

PART 2 | INTERPRETATION

2.1 Definitions

Definitions found throughout this Bylaw are as follows:

ABATTOIR	means a building or structure designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include some packing and treating of the product on the lot.
ACCESSORY	means a use, building or structure on the same lot with, and of a nature that is incidental and ancillary to the principal use, building or structure.
ACCESSORY DWELLING UNIT (ADU)	means a second dwelling unit, incidental or ancillary to a principal dwelling on a lot, in accordance with regulations for accessory dwelling units in this Bylaw.
AGRI-TOURISM	means, in accordance with provincial regulations, a temporary tourist activity, service or facility accessory to land that is classified as a farm under the <i>Assessment Act</i> , excludes bed and breakfast.
AGRICULTURE USE	means the use of land, buildings or structures for growing, rearing and harvesting agricultural products; growing crops, trees and shrubs; fruit and berry production; forest management and related uses; raising, housing and grazing livestock, poultry, fur-bearing animals and bees; animal feeding and holding areas; storage of crops; aquaculture; and the processing and sale of the primary agricultural products harvested, reared or produced on that farm. Excludes abnormally intensive livestock feeding operations, animal care, cannabis production, and, on land that is not in the Agricultural Land Reserve (ALR), intensive agriculture use.
ANIMAL CARE	means the treatment or hospitalization of animals in a building, structure or on a lot intended for that purpose and includes veterinary clinic, animal hospital and facilities for boarding or breeding household animals or pets.
AQUACULTURE	means the commercial cultivation, rearing, harvesting and processing of aquatic organisms on land or in tidal or non-tidal waters.
ASSEMBLY USE	means use of a lot, building or structure for the gathering or meeting of persons.

AUTOMOBILE/ BOAT SALES OR RENTAL FACILITY	means the use of a lot for the display, sales or rental of new or used passenger motor vehicles, boats, mobile homes or trailers in operable condition, and where no repair work is done except minor incidental repair.
AVERAGE NATURAL GRADE	means the average surface elevation of a lot in its natural state, prior to any disturbance, alteration of land, excavation or filling, calculated by averaging the natural grade levels at each point of the building where two exterior walls intersect each other.
BALCONY	means the same as deck.
BED AND BREAKFAST	means a home occupation use of a single family dwelling rented for the temporary accommodation of not more than four paying guests, excludes short term vacation rental use.
BUILDING	means any structure and portion thereof, including mechanical devices, that are used or intended to be used for the purpose of supporting or sheltering any use or occupancy.
CABIN OR COTTAGE	means a separate single family dwelling unit intended to be occupied on a temporary basis or, where permitted by this Bylaw, as an accessory dwelling unit.
CAMPGROUND	means land operated and occupied throughout the year on a temporary basis for recreational vehicles, wheeled trailers or tents which are brought to the property by the user then removed after each visit. A campground does not include a mobile home park or hotel.
CANNABIS PRODUCTION	means licensed commercial cannabis production, growing, processing, storage or distribution, as permitted by federal legislation, but specifically excluding storefront or retail outlet distribution of cannabis, and excluding the growing of cannabis by an individual for their personal use.
CARETAKER USE	means a dwelling unit used to provide year round or full time accommodation for a maximum of five persons, as an accessory use to seasonal dwelling use, commercial or industrial use.
CARRIAGE HOME OR COACH HOUSE	means an accessory dwelling unit attached to or located on the second storey of an accessory building with its own external access, separate from that of the access to the accessory building.

CARTAGE AND DELIVERY	means use of land, a building or structure by businesses engaged in local trucking, parcel delivery and similar operations, but excludes the operation of freight trucking terminals.
COMMERCIAL VEHICLE	means a vehicle engaged in carrying or which is designed to carry goods, wares or merchandise for commercial purposes and is licensed as a commercial vehicle under the appropriate municipal or provincial laws or regulations.
COMMUNAL SEWER SYSTEM	means a sewer system with at least two connections and which is not owned or maintained by local government or an improvement district.
COMMUNAL WATER SYSTEM	means a water system with at least two connections and which is not owned or maintained by local government or an improvement district.
COMMUNITY CARE FACILITY	means a building or structure licensed or having an interim permit under the <i>Community Care and Assisted Living Act</i> or related regulations, in which care is provided to three or more persons who are not related to the operator by blood or marriage.
COMMUNITY GARDEN	means the use of land for gardens and cultivated by a group of people, utilizing either individual or shared plots on private or public land.
COMMUNITY SEWER SYSTEM	means a sewer system with at least two connections and which is owned or maintained by local government or an improvement district.
COMMUNITY WATER SYSTEM	means a water system with at least two connections and which is owned or maintained by local government or an improvement district.
COMPREHENSIVE DEVELOPMENT AREA	means an area designated for a comprehensive development plan, designed specifically for the site, which recognizes the uniqueness of parcels of land, their location and/or their intended use and is often used for larger areas, urban sites, mixed-use development and intensive small-lot developments.
CONVENIENCE STORE	means a commercial retail outlet not exceeding 200 m ² in gross retail floor area selling food, beverage and other household convenience items for off-site consumption.
COTTAGE	means the same as cabin.

CRAFT BEVERAGE PRODUCTION	means the use of a lot, buildings or structures for the production, storage, sampling of alcoholic beverages that are manufactured on site, and retail sales of beer, cider, spirits, mead or wine in a micro-brewery, cidery, distillery, meadery, or winery. For land in the ALR, in accordance with provincial regulations.
CRAWL SPACE	means that non-habitable portion of a building which is located below the first storey and has a height of not more than 2 m measured from the floor or surface of the ground to the underside of the floor system directly above it.
DECK	means a structure with no roof or walls except for visual partitions and railings, abutting a dwelling unit and constructed on piers or foundations above-grade for use as an outdoor living area.
DISPLAY YARD	means the use of a lot for the display of new or used vehicles, equipment, machinery or boats in operable condition, which are continually available for sale or rental, and where no repair work is done except minor incidental repair of vehicles to be displayed, sold or rented on the premises.
DOCK	means a structure used for the purpose of mooring a vessel, watercraft or boat(s) and for providing pedestrian access to and from, and can consist of a single dock, wharf or pier, including walkway and access ramp.
DORMITORY UNIT	means a building or portion thereof in which bedrooms are provided and rented by an institution, agency, industry, or organization, and which is regulated and maintained by such body. It may include commercial dining facilities.
DRIVE THROUGH	means the use of a lot, building or structure for the provision of food, services or retail goods to customers in their motor vehicles, but excludes car washing, drive-in theatres or gasoline service stations.
DUPLEX	means a building or structure divided by a party wall into two dwelling units, each with its own entrance and which is occupied or intended to be occupied as the permanent residence of one person or family.
DWELLING UNIT	means habitable space consisting of one or more rooms which constitute one self-contained unit with a separate entrance and complete living facilities, occupied or intended to be occupied as a home or residence by one or more

persons, including provisions for living, sleeping, cooking, eating and sanitation.

- FAMILY** means an individual or two or more persons related by blood, marriage or adoption, or a group of not more than five unrelated non-transient persons, living together as a single non-profit group.
- FARM RETAIL SALES** means the sale to the public of products grown or raised on a farm, from that farm, and for properties in the ALR, may include the sale of non-farm products in accordance with provincial regulations.
- FINISHED GRADE** means the top surface of an area after construction and landscaping is completed, such as the top of a road, lawn, driveway or walkway.
- FLANKING STREET** means the street abutting a corner lot on a side other than the front.
- FLOAT HOME** means a house-like building or structure built on a flotation system capable of or intended for overnight use, occupancy or accommodation; intended generally to be anchored in place and is often serviced from shore.
- FLOATING BOAT SHELTER** means a building or structure constructed on the water adjacent to a dock, pier or wharf and intended for the protection of a boat and boating equipment.
- FLOOD CONSTRUCTION LEVEL** means the minimum elevation above the natural boundary to the underside of a floor system or the top of a concrete slab of a building area below flood elevation that is not to be used for habitation, mechanical or electrical infrastructure, business or storage of goods damageable by flood water.
- FLOOR AREA** means the total horizontal area of each floor of a building or structure measured between the interior finished surfaces of those walls.
- FLOOR AREA, GROSS (OR GROSS FLOOR AREA)** means the aggregate areas of all habitable space, including a basement, measured from the interior finished surfaces of those walls, but excluding any detached accessory buildings, a breezeway, unenclosed sunroom, deck, veranda or attic. In the case of a multi-family dwelling, excludes common stairwells and corridors.
- FLOOR AREA RATIO** means the gross floor area of all buildings on a lot divided by lot area.

FORESHORE	means the Crown land and all other land in tidal areas lying between the natural boundary of the water and the mean low tide.
FRONTAGE	means the boundary of a lot abutting a street.
GRADUATED HEIGHT	means the additional height by which an accessory building or structure may be increased when the required side and rear yard requirements established by this Bylaw, for the zone within which the accessory building or structure is located, are exceeded.
GUESTHOUSE	means a single family dwelling in which a maximum of six rooms are rented for temporary accommodation to more than four but not more than twelve persons other than members of the family of the owner, lessee or tenant and excludes provision of cooking facilities, preparation of meals within the rented units, and short term vacation rental.
HABITABLE SPACE	means an area used or intended for cooking, eating, sleeping or other human occupancy.
HEIGHT	means the elevation of a point directly below: <ul style="list-style-type: none"> a) that part of the building or structure being measured above land (or the surface of water at high water), and; <ul style="list-style-type: none"> i. on a line connecting the two intersections of the natural grade and the outermost exterior building walls or supports as indicated on a plan showing any complete vertical section of that part of the building or structure being measured; or ii. where a building is required to meet the minimum Flood Construction Level, that part of the building being measured above the Flood Construction Level.
HOME OCCUPATION	means a business or occupation conducted entirely within a principal dwelling unit or accessory building or in a combination of both, that is incidental and ancillary to a principal residential use of a lot, in accordance with the provisions of home occupation regulations in Part 3 of this Bylaw. Includes boarding and lodging where guest bedrooms are rented, with the tenant or owner residing in the building.
HOTEL	means a commercial building, or group of buildings on the same lot, providing temporary accommodation. Each guest bedroom or dwelling unit shall have a separate exterior entrance, be self-contained with a bathroom, and may contain basic cooking facilities. It may include a café or restaurant and such ancillary facilities as self-service laundry. Excludes retail use.

HOUSEBOAT	means a flat-bottomed vessel, watercraft or boat that is fitted for temporary use as a floating dwelling unit and that can be motored from location to location.
HOUSEHOLD ANIMAL	means a domesticated animal kept by a household, which is used or the product of which is used primarily and directly by the household and not for sale or profit, excludes poultry and livestock.
HOUSEHOLD LIVESTOCK	means domesticated livestock animals kept by a household, which are used or the products of which are used primarily and directly by the household and not for sale or profit.
HOUSEHOLD POULTRY	means domesticated hens or ducks kept by a household, which are used or the products of which are used primarily and directly by the household and not for sale or profit, excludes poultry.
INDUSTRY	means a use providing for the manufacturing, processing, assembly, fabricating, warehousing, distributing, testing, servicing, repair, storage, transporting, maintaining, wrecking or salvaging of goods, products or materials or things with or without an ancillary office to administer the industrial use on the lot, including wood, meat and seafood processing, wholesaling provided that the merchandise being sold is distributed from the lot, and a cannabis production facility.
INDUSTRY, HOME (OR HOME INDUSTRY)	means a business or industry, conducted in an accessory building, structure or outside, that is incidental and ancillary to the principal residential use of a lot, in accordance with the provisions of home industry in Part 3 of this Bylaw.
INTENSIVE AGRICULTURE USE	means the use of land, buildings and structures for the confinement, growing, producing, harvesting, processing of poultry, livestock or fur bearing animals, including the operation of feedlots, or for the growing of mushrooms.
KENNEL	means any building, structure, compound, group of pens or cages or land on or in which five or more dogs or cats are or are intended to be trained, cared for, bred, boarded or kept for any purpose whatsoever, and shall include any building or part thereof in which two or more dogs are kept for breeding purposes.
LANE	means a public way that provides access to the rear of a lot, at the side lot line or rear lot line.

LIVESTOCK means cattle, horses, mules, donkeys, buffalo, water buffalo, sheep, goats, rartites, llamas, alpacas, swine, rabbits, fish, and similar farmed or fur bearing animals.

LOADING SPACE means the use of an area on a lot for the loading or unloading of commercial vehicles in connection with the use of that parcel or an adjacent lot, in accordance with the provisions of off-street loading regulations in this Bylaw.

LOT means any lot, parcel, block or other area, created under the *Land Title Act*, the *Strata Property Act* or the *Land Act*, in which land is held or into which it is subdivided. It does not include a highway, common strata road access or a building strata lot, and in particular:

- 1) Corner lot means a lot at the intersection or junction of two or more streets, highways or lanes.
- 2) Interior lot means a lot other than a corner lot.
- 3) Panhandle lot means the interior lot to which access from a street is gained by way of a narrow strip of land forming part of the lot.
- 4) Through lot means a lot abutting on two parallel or approximately parallel streets.
- 5) Strata lot means a lot shown on a strata plan.

LOT AREA means the total horizontal area within the lot lines of a lot, but excludes any panhandle used to access the balance of the lot.

LOT COVERAGE means the total horizontal area of all buildings and structures on a lot measured to the outside of the exterior walls including the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a structure with no exterior wall, measured to the drip line of the roof, excluding gutters.

LOT LINE means a line which marks the boundary of a lot and in particular:

- 1) Front lot line means:
 - i. The lot line which is common to the lot and a highway or in a case of lots with water access only, the lot line at the natural boundary.
 - ii. Where a lot is divided by a public way such as a dedicated road, lane or walkway, both sides of such public way shall be considered as front lot lines.
 - iii. Where the lot does not have a lot line that abuts a road or water, the front line of the lot shall be determined by the closest road or waterway.

- iv. Where a lot abuts a street and water, the lot line adjacent to the waterway is designated as the front lot line.
 - v. In the case of a through lot, the lot lines abutting on two parallel or approximately parallel streets shall both be considered as front lot lines.
 - vi. In the case of a corner lot, a lot line shall be considered a front lot line if the adjacent lot fronts on the same street. In the case of a corner lot, there shall be only one front lot line.
- 2) Rear lot line means the lot line opposite to and furthest from the front lot line and where the rear portion of a lot is bounded by intersecting side lot lines, the point of intersections shall be deemed to be the rear lot line.
 - 3) Side lot line means a lot line other than a front or rear lot line.
 - 4) Projected side lot line means a perpendicular extension from the general trend of the shoreline, commencing at the intersection of the side property line and the natural boundary.)

LOT WIDTH means the average horizontal distance between side lot lines measured at right angles to the lot depth connecting the front and rear lot lines.

MAJOR STREAM means any stream designated as ‘major’ in the appropriate Official Community Plan, and including Kennedy River and Bedwell River, and in accordance with the provisions of location and siting of structures regulation in Part 3 of this Bylaw.

MANUFACTURING means the use of a lot, buildings or structures for the purpose of assembling, producing, inspecting, finishing, altering, servicing, repairing of any goods, substance, articles, or materials. Excludes boiler and plate work, cement manufacturing, metal fabrication, paper manufacturing, sawmilling, pulp-milling or ship-building.

MARINA means a building, structure or place, containing docking facilities that are located on a waterway, where vessels, watercrafts or boats and accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.

MARINA USE means water-oriented activities such as commercial moorage, float and boat ramps, boat houses or shelters, rental of watercraft, and ancillary services such as marine fuel sales, pump-out facilities for sewage disposal, facilities for disposal of waste oil and bilge water, boat repair, , office space and incidental temporary accommodation on a vessel or watercraft. Excludes watercraft

sales, incidental commercial accommodation in a watercraft or vessel or seasonal dwelling use in a float home or vessel.

**MARINE
TRANSPORTATION**

means the movement of a person or persons by watercraft, vessel or boat, but does not include temporary accommodation.

MEDICAL SERVICES

means health professions and services such as, but not restricted to doctors, dentists, chiropractors, osteopaths, registered nurses, physio and massage therapists; includes clinics and health labs, but excludes cannabis production facilities.

MINI-STORAGE

means a building with self-contained storage rental units, with independent external entrances, for the storage of general household or personal goods and vehicles.

MINOR STREAM

means any stream designated as 'minor' in the appropriate Official Community Plan, or any named or unnamed stream not designated as a major stream, and in accordance with the provisions of location and siting of structures regulation in Part 3 of this Bylaw.

MOBILE HOME

means any prefabricated structure, whether ordinarily equipped with wheels or not, that is built on a permanent chassis, largely assembled in the factory and transported to a lot for use as a dwelling unit. It is designed to conform to Canadian Standards Association (CSA) Z240-MH series standard. Excludes trailers and recreational vehicles.

MODULAR HOME

means a factory-built home on permanent foundation, other than a mobile home, which is not equipped with a permanent hitch or other device that would allow it to be attached or towed behind a motor vehicle, and which does not have permanently attached to its body or frame any wheels or axles, and meeting the CSA-A277 standard. Excludes trailers or recreational vehicles.

**MOTOR VEHICLE
REPAIR SHOP**

means a building used or intended to be used for minor or major repairs to and servicing of motor vehicles, trailers and parts thereof and auto-body spray-painting.

**MULTI-FAMILY
DWELLING**

means a residential use consisting of three or more dwelling units on a lot, such as an apartment, townhouse or row house where each unit is occupied or intended to be occupied as the permanent home or residence of one household.

NATURAL BOUNDARY	means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream or other body of water, a character distinct from that of the banks thereof, in vegetation, as well as in the nature of the soil itself.
OFFICE	means the use of a building to conduct the affairs of a business, profession, service, industry or government, but excludes medical services and personal services.
OPEN SPACE	means an area consisting largely of landscaped open areas, which may include communal water systems, communal sewer systems, roads, trails, transmission lines, recreational areas, natural areas, playgrounds, playing fields or similar uses, but does not include a campground.
PARKING SPACE	means a space for the parking of one vehicle, excluding driveways, ramps and access aisles.
PETTING FARM	means an operation designed for the display of livestock and poultry to the public and providing an area for direct contact between the public and the animals.
PLACE OF WORSHIP	means a church, temple, mosque and synagogue, but excludes schools.
POULTRY	means domesticated birds kept for eggs, meat, feathers, hide or other related purposes and includes roosters, Cornish hens, layers, meat birds, breeding stock, replacement pullets and ducks. On properties zoned to permit agriculture, also includes geese, turkeys, game birds, pigeons and ratites.
PRINCIPAL USE	means the main purpose for which land, buildings or structures are ordinarily used, or designed to be used.
PRIVATE MOORAGE FACILITIES	means a dock or stand-alone boat lift that is permanently affixed to land. Excludes mooring buoys used for private moorage, as regulated by <i>Transport Canada</i> under the federal <i>Navigation Protection Act</i> .
RECREATIONAL VEHICLE	means a vehicle which provides sleeping and other facilities for a person or persons, while travelling or vacationing, whether designed to be towed behind a motor vehicle or self-propelled.

REGIONAL BOARD	means the governing and executive body of the Regional District of Alberni-Clayoquot.
REGIONAL DISTRICT	means the Regional District of Alberni-Clayoquot.
RESIDENTIAL USE	means the occupancy or use of a building or part thereof as a dwelling unit, and excludes temporary accommodation.
RETAIL AND PERSONAL SERVICE	means the use of a lot, building or structure for the retail sale or rental of goods, foods, or wares, the provision of services to the person or personal goods of a customer, but excludes storefront or retail outlet distribution of cannabis.
ROAD	means a public highway, street or thoroughfare which affords the principal means of access to abutting <i>lots</i> .
SCHOOL	means a school as defined by the <i>School Act</i> or the <i>Independent School Act</i> and does not include overnight accommodation.
SCREENING or SCREENED	means a continuous solid fence, wall, berm, compact evergreen hedge, or other densely planted vegetation of sufficient height, according to vision clearance and fence regulations in Part 3 of this Bylaw, to visually shield or obscure one abutting structure, building or lot from another, broken only by access drives and walks.
SEASONAL DWELLING	means a dwelling unit used for a secondary, vacation or recreational home for a maximum of 180 days per year, whether the use is continuous or intermittent.
SECONDARY SUITE	means a dwelling unit in accordance with regulations for accessory dwelling units in Part 3 of this Bylaw.
SETBACK	means the required minimum horizontal distance measured perpendicular from the respective lot line or natural boundary to any building, structure or use. No building, structure or use shall be located within a setback unless permitted by this Bylaw.
SETBACK FROM A STREAM	means the required minimum horizontal distance between a building, structure or use and the natural boundary of the stream.

SETBACK FROM THE OCEAN	means the required minimum horizontal distance between a building, structure or use and the natural boundary of the ocean and applies to the Bamfield area only.
SHORT TERM VACATION RENTAL	means the use of a dwelling unit for the temporary commercial accommodation of paying guests for a period of less than one month. This use does not include bed and breakfast, or boarding and lodging.
SINGLE FAMILY DWELLING	means any building consisting of one dwelling unit which is occupied or intended to be occupied as the permanent residence of one person or family, and may include a secondary suite provided the conditions for an accessory dwelling unit are met.
SITE	means an individual camping site in a campground and an individual mobile home site in a mobile home park.
STEEP SLOPE AREA	means any part of a lot within which the incline is 30% greater for a horizontal distance of 10 m or greater, as measured from natural grade. A lot may include more than one steep slope area.
STORAGE BUILDING	means a building where the principal use is the storage of goods, wares, merchandise, substances, articles or other items and has no habitable space.
STORAGE YARD	means the use of land, for the storage of equipment, goods and products, vehicles, machinery and materials, either inside or outside of a building or structure, but excludes an automobile wrecking yard, a display yard or a junk yard.
STOREY	means that portion of a building that is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, between the top of a floor and the ceiling above it.
STREAM	means <ul style="list-style-type: none"> 1) a natural watercourse, including a natural glacier course, or a natural body of water, whether or not the stream channel of the stream has been modified, or 2) a natural source of water supply, including, without limitation, a lake, pond, river, creek, spring, ravine, gulch, wetland or glacier, whether or not usually containing water, including ice, but does not include an aquifer.

STREET	means the same as road.
STRUCTURE	means anything that is constructed, placed or erected, and includes swimming pool, mobile home foundation, decks and major improvements accessory to the principal use of land, but specifically excludes landscaping, paving improvements and signs under 1 m in height, retaining walls under 1 m in height, fences under 2 m in height and transparent fencing or transparent vertical extensions greater than 2 m in height where the fence is required for agriculture or farm use.
TEMPORARY BUILDING	means a building in accordance with regulations for temporary buildings and structure in Part 3 of this Bylaw.
TEMPORARY FARM WORKER(S)	means, in accordance with provincial regulation, an individual or individuals who carry out agriculture work on a temporary, seasonal basis on a farm operation and are registered with a federal government temporary worker program
TEMPORARY FARM WORKER HOUSING	means, in accordance with provincial regulation, accommodation that is used solely for the purpose of providing cooking, sanitary and sleeping facilities to temporarily house temporary farm worker(s) on a farm operation as necessary for the agricultural labour needs of a farm operation or other farms, if permitted.
TWO-FAMILY DWELLING	means the same as duplex.
UPLAND	means land located or lying higher or above the natural boundary of a body of water.
USABLE OPEN SPACE	means a level, unobstructed area or areas, available for safe and convenient use by all the building's users and occupants, having no dimension less than 6 m and no slope greater than 10%, and providing for greenery, recreational space and other leisure activities normally carried on outdoors. Usable open space shall exclude areas used for off-street parking, off-street loading, service driveways, public walkways and required front yards. Not more than half of the usable open space required for any dwelling unit may include roof areas or roof gardens where no dimension is less than 6 m, private balconies where no dimension is less than 1.5 m and private patios where no dimension is less than 2.4 m.

USE	means the purpose for which any lot, parcel, tract of land, building or structure is designed, arranged or intended, or for which it is occupied or maintained.
UTILITY	means the use of lands, buildings or structures to facilitate the production, transmission, delivery or furnishing of water, gas, electricity or communication services to the public, public transportation, or the collection and disposal of sewage, garbage or other waste.
WATER RECREATION USE	means recreational uses and activities on a body of water, but excludes any activity having an element of permanent or seasonal dwelling use or temporary accommodation on a vessel, watercraft, float home or similar craft.
WATERFRONT	means land that borders a body of water and, in tidal areas, that is upland of the natural boundary of the water.
WINERIES OR CIDERIES	see craft beverage production.
ZONE	means any of the areas into which the Regional District of Alberni-Clayoquot is divided in accordance with this Bylaw, and for which specific regulations are set out in this Bylaw.

PART 3 | GENERAL REGULATIONS

3.1 General Compliance

3.1.1 No lots, buildings or structures in any zone shall be used by the owner, occupier, or any other person for any use, except one which is provided in this Bylaw as being specifically permitted for the zone in which it is located.

3.1.2 Also refer to additional requirements in the respective zones.

3.2 Permitted Uses

3.2.1 No lot, building or structure may be used for a use that is not specifically listed under the headings “Permitted principal uses” or “Permitted accessory uses” in the zone in which the lot, building or structure is located, and no building or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged for any use other than a specifically permitted use in that zone. For greater certainty:

- 1) A use listed under “Permitted accessory uses” is only permitted if a use listed under “Permitted principal uses” is lawfully established and ongoing.
- 2) A use not specifically permitted in a zone is prohibited from that zone.
- 3) A use not specifically permitted in this Bylaw is prohibited from the Regional District.

3.2.2 Exemptions from the restrictions of subsection 3.2.1 include the following uses, which are permitted in all zones:

- 1) parks, trails and playgrounds;
- 2) roads;
- 3) off-street parking;
- 4) minor utilities;
- 5) community gardens;
- 6) agriculture, provided that minimum lot areas for specific agricultural uses are complied with;
- 7) natural areas.

3.2.3 Exemptions from the minimum lot area and width requirements of this Bylaw:

- 1) minor utilities;
- 2) pumping stations, pressure-reducing stations, switching stations, radio repeater stations, microwave towers, weather stations and similar uses having a maximum area of 0.2 ha;
- 3) rights-of-way for railways, conduits, transmission lines, gas pipelines and similar uses;
- 4) but does not include uses permitted under the Community Service (CS) zone or the Resource (RE) zone.

3.3 Lot Regulations

3.3.1 Minimum lot area and lot width requirements of this Bylaw are intended to apply to the creation of new lots; they do not apply to a subdivision that:

- 1) combines two or more lots into a single lot, or

- 2) does not increase the number of lots and adjusts the boundary between existing adjoining lots, provided that the boundary change does not result in a reduction of either lot by 20% or more of the original lot area.
- 3.3.2 Minimum lot areas, minimum frontage and minimum width requirements are set out for the purposes of subdivision only. Any lot existing prior to the adoption of this Bylaw which, at the time of adoption of this Bylaw, fails to meet the minimum lot area, frontage requirements or width requirements of a zone as set out in this Bylaw, shall not, by reason thereof, be deemed to be non-conforming or unlawful. However, any use of the lot shall comply with the regulations specified for the zone in which it is located.
- 3.3.3 In Residential zones and on pie-shaped or other irregularly-shaped lots, frontage may be reduced below the minimum prescribed widths, provided that the average lot width throughout a depth of 30 m measured at 5 m intervals along a perpendicular line from the centre of the lot on the frontage street complies with the required minimum lot width.
- 3.3.4 Subject to compliance with zone specific and private moorage facilities regulations in this Bylaw, the following waterfront access facilities are permitted in all zones of this Bylaw:
- 1) wharves, piers, docks, floats and boat-launching facilities constructed, leased, kept or maintained for the general public;
 - 2) shelters for moored vessels, watercrafts or boats;
 - 3) walkways parallel to the foreshore;
 - 4) walkways perpendicular to the foreshore only where necessary to gain access from a float or wharf or otherwise inaccessible property abutting the foreshore.

3.4 Location and Siting of Structures

- 3.4.1 No building or structure shall be constructed, reconstructed, altered, moved or extended by the owner, occupier, or any other person so that it contravenes the requirements, as provided in this Bylaw, for the zone in which it is located.
- 3.4.2 No building or structure shall be constructed, reconstructed, altered, moved or extended:
- 1) on ground less than 0.6 m above the 200-year-flood level where this level can be determined, or 3 m above the natural boundary of a lake or any major stream as defined by this Bylaw; or
 - 2) within 15 m of a minor stream and 30 m of a major stream; or
 - 3) unless otherwise specified in this Bylaw, within 15 m of the natural boundary of the ocean; or
 - 4) These restrictions do not apply to:
 - i. industrial and commercial buildings and structures where the use of the waterfront is a necessary subsidiary part of the business activity;
 - ii. simple structures used for the storage of vessels, watercrafts or boats and their ancillary equipment.

3.5 Height of Buildings and Structures

3.5.1 The following structures or structural parts are not subject to the building height requirements of this Bylaw:

- 1) spires of churches or other places of worship
- 2) belfries
- 3) domes
- 4) chimneys
- 5) monuments
- 6) silos
- 7) flag poles
- 8) masts
- 9) aerials
- 10) monitors
- 11) stadiums
- 12) water tanks
- 13) fire and hose towers
- 14) observation towers
- 15) transmission towers
- 16) radio towers
- 17) cooling towers
- 18) drive-in theatre projection screens
- 19) elevator and ventilating machinery penthouses
- 20) cell towers

provided that the structure shall not cover more than 20% of the lot or, if located on a building, not more than 10% of the roof area of the building.

3.6 Projections

3.6.1 The following features may project into a required front, side and rear yard:

- 1) steps and wheelchair ramps;
- 2) eaves, gutters, cornices, sills, bay windows, chimneys, ornamental features or other similar features, provided that the projection does not exceed 1 m or 0.6 m in the case of a required side yard of less than 1.5 m in width;
- 3) marquees, canopies open porches and decks, provided that, if the projection is into a required side yard, it does not exceed 1.8 m or 50% of the width of that required side yard;
- 4) balconies, awnings and sun shades, provided that the projection does not exceed 1.2 m and is not supported by columns;
- 5) an uncovered patio or terrace (either open or enclosed) in any required yard in a Residential zone. An awning or sun umbrella is permitted on a patio or terrace.
- 6) arbors and trellises, fish ponds, ornaments, flag poles or similar landscape features;
- 7) an uncovered swimming pool, provided that the pool is
 - i. not located in the required front yard,
 - ii. not nearer than 3 m to any lot line, and
 - iii. fenced and fitted with a safety gate.
- 8) a covered or roofed swimming pool, provided that the pool is
 - i. not located in the required front yard,

- ii. not nearer than 3 m to any lot line,
 - iii. fenced and fitted with a safety gate, and
 - iv. subject to compliance with the regulations governing accessory buildings, structures and uses contained in Part 3 of this Bylaw;
- 9) gasoline service pumps or pump islands in a required front, rear or side yard, provided that the pump or pump island is located no closer than 4.5 m to any lot line. Canopies erected above a pump or pump island may project more than 1.8 m into a required front yard, provided the canopy is located no closer than 4.3 m to any lot line.

3.7 Vision Clearance at Intersections and Fences

- 3.7.1 No fences, walls or other structures, other than a permitted principal building, shall be more than 1 m high and no hedge, bush, shrub, tree or other plant shall be allowed to grow so that it obstructs vision clearance in the area bounded by:
- 1) the intersecting lot lines at a street corner and a straight line adjoining points along the lot lines 10 m from their point of intersection, or
 - 2) the intersection lot lines at a lane corner and a straight line joining points along the lot lines 6 m from their point of intersection. A lane intersection includes the intersection of a lane with any other lane or with a street.
- 3.7.2 The following height limitations apply to fences, walls and structures other than a building, provided any required screening is maintained:
- 1) If located in a required front yard, fences shall not exceed a height of 1.4 m.
 - 2) If located in a required side or rear yard, fences shall not exceed a height of 2 m except as specified in the respective zones.
 - 3) If located in a Community Service or Industrial Zone, open-mesh or chain-link type fences shall not exceed a height of 3.7 m.
- 3.7.3 The height of a fence, wall or hedge shall be measured from the ground at the average natural grade within 1 m of both sides of the fence, wall or hedge.
- 3.7.4 No fences are permitted within the foreshore of any body of water.
- 3.7.5 Any portion of a retaining wall that projects above the surface of the ground which it supports shall be considered as a fence and shall be subject to the regulations of this section.
- 3.7.6 Where a retaining wall has been constructed along a lot line, the height of a fence, wall or hedge shall be measured from the surface of the ground which the retaining wall supports at the average natural grade with 1 m of the retaining wall.

3.8 Conversion of Buildings

Buildings may be converted, altered or remodelled for another use provided that:

- 1) the building is structurally suitable for the proposed conversion; and
- 2) the converted building shall conform to all the provisions and regulations specified for the zone in which it is located.

3.9 Accessory Buildings, Structures and Uses

- 3.9.1 Accessory buildings and structures shall not be constructed unless:
- 1) a principal building has been erected;
 - 2) a principal building will be erected simultaneously; or
 - 3) a principal use is in effect.
- 3.9.2 Accessory buildings and structures shall not be used as a dwelling unit, except as otherwise permitted as an accessory dwelling unit by the provisions in Part 3 of this Bylaw, and shall not include kitchen facilities unless otherwise permitted in the Bylaw.
- 3.9.3 Except as otherwise provided in this Bylaw, accessory buildings and structures may be located in required rear and side yards provided that no portion of the building is located within 1 m of a rear or side lot line.
- 3.9.4 A building or structure that is attached to a principal building by at least 66% of the length of any of its sides and has no direct access to the outside is not considered to be an accessory building, but is rather an extension or addition to the principal building. Unless otherwise specified in this Bylaw, the required setback from the side lot lines shall not be less than 1 m.
- 3.9.5 Except as otherwise provided in this Bylaw, an accessory building or structure shall not exceed 3.6 m in height.
- 3.9.6 In zones where graduated height is permitted, the height of an accessory building or structure may be increased by 0.3 m vertical distance for every 0.6 m increase in excess of the minimum side and rear yard setbacks established by this Bylaw to a maximum of two storeys.
- 3.9.7 On a corner lot an accessory building or structure shall not be located closer to the flanking street than the principal building on the same lot nor closer than the required setback from the flanking street of the principal building on an adjoining lot or, where the lots are separated by a lane, the lot on the opposite side of the lane.
- 3.9.8 A structure for sheltering a boat may be located between the principal building and a waterway giving boat access, regardless of its location in a required front, rear or side yard.
- 3.9.9 An accessory building or structure shall not exceed 3.6 m in height if it is located within a required rear yard.
- 3.9.10 The total combined lot coverage of all accessory buildings and structures is restricted to:
- 1) the greater of 5% of the area of the lot or
 - 2) 400 m² in Residential 1 and Residential 2 zones and to 5% of the area of the lot in all other zones
 - 3) unless otherwise specified in this Bylaw.
- 3.9.11 In Rural zones:

- 1) the provisions of Section 3.9.5 are increased to 6 m;
- 2) the provisions of Section 3.9.3 are increased to 4.5 m; and
- 3) the provisions of Section 3.9.6 may be increased by 0.3 m vertical distance for every 1.2 m increase in excess of minimum side and rear yard setback requirements.

3.10 Accessory Dwelling Units

3.10.1 One accessory dwelling unit may be in any of the following forms:

- 1) a secondary suite within or attached to a single family dwelling or two-family dwelling,
- 2) a carriage house or coach home above a garage or other accessory building,
- 3) a separate cabin on the same lot as the principal dwelling unit.

3.10.2 One accessory dwelling unit may be permitted where all the following conditions are met:

- 1) the lot is within an Official Community Plan area;
- 2) the lot is in a Rural 1, Rural 2 or Rural 3 or a Residential 1, Residential 2 or Residential 3 zone;
- 3) the lot contains a principal dwelling unit or the accessory dwelling unit will be constructed simultaneously with a proposed principal dwelling unit;
- 4) the accessory dwelling unit is occupied or intended to be occupied as the permanent residence of a person or family, except when being used as a short term vacation rental with a valid Temporary Use Permit;
- 5) the accessory dwelling unit meets all BC Building Code requirements; and
- 6) the lot meets health requirements for sewage disposal and potable water.

3.10.3 An accessory dwelling unit shall have a floor area of not more than 90 m² in size, or if located within or attached to the principal dwelling unit, not more than 40% of the habitable floor area of the building, whichever is less.

3.10.4 No more than one accessory dwelling unit is permitted on any lot.

3.10.5 An accessory dwelling unit may only be one storey and not more than 3.7 m in height unless otherwise provided for in this Bylaw.

3.10.6 An accessory dwelling unit shall not be located, unless otherwise provided for in this Bylaw:

- 1) within a required front yard, or
- 2) within 3 m of a side or rear lot line.

3.10.7 An accessory dwelling unit, if located within the principal dwelling unit or within an accessory building, shall have its own entrance.

3.10.8 An accessory dwelling unit shall include facilities for storing, preparing and cooking food, sanitary and sleeping facilities.

3.10.9 No person may occupy an accessory dwelling unit unless an occupancy permit has been issued for it.

3.10.10 One off-street parking space shall be provided for the exclusive use of the occupant(s) of the accessory dwelling unit.

3.10.11 An accessory dwelling unit may not be a separate strata unit.

3.10.12 On lots greater than 0.8 ha in size, one accessory dwelling unit or one mobile home of at least 60 m² may be permitted in addition to a single family dwelling provided that:

- 1) there is only one principal building located on the property and it is occupied as a single family dwelling; and
- 2) the setbacks for the accessory dwelling unit or mobile home are the same as the requirements for the principal dwelling unit.

3.11 Caretaker Use

3.11.1 Caretaker use that is accessory to a non-residential principal use may be permitted in the following circumstances:

- 1) as specified in the respective zones in this Bylaw, or
- 2) where the premises cannot be effectively secured or where the public safety might be endangered by lack of supervision.
- 3) Authorized accommodation shall conform to the requirements of this Bylaw in all respects and to the requirements of the Building Bylaw.

3.12 Temporary Buildings and Structures, Recreational Vehicles and Mobile Homes

3.12.1 No temporary building or structure may be constructed or erected without a permit.

3.12.2 A temporary building is not intended to be permanent and, other than a garage or other accessory building, shall not have its exterior walls supported on continuous concrete or masonry foundations or walls.

3.12.3 Temporary buildings include boat shelters, bunkhouses, skid shacks, huts, custom-building manufactured or mobile units or any other similar type of portable building or structure, whether or not it is placed on foundations or affixed to the land in any way.

3.12.4 A temporary building, structure or recreational vehicle shall not be used as a dwelling unit for longer than 48 hours, with the following exceptions:

- 1) Where a principal dwelling unit is under construction on a lot that is at least 0.4 ha in size, one temporary building or mobile home may be occupied as a dwelling unit for a period not to exceed the construction period, provided that the temporary building or mobile home is and continues to be habitable.
- 2) The temporary building or mobile home shall be removed upon completion of construction of the principal dwelling unit or upon the expiry and non-renewal of the building permit for the principal dwelling unit.
- 3) A temporary building or structure may be erected for the storage of construction materials and tools on a lot being developed for a period not to exceed the construction period.
- 4) A recreational vehicle may be used as a dwelling unit on a transitory basis only, when located in an authorized campground.

3.14 Home Occupation

- 3.14.1 A home occupation or business shall be conducted entirely within a principal dwelling unit or accessory building or in a combination of both, with the exception of a daycare, which may have an outdoor play area.
- 3.14.2 The home occupation use shall occupy no more than 40 m².
- 3.14.3 No more than three persons, at least one of whom must reside in the dwelling unit, may be engaged in the home occupation.
- 3.14.4 There shall be no external production or storage of materials, containers or finished goods, except for the temporary storage of harvested crops.
- 3.14.5 There shall be no indication, other than a single non-illuminated sign of a maximum 1 m², that the lot and its building are being utilized for any purposes other than residential use.
- 3.14.6 A home occupation shall not involve the use of mechanical equipment other than equipment similar to that ordinarily employed for residential purposes.
- 3.14.7 The premises must not be used for manufacturing, any other light industry, warehousing or retail uses.
- 3.14.8 The home occupation must not produce noise, vibration, smoke, dust, odour, litter or heat other than that normally associated with a dwelling unit and must not create or cause any fire hazard, electrical interference or traffic congestion in the street.
- 3.14.9 Parking for all vehicles in connection with a home occupation shall be located on the lot used for the home occupation.
- 3.14.11 The operation of a kindergarten, daycare or preschool as a home occupation shall be for a maximum of eight children at any one time or as permitted by provincial licence.
- 3.14.12 The operation of a bed and breakfast or boarding and lodging as a home occupation shall be for a maximum of four boarders or lodgers, with the tenant or owner residing in the building.
- 3.14.13 The operation of a dance school as a home occupation shall be limited to a maximum of eight students at any one time.

3.15 Home Industry

Lots zoned for home industry are intended to provide space for the incubation of small, new industrial uses. Home industry uses require larger lots and more buffering than are required for home occupation uses as some of the industrial activities may be conducted outdoors.

- 3.15.1 A home industry may be conducted in an accessory building or structure or outside, but not in a dwelling unit.
- 3.15.2 The minimum lot area for home industry use is 2 ha.
- 3.15.3 The maximum total area of home industry use on a lot is 200 m².
- 3.15.4 No more than four persons, at least two of whom must reside in the dwelling unit, may be engaged in the home industry.
- 3.15.5 A suitable fully landscaped 10 m in depth, screened and buffered area shall be provided between home industry uses and adjacent lots.
- 3.15.6 The minimum setback from all lot lines for home industry use is:
 - 1) 15 m provided the use is contained within an accessory building or structure or
 - 2) 30 m if the use is not contained within a building or structure.

3.16 Upland Aquaculture

- 3.16.1 The minimum setback for all buildings, nursery facilities and grow-out ponds from all lot lines is 15 m.
- 3.16.2 Aquaculture shall be conducted within a building except for necessary nursery facilities and grow-out ponds.
- 3.16.3 The perimeter of all upland aquaculture facilities must be enclosed by a chain-link type fence of not less than 1.5 m in height. All gates must be self-closing with locking mechanisms located on the inside of the gate to prevent public access.
- 3.16.4 The perimeter fence shall be located within a setback that is 3 to 6 m from the pond's edge.
- 3.16.5 Best practices, including landscape buffering, shall be used to prevent any annoyance or nuisance, such as unsightliness, the emission of odours and noise including generator or pump noise and the use of floodlighting, to residents or visitors to the surrounding area.

3.17 Private Moorage Facilities

- 3.17.1 Requirements for private moorage facilities on all land in the ACRD, including Crown and private land (also refer to additional requirements in the respective zones):
 - 1) One private moorage facility permitted per adjacent waterfront lot.
 - 2) No dock can be located in an area designated as being environmentally sensitive or overlapping with other authorizations or Crown land reserves.
 - 3) Refer to the Ministry of Forests, Lands and Natural Resource Operations *Provincial Crown Land Use Operational Policy: Residential* for group moorage facilities.
 - 4) If located in a marine environment ensure that it is limited to a single dock which consists of an elevated pier leading to a ramp and one moorage float only.
 - 5) All docks should be oriented at right angles to the general trend of the shoreline.

- 6) Ensure that dock structures are not grounded at low water/low tide. All docks must be on pilings/suspended or floating at all times.
- 7) A dock must be connected to the shore and the connection must provide pedestrian access to the dock.
- 8) The only improvements permitted as part of a dock are those necessary for mooring a vessel, watercraft or boat (including non-overhead boat lifts, pilings and anchor lines), and a walkway. No beach houses, storage sheds, boathouses, roofs, sun decks, hot tubs or other similar improvements are permitted on a dock.
- 9) Boat lifts shall only be accessible from a fixed or removable dock by being attached directly to such structure, or sited immediately adjacent within 0.5 m of such structure.
- 10) The number of allowable berths, and size and length of a dock are specified in each zone.
- 11) Where an unlighted private moorage facility is likely to constitute a navigational nuisance, adequate lighting may be required.

3.18 Keeping of Animals

3.18.1 In all zones where agriculture use or animal care is not a permitted use, keeping of animals shall be deemed an accessory use, and the following regulations apply:

- 1) on lots with a lot area of less than 0.8 ha, the keeping of bees, household animals, household poultry and household livestock for domestic purposes is permitted, in accordance with Section 3.18.2, 3.18.3 and 3.18.4 of this Bylaw;
- 2) on lots with a lot area of 0.8 ha or greater, the keeping of bees, household animals, poultry and livestock is permitted, in accordance with Section 3.18.3 and 3.18.4 of this Bylaw;
- 3) on lots in Rural and Resource zones with a lot area of at least 2 ha, any number of livestock may be kept for commercial or domestic purposes, including bees, household animals, poultry, livestock and kennels, provided that provisions are made to reduce excessive noise.

3.18.2 The keeping of household animals and household livestock for domestic purposes as an accessory use on a lot is subject to the following requirements:

- 1) must be accessory to the residential use.
- 2) on lots with a lot area of less than 0.4 ha:
 - a) a maximum of 4 household animals are permitted per lot; and
 - b) a maximum of 1 household livestock is permitted if an area of 0.2 ha is provided on the lot for its use.
- 3) on lots with a lot area of 0.4 ha to 0.8 ha:
 - a) a maximum of 6 household animals are permitted per lot; and
 - b) a maximum of 2 household livestock are permitted per lot if an area of 0.2 ha is provided on the lot for each animal's use.
- 4) a building or structure for keeping household livestock shall in no case be sited within 4.5 m of any lot line or dwelling unit.

3.18.3 The keeping of household poultry and poultry as an accessory use on a lot with an area of less than 2 ha is subject to the following requirements:

- 1) on lots with a lot area of less than 1 ha no roosters, cockerels, or peacocks, and the like are permitted.
- 2) meat, manure or other products derived from the household poultry must not be sold from the lot.
- 3) the destruction or disposal of household poultry on the lot is prohibited.
- 4) on lots with a lot area of less than 0.4 ha a maximum of 12 hens or ducks are permitted per lot.
- 5) on lots with a lot area of 0.4 ha to 0.8 ha a maximum of 24 hens or ducks are permitted per lot.
- 6) whether the building or structure is portable or stationary, a minimum enclosure of 0.4 m² per hen or duck to a total maximum floor area of 9 m², must be provided, and at least 1 m² of outdoor run per hen or duck, and:
 - a) must meet the minimum setback requirements of the applicable zone and in no case shall be sited within 4.5 m of any lot line or dwelling unit.
 - b) is not permitted within any front yard.

3.18.4 The keeping of bees is subject to the following requirements:

- 1) must be registered with the BC Ministry of Agriculture and must abide by the beekeeping regulations as specified in the provincial and federal regulations.
- 2) on lots with a lot area of less than 0.4 ha a maximum of 2 beehives are permitted.
- 3) on lots with a lot area of 0.4 ha to 0.8 ha a maximum of 4 beehives are permitted.
- 4) a beehive shall be located at least 7.5 m from all lot lines.

3.18.5 A building or structure used for the keeping livestock must be located at least 15 m from all lot lines, watercourses and dwelling units.

3.18.6 Animal waste shall be managed in accordance with current good practices, as required by federal and provincial regulations.

3.18.7 These regulations do not apply to properties with farm status classification under the BC Assessment Act or lands located within the ALR.

3.19 Off-street Parking

3.19.1 For all uses, buildings and structures identified in this section and in the zones, off-street parking and off-street loading must be provided and maintained in accordance with the regulations in this Bylaw.

3.19.2 The number of parking spaces required shall be as shown below:

Use, Building or Structure	Off-Street Parking Spaces Required
Abattoir	2.0 spaces
Accessory dwelling unit	1.0 space per ADU
Airport	1.0 space per 10.0 m ² of waiting room
Animal care	1.0 space per 20.0 m ² of floor area

Assembly such as art galleries, museums, libraries and studios	1.0 per 40 m ² of floor area
Assembly such as arenas, assembly or meeting halls, auditoriums, clubs, lodges and fraternal buildings, community centres, dance halls, exhibition halls, funeral parlours and undertaking businesses, gymnasiums, stadiums, theatres and similar uses	1.0 space per 10 seats or 1.0 space per 9,000 m ² of gross floor area, whichever is greater
Auction room	1.0 space per 28 m ² of gross floor area
Bed and breakfast	1.0 spaces per bedroom plus 1.5 for owner or operator's use
Billiard/pool parlour	1.0 space per billiard/pool table
Boarding and lodging	1.0 space per 2 guest bedrooms
Bowling alley	2.0 spaces per bowling lane
Campground	2.0 spaces per camping site plus 1.0 space per employee
Camping site	2.0 spaces
Caretaker Use	2.0 spaces
Club or lodge in CD zone	1.0 space per 10 seats or 1.0 per 9,200 m ² of floor area in areas without fixed seats
Commercial marina	1.0 space per 3 berths
Commercial nursery or greenhouse	1.0 space per 15 m ² of sales building
Communication service	1.0 space per 28 m ² of gross floor area
Community care facility	1.0 space per 3 beds plus 1.0 space per 3 employees
Community service such as police, fire station or community hall	1.0 space per 40 m ² of gross floor area
Convenience store	1.0 space per 15 m ² of gross floor area
Cottage intended for tourist or temporary accommodation	1.0 space per cottage
Craft beverage production facility	1.0 space per 28 m ² of gross floor area of retail space
Duplex or two-family dwelling	1.5 spaces per dwelling unit
Dwelling, single family	2.0 spaces per dwelling unit
Dwelling, seasonal if not accessed from a constructed road	No off-street parking required
Dwelling unit in a commercial or mixed-use building	1.5 spaces per dwelling unit
Dwelling unit, multi-family	1.5 spaces per dwelling unit
Fitness centre	1.0 space per 10 m ² of fitness or gymnasium floor area
Float home	1.0 space
Fuel service station	1.0 for each 2 employees plus 1.0 per service bay

Guest bedroom	1.0 space per guest bedroom plus 1.5 for owner or operator's use
Guesthouse	1.0 spaces per bedroom plus 1.5 for owner or operator's use
Health, welfare and medical services	1.0 space per 46.5 m ² of floor area
Heavy industry	1.0 space per employee
Home industry	1.0 space per non-resident employee
Home occupation	1.0 space per non-resident employee
Hotel	1.1 spaces per dwelling unit or bedroom plus 1.0 space for each 3 seats in dining or drinking facilities
Hospital or sanatorium	1.0 space per 2 staff doctors plus 1.0 per 4 employees plus 1.0 per 5 beds
Houseboat	1.0 space
Institution or dormitory unit	1.0 space per 3 employees plus 1.0 per 6 beds
Kennel	2.0 spaces
Manufactured or mobile home	1.5 spaces per home
Manufacturing or production facilities, including industrial buildings, structures and uses, display yards, research laboratories, servicing and repair businesses and similar uses	1.0 space per 3 employees
Marina	1.0 space per employee plus 1.0 per 3 berths
Cannabis production facility	1.0 space per employee
Medical services	1.0 space per 46.5 m ² of gross floor area
Motor vehicle repair shop	1.0 space per 3 employees or 1.0 per 92,903 m ² of gross floor area, whichever is greater
Office	1.0 space per 46.5 m ² of gross floor area
Office in industrial building	1.0 space per 27.8 m ² of gross floor area
Office in recreation building	2.0 spaces
Park (active sports, playing fields)	25.0 spaces per playing field
Petting farm	1.0 space per 400 m ² of area occupied by the petting farm and permitted accessory uses plus 1.0 space for every 2 non-resident employee plus 2.0 spaces for the owner or operator's use
Place of worship or hall	1.0 space per 10 seats plus 1.0 per 18.58 m ² of gross floor area used for assembly within a place of worship or hall
Recreational use including golf course, miniature golf course, health centres, steam baths, roller rinks, swimming pools and similar uses	1.0 space per 46.5 m ² of gross floor area plus 1.0 per 10 spectator seats
Restaurants, bistros, cafés, other eateries, beer parlours, bars, pubs, lounges, night-clubs and other similar businesses, and entertainment services	1.0 space for each 3 seats

Retail and personal service	1.0 space per 28 m ² of gross floor area
Riding academy	1.0 space per 5 horse stalls
School such as an elementary and junior high school	1.0 space per staff member
School such as a senior high school, college or other adult education	1.0 space per staff member plus 1.0 per 10 students
Seasonal dwelling	1.5 spaces per seasonal dwelling
Short term vacation rental	1.0 space per STR bedroom
Warehouse, storage building, mini-storage, storage yard, wholesale businesses and other similar uses	1.0 space per 3 employees or 1.0 per 185,806 m ² of gross floor area, whichever is greater

- 3.19.2 A change in use or modification of a building, structure or lot shall result in a recalculation of parking requirements in accordance with this section, which may result in requirements for additional or fewer parking spaces to be provided.
- 3.19.3 Where the number of employees is used as a unit of measurement for the calculation of required parking spaces, it shall mean greatest number of persons at work, at any time of the day or night, in a particular building or for a particular use during any season of the year.
- 3.19.4 Where seating accommodation is used as a unit of measurement and where such accommodation consists of benches, pews, booths and similar seating, each 50 cm of width of such seating shall be counted as one seat.
- 3.19.5 When the calculation of parking requirements results in a fractional parking space, one parking space shall be provided to meet this fractional requirement.
- 3.19.6 Where a building, structure or use is not specifically mentioned or defined, the required off-street parking spaces for that use shall be the same as for a similar use.
- 3.19.7 All required off-street parking spaces shall be used only for the purpose of accommodating the vehicles of clients, customers, employees, members, visitors, residents or tenants who make use of the principal building, structure or use for which the parking area is provided. Such parking areas shall not be used for off-street loading, driveways, street access, access aisles, commercial repair work or display, or sale or storage.
- 3.19.8 Where more than one building, structure or use is located on a lot or involves collective parking for more than one use, building, or structure, the total number of parking spaces shall be the sum of the various classes of buildings, structures or uses, including accessory buildings, structures and uses, calculated separately, and a space required for one building, structure or use shall not be included in calculations for any other building, structure or use.
- 3.19.9 No truck, bus, other commercial vehicle, contractor's equipment, dismantled or wrecked or unlicensed vehicle, boat, trailer or any similar vehicle, conveyance, craft or

equipment shall be parked or stored outside a garage, building or structure in any Residential zone, except the following, which may only be parked or stored in a location other than the required front yard:

- 1) Not more than two of any combination of the following:
 - i. Trucks or commercial vehicles not exceeding .89 of a tonne rate capacity, or
 - ii. Personnel carriers not exceeding a carrying capacity of 18 passengers;
- 2) Trucks, commercial vehicles or equipment required for construction, repair servicing or maintenance of the premises;
- 3) Any dismantled, wrecked or unlicensed vehicle for a period of not more than 30 successive days;
- 4) Boats or craft, unless the required front yard adjoins a waterway giving boat access, in which case one boat or craft may be stored in this required front yard;
- 5) One trailer or boat-trailer;
- 6) One recreational vehicle, where the location of an existing residence precludes vehicular access to the rear yard or where open storage in the rear yard is precluded because of the presence of sewage disposal facilities.

3.19.10 Parking shall not be located within a required front yard unless permitted by the specific zone regulations.

3.19.11 Parking is not permitted, and no part of a parking area is permitted, within 1 m of a side lot line.

3.19.12 All parking requirements for a residential building, structure or use shall be provided on the same lot as the building.

3.19.13 All off-street parking spaces shall comply with the following minimum dimensions:

- | | | |
|----|--------|--------|
| 1) | Length | 5.5 m |
| 2) | Width | 2.6 m |
| 3) | Height | 2.15 m |

3.19.14 Where a parking space abuts a fence, wall or other structure that is more than 0.3 m in height, the width of the parking space shall be increased by 0.3 m along any side that abuts such fence, wall, building or other structure to enable the opening of vehicular doors.

3.19.15 All off-street parking spaces shall have clear access to access aisles.

3.19.16 Minimum access aisle widths shall be:

Parking Angles

Up to 45°

Width of Aisle

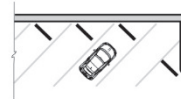
3.7 m

46° to 60°

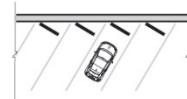
5.2 m

61° to 90°

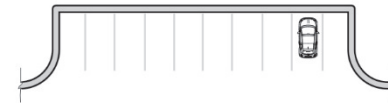
6.7 m



45° Parking



60° Parking



90° Parking

- 3.19.17 Access aisles that are intended for two-way traffic flow shall be not less than 6 m in width.
- 3.19.20 All parking lots and parking areas shall be provided with adequate vehicle stops and curbs in order to retain all vehicles within the parking lot or parking area, and to ensure that any fences, walls, hedges, landscaped areas or buildings will be protected from any vehicles using the parking lot or parking area.
- 3.19.21 Where the uses, buildings or structures of a lot require more than ten (10) off-street parking spaces, the parking lot or parking area and access aisles shall be paved or covered with some other hard, durable and dust-free surface and shall be graded to provide proper drainage for surface water.
- 3.19.22 Any lighting used to illuminate any parking lot shall be arranged so that all direct rays of light are reflected upon the parking area and not on any adjoining lot.
- 3.19.23 The provisions of subsections 3.19.16 and 3.19.18 are inapplicable if the lot is part of a substantial area that is not accessible to vehicles, provided that an off-street parking area is provided in accordance with this Bylaw for the building, structure or use.

3.20 Off-street Loading

3.20.1 Where any building, structure or use is established on any lot, off-street loading areas shall be provided and maintained for the permitted building, structure or use in accordance with the regulations of this section. The number of loading spaces required shall be as shown below:

Building, Structure or Use	Off-Street Loading Spaces Required
Retail store, wholesale business, warehouse and other similar uses of less than 465 m ²	1.0 space
Retail store, wholesale business, warehouse and other similar uses of 465 to 2,323 m ²	2.0 spaces
Retail store, wholesale business, warehouse and other similar uses of 2,324 to 5,574 m ²	3.0 spaces
Retail store, wholesale business, warehouse and other similar uses of more than 5,574 m ²	3.0 spaces plus 1.0 additional space per 5,574 m ² or fraction thereof

Office, place of assembly, place of worship, hospital, institution, hotel, auditorium, utility, school or other similar uses of less than 2,787 m ²	1.0 space
Office, place of assembly, place of worship, hospital, institution, hotel, auditorium, utility, school or other similar uses of 2,787 to 5,575 m ²	2.0 spaces
Office, place of assembly, place of worship, hospital, institution, hotel, auditorium, utility, school or other similar uses of more than 5,575 m ²	2.0 spaces plus 1.0 additional space per 5,574 m ² or fraction thereof
Industry and airport use	1.0 space per 2,000 m ² or portion thereof in all buildings located on the lot, except where a use, building or structure requires fewer than 4.0 parking spaces, then no loading space is required

- 3.20.2 A change or modification of a building, structure or use shall result in a recalculation of loading requirements in accordance with this section, which may result in requirements for additional or fewer parking spaces to be provided.
- 3.20.3 Where more than one building, structure or use is located on a lot or involves collective loading for more than one use, building or structure, the total number of loading spaces shall be the sum of the various classes of buildings, structures or uses calculated separately, and a space required for one building, structure or use shall not be included in calculations for any other building, structure or use.
- 3.20.4 All required off-street loading spaces shall be located on the same lot as the building, structure or use that they serve.
- 3.20.5 Loading spaces and facilities shall not be located within a required front yard or less than 7.6 m from the nearest point of intersection of the lot lines of any two road right-of-ways.
- 3.20.6 All off-street loading and unloading spaces shall be designed to accommodate a vehicle at least 9 m in length, 2.5 m in width and 3.7 m in height.
- 3.20.7 All loading spaces shall be provided with adequate vehicle stops and curbs in order to retain all vehicles within the loading area, and to ensure that any fences, walls, hedges, landscaped areas or buildings will be protected from any vehicles using the loading area.
- 3.20.8 The loading spaces and access aisles shall be paved or covered with some other hard, durable and dust-free surface and shall be graded to provide proper drainage for surface water.
- 3.20.9 Any lighting used to illuminate any loading spaces shall be arranged so that all direct rays of light are reflected upon the loading area and not on any adjoining property.

3.20.10 The provisions of subsection 3.20.7 and 3.20.8 are inapplicable if the lot is part of a substantial area that is not accessible to vehicles, provided that an off-street loading area is provided in accordance with this Bylaw for the building, structure or use that will be completed within six months of the provision of vehicular access.

3.20.11 The provisions of subsection 3.20.8 is inapplicable if the lot is part of a substantial area where public highways are not hard-surfaced, provided that the loading area is kept dust-free and is surfaced in accordance with subsection 3.10.9 within six months of the provision of hard-surfacing to the vicinity of the lot.

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