metres (59 feet) minimum
Gross floor area of each dwelling unit for townhouse use or apartment use	32.5 square metres (350 sq.ft.) minimum plus an additional 14 square metres (150 sq.ft.) of floor area for each bedroom
Height For all residential buildings For accessory buildings	12.0 metres (40 feet) maximum 3.7 metres (12 feet) maximum
Setbacks For a townhouse and personal care use: Front lot line Rear lot line Exterior side lot line Interior side lot line For an apartment use: Front lot line Rear lot line Exterior side lot line Interior side lot line	6.0 metres (20 feet) minimum 6.0 metres (20 feet) minimum 6.0 metres (20 feet) minimum 4.5 metres (15 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum

Part 9 - Zones

9.10 Mobile Home Park Zone (RH)

Purpose

The purpose of a Mobile Home Park (RH) zone is to provide for mobile home development within a mobile home park.

ZBA 1489, 2012



.1 Permitted Uses

The following **principal** uses shall be permitted in a RH Zone:

- .1 A **mobile home** park use.
- .2 An **office** for the management of a **mobile home** park.

The following **auxiliary** uses shall be permitted in a RH Zone:

- .3 A **home occupation** use

.2 Conditions of Use

A **mobile home** park shall be subject to the regulations of the “Mobile Home Park Bylaw No. 590” and amendments thereto of the District of Kent but in no case shall the density exceed the number of **dwelling units** permitted in this Bylaw.

.3 Regulations

In a RH zone the following regulations contained in Table 9.10 shall apply:

Table 9.10	
Element	Regulation
Density	20.0 units per hectare (8 units per acre) maximum
Site Coverage of all buildings and structures	Not regulated
Lot Size	558 square metres (6,000 square feet) minimum
Lot width	18 metres (59 feet) minimum
Gross floor area	Not regulated
Height	3.7 metres (12 feet) maximum
Setbacks for all buildings and structures from:	
Front lot line	7.5 metres (25 feet) minimum
Rear lot line	7.5 metres (25 feet) minimum
Exterior side lot line	7.5 metres (25 feet) minimum
Interior side lot line	7.5 metres (25 feet) minimum

Part 9 - Zones

9.11 Town Centre Commercial Zone (CT1)

Purpose

The purpose of a Town Centre Commercial (CT1) zone is to provide for a concentrated range of commercial, retail, office, cultural and entertainment needs in the town center to serve the residents at the community level, in an intensive pedestrian oriented environment.

.1 Permitted Uses

The following **principal** uses shall be permitted in a CT1 zone:

- .1 A **commercial** use
- .2 An **office** use
- .3 A **civic** use
- .4 An **assembly** use
- .5 An **off-street parking** use
- .6 a **restaurant** use
- .7 a **retail cannabis sales** use
- .8 a **child care centre**

ZBA 1575, 2017



ZBA 1619, 2019



ZBA 1704, 2022



The following **auxiliary** uses shall be permitted in a CT1 zone:

- .7 An off-street loading use
- .8 An **accessory single-dwelling residential** use

ZBA 1249, 2003



.2 Conditions of Use

- .1 A **commercial** use shall specifically exclude automobile sales, and lumber and building supply stores with more than 25% outside storage.
- .2 An **accessory single-dwelling residential** use shall be:
 - (a) limited exclusively to the second **storey** of a **building** used for **commercial** purposes;
 - (b) the only use in the **storey** so used; and
 - (c) permitted only where no **advertising** use occurs on, above, or attached to the **storey** so used.
- .3 An **retail cannabis sales** use shall:

ZBA 1249, 2003



ZBA 1619, 2019



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- (a) be permitted only on a lot where no **accessory single-dwelling residential** or **apartment** uses occur;
- (b) not be located on a lot within 125 m of any public or private school and 200 m from any child care centre;
- (c) be limited to one site within the District of Kent

.3 Regulations

In a CT1 zone the following regulations contained in Table 9.11 shall apply:

Table 9.11	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures	80% minimum
Lot Size	465 square metres (5,000 square feet) minimum
Lot width	15.0 metres (50 feet) minimum
Gross floor area	Not regulated
Height	12.0 metres (40 feet) maximum
Setbacks for all buildings and structures from:	
Exterior side lot line	3.0 metres (10 feet) minimum
All other lot lines	Not regulated

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9.12 Town Centre Commercial and Residential Zone (CT2)

Purpose

The purpose of a Town Centre Commercial and Residential (CT2) zone is to provide for the full range of commercial, retail, office, cultural and entertainment needs in the town center in combination with multiple dwelling residential uses.

.1 Permitted Uses

The following **principal** uses shall be permitted in a CT2 zone:

- .1 A **commercial** use
- .2 An **office** use
- .3 A **veterinary hospital**
- .4 An **entertainment and recreation** use
- .5 A **civic** use
- .6 An **assembly** use
- .7 A **hotel** use
- .8 A **neighbourhood pub** use
- .9 An **off-street parking** use
- .10 A **restaurant** use
- .11 a **retail cannabis sales** use
- .12 a **child care centre**

ZBA 1395, 2008



ZBA 1619, 2019



ZBA 1704, 2022



The following **auxiliary** uses shall be permitted in a CT2 zone:

- .11 An off-street loading use
- .12 An **apartment** use
- .13 An **accessory single-dwelling residential** use

.2 Conditions of Use

- .1 A **commercial** use shall specifically exclude lumber and building supply stores with more than 25% outside storage.
- .2 A **hotel** use shall:

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- (a) provide accommodation in **sleeping units** and/or **dwelling units** only.
- (b) be limited exclusively to **storeys** above the first **storey** of a **building**, and be the only use in the **storey** so used.
- (c) be located in a **building** above all **storeys** used for a permitted **commercial** use.
- (d) be permitted only where no **advertising** use occurs on, above, or attached to the **storeys** so used.

ZBA 1395, 2008
↪

.3 An **apartment** or **accessory single-dwelling residential** use shall be:

- (a) limited exclusively to **storeys** above the first **storey** of a **building** used for **commercial** purposes.
- (b) the only use in the **storey** so used.
- (c) permitted only where no **advertising** use occurs on, above, or attached to the **storeys** so used.

ZBA 1619, 2019
↪

.4 a **retail cannabis sales** use shall:

- (a) be permitted only on a lot where no **accessory single-dwelling residential** or **apartment** uses occur;
- (b) not be located on a lot within 125 m of any public or private school and 200 m from any child care centre
- (c) be limited to one site within the District of Kent.

.3 Regulations

In a CT2 zone the following regulations contained in Table 9.12 shall apply:

Table 9.12	
Element	Regulation
Site Coverage of all buildings and structures	Not regulated
Lot Size	
for a hotel use	1400 square metres minimum (15,070 sq. ft.)
for an apartment use	900 square metres minimum (9,700 sq. ft)
for all other uses	

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Table 9.12	
Element	Regulation
	465 square metres minimum (5,000 sq. ft.)
Lot width For the access strip on panhandle lots For all other lots	10.0 metres (33 feet) minimum 15.0 metres (50 feet) minimum
Gross floor area for apartment use For all other uses	32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom Not regulated
Height	12 metres (40 feet) maximum
Setbacks for all buildings and structures from: Exterior side lot line All other lot lines For storeys above the first storey used for an apartment use from: Front lot line Rear lot line Exterior lot line Interior lot line	3.0 metres (10 feet) minimum Not regulated 3.0 metres (10 ft.) minimum 9.0 metres (30 ft.) minimum 3.0 metres (10 ft.) minimum 3.0 metres (10 ft.) minimum

ZBA 1461, 2010



.4 Density

- .1 Except as provided in Subsection 9.12.4.2, the maximum density for residential uses shall not exceed 50 units per hectare (20 units per acres);
- .2 Notwithstanding Subsection 9.12.4.1, on land whose legal description is set out in Table 9.12.1, the density for residential uses may be increased up to the maximum set out in Table 9.12.1 if the developer pays the District \$12,000 per increased unit.
- .3 Amenity payments received for a density bonus shall be payable at the time of issuance of a building permit and shall be deposited into the Land Reserve Fund.

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- .4 For certainty, the first unit over the permitted maximum established in Subsection 9.12.4.1 will be prorated accordingly.

Table 9.12.1	
Legal Description	Maximum Density for Residential Uses
Lot 1 District Lot 19 Group 1 Yale Division Yale District Plan EPP12043 (PID 028-591-640)	111 units per hectare (45 units per acre)
Lot C District Lot 19 Group 1 Yale Division Yale District Plan BCP3019 (PID: 028-591-640)	64 units per hectare (26 units per acre)

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9.13 Service Commercial Zone (CS1)

Purpose

The purpose of a Service Commercial (CS1) zone is to provide for vehicular oriented commercial activity for businesses that are auto-dependent.

.1 Permitted Uses

The following **principal** uses shall be permitted in a CS1 zone:

- .1 A **service commercial** use
- .2 An **off-street parking** use
- .3 A **restaurant** use

The following **auxiliary** uses shall be permitted in a CS1 zone:

- .4 An **accessory building**
- .5 An **unenclosed storage** use
- .6 An off-street loading use

.2 Conditions of Use

- .1 An **unenclosed storage** use shall be bounded on all sides by a **landscape screen** of not less than 1.5 metres (5 feet) or more than 1.8 metres (6 feet) in **height**, and which is continuous except for driveways and **walkways**.

ZBA 1395, 2008



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.3 Regulations

In a CS1 zone the following regulations contained in Table 9.13 shall apply:

Table 9.13	
Element	Regulation
Density	Not regulated
Site Coverage	Not regulated
Lot Size for commercial outdoor recreation use for all other uses	0.4 hectares (1 acre) minimum 700 square metres (7,500 square feet) minimum
Lot width	30.0 metres (100 feet) minimum
Gross floor area	Not regulated
Height	12 metres (40 feet) maximum
Setbacks for all buildings and structures from: Exterior side lot line For other lot lines	3.0 metres (10 feet) minimum Not regulated

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9.14 Service Station Commercial Zone (CS2)

Purpose

The purpose of a Service Station Commercial (CS2) zone is to provide for a rational pattern of service station outlets to adequately serve the requirements of the municipality.

.1 Permitted Uses

The following **principal** uses shall be permitted in a CS2 zone:

- .1 A **service station** use
- .2 A **tank vehicle storage** use

The following **auxiliary** uses shall be permitted in a CS2 zone:

- .3 An **accessory building**
- .4 An off-street loading use
- .5 An **unenclosed storage** use
- .6 A **commercial** use
- .7 An **accessory single-dwelling residential** use
- .8 An **off-street parking** use
- .9 A **restaurant** use

.2 Conditions of Use

- .1 A **commercial** use shall be limited to the retail sale of groceries and a **restaurant**, automated banking machines, and shall not exceed 30% of the **gross floor area**.
- .2 An **unenclosed storage** use shall be bounded on all sides by a **landscape screen** of not less than 1.5 metres (5 feet) or more than 1.8 metres (6 feet) in **height**, and which is continuous except for driveways and **walkways**.
- .3 An **accessory single-dwelling residential** use shall be:
 - (a) limited exclusively to the **storey** above the first **storey** of a **building**, or attached to the rear of the **principal building**
 - (b) the only use in a **storey** or rear addition so used
 - (c) permitted only where no **advertising** use occurs on, above, or attached to the **storeys** or additions so used.

ZBA 1395, 2008



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ZBA 1468, 2010,
2008



- .4 A **liquor retail store** commercial use and 90% of commercial gross floor area shall be permitted at the following property:

Parcel C (Reference Plan 10639) Legal Subdivision 10 and 15 Section 25 Township 3 Range 29 West of the Sixth Meridian New Westminster District Except: Part Dedicated Road on Plan BCP36776.

- .3 Regulations

In a CS2 zone the following regulations contained in Table 9.14 shall apply:

Table 9.14	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures	40% maximum
Lot Size	1,115 square metres (12,000 sq. ft.) minimum
Lot width	30.0 metres (100 feet) minimum
Gross floor area For all buildings and structures For an accessory single-dwelling residential use	Not regulated 32.5 square metres (350 sq. ft.) minimum plus 14 square metres (150 sq. ft.) of floor area for each bedroom
Height for all buildings and structures	12 metres (40 feet) maximum
Setbacks for all buildings and structures from: Front lot line Rear lot line Exterior side lot line Interior side lot line	9.0 metres (30 feet) minimum 1.5 metres (5 feet) minimum 6.0 metres (20 feet) minimum 6.0 metres (20 feet) minimum

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9.15 Tourist Recreation Commercial Zone (CS3)

Purpose

The purpose of a Tourist Recreation Commercial (CS3) zone is to provide for tourist accommodation or commercial recreation development in proper relationship to major thoroughfares and surrounding areas.

.1 Permitted Uses

The following **principal** uses shall be permitted in the CS3 zone:

- .1 A **commercial outdoor recreation** use
- .2 A **campground** use
- .3 A **hotel** use
- .4 A **motel** use
- .5 A **neighbourhood pub** use
- .6 A **restaurant** use

The following **auxiliary** uses and no others shall be permitted in the CS3 zone:

- .7 An **accessory building**
- .8 A **commercial** use
- .9 Off-street loading use
- .10 An **accessory single-dwelling residential** use
- .11 An **off-street parking** use

.2 Conditions of Use

- .1 **Buildings** and **structures** for **motels** shall have not more than one **sleeping unit** for each 60 square metres (645 square feet) of a **lot** area.
- .2 A **campground** use shall provide for not more than one **recreational vehicle**, or two tents for each 93 square metres (1,000 square feet) of **lot** area.
- .3 A **commercial** use shall be limited to the retail sale of groceries and a **restaurant**, automated banking machines, and shall not exceed 30% of the **gross floor area**.

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.3 Regulations

In a CS3 zone the following regulations contained in Table 9.15 shall apply:

Table 9.15	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures	40% maximum
Lot Size	4,000 square metres minimum (1 acre)
Lot width	36 metres (118 feet) minimum
Gross floor area for an accessory single-dwelling residential use for each sleeping unit for motel use	32.5 square metres (350 sq.ft.) minimum plus an additional 14 square metres (150 sq. ft.) of floor area for each bedroom 28 square metres (301 sq. ft.) minimum
Height	12.0 metres (40 feet)
Setbacks for all buildings and structures from: Front lot line Rear lot line Exterior side lot line Interior side lot line Setbacks for all buildings and structures on Lot 21 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 64737 Front lot line Rear lot line Exterior side lot line Interior side lot line	9.0 metres (30 feet) minimum 12.0 metres (40 feet) minimum 12.0 metres (40 feet) minimum 12.0 metres (40 feet) minimum 4.5 metres (15 feet) minimum 7.5 metres (24 feet) minimum 3.0 metres (10 feet) minimum 0.0 metres (0.0 feet) minimum

Part 9 - Zones

9.16 Marine Commercial Zone (CM)

Purpose

The purpose of a Marine Commercial (CM) zone is to provide for marine based activities on land and water lot licenses along the shore of Harrison Lake.

.1 Permitted Uses

The following **principal** uses shall be permitted in the CM zone:

- .1 A **marina** use
- .2 **Marine-dependent** uses
- .3 **Docks** and **piers** for water craft **wharfage**
- .4 A **hotel** use
- .5 A **neighbourhood pub** use

The following **auxiliary** uses shall be permitted in the CM zone:

- .6 Off-street loading use
- .7 A **marine service commercial** use
- .8 A **restaurant** use
- .9 An **off-street parking** use

.2 Conditions of Use

A **restaurant** use must be contained within the **building** or **structure**, or immediately adjacent and within 30 metres of the **building** and **structure** containing the **principal** use, to which the **restaurant** is accessory.

Part 9 - Zones

.3 Regulations

In a CM zone the following regulations contained in Table 9.16 shall apply:

Table 9.16	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures	Not regulated
Lot Size	Not regulated
Lot width	15 metres (50 feet) minimum
Gross floor area	Not regulated
Height	12.0 metres (40 feet)
Setbacks for all land based buildings and structures from a street	7.5 metres (25 feet) minimum

ZBA 1240, 2003



Part 9 - Zones

9.17 Highway Commercial Zone (CH)

Purpose

The purpose of a Highway Commercial (CH) zone is to provide land for convenient shopping opportunities for the traveling public, as well as people living near adjacent residential areas.

.1 Permitted Uses

The following **principal** uses shall be permitted in a CH zone:

- .1 A **commercial** use
- .2 A **restaurant** use
- .3 A **fueling station** use

The following **auxiliary** uses shall be permitted in a CH zone:

- .4 An **accessory single dwelling residential** use
- .5 An **accessory building** use
- .6 An **off-street loading area** use
- .7 An **off-street parking** use

.2 Conditions of Use

- .1 A **commercial** use shall be limited to retail sales, convenience store use, grocery sales liquor sales and atm machines.
- .2 Where a CH zone adjoins or abuts any **residential** zone, all **buildings** and **structures** shall be screened by a view obstructing fence not less than 2 metres (6.5 feet) in **height** along the boundary of the CH zone, which adjoins or abuts any such **residential** zone. The fence shall be maintained in good condition at all times.
- .3 An **accessory single-dwelling residential** use shall be:
 - a) limited exclusively to storeys above the first storey of a building used for commercial purposes.
 - b) The only use in the storey so used.
 - c) Permitted only where no advertising use occurs on, above, or attached to the storeys so used.

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.3 Regulations

In a CH zone the following regulations contained in Table 9.17 shall apply:

Table 9.17	
Element	Regulation
Density	Maximum of 2 accessory single-dwelling residential units per building
Site Coverage	40% maximum
Lot Size	1,000 square metres minimum (10,765 sq.ft.)
Lot width	30.0 metres (100 feet) minimum
Gross floor area for accessory single-dwelling residential use	32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom
For all other uses	Not regulated
Height	12.0 metres (40 feet) maximum
Setbacks for all buildings and structures from:	
Front lot line	3.0 metres (10 feet) minimum
Rear lot line	7.5 metres (25 feet) minimum
Exterior side lot line	3.0 metres (10 feet) minimum
Interior side lot line	3.0 metres (10 feet) minimum

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9.18 Light Industrial Zone (M1)

Purpose

The purpose of a Light Industrial (M1) zone is to accommodate industrial or manufacturing activities that are wholly enclosed and do not conflict with surrounding non-industrial uses.

.1 Permitted Uses

The following **principal** uses and no others shall be permitted in a M1 zone:

- .1 An **industrial** use
- .2 A **service industrial** use
- .3 A **warehousing** use
- .4 A **manufacturing** use
- .5 A **thermal reduction** use
- .6 A **public service** use
- .7 A **tank vehicle storage** use

The following **auxiliary** uses shall be permitted in a M1 zone:

- .8 An **accessory building**
- .9 An off-street loading use
- .10 A **restaurant** use
- .11 An **unenclosed storage** use
- .12 An **off-street parking** use
- .13 **Single-Dwelling Residential** use
- .14 An **accessory office** use

ZBA 1348, 2007



ZBA 1501, 2013



.2 Conditions of Use

- .1 An **industrial** use in the M1 zone shall not include the following:
 - (a) the operations of sawmills, hammer mills, rolling mills, blast furnaces, foundries, drop forges, brick kilns, flour mills or salvage yard.
 - (b) the **manufacturing**, processing, refining, mining of petroleum, bitumen, coal or tar products or derivatives, and corrosive, noxious, highly flammable or explosive minerals, chemicals, gases and fission or fusion products.
 - (c) the smelting, refining and reducing of minerals or metallic ores.

ZBA 1501, 2013



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- (d) **intensive agricultural** uses.
- (e) the operation of stockyards, abattoirs, composting facility, or the **manufacturing** of fertilizer.
- (f) animal pound/**kennel**

.2 Any **principal** use in an M1 zone shall not discharge or emit across **lot** lines odorous, toxic, or noxious matters or vapours.

.3 An accessory off-street loading use must provide adequate space for loading, unloading, maneuvering and parking of trucks, clear of public **streets**.

ZBA 1602, 2018



.4 An **unenclosed storage** use shall be:

- (a) limited to a maximum of 25% of the **lot** area;
- (b) limited to that part of a **lot** surfaced with asphalt, concrete or other dust-free materials;
- (c) Screened from any abutting commercial or residential property..

.5 An **industrial** use, **service industrial** use and **manufacturing** use shall be limited to a maximum of twenty percent (20%) of the **gross floor area** devoted to retail sales or display of goods manufactured, assembled, disassembled or repaired on site.

.6 A **restaurant** use shall be limited to a maximum **gross floor area** of 100m², and a maximum seating capacity of 15 people.

.7 An M1 zoned **lot** abutting or adjacent to any land zoned **residential** shall be bordered by a **landscape screen** of not less than 3.0 metres (10 feet) in width along that portion of its perimeter abutting or adjacent to that land zoned **residential**.

ZBA 1348, 2007



.8 An **auxiliary Single-Dwelling Residential** use shall be located in the same building as the principle use and/or cannot be a separate stand-alone structure, be limited to a maximum floor area of 90m² (968.8 feet), adhere to the limits and regulations of the British Columbia Building Code and amendments thereof, and be designed and constructed to accommodate the resident caretaker who resides solely and distinctly to provide caretaker services on the attended property.

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.3 Regulations

In a M1 zone the following regulations contained in Table 9.18 shall apply:

Table 9.18	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures , including parking spaces , driveways and storage areas	90% maximum
Lot Size	1,850 square metres (19,914 sq. ft.) minimum
Lot width	36.0 metres (118 feet) minimum
Gross floor area	Not regulated
Height	Not regulated
Setbacks for all buildings and structures from: <ul style="list-style-type: none"> Front lot line Rear lot line where a rear lot line abuts the CPR railway for all other parcels Exterior lot line Interior lot line 	6.0 metres (20 feet) minimum 0 metres 6.0 metres (20 feet) minimum 6.0 metres (20 feet) minimum 0 metres

.4 Site-Specific Exemptions

Table 9.18.1 Site Specific Exemptions	
Legal Description	Exemption
Lot 43 District Lot 49 Group 1 Yale Division of Yale District Plan 67529	To reduce the minimum lot size from 1,800 m ² to 1,537 m ² .

ZBA 1701, 2022

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9.19 Heavy Industrial Zone (M2)

Purpose

The purpose of a Heavy Industrial (M2) zone is to accommodate a full range of industrial activities in suitable locations, which is compatible to surrounding areas.

.1 Permitted Uses

The following **principal** uses shall be permitted in a M2 zone:

- .1 An **industrial** use
- .2 A **manufacturing** use
- .3 A **thermal reduction** use
- .4 A **tank vehicle storage** use

The following **auxiliary** uses shall be permitted in a M2 zone:

- .5 An **accessory building**
- .6 An off-street loading use
- .7 An **unenclosed storage** use
- .8 An **accessory office** use
- .9 An **off-street parking** use
- .10 A **restaurant** use
- .11 A **single-dwelling residential** use

ZBA 1395, 2008
↪
ZBA 1501, 2013
↪

.2 Conditions of Use

- .1 The following uses are not permitted in a M2 zone:
 - (a) an **intensive agricultural** use
 - (b) the repairing and salvaging of **motor vehicles**, and **recreational vehicles**
 - (c) the **manufacturing** of fertilizer
- .2 Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of:
 - (a) odorous, toxic, or noxious matters or vapours
 - (b) heat, glare, noise, radiation,
 - (c) recurrently generated ground vibration
- .3 An off-street loading use must provide adequate space for loading, unloading, maneuvering and parking of trucks, clear of public **streets**.

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- .4 An **unenclosed storage** use, except as provide in the subsection below shall be:
 - (a) limited to a maximum of 30% of the **lot** area;
 - (b) limited to that part of a **lot** surfaced with asphalt, concrete or other dust-free material;
 - (c) bounded on all sides by a wall or fence of not less than 2.0 metres (6.5 feet) in **height**.

- .5 An **industrial** use or **unenclosed storage** use involving the wrecking, salvaging, or storing of salvage, scrap or junk other than within a **building** shall be bounded on all sides by a **landscape screen** of not less than 1.8 metres (6 feet) which is continuous except for driveways and **walkways**.

- .6 A **lot** abutting or adjacent to any land in a **residential** zone shall be bordered by a **landscape screen** of not less than 3.0 metres (10 feet) in width along that portion of its perimeter abutting or adjacent to that land.

- .7 An **auxiliary single-dwelling residential** use shall be located in the same building as the principle use and/or cannot be a separate stand-alone structure, be limited to a maximum floor area of 90m² (968.8 ft²), adhere to the limits and regulations of the British Columbia Building Code and amendments thereof, and be designed and constructed to accommodate the resident caretaker who resides solely and distinctly to provide caretaker services on the attended property.

ZBA 1501, 2013



.3 Regulations

In a M2 zone the following regulations contained in Table 9.19 shall apply:

Table 9.19	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures	70% maximum
Lot Size	4,000 square metres (1 acre) minimum
Lot width	61 metres (200 feet) minimum
Gross floor area	Not regulated
Height	Not regulated
Setbacks for all buildings and structures from:	
Front lot line	6.0 metres (20 feet) minimum
Rear lot line	6.0 metres (20 feet) minimum
Exterior side lot line	6.0 metres (20 feet) minimum
Interior side lot line	6.0 metres (20 feet) minimum

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ZBA 1501, 2013



9.19.1 Special Industrial Zone (M3)

Purpose

The purpose of a Special Industrial (M3) zone is to accommodate industrial uses that may have the potential to be environmentally incompatible with residential and commercial uses.

.1 Permitted Uses

The following **principal** uses shall be permitted in a M3 zone:

- .1 An **industrial** use
- .2 A **manufacturing** use
- .3 A **thermal reduction** use
- .4 A **tank vehicle storage** use
- .5 A **cannabis cultivation facility** use

ZBA 1596, 2018



The following **auxiliary** uses shall be permitted in a M3 zone:

- .6 An **accessory building**
- .7 An off-street loading use
- .8 An **unenclosed storage** use
- .9 An **off-street parking** use

.2 Conditions of Use

.1 The following uses are not permitted in a M3 zone:

- (a) a salvage yard
- (b) the **manufacturing** of fertilizer

.2 Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of:

- (a) odorous, toxic or noxious matters or vapours
- (b) heat, glare, noise, radiation
- (c) recurrently generated ground vibration

.3 An off-street loading use must provide adequate space for loading, unloading maneuvering and parking of trucks, clear of public **streets**.

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.4 An **enclosed storage** use, except as provided in the subsection below shall be:

- (a) Limited to a maximum of 30% of the **lot** area;
- (b) Limited to that part of a **lot** surfaced with asphalt, concrete or other dust-free material;
- (c) Bounded on all sides by a wall or fence of not less than 2.0 metres (6.5 feet) in **height**.

.5 A lot abutting or adjacent to any land in a residential zone shall be bordered by a landscape screen of not less than 3.0 metres (10 feet) in width along the portion of its perimeter abutting or adjacent to that land.

.3 Regulations

In a M3 zone the following regulations contained in Table 9.19.1 shall apply:

Table 9.19.1	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures	70% maximum
Lot Size	8,000 square metres (2 acre) minimum
Lot width	61 metres (200 feet) minimum
Gross floor area	Not regulated
Height	Not regulated
Setbacks for all buildings and structures from:	
Front lot line	6.0 metres (20 feet) minimum
Rear lot line	6.0 metres (20 feet) minimum
Exterior lot line	6.0 metres (20 feet) minimum
Interior lot line	6.0 metres (20 feet) minimum

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ZBA 1580, 2017



9.19.2 Enclosed Storage Industrial Zone (M4)

Purpose

The purpose of an Enclosed Storage Industrial Zone is to provide personal storage units and affordable housing in light industrial areas within the Agassiz Townsite.

.1 Permitted Uses

The following **principal** uses shall be permitted in a M4 zone:

- .1 An **enclosed mini-storage** use

The following **auxiliary** uses shall be permitted in a M4 zone:

- .3 An **accessory single-dwelling residential** use
- .4 An **office** use

.2 Conditions of Use

- .1 An **accessory single-dwelling residential** use shall only be permitted above the first storey and cannot be a separate stand-alone structure and be limited to a maximum floor area of 90 m² (968.8 ft²), and adhere to the limits and regulations of the British Columbia Building Code and amendments thereof.

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.3 Regulations

In a M4 zone the following regulations contained in Table 9.19.2 shall apply:

Table 9.19.2	
Element	Regulation
Density	Not regulated
Site Coverage	80% maximum
Lot Size	1,000 m ² minimum
Lot width	30 metres (98 feet) minimum
Lot depth	30 metres (98 feet) minimum
Gross floor area	Not regulated
Height	
For all uses	9 metres (98 feet)
Setbacks	
Front lot line	Not regulated
Rear lot line	Not regulated
Exterior side lot line	3.0 metres (10 feet) minimum
Interior side lot line	Not regulated

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9.20 Resource Management Zone (MR) / Resource Management Short-term Rental Zone (MRstr)

Purpose

The purpose of a Resource Management (MR) zone is to provide for resource, and related rural development and for single dwelling detached residential development on lots of not less than 8 hectares (20 acres).

.1 Permitted Uses

The following **principal** uses shall be permitted in a MR zone:

.1 A **single-dwelling residential** use

.2 A **resource** use

The following **auxiliary** uses shall be permitted in a MR zone:

.3 An **accessory building**

.4 A **home occupation** use

.5 A **short-term commercial accommodation (guest unit)** use

.6 A **kennel** use

.7 An **off-street parking** use

.8 a **short-term commercial accommodation (principal residence)** use

.9 a **short-term commercial accommodation (non-principal residence)** use (in MRstr zoning only)

.10 a **secondary suite** use

.2 Conditions of Use

.1 No more than one **single-dwelling residential** use is permitted on any one **lot**.

.2 A **single-dwelling residential** use shall be permitted only in a **site built house**, a **manufactured home** or a **mobile home**.

.3 A household business, in addition to a **resource** use, is limited to two of the following uses:

(a) a **short-term commercial accommodation (guest unit)** use

(b) a **home occupation** use; or

(c) a **kennel** use

ZBA 1253, 1264,
2003



ZBA 1622, 2019



ZBA 1632, 2020



ZBA 1253, 1264,
2003; 1489, 2012



ZBA 1622, 2019



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.4 Site-specific Exemptions

Table 9.20.1 Site-specific Exemptions	
Legal Description	Exemption
Parcel "A" (348669E) District Lot 2085 Group 1 except: part on Plan 26833; New Westminster District	To allow a short-term commercial accommodation (guest unit) use within an accessory building.

ZBA 1705,2022
↘

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9.21 Institutional Zone (P1)

Purpose

The purpose of an Institutional (P1) zone is to provide for the location and development of facilities for civic, assembly, public service and personal care uses within the community.

.1 Permitted Uses

The following **principal** uses shall be permitted in a P1 zone:

- .1 A **civic** use
- .2 An **assembly** use
- .3 A **public service** use
- .4 A **personal care** use
- .5 a **child care centre**

ZBA 1704, 2022



The following **auxiliary** uses shall be permitted in a P1 zone:

- .5 An **accessory building**
- .6 An **off-street loading** use
- .7 An **off-street parking** use
- .8 **Single Dwelling Residential Use**

ZBA 1336, 2006



.2 Conditions of Use

- .1 A **kenel** use shall only be operated by the Municipality, Regional District, or a registered society.
- .2 An auxiliary Single Dwelling Residential Use shall be designed and constructed to accommodate the resident minister or equivalent person, or a caretaker who is employed solely and distinctly to provide caretaker services on the attended property; and

ZBA 1336, 2006



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.3 Regulations

In a P1 zone the following regulations contained in Table 9.21 shall apply:

Table 9.21	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures	40% maximum
Lot Size	558 square metres minimum (6,000 sq. ft.)
Lot width	18 metres (59 feet) minimum
Gross floor area	Not regulated
Height For personal care use For all other buildings and structures	12 metres (40 feet) maximum Not regulated
Setbacks for all buildings and structures from: All lot lines	6.0 metres (20 feet) minimum

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ZBA 1704, 2022



9.21.1 Park, Recreation and Open Space Zone (P2)

Purpose

The purpose of a Park, Recreation and Open Space (P2) zone is to provide for the location, preservation and development of public land for park and recreational purposes.

.1 **Permitted Uses**

The following **principal** uses shall be permitted in a P2 zone:

- .1 A **park**;
- .2 A **commercial outdoor recreation** use;
- .3 A **civic** use;
- .4 A **marina**;
- .5 A **campground** use

The following **auxiliary** uses shall be permitted in a P2 zone:

- .6 An **accessory building**;
- .7 An **assembly** use
- .8 An **off-street parking** use
- .9 A **commercial** use
- .10 a **dwelling unit**
- .11 a **child care centre**

ZBA 1464, 2010



ZBA 1504, 2014



ZBA 1704, 2022



.2 **Conditions of Use**

.1 A **civic use** shall be limited to the following uses in a P2 zone:

- (a) an **exhibition ground**
- (b) a public swimming pool
- (c) a public museum and archives
- (d) a public recreation facility
- (e) a public washroom

.2 A **campground** use, and a **marina** use shall be maintained and operated by a municipal or provincial authority.

.3 An **assembly** use shall be limited to halls, auditoriums, day care centres, youth centres, and senior centres.

ZBA 1237, 2002



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ZBA 1464, 2010



- .4 An auxiliary **commercial** use shall only be permitted on the main floor of the Aberdeen Centre located on the property legally described as Lot 1 District Lot 19 Group 1 Yale Division of Yale District Plan 74597.
- .5 a **dwelling unit**, subject to permit, may be a stand-alone structure or a **recreational vehicle** that is limited to a maximum floor area of 90 m² (968.80 ft²) to accommodate the resident caretaker who resides solely and distinctly to provide caretaker services to the attended property.

.3 Regulations

In a P2 zone the following regulations contained in Table 9.21 shall apply:

Table 9.21	
Element	Regulation
Density	Not regulated
Site Coverage	Not regulated
Lot Size	Not regulated
Lot width	Not regulated
Gross floor area	Not regulated
Height	Not regulated
Setbacks for all buildings and structures from: <div style="padding-left: 40px;">All lot lines</div>	6.0 metres (20 feet) minimum

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9.21.2 Institutional Assembly Zone (P3)

Purpose

The purpose of the P3 Zone is to accommodate cultural, religious, recreation and services uses.

.1 Permitted Uses

The following **principal** uses shall be permitted in a P3 zone:

- .1 An **assembly** use
- .2 A **civic** use
- .3 A **cultural or religious campus** (only permitted on a lot or contiguous group of lots greater than 9.0 hectares)

The following **auxiliary** uses shall be permitted in an P3 zone:

- .4 An **accessory building** use
- .5 An **accessory office** use
- .6 An **accessory single-dwelling residential** use
- .7 A **community services** use
- .8 A **dormitory** use (auxiliary to cultural or religious campus only)
- .9 An **education facility** use
- .10 A **light agricultural** use
- .11 An **off-street loading** use
- .12 An **off-street parking** use
- .13 an **overnight camp** use (only permitted on a lot or contiguous group of lots greater than 9.0 hectares)
- .14 A **lodge** use (auxiliary to cultural or religious campus only)
- .15 A **park** use
- .16 A **personal care** use
- .17 A **single dwelling residential** use

.2 Conditions of Use

- .1 A **light agricultural** use shall have the following **livestock**, poultry, and other animal limitations:

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- (a) **Livestock** with a mature weight of 159 kg (350 lbs) or greater – one (1) livestock for every 0.2 hectares (0.5 acres) with a minimum lot size of 0.4 hectares (1 acres).
- (b) **Livestock** with the exception of swine, with a mature weight that is less than 159 kg (350 lbs) – three (3) livestock for every 0.2 hectares (0.5 acres) with a minimum lot size of 0.4 hectares (1 acres).
- (c) Poultry – twenty-four (24) head of poultry for every 0.2 hectares (0.5 acres) with the minimum lot size of 0.2 hectares (0.5 acres).
- (d) Geese, ducks, rabbits, pigeons and doves – twenty-four (24) geese or ducks or rabbits or pigeons or doves, or a combination thereof for every 0.4 hectares (1 acre) with a minimum lot size of 0.4 hectares (1 acre).

.2 Only one **accessory single-dwelling residential** use per lot is permitted.

.3 Regulations

In an P3 zone the following regulations contained in Table 9.21.2 shall apply:

Table 9.21.2	
Element	Regulation
Density	Not regulated
Site coverage for all buildings and structures	40% of the lot size maximum
Lot size within the urban growth boundary outside the urban growth boundary cultural or religious campus use or overnight camp use light agricultural use	558 square metres (6006 square feet) 0.4 hectares (1.0 acres) 9.0 hectares (22.24 acres) 2.0 hectares (5.0 acres)
Lot width	18.0 metres (59 feet) minimum
Gross floor area dormitory use lodge	1500 square metres 500 square metres
Height principal uses auxiliary uses	15.0 metres (50 feet) 12.0 metres (40 feet)
Setbacks For all buildings and structures from: All lot lines	6.0 metres (20 feet) minimum

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9.22 Intentionally Blank

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ZBA 1269, 2003



9.23 Tourist Accommodation Commercial Zone (CS4)

Purpose

The purpose of a Tourist Accommodation Commercial zone is to provide for low intensity tourist accommodation or commercial recreation development that does not conflict with surrounding uses.

.1 Permitted Uses

The following **principal** uses shall be permitted in this zone:

- .1 a **resort lodge** use
- .2 a **motel** use
- .3 a **campground** use

The following **auxiliary** uses and no others shall be permitted:

- .3 an **accessory building**
- .4 an **accessory single-dwelling residential** use
- .5 an **accessory office**
- .6 off-street loading use
- .7 an **off-street parking** use
- .8 a **commercial** use
- .9 a **commercial recreation** use
- .10 a **dock**
- .11 an **agricultural** use
- .12 a **restaurant** use

ZBA 1541, 2016



ZBA 1395, 2008



.2 Conditions of Use

- .1 **Buildings and structures for motels and resort lodges** shall have not more than one **sleeping unit** for each 60 square metres (645 square feet) of a lot area to a maximum of 20 units.
- .2 A **campground** use shall provide for not more than one **recreational vehicle** site or two tents for each 93 square metres (1,000 square feet) of lot area to a maximum of 5 sites per 4,000 square metres (1 acre).
- .3 A **commercial** use shall be limited to a **restaurant, licensed lounge, and commercial indoor recreation** and shall not exceed 200 square metres (2,150 square feet).

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ZBA 1541, 2016



.4 An **agricultural** use shall only be permitted on lots that are within the Agricultural Land Reserve.

.3 Regulations

In this zone the regulations contained in the table below shall apply:

Table 9.23	
Element	Regulation
Density	Not regulated
Site Coverage of all buildings and structures	5% maximum
Lot Size	4,000 square metres minimum (1 acre)
Lot width	Not regulated
Gross floor area for an accessory single-dwelling residential use for each sleeping unit for motel use	32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom 25.5 square metres (274 square feet) minimum
Height for accessory buildings	9.0 metres (30 feet) 3.7 metres (12 feet)
Setbacks for all buildings and structures from: Front lot line Rear lot line Exterior side lot line Interior side lot line	7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 4.5 metres (15 feet) minimum 3.0 metres (10 feet) minimum

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ZBA 1586, 2017



9.23.1 Lakeside Tourist Accommodation Commercial Zone (CS5)

Purpose

The purpose of a Lakeside Tourist Accommodation Commercial Zone is to provide for low intensive tourist accommodation that does not conflict surrounding uses.

.1 Permitted Uses

The following **principal** uses shall be permitted in a CS5 zone:

- .1 a **resort lodge** use

The following **auxiliary** uses shall be permitted in a CS5 zone:

- .2 an **accessory building** use
- .3 one **accessory single-dwelling residential** use
- .4 an **accessory office** use
- .5 off-street loading use
- .6 an **off-street parking** use
- .7 a **dock**
- .8 **park model**

ZBA 1638, 2020



.2 Conditions of Use

.1 For a **resort lodge**:

- i. **Building and structures** shall have not more than one unit for each 60 square metres (645 square feet) of a lot area to a maximum of 10 unit;
- ii. shall be limited to common indoor and outdoor assembly areas and an accessory office for resort lodge administration;

- .2 an **accessory office** shall be limited in size to 46.45 square metres (500 square feet);

- .3 An **accessory single-dwelling residential** use shall be designed and constructed to accommodate the resident caretaker who is employed solely and distinctly to provide caretaker services on the attended property.

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.3 Regulations

Table 9.23.1	
Element	Regulation
Density	See Conditions of Use
Site coverage of all buildings and structures	40% maximum
<p>Lot Size</p> <p>The following lot(s) are exempted from the minimum lot size requirement:</p> <p>Part 4.30 Acres More or Less South West Quarter Section 19 Township 4 Range 28 West of the Sixth Meridian Approved and Confirmed at Ottawa on the 30th Day of June, 1927 by Fredric Hatheway Peters, Surveyor General of Dominion Lands and of Record in the Department of the Interior Under No. 35351 New Westminster District</p>	<p>0.2 hectares (0.5 acres) minimum with an approved community sewer system</p> <p>2.0 hectares (5 acres) minimum without an approved community sewer system</p>
Lot width	15 metres (50 feet) minimum
Gross floor area	See Conditions of Use
<p>Height</p> <p style="padding-left: 20px;">Resort lodge</p> <p style="padding-left: 20px;">Accessory buildings</p>	<p>9.0 metres (30 feet) maximum</p> <p>3.7 metres (12 feet) maximum</p>
<p>Setbacks</p> <p>All buildings and structures from:</p> <p>Front lot line</p> <p>Rear lot line</p> <p>Exterior side lot line</p> <p>Interior side lot line</p>	<p>6.0 metres (20 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p>

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ZBA 1345, 2006



9.24 Comprehensive Development Zone (CD1)

Purpose

The purpose of this Comprehensive Development Zone 1 is to utilize an opportunity to provide compact Single Dwelling Residential homes which provide some special consideration that meet the property configuration with road frontages on three sides and meets density projections as outlined in the current OCP.

.1 Permitted Uses

The following **principal** uses shall be permitted in this zone:

- .1 **single-dwelling residential** use;

The following **auxiliary** uses and no others shall be permitted:

- .2 an **accessory** building; and
- .3 a **home occupation** use

.2 Conditions of Use

- .1 No more than one **single-dwelling residential** use and one **accessory** building is permitted on any one lot;
- .2 **single-dwelling residential** use and **accessory** building are subject to defined and accepted architectural design and building scheme;
- .3 **accessory** building is limited to a detached garage;

.3 Regulations

In this zone the regulations contained in the table below shall apply

Table 9.24	
Element	Regulation
Density	38 units/hectare (15 units/acre)
Site Coverage of all buildings and structures	
all buildings	60% of lot size
accessory building limited to	15% of lot size
Lot size	231 square metres minimum (2486.5 square feet)
Lot width	9.5 metres (31 feet) minimum, with a minimum lot width of 11.3 metres (37 feet) for a corner lot

ZBA 1489, 2012



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Table 9.24	
Element	Regulation
Gross floor area for single-dwelling residential use and for accessory building use (includes porches/verandas)	90% of lot size
Height For single-dwelling residential use For accessory use	9.0 metres (30 feet) 3.7 metres (12 feet)
Setbacks For single-dwelling residential from: Front lot line Rear lot line Exterior side lot line Interior side lot line For accessory buildings from: Rear lot line Interior side lot line *note: Siting exemptions 7.4.1.3 and 7.4.1.4 do not apply to this zone	3 metres (10 feet) and 3.3 metres (11 feet) minimum, alternating lots 8.5 metres (28 feet) minimum 3 metres (10 feet) minimum 1.2 metres (4 feet) minimum 0.9 metres (3 feet) minimum 0.0 metres minimum

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ZBA 1549, 2016



9.25 Comprehensive Development 2 Zone (CD2) / Comprehensive Development 2 Short-term Rental Zone (CD2str)

Purpose

The Comprehensive Development 2 Zone (CD2) consists of land in Mount Woodside Highlands Boulevard area (see Part 9.25.4 Site Plan). The purpose of the CD2 Zone is to accommodate a mixed density residential area with limited commercial and industrial development to a maximum of 400 principal residential units and a max of 1 hectare highway commercial and serviced by an approved community sanitary sewer and water system.

.1 Permitted Uses

The following **principal** uses shall be permitted in this zone:

- .1 a **single-dwelling residential** use;
- .2 a **two-dwelling residential** use;
- .3 a **row house** use
- .4 a multiple dwelling residential use which includes an **apartment, garden apartment and townhouse** use;
- .5 a highway commercial use which includes a **service station, commercial, restaurant and neighbourhood pub** use;
- .6 an **institutional** use which includes an **assembly, civic, and public service** use;

The following **auxiliary** uses and no others shall be permitted:

- .7 For a **single-dwelling residential** use:
 - .a an **accessory building** use
 - .b a **home occupation** use
 - .c a **short-term commercial accommodation (guest unit)** use
 - .d a **secondary suite** use
 - .e an **off-street parking** use
 - .f a **short-term commercial accommodation (principal residence)** use
 - .g a **short-term commercial accommodation (non-principal residence)** use (in CD2str zoning only)
- .8 For a **two-dwelling residential** use
 - .a an **accessory building** use
 - .b a **home occupation** use
 - .c an **off-street parking** use
 - .d a **secondary suite** use
- .9 for a **row house** use
 - .a an **accessory building** use

ZBA 1578, 2017



ZBA 1622, 2019



ZBA 1632, 2020



ZBA 1578, 2017



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ZBA 1632, 2020



- .b a **home occupation** use
- .c an **off-street parking** use
- .d a **secondary suite** use

.10 For a multi-dwelling residential use:

- .a an **accessory building** use
- .b a **home occupation** use
- .c an **off-street parking** use
- .d a **secondary suite** use

ZBA 1632, 2020



.11 For a highway commercial use:

- .a an **accessory building** use
- .b an **off-street parking** use
- .c an off-street parking loading use

.12 For an **institutional** use:

- .a an **accessory building** use
- .b an **off-street parking** use
- .c an off-street parking loading use

.2 Conditions of Use

.1 For a **single-dwelling residential** use:

- .a no more than one **single-dwelling residential use** and one **secondary suite** use is permitted on any lot.
- .b no more than one **accessory building** is permitted on any lot
- .c a household business is limited to one of the following uses:
 - i. a **short-term commercial accommodation (guest unit)** use
 - ii. a **home occupation** use
- .d a **short-term rental** use shall comply with requirements of Part 7.13 of this bylaw.

ZBA 1622, 2019



.2 For a **two-dwelling residential** use:

- .a no more than one **accessory building** is permitted for each duplex unit.

ZBA 1578, 2017



.3 For a **row house** use:

- .a No more that one accessory building is permitted on any lot.
- .b a party wall agreement must be registered on title for each **row house** lot.

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- .c construction of all **dwelling units** within a **row house** building shall occur as a single development project.
- .4 For a multiple-dwelling residential use:
 - .a no more than one **accessory building** is permitted for each duplex unit.
 - .b a **secondary suite** use is permitted only within a **townhouse** use.
 - .c **off-street parking** shall be:
 - i. concealed within the building or not occupy more than 10% of the remaining surface of the lot area after building coverage.
 - ii. Bounded by a **landscape screen** of not less than 1.2 metre (4 feet) in **height** when not concealed.
 - iii. Sited in way that the surface of such use or a driveway for such use at or above ground level is not within a horizontal arc of 3 metres (10 feet) in radius measured from the nearest surface of a window to a **habitable room**.
- .5 For highway commercial use:
 - .a a **commercial** use is limited to a souvenir shop, book store, art gallery, artisan craft sales, automated bank machine, hairdressers and convenience store.
 - .b a **service station** use is limited to the retail sales of motor fuels, lubricating oils, automobile accessories and the washing of **motor vehicles** and **recreational vehicles**.
 - .c a highway commercial lot abutting or adjacent to a **residential** zone shall be bordered by a view obstructing fence not less than 2 metres (6.5 feet) in **height** along the boundary of the highway commercial use. The fence shall be maintained in good condition at all times.
 - .d no more than one **accessory building** is permitted on any lot.
 - .e **commercial** development shall recognize adjoining residential uses through appropriate siting, architectural treatments and landscaping.
- .6 For an **institutional** use:
 - .a a **public service** use shall not include a mortuary/crematorium, garbage/recycling facility, or animal pound/kennel.

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Two-Dwelling Residential Use	
Element	Regulation
Density	20 units per hectare (8 units per acre) maximum
Site coverage of all buildings and structures	40 % maximum
Lot size	630 square metres (6,780 square feet) minimum
Lot width	18 metres (59 feet) minimum
Gross floor area (floor area ratio)	Not regulated
Height	
For all two-dwelling residential use	9.0 metres (30 feet) maximum
For accessory building use	3.7 metres (12 feet) maximum
Setbacks	
For all residential buildings and structures from:	
Front lot line	6.0 metres (20 feet) minimum
Rear lot line	7.5 metres (25 feet) minimum
Exterior side lot line	4.5 metres (15 feet) minimum
Interior side lot line	1.5 metres (5 feet) minimum
For accessory buildings from:	
Front lot line	7.5 metres (25 feet) minimum
Rear lot line	1.5 metres (5 feet) minimum
Exterior lot line	3.0 metres (10 feet) minimum
Interior side lot line	1.5 metres (5 feet) minimum
Row House Use	
Element	Regulation
Density	1 dwelling unit per lot
Site Coverage of all buildings and structures	50% maximum
Lot size	300 square metres (3,230 square feet) minimum
Lot width	10.0 metres (32 feet) minimum
Lot depth	Not regulated
Gross floor area	Not regulated
Height	
For a row house use	9.0 metres (30 feet)
For accessory building use	3.7 metres (12 feet)

ZBA 1578, 2017



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<p>Setbacks</p> <p>For row house use from:</p> <p>Front lot line Rear lot line Exterior side lot line Interior side lot line</p> <p>For an accessory building use from:</p> <p>Front lot line Rear lot line Exterior side lot line Interior side lot line</p>	<p>6.0 metres (20 feet) minimum 4.5 metres (15 feet) minimum 4.5 metres (15 feet) minimum 3.0 metres (10 feet) minimum Not required on a lot line that has a party wall</p> <p>7.5 metres (25 feet) minimum 1.5 metres (5 feet) minimum 3.0 metres (10 feet) minimum 1.5 metres (5 feet) minimum</p>
<i>Multiple Dwelling Use</i>	
Element	Regulation
Density	75 units per hectare (30 units per acre) maximum
Site coverage of all buildings and structures	40 % maximum
Lot size for:	
townhouse use	880 square metres (9,500 square feet) minimum
apartment and garden apartment use	1,300 square metres (14,000 square feet) minimum
Lot width	18 metres (59 feet) minimum
Gross floor area of each dwelling unit for:	
townhouse and apartment use	32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom
garden apartment use	70 square metres (750 square feet) maximum
Height	
For apartment , garden apartment and townhouse use	12.0 metres (40 feet) maximum
For accessory building use	3.7 metres (12 feet) maximum
Setbacks	
For townhouse use from:	
Front lot line	6.0 metres (20 feet) minimum
Rear lot line	6.0 metres (20 feet) minimum
Exterior side lot line	6.0 metres (20 feet) minimum
Interior side lot line	4.5 metres (15 feet) minimum

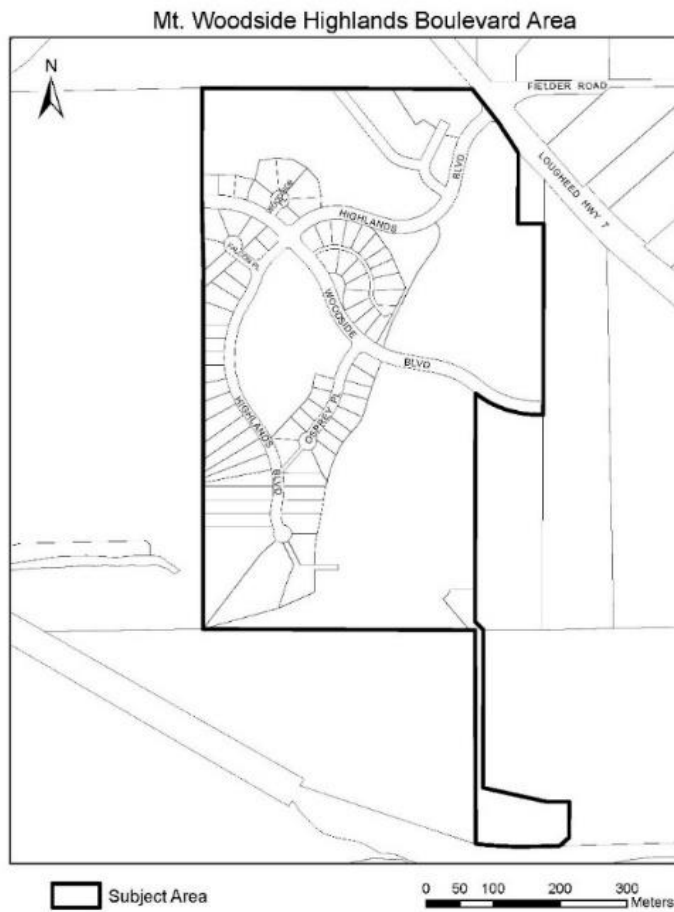
Part 9 - Zones

<p>For apartment and garden apartment from:</p> <p>Front lot line Rear lot line Exterior lot line Interior side lot line</p> <p>For accessory buildings from:</p> <p>Front lot line Rear lot line Exterior lot line Interior side lot line</p>	<p>7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum 1.5 metres (5 feet) minimum 3.0 metres (10 feet) minimum 1.5 metres (5 feet) minimum</p>
Commercial Use	
Element	Regulation
Density	Not regulated
Site coverage of all buildings and structures	40 % maximum
Lot size	745 square metres (8,020 square feet) minimum
Lot width	30 metres (100 feet) minimum
Gross floor area	Not regulated
Height for all buildings and structures	6.0 metres (20 feet) maximum
<p>Setbacks for all buildings except accessory buildings from:</p> <p>Front lot line Rear lot line Exterior side lot line Interior side lot line</p> <p>For accessory buildings from:</p> <p>Front lot line Rear lot line Exterior lot line Interior side lot line</p>	<p>15 metres (50 feet) minimum 7.5 metres (25 feet) minimum 15 metres (50 feet) minimum 7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 3.0 metres (10 feet) minimum</p>
Institutional Use	
Element	Regulation
Density	Not regulated
Site coverage of all buildings and structures	40 % maximum
Lot size	560 square metres (6,000 square feet) minimum
Lot width	18 metres (59 feet) minimum with a minimum lot width of 19.5 m (64 feet) for a corner lot
Gross floor area	Not regulated
Height for all buildings and structures	12 metres (40 feet) maximum

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<p>Setbacks for all buildings except accessory buildings from:</p> <p>All lot lines</p> <p>For accessory buildings from:</p> <p>Front lot line</p> <p>Rear lot line</p> <p>Exterior side lot line</p> <p>Interior side lot line</p>	<p>6.0 metres (20 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>7.5 metres (25 feet) minimum</p> <p>3.0 metres (10 feet) minimum</p>
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.4 Site Plan



Part 9 - Zones

ZBA 1368, 2007
ZBA 1549, 2016



9.26 Comprehensive Development 3 Zone (CD3)

Purpose

The purpose of a Comprehensive Development 3 Zone (CD3) zone is to provide for a low intensity tourist accommodation and resort lodge recreation development in proper relationship to surrounding areas and in conformity with permitted uses.

.1 Permitted Uses

The following **principal** uses shall be permitted in the CD3 zone:

f.1 A **campground** use

.2 A **resort lodge** use

.3 A **resort cabin** use

The following **auxiliary** uses and no others shall be permitted in the CD3 zone:

.1 **Accessory buildings**

.2 One **accessory single-dwelling residential** use

.3 **Accessory employee accommodation** uses

.4 One **accessory** office use

.5 **Commercial indoor recreation** use

.6 A **dock** use

.2 Conditions of Use

.1 A **campground** use shall provide for tents only and not more than one tent for each **resort cabin** unit.

.2 A **resort cabin** shall be limited to a **single-dwelling residential** use or **two-dwelling residential** use intended to be occupied by the travelling public for overnight accommodation and may or may not include a kitchen.

.3 **Accessory buildings** shall be limited to washrooms, laundry, maintenance, utility, activity and administration buildings.

.4 An **accessory single-dwelling residential** use shall be designed and constructed to accommodate the resident caretaker who is employed solely and distinctly to provide caretaker services on the attended property.

.5 An **accessory** office use shall be limited in size to 500 square feet.

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.3 Regulations

In a CD3 zone the following regulations contained in Table 9.26 shall apply:

Table 9.26	
Element	Regulation
Density Resort Lodge Resort Cabin Accessory single dwelling	20 units 70 units 1 unit
Site Coverage of all buildings and structures	5% maximum
Sanitary Sewer	Approved Mini-treatment facility
Lot Size	20 acres (8 ha) minimum
Lot width	Not regulated
Gross floor area for an accessory single-dwelling residential use for each sleeping unit for resort lodge use	32.5 square metres (350 sq.ft.) minimum plus an additional 14 square metres (150 sq. ft.) of floor area for each bedroom 28 square metres (301 sq. ft.) minimum
Height Resort Lodge Resort Cabin (1 ½ storey) Accessory buildings	10.0 metres (30 feet) maximum 6.1 metres (20 feet) maximum 4.0 metres (12 feet) maximum
Setbacks for all buildings and structures from: Front lot line Rear lot line Exterior side lot line Interior side lot line	7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum 7.5 metres (25 feet) minimum

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ZBA 1697, 2022



9.27 Comprehensive Development 4 (CD4)

Purpose

The purpose of this comprehensive zone is to accommodate a mixed-use building consisting of commercial and residential units in the form of an apartment.

.1 Permitted Uses

The following **principal uses** shall be permitted in an CD4 zone:

- .1 a **commercial** use
- .2 a **service commercial** use
- .3 an **office** use
- .4 a **veterinary hospital** use
- .5 an **entertainment and recreation** use
- .6 a **restaurant** use
- .7 a **civic** use

The following **auxiliary uses** shall be permitted in an CD4 zone:

- .8 an **apartment** use
- .9 an **off-street parking** use
- .10 an off-street loading use.

.2 Conditions of Use

.1 An **apartment** use shall be:

- (a) Limited exclusively to **storeys** above the first **storey** of a **building** used for **commercial** purposes.
- (b) The only use in the **storey** so used.
- (c) Permitted only where no **advertising** use occurs on, above, or attached to the **storeys** so used.

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.3 Regulations

In a CD4 zone the following regulations contained in Table 9.27 shall apply:

TABLE 9.27	
Element	Regulation
Density	Not regulated
Site coverage of all buildings and structures	Not regulated
Lot size	1,400 m ² (15,000 ft ²) minimum
Lot width	30 metres
Gross floor area (floor area ratio)	Not regulated
Height	14 metres
Setbacks for all buildings and structures from	
Exterior side lot line	3.0 metres (10 feet) minimum
All other lot lines	Not regulated

.4 Parking

- .1 On-site parking has been provided for 24 residential units. Additional parking for residential units (including visitor parking) and commercial uses, will be provided off-site.
- .2 A reduction in the amount of residential stalls provided on-site has been proposed in order to develop as many affordable housing units as possible.