# Zoning Bylaw No. 1219, 2001
## February 2002

EFFECTIVE DATE: FEBRUARY 28, 2002

CONSOLIDATED FOR CONVENIENCE ONLY
(October 6, 2025)

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 |
| 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 |

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|---|---|
| 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 |
| 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 |

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|---|---|
| 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 |
| 1626 (Map 10 and Text Amendment) | September 16, 2019 |
| 1627 (Map 10 and Text Amendment) | January 11, 2021 |
| 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 |
| 1709 (Map 10 Amendment) | April 12, 2023 |
| 1711 (Map 10 Amendment) | March 27, 2023 |
| 1715 (Text Amendment) | June 26, 2023 |
| 1725 (Map 8 and Text Amendment) | January 8, 2024 |
| 1726 (Text Amendment) | December 11, 2023 |

| | |
|---|---|
| 1730 (Map 14 and Text Amendment) | April 22, 2024 |
| 1727 (Map 35 Amendment) | June 10, 2024 |
| 1737 (Text Amendment) | May 13, 2024 |
| 1718 (Map 10 Amendment) | May 27, 2024 |
| 1723 (Text and Map 10 Amendment) | November 13, 2024 |
| 1675 (Map 10 Amendment) | November 25, 2024 |
| 1727 (Map 35 Amendment) | May 13, 2024 |
| 1738 (Text Amendment) | November 25,2024 |
| 1741 (Text Amendment) | January 13, 2025 |
| 1742 (Map 8 and Text Amendment) | January 13, 2025 |
| 1744 (Text Amendment) | February 10, 2025 |
| 1752 (Text Amendment) | August 18, 2025 |

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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# 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.

**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.

**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.

ZBA 1741, 2024

**amenity space (common indoor)** means an accessory building or room within a multi-unit residential building that is available to all residents of the residential use it serves, for the purpose of providing social and recreation facilities, and is non-commercial except as specifically permitted in the zone and may include: common rooms, craft rooms, games rooms, kitchen facilities, meeting rooms and saunas.

ZBA 1741, 2024

**amenity space (private outdoor)** means an outdoor area, in a multi-unit residential building intended for the convenience use by residents of the dwelling unit it serves, and may include yard space, balcony, deck, patio, and roof-top patio.

**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.

## 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.

ZBA 1741, 2024

**below market rental** means rental housing with rents lower than average rates in private-market rental housing.

ZBA 1738, 2024

**bulk fuel sales and storage** use means the sale of petroleum products or electricity for use in aircraft, helicopters and transport vehicles at a facility, including but not limited to a commercial card lock facility, airport fueling station or fuel dispensing or charging station, but does not include fueling stations.

**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 1737, 2024

**coach house** use means a dwelling unit located entirely on the second level of a building that is separate from the single-family residence or two-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:

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.

**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:

| | |
|---|---|
| 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 1726, 2023

**floor area – accessory dwelling unit** means the total floor area of the accessory dwelling unit on a lot measured to the inner surface of exterior walls, including corridors, hallways, landings, foyer, staircases, stairwells, enclosed balconies and mezzanines, enclosed porches or verandas, attached garages and unenclosed carports but excluding auxiliary parking, unenclosed swimming pools, balconies, sundecks, elevators or ventilating machinery.

**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.

**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.

ZBA 1726, 2024

**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, and attached garages and unenclosed carports but excluding auxiliary parking, unenclosed swimming pools, balconies, sundecks, 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.

ZBA 1741, 2024

**housing agreement** means a legally binding contract between a government agency, a landlord and a tenant that outlines the terms and conditions of rental housing.

# I

ZBA 1607, 2018

**immediate family member** means

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

(b) spouse, parents of spouse, and stepparents of spouse;

(c) brothers and sisters; and

(d) children or stepchildren, grandchildren and great-grandchildren.

ZBA 1327, 2024

**impervious surfaces** means those areas which prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development, and is expressed as a percentage of the total lot area. Impervious surfaces include, but are not limited to, buildings and structures, patios, paved walkways and driveways, and hardscaping.

ZBA 1442, 2009 1501, 2013 1596, 2018

**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.

**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 100$m^2$; 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

**kennel** 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 pert 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

**lane** means a public right-of-way of not more than seven point five (7.5) metres (25 feet) in width.

**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

**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**.

**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 1737, 2024

**outdoor amenity area** means the required open space provided for the enjoyment of the residents of a particular dwelling unit and which is immediately adjacent to and directly accessible from the dwelling unit it is to serve.

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.

**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 square metres gross floor area; shall have a width greater than 2.6 metres 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.

**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 1725, 2023

**resort cabin** means an accommodation for overnight accommodation only and may or may not include a kitchen.

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.

ZBA 1730, 2024

**resource processing** means the manufacture of products and processing of materials from resource material primarily extracted from the same lot.

**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.

# 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.

ZBA 1738, 2024

**secondary use** means a use that is only permitted on a subject property when a permitted principle use is also present on the subject property and cannot exceed 35% site coverage or building floor area.

**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 1580, 2018

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.

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 and short-term commercial accommodation (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.

**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

ZBA 1489, 2012

**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.

## W

ZBA 1501,2013

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

**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

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:

| | **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.

ZBA
1345, 2006
1683, 2021
1704, 2022
1737, 2024

# 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:

| | |
|---|---|
| | Agricultural Zones |
| A | Agricultural |
| A1 | Small Lot Agricultural |
| A2 | Agri-Industrial Zone |
| | Residential Zones |
| RR1 | Rural Residential 1 |
| RR2 | Rural Residential 2 |
| RR3 | Rural Residential 3 |
| RS1 | Small-Scale Multi-Unit Housing |
| RL | Lake Area Residential |
| RM1 | Multiple Dwelling Residential 1 |
| RM2 | Multiple Dwelling Residential 2 |
| RM3 | Multiple Dwelling Residential 3 |
| RM4 | Affordable Rental Housing |
| RH | Mobile Home Park |
| | Commercial Zones |
| CT1 | Town Centre Commercial |
| CT2 | Town Centre Commercial and Residential |
| CS1 | Service Commercial |
| CS2 | Service Station Commercial |
| CS3 | Tourist Recreation Commercial |
| CS4 | Tourist Accommodation Commercial |
| CS5 | Lakeside Tourist Accommodation Commercial |
| CM | Marine Commercial |
| CH | Highway Commercial |
| | Industrial Zones/Resource Management Zones |
| M1 | Light Industrial |
| M2 | Heavy Industrial |
| M3 | Special Industrial |
| M4 | Enclosed Storage Industrial |
| MR | Resource Management |
| MR1 | Resource Management Industrial Zone |
| | Parks and Institutional Zones |
| P1 | Institutional |
| P2 | Park, Recreation and Open Space |
| P3 | Institutional Assembly |
| | Comprehensive Development Zones |
| CD1 | Comprehensive Development 1 |
| CD2 | Comprehensive Development 2 |
| CD3 | Comprehensive Development 3 |
| CD4 | Comprehensive Development 4 |

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

.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**

(c) an **off-street parking use**, if it is accessory to the **principal** use

ZBA 1440, 2009 1501, 2013

.3 A **public utility** use is permitted in all non-residential zones.

## 7.3 Prohibited Uses of Land, Buildings and Structures

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.

.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.

.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.

.4 For residential zones, a **walkway** that is maintained by the Municipality or a strata corporation must have a minimum **building setback** of 3.0 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

.2 where the **lot** is a common **lot** intended for use as a private road.

.3 to **parks.**

.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:

(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.

(b) where a proposed **lot** is not served by an **approved community sewer system**, the written approval of the **Medical Health Officer** is given.

(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).

ZBA 1737, 2024

## 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**;

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**;

.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, except in the Small-Scale Multi-Unit Housing Zone (RS1), 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 (3.0) 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 (4.0) 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.

## 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 6.0 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.

ZBA
1601, 2019
1737, 2024

## 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**, except when a **lot** in the Small-Scale Multi-Unit Housing Zone (RS1) has a detached accessory dwelling unit accessed from a land, fences or walls within the rear **lot** line setback shall not exceed a height greater than one point eight (1.8) metres.

.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.

## 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 (1.0) metre (3.0 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:

.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 (6.0) 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
1737, 2024

## 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**.

(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 hectares (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.

.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** | |
| • Artist studio<br>• Non-medical business and professional office | • Business office for consultant, contractor<br>• Personal service |

| Table 7.12.6(a) | |
|---|---|
| **Permitted Home Occupations** | |
| **# 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 square metre (200 square feet) |
| **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 |

| Table 7.12.6(b) | |
|---|---|
| **Permitted Home Occupations** | |
| • Art gallery and framing shop<br>• Artists studio<br>• Assembly or repair of small appliances, audio/visual equipment, office equipment, computers, clocks, musical instruments, alarm systems and electronic equipment<br>• Business and professional offices such as medical, accounting, insurance<br>• Business office for consultant, contractor, direct marketing, catalogue sales, telemarketing<br>• Construction contractor (office)<br>• Daycare with a maximum of 8 children<br>• Furniture repair and upholstery<br>• Graphics design studio | • Home teaching or tutoring service with a maximum of 5 students at one time<br>• Music studio<br>• Locksmith, tinsmith, gunsmith, goldsmith, lock/watch repair<br>• Non-motorized bicycle repair<br>• Personal service<br>• Production of artisan crafts including sale of these items on the same lot<br>• Print shop<br>• Recreation equipment rentals limited to the rental of motored and unmotored recreational equipment<br>• Repair and servicing household appliances<br>• Shoe repair, tailor shop<br>• Ski and snow board repair |

| Table 7.12.6(b) | | |
|---|---|---|
| **Permitted Home Occupations** | | |
| **# 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, RR3 RS1, RL, and CD2 (excluding multiple-dwelling residential use) | |
| **Lot Size** | No restrictions | |
| **Location** | For RS1, RL, and CD2 zoned lots and A, A1, MR, RR1, RR2, and RR3 zoned lots less than 0.1 hectares (0.25 acres), the home occupation shall be conducted entirely within the residential dwelling<br><br>For A, A1, MR, RR1, RR2, RR3 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 | |
| **Building Area** | For RS1, RL and CD2 zoned lots - shall occupy less than twenty percent (20%) of the floor area of the residential dwelling not to exceed 46 square metres (495 square feet)<br><br>For A, A1, RR1, RR2, RR3 and MR zoned lots less than 0.2 hectares (0.5 acres) Shall not exceed 75 square metres (807 square feet) and shall occupy less than twenty percent (20%) of the floor area of the residential dwelling<br><br>For A, A1 MR, RR1, RR2, and RR3 zoned lots equal to or greater than 0.2 hectares (0.5 acres) Shall not to exceed 140 square metres (1,507 square feet) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling<br><br>See Part 7.12.2(d) for higher density home occupation opportunities | |
| **Unenclosed Storage** | Not permitted | RS1, RL, and CD2 zones |
| | Not permitted | A, A1, RR1, RR2, RR3, and MR zoned lots less than 0.2 hectares (0.5 acres) |
| | 50 square metres (538 square feet) | A, A1, RR1, RR2, RR3, and MR zoned lots equal to or greater than 0.2 hectares (0.5 acres) |
| **Non-Resident Employees** | 1 | All zones |
| | 2 | A, A1, RR1, RR2, RR3 and MR zoned lots less than 0.2 hectares (0.5 acres) |

| Table 7.12.6(b) | | |
|---|---|---|
| **Permitted Home Occupations** | | |
| | | |
| | 4 | A, A1, MR, RR1, RR2, and RR3 zoned lots equal to and greater than 0.2 hectares (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 metres (16 feet) 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 hectares (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 feet) (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 metres (16 feet) 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 | |

| Table 7.12.6(c) | |
|---|---|
| **Permitted Home Occupations** | |
| • 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, RR3 |
| **Lot Size** | Minimum lot size of 0.4 hectare (1.0 acre) |
| **Location** | The home occupation may be conducted within the residential dwelling and or within a maximum of one accessory building |

| Table 7.12.6(c) | | |
|---|---|---|
| **Permitted Home Occupations** | | |
| **Building Area** | For lots equal to or greater than 0.4 hectares (1.0 acre) but less than 0.8 ha (2 acres) Shall not to exceed 140 square metres (1,507 square feet) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling<br><br>For lots equal to or greater than 0.8 hectares (2 acres) - Shall not to exceed 234 square metres (2,518 square feet) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling<br><br>See Part 7.12.2(d) for higher density home occupation opportunities | |
| **Unenclosed Storage** | 150 square metres (1,614 square feet) | |
| **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** | 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 | |

| 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 hectares (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 square metres (495 square feet) |

| | | |
|---|---|---|
| | See Part 7.12.2(d) for higher density home occupation opportunities | |
| **Unenclosed Storage** | 100 square metres (1,075 square feet) | |
| **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** | • 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<br><br>• 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 | |

| **Table 7.12.6(e)** | |
|---|---|
| **Permitted Home Occupations** | |
| • Inboard / outboard watercraft sale, maintenance, repair and manufacturing | • 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 hectares (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 234 square metres (2,518 square feet) and shall occupy less than thirty percent (30%) of the floor area of the residential dwelling<br><br>See Part 7.12.2(d) for higher density home occupation opportunities |
| **Unenclosed Storage** | 200 square metres (2,152 square feet) |
| **Non-Resident Employees** | 6 |

| Table 7.12.6(e) | | |
|---|---|---|
| **Permitted Home Occupations** | | |
| **Business Vehicles** | 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** | • 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<br>• 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 | |

| Table 7.12.6(f) | | |
|---|---|---|
| **Permitted Home Occupations** | | |
| • 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 hectares (4.0 acres) | |
| **Location** | The home occupation must be conducted entirely within the residential dwelling | |
| **Building Area** | Shall not to exceed 234 square metres (2,518 square feet) 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<br><br>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 | |

| Table 7.12.6(f) | |
|---|---|
| **Permitted Home Occupations** | |
| **Conditions of Use** | • 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<br><br>• 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.

.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** | |
| • automotive wrecking and salvage yards<br>• beverage bottling and distribution;<br>• building supply and lumber yard<br>• cold storage facilities, ice manufacturing plants, frozen food lockers<br>• cabinet makers and furniture manufacturers | • **restaurants**, ice cream parlours, coffee and beverage facilities<br>• sales of **motor vehicles**, **recreational vehicles**, **farm vehicles**, machinery, motorized garden equipment, and inboard / outboard watercrafts<br>• sales and storage of bulk propane, heating oil, petroleum products, and other combustible fuels |

| Table 7.12.7(b) | |
|---|---|
| **Non - Permitted Home Occupations** | |
| • electronic games arcades, bowling lanes, billiard and pool halls<br>• fertilizer, ammunition, and explosive plants<br>• laboratories<br>• laundries and dry-cleaning facilities<br>• leisure and fitness facilities, recreation facilities<br>• maintenance and repair shops for **motor vehicles**, **recreational vehicles**, and **farm vehicles**<br>• private schools | • second-hand stores, antique shops, and thrift shops<br>• storage facility<br>• taxi or courier service<br>• taxidermy, tanneries and abattoirs<br>• tire sales and rebuild facilities<br>• trucking yard<br>• veterinary clinics, pet breeding and animal hospitals, boarding **kennels**<br>• welding shops<br>• wineries, breweries, and distilleries |

ZBA
1726, 2023
1730, 2024

## 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 or 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*.

(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.

(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.

(d) have a maximum of six (6) guests per lodging period.

.3 In addition to Part 7.13.1, a **short-term commercial accommodation (principal residence)** shall:

(a) have not more than five (5) bedrooms within the dwelling unit.

(b) have a maximum of (10) guests permitted per lodging period.

ZBA 1489, 2012, 1726, 2024

(c) only have one short-term rental dwelling unit per **lot**.

## 7.14 Farm Home Plate

The following **farm home plate** regulations shall apply to all **lots** within the Agricultural Land Reserve and are subject to the provisions of the Agricultural Land Commission Act (*ALCA*).

.1 General

(a) With the exception of Part 7.14.1 (c), all **lots** within the Agricultural Land Reserve, the **farm residence**, **accessory dwelling unit, home occupation**, and all **accessory residential facilities** must be located within the **farm home plate** area.

(b) Any **buildings** or **structures** containing a non-farm use must be sited completely within the **farm home plate.**

(c) **Farm home plate** requirements do not apply to **lots** that are exempt from the *ALCA* restrictions on the use of agricultural land.

(d) A Development Variance Permit may be considered where it can be demonstrated that the variance improves the agricultural suitability of the **lot**.

(e) A Development Variance Permit is not required for a floor area variance when approved by the Agricultural Land Commission.

.2 Regulations

(a) For the purposes of Part 7.14.2, Table 7.14, an attic means the unfinished space between the roof and the ceiling of the top storey of a building or between a partial wall and a sloping roof. This exception only applies if this unfinished space is created by the use of roof trusses. The unfinished attic space created by the use of attic trusses or rafters in the construction of a residence is not excluded from the calculation of total floor area.

(b) For the purposes of Part 7.14.2, Table 7.14 a basement means a space below the first floor with a vertical height of more than 1.8 metres, and having more than one-half its vertical height below the average finished grade at the perimeter of a building that does not extend beyond the outer surface of the exterior wall of the first floor.

| **Table 7.14** | |
|---|---|
| **Element** | **Regulation** |
| **Farm Home Plate Area (Maximum)** | |
| Farm residence | 0.5 acres (2,023 square metres) |
| Detached accessory dwelling unit or home occupation within an accessory building | Additional 0.25 acres (1,000 square metres) and does not have to be contiguous with remainder of the farm home plate area |
| **Depth (maximum)** | |
| Measured from a dedicated road, or if the road is not dedicated, measured from the constructed road | 60 metres (196.85 feet) with one boundary of the farm home plate located at a property fronting on a road from which vehicular access is obtained. |
| **Setbacks (minimum)** | |
| Rear of the farm home plate | 10 metres (32.81 feet) from the rear face of a farm residence or a detached accessory dwelling unit |
| All lot lines | Subject to established setbacks of zone |
| **Floor Area (maximum)** | |
| Farm Residence<br>(see **gross floor area** definition) | 500 square metres (5,382 square feet) |
| A detached **accessory dwelling unit** (see **floor area – accessory dwelling unit** definition) | 90 square metres (968 square feet) on lots less than 40 hectares |

| Table 7.14 | |
|---|---|
| **Element** | **Regulation** |
| | 186 metres (2,000 feet) on lots 40 hectares or greater |
| **Floor Area Exemptions (Maximum)** | |
| Farm Residence | 42 square metres (452 square feet) cumulative for attached garages and unenclosed carports<br><br>Attics, basements, and crawl spaces |
| Detached **accessory dwelling unit** | Attached garages if the accessory dwelling unit occupies the second storey above a one-storey garage<br><br>Attics and crawl spaces |

ZBA 1395, 2008

## 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.

.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:

ZBA
1240, 2002
1395, 2008
1489, 2002
1580, 2017
1602, 2018
1622, 2019
1625, 2019
1626, 2019
1639, 2020
1655, 2020
1698, 2022
1715, 2023
1737, 2024

| 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

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.

.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.

.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

**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 vehicle**s, 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.*

.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**<br><br>All spaces must be unenclosed, not located within a garage, except in the Small-Scale Multi-Unit Housing Zone (RS1), where spaces can be enclosed subject to the registration of a Section 219 Covenant against a lot's title restricting a garage from being used as a habitable room |
| **townhouse** (Except RS1) | 2 spaces per **dwelling unit**, plus 1 **parking space** for visitor parking for every 5 calculated **parking** spaces. A minimum of 2 visitor spaces must be provided. |
| **townhouse** (RS1 Zone) | 1.5 spaces per dwelling unit |
| **townhouse use** within the **Comprehensive Development 2 (CD2) Zone** | 2 spaces per **dwelling unit**, plus 1 **parking space** for visitor parking for every 5 calculated **parking space**s<br><br>a minimum of 2 visitor spaces must be provided<br><br>off-street parking stalls shall have a length of 6.0 m and a width of 3.0 m perpendicular to the front face of the garage<br><br>for **dwelling units,** 1 **parking space** may be enclosed |

| | |
|---|---|
| **apartment** (Except RS1) | 1.0 space per **dwelling unit**, plus 1 **parking space** for visitor parking for every 10 calculated **parking spaces** |
| **apartment** (RS1 Zone) | 1.0 space per dwelling unit |
| 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** | 1 space per dwelling unit in addition to the **parking spaces** required by the principal residential use |
| **row house** | 2 spaces per **dwelling unit** |
| **Home Occupation** | |
| home occupations must provide off-street parking spaces to accommodate permitted business vehicles, non-resident employee and customer parking | |
| **Commercial** | |
| 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**<br>1 space per 186 square metres (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** |
| 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** | 1 space per licenced **guest unit** within the **short-term rental property** |
| **agri-tourism accommodation** | 1 space per **agri-tourism sleeping unit** |
| **Marina Dependent** | |
| **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** | |
| **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 |
| **warehousing** | 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** | 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 | |
|---|---|
| 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 |
| places of public **assembly**, for private educational purposes with a maximum occupancy of 30 people | 1 parking space per 20 square metres of floor area |
| **Recreational** | |
| miniature golf courses, gymnasiums, curling rinks, swimming pools, bowling alleys and similar uses | 1 space per 56 square metres (600 square feet) |
| **Personal Care** | |
| 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 |
| **Schools, Public or Private** | |
| kindergarten, 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** | |
| **civic** | 1 space for each 46 square metres (495 square feet) of **gross floor area** |

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

.2 Not-withstanding 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.

.3 For multi-dwelling developments with a housing agreement to provide affordable, below market rental housing, the minimum parking requirements may be reduced by 20%.

.11 Off-Street Parking Restrictions

.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 metres (20 feet) 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**.

.4 Subject to Council Approval, **off-street parking** of an emergency response vehicle in excess of 6.1 metres (20 feet) 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)<br><br>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 |

ZBA
1240, 2002
1466, 2010

## 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**.

.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

.1 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

.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, 1501, 2013, 1602, 2018 1726, 2023

## 7.22 Shipping Containers

.1 Notwithstanding Section 7.8 Temporary Buildings, the use of a **shipping container** is only permitted as:

(1) a principal or auxiliary use in the Agricultural (A) zone if the property is classified as a farm under the Assessment Act;

(2) an auxiliary use in the:

a. Park, Recreation Open Space (P2) zone if the property is;
b. Institutional (P1) zone if the property is used for a ‘school use’;
c. Light Industrial (M1), Heavy Industrial (M2), Special Industrial (M3);

.2 Where permitted, shipping containers shall be:

(1) subject to a **building permit** upon installation and relocation on site;

(2) only used for storage of materials related to approved uses on the site except for shipping containers in the A zone which may be used for an agricultural use or storing a licensed and non-licensed farm equipment and vehicles required for the approved uses within the A zone;

(3) only painted in common colours that are complementary to existing site buildings;

(4) 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;

.3 **Shipping containers** shall not be:

(1) stacked or placed above ground level;

(2) located in a required parking area and shall not encroach into a required landscape buffer;

(3) used for the purpose of:

a. storing a licensed vehicle within the M1, M2, M3, P1, and P2 Zones;
b. screening or fencing;
c. enclosed rental storage units;

(4) placed for the purpose of display or advertising;

.4 Regulations:

The following regulations contained in Table 7.22 apply to **shipping containers**:

| **Table 7.22** | |
|---|---|
| **Element** | **Regulation** |
| **Lot Size (Minimum)** | |
| M1, M2, M3, and P1 zones | not applicable |
| A and P2 zones | equal to or greater than 0.8 hectares (2.0 acres) |
| **Height (maximum)** | |
| A, M1, M2, M3, P1, and P2 zones | 3.28 metres (10 feet) |
| **Length (maximum)** | |
| A, M1, M2, M3, P1, and P2 zones | 12.2 metres (40 feet) |
| **Setbacks (minimum)** | |
| A, M1, M2, M3, P1, and P2 zones | Subject to established accessory building setbacks for each zone |

| | |
|---|---|
| **Units (maximum)** | |
| M1, M2, M3, P1, and P2 zones | 10% of the total lot area or 5 containers, whichever is less |
| A zone (lots equal to 2.0 acres to 4.99 acres) | 2 containers |
| A zone (lots equal to 5.0 acres or greater) | 5 containers |
| **Screening** | |
| M1, M2, M3 and A zones | screened from view from abutting residential and commercial properties |
| P1 and P2 zones | screened from view from the street and abutting residential and commercial properties |

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## 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 metres |
| Parks and schools | 150 metres |
| Non-ALR residential uses | 60 metres |
| Well | 30 metres |
| Riparian Area | 30 metres |

(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:

(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.

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## 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.

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.

(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:<br><br>Cabin or other structure<br><br>**Agri-tourism campsite** or | <br><br>3 metres |

| | |
|---|---|
| **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 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 metres x 0.5 metres in area;

2. made with fire-resistant material designed for outdoor campfires; and

3. at least 2 metres 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.

(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.

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.

## 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

## 9.1.1 Agricultural Zone (A)

***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.*

**.1 Permitted Uses**

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

.1 **single-dwelling residential**

.2 **agricultural**

.3 **intensive agricultural**

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

.4 **accessory building**

.5 **home occupation**

.6 **short-term commercial accommodation (guest unit)**

.7 **resource**

.8 **kennel**

.9 **off-street parking**

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

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

.12 **protected non-farm**

.13 **accessory dwelling unit**

.14 **short-term commercial accommodation (principal residence)**

**.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:

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

(b) **home occupation**

(c) **kennel**

(d) **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:

(a) odourous, toxic, noxious matter, or vapour

(b) heat, glare, noise, or radiation, or

(c) recurrently generated ground vibration

.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.

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

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

(a) **secondary suite**

(b) **garden suite**

(c) **coach house**

(d) **secondary dwelling**

.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:

(a) 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 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:

(a) 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).

(b) 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).

(c) 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:

(a) 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).

**.3 Regulations**

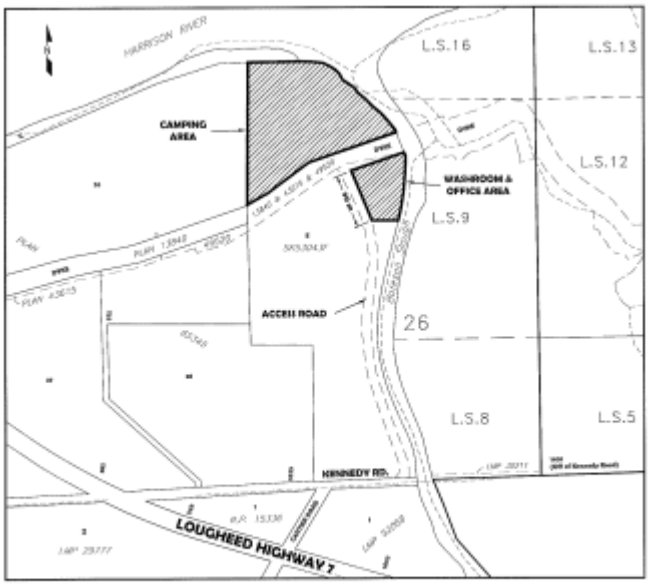
In an A zone the following regulations contained in Table 9.1.1 shall apply:

| **Table 9.1.1** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage** | not regulated |
| **Lot** Size | |
| **intensive agricultural** | 4.0 hectares (10 acres) minimum |
| detached **accessory dwelling unit** | 2,000 square metres (0.5 acres) minimum |
| all other uses | 2.0 hectares (5 acres) minimum |
| **Lot Width** | 45 metres (148 feet) minimum |

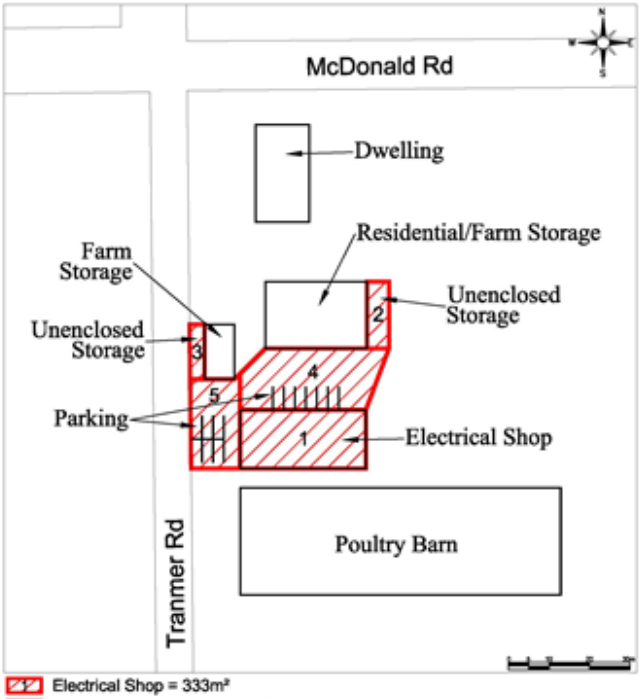
| Table 9.1.1 | |
|---|---|
| **Element** | **Regulation** |
| **Gross Floor Area** | |
| detached **accessory dwelling unit** use on lots smaller than 40 hectares | 90 square metres (968 square feet) |
| detached **accessory dwelling unit** use on lots 40 hectares or larger | 186 square metres (2,000 square feet) |
| all other **buildings** and **structures** | not regulated |
| **Height** | |
| **single-dwelling residential** | 9.0 metres (30 feet) maximum |
| detached **accessory dwelling unit** | 7.0 metres (23 feet) maximum |
| all other **buildings** and **structures** | 12 metres (40 feet) maximum |
| **Setbacks** | |
| **intensive agricultural** uses from: | |
| **front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line** | 61 metres (200 feet) minimum<br>61 metres (200 feet) minimum<br>61 metres (200 feet) minimum<br>30.5 metres (100 feet) minimum |
| all other **buildings** and **structures** from all lot lines | 7.5 metres (25 feet) minimum |

## .4 Site Plans

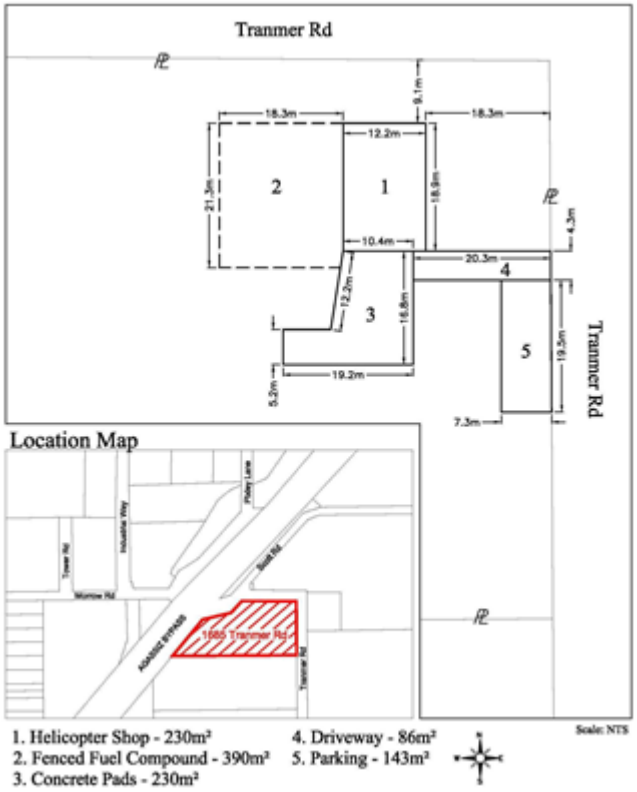
### .1 Site Plan 1 (PID: 013-177-761)



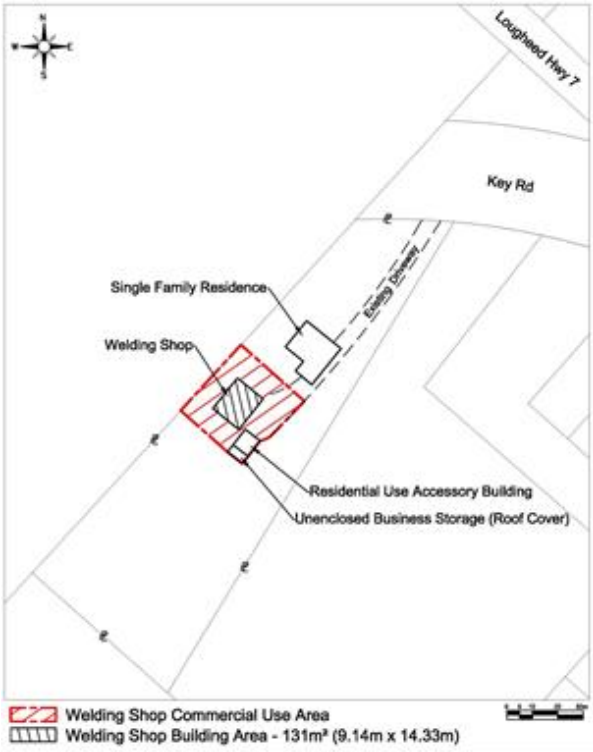

### .2 Site Plan 2 (PID: 027-876-250)



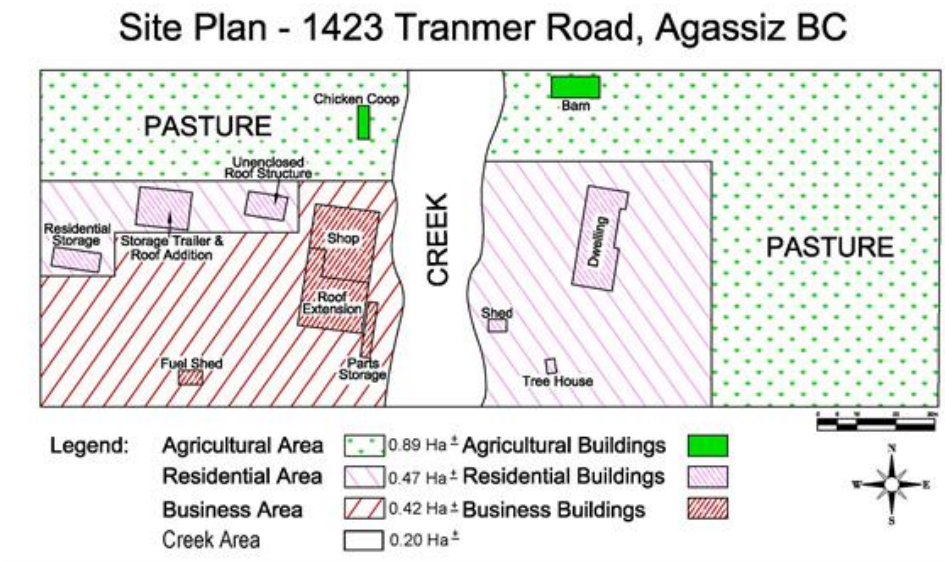
.3 Site Plan 3 (PID: 008-027-064)




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



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




## .5 Site Specific Exemptions

| Table 9.1.1.5 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 square metres (968 square feet) to 232.3 square metres (2,500 square feet) |
| **Legal Description** | **Exemption** |
| 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:<br>• total floor area of not more than 900 square metres<br>• lot coverage not more than 0.2 hectares 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 metres<br><br>• 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 |
| 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); | Minimum lot size |
| 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); | Minimum lot size |
| 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 | Minimum lot size |

## 9.1.2 Small Lot Agricultural Zone (A1)

***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 **single-dwelling residential**

.2 **agricultural**

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

.3 **accessory building**

.4 **home occupation**

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

.6 **off-street parking**

.7 **protected non-farm**

.8 **accessory dwelling unit**

.9 **short-term commercial accommodation (principal residence)**

**.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:

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

(b) **home occupation**

(c) **secondary suite**

.3 **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.

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

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

(a) **secondary suite**

(b) **garden suite**

(c) **coach house**

(d) **secondary dwelling**

.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 9.1.2 shall apply:

| **Table 9.1.2** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage** | |
| all **buildings** | 30% of lot size maximum |
| all **accessory buildings** and **structures** | 10% of lot size maximum |
| **Lot** Size | |
| an approved Agricultural Land Commission subdivision, boundary adjustment or homesite severance | 0.4 hectares (1.0 acre) minimum |
| a detached **accessory dwelling unit** use | 2,000 square metres (0.5 acres) minimum |
| **Lot Width** | 30 metres (98.43 feet) minimum |

| Table 9.1.2 | |
|---|---|
| **Element** | **Regulation** |
| **Gross Floor Area** | |
| **single dwelling residential** | see Part 7.14 farm home plate floor area regulations |
| **accessory building** | not regulated |
| detached **accessory dwelling unit** | 90 square metres (968 square feet) maximum |
| **agri-tourism** and **farm retail sales** | 300 square metres (3,229 square feet) maximum |
| **Height** | |
| **single dwelling residential** | 9.0 metres (30 feet) maximum |
| detached **accessory dwelling unit** | 7.0 metres (23 feet) maximum |
| all other **buildings** and **structures** | 5.0 metres (16 feet) maximum |
| **Setbacks** | |
| **single dwelling residential** and detached **accessory dwelling unit** from: | |
| **front lot line** | 6.0 metres (20 feet) minimum |
| **rear lot line** | 7.5 metres (25 feet) minimum |
| **exterior lot line** | 4.5 metres (15 feet) minimum |
| **interior lot line** | 1.5 metres (5 feet) minimum |
| all other **structures** and **buildings** from: | |
| **front lot line** | 6.0 metres (20 feet) minimum |
| **rear lot line** | 1.5 metres (5 feet) minimum |
| **exterior lot line** | 4.5 metres (15 feet) minimum |
| **interior lot line** | 1.5 metres (5 feet) minimum |

### .4 Site-Specific Exemptions

| Table 9.1.2.4 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 hectare to 0.078 hectare. |

## 9.1.3 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 **agricultural**

.2 **commercial agricultural**

.3 **single dwelling residential**

.4 **cannabis cultivation facility** (subject to Part 7.23)

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

.6 **accessory office**

.7 **unenclosed storage**

.8 **protected non-farm**

**.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.

**.3 Regulations**

In an A2 zone the following regulations contained in Table 9.1.3 shall apply:

| Table 9.1.2 | |
|---|---|
| **Element** | **Regulation** |
| **Density** | not regulated |
| **Site Coverage**<br><br>all **buildings** and **structures**<br><br>**unenclosed storage**<br><br>**farm-related commercial and farm- related industrial** | <br><br>35% maximum of the lot size<br><br>35% of the lot size maximum<br><br>lots greater than 4 hectares: 5%<br><br>lots equal to or less than 4 hectares: 0.2 hectares |
| **Lot** Size | 8,000 square metres (2 acre) minimum |
| **Lot Width** | 36 metres (118 feet) minimum |
| **Gross Floor Area**<br><br>**single dwelling residential** | <br><br>see Part 7.14 Farm Home Plate |
| **Height**<br><br>all **buildings** and **structures** | <br><br>12 metres (40 feet) |
| **Setbacks** (except **cannabis cultivation facility,** see Part 7.23)<br><br>all **buildings** and **structures** from all lot lines | <br><br>6.0 metres (20 feet) minimum |

## 9.2.1 Rural Residential 1 Zone (RR1)

***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 **single-dwelling residential**

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

.2 **accessory building**

.3 **secondary suite**

.4 **agricultural**

.5 **light agricultural**

.6 **home occupation**

.7 **short-term commercial accommodation (guest unit)**

.8 **kennel**

.9 **produce sales**

.10 **off-street parking**

.11 **short-term commercial accommodation (principal residence)**

**.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) **short-term commercial accommodation (guest unit)**

(b) **home occupation**

(c) **kennel**

(d) **secondary suite**

.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).

.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 9.2.1 shall apply:

| **Table 9.2.1** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>20% maximum |
| **Lot** Size | 2.0 hectares (5 acres) minimum |
| **Lot Width** | 45.0 metres (148 feet) minimum |
| **Gross Floor Area**<br><br>**produce sales**<br><br>all other **buildings** and **structures** | <br><br>11.15 square metres (120 square feet.) maximum<br><br>not regulated |

| Table 9.2.1 | |
|---|---|
| **Element** | **Regulation** |
| **Height** | |
| **single-dwelling residential** | 9.0 metres (30 feet) maximum |
| **accessory buildings** on a lot less than 1,000 square metres | 4.0 metres (13 feet) maximum |
| **accessory buildings** on a lot greater than 1,000 square metres | 6.0 metres (19 feet) maximum |
| **Setbacks** | |
| all **residential 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** | 4.5 metres (15 feet) minimum |
| **Interior side lot line** | 3.0 metres (10 feet) minimum |
| **accessory buildings** from: | |
| **front lot line** | 7.5 metres (25 feet) minimum |
| **rear lot line** | 1.5 metres (5 feet) minimum |
| **exterior side lot line** | 3.0 metres (10 feet) minimum |
| **interior side lot line** | 1.5 metres (5 feet) minimum |

ZBA PART 9.2.2:
1237, 2002
1489, 2012
1541, 2016
1576, 2017
1607, 2018
1622, 2019
1687, 2021
1723, 2024

## 9.2.2 Rural Residential 2 Zone (RR2)

***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 **single-dwelling residential**

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

.2 **accessory building**

.3 **accessory dwelling unit**

.4 **home occupation**

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

.6 **light agricultural**

.7 **kennel**

.8 **off-street parking**

.9 **short-term commercial accommodation (principal residence)**

**.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) **short-term commercial accommodation (guest unit)**

(b) **home occupation**

(c) **kennel**

(d) **secondary suite**

.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).

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

(a) **secondary suite**

(b) **garden suite**

(c) **coach house**

(d) **secondary dwelling**

.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 9.2.2 shall apply:

| **Table 9.2.2** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br>all **buildings** and **structures** | 30% maximum |
| **Lot Size**<br>subdivision | 0.8 hectares (2 acres) minimum with an **approved community sewer system** |

| Table 9.2.2 | |
|---|---|
| **Element** | **Regulation** |
| | 2.0 hectares (5 acres) minimum without an **approved community sewer system**<br><br>2,000 square metres (0.494 acre) minimum |
| detached **accessory dwelling unit** | |
| **Lot** Width | 36 metres (118 feet) minimum |
| **Gross Floor Area** | |
| all **buildings** and **structures** | not regulated |
| detached **accessory dwelling unit** | 90 square metres (968 square feet) |
| **Height** | |
| **single-dwelling residential** | 9.0 metres (30 feet) maximum |
| **accessory buildings** on a lot less than 1,000 square metres | 4.0 metres (13 feet) maximum |
| **accessory buildings** on a lot greater than 1,000 square metres | 6.0 metres (19 feet) maximum |
| detached **accessory dwelling unit** | 7.0 metres (23 feet) maximum |
| **Setbacks** | |
| all **residential buildings** and **structures** and detached **accessory dwelling unit** from: | |
| **front lot line** | 7.5 metres (25 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** | 3.0 metres (10 feet) minimum |
| **accessory buildings** from: | |
| **front lot line** | 7.5 metres (25 feet) minimum |
| **rear lot line** | 1.5 metres (5 feet) minimum |
| **exterior side lot line** | 3.0 metres (10 feet) minimum |
| **interior side lot line** | 1.5 metres (5 feet) minimum |
| | |

### .4 Site Specific Exemption

ZBA 1723, 2024

| Table 9.2.2.1, Site Specific Exemptions | |
|---|---|
| **Legal Description** | **Exemption** |
| Lots 1, 2, 3, 4 and 5 of subdivided Parcel “A” (Reference Plan 4345) South East Quarter Section 1 Township 4 Range 29 West of the Sixth Meridian New Westminster District | To reduce the 2.0 ha minimum lot size requirements for lots without an approved community sewer system to:<br>Lot 1: 1.1 ha<br>Lot 2: 0.8 ha<br>Lot 3: 1.1 ha<br>Lot 4: 1.4 ha<br>Lot 5: 1.6 ha |

## 9.2.3 Rural Residential 3 Zone (RR3)

***Purpose***

*The purpose of the Rural Residential 3 is to provide for single-family rural residential development on lots not less than 2000 square 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 **single-dwelling residential**

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

.2 **accessory building**

.3 **accessory dwelling unit**

.4 **home occupation**

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

.6 **light agricultural**

.7 **kennel**

.8 **off-street parking**

.9 **short-term accommodation (principal residence)**

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

.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) **secondary suite**

(b) **garden suite**

(c) **coach house**

(d) **secondary dwelling**

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

**.3 Regulations**

In a RR3 zone the following regulations contained in Table 9.2.3 shall apply:

| **Table 9.2.3** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br>all **buildings** and **structures** | <br>30% maximum |
| **Lot** Size<br>subdivision<br>detached **accessory dwelling unit** | <br>2,000 square metres minimum<br>2,000 square metres minimum |

| Table 9.2.3 | |
|---|---|
| **Element** | **Regulation** |
| **Lot** Width | 15 metres (49 feet) minimum<br>18 metres (59 feet) for a corner lot |
| **Gross Floor Area** | |
| all **buildings** and **structures** | Not regulated |
| detached **accessory dwelling unit** | 90 square metres (968 square feet) |
| **Height** | |
| **single-dwelling residential** | 9.0 metres (30 feet) maximum |
| **accessory buildings** on a lot less than 1,000 square metres | 4.0 metres (13 feet) maximum |
| **accessory buildings** on a lot greater than 1,000 square metres | 6.0 metres (19 feet) maximum |
| detached **accessory dwelling unit** | 7.0 metres (16 feet) maximum |
| **Setbacks** | |
| all **residential buildings** and **structures** and detached **accessory dwelling unit** from: | |
| **front lot line** | 7.5 metres (25 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 |
| **accessory buildings** from: | |
| **front lot line** | 7.5 metres (25 feet) minimum |
| **rear lot line** | 1.5 metres (5 feet) minimum |
| **exterior side lot line** | 3.0 metres (10 feet) minimum |
| **interior side lot line** | 1.5 metres (5 feet) minimum |

## 9.3.1 Lake Area Residential Zone (RL)

***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 **single-dwelling residential**

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

.2 **accessory building**

.3 **secondary suite**

.4 **home occupation**

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

.7 **short-term commercial accommodation (principal residence)**

**.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) **short-term commercial accommodation (guest unit)**

(b) **home occupation**

(c) **kennel**

(d) **secondary suite**

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

### .3 Regulations

In a RL zone the following regulations contained in Table 9.3.1 shall apply:

| Table 9.3.1 | |
|---|---|
| **Element** | **Regulation** |
| Density | 25 units per hectare (10 units per acre) maximum |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>40% maximum |
| **Lot** Size | 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<br><br>550 square metres (5,920 square feet) minimum, with an **approved community water system** and an **approved community sewer system**<br><br>0.2 hectares (0.5 acres) minimum with an **approved community water system** or an **approved community sewer system**<br><br>2.0 hectares (5 acres) minimum without an **approved community water system** |
| **Lot Width** | 18.0 metres (59 feet) minimum |
| **Gross Floor Area** | not regulated |
| **Height**<br><br>**single-dwelling residential** and **two-dwelling residential**<br><br>**accessory buildings** on a lot less than 1,000 square metres<br><br>**accessory buildings** on a lot greater than square metres | <br><br>9.0 metres (30 feet) maximum<br><br>4.0 metres (13 feet) maximum<br><br>6.0 metres (19 feet) maximum |

| Table 9.3.1 | |
|---|---|
| **Element** | **Regulation** |
| **Setbacks** | |
| all **residential buildings** and **structures** on a bare land strata lot 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 |
| 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 |
| **accessory building** from: | |
| **front lot line** | 6.0 metres (20 feet) minimum |
| **rear lot line** | 1.5 metres (5 feet) minimum |
| **exterior side lot line** | 3.0 metres (10 feet) minimum |
| **interior side lot line** | 1.5 metres (5 feet) minimum |

# 9.4.1 Small-Scale Multi-Unit Housing Zone (RS1)

***Purpose***

*The purpose of this zone is to accommodate low density residential use on land serviced by a community water system and sanitary sewer system, up to a maximum of four dwelling units on a lot.*

**.1 Permitted Uses**

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

.1 **single-dwelling residential**

.2 **two-dwelling residential**

.3 **townhouse**

.4 **apartment**

The following **auxiliary** uses shall be permitted in a RS1 zone for a **single-dwelling residential** use and a **two-dwelling residential** use:

.5 **accessory building**

.6 **home occupation**

.7 **off-street parking**

.8 **accessory dwelling unit**

The following **auxiliary** uses shall be permitted in a RS1 zone for a **townhouse** use and an **apartment** use:

.9 **accessory building**

.10 **home occupation**

.11 **off-street parking**

**.2 Conditions of Use**

.1 A maximum of one **building** containing the **principal** use is permitted on a **lot**.

.2 All **principal** uses and **accessory dwelling unit** uses shall be permitted only in a **site built house**, or a **manufactured home**.

.3 **Lots** serviced by an **approved community sewer system**, but not an **approved community water system**, are restricted to a maximum of two **dwelling units**, including one **single-dwelling residential** use, and one

**secondary suite**, or one detached **accessory dwelling unit** use.

.4 **Lots** serviced by an **approved community water system**, but not an **approved community sewer system**, are restricted to a maximum of two **dwelling units**, including one **single-dwelling residential** use, and one **secondary suite**.

.5 A maximum of one **secondary suite** is permitted per **single-dwelling residential** use, and one **secondary suite** in each of the **two-dwelling residential** use units.

.6 A household business is limited to a **home occupation** use.

.7 An **accessory dwelling unit** use shall not be subdivided from the lot which it is an **auxiliary** use to. This includes subdivision under the *Strata Property Act*.

.8 All detached **accessory dwelling unit** uses, shall be sited in the rear yard and setback a minimum of 3.0 metres (10 feet) from the **principal** use on the lot.

.9 The following are permitted as **accessory dwelling unit** uses in this zone:

(a) **secondary suite**

(b) **secondary dwelling**

(c) **coach house**

(d) **garden suite**

**.3 Regulations**

In the RS1 zone the following regulations contained in Table 9.4.1 shall apply:

| **Table 9.4.1** | |
|---|---|
| **Element** | **Regulation** |
| Maximum Permitted **Dwelling Units** per lot | 3 **dwelling units** for lots equal to or less than 280 square meters (~3,000 square feet) in size<br><br>4 **dwelling units for lots** greater than 280 square meters (~3,000 square feet) in size |
| **Site Coverage**<br><br>all **buildings** and **structures**<br><br>**impervious Surfaces** | <br><br>50% maximum<br><br>70% maximum |

| Table 9.4.1 | |
|---|---|
| **Element** | **Regulation** |
| **Lot** Size<br><br>subdivision | <br><br>360 square metres (3,875 square feet) minimum for lots serviced by an **approved community water system** and an **approved community sewer system** |
| **Lot Width** | 12.0 metres (39 feet) minimum |
| **Gross Floor Area**<br><br>**principal** uses<br><br>detached **accessory dwelling unit**<br><br>**secondary suite** | <br><br>not regulated<br><br>112 square metres (1,206 square feet) maximum<br><br>lesser than or equal to the floor area of the principal **dwelling unit** in which it is located |
| **Height**<br><br>**principal** uses<br><br>detached **accessory dwelling unit**<br><br>**accessory building** | <br><br>11 metres (36 feet) maximum<br><br>7.0 metres (23 feet) maximum<br><br>5.0 metres (16.5 feet) maximum |
| **Setbacks**<br><br>all **principal** uses* from:<br><br>**front lot line**<br><br><br><br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br><br>detached **accessory dwelling unit*** from:<br><br>**front lot line**<br>**rear lot line** | <br><br><br><br>4.5 metres (15 feet) minimum (building face)<br><br>6.0 metres (19.5 feet) minimum (garage)<br><br>4.0 metres (13 feet) minimum<br>2.5 metres (8 feet) minimum<br>1.2 metres (4 feet) minimum<br><br><br><br>See Part 9.4, Section .2.8<br>1.5 metres (5 feet) minimum |

| Table 9.4.1 | |
|---|---|
| **Element** | **Regulation** |
| **exterior side lot line**<br>**interior side lot line**<br><br>**accessory dwelling unit*** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br><br>***See siting exemptions in Section 7.4.1.1, 7.4.1.2, 7.4.1.3, 7.4.1.4, 7.4.1.5, 7.4.1.6, and 7.4.1.7 | 2.5 metres (8 feet) minimum<br>1.2 metres (4 feet) minimum<br><br><br><br>4.5 metres (15 feet) minimum<br>1.0 metres (3 feet) minimum<br>2.5 metres (8 feet) minimum<br>1.2 metres (3 feet) minimum |

**.4 General Regulations**

1. All **dwelling units** shall have access to a minimum 1.2 metres (4 feet) paved or gravel path that:

   (a) provides direct pedestrian access from the **dwelling unit** entrance to either an abutting street, or a rear **lane**.

   (b) is clear of all projections or obstructions to a minimum height of 2.5 metres (8 feet).

2. All **accessory dwelling unit** uses (excluding a **secondary suite**) when accessed from the abutting street, shall have a minimum 1.2 metres (4 feet) paved or gravel path that is illuminated by low-level lighting from the abutting street to its entrance.

3. Each **dwelling unit** (excluding a **secondary suite**) shall be provided with an **outdoor amenity area** for its exclusive use, that has a minimum width of 2.5 metres (8 feet) and area of 10 square metres (108 square feet). These areas must be accessible directly from the **dwelling unit** it is to serve.

**.5 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**.

.2 The following unserviced lots are permitted a maximum of one **single-dwelling residential** use, one **secondary suite** and one detached **accessory dwelling unit** use:

- Lot 1 Section 32 Township 4 Range 28 West of the 6$^{th}$ Meridian New Westminster District Plan EPP102202

- Lot 1 District Lot 19 Group 1 Yale Division of Yale District Plan 5644
- Lot 4 Except: Part Highway Plan 26833, Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 13458
- Lot 1 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan LMP5893
- Parcel A (Explanatory Plan 15204) Lot 3 Except: Part Highway Plan 26833, Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 13458

## 9.5.1 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 **apartment**

.2 **townhouse**

.3 **personal care**

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

.4 **accessory building**

.5 **off-street parking**

.6 **home occupation**

.7 **secondary suite**

**.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 1.0 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 3.0 metres (10 feet) in radius measured from nearest surface of a window to a **habitable room**.

**.3 Regulations**

In a RM1 zone the following regulations contained in Table 9.5.1 shall apply:

| Table 9.5.1 | |
|---|---|
| **Element** | **Regulation** |
| Density | 50 units per hectare (20 units per acre) |
| **Site Coverage**<br>all **buildings** and **structures** | <br>40% maximum |
| **Lot** Size<br>**townhouse** and **personal care**<br>**apartment** | <br>880 square metres (9,500 square feet) minimum<br>1,300 square metres (14,000 square feet) minimum |
| **Lot Width** | 22 metres (72 feet) minimum |
| **Gross Floor Area**<br>each **dwelling unit** for **apartment** or **townhouse** | <br>32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom |
| **Height**<br>all **residential buildings**<br>**accessory buildings** | <br>12 metres (40 feet) maximum<br>3.7 metres (12 feet) maximum |
| **Setbacks**<br>**townhouse** and **personal care** from:<br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br>**apartment** use from all lot lines | <br><br><br>6.0 metres (20 feet) minimum<br>4.5 metres (15 feet) minimum<br>6.0 metres (20 feet) minimum<br>3.5 metres (12 feet) minimum<br>7.5 metres (25 feet) minimum |

## 9.5.2 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 **apartment**

.2 **townhouse**

.3 **personal care**

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

.4 **accessory building**

.5 **off-street parking**

.6 **home occupation**

.7 **secondary suite**

**.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**.

.3 Regulations

In a RM2 zone the following regulations contained in Table 9.5.2 shall apply:

| Table 9.5.2 | |
|---|---|
| **Element** | **Regulation** |
| Density | 75 units per hectare (30 units per acre) |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>40% maximum |
| **Lot** Size<br><br>**townhouse**<br><br>**apartment** | <br><br>880 square metres (9,500 square feet) minimum<br><br>1,300 square metres (14,000 square feet) minimum |
| **Lot Width** | 22 metres (72 feet) minimum |
| **Gross Floor Area**<br><br>each **dwelling unit** for **townhouse** or **apartment** | <br><br>32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom |
| **Height**<br><br>all **residential buildings**<br><br>**accessory buildings** | <br><br>12 metres (40 feet) maximum<br><br>3.7 metres (12 feet) maximum |
| **Setbacks**<br><br>**townhouse** and **personal care** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br><br>**apartment** from all **lot lines** | <br><br><br><br>6.0 metres (20 feet) minimum<br>4.5 metres (15 feet) minimum<br>6.0 metres (20 feet) minimum<br>3.5 metres (12 feet) minimum<br><br>7.5 metres (25 feet) minimum |

**.4 Site Specific Exemptions**

| Table 9.5.2, Site Specific Exemptions | |
|---|---|
| **Legal Description** | **Exemption** |
| Strata Lots 1 to 45 District Lot 19 Yale Division Yale District Strata Plan LMS2580 Together with an interest in the common property in proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 | Permit a density of 122 units per hectare maximum |
| Lot 2 Except: Part Taken Highway SRW Plan 64696 District Lot 19 Group 1 Yale Division of Yale District Plan 3953 | Permit a density of 106 units per hectare maximum |
| Strata Lots 1 to 45 District Lot 19 Group 1 New Westminster District Strata Plan NW1756 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 | Permit a density of 133 units per hectare maximum |
| Lot 105 Section 19 Township 3 Range 28 West of the 6$^{th}$ Meridian New Westminster District Plan 39575 | Permit a density of 88 units per hectare maximum |
| Strata Lot 6 District Lot 49 Group 1 New Westminster District Strata Plan LMS1342 Together with and Interest in the Common Property in Proportion to the Unit Entitlement of the Strat Lot as Shown on Form 1 | Permit a density of 57 units per hectare maximum |

# 9.5.3 Multiple Dwelling Residential 3 Zone (RM3)

***Purpose***

*The purpose of a Multiple Dwelling Residential 3 (RM3) zone is to provide for multiple dwelling housing development with a density no higher than 150 units per hectare (60 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 RM3 zone:

.1 Apartment

.2 Townhouse

.3 Personal care

The following **auxiliary** uses shall be permitted in a RM3 zone:

.4 Accessory building

.5 Off-street parking

.6 Home occupation

.7 Secondary suite

## .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**.

**.3 Developments**

.1 Shall provide an **amenity space (common indoor)** in developments that contain 25 dwelling units or more at a rate of at least 2.75 sq metres (30

sq ft) per **dwelling unit**.

.2 Shall provide an **amenity space (private outdoor)** at least 2.75 sq metres (30 sq ft) per **dwelling unit** which shall be directly accessible, and adjacent to the **dwelling unit**.

### .4 Regulations

In a RM3 zone the following regulations contained in Table 9.5.3 shall apply:

| **Table 9.5.3** | |
|---|---|
| **Element** | **Regulation** |
| Density | 150 units per hectare (60 units per acre) |
| **Site Coverage**<br><br>Principle Buildings<br><br>Parkade (Off-Street Parking) | <br><br>40% maximum<br><br>60% maximum |
| **Lot** Size<br><br>**townhouse**<br><br>**apartment** | <br><br>880 square metres (9,500 square feet) minimum<br><br>1,300 square metres (14,000 square feet) minimum |
| **Lot Width** | 22 metres (72feet) minimum |
| **Gross Floor Area**<br><br>each **dwelling unit** for **townhouse** or **apartment** | <br><br>32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom |
| **Height**<br>Apartment<br>Other **residential buildings**<br>**accessory buildings** | <br>22 metres (72feet) maximum<br>12 metres (40 feet) maximum<br>3.7 metres (12 feet) maximum |

| Table 9.5.3 | |
|---|---|
| **Element** | **Regulation** |
| **Setbacks** | |
| **townhouse** and **personal care** from: | |
| **front lot line** | 6.0 metres (20 feet) minimum |
| **rear lot line** | 4.5 metres (15 feet) minimum |
| **exterior side lot line** | 6.0 metres (20 feet) minimum |
| **interior side lot line** | 3.5 metres (12 feet) minimum |
| **apartment** from all **lot lines** | 6.0 metres (20 feet) minimum |
| **balconies** from all **lot lines** | 4.5 metres (15 feet) minimum |
| **Parkade and covered entry** | |
| **Front lot line** | 6.0 metres (20) feet) minimum |
| **All other lot lines** | 0.0 metres minimum |

## 9.5.4 Affordable Rental Housing Zone 4 (RM4)

***Purpose***

*The purpose of an Affordable Rental Housing Zone (RM4) zone is to provide for below market rental residential units with a density no higher than 175 units per hectare (70 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 RM4 zone:

.1 Apartment

.2 Personal care

The following **auxiliary** uses shall be permitted in a RM4 zone:

.3 Commercial (subject to special regulations)

.4 Accessory building

.5 Off-street parking

.6 Home occupation

**.2 Conditions of Use**

**Off-street parking** shall:

.1 Occupy not more than 30% of the surface of the lot area or shall be **concealed parking**.

.2 Be bounded by a **landscape screen** of not less than 1 metre (3 feet) in **height** when not concealed.

.3 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**.

**Developments** shall:

.1 Provide an **amenity space (common indoor)** in developments that contain 25 dwelling units or more at a rate of at least 2.0 sq metres (22 sq ft) per **dwelling unit**.

.2 Provide an **amenity space (private outdoor)** at least 2.75 sq metres

(30 sq ft) per **dwelling unit** which shall be directly accessible, and adjacent to the **dwelling unit**.

**.3 Regulations**

In a RM4 zone the following regulations contained in Table 9.5.4 shall apply:

| **Table 9.5.4** | |
|---|---|
| **Element** | **Regulation** |
| Density | 175 units per hectare (70 units per acre) |
| **Site Coverage**<br>Principle Buildings<br>Parkade (Off-Street Parking) | <br>40% maximum<br>60% maximum |
| **Lot** Size<br>All uses | <br>1 ,300 square metres 14,000 sq feet) minimum |
| **Lot Width** | 22 metres (72feet) minimum |
| **Gross Floor Area**<br>each **dwelling unit** | <br>32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom |
| **Height**<br>Apartment<br>**accessory buildings** | <br>22 metres (72feet) maximum<br>3.7 metres (12 feet) maximum |
| **Setbacks**<br>**apartment** from all **lot lines**<br>**balconies** from all **lot lines**<br>**Parkade and covered entry**<br>**Front lot line**<br>**All other lot lines** | <br>6.0 metres (20 feet) minimum<br>4.5 metres (15 feet) minimum<br><br>6.0 metres (20) feet) minimum<br>0.0 metres minimum |

**.4 Siting**

.1 **Commercial** uses shall only be permitted in floors located below **apartment** uses.

**.5 Special Regulations**

.1 **Commercial** uses shall be limited to **office** and **child care centre** uses only

.2 A **Housing Agreement** must be registered against the certificate of title to the land to ensure the development remains as below market rental housing

# 9.6.1 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.*

**.1 Permitted Uses**

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

.1 **mobile home** park

.2 **office** for the management of a **mobile home** park

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

.3 **home occupation**

**.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 9.6.1 shall apply:

| Table 9.6.1 | |
|---|---|
| **Element** | **Regulation** |
| Density | 20 units per hectare (8 units per acre) maximum |
| **Site Coverage**<br>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**<br>all **buildings** and **structures** from all lot lines | 7.5 metres (25 feet) minimum |

## 9.7.1 Town Centre Commercial Zone (CT1)

**ZBA PART 9.7.1:**
1249, 2003
1575, 2017
1619, 2019
1704, 2022
1744, 2024

***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 **commercial**

.2 **office**

.3 **civic**

.4 **assembly**

.5 **off-street parking**

.6 **restaurant**

.7 **retail cannabis sales**

.8 **child care centre**

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

.7 off-street loading

.8 **accessory single-dwelling residential**

**.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.

(c) permitted only where no **advertising** use occurs on, above, or attached to the **storey** so used.

.3 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 metres of any public or private school and 200 metres from any child care centre.

(c) Be limited to one site within the Town Centre Commercial Zones (CT1 and CT2).

**.3 Regulations**

In a CT1 zone the following regulations contained in Table 9.7.1 shall apply:

| **Table 9.7.1** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>80% minimum |
| **Lot** Size | 465 square metres (5,000 square feet) minimum |
| **Lot Width** | 15 metres (50 feet) minimum |
| **Gross Floor Area** | not regulated |
| **Height** | 12 metres (40 feet) maximum |

ZBA PART 9.7.2:
1395, 2008
1461, 2010
1619, 2019
1704, 2022
1744, 2024

# 9.7.2 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 **commercial**

.2 **office**

.3 **veterinary hospital**

.4 **entertainment and recreation**

.5 **civic**

.6 **assembly**

.7 **hotel**

.8 **neighbourhood pub**

.9 **off-street parking**

.10 **restaurant**

.11 **retail cannabis sales**

.12 **child care centre**

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

.11 off-street loading

.12 **apartment**

.13 **accessory single-dwelling residential**

**.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:

(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.

.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.

.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 metres of any public or private school and 200 metres from any child care centre.

(c) be limited to one site within the Town Centre Commercial Zones (CT1 & CT2).

**.3 Regulations**

In a CT2 zone the following regulations contained in Table 9.7.2 shall apply:

| **Table 9.7.2** | |
|---|---|
| **Element** | **Regulation** |
| **Site Coverage**<br><br>all **buildings** and **structures** | not regulated |
| **Lot** Size<br><br>**hotel** | 1400 square metres minimum<br>(15,070 square feet) |

| Table 9.7.2 | |
|---|---|
| **Element** | **Regulation** |
| **apartment** | 900 square metres minimum (9,700 square feet) |
| all other uses | 465 square metres minimum (5,000 square feet) |
| **Lot Width** | |
| **access strip** on **panhandle** lots | 10 metres (33 feet) minimum |
| all other lots | 15 metres (50 feet) minimum |
| **Gross Floor Area** | |
| **apartment** | 32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom |
| all other uses | not regulated |
| **Height** | 12 metres (40 feet) maximum |
| **Setbacks** | |
| all **buildings** and **structures** from: | |
| **exterior side lot line** | 3.0 metres (10 feet) minimum |
| all other lot lines | not regulated |
| **storeys** above the first **storey** used for an **apartment** from: | |
| **front lot line**<br>**rear lot line**<br>**exterior lot line**<br>**interior lot line** | 3.0 metres (10 feet) minimum<br>9.0 metres (30 feet) minimum<br>3.0 metres (10 feet) minimum<br>3.0 metres (10 feet) minimum |

**.4 Density**

.1 Except as provided in Subsection 9.7.2.4.2, the maximum density for residential uses shall not exceed 50 units per hectare (20 units per acres);

.2 Notwithstanding Subsection 9.7.2.4.1, on land whose legal description is set out in Table 9.7.2.2, the density for residential uses may be increased up to the

maximum set out in Table 9.7.2.2, 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.

.4 For certainty, the first unit over the permitted maximum established in Subsection 9.7.2.4.1 will be prorated accordingly.

| Table 9.7.2.2, Density | |
|---|---|
| **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) |

## 9.7.3 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 **service commercial**

.2 **off-street parking**

.3 **restaurant**

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

.4 **accessory building**

.5 **unenclosed storage**

.6 off-street loading

**.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**.

**.3 Regulations**

In a CS1 zone the following regulations contained in Table 9.7.3 shall apply:

**Table 9.7.3**

| Element | Regulation |
|---|---|
| Density | not regulated |
| **Site Coverage** | not regulated |
| **Lot** Size<br><br>**commercial outdoor recreation**<br><br>all other uses | <br><br>0.4 hectares (1 acre) minimum<br><br>700 square metres (7,500 square feet) minimum |

| Table 9.7.3 | |
|---|---|
| **Element** | **Regulation** |
| **Lot Width** | 30 metres (100 feet) minimum |
| **Gross Floor Area** | not regulated |
| **Height** | 12 metres (40 feet) maximum |
| **Setbacks**<br><br>all **buildings** and **structures** from:<br><br>**exterior side lot line**<br><br>all other lot lines | <br><br><br><br>3.0 metres (10 feet) minimum<br><br>not regulated |

## 9.7.4 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 **service station**

.2 **tank vehicle storage**

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

.3 **accessory building**

.4 off-street loading

.5 **unenclosed storage**

.6 **commercial**

.7 **accessory single-dwelling residential**

.8 **off-street parking**

.9 **restaurant**

**.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.

.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 9.7.4 shall apply:

| **Table 9.7.4** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>40% maximum |
| **Lot** Size | 1,115 square metres (12,000 square feet) minimum |
| **Lot Width** | 30 metres (100 feet) minimum |
| **Gross Floor Area**<br><br>all **buildings** and **structures**<br><br>**accessory single-dwelling residential** | <br><br>not regulated<br><br>32.5 square metres (350 square feet) minimum plus 14 square metres (150 square feet) of floor area for each bedroom |
| **Height**<br><br>all **buildings** and **structures** | <br><br>12 metres (40 feet) maximum |
| **Setbacks**<br><br>all **buildings** and **structures** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line** | <br><br><br><br>9.0 metres (30 feet) minimum<br>1.5 metres (5 feet) minimum<br>6.0 metres (20 feet) minimum<br>6.0 metres (20 feet) minimum |

ZBA PART 9.7.5:

## 9.7.5 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 **commercial outdoor recreation**

.2 **campground**

.3 **hotel**

.4 **motel**

.5 **neighbourhood pub**

.6 **restaurant**

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

.7 **accessory building**

.8 **commercial**

.9 off-street loading

.10 **accessory single-dwelling residential**

.11 **off-street parking**

**.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**.

.3 Regulations

In a CS3 zone the following regulations contained in Table 9.7.5 shall apply:

| Table 9.7.5 | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>40% maximum |
| **Lot** Size | 4,000 square metres minimum<br>(1 acre) |
| **Lot Width** | 36 metres (118 feet) minimum |
| **Gross Floor Area**<br><br>**accessory single-dwelling residential**<br><br><br><br>each **sleeping unit** for a **motel** | <br><br>32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom<br><br>28 square metres (301 square feet) minimum |
| **Height** | 12 metres (40 feet) |
| **Setbacks**<br><br>all **buildings** and **structures** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br><br>all **buildings** and **structures** on Lot 21 Section 19 Township 3 Range 29 West of the Sixth Meridian New Westminster District Plan 64737<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line** | <br><br><br><br>9.0 metres (30 feet) minimum<br>12 metres (40 feet) minimum<br>12 metres (40 feet) minimum<br>12 metres (40 feet) minimum<br><br><br><br><br><br>4.5 metres (15 feet) minimum<br>7.5 metres (24 feet) minimum<br>3.0 metres (10 feet) minimum<br>0.0 metres (0.0 feet) minimum |

# 9.7.6 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 **marina**

.2 **marine-dependent**

.3 **docks** and **piers** for water craft **wharfage**

.4 **hotel**

.5 **neighbourhood pub**

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

.6 off-street loading

.7 **marine service commercial**

.8 **restaurant**

.9 **off-street parking**

**.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.

**.3 Regulations**

In a CM zone the following regulations contained in Table 9.7.6 shall apply:

| **Table 9.7.6** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>not regulated |

| Table 9.7.6 | |
|---|---|
| **Element** | **Regulation** |
| **Lot** Size | not regulated |
| **Lot Width** | 15 metres (50 feet) minimum |
| **Gross Floor Area** | not regulated |
| **Height** | 12 metres (40 feet) |
| **Setbacks**<br><br>all land based **buildings** and **structures** from a **street** | <br><br>7.5 metres (25 feet) minimum |

# 9.7.7 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 **commercial**

.2 **restaurant**

.3 **fueling station**

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

.4 **accessory single dwelling residential**

.5 **accessory building**

.6 **off-street loading area**

.7 **off-street parking**

**.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.

### .3 Regulations

In a CH zone the following regulations contained in Table 9.7.7 shall apply:

| Table 9.7.7 | |
|---|---|
| **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 square feet) |
| **Lot Width** | 30 metres (100 feet) minimum |
| **Gross Floor Area**<br><br>**accessory single-dwelling residential** use<br><br>all other uses | <br><br>32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom<br><br>not regulated |
| **Height** | 12 metres (40 feet) maximum |
| **Setbacks**<br><br>all **buildings** and **structures** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line** | <br><br><br><br>3.0 metres (10 feet) minimum<br>7.5 metres (25 feet) minimum<br>3.0 metres (10 feet) minimum<br>3.0 metres (10 feet) minimum |

### .4 Site Specific Exemptions

| Table 9.7.7.1 | |
|---|---|
| **Legal** | **Exemption** |
| LOT A, PLAN NUMBER EPP126220, DISTRICT LOT 37, LAND DISTRICT | Permit **retail cannabis sales** as a permitted use. |

## 9.7.8 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 **resort lodge**

.2 **motel**

.3 **campground**

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

.3 **accessory building**

.4 **accessory single-dwelling residential**

.5 **accessory office**

.6 off-street loading

.7 **off-street parking**

.8 **commercial**

.9 **commercial recreation**

.10 **dock**

.11 **agricultural**

.12 **restaurant**

**.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).

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

**.3 Regulations**

In CS4 zone the regulations contained in the Table 9.7.8 below shall apply:

| **Table 9.7.8** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage** | |
| all **buildings** and **structures** | 5% maximum |
| **Lot** Size | 4,000 square metres minimum (1 acre) |
| **Lot Width** | not regulated |
| **Gross Floor Area** | |
| **accessory single-dwelling residential** | 32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom |
| each **sleeping unit** for **motel** use | 25.5 square metres (274 square feet) minimum |
| **Height** | |
| **accessory buildings** | 3.7 metres (12 feet) |
| all other buildings | 9.0 metres (30 feet) |
| **Setbacks** | |
| 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** | 4.5 metres (15 feet) minimum |
| **interior side lot line** | 3.0 metres (10 feet) minimum |

# 9.7.9 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 **resort lodge**

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

.2 **accessory building**

.3 **accessory single-dwelling residential**

.4 **accessory office**

.5 off-street loading

.6 **off-street parking**

.7 **dock**

.8 **park model**

**.2 Conditions of Use**

.1 For a **resort lodge:**

(a) **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.

(b) 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.

### .3 Regulations

In the CS5 zone the regulations contained in the Table 9.7.9 below shall apply:

| Table 9.7.9 | |
|---|---|
| **Element** | **Regulation** |
| Density | see Conditions of Use |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>40% maximum |
| **Lot** Size<br><br>subdivision | <br><br>0.2 hectares (0.5 acres) minimum with an **approved community sewer system**<br><br>2.0 hectares (5 acres) minimum without an **approved community sewer system** |
| **Lot Width** | 15 metres (50 feet) minimum |
| **Gross Floor Area** | see Conditions of Use |
| **Height**<br><br>**accessory buildings**<br><br>all other **buildings** | <br><br>3.7 metres (12 feet) maximum<br><br>9.0 metres (30 feet) maximum |
| **Setbacks**<br><br>all **buildings** and **structures** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line** | <br><br><br><br>6.0 metres (20 feet) minimum<br>7.5 metres (25 feet) minimum<br>7.5 metres (25 feet) minimum<br>7.5 metres (25 feet) minimum |

### .4 Site Specific Exemptions

| Table 9.7.9.1 | |
|---|---|
| **Legal** | **Exemption** |
| 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 | Minimum lot size |

| Table 9.7.9.1 | |
|---|---|
| **Legal** | **Exemption** |
| 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 | |

## 9.8.1 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 **industrial**

.2 **service industrial**

.3 **warehousing**

.4 **manufacturing**

.5 **thermal reduction**

.6 **public service**

.7 **tank vehicle storage**

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

.8 **accessory building**

.9 off-street loading

.10 **restaurant**

.11 **unenclosed storage**

.12 **off-street parking**

.13 **single-dwelling residential**

.14 **accessory office**

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

.15 **bulk fuel sales and storage** use

**.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

(d) **intensive agricultural**

(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**.

.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 is 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; retail sales of cannabis are not permitted.

.6 A **restaurant** use shall be limited to a maximum **gross floor area** of 100 square metres, 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**.

.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 90 square metres (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.

## .3 Regulations

In a M1 zone the following regulations contained in Table 9.8.1 shall apply:

| Table 9.8.1 | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br><br>all **buildings** and **structures**, including **parking spaces**, driveways and storage areas | <br><br>90% maximum |
| **Lot** Size<br><br>subdivision | <br><br>1,850 square metres (19,914 square feet) minimum |
| **Lot Width** | 36 metres (118 feet) minimum |
| **Gross Floor Area** | not regulated |
| **Height** | not regulated |
| **Setbacks**<br><br>all **buildings** and **structures** from:<br><br>**front lot line**<br>**rear lot line**<br><br>where a **rear lot line** abuts the CPR railway<br><br>all other parcels<br><br>**exterior lot line**<br>**interior lot line** | <br><br><br><br>6.0 metres (20 feet) minimum<br>0.0 metres (0.0 feet)<br><br>6.0 metres (20 feet) minimum<br><br><br><br>6.0 metres (20 feet) minimum<br>0.0 metres (0.0 feet) minimum |

## .4 Site-Specific Exemptions

| Table 9.8.1 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 square metres to 1,537 square metres |

## 9.8.2 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 **industrial**

.2 **manufacturing**

.3 **thermal reduction**

.4 **tank vehicle storage**

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

.5 **accessory building**

.6 off-street loading

.7 **unenclosed storage**

.8 **accessory office**

.9 **off-street parking**

.10 **restaurant**

.11 **single-dwelling residential**

**.2 Conditions of Use**

.1 The following uses are not permitted in a M2 zone:

(a) **intensive agricultural**

(b) the repairing and salvaging of **motor vehicles**, and **recreational vehicles**

(c) **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**.

.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 90 square metres (968.8 square 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.

**.3 Regulations**

In a M2 zone the following regulations contained in Table 9.8.2 shall apply:

| **Table 9.8.2** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br>all **buildings** and **structures** | 70% maximum |
| **Lot** Size<br>subdivision | 4,000 square metres (1 acre) minimum |
| **Lot Width** | 61 metres (200 feet) minimum |
| **Gross Floor Area** | not regulated |
| **Height** | not regulated |

| Table 9.8.2 | |
|---|---|
| **Element** | **Regulation** |
| **Setbacks**<br><br>all **buildings** and **structures** from all lot lines | 6.0 metres (20 feet) minimum |

## 9.8.3 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 **industrial**

.2 **manufacturing**

.3 **thermal reduction**

.4 **tank vehicle storage**

.5 **cannabis cultivation facility**

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

.6 **accessory building**

.7 off-street loading

.8 **unenclosed storage**

.9 **off-street parking**

**.2 Conditions of Use**

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

(a) salvage yard

(b) **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**.

.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 9.8.3 shall apply:

| **Table 9.8.3** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br>all **buildings** and **structures** | 70% maximum |
| **Lot** Size<br>subdivision | 8,000 square metres (2 acre) minimum |
| **Lot Width** | 61 metres (200 feet) minimum |
| **Gross Floor Area** | not regulated |
| **Height** | not regulated |
| **Setbacks**<br>all **buildings** and **structures** from all lot lines | 6.0 metres (20 feet) minimum |

# 9.8.4 Enclosed Storage Industrial Zone (M4)

***Purpose***

*The purposed of an Enclose 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 **enclosed mini-storage**

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

.3 **accessory single-dwelling residential**

.4 **office**

**.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 square metres (968.8 square feet), and adhere to the limits and regulations of the British Columbia Building Code and amendments thereof.

**.3 Regulations**

In a M4 zone the following regulations contained in Table 9.8.4 shall apply:

**Table 9.8.4**

| Element | Regulation |
|---|---|
| Density | not regulated |
| **Site Coverage** | 80% maximum |
| **Lot** Size | 1,000 square metre minimum |
| **Lot Width** | 30 metres (98 feet) minimum |
| **Lot** Depth | 30 metres (98 feet) minimum |
| **Gross Floor Area** | not regulated |
| **Height** | 9.0 metres (98 feet) |

| Table 9.8.4 | |
|---|---|
| **Element** | **Regulation** |
| **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 |

# 9.9.1 Resource Management Zone (MR) / Resource Management Industrial Zone (MR1)

***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).* The MR1 zone specifically provides for a resource processing use.

**.1 Permitted Uses**

The following **principal** uses shall be permitted in a MR/MR1 zone:

.1 **single-dwelling residential**

.2 **resource**

The following **auxiliary** uses shall be permitted in a MR/MR1 zone:

.3 **accessory building**

.4 **home occupation**

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

.6 **kennel**

.7 **off-street parking**

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

.9 **secondary suite**

10. **resource processing** in the MR1 Zone 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 A household business, in addition to a **resource** use, is limited to two of the following uses:

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

(b) **home occupation**

(c) **kennel**

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

**.3 Regulations**

In a MR or MR1 zone the following regulations contained in Table 9.9.1 shall apply:

| **Table 9.9.1** | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage** | not regulated |
| **Lot** Size | 8.0 hectares (20 acres) minimum |
| **Lot Width** | 61 metres (200 feet) minimum |
| **Gross Floor Area** | not regulated |
| **Height**<br>**single-dwelling residential** | 9.0 metres (30 feet) |
| **Setbacks**<br>**buildings** and **structures** from all lot lines | 7.5 metres (25 feet) minimum |

## 9.10.1 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 **civic**

.2 **assembly**

.3 **public service**

.4 **personal care**

.5 **child care centre**

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

.5 **accessory building**

.6 **off-street loading**

.7 **off-street parking**

.8 **single dwelling residential**

**.2 Conditions of Use**

.1 A **kennel** 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.

**.3 Regulations**

In a P1 zone the following regulations contained in Table 9.10.1 shall apply:

| Table 9.10.1 | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>40% maximum |
| **Lot** Size | 558 square metres minimum (6,000 square feet) |
| **Lot Width** | 18 metres (59 feet) minimum |
| **Gross Floor Area** | not regulated |
| **Height**<br><br>**personal care**<br><br>all other **buildings** and **structures** | <br><br>12 metres (40 feet) maximum<br><br>not regulated |
| **Setbacks**<br><br>all **buildings** and **structures** from all lot lines | <br><br>6.0 metres (20 feet) minimum |

## 9.10.2 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 **park**

.2 **commercial outdoor recreation**

.3 **civic**

.4 **marina**

.5 **campground**

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

.6 **accessory building**

.7 **assembly**

.8 **off-street parking**

.9 **commercial**

.10 **dwelling unit**

.11 **child care centre**

**.2 Conditions of Use**

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

(a) **exhibition ground**

(b) public swimming pool

(c) public museum and archives

(d) public recreation facility

(e) 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.

.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 square metres (968.80 square feet) 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 9.10.2 shall apply:

| **Table 9.10.2** | |
|---|---|
| **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**<br><br>all **buildings** and **structures** from all lot lines | <br><br>6.0 metres (20 feet) minimum |

## 9.10.3 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 **assembly**

.2 **civic**

.3 **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 **accessory building**

.5 **accessory office**

.6 **accessory single-dwelling residential**

.7 **community services**

.8 **dormitory** (auxiliary to cultural or religious campus only)

.9 **education facility**

.10 **light agricultural**

.11 **off-street loading**

.12 **off-street parking**

.13 **overnight camp** (only permitted on a lot or contiguous group of lots greater than 9.0 hectares)

.14 **lodge** (auxiliary to cultural or religious campus only)

.15 **park**

.16 **personal care**

.17 **single dwelling residential**

**.2 Conditions of Use**

.1 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).

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

**.3 Regulations**

In an P3 zone the following regulations contained in Table 9.10.3 shall apply:

| **Table 9.10.3** | |
|---|---|
| **Element** | **Regulation** |
| **Density** | not regulated |
| **Site coverage**<br>all **buildings** and **structures** | <br>40% of the lot size maximum |
| **Lot** Size<br>within the urban growth boundary<br>outside the urban growth boundary<br>**cultural or religious campus** or **overnight camp**<br>**light agricultural** | <br>558 square metres (~6,000 square feet)<br>0.4 hectares (1.0 acres)<br>9.0 hectares (22.24 acres)<br>2.0 hectares (5.0 acres) |
| **Lot Width** | 18 metres (59 feet) minimum |

| Table 9.10.3 | |
|---|---|
| **Element** | **Regulation** |
| **Gross Floor Area** | |
| **dormitory** | 1,500 square metres |
| **lodge** | 500 square metres |
| **Height** | |
| **principal** uses | 15 metres (50 feet) |
| **auxiliary** uses | 12 metres (40 feet) |
| **Setbacks** | |
| all **buildings** and **structures** from all lot lines | 6.0 metres (20 feet) minimum |

# 9.11.1 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** s

.2 **two-dwelling residential**

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

.3 **accessory building**

.4 **accessory dwelling unit**

.5 **home occupation**

**.2 Conditions of Use**

.1 **accessory building** is limited to a detached garage;

.2 The following are permitted as **accessory dwelling unit** uses in this zone:

(a) **secondary suite**

**.3 Regulations**

In CD1 zone the regulations contained in the Table 9.11.1 below shall apply:

| Table 9.11.1 | |
|---|---|
| **Element** | **Regulation** |
| Maximum Permitted Dwelling Units Per Lot | Three dwelling units for lots equal to or less than 280 square metres (~3,000 square feet) in size<br><br>Four dwelling units for lots greater than 280 square metres (~3,000 square feet) in size |
| **Site Coverage**<br><br>all **buildings** and **structures**<br><br>**accessory buildings** | <br><br>60% of lot size<br><br>15% of lot size |

| Table 9.11.1 | |
|---|---|
| **Element** | **Regulation** |
| **Lot** Size | 231 square metres minimum<br>(2,487 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 |
| **Gross Floor Area**<br><br>**principal** use and for **accessory building** use (includes porches/verandas) | <br><br>90% of lot size |
| **Height**<br><br>**principal** uses<br><br>**accessory** use | <br><br>9.0 metres (30 feet)<br><br>3.7 metres (12 feet) |
| **Setbacks**<br><br>**single-dwelling residential** from:<br><br>**front lot line**<br><br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br><br>**accessory buildings** from:<br><br>**rear lot line**<br>**interior side lot line**<br><br>*note: siting exemptions 7.4.1.3 and 7.4.1.4 do not apply to this zone | <br><br><br><br>3.0 metres (10 feet) and 3.3 metres (11 feet) minimum, alternating lots<br><br>8.5 metres (28 feet) minimum<br>3.0 metres (10 feet) minimum<br>1.2 metres (4 feet) minimum<br><br><br><br>0.9 metres (3 feet) minimum<br>0.0 metres minimum |

## 9.11.2 Comprehensive Development 2 Zone (CD2)

***Purpose***

*The Comprehensive Development 2 Zone (CD2) consists of land in Mount Woodside Highlands Boulevard area (see Part 9.11.1.4 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 **single-dwelling residential**

.2 **two-dwelling residential**

.3 **row house**

.4 multiple dwelling residential use which includes an **apartment, garden apartment** and **townhouse**

.5 highway commercial use which includes a **service station, commercial, restaurant and neighbourhood pub**

.6 **institutional** which includes an **assembly, civic, and public service**

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

.7 **single-dwelling residential**:

(a) **accessory building**
(b) **home occupation**
(c) **short-term commercial accommodation (guest unit)**
(d) **secondary suite**
(e) **off-street parking**
(f) **short-term commercial accommodation (principal residence)**

.8 **two-dwelling residential**:

(a) **accessory building**
(b) **home occupation**
(c) **off-street parking**
(d) **secondary suite**

.9 **row house:**

(a) **accessory building**

(b) **home occupation**
(c) **off-street parking**
(d) **secondary suite**

.10 multi-dwelling residential:

(a) **accessory building**
(b) **home occupation**
(c) **off-street parking**
(d) **secondary suite**

.11 highway commercial:

(a) **accessory building**
(b) **off-street parking**
(c) off-street parking loading

.12 **institutional**:

(a) **accessory building**
(b) **off-street parking**
(c) off-street parking loading

**.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. **short-term commercial accommodation (guest unit)**
ii. **home occupation**

(d) **short-term rental** use shall comply with requirements of Part 7.13 of this bylaw.

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

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

.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.

(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.

**.3 Regulations**

| TABLE 9.11.2<br>*Single-Dwelling Residential Use* | |
|---|---|
| **Element** | **Regulation** |
| Density | 27 units per hectare (11 units per acre) maximum |
| **Site Coverage**<br><br>all **buildings** and **structures**<br>**accessory buildings** | <br><br>45% maximum<br>10% maximum |
| **Lot** Size<br><br>subdivision | <br><br>360 square metres (3,875 square feet) minimum |
| **Lot Width** | 12 metres (39 feet) minimum with a minimum lot width of 13.5 metres (44 feet) for a corner lot |
| **Lot** Depth | 30 metres (98 feet) minimum |
| **Gross Floor Area** (floor area ratio) | not regulated |
| **Height**<br>**single-dwelling residential**<br>**accessory buildings** on a **lot** less than 1,000 square metres<br>**accessory buildings** on a **lot** greater than 1,000 square metres | <br>9.0 metres (30 feet) maximum<br>4.0 metres (13 feet) maximum<br>6.0 metres (19 feet) maximum |
| **Setbacks**<br><br>Bare-land strata and fee simple:<br><br>**single-dwelling residential** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br><br>**accessory buildings** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior lot line**<br>**interior side lot line** | <br><br><br><br><br>6.0 metres (20 feet) minimum<br>5.5 metres (18 feet) minimum<br>3.0 metres (10 feet) minimum<br>1.5 metres (5 feet) minimum<br><br><br><br>7.5 metres (25 feet) minimum<br>1.5 metres (5 feet) minimum<br>3.0 metres (10 feet) minimum<br>1.5 metres (5 feet) minimum |

| *Two-Dwelling Residential Use* | |
|---|---|
| **Element** | **Regulation** |
| Density | 20 units per hectare (8 units per acre) maximum |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>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**<br><br>**two-dwelling residential**<br><br>**accessory building** | <br><br>9.0 metres (30 feet) maximum<br><br>3.7 metres (12 feet) maximum |
| **Setbacks**<br><br>**residential buildings** and **structures** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br><br>**accessory buildings**<br><br>**front lot line**<br>**rear lot line**<br>**exterior lot line**<br>**interior side lot line** | <br><br><br><br>6.0 metres (20 feet) minimum<br>7.5 metres (25 feet) minimum<br>4.5 metres (15 feet) minimum<br>1.5 metres (5 feet) minimum<br><br><br><br>7.5 metres (25 feet) minimum<br>1.5 metres (5 feet) minimum<br>3.0 metres (10 feet) minimum<br>1.5 metres (5 feet) minimum |
| *Row House Use* | |
| **Element** | **Regulation** |
| Density | 1.0 **dwelling unit** per lot |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>50% maximum |
| **Lot** Size | 300 square metres (3.23 square feet) minimum |

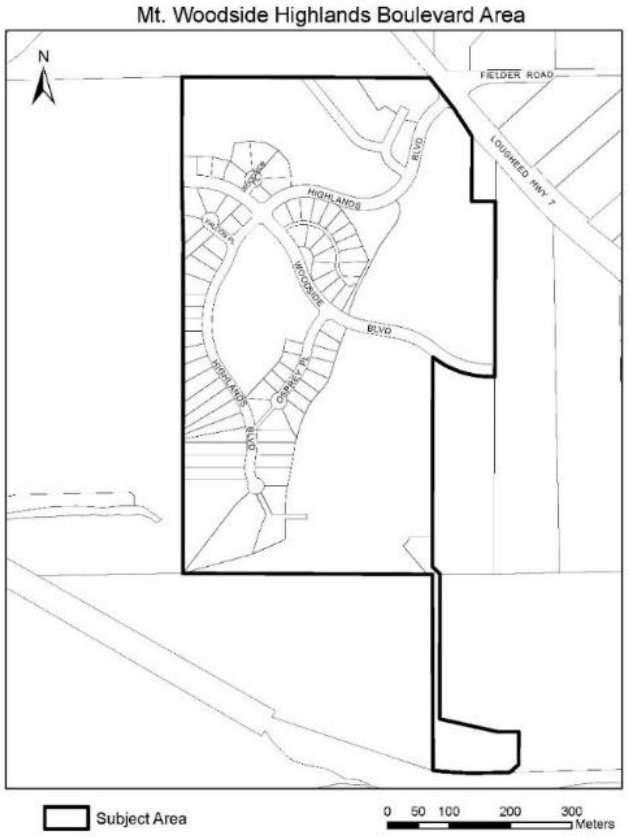
| | |
|---|---|
| **Lot Width** | 10 metres (32 feet) minimum |
| **Lot** Depth | not regulated |
| **Gross Floor Area** | not regulated |
| **Height**<br><br>**row house**<br><br>**accessory building** | <br><br>9.0 metres (30 feet)<br><br>3.7 metres (12 feet) |
| **Setbacks**<br><br>**row house** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br><br><br><br>**accessory building** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line** | <br><br><br><br>6.0 metres (20 feet) minimum<br>4.5 metres (15 feet) minimum<br>4.5 metres (15 feet) minimum<br>3.0 metres (10 feet) minimum<br><br>not required on a lot line that has a **party wall**<br><br><br>7.5 metres (25 feet) minimum<br>1.5 metres (5 feet) minimum<br>3.0 metres (10 feet) minimum<br>1.5 metres (5 feet) minimum |
| ***Multiple Dwelling Use*** | |
| **Element** | **Regulation** |
| Density | 75 units per hectare (30 units per acre) maximum |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>40% maximum |
| **Lot** Size<br><br>**townhouse**<br><br>**apartment** and **garden apartment** | <br><br>880 square metres (9,500 square feet) minimum<br><br>1,300 square metres (14,000 square feet) minimum |
| **Lot Width** | 18 metres (59 feet) minimum |

| | |
|---|---|
| **Gross Floor Area**<br><br>For each **dwelling unit:**<br><br>**townhouse** and **apartment**<br><br>**garden apartment** | <br><br><br>32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom<br><br>70 square metres (750 square feet) maximum |
| **Height**<br><br>**apartment, garden apartment** and **townhouse**<br><br>**accessory building** | <br><br>12 metres (40 feet) maximum<br><br>3.7 metres (12 feet) maximum |
| **Setbacks**<br><br>**townhouse** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br><br>**apartment** and **garden apartment** from all **lot lines**<br><br>**accessory buildings** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior lot line**<br>**Interior side lot line** | <br><br><br><br>6.0 metres (20 feet) minimum<br>6.0 metres (20 feet) minimum<br>6.0 metres (20 feet) minimum<br>4.5 metres (15 feet) minimum<br><br>7.5 metres (25 feet) minimum<br><br><br><br>7.5 metres (25 feet) minimum<br>1.5 metres (5 feet) minimum<br>3.0 metres (10 feet) minimum<br>1.5 metres (5 feet) minimum |
| ***Commercial Use*** | |
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>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**<br><br>all **buildings** and **structures** | <br><br>6.0 metres (20 feet) maximum |
| **Setbacks**<br><br>all buildings except **accessory buildings** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior side lot line**<br>**interior side lot line**<br><br>**accessory buildings** from:<br><br>**front lot line**<br>**rear lot line**<br>**exterior lot line**<br>**interior side lot line** | <br><br><br><br>15 metres (50 feet) minimum<br>7.5 metres (25 feet) minimum<br>15 metres (50 feet) minimum<br>7.5 metres (25 feet) minimum<br><br><br><br>7.5 metres (25 feet) minimum<br>7.5 metres (25 feet) minimum<br>7.5 metres (25 feet) minimum<br>3.0 metres (10 feet) minimum |
| ***Institutional Use*** | |
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>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 metres (64 feet) for a corner **lot** |
| **Gross Floor Area** | not regulated |
| **Height**<br><br>all **buildings** and **structures** | <br><br>12 metres (40 feet) maximum |
| **Setbacks**<br><br>all buildings except **accessory buildings** from all **lot** lines | <br><br>6.0 metres (20 feet) minimum |

| | |
|---|---|
| **accessory** buildings 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** | 3.0 metres (10 feet) minimum |

.4 Site Plan



## 9.11.3 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:

.1 **campground**

.2 **resort lodge**

.3 **resort cabin**

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

.1 **accessory buildings**

.2 one **accessory single-dwelling residential**

.3 **accessory employee accommodation**

.4 one **accessory office**

.5 **commercial indoor recreation**

.6 **dock**

**.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.

**.3 Regulations**

In a CD3 zone the following regulations contained in Table 9.11.3 shall apply:

| Table 9.11.3 | |
|---|---|
| **Element** | **Regulation** |
| Density<br><br>**resort lodge**<br><br>**resort cabin**<br><br>**accessory single dwelling** | <br><br>20 units<br><br>70 units<br><br>1 unit |
| **Site Coverage**<br><br>all **buildings** and **structures** | <br><br>5% maximum |
| Sanitary Sewer | approved mini-treatment facility |
| **Lot** Size | 20 acres (8 hectares) minimum |
| **Lot Width** | not regulated |
| **Gross Floor Area**<br><br>**accessory single-dwelling residential**<br><br>each **sleeping unit** for **resort lodge** | <br><br>32.5 square metres (350 square feet) minimum plus an additional 14 square metres (150 square feet) of floor area for each bedroom<br><br>28 square metres (301 square feet) minimum |
| **Height**<br><br>**resort lodge**<br><br>**resort cabin** (1 ½ storey)<br><br>**accessory buildings** | <br><br>10 metres (30 feet) maximum<br><br>6.1 metres (20 feet) maximum<br><br>4.0 metres (12 feet) maximum |
| **Setbacks**<br><br>all **buildings** and **structures** from all **lot** lines | <br><br>7.5 metres (25 feet) minimum |

## 9.11.4 Comprehensive Development 4 Zone (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 **commercial**

.2 **service commercial**

.3 **office**

.4 **veterinary hospital**

.5 **entertainment and recreation**

.6 **restaurant**

.7 **civic**

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

.8 **apartment**

.9 **off-street parking**

.10 off-street loading

**.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.

**.3 Regulations**

In a CD4 zone the following regulations contained in Table 9.11.4 shall apply:

| TABLE 9.11.4 | |
|---|---|
| **Element** | **Regulation** |
| Density | not regulated |
| **Site Coverage**<br>all **buildings** and **structures** | not regulated |
| **Lot** Size<br>subdivision | 1,400 square metres (15,000 square feet) minimum |
| **Lot Width** | 30 metres |
| **Gross Floor Area** (floor area ratio) | not regulated |
| **Height** | 14 metres |
| **Setbacks**<br>all **buildings** and **structures** from:<br>**exterior side lot line**<br>all other **lot lines** | <br><br>3.0 metres (10 feet) minimum<br>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.