



Corporate Report

NO: R208

COUNCIL DATE: September 6,

2005

REGULAR COUNCIL

TO: Mayor & Council DATE: August 26,
2005

FROM: General Manager, Planning FILE: 0450-01
and Development 6520-20
(Barnston Island)

SUBJECT: Review of the GVRD Draft Zoning By-law for
Electoral Area "A"
Including the Application of Zoning to Barnston
Island

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information; and
2. Authorize the City Clerk to forward a letter to the Greater Vancouver Regional District (the "GVRD") that advises that:
 - (a) Surrey City Council has no objection to Greater Vancouver Regional District Electoral Area "A" Zoning By-law No. 1028, 2005 (the "By law");
 - (b) the City of Surrey has concerns with the lack of emergency and fire services for Barnston Island and requests that this matter be addressed by the GVRD in relation to its responsibilities for Barnston Island; and
 - (c) Surrey City Council adopted the following resolution in October 2003:

"Authorize the City Manager to advise the Barnston Island Majority Owners and Residents Committee (the "Committee") that Surrey City Council is prepared to consider the possible amalgamation of Barnston Island with the City of Surrey, provided that:

- *The lands on Barnston Island receive all necessary approvals from the Agricultural Land Commission, the Greater Vancouver Regional District and the Provincial government, to be excluded from the Agricultural Land Reserve;*
- *A fixed link (i.e. bridge) together with all associated road works, accesses, etc., connecting Barnston Island to the City of Surrey with design capacity and at an appropriate location to accommodate anticipated development on the island to be financed, designed, approved and constructed at no cost to and to the satisfaction of the City of Surrey; and*
- *It can be conclusively demonstrated to the satisfaction of the City of Surrey, that all necessary actions and related costs to position the island from a legal, land use, environmental, engineering,*

servicing, dyking, transportation, filling, geotechnical and other perspectives have been fully resolved by the Committee or their representatives to the satisfaction of the City of Surrey".

INTENT

The purpose of this report is to provide information to Council, regarding a proposed GVRD Zoning By-law for lands contained within Electoral Area "A" and to obtain Council authorization to forward comments regarding the by-law to the GVRD, prior to the public hearing related to the by-law, that is scheduled for September 14 and 15, 2005.

BACKGROUND

In July 2004, GVRD staff forwarded to the GVRD Board, a draft Agricultural Zoning By-law for Barnston Island. After referral from the Board, on October 7, 2004 the GVRD Communities Committee held a public information meeting on the draft by-law at the Tynehead Community Hall. In response to suggestions made at the public information meeting, amendments were made to the draft by-law.

On June 24, 2005 the GVRD Board:

- gave first and second reading to Electoral Area "A" Zoning By-law No. 1028, 2005, (the "By-law") that includes the application of zoning on Barnston Island;
- authorized the GVRD's Communities Committee to hold a public hearing; and
- directed that the By-law be forwarded to Provincial agencies, First Nations and adjacent municipalities for comment.

The purpose of the By-law, which is attached as Appendix I to this report, is to replace the Zoning By-law for Electoral Area "C", to revise and update a number of aspects of the current Zoning By-law for Electoral Area "A", and to apply zoning to Barnston Island.

Barnston Island is an unorganized territory, administered by the GVRD, consisting of approximately 597 hectares (1,475 acres) of land, of which 545 hectares are privately held and 54.6 hectares are part of the Katzie First Nations Reserve. The Island is not currently subject to an Official Community Plan or zoning regulations, but is within and is subject to, the regulations of the Agricultural Land Reserve (the "ALR"). It is within the Green Zone, as defined by the GVRD's Liveable Region Strategic Plan.

The GVRD issues building permits and carries out inspections on the Island. The RCMP provides policing, but the Island does not have fire protection service. The City of Surrey has been called on to provide emergency fire services. The GVRD Board has declined to pay individual municipalities for the costs they incur in the provision of fire services to Electoral District "A".

The only access to the Island is by way of a barge towed by a tugboat, operated by the Ministry of Transportation at an annual cost of approximately \$700,000. The barge has limited capacity and does not operate between midnight and 6:00 a.m. (1:00 a.m. and 6:00 a.m. on weekends). Residents have expressed a concern with the lack of a fixed link access, related to quality of life, lack of 24 hour access, concerns regarding emergency response and impact of economic development, including the impact of current farm operations.

In 2004, the Barnston Island Majority Landowners and Residents Committee (the "Committee") submitted an application for exclusion of 37 parcels, totalling 441 hectares (1,090 acres) of the Island from the ALR for industrial purposes. On July 29, 2004 the Agricultural Land Commission (the "ALC") resolved to table consideration of the application for 12 months and to work with the GVRD to develop an action plan to implement a material improvement to the access problem that the Island faces. The ALC has prepared a report on the access issue, but, to date, there is no resolution on the issues of Island access and no decision on the application for exclusion of lands on the Island from the ALR.

At its Regular Meeting on November 17, 2003, Council made public the following resolution that was adopted by Council in a Closed Council Meeting in October 2003:

"Authorize the City Manager to advise the Barnston Island Majority Owners and Residents Committee (the "Committee") that Surrey City Council is prepared to consider the possible amalgamation of Barnston Island with the City of Surrey, provided that:

- *The lands on Barnston Island receive all necessary approvals from the Agricultural Land Commission, the Greater Vancouver Regional District and the Provincial government, to be excluded from the Agricultural Land Reserve;*
- *A fixed link (i.e. bridge) together with all associated road works, accesses, etc., connecting Barnston Island to the City of Surrey with design capacity and at an appropriate location to accommodate anticipated development on the island to be financed, designed, approved and constructed at no cost to and to the satisfaction of the City of Surrey; and*
- *It can be conclusively demonstrated to the satisfaction of the City of Surrey, that all necessary actions and related costs to position the island from a legal, land use, environmental, engineering, servicing, dyking, transportation, filling, geotechnical and other perspectives have been fully resolved by the Committee or their representatives to the satisfaction of the City of Surrey".*

DISCUSSION

Electoral District A

The GVRD Board acts as the council and is responsible for land use control for Electoral District A. Electoral District A consists of unincorporated areas on the west side of Pitt Lake, the northern portion of Indian Arm, a portion of land between the District of West Vancouver and the Squamish-Lillooet Regional District, Bowyer Island, Passage Island and Barnston Island, the University Endowment Lands and UBC (see map attached as Appendix II). There are various arrangements for land use planning and zoning control within each of these individual areas.

Proposed Zoning By-law Amendments

The proposed amendments to the by-law for Electoral District A consist of the following:

- incorporation of the provisions for former Electoral District C which has been consolidated with Electoral District A;
- boundary adjustments and the removal of some areas than are now covered by other jurisdictions;
- the addition of new definitions, regulations for Accessory Home Occupations, Bed and Breakfast operations, and Rental Dwellings and Suites;
- provisions regarding various setbacks;
- the creation of a Cottage Residential Zone; and
- the addition of a new zone to apply to Barnston Island, an area that is not currently covered by any Zoning By-law.

Most of the proposed amendments are minor and of no interest or concern to the City of Surrey. The one area of interest is the establishment of zoning control on Barnston Island, which has, to date, been without an Official Community Plan or zoning regulations.

Barnston Island Zoning

The proposed zoning for Barnston Island would apply to all lands on the Island, with the exception of the Katzie First Nations Reserve lands. The proposed Barnston Island (BI 1) zone would permit only those uses on the Island currently permitted by the *Agricultural Land Commission Act* (the "Act") and Regulations. The Island is in the ALR

and provincial legislation prohibits the adoption of a by-law that is not reflective of the ALR. The proposed zoning, therefore, serves to reinforce the *Act* and Regulations.

The Barnston Island Zone provides for the following permitted uses:

- Farming, Single Residential Dwellings and Agri-tourism, all with a minimum lot size of 20 hectares (50 acres);
- Where a lot is 8 hectares (20 acres) or more and is a farm operation, an additional dwelling is permitted, if necessary, for the farm use;
- The maximum house size is 500 square metres;
- Conservation, Public Service, Recreation and Aquaculture uses are permitted with no specified minimum lot size; and
- Accessory Home Occupation, Bed and Breakfast, Boarding and Suite Uses, subject to the provisions of the By-law or Electoral District A, as amended.

Building setbacks are established for all uses, with larger setbacks for more intensive agricultural operations, and setbacks are established between agricultural uses such as feeding areas, confined livestock, agricultural solid waste and other storage and natural and channelized streams and constructed ditches. The stream setbacks proposed are still under review by the Ministry of Agriculture and Lands and the Department of Fisheries and Oceans.

Other regulations pertaining to farm uses and non-farm uses in the ALR are consistent with ALR regulations and similar to regulations recently adopted by the City of Surrey for agricultural zones within the ALR.

Implications of Barnston Island Zoning

If Barnston Island remains in the ALR, the proposed By-law will provide for the regulation of land uses consistent with provincial regulations. In effect, the By-law duplicates provincial regulation already in effect, but will place control over possible future land uses on the Island more directly in the hands of the GVRD.

As the Island has no emergency and fire protection, and has severe access challenges, the limitation on lot size to 20 hectares, and the limitation on the size of a farm lot for a second dwelling to 8 hectares, will limit new development, which appears to be a good direction from the perspective of emergency services.

With regard to the application by some of the land owners on the Island to the ALC for exclusion of Island lands from the ALR, the GVRD had no option but to forward the application to the ALC, as at the time of the application there was no zoning or Official Community Plan in place for the Island. A local authority can only decide not to forward such an application to the ALC if the application is in conflict with existing zoning and/or Official Community Plan policies. It is our understanding that the GVRD staff is working toward an agricultural plan for Barnston Island that would act as an Official Community Plan. With a Plan and Zoning By-law in place, the GVRD Board would have the ability to decide not forward to the ALC any future applications for exclusion of land on the Island from the ALR.

Evaluation of Proposed Zoning By-law

The majority of the proposed By-law is an administrative update to previous similar by laws and generally of no interest or concern to the City of Surrey. With regard to the application of zoning to Barnston Island, the proposed zoning serves to reinforce the agricultural land uses on the Island by paralleling the existing ALR regulations that are applicable to the Island. The proposed By-law supports on-going agricultural uses on the Island.

At the time of the preparation of this report, the ALC has not made a decision with respect to the application by the Barnston Island Majority Landowners and Residents Committee to exclude land on the Island from the ALR. Should the ALC decide to approve this exclusion application, the subject land would be unregulated, with no zoning or official community plan policies in place. The application of this zoning would provide interim protection and regulation of land use, pending the determination and approval of alternative land uses and land use regulations for Barnston Island, if the ALC decides to approve the exclusion application.

By limiting new development on the Island, the problem of lack of emergency services to the Island will not be exacerbated. However, the City of Surrey has incurred expenses in providing fire and emergency services to the Island without being reimbursed for such expenses. The provision of emergency services to the Island needs to be addressed by the GVRD as the local authority having jurisdiction over the Island.

CONCLUSION

Based on the above discussion, it is recommended that Council authorize the City Clerk to forward a letter to the GVRD that advises that:

- Surrey City Council has no objection to the Greater Vancouver Regional District Electoral Area "A" Zoning By-law No. 1028, 2005;
- The City of Surrey has concerns with the lack of emergency and fire services to Barnston Island and requests that this matter be addressed by the GVRD in relation to its responsibilities for Barnston Island; and
- Surrey City Council adopted the following resolution in October 2003:

"Authorize the City Manager to advise the Barnston Island Majority Owners and Residents Committee (the "Committee") that Surrey City Council is prepared to consider the possible amalgamation of Barnston Island with the City of Surrey, provided that:

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Murray Dinwoodie
General Manager
Planning and Development

JM/kms/saw

Attachments:

Appendix I Electoral Area "A" Zoning By-law No. 1028, 2005 GVRD

Appendix II Map illustrating Electoral Area "A"

GREATER VANCOUVER REGIONAL DISTRICT ELECTORAL AREA A

ZONING BYLAW NO. 1028, 2005

ELECTORAL AREA A ZONING BYLAW NO. 1028, 2005

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Schedule A – Zoning Maps

Schedule B – Multi Family Residential Drawing Package: Strata Lots 17 & 18, District Lots 5716, 6396, and 7763, NWD, Strata Plan LMS 483, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1



A BYLAW TO REGULATE THE ZONING AND DEVELOPMENT OF REAL PROPERTY WITHIN PARTS OF ELECTORAL AREA A OF THE REGIONAL DISTRICT

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

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

NOW THEREFORE the Regional Board of the Greater Vancouver Regional District in open meeting assembled enacts as follows:



101 . TITLE
 This Bylaw may be cited for all purposes as the "Greater Vancouver Regional District Electoral Area A Zoning Bylaw No. 1028, 2005".

102 . APPLICATION
 This bylaw shall be applicable to the portions of Electoral Area A of the Greater Vancouver Regional District depicted on the maps in Schedule A that are attached hereto and form part of this bylaw.

103 . ADMINISTRATION
 A *Building Inspector* or such other person appointed by the Board of the Greater Vancouver Regional District shall administer this bylaw.

104 DEFINITIONS

In this Bylaw:

- **accessory bed and breakfast** means the accessory use of a *dwelling unit* in which bedrooms are rented to paying customers on an overnight basis;
- **accessory boarding** means up to two *sleeping* units contained within a *dwelling* unit for the accommodation of no more than two boarders with or without meals.
- **accessory building and structure** means a *building* or *structure* located on a *parcel*, the use of which *building* or *structure* is incidental and ancillary to the *principal* permitted use of the *land*, *buildings* or *structures* located on the same *parcel*;
- **accessory home occupation** means an occupation or profession carried on by an occupant of the *dwelling unit* for consideration which is clearly incidental and subordinate to the use of the *parcel* for *residential* purposes and includes a *family childcare* facility;
- **accessory residential dwelling** means a use accessory to an *agricultural* use, a *forestry* use, a *recreation* use, a *marina* use, a *hotel* use, a *time share* use, an *assembly* use or some other permitted non-residential *principal use*, where the use is one *dwelling unit* for the accommodation of an owner, operator, manager or employee on the same *parcel* as that on which the use occurs;
- **accessory suite** means a separate *dwelling unit* which is completely contained within a principal building and is accessory to the principal residential use;
- **accessory use** means a use combined with, but clearly incidental and ancillary to, the *principal* permitted uses of *land*, *buildings* or *structures* located on the same *parcel*;
- **agricultural liquid waste** means agricultural waste that has less than 20% solids and includes *agricultural waste water* and silage juices;
- **agricultural liquid waste facility** means a structure used to contain *agricultural liquid waste* or *aquacultural liquid wastes*;
- **agricultural products** means those products derived from activity numbers 1-6 in the definition of *farming*;
- **agricultural solid waste** means a by-product of agriculture, and includes manure, used mushroom medium, and agricultural vegetation waste;
- **agricultural solid waste storage facility** means a facility used to contain *agricultural solid waste*, or biosolids prior to its use or disposal, but does not include a vehicle or any mobile equipments used for transportation or disposal of *agricultural solid or liquid waste*;
- **agricultural waste water** means water which contains any unwanted or unused products or by-products of agriculture including but not limited to milk, fertilizers, pesticides, detergents, acids, phosphates, chlorine and manures;
- **agriculture** means the use of land for farming;
- **agri-tourism** means a tourist activity, service or facility accessory to land that is classified as a farm under the *Assessment Act*;
- **alter** means any change to a *building* or *structure*;
- **apartment building** means any building divided into not less than three *dwelling units* each of which is occupied or intended to be occupied as a long-term home of one *family* and includes social and

recreational facilities of a non commercial nature intended for the use of the residents;

- **aquaculture** means the growing and cultivation of aquatic plants, or fish, for commercial purposes, in any water environment or in human made containers of water, and includes the growing and cultivation of shellfish on, in or under the foreshore or in the water;
- **aquacultural liquid waste** means a waste that has less than 20% solids, is produced on a farm and included fish fecal material and residual fish food material;
- **area used for habitation** means any room or space within a *building* or *structure* which is or may be used for human occupancy, commercial sales, business or storage of goods;
- **assembly** means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, private recreational or private educational purposes; including but not limited to churches, places of worship, auditoriums, youth centres, social halls, group camps, private schools, kindergartens, play schools, day nurseries and *group day cares*;
- **average finished grade** means the average of elevations taken at the outermost corners of the finished elevation adjoining each exterior wall of a *building*;
- **building** means any *structure* or portion thereof, including affixed mechanical devices, that is used or intended to be used for the purpose of supporting or sheltering any use or occupancy and includes a modular house built in accordance with a system number issued by the National Research Council and/or the Canadian Standards Association, where such modular house is permanently fixed to a foundation and built in accordance with the British Columbia Building Code, as amended from time to time;
- **Building Inspector** means the Building Inspector appointed by the Regional Board and includes his or her designate;
- **building setback** means the required minimum horizontal distance of a *building* or *structure* or portion thereof to a designated *lot line*;
- **carport** means an open or enclosed *structure* attached to the *principal* building for the use of parking or for temporary storage of private motor vehicles;
- **channelized stream** means a permanent or relocated stream that has been diverted, dredged, straightened and/or dyked;
- **Chief Administrative Officer** means the Chief Administrative Officer of the Greater Vancouver Regional District as appointed by the Regional Board;
- **civic use** means a use providing for public functions; includes local government offices, schools, community centres, hospitals, libraries, museums, playgrounds, cemeteries, fire halls, and courts of law, but specifically excludes public storage and works yards;
- **community sanitary sewer system** means a system of underground pipes owned, operated and maintained by the Greater Vancouver Regional District or by an Improvement District under the *Water Act* or the *Local Government Act*; and which transports sewage from an area to the trunk sewage collection, treatment and disposal system of the Greater Vancouver Sewerage and Drainage District;
- **confined livestock area** means an outdoor, non-grazing area where livestock, poultry, or farmed game is confined by fences, other structures or topography, and includes feedlots, paddocks, corrals, exercise yards and holding areas;
- **conservation** means the preservation and protection of natural resources and assets in their natural state including the habitat of birds, fish and other wildlife;
- **constructed ditch** means a human-made waterway constructed for the purpose of draining or irrigating land, but does not include a surface drain;
- **cottage residential** means a *residential* use in a *building* which is used for only one *dwelling unit* on a seasonal basis and which is occupied less than 61 consecutive days and less than 182 days in an entire year;

- **development** means a change in the use of any *land, building* or *structure*, the carrying out of any building, engineering, construction, or the construction, addition or alteration of any *building* or *structure*;
- **detention pond** means a water body, either constructed or natural, used to store water including storm water run-off or snow-melt, but excluding *agricultural waste water* for later use or release into a drainage system;
- **duplex residential** means a *residential* use in a single *building* which is used only for two (2) *dwelling units*, the two (2) *dwelling units* to be situated either side by side sharing a common wall for a minimum of 10 metres or up and down sharing a common structure;
- **dwelling unit** means one or a set of habitable rooms used or intended to be used for the residential accommodation of one family and containing only one set of cooking facilities;
- **family** means:
 - (a) one person alone, or two or more persons related by blood, marriage, adoption, or foster parenthood sharing one *dwelling unit*; and
 - (b) not more than three unrelated persons sharing one *dwelling unit*;
- **family childcare** means the use of a *dwelling unit* for the care of not more than seven (7) children, licensed under the *Community Care and Assisted Living Act*;
- **farming** means the use of land, buildings and structures for any of the following:
 - 1) growing, producing, raising, or keeping animals and plants, including apiculture, poultry and the growing of mushrooms and the primary products of those plants or animals, but does not include the breeding of pets, or operating a *kennel*;
 - 2) cultivation in plantations of any specialty wood crops or specialty fibre crops prescribed by the Ministry of Agriculture Food and Fisheries;
 - 3) turf production with approval under the *Agricultural Land Commission Act*, if required;
 - 4) raising or keeping of farmed game by a person licensed to do so under the *Game Farm Act*;
 - 5) raising or keeping of fur-bearing animals by a person licensed to do so under the *Fur Farm Act*;
 - 6) raising or keeping of exotic animals prescribed by the Minister of Agriculture, Food and Fisheries;
 - 7) farming activities that enable uses 1-6 above of the farm on that *lot* including:
 - a) clearing, draining, irrigating, or cultivating land;
 - b) using farm machinery, equipment, devices, materials, buildings and structures;
 - c) applying fertilizers, manure, pesticides, biological control agents, including ground and aerial spraying;
 - d) storage of Agricultural Products and the products of *on-farm processing* and *on-farm product preparation*;
- **fence** means a type of screening consisting of a structure that is used to form a boundary or enclose an area, but excludes hedges, trees and other types of natural vegetation;
- **floor area** (see Gross Floor Area);
- **floor space ratio** means the figure obtained when the *gross floor area* of a *building* on a *parcel* is divided by the area of the parcel;
- **forestry** means a use providing for the management and harvesting of primary forest resources on a *lot*, and, includes only the preliminary grading and/or cutting of such material for shipment or for consumption on the same *lot* but specifically excludes all milling, manufacturing, processing, storage and retail sales of products of forest resources originating from the *lot* or any other source;
- **garage** means an *accessory building*, that is used for the parking of one or more motor vehicles and is totally enclosed with a roof, walls, and one or more doors;

- **grade** (as applying to the determination of building height) means the lowest of the average levels of finished ground adjoining each exterior wall of a *building*, except that localized depressions such as for vehicle, or pedestrian entrances need not be considered in the determination of average levels of finished ground;
- **gross floor area** means the total area of floor space of all storeys of a *building* to the outside surface of the exterior walls;
- **group childcare** means a use or facility providing for the care of more than seven (7) children in a group setting, licensed under the *Community Care and Assisted Living Act*, and includes a nursery school and pre-school;
- **hazardous substance** means a substance defined as “dangerous goods” under section 1 of the *Transport of Dangerous Goods Act* (BC) or as a “health hazard” under section 1 of the *Health Act*;
- **height** (of a building or structure) means the vertical distance from *average finished grade* 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*;
- **highway** includes a public street, road, path, *lane*, walkway, trail, bridge, viaduct, thoroughfare and any other public right of way, but specifically excludes private rights of way on private property;
- **horticultural** means the cultivation of the ground for the purpose of growing fruits, vegetables, plants or flowers, including non-soil bound operations such as hydroponics;
- **hotel use** means a use providing for the temporary accommodation of the transient public in *resort dwelling units* and may include: personal service facilities for guests, *restaurants* and lounges licensed for the sale of alcoholic beverages; coffee shops; gift shops, an accessory retail store providing for the sale of groceries, confections, toiletries, non-prescriptive pharmaceutical and sundry household items; recreation facilities commonly associated with hotels, including swimming pools, game courts, outdoor cooking facilities, gymnasiums and health spa facilities; recuperative centre use; and health clinic;
- **immediate family** means the definition as stated in Section 946 of the *Local Government Act*;
- **junk yard** means any *building* or *land* used for the wrecking, salvaging, dismantling or disassembly of vehicles, vehicle parts, vehicle frames or vehicle bodies;
- **kenel** means the use of lands, buildings or structures to contain or board dogs or cats;
- **land** means real property with or without improvements, and includes the surface of water;
- **landscape screen** means a visual barrier including, but not limited to a row of evergreen shrubs and/or trees, a wooden fence or a masonry wall.
- **lane** means a *highway* more than 3.0 metres but less than 10 metres in width, intended to provide secondary access to *parcels* of *land*;
- **lot** means the smallest unit in which *land* is designated as a separate and distinct *parcel* on a legally recorded subdivision plan or description filed in the Land Title Office, and includes a strata lot within a bare land strata plan under the *Strata Property Act*;
- **lot coverage** means the total horizontal area at grade of all *buildings* or parts thereof, as measured from the outermost perimeter of all *buildings* on the *lot*, and expressed as a percentage of the total area of the *lot*, as a ratio, or as some other measure;
- **lot line, exterior side** means the *lot line* or lines not being the *front* or *rear lot line*, common to the *lot* and a *highway*;
- **lot line, front** means the *lot line* common to the lot and an abutting *highway*. Where there is more than one *lot line* abutting a *highway*, the shortest of these lines shall be considered the front lot line. In the case of a *panhandle lot*, the front lot line, for the purpose of determining setback requirements, is at the point where the access strip ends and the lot widens. Where there is no abutting *highway* and

access is by water only, the front lot line is the lot line shared with the *natural boundary*;

- **lot line, interior side** means a *lot line* not being a *rear lot line*, common to more than one *lot* or to the *lot* and a *lane*;
- **lot line, rear** means the lot line opposite to and most distant from the *front lot line* or where the rear portion of the *lot* is bounded by intersecting *side lot lines*, it shall be the point of such intersection;
- **lot size** means the total horizontal area within the *lot lines* of a *lot*;
- **lot width** means the mean distance between *side lot lines*, excluding access strips of *panhandle lots*;
- **m** means the metric measurement distance of a metre;
- **m²** means square metres;
- **manufactured home** means a transportable prefabricated structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to be moved from one place to another and to be used for residential use by a single family. The structure normally conforms to the CSA Z240 series standards of the Canadian Standards Association for manufactured homes;
- **marina use** means a dock or basin providing moorage, or dry land storage, for the accommodation, maintenance and servicing of boats, and which may include other such functions associated with the operation of a marina for the needs of marina customers including an administrative office, canteen, grocery and marine supplies retailing;
- **minimum lot size** means the smallest area into which a *parcel* may be subdivided;
- **n/a** means not applicable to this category;
- **natural boundary** means the visible high water mark on any watercourse, 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 all ordinary years, as to mark upon the soil of the bed of the watercourse a character distinct from that of the banks thereof, in respect to vegetation as well as in respect to the nature of the soil itself, and includes the active floodplain, and in cases where there is no visible high water mark shall mean the average high water mark;
- **natural stream** means an historic watercourse that has not been altered and is naturally formed place that perennially or intermittently contains surface water, including a lake, river, creek, spring, ravine, swamp, salt water marsh and bog, but does not include a *constructed ditch* or *surface drain*;
- **offensive use** means all uses which introduce or produce malodorous, toxic, or noxious matters, or generate excessive vibration, heat, glare, noise, or radiation beyond the boundaries of the *lot* upon which such operation is located; and the manufacture of a hazardous substance;
- **off-street parking** means the use of *land* for the parking of vehicles other than on a *highway* including the *parking spaces* and the maneuvering aisle;
- **on-farm composting** means the controlled biological oxidation and decomposition of *agricultural solid waste*, straw, vegetative waste, ground paper, hog fuel, mill ends, wood chips, bark or sawdust, on a farm but excluding demolition waste, construction waste, tree stumps, branches, logs or log ends;
- **on-farm processing** means the transformation of *agricultural products* by processes, including mixing, smoking, drying, canning, size reduction, fermentation, or treatment by heat, cold, chemical or biological means to increase the market value or convenience to the consumer, or the preparation of feed for livestock, poultry, farmed game, or fur bearing animals located on the farm, *on-farm composting*, and on farm soilless medium production;
- **on-farm product preparation** means the cleaning, sorting, separating, grading, packing, and other methods of preparing *agricultural products* for shipment or storage;
- **panhandle lot** means any *lot*, that gains street frontage through the use of a relatively narrow strip of *land* which is an integral part of the *lot*, called "the access strip";

- **parcel** means the same as “lot”;
- **parcel depth** means the distance between the *front lot line* and the most distant part of the *rear lot line* of a *parcel*;
- **parking area** means a portion of a *lot* that is used to accommodate *off-street parking*;
- **parking space** means the space for the parking of one vehicle either outside or inside a *building* or *structure*, but excludes maneuvering aisles and other areas providing access to the space;
- **permitted land use** means the principal permissible purpose for which *land, buildings* or *structures* may be used;
- **premises** means the *buildings* and *structures* located on a *parcel* of *land*;
- **principal building** means the *building* for the *principal* use of the *lot* as listed under the permitted uses of the applicable zone;
- **principal use** means the primary use of *land, buildings* or *structures* on the *parcel*;
- **private sanitary sewer system** means a system of underground works to receive and convey domestic effluent from two or more strata lots within a bare land strata plan, and which is connected to a sewage treatment and disposal plant as permitted by the Waste Management Branch of the Ministry of Water, Land and Air Protection, or by the Ministry of Health, and which is owned, operated and maintained by a strata corporation under the *Strata Property Act*.
- **property line** means *lot line*;
- **public service use** means a use providing for the essential servicing of Greater Vancouver Regional District with water, sewer, electrical, telephone and similar services where such use is established by the Regional District, by another governmental body or by a person or company regulated by and operating under Federal and Provincial utility legislation, and includes broadcast transmission facilities;
- **recreation use** means public parks, conservation, recreation and other ancillary uses; excludes commercial recreation uses.
- **residential use** means a use providing for the accommodation and home life of a person or persons, and domestic activities customarily associated with home life including gardening, recreation, storage and the keeping of animals as household pets when such animals are normally kept within a *dwelling unit* and when such animals are not kept for financial gain or favour;
- **restaurant** means an eating establishment where food is sold to the public for immediate consumption within the premises or delivered to other premises, but excludes facilities for the consumption of food in motor vehicles parked on the site, or with drive-through takeout facilities;
- **resort dwelling unit** means one or more habitable rooms used or intended to be used as a *dwelling unit* for the lodging of the transient public.
- **resource use** means a use providing for the extraction of primary forest, mineral and other resource materials, and in addition includes only the primary grading, cutting, crushing, pumping and filtering of such materials for shipment or distribution; excludes all manufacturing of products, and any processing not specifically included in this definition.
- **retaining wall** means a *structure* erected to hold back or support soil or other similar material;
- **road** means the portion of a *highway* that is improved, designed, and ordinarily used for vehicular traffic;
- **setback** means the required minimum horizontal distance measured from the respective *lot line* or *natural boundary* to the nearest portion of a *building* or *structure*;
- **screening** means a continuous fence, wall, compact evergreen hedge or similar combination thereof, which effectively provides a visual separation or enclosure for the *lot* and may be broken by access driveways and walkways;

- **sewage disposal system** means any device which processes, contains or disposes of sewage, and includes a system consisting of building sewers, septic or settling tanks or package treatment plants, discharging into a ground absorption system or other system of effluent disposal, or a privy, but does not include a dry or chemical toilet.
- **single residential dwelling** means a *residential* use in a *building* which is constructed for full time use for only one *dwelling unit*.
- **sleeping unit** means one or more rooms used for the lodging of persons where such unit contains no cooking facilities or sink.
- **storage** means an area outside a *building* where equipment and materials are stored;
- **storey** means the space between a floor level and the ceiling above it;
- **strata lot** means a strata lot as created under the *Strata Property Act*;
- **structure** means anything constructed or erected, the use of which requires its permanent location on the ground, or its attachment to something having a permanent location on the ground;
- **subdivision** means the division of land into two or more *parcels*, whether by plan, apt description, words, or otherwise;
- **surface drain** means a temporary or permanent trench used to drain surface water around a farm building or farm structure, or between crop rows;
- **time-sharing use** means the use of real property as a *resort dwelling unit* provided that such time-sharing use does not permit any one person to use or occupy any *buildings* on such real property for more than 60 consecutive days or for more than a total of 75 days in any one calendar year.
- **water resource use** means a use providing for the generation of hydro-electric power or for the extraction, compounding, pumping, filtering and treatment of water for bulk shipment or distribution.
- **watercourse** means any natural or man-made depression with well defined banks and a bed of 0.6 metres or more below the surrounding land serving to give direction to or containing a current of water at least six (6) months of the year or having a drainage area of 2 km² or more upstream of the point under consideration;
- **waterworks system** means a system of water supply including its source, treatment, storage, transmission and distribution facilities where water is furnished or offered for domestic purposes, and which is approved by the Ministry of Health pursuant to B.C. Regulation 230/92, the Safe Drinking Water Regulation; but does not include a water supply serving only one *single residential dwelling*.
- **yard** means that portion of a *parcel* that may not be built upon as defined by the minimum setback requirements;
- **zone** means a zoning district established by the Bylaw that specifies regulations for the use of land, buildings, and structures that are situated within that zoning district;



201 • General Operative Clauses

- (1) No *land, building or structure* in any *zone* shall be used for any purpose other than that specified in this Bylaw for the *zone* in which it is located in accordance with the Zoning Map.
- (2) No *building or structure* shall be constructed, sited, moved or *altered* unless it complies with the General Regulations of this Bylaw and all regulations and requirements specified for the *zone* in which it is located.
- (3) No *building or structure* shall be constructed, sited, moved, or *altered* unless its *screening* and landscaping requirements are provided as specified for the *zone* in which it is located in accordance with the Zoning Map, unless otherwise specified in this Bylaw.

- (4) No *parcel* shall be created by *subdivision* unless such *parcel* is equal to or greater than the minimum *lot size* and minimum *lot width* specified in this Bylaw for the *zone* in which it is located in accordance with the Zoning Map, unless otherwise specified in this Bylaw.

202 • Prohibited Uses of Land, Buildings and Structures and Water

- (1) Unless a *zone* expressly provides otherwise, the following uses shall be prohibited in all zones:
 - (a) A tent, travel trailer or camper used for habitation, except as specifically permitted in this Bylaw.
 - (b) A *use* located in a mobile home, except within a Mobile Home Park, where any mobile home meeting Canadian Standard Association Z 240 Standards is allowed.
 - (c) A *use* providing for the accommodation of more than one *family*, as defined in this bylaw, in one *dwelling unit*, except as otherwise permitted in this bylaw as a *boarding* use.
 - (d) A use providing a street access, or egress driveway that is within 7.5 metres of the point of intersection of two streets, or of a street and a *lane*, when such road allowances intersect at an angle of one hundred and thirty-five degrees or less.
 - (e) An *offensive use*, except those permitted pursuant to the *Right to Farm Act*.

203 • Exceptions to Height Requirements

The *height* of *buildings* and *structures* permitted elsewhere in this bylaw may be exceeded by not more than 2 metres above the maximum height permitted in the zone for radio and television antennas, spires, monuments, chimney stacks, flagpoles, lighting poles, elevator shafts and stair towers.

204 • Exceptions to Siting Requirements

- (1) Where chimneys, cornices, headers, gutters, pilasters, sills, bay windows or ornamental features project beyond the face of a *building*, the minimum distance to an abutting *lot line* as permitted elsewhere in this Bylaw may be reduced by not more than 0.6 metres providing such reduction shall only apply to the projecting feature.
- (2) Where steps, eaves, sunlight control projections, canopies, balconies, or porches project beyond the face of a *building*, the minimum distance to an abutting *front, rear or exterior lot line* as permitted elsewhere in this Bylaw may be reduced by not more than 1.25 metres and the minimum distance to an *interior side lot line* as permitted in this Bylaw may be reduced by 0.6 metres provided such reduction shall apply only to the projecting feature.
- (3) Freestanding light poles, warning devices, antennas, masts, utility poles, wires, and flagpoles may be sited on any portion of a lot, except that, in any “RS” zone, satellite receiving dishes in excess of 0.75 metres in diameter, length or width, shall:
 - (a) be enclosed or screened so as not to be visible from external view;
 - (b) be sited in compliance with the building *setbacks* for the *zone* in which they are situated;
 - (c) not exceed the allowable *height* for the *zone* in which they are situated.
- (4) Except as otherwise provided elsewhere in this bylaw, *landscape screens* in the form of fences or walls shall not exceed:
 - (a) a *height* of 1.8 metres within the area defined by the *front* and *interior side lot lines* and the front face of the building; and
 - (b) a *height* of 2.4 metres within the area defined by the *rear* and *interior side lot lines* and the rear face of the building.
- (5) Except as otherwise provided elsewhere in this bylaw, *structures* not exceeding an average *height* of

0.6 metres above existing *grade* may be sited on any portion of a *lot* except within the side *yards* established by the required *setbacks* from *interior side lot lines*.

(6) Handrails and guards, to the minimum extent that they are required by the British Columbia Building Code, may be excluded from the *height* prescriptions specified in Section (5) above.

(7) No exterior structure or stair referred to in Section (5) above shall be located closer than 3.0 metres to an on-site sewage disposal system, nor shall such structure or stairs impede the proper function and maintenance of an on-site sewage disposal system.

205 • Artificial Grade

Within the required *setback* areas of any *lot*, artificial grade which is contained by or within *retaining walls*, stacked rock walls, earth embankments or other such landscape elements shall not exceed a *height* of 0.6 metres above the average elevation of the existing grade below the said artificial grade.

206 • Size, Shape and Siting of Buildings & Structures

(1) No more than one *principal building* may be sited on one *lot*, except as otherwise specified in this Bylaw.

(2) No *building* or *structure* shall be constructed, reconstructed, sited, *altered*, or extended so as to cause any existing *building* or *structure* on the same *lot* to violate the provisions of this Bylaw.

(3) The *interior lot line setbacks* of this Bylaw shall not apply to adjoining *strata lots* under a deposited plan pursuant to the *Strata Title Act* with regard to a common wall shared by two or more units within a *building*.

207 • Accessory Home Occupation Use

In any zone in which an *accessory home occupation* use is permitted, the following conditions shall be satisfied:

(1) The activities shall be conducted entirely within the *principal building*, an *accessory building* where the *building* does not exceed 100 m² of *floor area*, or outside of a *building* where such activity involves *horticulture* or a *family* or *group childcare*.

(2) The use shall not involve the storing, exterior to the building or buildings, of any materials used directly or indirectly in the processing or resulting from the processing or any product of such craft or occupation.

(3) The use may involve the display and the sale of a commodity that is produced on the premises, however in no case shall the retailing of the commodity be the primary *accessory home occupation* use.

(4) The use within the principal building shall occupy no more than 30% of the *floor area* of the principal building, up to a maximum of 100 m².

(5) The use within one or more accessory buildings shall occupy a total of not more than 100 m² of *floor area*.

(6) In no case shall the aggregate *floor area* of all buildings used for an *accessory home occupation* use exceed 100 m² on a *parcel of land*.

(7) The total display area of any outdoor advertising sign shall not exceed 0.8 m².

(8) The *accessory home occupation* shall be solely operated by a person resident in the *dwelling unit* and shall not involve the employment of more than one full-time equivalent employee on the premises.

(9) The *accessory home occupation* shall not be an *offensive use*.

(10) An accessory home occupation shall not involve:

- (a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
- (b) the boarding, breeding and keeping of animals;
- (c) the salvage or repair, or motor vehicles, boat, or other machinery as a commercial venture; and
- (d) the assembly of more than 4 persons for any artistic, educational, religious, therapeutic or similar activity.

(11) The use shall provide off street parking in accordance with the requirements in the applicable zone.

208 • Accessory Bed and Breakfast Use

(1) When permitted in a *zone*, an *accessory bed and breakfast* operation shall be required to comply with the following regulations:

- (a) Not more than four (4) bedrooms shall be used for an *accessory bed and breakfast* accommodation;
- (b) *Accessory bed and breakfast* operations may be permitted within either the *principal* or *accessory building*;
- (c) One *off-street parking space* shall be provided for each bedroom used as an *accessory bed and breakfast*;
- (d) Signage shall be limited to one sign with an area not to exceed 0.8 m²;
- (e) The owner and operator of the *accessory bed and breakfast* must reside in the *principal building*;
- (f) No cooking facilities or other facilities for the keeping of food shall be provided for within the bedrooms intended for the said operation;

(g) All *accessory bed and breakfast* operations shall have approved water and sewage disposal systems;

209 • Accessory Residential Dwelling Use

(1) An accessory residential dwelling use shall:

- (a) be limited to one per *lot*;
- (b) have a minimum *floor area* of 50 m² and a maximum floor area of 325 m²;
- (c) where located within the same *building* as the *principal* use, be provided with a separate entrance.

210 • Accessory Suite

(1) Not more than 1 accessory suite shall be permitted on a parcel of land.

- (2) An accessory suite shall be located within a principal building for residential use.
- (3) An accessory suite shall not have a floor area that exceeds 100 m².
- (4) An accessory suite shall not be permitted within a duplex residential use, time share use or an apartment use.
- (5) Unless otherwise specified, an accessory suite may be permitted on a parcel of land of any lot size provided that all other applicable regulations can be satisfied.

211 • Accessory Buildings and Structures

- (1) *Buildings and structures* containing an *accessory use* are permitted in each zone, unless otherwise specified, provided that:
 - (a) the *principal use* is being carried out on the *parcel*; or
 - (b) a *building* for the purpose of the *principal use* has been constructed on the *parcel*; or,
 - (c) a *building* for the purpose of the *principal use* is in the process of being constructed on the *parcel*.
- (2) An *accessory building* or *structure* shall not contain a *dwelling unit*, except for an *accessory residential dwelling*.
- (3) Notwithstanding the setback requirements for *accessory buildings* within each zone, an *accessory building* may be permitted within a rear lot line setback provided that the *accessory building* has a *floor area* of less than 10 m².

212 • Setbacks from Tidal and Non-Tidal Waters

- (1) No *area used for habitation* shall be located within any *building*, mobile home or unit, or modular home or structure, such that the underside of any suspended floor system, or the top of any slab on grade or mobile home pad is less than 1.5 metres above the *natural boundary* of any river, creek, stream, lake or the sea.
- (2) Subject to any Federal or Provincial legislative requirements that may apply, no *building*, mobile home or unit, or modular home or structure, shall be constructed, reconstructed, moved, extended or located:
 - (a) within 30 metres of the *natural boundary* of any river, creek or stream, except that this distance may be decreased to not less than 15 meters provided that the applicant:
 - (i) furnishes the Regional District with a report certified by a professional engineer with experience in geotechnical engineering stating that the proposed *building*, mobile home or unit, or modular home or structure, will not be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rockfall, subsidence or avalanche;
 - (ii) satisfies the Regional District that the proposed siting conforms to the applicable Provincial and Federal regulations and guidelines pertaining to riparian area protection; and
 - (iii) covenants with the Regional District, pursuant to Section 219 of the *Land Title Act*, to use the land only in the manner determined and certified by the aforesaid engineer as enabling the safe use of the land for the use intended, and to indemnify and save harmless the Regional District from any actions arising from a breach of the aforesaid covenant.
 - (b) within 7.5 metres of the *natural boundary* of any lake;
 - (c) within 15 metres of the *natural boundary* of the sea, except that this distance may be decreased to not less than 7.5 meters provided that the owner or applicant:
 - (i) furnishes the Regional District with a report certified by a professional engineer with

experience in geotechnical engineering stating that the proposed *building*, mobile home or unit, or modular home or structure, will not be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rockfall, subsidence or avalanche; and

- (ii) covenants with the Regional District, pursuant to Section 219 of the *Land Title Act*, to use the land only in the manner determined and certified by the aforesaid engineer as enabling the safe use of the land for the use intended, and to indemnify and save harmless the Regional District from any actions arising from a breach of the aforesaid covenant.

213 • Undersized Parcels

Notwithstanding Section 301.2(a), *parcels of land* that are shown on a plan deposited in the Land Title Office prior to the adoption of this Bylaw, which have less than the *minimum lot size* requirement as established in the *zone* in which that *parcel* is situated, may be used for any use permitted in that *zone*, subject to all the regulations for that zone.

214 • Obstruction of Vision

On a corner *parcel* in any *zone* there shall be no obstruction to the line of vision between the heights of 1.0 m and 3.0 m above the established grade of a *highway* (excluding a *lane*) or an access route within a strata title subdivision within the sight triangle, being a triangular area formed by extending a 5.0 m boundary along the *lot lines* from the point of the exterior corner intersection of the *lot lines* and a line connecting these two points as illustrated following:



215 • Ministry of Transportation Requirements

(1) Notwithstanding the siting requirements specified in Division 300 of this Bylaw, no building shall be located within 4.5 metres of a lot line that is adjacent to a Provincial Highway, unless so authorized by the Ministry of Transportation.

- (2) Developments within 800 metres of a Controlled Access Highway fall under the joint jurisdiction of the Ministry of Transportation and the Greater Vancouver Regional District. Such developments must comply with the requirements of the Ministry of Transportation pursuant to Section 54 of the *Transportation Act*.

216 • Regulations for Vehicle Storage

No *lot* shall be used for wrecking or *storage* of derelict automobiles, or as a *junk yard*, and any vehicle which has not been licensed for a period of one year and is not housed in a *garage* or *carport* shall be deemed to be a derelict vehicle and junk, except if such a vehicle is maintained in working order and used for work on the *lot*.

217 • Regulations for Outdoor Signs

Unless otherwise provided elsewhere in this bylaw, signs and other outdoor advertising devices shall be limited to:

- (a) One sign bearing the name, address, and/or occupation of the resident, which may be illuminated but not flashing and which shall not exceed an area of 0.5 square metres; and
- (b) One temporary unilluminated sign for real estate purposes, which shall not exceed an area of 0.5 square metres.



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Section	Zone Name	Short Form	Min. Lot Size	Page No.
302	Small Holding Rural	A-1	1.2 ha	22
303	Extensive Rural and Recreation	A-2	8.0 ha	24
304	Cottage Residential	RS-1	8.0 ha	26
305	Ocean Point Residential	RS-2	0.4 ha	28
306	Strachan Point Residential	RS-3	0.4 ha	30
307	Montizambert Residential	RS-4	0.4 ha	32
308	Multi Family Residential	RM-1	n/a	34
309	Resort Commercial	C-1	9 ha	35
310	Civic Institutional	P-1	560 m ²	37
311	Natural Resource	NR	n/a	38
312	Watershed	W-1	n/a	39
313	Barnston Island	BI-1	20 ha	40

301 • INTERPRETATION

301.1 Permitted Uses

The list of uses under the heading "Permitted Uses" in each of the zones set out in this Division shall be interpreted to mean the uses listed in that particular zone or elsewhere in this Bylaw and no others shall be permitted.

301.2 Minimum Lot Size

Where a "*Minimum Lot Size*" regulation applies in a zone, the dimensions that follow such regulations are to be interpreted as:

- (a) the minimum dimensions permissible for a *lot* which is to be used as the site of *buildings* for the use specified therein; and

(b) the minimum dimensions permissible for a new *lot* that is to be created by *subdivision*.

301.3 Minimum Lot Width

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

301.4 Maximum Number and Size

Where a "*Buildings and Structures*" and a "*Maximum Number and Size of Buildings and Structures*" regulation applies in a zone, such regulation shall be interpreted as meaning that a *lot* which is designated on the Zoning Map of the Greater Vancouver Regional District as being regulated by that schedule shall not be occupied by:

- (a) a greater number of *dwelling units* than the number specified, and
- (b) a *building or structure* that exceeds the amount of *floor area* that is specified.

301.5 Maximum Heights

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

301.6 Minimum and Maximum Setbacks from Property Lines

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

301.7 Maximum Lot Coverage

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

301.8 Maximum Floor Area Ratio or Maximum Floor Area

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

301.9 Zoning Map

The portions of Electoral Area A that are included in this Bylaw are the areas shown on the maps in Schedule A that are attached hereto and form part of this Bylaw and that bear the title:

"Schedule A. This is one of the Zoning Maps referred to in Section 301.9 of the Greater Vancouver Regional District Zoning Bylaw 1012, 2005 and amendments thereto."

each of which additionally bears one of the following sub-titles:

- Map 1 Overall Electoral Area**
- Map 2 North of Lions Bay**
- Map 3 Howe Sound South**
- Map 4 Indian Arm North**
- Map 5 Indian Arm South**

Map 6 Pitt Lake North

- Map 7 Pitt Lake South**
- Map 8 Ocean Point**
- Map 9 Strachan Point**
- Map 10 Montizambert Wynd**
- Map 11 Wigwam Inn**
- Map 12 Widgeon Creek**
- Map 13 Barnston Island**

301.10 Zone Boundaries

- (1) Where a zone boundary is designated as following a *highway* or a *watercourse*, the edge of the *highway* or the *natural boundary* of the *watercourse* shall be the zone boundary.
- (2) Where a zone boundary does not follow a legally defined *lot line*, and where distances are not specifically indicated, the location of the boundary shall be determined by scaling from the Zoning Map.

302 · SMALL HOLDING RURAL ZONE

A-1

302.1 Permitted Land Uses

Minimum Lot Size

Minimum Lot Width

<i>Farming</i>		8 ha ^(a)	n/a
<i>Single Residential Dwelling</i> ha n/a	2	8 ha ^(a)	n/a
<i>Duplex Residential Dwelling</i>		8 ha ^(a)	n/a
<i>Conservation</i>		n/a	n/a
<i>Accessory Bed Breakfast ^(b)</i>		n/a	n/a
<i>Accessory Boarding</i>		n/a	n/a
<i>Accessory Home Occupation ^(c)</i> <i>^(b)Conservation</i>		n/a	n/a
<i>Accessory Residential Dwelling ^(d)</i>		n/a	n/a

<i>Accessory Suite</i> ^(e)	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

(a) The *minimum lot size* may be decreased to 1.2 ha provided that the *lot* is served by a *waterworks system* pursuant to Section 410 of this Bylaw.

(b) *Accessory Bed and Breakfast* shall be subject to Section 208.

(c) *Accessory Home Occupation* shall be subject to the requirements of Section 207.

(d) *Accessory Residential Dwelling* shall be subject to Section 209.

(e) *Accessory Suite* shall be subject to Section 210.

302.2 Buildings and Structures

Maximum Number Maximum Size Maximum Height

<i>Principal Building</i>	1 (a)	n/a	8.5 m (b)
<i>Accessory Buildings/Structures</i>	2	n/a	4.5 m

(a) In the case of a *single residential dwelling* use or a *duplex residential dwelling* use, there shall not be more than 1 *single residential dwelling* or 1 *duplex residential dwelling* on a *lot*, except where the *lot* is greater than 2.4 ha in which case a maximum of 2 *single residential dwellings* shall be permitted.

In the case of an *agricultural* use, there shall be no restrictions on the number of *principal buildings* used for farm use.

(b) Provided that the highest point of any roof shall not exceed a *height* of 10 meters.

302.3 Minimum Building Setbacks ^{(a) (b)}

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
<i>Principal Building</i>	7.5 m	7.5 m	3.0 m	1.5 m
<i>Accessory Buildings and Structures</i>	7.5 m	3.0 m	3.0 m	3.0 m

(a) In the case where there is a *watercourse* on the property or the property abuts the sea or lake, the *setback* requirements outlined in Section 212 shall take precedence.

(b) In cases where there are 2 *principal buildings* located on the same *parcel*, they shall be separated by not less than 5 meters

302.4 Off-Street Parking

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

302.5 Maximum Lot Coverage: n/a

303 · EXTENSIVE RURAL AND RECREATION ZONE

A-2

303.1 Permitted Land Uses

Minimum Lot Size Minimum Lot Width

<i>Farming</i>	8 ha	n/a
<i>Single Residential Dwelling</i> 2 <i>ha</i> n/a	8 ha	n/a
<i>Duplex Residential Dwelling</i>	8 ha	n/a
<i>Conservation</i>	n/a	n/a
<i>Forestry</i>	n/a	n/a
<i>Public Service</i>	n/a	n/a
<i>Recreation</i>	n/a	n/a
<i>Water Resource</i>	n/a	n/a
<i>Accessory Home Occupation</i> ^(a)	n/a	n/a
<i>Accessory Bed Breakfast</i> ^(b)	n/a	n/a
<i>Accessory Boarding</i>	n/a	n/a
<i>Accessory Residential Dwelling</i> ^(c)	n/a	n/a
<i>Accessory Suite</i> ^(d)	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

(a) *Accessory Home Occupation* shall be subject to the requirements of Section 207.

(b) *Accessory Bed and Breakfast* shall be subject to Section 208.

(c) *Accessory Residential Dwelling* shall be subject to Section 209.

(d) *Accessory Suite* shall be subject to Section 210.

303.2 Buildings and Structures

Maximum Number Maximum Size Maximum Height

<i>Principal Building</i>	1 (a)	n/a	8.5 m (b)
<i>Accessory Buildings/Structures</i>	2	n/a	4.5 m

(a) In the case of a *single residential dwelling* use or a *duplex residential dwelling* use, there shall not be more than 1 *single residential dwelling* or 1 *duplex residential dwelling* on a lot, except where the lot is greater than 2.4 ha in which case a maximum of 2 *single residential dwellings* shall be permitted.

In the case of an *agricultural* use, there shall be no restrictions on the number of *principal buildings* used for agricultural purposes.

(b) Provided that the highest point of any roof shall not exceed a *height* of 10 meters.

303.3 Minimum Building Setbacks ^{(a) (b)}

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
<i>Principal Building</i>	7.5 m	7.5 m	3.0 m	1.5 m
<i>Accessory Buildings and Structures</i>	7.5 m	3.0 m	3.0 m	3.0 m

(a) In the case where there is a *watercourse* on the property or the property abuts the sea or lake, the *setback* requirements outlined in Section 212 shall take precedence.

(b) In cases where there are 2 *principal buildings* located on the same *parcel*, they shall be separated by not less than 5 meters

303.4 Off-Street Parking

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

303.5 Maximum Lot Coverage: n/a

304 · COTTAGE RESIDENTIAL



RS-1

304.1 Permitted Land Uses

Minimum Lot Size

Minimum Lot Width

<i>Single Residential Dwelling</i>	8.0 ha ^{(a) (b)}	30 m
<i>Duplex Residential Dwelling</i>	8.0 ha ^{(a) (b)}	30 m
<i>Cottage Residential</i>	8.0 ha ^{(a) (b)}	30 m
<i>Accessory Home Occupation</i> ^(c)	n/a	n/a
<i>Accessory Boarding</i>	n/a	n/a
<i>Accessory Bed and Breakfast</i> ^(d)	n/a	n/a
<i>Accessory Suite</i> ^(e)	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

(a) The *minimum lot size* may be decreased to 1.2 ha provided that the *lot* is served by a *waterworks system* pursuant to Section 410 of this Bylaw.

(b) The *minimum lot size* may be reduced in accordance with Section 304.6

- (c) *Accessory Home Occupation* shall be subject to the requirements of Section 207.
- (d) *Accessory Bed and Breakfast* shall be subject to the requirements of Section 208.
- (e) *Accessory Suite* shall be subject to Section 210.

304.2 Buildings and Structures

Maximum Number Maximum Size Maximum Height

<i>Principal Buildings (a)</i>	1 (a)	n/a	7.5 m (b)
<i>Accessory Buildings/Structures</i>	2	n/a	4.5 m

- (a) Except where the *lot* is greater than 0.8 ha in which case a maximum of 2 *single residential dwellings* or *cottage residential dwellings* shall be permitted.
- (b) Provided that the highest point of any roof shall not exceed a *height* of 9 meters.

304.3 Minimum Building Setbacks ^{(a) (b)}

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
<i>Principal Building</i>	7.5 m	7.5 m	3.0 m	1.5 m
<i>Accessory Buildings and Structures</i>	7.5 m	3.0 m	3.0 m	1.5 m

- (a) In the case where there is a *watercourse* on the property or the property abuts the sea or lake, the *setback* requirements outlined in Section 212 shall take precedence.
- (b) In cases where there are 2 *principal buildings* located on the same *parcel*, they shall be separated by not less than 7.5 meters

304.4 Off-Street Parking

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

304.5 Maximum Lot Coverage: 15%

304.6 Special Subdivision Conditions – Boundary Line Adjustment

Notwithstanding the *minimum lot size* specified in Section 304.1, a *subdivision* may be approved containing a *lot* having a lesser area than specified provided that:

- (a) no *lot* shall have a *minimum lot size* that is less than 80% of the *minimum lot size*;
- (b) the total number of *lots* to be created by the *subdivision* is no greater than the number produced by dividing the *lot area* of the *parent lot* by the *minimum lot size* specified in Section 304.1 and shall not exceed two; and
- (c) for purposes of Section 304, “parent lot” shall mean a *lot* which was recorded in the Land Title Office prior to the effective date of this bylaw and which was, or is proposed to be, the subject of a plan of subdivision.

304.7 Landscape Screens

Landscape screens in the form of fences or walls shall conform to the provisions of Section 204 (4)(a), except that any such *landscape screen* located within an area defined by the building face, the interior and rear lot lines, and the sea shall not exceed a *height* of 1.2 metres.

305 · OCEAN POINT RESIDENTIAL ZONE

RS-2

305.1 Permitted Land Uses Minimum Lot Size Minimum Lot Width

<i>Single Residential Dwelling</i> ^(a)	0.4 ha	30 m
<i>Accessory Home Occupation</i> ^(b)	n/a	n/a
<i>Accessory Boarding</i>	n/a	n/a
<i>Accessory Bed and Breakfast</i> ^(c)	n/a	n/a
<i>Accessory Suite</i> ^(d)	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

(a) The *minimum lot size* may be less than 0.4 ha for a *strata lot* within a bare land strata plan where the *lot* is served by a *waterworks system* and a *private sanitary sewer system* and where the total area of the bare land strata plan (including all common property) divided by the number of *strata lots* within the bare land strata plan is equal to or greater than 1394 square meters.

(b) *Accessory Home Occupation* shall be subject to the requirements of Section 207.

(c) *Accessory Bed and Breakfast* shall be subject to the requirements of Section 208.

(d) *Accessory Suite* shall be subject to Section 210.

305.2 Buildings and Structures Maximum Number Maximum Size Maximum Height

<i>Principal Buildings</i>	1	n/a	10 m (a)
<i>Accessory Buildings/Structures</i>	1	n/a	4.5 m

(a) Provided that the highest point of any roof shall not exceed a *height* of 11.5 meters.

305.3 Minimum Building Setbacks ^(a)

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
<i>Principal Building</i>	7.5 m ^(b)	4.5 m	3.0 m	1.5 m
<i>Accessory Buildings and Structures</i>	7.5 m	4.5 m	3.0 m	1.5 m

(a) In the case where there is a *watercourse* on the property or the property abuts the sea or lake, the *setback* requirements outlined in Section 212 shall take precedence.

(b) Or 20% of the *lot depth* to a minimum or 4.5 meters.

305.4 Off-Street Parking

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

305.5 Maximum Lot Coverage: 25%

305.6 Landscape Screens

Landscape screens in the form of fences or walls shall conform to the provisions of Section 204 (4)(a), except that any such *landscape screen* located within an area defined by the building face, the interior and rear lot lines, and the sea shall not exceed a *height* of 1.2 metres.

306 STRACHAN POINT RESIDENTIAL ZONE

RS-3

306.1 Permitted Land Uses

Minimum Lot Size

Minimum Lot Width

<i>Single Residential Dwelling</i>	0.4 ha	30 m
<i>Accessory Home Occupation</i> ^(a)	n/a	n/a
<i>Accessory Boarding</i>	n/a	n/a
<i>Accessory Bed and Breakfast</i> ^(b)	n/a	n/a
<i>Accessory Suite</i> ^(c)	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

(a) *Accessory Home Occupation* shall be subject to the requirements of Section 207.

(b) *Accessory Bed and Breakfast* shall be subject to the requirements of Section 208.

(c) *Accessory Suite* shall be subject to Section 210.

306.2 Buildings and Structures

Maximum Number

Maximum Size

Maximum Height

<i>Principal Buildings</i>	1	n/a	10 m (a)
<i>Accessory Buildings/Structures</i>	1	n/a	4.5 m

(a) Provided that the highest point of any roof shall not exceed a *height* of 11.5 meters.

306.3 Minimum Building Setbacks ^{(a) (b) (c) (d)}

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback

<i>Principal Building</i>	See b – d (d)7.5 m ^(b)	See b – d 4.5 m	3.0 m	1.5 m
<i>Accessory Buildings and Structures</i>	See b – d 7.5 m ^(b)	See b – d 4.5 m	3.0 m	1.5 m

(a) In the case where there is a *watercourse* on the property or the property abuts the sea or lake, the *setback* requirements outlined in Section 212 shall take precedence.

(b) 7.5 meters from the westerly boundary of District Lots 1745, 1746, and 5383 as established by Plan 13331.

(c) 4.5 meters from the westerly boundary of the BC Rail right of way.

(d) 1.5 meters from the private easement established by Reference Plan 10413, 10850, and 10973.

306.4 Off-Street Parking

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

306.5 Maximum Lot Coverage: 20%

306.6 Landscape Screens

Landscape screens in the form of fences or walls shall conform to the provisions of Section 204 (4)(a), except that any such *landscape screen* located within an area defined by the building face, the interior and rear lot lines, and the sea shall not exceed a *height* of 1.2 metres.

307. MONTIZAMBERT RESIDENTIAL ZONE

RS-4

307.1 Permitted Land Uses Minimum Lot Size Minimum Lot Width

<i>Single Residential Dwelling</i>	0.4 ha	30 m
<i>Duplex Residential Dwelling</i>	0.4 ha	30 m
<i>Accessory Home Occupation ^(a)</i>	n/a	n/a
<i>Accessory Boarding</i>	n/a	n/a
<i>Accessory Bed and Breakfast ^(b)</i>	n/a	n/a
<i>Accessory Suite ^(c)</i>	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

(a) *Accessory Home Occupation* shall be subject to the requirements of Section 207.

(b) *Accessory Bed and Breakfast* shall be subject to the requirements of Section 208.

(c) *Accessory Suite* shall be subject to Section 210.

307.2 Buildings and Structures Maximum Number Maximum Size Maximum Height

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<i>Principal Buildings</i>	1 (a)	n/a	10 m (b)
<i>Accessory Buildings/Structures</i>	1	n/a	4.5 m

- (a) Except where the *lot* is greater than 0.8 ha in which case a maximum of 2 *single residential dwellings* shall be permitted.
- (b) Provided that the highest point of any roof shall not exceed a *height* of 11.5 meters.

307.3 Minimum Building Setbacks (a) (b) (c)

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
Principal Building	See b & c (d)7.5 m (b)	See b & c 4.5 m	3.0 m	1.5 m
Accessory Buildings and Structures	See b & c See b – d 7.5 m (b)	See b & c See b – d 4.5 m	3.0 m	1.5 m

- (a) In the case where there is a *watercourse* on the property or the property abuts the sea or lake, the *setback* requirements outlined in Section 212 shall take precedence.
- (b) 7.5 meters from the westerly boundary of District Lot 2365 as established by Reference Plan 4095.
- (c) 1.5 meters from the westerly boundary of the private right of way established by Explanatory Plan 8610.

307.4 Off-Street Parking

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

307.5 Maximum Lot Coverage: 15%

307.6 Landscape Screens

Landscape screens in the form of fences or walls shall conform to the provisions of Section 204 (4)(a), except that any such *landscape screen* located within an area defined by the building face, the interior and rear lot lines, and the sea shall not exceed a *height* of 1.2 metres.

308 · MULTIPLE FAMILY RESIDENTIAL ZONE

RM-1

308.1 Permitted Land Uses Minimum Lot Size Minimum Lot Width

Apartment Building (a)	1 ha	n/a
Accessory Uses	n/a	n/a

- (a) *Apartment Building* use shall be served by a *waterworks system* and by either a *community sanitary sewer system* or a *private sanitary sewer system*.

308.2 Buildings and Structures

Maximum Number Maximum Size Maximum Height

<i>Principal Buildings</i>	1	0.95 FSR (a)	10 m (b)
<i>Accessory Buildings/Structures</i>	n/a	n/a	4.5 m

(a) The maximum density for an *apartment* shall not exceed a *floor space ratio* of 0.95.

(b) Provided that the highest point of any roof shall not exceed a *height* of 11.5 meters.

308.3 Minimum Building Setbacks ^(a)

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
<i>Principal Building</i>	7.5 m	7.5 m	7.0 m	3 m
<i>Accessory Buildings and Structures</i>	7.5 m	1.5 m	3.0 m	1.5 m

(a) In the case where there is a *watercourse* on the property or the property abuts the sea or lake, the *setback* requirements outlined in Section 212 shall take precedence.

308.4 Off-Street Parking

Off-street parking spaces shall be provided in accordance with the requirements of Division 500.

308.5 Maximum Lot Coverage: 30%

308.6 Special Conditions

Notwithstanding the requirements within this *zone*, an *apartment* use on Strata Lots 17 and 18, DL's 5716, 6396, and 7763, NWD, Strata Plan LMS 483, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 shall conform to the drawing package contained in Schedule B of this Bylaw.

309 · RESORT COMMERCIAL ZONE 

C-1

309.1 Permitted Land Uses

Minimum Lot Size Minimum Lot Width

<i>Marina ^(a)</i>	9 ha.	n/a
<i>Hotel ^(b)</i>	9 ha.	n/a
<i>Time Sharing</i>	9 ha. ^(c)	n/a
<i>Assembly</i>	9 ha.	n/a
<i>Accessory Residential Dwelling</i>	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

(a) A *marina* use shall be subject to the Conditions of Use specified in Section 309.4

(b) A hotel use shall be subject to the Conditions of Use specified in Section 309.4

(c) A time sharing use may be on a lot less than 9 ha provided that the lot is a strata lot within a strata plan where the total area is not less than 9 ha.

309.2 Buildings and Structures

Maximum Number Maximum Size Maximum Height

<i>Principal Buildings</i>	1	20 units (a) 93 m ² (b)	12.0 m
<i>Accessory Buildings/Structures</i>	1	n/a	4.5 m

(a) The maximum number of *resort dwelling units* within a *time sharing use* which may be erected on any *lot* shall not exceed 20 resort dwelling units per hectare of *land* of that *lot*.

(b) The *floor area* of a *resort dwelling unit* shall not exceed 93 square metres.

309.3 Minimum Building Setbacks ^(a)

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
<i>Principal Building</i>	7.5 m	7.5 m	7.5 m	7.5 m (a)(b)
<i>Accessory Buildings and Structures</i>	7.5 m	7.5 m	7.5 m	7.5 m (a)(b)

(a) In the case where there is a watercourse on the property or the property abuts the sea or lake, the setback requirements outlined in Section 212 shall take precedence.

309.4 Conditions of Use

(1) Outdoor *storage* areas shall be totally screened from view from the sea and from *hotel* uses by a *landscape screen* of not less than 1.8 metres in height to a maximum of 2.4 metres.

(2) A *marina* use shall not provide moorage to float homes or to vessels used principally for purposes other than transportation and no vessel while moored at a *marina* within a C-1 Zone shall be used for overnight accommodation.

(3) Notwithstanding Section 209, an *accessory residential dwelling* use shall:

- (a) not be located in part or in total in a mobile home;
- (b) not exceed a *gross floor area* of 375 square metres; and
- (c) be located within one *building* which is situate on the same *lot* as the business to which it is necessary.

(4) Signs and other visual advertising devices shall:

- (a) together not exceed a total area of 4.7 square metres except that no sign shall exceed 2.0 square metres in area; and
- (b) may be illuminated, but not flashing or moving.

- (5) A hotel use shall not permit the use of, or occupancy in *resort dwelling units* by or the occupation in *resort dwelling units* of any one person for more than 60 consecutive days or for more than a total of 75 days in any one calendar year.

309.5 Off-Street Parking

- (1) *Off-Street parking* spaces shall be provided in accordance with the requirements of Division 500.
 (2) Where a *lot* in the C-1 Zone abuts a street so that it is accessible to or may become accessible to automobiles, *off-street parking* shall be provided on the same *lot* as the use being served and requirements shall be in compliance with the provisions of Division 500.

309.6 Maximum Lot Coverage: 10%, except for a *strata lot* that is used for a *time sharing* use.

310 · CIVIC INSTITUTIONAL ZONE 

P-1

310.1 Permitted Land Uses Minimum Lot Size Minimum Lot Width

<i>Civic</i>	560 m ²	n/a
<i>Conservation</i>	560 m ²	n/a
<i>Public Service</i>	560 m ²	n/a
<i>Resource Use</i> ^(a)	560 m ²	n/a
<i>Accessory Uses</i>	n/a	n/a

- (a) When such use is conducted for purposes of park improvement in accordance with a park-development or park-maintenance program.

310.2 Buildings and Structures Maximum Number Maximum Size Maximum Height

<i>Principal Buildings</i>	n/a	n/a	n/a
<i>Accessory Buildings/Structures</i>	n/a	n/a	n/a

310.3 Minimum Building Setbacks ^(a)

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
<i>Principal Building</i>	7.5 m	6 m	6 m	6 m
<i>Accessory Buildings and Structures</i>	7.5 m	6 m	6 m	6 m

- (a) In the case where there is a *watercourse* on the property or the property abuts the sea or lake, the *setback* requirements outlined in Section 212 shall take precedence.

310.4 Off-Street Parking

Off-Street Parking spaces shall be provided in accordance with the requirements of Division 500.

310.5 Maximum Lot Coverage: 40%

310.6 Conditions of Use

A *storage* area accessory to a *civic* use other than within a *building* shall be bounded on all sides by a *landscape screen* not less than 1.8 metres or more than 2.4 metres high.

311 · NATURAL RESOURCE ZONE 

NR

311.1 Permitted Land Uses Minimum Lot Size Minimum Lot Width

<i>Conservation</i>	n/a	n/a
<i>Forestry</i>	n/a	n/a
<i>Resource</i>	n/a	n/a
<i>Water Resource</i>	n/a	n/a
<i>Accessory Uses</i>	n/a	n/a

311.2 Buildings and Structures Maximum Number Maximum Size Maximum Height

<i>Principal Buildings</i>	n/a	n/a	12 m
<i>Accessory Buildings/Structures</i>	n/a	n/a	4.5 m

311.3 Minimum Building Setbacks ^(a)

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
<i>Principal Building</i>	7.5 m	7.5 m	7.5 m	7.5 m
<i>Accessory Buildings and Structures</i>	7.5 m	7.5 m	7.5 m	7.5 m

(a) In the case where there is a *watercourse* on the property or the property abuts the sea or lake, the *setback* requirements outlined in Section 212 shall take precedence.

311.4 Off-Street Parking

Off-Street Parking spaces shall be provided in accordance with the requirements of Division 500.

311.5 Maximum Lot Coverage: n/a

312 · WATERSHED ZONE 

W-1

312.1 Conditions of Use

- (1) For purposes of this bylaw, all *lands* within the Watershed Zone (W-1) are regulated and administered by the Greater Vancouver Water District through the agency of the Watershed

Management Department of the Greater Vancouver Regional District.

- (2) Land within this zone shall be used for the catchment, containment, and diversion of water, and any other activities that are required to maintain a watershed.

313 · BARNSTON ISLAND



BI-1

313.1 Permitted Land Uses Minimum Lot Size Minimum Lot Width

<i>Farming</i> ^(a)	20 ha	n/a
<i>Single Residential Dwelling</i> ^(b) ha n/a	20 ha	n/a
<i>Agri-tourism</i> ^(c)	20 ha	n/a
<i>Conservation</i>	n/a	n/a
<i>Public Service</i>	n/a	n/a
<i>Recreation</i>	n/a	n/a

<i>Aquaculture</i>	n/a	n/a
<i>Accessory Home Occupation</i> ^(d)	n/a	n/a
<i>Accessory Bed Breakfast</i> ^(e)	n/a	n/a
<i>Accessory Boarding</i>	n/a	n/a
<i>Accessory Suite</i> ^(f)	n/a	n/a
<i>Accessory Uses</i> ^(g)	n/a	n/a

(a) A *farming use* shall be subject to Section 313.6

(b) A *manufactured home* up to 9 meters in width for use by a member of the *immediate family* of the occupier of the single residential dwelling shall be permitted.

(c) An *agri-tourism use* shall be subject to Section 313.6.4 .

(d) *Accessory Home Occupation* shall be subject to the requirements of Section 207.

(e) *Accessory Bed and Breakfast* shall be subject to Section 208.

(f) *Accessory Suite* shall be subject to the requirements of Section 210.

(g) *Accessory Uses* shall be subject to Section 313.6.13.

313.2 Buildings and Structures

Maximum Number Maximum Size Maximum Height

<i>Principal Building</i>	1 (a) (b)	500 m ² (c)	8.5 m (d) (e)
<i>Accessory Buildings/Structures</i>	n/a	n/a	4.5 m

(a) Where the *lot* is 8 hectares or more and is a farm operation, an additional *single residential dwelling* may be permitted provided the *single residential dwelling* is necessary for a *farming use*.

) In the case of an *agricultural use*, there shall be no restrictions on the number of *principal buildings* used for agricultural purposes.

) In the case of a *single residential dwelling use*, the maximum *gross floor area* shall not exceed 500 square meters.

(d) In the case of a *single residential dwelling use*, the highest point of any roof shall not exceed a *height* of 10 meters.

(e) In the case of a buildings and structure containing a *farming use*, maximum height shall not exceed 15 metres unless it is a silo in which case it shall be limited to a maximum height of 34 metres.

313.3 Minimum Building Setbacks

Use	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
<i>Single Residential</i>	6 m	6 m	6 m	6 m

<i>Dwelling - Principal</i>				
<i>Single Residential Dwelling - Accessory</i>	6 m	6 m	6 m	6 m
<i>aAAAccessorycipal</i>				
<i>Farm Buildings A</i> ^(a)	7.5 m	4.5 m	7.5 m	4.5 m
<i>Farm Buildings B</i> ^(b)	15 m	15 m	15 m	15 m
<i>Farm Buildings C</i> ^(c) (d)	30 m	30 m	30 m	30 m
<i>Farm Buildings D</i> ^(e)	15 m	7.5 m	15 m	7.5 m
<i>Agricultural Solid Waste Storage A</i> ^(f)	15 m	15 m	15 m	15 m
<i>Agricultural Solid Waste Storage B</i>	30 m	30 m	30 m	30 m
<i>Agricultural Liquid Waste Storage</i> ^(g)	30 m	30 m	30 m	30 m
<i>On-farm Composting and Storage</i> ^(h) <i>SStoragecompost storage</i> structures except mushroom growing, mushroom composting and mushroom compost storage.	30 m	30 m	30 m	30 m
<i>Detention Pond</i>	7.5 m	7.5 m	7.5 m	7.5 m
<i>Silo</i>	30 m	30 m	30 m	30 m
<i>Chemical Storage</i>	7.5 m	7.5 m	7.5 m	7.5 m
<i>Incinerators</i>	30 m	30 m	30 m	30 m
<i>Generator Shed</i>	15 m	15 m	15 m	15 m
<i>Accessory Buildings and Structures</i>	7.5 m	3.0 m	3.0 m	3.0 m

- (a) Farm Buildings A means buildings and structures containing a *farming* use except those containing animals, *agricultural solid waste*, mushroom growing, mushroom compost and greenhouses.
- (b) Farm Buildings B means buildings and structures that specifically contain indoor and outdoor storage areas containing animals, including livestock, poultry, and farmed game, but excluding swine and fur-bearing animals.
- (c) Farm Buildings C means buildings and structures that specifically contain indoor and outdoor storage areas containing swine and fur-bearing animals.
- (d) Farm Buildings C means buildings and structures that specifically contain mushroom composting and mushroom compost storage.
- (e) Farm Buildings D means buildings and structures that specifically contain mushroom growing.
- (f) Facility for dry waste handling.
- (g) Facility for liquid or wet waste handling.

(h) Except mushroom growing, composting, and compost storage.

Use	Natural Stream	Channelized Stream Stream	Constructed Ditch
		Stream	
Seasonal Feeding Area	30 m	30 m	30 m
Agricultural Solid Waste Field Storage Facility	30 m	30 m	30 m
Confined Livestock Area	30 m	30 m	30 m
Agricultural Solid Waste Storage Facility	15 m	15 m	15 m
Agricultural Liquid Waste Storage Facility	15 m	15 m	15 m
Chemical Storage	15 m	15 m	15 m
Compost Storage	15 m	15 m	15 m
Composting	15 m	15 m	15 m
Incinerator	15 m	15 m	15 m
Silo	15 m	15 m	15 m
Woodwaste Storage	15 m	15 m	15 m
Other Farm Buildings	15 m	10 m	15 m

Note: These numbers reflect preliminary directions of the joint process involving the Province of BC and Department of Fisheries and Oceans (DFO) regarding streamside setbacks on agricultural lands. Streamside setback requirements for natural streams, channelized streams and ditches on agricultural lands are currently being reviewed by the Ministry of Agriculture, Food and Fisheries (MAFF) and DFO and effective management measures are being developed. As standards are developed, the Bylaw may be revised accordingly.

313.4 Off-Street Parking

- (1) *Off-street parking* spaces shall be provided in accordance with the requirements of Division 500.
- (2) U-Pick facilities and other direct farm marketing/agri-tourism operations must have sufficient on site parking to accommodate their customers.

313.5 Maximum Lot Coverage: n/a

313.6 Other Regulations Pertaining to Farming Uses

- (1) All land located within the Agricultural Land Reserve (ALR) is regulated by the *Agricultural Land Commission Act*.
- (2) Storage, packing, product preparation or processing of farm products shall be permitted provided that at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm.
- (3) Land development works required for a *farming use* of the *parcel* at farm shall be permitted including clearing, leveling, draining, berming, irrigating and construction of reservoirs and ancillary works.
- (4) An agri-tourism use, other than accommodation, shall be permitted on land that is classified as a farm under the [Assessment Act](#), if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm.
- (5) Horse riding, training and boarding, including a facility for horse riding, training and boarding shall be permitted provide that the stables do not have more than 40 permanent stalls, and the facility does not include a racetrack licensed by the British Columbia Racing Commission.
- (6) The storage and application of fertilizers, mulches and soil conditioners shall be permitted.
- (7) The application of soil amendments collected, stored and handled shall be in compliance with the [Agricultural Waste Control Regulation, B.C. Reg. 131/92](#).
- (8) The production, storage and application of compost from agricultural wastes produced on the farm for farm purposes shall be in compliance with the [Agricultural Waste Control Regulation, B.C. Reg. 131/92](#).
- (9) The application of compost and biosolids produced and applied shall be in compliance with the [Organic Matter Recycling Regulation, B.C. Reg. 18/2002](#).
- (10) The production, storage and application of Class A compost shall be in compliance with the [Organic Matter Recycling Regulation, B.C. Reg. 18/2002](#), provided that the compost produced is used on the farm.
- (11) The construction, maintenance and operation of farm buildings shall be permitted including, but not limited to, any of the following:
 - (i) a greenhouse; and
 - (ii) a farm building or structure for use in an intensive livestock operation.
- (12) The total area covered by all buildings and structures shall not exceed 100 m² in cases where the parcel is located within Agricultural Land Reserve (ALR) and is used in the following manner:
 - (i) Agricultural and horticultural education;
 - (ii) Conservation and nature study;
 - (iii) Fish, game and wildlife enhancement; or

(iv) Hunting and wilderness survival training.

(13) *Accessory uses* shall be limited to the following:

(i) Display and sale of products grown on the same *lot* or grown in British Columbia, provided that:

- a) the products are limited to all farm products and all *on-farm processed products* and any processed meat product facility must be approved by the Ministry of Health;
- b) the maximum total floor area used for retail sales does not exceed 250 m² with a maximum of 100 m² inside and 150 m² outside the *principal building*; and
- c) the sale of products is an *accessory use* to the *principal* agricultural and horticultural use of the *lot*.



401 • Regulation of Subdivision

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

402 • Local Services Act

Unless otherwise provided elsewhere in this bylaw the Subdivision Regulations (B.C. Regulation 262/70) enacted pursuant to the *Local Services Act* shall apply.

403 • Minimum Lot Size and Width

- (1) The size and width of a parcel to be created by *subdivision* and which may lawfully be used as the site for a *building* shall not be less than the minimum dimensions and area for the construction of *buildings* or *dwelling units*, as set out in the *minimum lot size* and *width* statement in the applicable zone schedule, where such *minimum lot size* and *width* have been specified.
- (2) Notwithstanding 403(1), *parcels of land* may be created that are less than the *minimum lot size* requirement applicable in a zone provided that:
 - (a) the *parcel* shall not be less than 98% of the size of the *minimum lot size* requirement; and
 - (b) not more than one such undersized *parcel* shall be permitted in a plan of *subdivision*.
- (3) In the case of a *panhandle lot*, the access strip shall not be included in the calculation of lot size.

404 • Minimum Frontage

- (1) As required by the *Local Government Act*, no *parcel of land* in any proposed *subdivision* shall have less than 10% of its perimeter fronting on a *highway*. This regulation may be relaxed by the Regional Board upon application by the property owner.
- (2) Notwithstanding Section 404(1), the minimum frontage for parcels of land in a proposed cul-de-sac *subdivision* may be less than 10% of the perimeter of the *parcel*, provided that the minimum frontage is not less than 15.0 metres and the *width* of the lot is not less than 20.0 metres measured 10.0 metres back in a perpendicular manner from the *front lot line*.

405 • Parcels Exempt From Minimum Lot Size Requirements

- (1) The consolidation of two or more *parcels* into a single *parcel* may be permitted, notwithstanding that the consolidated *parcel* may not comply with the *minimum lot size* requirement as specified in the zone in which the new *parcel* is situated.
- (2) The realignment of lot lines to create new *parcels* may be permitted provided that:
 - (a) the number of new *parcels* created by *subdivision* would be equal to or less than the

- number of *parcels* that existed prior to the *subdivision*, and;
- (b) the boundary change would not result in the creation of a *parcel* having less than 80% of the *lot area* of any of the original *parcels*.

406 • Parcel Shape

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

407 • Bare Land Strata Subdivision

Any *parcel* created under a Bare Land Strata Plan pursuant to the *Strata Property Act* shall be subject to the provisions of this Bylaw.

408 • Subdivision for Relative

The *minimum lot size* for a parcel that may be subdivided under Section 946 of the *Local Government Act* shall be 0.4 hectares.

409 • Sewage Disposal

No *subdivision* shall be approved unless the *sewage disposal system* has been approved by either:

- (a) the Ministry of Health pursuant to the *Health Act* and Regulations thereto; or
- (b) the Ministry of Water, Land, and Air Protection pursuant to the *Waste Management Act* and Regulations thereto.

410 • Water Supply

Where a *lot* to be created is less than 8.0 hectares in area and is not to be served by a *waterworks system*, the Approving Officer from the Ministry of Transportation shall require proof of an independent water supply to that lot, which shall:

- (a) Not involve any water distribution line within or across any *land* not lying within the subject *lot*, unless such line lies within a registered easement or a *highway*;
- (b) Have its source located at least 30 metres from any component of an existing or planned sewage disposal system;
- (c) In the case of a source which comes within the terms of the *Water Act*, have a license from the Comptroller of Water Rights for a water volume of not less than 2250 litres per day;
- (d) In the case of a subsurface source (well or spring), have a supply certified in a document signed and sealed by a professional engineer registered in the Province of British Columbia as delivering a water volume of not less than 18 litres per minute over a one hour period to a minimum of 2250 litres per day;
- (e) Be approved as potable by the Approving Officer in accordance with the Drinking Water Protection Regulation under the *Drinking Water Protection Act* except that, where a water source does not meet the required standards for potability, the Approving Officer may approve the *subdivision* provided that the applicant covenants with the Greater Vancouver Regional District to:
- (i) include within the construction of any *dwelling unit*, and subsequently to maintain, such water purification devices as the Regional District may approve, to bring the water supply within acceptable standards of potability; and
- (ii) indemnify and save harmless the Regional District for any and all liabilities charged to the Regional District from actions related to water quality within the subject *lot*.



501 • Off-Street Parking Requirements

(1) *Off-street parking spaces for buildings and uses* shall be provided and maintained for that purpose in accordance with the following table:

(a) Residential

Single Residential Dwelling 2 spaces per dwelling unit

Duplex Residential Dwelling 2 spaces per dwelling unit

Apartment 2 spaces per dwelling unit, plus

0.5 spaces per apartment dwelling unit for Visitor Parking that shall be clearly marked "Visitor Parking Only" within the parking space

Cottage Residential 1 space per dwelling unit

Home Occupation 1 space per non-residential employee

Bed and Breakfast 1 space for each bedroom used for *bed and breakfast* over and above the requirements for the *dwelling unit*

Accessory Residential Dwelling 1 space per dwelling unit

Boarding 1 space per sleeping unit used for accessory boarding

(b) Commercial

Resort Dwelling Unit 1 space per unit

Marina 1 space per slip or berth

Restaurant and Lounge 1 space per 4 seats

Time Share Unit 1 space per unit

(c) Other

Civic Use 1 space per 9 m² of gross floor area

Assembly Use 1 space per 4 seats

Boat Launching Ramp 0.4 ha per ramp

Boat Hoist 4 spaces per hoist

(2) In cases where the Ministry of Transportation approval is required, parking requirements as specified by the Ministry may be more restrictive than those specified in this Bylaw.

502 • Calculation of Off-Street Parking Requirements

- (1) Where the calculation of required spaces results in a fractional number, the nearest whole number above that calculation shall be provided.
- (2) If more than one *use* is located on a *parcel*, or if the *parking area* collectively serves more than one *building* or *use*, the total number of spaces shall be the sum of the requirement for the various classes of *uses* calculated separately, and the *parking space* required for one *use* shall not be included in calculations for any other *use*.
- (3) An *off-street loading* space shall not be considered as an *off-street parking* space for the purpose of calculating the parking spaces required.
- (4) If a *use* is not listed in Section 501 the number of spaces shall be calculated on the basis of a similar *use* that is listed.
- (5) Where the calculation of total required spaces is based upon *gross floor area* for the purposes of this section of the Bylaw, *gross floor area* means the floor area of the entire *building* or *structure*, except for the *floor area* of a *building* that is used to support the *principal use* (i.e. parking, storage and heating and other similar areas).
- (6) Where the number of employees is used as a unit of measurement, it shall mean the greatest number of persons at work at any time, in a particular *building* or site for a particular use.
- (7) Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths and the like, each one-half metre of width of such seating accommodation shall be counted as one seat.

503 • Location of Parking Facilities

- (1) Required *parking spaces* shall be located on the same *lot* as the *use* that they serve, unless exempted by this Bylaw.
- (2) Notwithstanding subsection 503(1), *off-street parking* spaces required for all *uses*, except residential, may be located on a *parcel of land* within 150 metres of the *use* which they serve, on condition that:
 - (a) pursuant to Section 219 of the *Land Title Act*, a restrictive covenant shall be registered on the title of that *parcel* limiting the *use* of that *parcel* or a portion of it to the provision of *off-street parking* for the benefiting owner; and
 - (b) an easement is registered on that *parcel* in favour of the benefiting owner permitting the customers of the benefiting owner access to the *parking spaces*.
- (3) *Off-street parking* requirements for new construction shall be provided in such a manner that the location of the required spaces for new development does not result in a loss in the number of existing *off-street parking* spaces required for existing development.
- (4) In a commercial zone, required *parking spaces* for separate commercial uses may be provided collectively, if the total number of spaces provided is not less than the sum of the separate requirements for each *use*, and provided that all regulations governing location of *parking spaces* in relation to the *uses* are met.
- (5) No *off-street parking* spaces shall be located within a required *front or side yard setback*.

504 • Use of Parking Facilities

Required *off-street parking* spaces shall not be used for off-street loading, driveways, commercial repair work, display, sale or storage of goods of any kind, and overnight accommodation by recreational vehicles.

505 • Spaces for Disabled Persons

(1) *Off-street parking* spaces for the physically disabled shall be provided as follows:

Required Number of Parking Spaces	Required Number of Disability Parking Spaces for Disabled Persons
1 - 20	1
21 - 50	2
51 - 80	3
81 - 110	4
111 - 140	5
141 - 170	6

For every 30 spaces over and above 170, one additional *parking space* for the physically disabled shall be provided.

(2) Each *parking space* for the physically disabled shall be:

- (a) a minimum of 4 metres in width;
- (b) marked with the international symbol of Accessibility for the Handicapped;
- (c) located within convenient access of the development, *building* or *use* that it is intended to serve, and with minimum changes in level.

(3) *Off-street parking* spaces for the physically disabled shall only be required in the commercial, institutional and multiple-family residential *zones*.

506 • Design Criteria

(1) The minimum parking stall and aisle dimensions shall be in accordance with the following:

Parking Angle (in degrees)	Width of Space	Length of Space	Width of Aisle
Parallel	2.75 metres	7.0 metres	3.6 metres
30-40	2.75 metres	6.0 metres	4.6 metres
45-60	2.75 metres	6.0 metres	5.5 metres
60-75	2.75 metres	6.0 metres	6.1 metres
75-90	2.75 metres	6.0 metres	6.7 metres

(2) Other than for a *farming use*, *parking areas* to accommodate four or more vehicles shall have a surface that is continually dust free with all parking spaces, manoeuvring aisles, entrances and exits clearly marked.



601 • Eligibility Requirements

Applications for amendments to this bylaw, and for development variance permits to vary any provision of this bylaw, shall be made by the owner of the land involved, or by a person so authorized by the owner in writing.

602 • Submission of Application

Applications for bylaw amendments and development variance permits shall be submitted in writing to the Secretary, Greater Vancouver Regional District, and shall include the following information:

- (a) Legal description of subject property.
- (b) Address and general location of subject property.
- (c) Name and Address of owners of subject property.
- (d) If the applicant is not the owner, a statement of the owner's written consent is required.
- (e) A copy of a State-of-Title Certificate, or a copy of a Certificate of

Indefeasible Title, dated no more than thirty (30) days prior to submission of the application.

- (f) Statement of the proposed change in designation, together with reasons in support of the application.
- (g) Description of services currently existing or readily available to the subject property, including road access, water supply, sewage disposal, hydro, telephone and school bus service.
- (h) A Site Profile in accordance with the requirements of the Provincial Contaminated Sites Regulations enacted pursuant to the *Waste Management Amendment Act*.

603 • Additional Requirements

At the time of application, the Regional District staff may require the following additional information to be included in the submission:

- (a) A dimensioned sketch plan, to a scale stipulated by staff, showing the parcel(s) or part of the parcel(s) to be affected by the amendment, together with the location of existing buildings, structures and use.
- (b) A dimensioned site development plan, to a scale stipulated by staff, showing the proposed use, buildings, structures, and highway access.
- (c) A contour map, to a scale and with contour intervals as stipulated by staff.
- (d) Where subdivision is contemplated, a dimensioned sketch plan of the proposed subdivision, to a scale stipulated by staff.
- (e) A report certified by a professional engineer with experience in geotechnical engineering that the land may be used safely for the use intended.

604 • Application Fee

At the time of application for a zoning amendment or a development variance permit, the applicant shall pay to the Greater Vancouver Regional District an application fee as follows:

- (a) zoning amendment processing fee, all applications - \$1500 plus \$100 per lot (non refundable).
- (b) development variance permit applications - \$1000.
- (c) public hearing advertising fee (where applicable) - \$700 (refunded if no public hearing advertisements are published).

605 • Advisory Planning Commission

Upon receiving an application, staff shall forward it to the Electoral Area A Advisory Planning Commission who shall, in accordance with the procedures established in a Greater Vancouver Regional District Bylaw, prepare a recommendation for the Regional Board, and submit it to staff for transmittal to the Board.

606 • Staff Action

Upon receiving the Advisory Planning Commission recommendation, staff shall prepare and present a report to the Regional Board for its consideration. The report shall:

- (a) contain a copy of the application;
- (b) contain a copy of the proposed amendment bylaw or proposed permit together with recommendations from staff and the Advisory Planning Commission;
- (c) specify whether or not the approval of the Minister of Transportation under the *Highway Act* or the *Local Government Act* is required;
- (d) state the amount of the fee collected;
- (e) state the proposed security to be posted by the applicant if any; and

- (f) additional relevant information.

607 • Board Action – Zoning Amendments

When dealing with an application to amend this bylaw, the Regional Board may upon receipt of the report under Section 606 of this bylaw, proceed with an amendment bylaw or reject the application.

608 • Notice of Public Hearing

(1) When proceeding with an amendment bylaw which requires a public hearing pursuant to the *Local Government Act*, the Regional Board shall give notice of the hearing.

(2) The notice of hearing must state the following:

- (a) the time, date and place of the public hearing;
- (b) in general terms the purpose of the bylaw;
- (c) the land or lands that are the subject of the bylaw;
- (d) where and the days and hours during which a copy of the bylaw may be inspected.

(3) The notice must be published in at least 2 consecutive issues of a newspaper that is distributed at least weekly in the area affected by the subject matter of the notice, the last publication to appear not less than 3 and not more than 10 days before the public hearing.

(4) If the bylaw in relation to which the notice is given alters the permitted use or density of any area, the notice must::

- (a) include a sketch that shows the area that is the subject of the bylaw alteration, including the name of adjacent roads, where applicable, unless the subject land can be clearly identified in a manner other than a sketch; in which case it may be identified in that manner;
- (b) be provided to the owners and occupiers of all real property within the area subject to the bylaw alteration and within a minimum distance of 50 metres of the perimeter of the subject area;
- (c) be delivered by:
 - (i) mail addressed to the owners and occupiers of real property referred to in (a) above as shown on the assessment roll as at the date of the first reading of the bylaw; and
 - (ii) mail addressed to the “occupant” or “occupants” at the date of the mailing or delivery of the notice at the street address (if any) of real property referred to in (a) above; or
 - (iii) direct delivery by the Secretary of the Greater Vancouver Regional District or a duly authorized representative to the principal entrance of any principal use building on real property referred to in (a) above, such notice to be addressed to the “occupant” or “occupants”;

(d) Nothing in this bylaw shall preclude the Greater Vancouver Regional District from having the right to send notices of public hearings to persons other than the owners and occupiers of all real property described in (a) above;

(e) More than one notice of public hearing may be sent to each owner and occupier of all real property described in (a) above, but the latest of such notices shall:

- (i) if delivered by mail, be posted at least 10 days before the date of the hearing;
- (ii) if sent by direct delivery, be delivered at least 10 days before the date of the hearing.

(5) The obligation to deliver a notice under subsection (4) must be considered satisfied if a reasonable effort was made to mail or otherwise deliver the notice.

(6) Section (4) does not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration.

609 • Board Action – Development Variance Permits

When dealing with an application for a development variance permit the Regional Board, upon receipt of the report under Section 606 of this bylaw, and after providing notice under Section 610 of this bylaw, may:

- (a) authorize the issuance of the permit;
- (b) authorize the issuance of the permit as amended by the Regional Board in its resolution; or
- (c) refuse to authorize the issuance of the permit.

610 • Notice of Development Variance Permit

When proposing to pass a resolution to issue a development variance permit the Regional Board shall give notice of its intent, which:

(a) shall be sent to the owners and occupiers of all real property within the area subject to the proposed development variance permit and within a minimum distance of 50 metres from the perimeter of the subject area;

- (b) shall be delivered by:
 - (i) mail addressed to the owners and occupiers of real property referred to in (i) above, or
 - (ii) mail addressed to the “occupant” or “occupants” at the street address (if any) of real property referred to in (I) above, or
 - (iii) direct delivery by the Secretary of the Greater Vancouver Regional District or an authorised representative of the said Secretary, to the principal entrance of any principal use building on real property referred to in (i) above, such notice to be addressed to the “occupant” or “occupants”;

- (c) shall:
 - (i) state the time and place at which the Board will be considering the proposed permit;
 - (ii) identify the land or lands which are subject to the proposed permit;
 - (iii) state in general terms the intent of the proposed permit;
 - (iv) state where and the days and hours during which a copy of the proposed permit may be inspected;
 - (v) include a sketch that shows the area that is the subject of the proposed permit including the name of adjacent roads where applicable, unless the subject land can be clearly identified in a manner other than a sketch, in which case it may be identified in that manner;
 - (vi) describe the procedures to be followed by persons wishing to make a presentation to the Regional Board regarding the proposed permit.

(d) Nothing in this bylaw shall preclude the Greater Vancouver Regional District from having the right to send notices regarding a proposed development variance permit to persons other than the owners and occupiers of all real property described in (i) above.

(e) More than one notice regarding a proposed development variance permit may be sent to each owner and occupier of all real property described in (i) above, but the latest of such notices shall be mailed or delivered no earlier than 30 days and no later than 10 days before the deadline for complying with the applicable Greater Vancouver Regional District Bylaw.

611 • Notice of Decision

Where an application for an amendment bylaw or a permit has been refused by the Regional Board, the staff shall notify the applicant in writing within fifteen (15) days immediately following the date of refusal and shall give the reasons for refusal.

612 • Limitations on Re-Application

Subject to the *Local Government Act*, re-application for a bylaw amendment or permit that has been refused by the Regional Board shall not be considered within a six (6) month period immediately following the date of refusal.



701 • Severability of Bylaw

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

702 • Violations

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

703 • Penalty

(1) Each person who commits an offence shall be liable on summary conviction to the maximum penalty allowable under the Local Government Act of \$10,000.

(2) Each day during which such violation is continued shall be deemed to constitute a new and separate offence.

704 • Entry

The *Chief Administrative Officer* or his/her designate may enter at all reasonable times premises or lands subject to this Bylaw in order to ascertain whether the provisions of the Bylaw are being observed. Obstruction of the *Chief Administrative Officer* in the performance of his/her duties shall constitute an offence.

705 • Other Regulations

Nothing contained within this Bylaw shall relieve any owner of an interest in land from

the responsibility to seek out and comply with any other legislation applicable to that interest.



801 • Repeal Of Previous Bylaw

"The Greater Vancouver Regional District Electoral Area C Bylaw No. 785, 1995" and all amendments thereto are hereby repealed.

READ A FIRST TIME this day of 2005

READ A SECOND TIME this day of 2005

PUBLIC HEARING HELD this day of 2005

READ A THIRD TIME this day of , 2005

RECEIVED APPROVAL OF THE MINISTRY OF TRANSPORTATION this day of 2005

RECONSIDERED, PASSED, AND FINALLY ADOPTED this day of , 2005.

Chairperson

Secretary



The following metric conversions are provided for the convenience of the reader of this Bylaw:

1 metre	=	3.28 feet	1 foot	=	0.30 metre
1 sq. metre (m ²)	=	10.76 sq. ft.	1 sq. ft.	=	.093 sq. m
1 hectare (ha)	=	2.47 acres	1 acre	=	4047 sq. m or 0.405 ha

The following specific metric conversions are provided as they occur quite frequently in this Bylaw:

1.5 metres	=	4.92 feet
3.0 metres	=	9.84 feet
4.5 metres	=	14.76 feet
7.5 metres	=	24.61 feet
10.0 metres	=	32.81 feet
15.0 metres	=	49.21 feet

1400 sq. m = 15,064 sq. ft. or 0.34 acres
2000 sq. m = 21,520 sq. ft. or 0.49 acres
4047 sq. m = 43,560 sq. ft. or 1 acre

0.4047 hectares = 1.0 acre
1.0 hectares = 2.47 acres
2.0 hectares = 4.94 acres
4.0 hectares = 9.88 acres
8.0 hectares = 19.96 acres
20.0 hectares = 49.42 acres

SCHEDULE A

Zoning Maps

Map 1	Overall Electoral Area
Map 2	North of Lions Bay
Map 3	Howe Sound South
Map 4	Indian Arm North
Map 5	Indian Arm South
Map 6	Pitt Lake North
Map 7	Pitt Lake South
Map 8	Ocean Point
Map 9	Strachan Point
Map 10	Montizambert Wynd
Map 11	Wigwam Inn
Map 12	Widgeon Creek
Map 13	Barnston Island

SCHEDULE B

Multi Family Residential Drawing Package

Strata Lots 17 & 18, District Lots 5716, 6396, and 7763, NWD, Strata Plan LMS 483, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1

Appendix II



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