

TOWN OF COMOX

**TOWN OF COMOX
ZONING BYLAW 1377**

JUNE 19, 2002

**CONSOLIDATED ZONING BYLAW
AUGUST 2007**

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SCHEDULE “B” ZONING MAP

TABLE OF AMENDMENTS TO ZONING BYLAW 1377

Bylaw	Amend. #	Date Adopted	Comments
1377		Jun 19,2002	
1396	1	Apr 2, 2003	Rezoning of 1646 and 1668 Balmoral from R1.1 to RM3.2
1403	2	May 7, 2003	CD1.1 and CD1.2 amendment
1406	3	Aug 6, 2003	Amendment of C2.1, C2.3, C4.1 and I1.1 zones Garden Centre definition
1414	4	Jun 16, 2004	Rezoning of 1695 and 1699 Comox Ave from R1.1 to C4.1 (Quay 1)
1417	5	Mar 3, 2004	Liquor Store, Restuaruant Lounge, Retail Store definition Bicycle parking amendment Amendment of C3.1, C4.1 and M2.2 zones for Site specific zoning for Liquor Store Amendment of C2.2, C3.1,C4.1, M2.2 and CD1.3 zones for Restaurant-Lounge use Amendment of P1.1 zone for Restaurant use Amendment of P2.1 and DND1.1 zones for Brew Pub, Pub, Restaurant and Restaurant-Lounge Use
1421	6	Jul 7, 2004	Rezoning of Bydand Property from RDCS zoning to R1.1
1428	7	Aug 18, 2004	Amendment of I1.1 zone for Dental Clinic and Medical Clinic
1430	8	Oct 6, 2004	CD4 Congregate Care – Berwick 1700 Comox Ave
1432	9	May 4, 2005	Rezoning of part of 1714 and 1720 Beaufort Ave from R1.1 to C4.1 (Quay 2)
1434	10	May 5, 2004	Rezoning of Kueber Property from RDCS zoning to R1.1
1440	11	Oct 6, 2004	Rezone 1912 Comox Ave from R1.1 to Rm3.2
1443	12	May 4, 2005	Creation of CD5 Lazo Marsh-Single Family zone
1445	13	Dec 15, 2004	M1.2 Marine Aquaculture Shellfish Aquaculutre definition
1460	14	Nov 2, 2005	McDonald Road and Guthrie DL 144 and DL 170 R3.1 Single-Family/Secondary Suite R3.2 Single-Family/Secondary Suite-450 sq m Parcel Dwelling Unit Minimum Floor Area amendment Parking Location and Siting amendment Dwelling parking requirement amendment Building Parcel Frontage, Secondary Suite, Utility definitions
1468	15	Apr 20, 2005	1630 Balmoral – R1.1 to R2.1
1479	16		1829 Beaufort – proposed CD 6
1481	17	Jan 18, 2006	1854 & 1858 Beaufort – Nasralla – R1.1 to C4.1
1490	19	Jan 18, 2006	Elks Park rezone to P1.1

Bylaw	Amend. #	Date Adopted	Comments
1492	20	Jun 7, 2006	720 & 730 Aspen – Noort – amend CD2; rezone portion of CD2 to RM 1.2 (Patio Dwelling 6.3 m Maximum Height)
1498	18	Jan 18, 2006	1298 Military Row – 888 Wing rezone to PA1.1
1506	21	Jun 7, 2006	442 & 471 Butchers Rd, 430 King Rd. Creation of R1.3 Single-Family – 1100 m ² Parcel zone; amendment to Payment in Lieu of Parking to agree with newly consolidated OCP; Rezoning to P1.1, R1.1, R3.1, and R1.3 zoning
1510	22	May 3, 2006	1984 Buena Vista – Pletscher rezone C2.1 to R1.1
1513	23	Jun 7, 2006	1720 Beaufort – Portside – Creation of C5.1 Residential-Oriented Mixed Use zone
1523	24	Feb 21, 2007	1700 Balmoral – The Renaissance
1538	26	Feb 7, 2007	Rezone 1100 & 1112 Lazo Road from CSRD zone to R3.2 (map amendment)
1540	27	Feb 7, 2007	Rezone Lot 6 Lazo Road from CSRD zone to R3.2 (map amendment)
1542	28	Feb 7, 2007	Rezone 427 Butchers Road from CSRD zone to R3.1, R1.3, and P1.1 (map amendment)
1549	29	Feb 7, 2007	Rezone 442 Butchers Road from CSRD zone to R3.1 and R1.3 (map amendment)
1536	25	July 18, 2007	Rezone 840 Shamrock Place from I1.1 to CD8
1561	30	July 18, 2007	Rezone 496 & 500 Butchers Road from CSRD zone to R1.1

TOWN OF COMOX

BYLAW NO. 1377

A BYLAW TO ADOPT A ZONING BYLAW

The Council of the Town of Comox, in open meeting assembled, hereby enacts as follows:

SECTION 1 TITLE

1.1 This Bylaw may be cited for all purposes as **Town of Comox, Zoning Bylaw 1377.**

SECTION 2 ADMINISTRATION

2.1 Application

Within the Town no land, building, structure or part thereof shall be used or occupied and no building, structure or part thereof shall be erected, moved, altered, or enlarged unless in conformity with this Bylaw or authorized under the provisions of the *Local Government Act* of British Columbia.

2.2 Non-Conforming Uses and Siting

A continuation of a non-conforming use or siting shall be subject to the provisions of the *Local Government Act* of British Columbia.

2.3 Licenses, Permits and Compliance With Other Bylaws

Nothing in this Bylaw shall exempt any person from complying with the requirements of any other Town bylaw or requirements of any other authority having jurisdiction.

2.4 Inspection

The Building Inspector or any employee of the Town of Comox appointed to administer or enforce this Bylaw, is hereby authorized to enter at all reasonable times upon any property to ascertain whether the provisions of this Bylaw are being or have been complied with.

2.5 Violation

- (1) Every person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done or neglects to do any act or thing in contravention of this Bylaw, shall be guilty of an offence of this Bylaw and shall be liable to the penalties herein imposed.
- (2) Each day that an offence of this Bylaw is caused to continue, or allowed to continue, constitutes a separate offence.
- (3) It is unlawful for any person to prevent, or obstruct, or attempt to prevent or obstruct, the authorized entry of the Building Inspector or any other employee appointed to administer or enforce this Bylaw.

2.6 Penalties

Any person guilty of an offence is punishable in accordance with the *Offence Act* of British Columbia.

2.7 Severability

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason found invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

SECTION 3 INTERPRETATION

3.1 Section References

Section references are to this Bylaw unless otherwise noted.

3.2 Definitions

In this Bylaw, **UNLESS OTHERWISE STATED**, the following definitions shall apply:

Abbeyfield Housing

A building operated by a non-profit or co-operative society and comprised of (1) one or more rooms constituting a self-contained unit with only one cooking facility and occupied or designed to be occupied as the permanent residence of a maximum of ten elderly people living together where each person has a private bed-sitting room and share common facilities, and (2) an optional dwelling unit for a live-in caretaker.

Accessory Building

A building utilized for an accessory use and subordinate in area and extent to the principal use served.

Accessory Structure

A structure utilized for an accessory use.

Accessory Use

A use on a parcel that is customarily incidental, subordinate and exclusively devoted to a principal use located on the same parcel; does not include a dwelling unit.

Amusement Centre

A building or part thereof used for the entertainment of the public through the provision of mechanical or electronic amusement machines, including pool or billiard tables, where the number of machines is four or greater.

Animal Shelter

A parcel or building, used for the care of lost or abandoned animals and animals seized by any authority having jurisdiction.

Apartment Dwelling

A building consisting of three or more dwelling units, where each dwelling unit has access through common (1) corridors or (2) stairways.

Arterial Road

A street designated as an arterial road in Comox Official Community Plan Revision Bylaw, 1997.

Artist Studio

A building or part thereof where paintings or other works of art are created; does not include the creation of sculptures.

Assembly Centre

A parcel, structure or part thereof used for the gathering or congregating of persons for civic, political, social, educational, religious or physical fitness purposes; includes places of worship and schools; does not include a brew pub, marine pub, neighbourhood pub or pub.

Basement

That portion of a building situated between the top of any floor and the top of the floor next above it, having no more than 0.6 metres of its height above grade and a height from floor to ceiling of 2.1 metres or more.

Bed and Breakfast Accommodation

The incidental and secondary use of a single-family dwelling occupied by a related household, to provide temporary accommodation, with or without breakfast, for the traveling or vacationing public. Bed and breakfast accommodations shall,

- (1) involve the use of no more than two bedrooms to provide temporary accommodation;
- (2) include no meals other than breakfast;
- (3) not include the provision of liquor;
- (4) not be located within a single-family dwelling containing a home occupation;
- (5) be conducted only by members of the related household;
- (6) be conducted wholly within the single-family dwelling;
- (7) not involve onsite retail sales, warehousing or the external storage of materials, containers, equipment or finished products;
- (8) provide no exterior indication that the building is being utilized for any purpose other than that of a single-family dwelling except for a single sign in conformance with Town of Comox Sign Bylaw No. 1197, 1995; and
- (9) not use any equipment or process which creates noise, vibration, glare, fumes, odor, dust or smoke detectable outside of the single-family dwelling to the normal senses.

Bicycle Parking Space

A parcel, structure, or part thereof used for the parking of one bicycle.

Billiard Hall

A building or part thereof where pool or billiard tables are provided for recreational purposes.

Boarder

A person who resides in a dwelling unit occupied by a related household, who is not a member of the related household and who pays for room or room and board.

Boat

A conveyance designed for the self-propelled transportation of goods or people on water.

Boathouse

A building constructed in whole or in part on or over water, used or designed for the shelter of boats.

Boat Launch

A structure for the launching and hauling of boats or floating structures in and out of the water.

Bottle Depot

A building or part thereof used for the collection, sorting, and shipment of used drinking containers.

Brew Pub

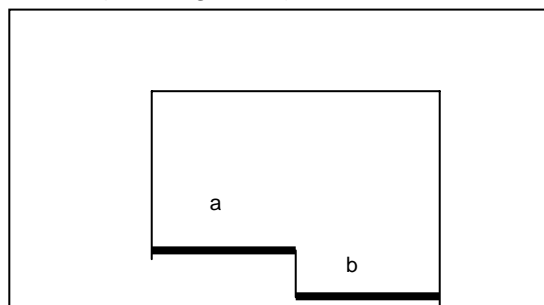
An establishment licensed by the Liquor Control and Licensing Branch that provides primarily alcoholic beverage service, has a maximum seating capacity including outdoor seating of 175, and manufactures and sells beer for consumption on premises; the provision of live entertainment is limited to music or comedy.

Building

A structure having a roof supported by columns or walls, and used for the shelter or accommodation of persons or property.

Building Parcel Frontage (# 1460 Nov 2/05)

The combined horizontal dimensions of all elevations of a building which face the front lot lines of a parcel. (See Figure 1.)



Front Lot Line

Figure 1. Building Parcel Frontage = the combined horizontal dimensions of building elevations a + b.

Building Supply and Lumber Outlet

A parcel, structure, or part thereof used for the retail sale of building, construction, home improvement, or related materials.

Cabaret

An establishment licensed by the Liquor Control and Licensing Branch that (1) provides primarily alcoholic beverage service, and (2) provides a dance floor of at least 20% of the licensed area.

Carport

A building or part thereof (1) used or designed for the sheltering of a vehicle as an accessory use, and (2) fully enclosed on less than three sides.

Cellar

That portion of a building situated between the top of any floor and the top of the floor next above it, having no more than 0.6 metres of its height above grade, and a height from floor to ceiling of less than 2.1 metres.

Child Care Facility

A community care facility where children under the age of thirteen are cared for.

Class I Bicycle Parking Space

A bicycle parking space provided within a bike rack.

Class II Bicycle Parking Space

A bicycle parking space provided within a bike rack and bicycle room, or a bicycle parking space located within a bicycle locker.

Commercial Unit

A building or part thereof (1) accessible by one or more common building entrances and (2) used by one business, or by a group of businesses.

Commercial Vehicle

A commercial vehicle as defined by and licensed under the *Commercial Transport Act*, or a vehicle used for the collection or delivery, or both, of merchandise or another commodity in the ordinary course of a business

Commercial Zones

Those zones that are listed in Section 4.1 under the heading "Commercial Zones".

Common-Law Relationship

Two persons unrelated by blood, marriage or adoption, living together, with or without the children of either or both persons.

Community Care Facility

An establishment licensed as a community care facility under the *Community Care Facility Act* of British Columbia.

Comprehensive Development Zones

All zones listed in Section 4.1 designated by "CD".

Congregate Care Housing

A building or part thereof providing dwelling units in conjunction with central kitchen and dining services and with or without shared common areas.

Cooking Facility

A food preparation area that has a sink and a cooking appliance.

Council

The Council of the Town.

Cultural Centre

A parcel, structure, or part thereof used or designed for the presentation to the general public of (1) live theatre, dance, or music, (2) film theatre, (3) exhibits of various art forms or (4) exhibits of cultural, academic, or scientific material.

Dental Clinic

A building or part thereof used for the diagnosis, treatment, and prevention of human dental disease or injury.

Denturist Labs

A building or part thereof where artificial teeth are made or repaired.

Drive-Thru Restaurant

A restaurant where persons order, pay for, and pick up food while remaining in their vehicles.

Driveway

A parcel, structure, or part thereof between a street and a parking or loading area used by vehicles for access to and from the parking or loading area and the street.

Dwelling Unit

One or more rooms (1) constituting a self-contained unit with only one cooking facility and (2) occupied or designed to be occupied as the permanent residence of one related or unrelated household; does not include a mobile home.

Environmentally Sensitive Areas

Coastal bluffs; terrestrial herbaceous ecosystems; older forests; woodlands; sparsely vegetated cliffs, sand dunes and spits; riparian ecosystems; wetlands; seasonally flooded agricultural fields; and second growth forest as defined in the June 1998, Comox-Strathcona Regional District publication entitled Sensitive Habitat Atlas – Resource Information To Protect Environmentally Sensitive Areas.

Established Ground Level

The ground level as established at the time of subdivision or in its absence, the natural ground level.

Exterior Side Lot line

A lot line other than a front or rear lot line, which abuts a street; does not include a lot line which abuts a lane.

Exterior Side Yard

A side yard which abuts a street other than a lane.

Fence

Any structure erected as a barrier to access or egress areas of land or to screen areas of land; does not include a building or trellis.

Front Lot Line

A lot line common to a parcel and a street other than a lane. Where a parcel abuts two or more streets, only the street with the shortest length along the parcel shall be used to determine front lot lines. Where a parcel does not abut a street, lot lines from which common vehicle access is provided shall be deemed to be common to a street. Notwithstanding the above, for parcels next to the sea, *front lot line* is defined as a lot line next to the sea.

Front Yard

The area of land extending across the full width of a parcel, between a front lot line and the adjoining walls or supporting members of a principal building, or where no principal building exists, a principal use. (See Figure 2.)

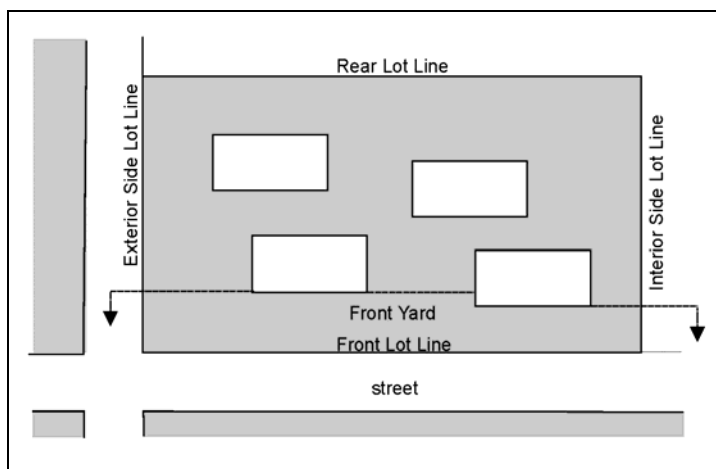


Figure 2. Front Yard

Garage

A building or part thereof (1) used or designed for the sheltering of a vehicle as an accessory use, and (2) fully enclosed on three or more sides.

Garbage Compound

An outdoor area used for the temporary storage of garbage or recycling produced on the parcel.

Garden Centre (#1406 Aug 6/03)

A parcel, structure, or part thereof used for the retail sale of flowers, plants, shrubs, trees or similar vegetation; may also include the retail sale of related accessory supplies.

Gas Bar

A parcel, structure, or part thereof where (1) vehicle fuel or lubricants are offered for sale, and (2) no provision is made for the repair or maintenance of vehicles; does not include an industrial fueling installation.

Grade

The average of the established ground level at the extreme corners of a structure excluding localized variations in the established ground level.

Gross Floor Area

The total floor area of all buildings on a parcel measured between the exterior faces of the exterior walls of each building including stairwells and elevator shafts; does not include parking or loading areas, driveways, Class I or Class II bicycle parking spaces or cellars.

Ground Floor

The lowest storey of a building.

Hedge

A row of bushes, trees, or shrubs planted closely together to form a barrier.

Height

The vertical distance measured from grade to the highest point of a structure excluding chimneys, elevators, roof access stairways, water tanks and associated screening, mechanical equipment and associated screening, church spires, belfries, monuments, flag poles, masts, ham radio towers, television or radio reception aerials, hose towers, and farm silos provided that (1) excluded elements occupy no more than 20 percent of the total horizontal area of a parcel or, if situated on a building, not more than 15 percent of the total horizontal area of the roof; (2) excluded elements do not exceed 63.3 metres geodetic elevation or 9.0 metres in height whichever is greater within the runway approach surface boundary as shown on Schedule B, the Zoning Map and (3) elevators, roof access stairways, water tanks and associated screening, and mechanical equipment and associated screening do not exceed the maximum height by more than 2.0 metres.

Home Occupation

The incidental and subordinate use of a dwelling unit for any of the following uses; all other uses are prohibited:

- (1) Seamstress, tailoring, hat making, or other uses similar in character;
- (2) Manufacture of novelties, souvenirs, handicrafts or furniture;
- (3) Artist studio;
- (4) Office;
- (5) Stamp or coin collecting or other uses similar in character;
- (6) Repair of small household equipment;
- (7) Either the keeping of not more than four foster children or not more than two boarders;
- (8) Operation of a kindergarten for not more than five children;
- (9) Operation of a family child care facility for not more than seven children, as allowed under the *Community Care Facility Act* of British Columbia;
- (10) Stenographer, typist, or other uses similar in character;
- (11) Individual instruction in academics, art, crafts or music;
- (12) Denturist Labs;
- (13) physiotherapy by a registered physiotherapist;
- (14) massage therapy by a registered massage therapist; and
- (15) hellerwork by a certified hellerwork practitioner.

Home occupations shall,

- (1) be conducted wholly within the dwelling unit;
- (2) not exceed more than one home occupation per dwelling unit;
- (3) be conducted only by members of a related household;
- (4) not exceed a gross floor area equal to 30 percent of the dwelling unit, including the home occupation and attached garages, or 40m², whichever is greater;

- (5) not involve onsite retail sales, warehousing, or the external storage of materials, containers, equipment, or finished products;
- (6) provide no exterior indication that the building is being utilized for any purpose other than that of a dwelling unit except for a single sign in conformance with Town of Comox Sign Bylaw No. 1197, 1995;
- (7) not generate vehicle traffic, parking or loading in greater volumes than would normally be expected in the zone in which the home occupation is located;
- (8) not involve welding or any activity that produces heat or light beyond that normally associated with household activities, excluding pottery kilns;
- (9) not use any equipment or process which creates noise, vibration, glare, fumes, odor, dust, or smoke detectable outside of the dwelling unit to the normal senses; and
- (10) not use any equipment or process which creates visual or audible interference in any radio or television receivers or causes fluctuations in live voltage outside the dwelling unit.

Hotel

A building or part thereof offering temporary accommodations on a daily rate to the general public, with access to each accommodation unit from common enclosed corridors within the building; does not include a motel.

Impound Yard

A parcel, structure, or part thereof where vehicles or other mobile equipment impounded for a breach of the law or as a result of an accident are taken and stored.

Industrial Fueling Installation

A parcel, structure, or part thereof used or designed to be used for the sale of motor fuel or lubricants for use only in industrial equipment or commercial vehicles.

Industrial Zones

Those zones that are listed in Section 4.1 under the heading "Industrial Zones".

In-law Suite

A dwelling unit occupied by no more than two (2) persons who are related to one another by blood, marriage, common-law relationship, or adoption, at least one of whom is related to an occupant of the other dwelling unit in the building by blood, marriage, common-law relationship, or adoption, and at least one of whom is an adult.

In-law Suite Dwelling

A building consisting of two dwellings units, where one unit is an in-law suite.

Institutional Zones

Those zones that are listed in Section 4.1 under the heading "Institutional Zones".

Interior Side Lot Line

A lot line other than a front, rear, or exterior side lot line.

Interior Side Yard

A side yard other than an exterior side yard.

Intermediate Care Facility

A community care facility where food, accommodation, and nursing care is provided.

Junkyard

A parcel, structure, or part thereof used for the abandonment, collection, demolition, dismantlement, keeping, storage, sorting, bailment, salvage, or sale of discarded, worn out, or scrapped materials including machinery, vehicles, vehicle parts, boats, marine equipment, metal, chains, used pipes, paper, cardboard, rags, enamelware, furniture, bottles, cans, rope, and plastic; does not include bottle depots or recycling drop-off centres.

Land

Includes the surface of water but does not include improvements, mines, or minerals belonging to the crown or mines or minerals for which title in fee simple has been registered in the land titles office.

Landscape Material

Any combination of (1) trees, shrubs, flowers, grass, or other horticultural elements, or (2) decorative stonework, paving or other outdoor architectural elements designed to enhance the visual amenity of a parcel.

Lane

A street 6.0 metres or less in width, intended (1) to furnish secondary access to one or more parcels, or (2) primarily for pedestrian or bicycle use.

Liquor Store (#1417 March 3/04)

A building or part thereof where liquor is offered or kept for sale at retail.

Loading Area

A loading space and associated maneuvering aisles.

Loading Space

A parcel, structure, or part thereof used for the temporary parking of one vehicle for the loading or unloading of merchandise, materials, or persons; does not include driveways, maneuvering aisles, or parking spaces.

Lot Line

The legally defined boundaries of a parcel.

Major Vehicle Repair

Repair or servicing of vehicles including collision service; body repair; frame straightening; painting; upholstery; steam cleaning; undercoating; welding; or engine, transmission or differential repairs or replacement.

Maneuvering Aisle

A parcel, structure, or part thereof (1) immediately adjacent to a parking or loading space and used exclusively for access to or egress from a parking or loading space or (2) providing vehicle access between parking or loading spaces. (See Figure 3.)

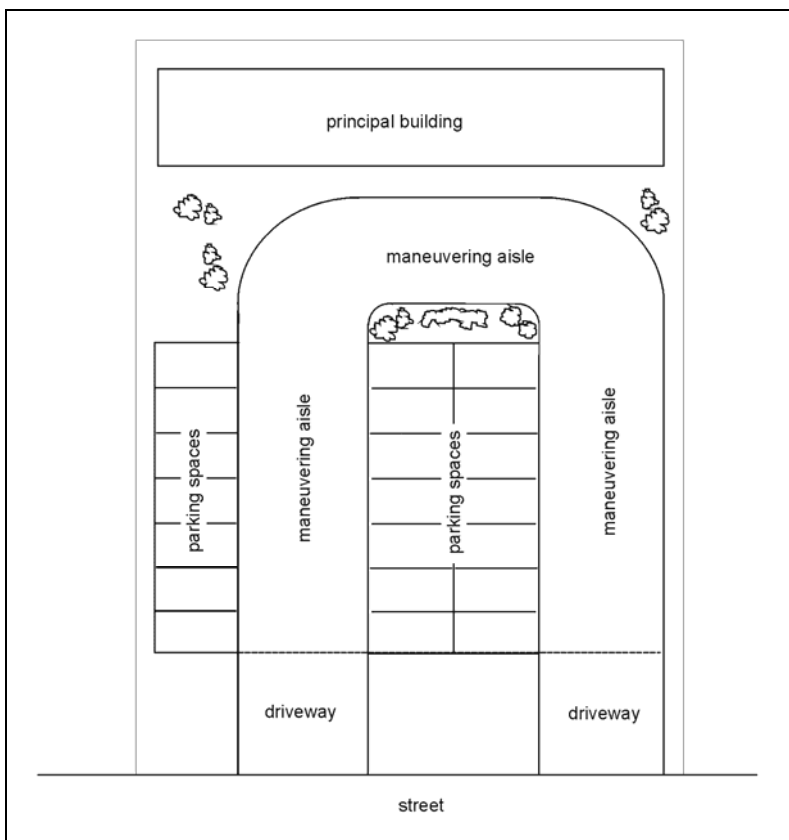


Figure 3. Maneuvering Aisle

Manufacturing

Includes fabrication and assembly; does not include junkyards, impound yards, wrecking yards, or primary processing of minerals, cement plants, concrete plants or other heavy industrial uses.

Marina

The provision of moorage to (1) wharves, or (2) floats attached to wharves or land located above the natural boundary.

Marine Fueling Station

A parcel, structure, or part thereof where marine fuel or lubricants are offered for sale and are dispensed.

Marine Pub

An establishment licensed by the Liquor Control and Licensing Branch that provides primarily alcoholic beverage service, has a maximum seating capacity including outdoor seating of 175, and provides moorage for boats and showers and laundry facilities primarily for marine traffic; the provision of live entertainment is limited to music or comedy.

Marine Zones

Those zones that are listed in Section 4.1 under the heading "Marine Zones".

Marsh

Land that (1) is inundated or saturated by surface or ground water at a frequency and duration sufficient to support vegetation typically adapted for life in saturated soil conditions; and (2) forms part of the active flood plain of a natural watercourse.

Medical Clinic

A building or part thereof used for the diagnosis, treatment, and prevention of human physical disease or injury.

Minor Vehicle Repair

Repair or servicing of vehicles not exceeding 5.5 tonne gross vehicle weight; does not include collision service, body repairs, frame straightening, painting, steam cleaning, undercoating, or welding.

Mobile Home

A building consisting of one or more rooms (1) constituting a self-contained unit with only one cooking facility; (2) occupied or designed to be occupied as the permanent residence of one related or unrelated household; and (3) manufactured as a unit, designed to be transported on its own wheels or by other means, and arriving at a parcel ready for occupancy apart from incidental operations and connections.

Motel

A building or part thereof offering temporary accommodations, on a daily rate, to the general public, with access to each accommodation unit directly from the outside; does not include a hotel.

Multi-Family Dwelling

A patio dwelling, townhouse dwelling, or apartment dwelling.

Multi-Family Residential Zones

Those zones that are listed in Section 4.1 under the heading "Multi-Family Residential Zones".

Natural Boundary

As established by a British Columbia Land Surveyor, 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 on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself.

Neighbourhood Pub

An establishment licensed by the Liquor Control and Licensing Branch that provides primarily alcoholic beverage service, has a maximum seating capacity including outdoor seating of 85, and is intended to serve the surrounding residential area; the provision of live entertainment is limited to music or comedy.

Office

Does not include a retail store, industrial use, manufacturing, financial institution, veterinary clinic, medical clinic, dental clinic or personal service establishment.

Outside Storage

The storage of raw or processed materials, containers, equipment or finished products outside of that portion of a building completely enclosed by exterior walls; does not include parking areas, loading areas, impound yards, wrecking yards, junkyards, or heavy industrial uses.

Parcel

Any lot, block, or other area in which land is held or into which it is subdivided, but does not include a highway.

Parcel Area

The area of land within the boundaries of a parcel.

Parcel Coverage

The portion of parcel area covered by all buildings, structures, and projections thereof as expressed as a percentage of the parcel area; does not include

- (1) underground structures;
- (2) uncovered swimming pools;
- (3) parking areas, loading areas, and driveways that are open sided and roofless, unless such use is a principal use;
- (4) one accessory building having a gross floor area 10.0 square metres or less;
- (5) awnings, sunshades, canopies, pilasters, cornices, eaves, gutters, leaders, sills, steps and ornamental features; and
- (6) fences, retaining walls, patios, and landscape materials.

Parcel Depth

The shortest distance between the front and rear lot lines of a parcel.

Parcel Frontage

The aggregate length of lot lines common to a parcel and a street other than a lane. Where a parcel abuts two or more streets, only the street with the shortest length along the parcel shall be used to determine parcel frontage. Where a parcel does not abut a street, lot lines from which common vehicle access is provided shall be deemed to be common to a street. However for the purpose of this definition, where a lot line has a radius of 80 metres or less, length shall be measured along a parallel line located at the required setback, as shown in Figure 4.

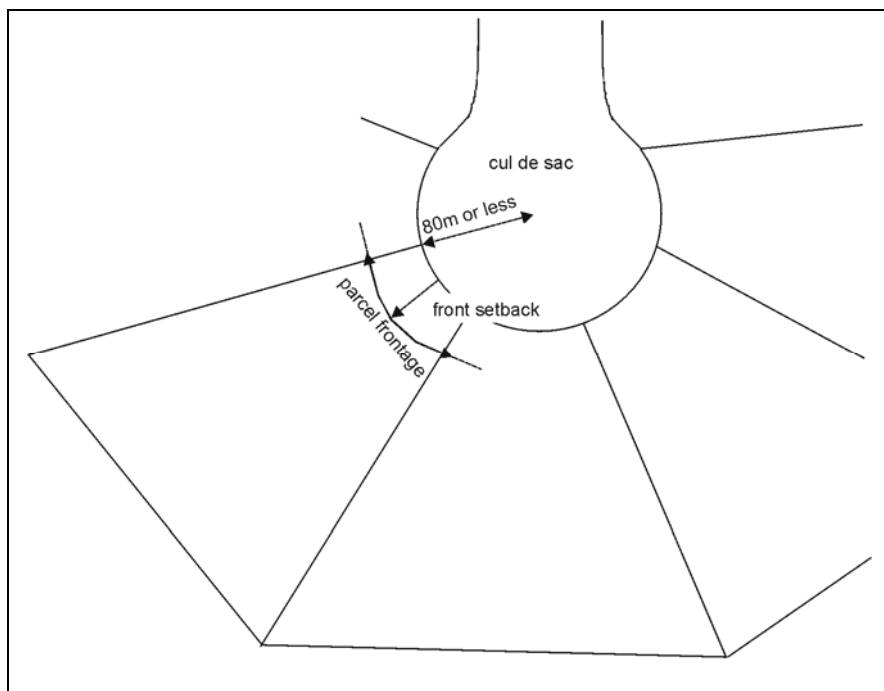


Figure 4. Calculation of parcel frontage on a curve.

Parkade

A building or part thereof, the principal use of which is to provide parking areas.

Parking Area

A parking space and associated maneuvering aisles.

Parking Lot

A parcel or part thereof, the principal use of which is to provide parking areas.

Parking Space

A parcel, structure, or part thereof used for the parking of one vehicle; does not include driveways, maneuvering aisles, loading spaces, impound yards, wrecking yards or junkyards.

Parking Spaces in Tandem

Two parking spaces, one located immediately behind the other where (1) both spaces are for the exclusive use of one dwelling unit or mobile home, including home occupations and bed and breakfast accommodations; and (2) one space abuts the dwelling unit or mobile home. (See Figure 5.)

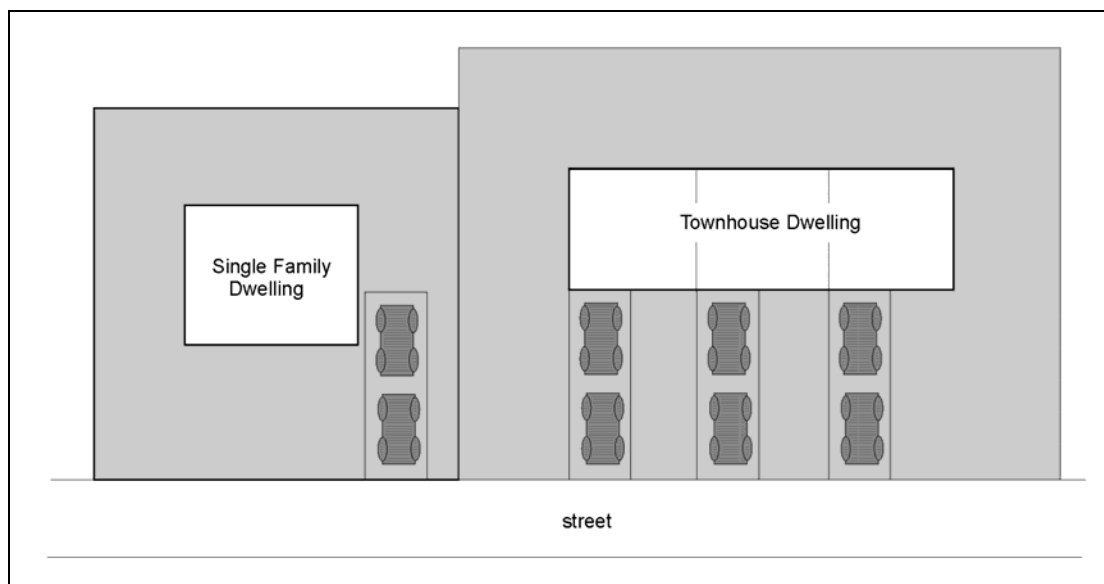


Figure 5. Parking Spaces in Tandem

Park Zones

Those zones that are listed in Section 4.1 under the heading “Park Zones”.

Patio Dwelling

A building (1) containing no more than one storey, and (2) consisting of two or more dwelling units where each unit has a separate access to finished grade.

Personal Service Establishment

A business which is associated with the grooming of persons, or the maintenance or repair of personal wardrobe articles or accessories.

Place of Worship

A building or part thereof where people assemble for religious purposes.

Plant Nursery

A parcel, structure or part thereof used for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation and their retail sale; may also include the retail sale of related accessory supplies.

Principal Building

A building utilized for a principal use.

Principal Use

A permitted use for which a parcel is used; does not include an accessory use.

Produce Stalls

Stalls displaying fruits, vegetables, plants, or flowers for sale.

Pub

An establishment licensed by the Liquor Control and Licensing Branch that provides primarily alcoholic beverage service and has a maximum seating capacity including outdoor seating of 175; the provision of live entertainment is limited to music or comedy.

Rear Lot Line

The lot line farthest from and opposite to the front lot lines.

Rear Yard

The area of land extending across the full width of a parcel between a rear lot line and the adjoining walls or supporting members of a principal building, or where no principal building exists, a permitted use. (See Figure 6.)

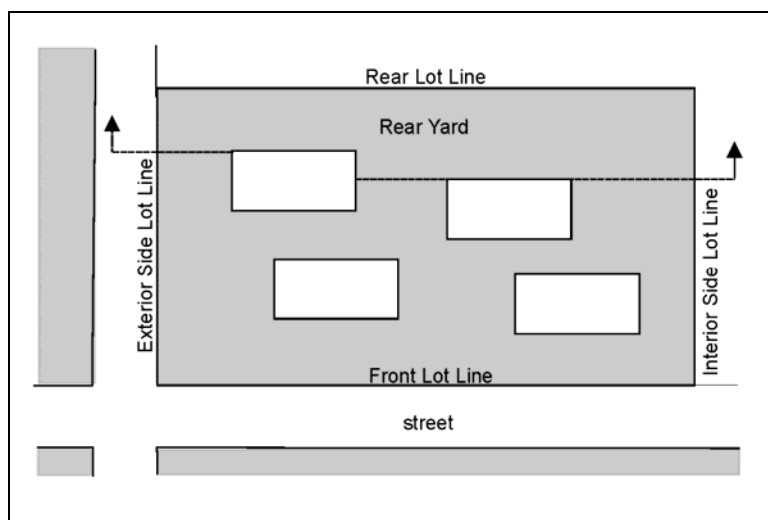


Figure 6. Rear Yard

Recreation Facility

A structure for the conduct of sports, physical fitness or physical recreation; does not include an amusement center or billiard hall.

Recreational Vehicle

A vehicle containing sleeping and other facilities for use while traveling or vacationing, including such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes, and other similar vehicles.

Recycling Drop-off Centre

One or more bins for the deposit by the general public of household paper, cardboard, cans, glass bottles, or plastics for removal and re-use.

Related Household

One or more persons living together, related by blood, marriage, adoption, or common law relationship.

Research Laboratory

A building or part thereof used for scientific research, investigation, testing or experimentation.

Residential Zones

Those zones that are listed in Section 4.1 under the heading "Residential Zones".

Restaurant

A parcel, building, or part thereof wherein food with or without liquor service is offered for sale to the public for consumption either on or off the parcel, but not in a vehicle on the parcel; does not include a drive-thru restaurant.

Restaurant – Lounge (#1417 Mar 3/04)

A restaurant where, as a secondary use, liquor may be served without food.

Retail Store (#1417 Mar 3/04)

A building or part thereof where merchandise is offered or kept for sale at retail; does not include liquor stores.

Secondary Suite (#1460 Nov 2/05)

A dwelling unit that is secondary to another dwelling unit. Secondary suites shall,

- (1) be located only in single-family dwellings;
- (2) be limited to one (1) per single-family dwelling;
- (3) be completely contained within the principal building;
- (4) have a dwelling unit gross floor area not exceeding 40% of the gross floor area of the principal building or 120 m² whichever is the lesser;
- (5) be located above or below the other dwelling unit, shared utility and storage areas are excluded from this requirement; and
- (6) have their own entrance separate from that of the other dwelling unit. Single-family dwellings containing a secondary suite shall be owner occupied.

Service Station

Minor vehicle repair in conjunction with a gas bar, where the minor vehicle repair is located within a portion of a building completely enclosed by exterior walls.

Setback

The required minimum distance between a building or principal use and each of the respective lot lines.

Shellfish Aquaculture (#1445 Dec 15/04)

The non-mechanized seeding, rearing, cultivation and harvesting of clams or oysters within the foreshore. Shellfish aquaculture shall:

- (1) not involve the placement of any structures within the foreshore except for the placement of fourteen inch concrete block markers at the corners of the tenure boundary;
- (2) use only live oysters placed above seeded clams for predator control; and
- (3) not include the processing of shellfish.

Side Lot Line

An interior side lot line or exterior side lot line.

Side Yard

The area of land extending from the front lot line to the rear lot line of a parcel between a side lot line and the adjoining walls or supporting members of a principal building, or where no principal building exists, a principal use. (See Figure 7.)

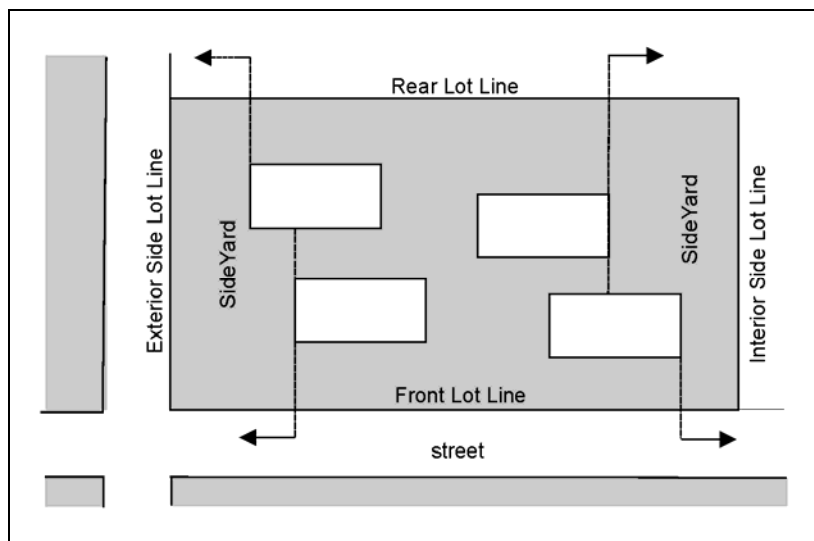


Figure 7. Side Yard

Sign

A structure or part thereof which is visible by the public and advertises, calls attention to or indicates any place, premises, person, product, business, activity, institution, or solicitation, whatever the nature of the material and manner of composition or construction, including letters, words, symbols, drawings, illustrations, pictures, designs, devices, articles, and objects.

Single-Family Dwelling

A building consisting of one dwelling unit.

Storey

That portion of a building situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of the floor and the ceiling above; does not include a cellar or basement.

Street

Includes a highway, road, land, bridge, viaduct, lane, and any other way open to public use.

Structure

Anything man-made that is fixed to, supported by, or sunk into land; does not include a vehicle or boat.

Swimming Pool

Any structure used or intended to be used for swimming, bathing or wading that exceeds 0.6 metres in depth.

Temporary

Less than 28 consecutive days and no more than a total of 186 days in a calendar year.

Town

The Municipality of the Town of Comox.

Townhouse Dwelling

A building consisting of three or more dwelling units, where each unit has a separate access to finished grade.

Two-Family Dwelling

A building consisting of two dwelling units, where each unit has a separate access to finished grade.

Underground Parking

A parking space located within the basement of a principal building or within a building or part thereof, the roof of which is underground and below grade.

Unrelated Household

A maximum of five persons living together as a single domestic unit.

Use

The purpose for which a parcel, structure or part thereof is used.

Utility (#1460 Nov 2/05)

An organization supplying electricity, natural gas, water, sanitary sewer, storm water management, telephone or communication cable service

Vehicle

A device in, on or by which a person or thing is or may be transported or drawn on a street, except a device designed to be moved by human power or used exclusively on stationary rails or tracks.

Vehicle Sales or Rental

The display and sale or rental of new or used vehicles; may include major vehicle repair.

Veterinary Clinic

A parcel, building or portion thereof used for the diagnosis, treatment and prevention of animal disease or injury.

Warehousing

Storage within a building or part thereof.

Watercourse

Any natural or man-made depression with well defined banks and a bed 0.6 metres or more below the surrounding land, serving to give direction to a current of water at least six months of the year or having a drainage area of 2.0 km² or more upstream of the point of consideration.

Wharf

A structure for the mooring of boats, attached to land located above the natural boundary.

Wholesale Outlet

A building or part thereof used for the selling of goods to be retailed by others off-site.

Wrecking Yard

A parcel, structure, or part thereof where (1) used lumber or used building materials are stored or (2) vehicles, boats, equipment, appliances or parts thereof are wrecked or disassembled.

SECTION 4 ESTABLISHMENT OF ZONES

4.1 Classification of Zones

For the purposes of this Bylaw, the Town is hereby divided into the following zones:

Zone Designation	Description
RESIDENTIAL ZONES	
R1.1	Single-Family
R1.2	Mobile Home
R1.3	Single-Family – 1100 m ² Parcel (#1506 Jun 7/06)
R3.1	Single Family/Secondary Suite (#1460 Nov 2/05)
R3.2	Single Family/Secondary Suite-450 m ² Parcel (#1460 Nov 2/05)
R2.1	Single/Two-Family
R2.2	Two-Family
CD1.1	Comprehensive Development 1.1: Beckton Estates – Single/Two-Family
CD3	Comprehensive Development 3: In-law Suite
CD5	Comprehensive Development 5: Lazo Marsh-Single Family (#1443 May 4/05)
MULTI-FAMILY RESIDENTIAL ZONES	
RM1.1	Patio Dwelling – 4.6m Maximum Height
RM1.2	Patio Dwelling – 6.3m Maximum Height
RM2.1	Townhouse/Patio Dwelling
RM2.2	Townhouse
RM3.1	Apartment/Townhouse – Low Density
RM3.2	Apartment/Townhouse – High Density
RM4.1	Congregate/Intermediate Care
RM5.1	Marine Plaza
RM5.2	Marine Plaza
CD1.2	Comprehensive Development 1.2: Beckton Estates – Multi-Family
CD2	Comprehensive Development 2: Cluster Single-Family
CD4	Comprehensive Development 4: Congregate Care – Comox Ave.
CD7	Comprehensive Development 7: 1700 Balmoral Ave. (#1523 Feb 21/07)
CD8	Comprehensive Development 8: Shamrock Place (#1536 Jul 18/07)

COMMERCIAL ZONES

C1.1	Neighbourhood Commercial – Gas Bar
C2.1	General Commercial
C2.2	General Commercial/Accommodation
C2.3	Commercial – Building Supplies
C3.1	Arterial Commercial
C4.1	Core Commercial
C5.1	Residential-Oriented Mixed Use (#1513 Jun 7/06)
CD1.3	Comprehensive Development 1.3: Beckton Estates – Commercial

MARINE ZONES

M1.1	Marine Recreation
M1.2	Marine Aquaculture (#1445 Dec 15/04)
M2.1	Marina
M2.2	Marine Commercial

INDUSTRIAL ZONES

I1.1	Light Industrial
I2.1	Aeronautical Industrial

PARK ZONES

P1.1	Park and Open Space
P1.2	Park and Nature Conservation
P2.1	Public Golf Course

INSTITUTIONAL ZONES

PA1.1	Public Assembly
PA1.2	Public Assembly/Housing
DND1.1	CFB Comox

4.2 Zoning Schedules

Regulations for each zone shall be as set forth in Schedule "A", which is attached to and forms part of this Bylaw.

4.3 Zoning Map

The location of the zones established by this Bylaw are shown on Schedule "B", the Zoning Map, which is attached to and forms part of this Bylaw.

4.4 Explanatory Drawings

Explanatory Drawings for this Bylaw shall be as set forth in the Appendices, which are attached to and form part of this Bylaw.

4.5 Zone Boundaries

The Zoning Map and explanatory maps shall be interpreted as follows:

- (1) Where a boundary lies between two parcels, the lot line is deemed to be the boundary.
- (2) Where a boundary follows a street or watercourse, the centre line of the street or watercourse is deemed to be the boundary.
- (3) Where a boundary follows the shoreline, the natural boundary is deemed to be the boundary.
- (4) Where a parcel is divided by a boundary,
 - (a) and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling; and
 - (b) the areas created by such division shall be deemed to be separate parcels with corresponding lot lines for the purpose of determining the requirements of this bylaw.

SECTION 5 GENERAL REGULATIONS

5.1 Density Calculation

- (1) Units per hectare shall be calculated as follows:
 $10,000 \text{ square metres} \div (\text{parcel area} \div \text{number of dwelling units located on the parcel})$
- (2) For purposes of calculating the maximum number of dwelling units permitted on a parcel, fractions shall be rounded off to the nearest whole number.

5.2 Dwelling Units, Minimum Floor Area

- (1) In Residential zones, the minimum principal building, ground floor, gross floor area shall be 70 m²; does not include the CD3 zone. (#1460 Nov 2/05)
- (2) In Multi-Family Residential zones, the minimum dwelling unit gross floor area shall be as follows:
 - (a) Bachelor Suite (or studio): 37 m²
 - (b) One Bedroom Suite: 55 m²
 - (c) Two Bedroom Suite: 70 m²
 - (d) Three or more Bedroom Suites: 80 m²

Notwithstanding the aforementioned requirements, the minimum dwelling unit gross floor area requirement shall not apply to intermediate care facilities, congregate care housing or Abbeyfield housing.

5.3 Fences

- (1) No fence shall exceed 2.3 metres in height; does not apply in Industrial, Park or Institutional zones.
- (2) The height of a fence shall be determined by measurement from the highest point of the fence to the average established ground level within 1.0 metre of both sides of the fence, as shown in Figure 8.

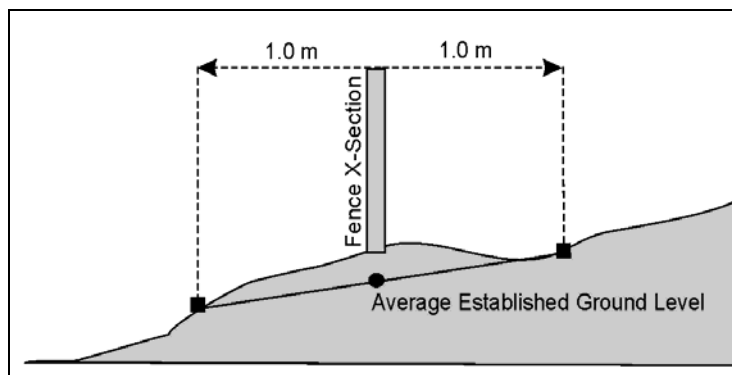


Figure 8. Calculation of average established ground level in determination of fence height.

5.4 Noise Generating Mechanical Equipment

Noise generating mechanical equipment, including heat pumps, shall not be located in a front or side yard and shall be no closer to a lot line than 3.0 metres.

5.5 Non-Permanent Structures

- (1) Unless approved pursuant to Section 5.5 (2) no non-permanent structure shall be permitted in any zone.
- (2) Notwithstanding any parcel coverage, height, stories, or setback provision of this Bylaw, non-permanent structures shall be permitted in any zone subject to the following conditions:
 - (a) Application shall be made in writing to the Municipal Planner, or other such person as may be appointed, for a permit to locate the non-permanent structure on a parcel; and
 - (b) If the Municipal Planner, or other appointed official, is satisfied that the proposed non-permanent structure would not constitute or cause a public hazard or public nuisance, or unnecessarily obstruct a street, a maximum of two permits may be granted for the structure, each for a period of up to 90 days.

5.6 Outside Storage of Building Materials

Nothing contained in this Bylaw shall be deemed to prevent the temporary outside storage on a parcel of building materials for use in the construction of improvements on the parcel.

5.7 Parcel Area, Frontage and Depth

No parcel may be created in a zone having less than the parcel area, parcel frontage and parcel depth set out in the regulations for the zone.

5.8 Permitted Uses (#1460 Nov 2/ 05)

Notwithstanding any other provision of this Bylaw, the following uses are permitted in all zones:

- (1) parks;
- (2) aerial utility transmission lines;
- (3) underground utility transmission lines or pipes; and
- (4) surface storm water management ditching, retention ponds and detention ponds.

5.9 Prohibited Uses

Notwithstanding any other provision of this Bylaw, the following uses are prohibited in all zones:

- (1) abattoirs;
- (2) Cabarets;
- (3) Escort services;
- (4) Junkyards, wrecking yards, or impound yards;
- (5) Pawn shops; and
- (6) Primary processing of minerals, cement plants, concrete plants, or other heavy industrial uses.

5.10 Projections into Required Setbacks

- (1) Buildings and uses located underground and below grade are permitted in required setbacks, except as otherwise provided for in this Bylaw.
- (2) Awnings, sunshades, canopies, pilasters, cornices, eaves, gutters, leaders, sills, steps, chimneys, bay windows, balconies, porches, or ornamental features may project up to 1.75 metres into a required front, rear or exterior side setback and up to 0.6 metres into a required interior side setback.

- (3) Decks and steps less than 0.6 metres above grade may be located up to 0.6 metres from a side lot line and 1.5 metres from a rear lot line in a Residential zone.

5.11 Residential Use of Movable Structures, Vehicles or Boats

- (1) Except as otherwise provided for in this Bylaw, no land, structure, or part thereof shall be used for the location of any movable structure, or vehicle, for sleeping or residential purposes, and no boat not located on water shall be used for sleeping or residential purposes.
- (2) Notwithstanding any other provision of this Bylaw, in Residential zones, recreational vehicles are permitted on a parcel for sleeping or residential purposes for a total of less than 30 days per calendar year provided no more than one recreational vehicle is used for sleeping or residential purposes on a parcel at any one time.

5.12 Signs

Signs may only be erected or displayed in accordance with the Town of Comox Sign Bylaw No. 1197, 1995.

5.13 Swimming Pools

Uncovered swimming pools shall not be located within a required front setback or within 1.5 metres of any lot line.

5.14 Towers and Aerials

Radio or television towers or aerials shall not be located within a front yard, or required side setback and may only be located in a required rear setback provided they do not exceed the height of the principal building.

5.15 Visual Clearance at Intersections

In the area bounded by the intersecting lot lines at a street corner and a line joining points along the lot lines, (1) 7.0 metres from their point of intersection (see Figure 9), or (2) where one or both abutting streets are lanes, 6.0 metres from their point of intersection, no structure other than a principal building shall be within 1.0 metres to 3.0 metres above the crown of the abutting streets, and no vegetation shall be maintained or allowed to grow so as to obstruct the zone of visual clearance between 1.0 metres and 3.0 metres above the crown of the abutting streets (see Figure 10).

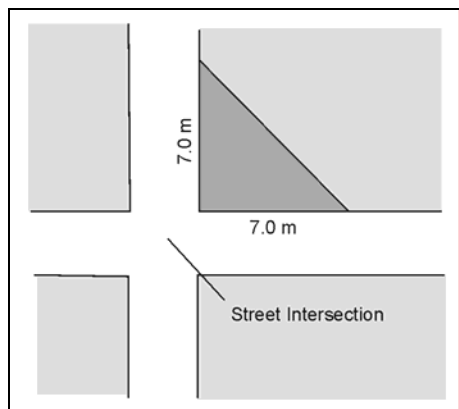


Figure 9. Area subject to Visual Clearance

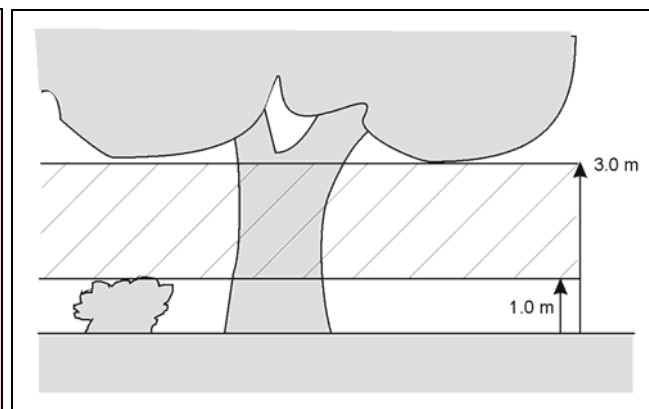


Figure 10. Zone of Visual Clearance

5.16 Watercourse Regulations

Notwithstanding any other provision of this Bylaw, no building shall be constructed or located on land above the natural boundary:

- (1) within 7.5 metres of the natural boundary of Golf Creek, Indian Creek, the sea, or a retention pond, or detention pond; or
- (2) within 15.0 metres of the natural boundary of Brooklyn Creek, or a marsh or natural pond.

SECTION 6 OFF-STREET PARKING AND LOADING

6.1 Provision

Where the terms of this Bylaw require the provision of parking areas, loading areas, driveways, or bicycle parking spaces, every owner or occupier of structures or land shall, upon the parcel in question, provide and maintain these facilities in accordance with the standards and requirements contained within this Bylaw.

6.2 Calculation of Parking and Loading Requirements

- (1) Where seating is used as a unit of measure for the calculation of required parking or loading spaces and continuous seating (e.g., a bench) is provided, each 0.5 metre of length shall be counted as one seat.
- (2) Unless otherwise provided for in this Bylaw, where area is used as a unit of measure for the calculation of required parking or loading spaces, the calculation shall be based upon 80 percent of the gross floor area.
- (3) In the case of different uses located on the same parcel, the total parking and loading space requirements shall be the sum of the requirements for the various uses computed separately. However, parking and loading space requirements for places of worship and associated halls shall be the greater of the requirements for the two uses calculated separately, provided the two are not used concurrently.
- (4) Where the calculation of the total parking space requirement for a parcel results in a fractional number, the nearest whole number shall be used.
- (5) When the calculation of the total loading space requirement for a parcel results in a fractional figure less than 1.0, it shall be rounded upward to the nearest whole number. When the calculation of the total loading space requirement for a parcel results in a fractional figure greater than 1.0, it shall be rounded downward to the nearest whole number.

6.3 Use of Required Parking Spaces

All required parking spaces shall be used only for the purpose of accommodating the vehicles of clients, customers, employees, members, residents, tenants, or visitors who make use of the structure or use for which the parking space is required and shall not be used for loading, access, commercial repair work, display, or the sale or storage of goods of any kind.

6.4 Parking or Storage of Commercial Vehicles in Residential and Multi-Family Residential Zones

No commercial vehicle shall be parked or stored on a parcel in a Residential or Multi-Family Residential zone, other than the following:

- (1) a maximum of one commercial vehicle not exceeding 4.4 tonne gross vehicle weight; and
- (2) commercial vehicles required for construction, repair, servicing, or maintenance on the parcel.

6.5 On-Site Parking and Loading

All required parking and loading spaces shall be located on the same parcel as the structure or use for which they are required, except as permitted under Sections 6.6, 6.7 and 6.8.

6.6 Off-Site Parking

- (1) In the Commercial, Marine, Industrial, Park, Institutional, and RM4.1 zones, if all required parking spaces cannot be provided on the same parcel, required parking spaces may be located on another parcel within 250 metres of the parcel that the space is intended to serve; does not include parking spaces required for dwelling units.
- (2) Off-site parking shall be secured by an easement in accordance with the following:
 - (a) The easement shall state (1) the location and number of parking spaces provided off-site, (2) that it is a permanent easement terminable only upon demolition of the building served or abandonment of the use served, and (3) terms for the maintenance and where applicable the construction of the off-site parking area.
 - (b) The easement shall require the approval of the Town and the Town shall be a co-signatory for the purpose of ensuring that neither party to the easement modifies or discharges the easement without the Town's consent.
 - (c) The easement shall be filed in the Land Title Office.
- (3) One, directional sign shall be posted on the parcel requiring the off-site parking spaces, indicating their location.

6.7 Payment in Lieu of Parking (#1506 Jun 7/06)

The following applies to DPA No. 7 Downtown as defined in Town of Comox Official Community Plan Bylaw, 1471:

- (1) At the option of the owner or occupier of a parcel, structure, or part thereof, rather than provide the parking spaces required in this Bylaw, the owner or occupier may pay to the Town the sum of \$11,500.00 for each parking space so required where the Town owns and operates a parking lot or parkade within 700 metres of the structure or use of the owner or occupier.
- (2) Section 6.7(1) does not apply to parking spaces required for dwelling units or, bed and breakfast accommodations.
- (3) The monies referred to in Section 6.7(1) are payable in accordance with the provisions of the *Local Government Act* of British Columbia.
- (4) Parking spaces provided under Section 6.7(1) shall not be available on a reserved or dedicated basis within a Town parking lot or parkade.

6.8 Bicycle Parking in Lieu of Vehicle Parking Spaces

Where the recommended minimum number of Class I or Class II bicycle parking spaces is provided in accordance with Section 7, the parking space requirement shall be reduced by one parking space. However, where in excess of seven Class II bicycle parking spaces are provided, the parking space requirement shall be reduced by one for every four bicycle parking spaces provided, up to the recommended minimum number of Class II bicycle parking spaces.

6.9 Parking Spaces for Disabled Persons

Parking spaces for disabled persons shall be provided in accordance with the provisions of the British Columbia Building Code, provided that in Commercial zones where Section 6.14 requires between 10 and 50 off-street parking spaces excluding those required for dwelling units, one of the required spaces must meet the disabled parking provisions of the British Columbia Building Code.

6.10 Exemption of Comprehensive Development Zones

In the event that a provision of Section 6 conflicts with a regulation of a Comprehensive Development zone, the regulation of the Comprehensive Development zone shall take precedence.

6.11 Location and Siting

(1) General

- (a) Nothing in Section 6.11 shall restrict the provision of structures that are located underground and below grade.
- (b) For regulations regarding parking spaces for disabled persons, see Section 6.9.
- (c) No loading area shall be located in any required side setback.
- (d) Parking spaces in tandem shall be permitted only for single-family dwellings, excluding single family dwellings containing a secondary suite; mobile homes; in-law suite dwellings; two-family dwellings; patio dwellings; townhouse dwellings and associated home occupations or bed and breakfast accommodations. **(#1460 Nov 2/05)**
- (e) In Commercial, Marine, Industrial and Institutional zones, no parking area shall be located within a required exterior side setback or within a required interior side setback that abuts a parcel in a Residential or Multi-Family Residential zone.

(2) Multi-Family Residential Zones

- (a) In the RM1.1, RM1.2, RM2.1, and RM2.2 zones,
 - (i) no parking or loading space shall be located within 6.0 metres, measured horizontally, of an openable window located on a storey within 3.0 metres, measured vertically, from the surface of the parking or loading space; and
 - (ii) parking and loading areas shall not be located within 2.5 metres of any lot line.
- (b) In the RM3.1, RM3.2, and RM4.1 zones,
 - (i) no parking or loading space shall be located within 6.0 metres, measured horizontally, of an openable window located on a storey within 3.0 metres, measured vertically, from the surface of the parking or loading space; and
 - (ii) parking and loading areas shall not be located within 1.5 metres of any lot line.
- (c) In the RM5.1 and RM5.2 zones,
 - (i) no parking or loading space shall be located within 6.0 metres, measured horizontally, of an openable window located on a storey within 3.0 metres, measured vertically, from the surface of the parking or loading space; and
 - (ii) parking and loading areas shall not be located within 2.5 metres of any lot line.

(3) Commercial Zones

- (a) In the C1.1, C2.2, C2.3, and C3.1 zones, parking and loading areas shall not be located within 1.5 metres of any lot line.
- (b) In the C2.1 zone, parking and loading areas shall not be located within 1.5 metres of any lot line which abuts a parcel in a Residential or Multi-Family Residential zone.

- (4) Marine Zones
 - (a) In the M2.2 zone – Land Above the Natural Boundary,
 - (i) parking and loading areas shall not be located in any required setback which abuts a parcel in a Residential or Multi-Family Residential zone; and
 - (ii) parking and loading areas shall not be located within 1.5 metres of any lot line.
- (5) Industrial Zones
 - (a) In the I1.1 and I2.1 zones, parking and loading areas shall not be located within 3.0 metres of any lot line.
- (6) Park Zones
 - (a) In the P1.1, P1.2 and P2.1 zones, parking and loading areas shall not be located within 1.5 metres of any lot line which abuts a parcel in a Residential or Multi-Family Residential zone.
- (7) Institutional Zones
 - (a) In the PA1.1 zone,
 - (i) parking and loading areas shall not be permitted within 4.5 metres of any lot line; does not apply to places of worship; and
 - (ii) parking and loading areas for places of worship shall not be permitted within 1.5 metres of any lot line.
- (8) Comprehensive Development Zones
 - (a) In the CD1.2 and CD1.3 zones, within areas A2, B and F2, as shown on Appendix A, Drawing 1, parking and loading areas shall not be permitted within 1.5 metres of any lot line or within any required side setback.
 - (b) In the CD2 zone, parking and loading areas shall not be permitted within 1.5 metres of any lot line.
 - (c) In the CD8 zone,
 - (i) no parking or loading space shall be located within 6.0 metres, measured horizontally, or an openable window located on a storey within 3.0 metres, measured vertically, from the surface of the parking or loading space; and
 - (ii) parking and loading areas shall not be permitted within 1.5 metres of any lot line. (#1536 Jul 18/07)

6.12 Development and Maintenance Standards

- (1) General
 - (a) For regulations regarding parking spaces for disabled persons, see Section 6.9.
 - (b) Section 6.12(2), (3), (6), (7) and (8)(a) and (d) shall not apply to the following:
 - (i) single-family dwellings;
 - (ii) mobile homes;
 - (iii) in-law suite dwellings;
 - (iv) two-family dwellings;
 - (v) patio dwellings and townhouse dwellings with parking spaces in tandem; and
 - (vi) associated home occupations or bed and breakfast accommodations.

(2) Driveways

- (a) Driveways shall be provided for all parking and loading areas, except where access is from a lane.
- (b) Driveways for parking areas shall have a minimum width of 3.6 metres for one-way travel and 5.5 metres for two-way travel, and shall not exceed 6.0 metres; does not apply to fire access ways required by the British Columbia Building Code.
- (c) Driveways for loading areas shall
 - (i) have a minimum width for one-way travel of 3.6 metres or the width of the largest loading space, whichever is greater;
 - (ii) have a minimum width for two-way travel of 5.5 metres or double the width of the largest loading space, whichever is greater; and
 - (iii) not exceed 7.2 metres in width.

(3) Maneuvering Aisles

- (a) Parking spaces, except where access is from a lane, must be arranged so that each parking space has unobstructed access to and from a maneuvering aisle so that a vehicle occupying the parking space is able to enter and leave the parcel in a forward motion.
- (b) In parking areas, maneuvering aisles shall be provided of not less than the following widths:

<u>Parking Angle in degrees</u>	<u>Minimum Width of 2-way aisle</u>	<u>Minimum Width of 1-way aisle</u>
30°	5.5 metres	3.6 metres
45°	6.1 metres	3.6 metres
60°	6.7 metres	5.5 metres
90°	7.3 metres	7.3 metres
Parallel parking	6.1 metres	3.6 metres

(4) Parking and Loading Space Dimensions

- (a) Off-street parking spaces shall have minimum dimensions as follows:

	<u>Length</u>	<u>Width</u>	<u>Area</u>
Oversized vehicle parking	n/a	3.0 metres	25m ²
Parallel parking	7.3 metres	2.75 metres	n/a
Angle parking	5.5 metres	2.75 metres	n/a
Small car stalls	4.6 metres	2.40 metres	n/a
90° parking	5.5 metres	2.75 metres	n/a

Does not include wheel stops not exceeding 0.15m in height as measured from finished grade and located 1.0 metres or less from the end of the space. (See Figure 11)

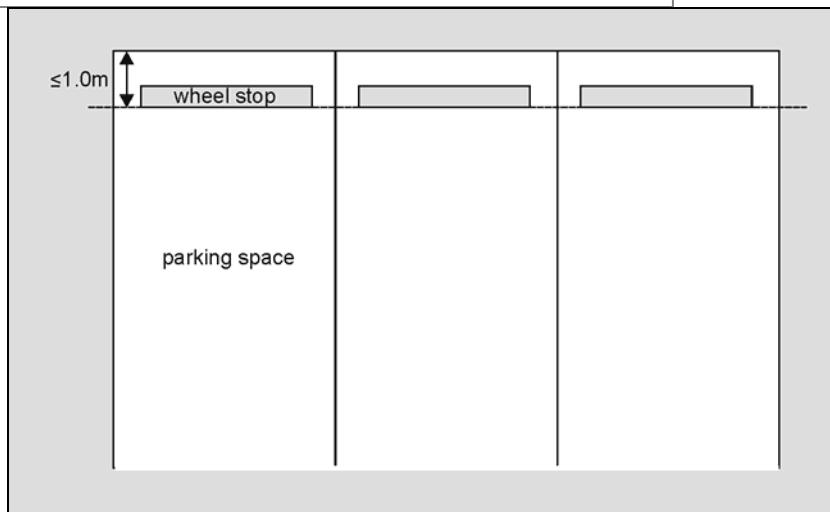


Figure 11. Wheel Stops

- (b) Where the long side of a parking space is adjacent to a structure, including a fence, of greater than 0.15 metres in height, the width of the parking space shall be increased by 0.3 metres to enable the convenient opening of vehicle doors. This does not apply to structures located entirely within 1.0 metre of the front or rear of a parking space. (See Figure 12).

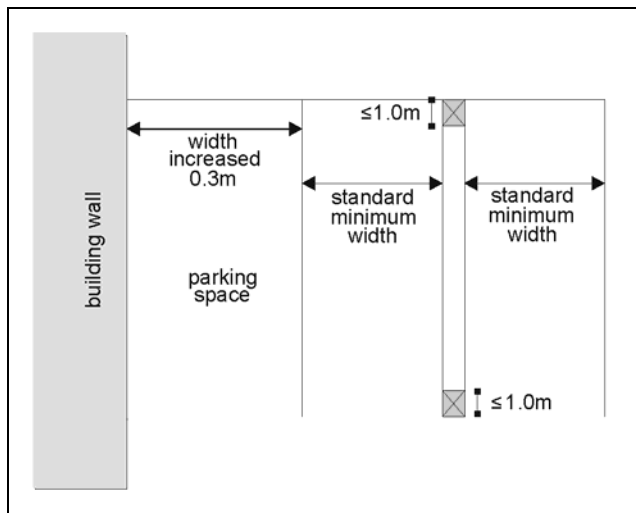


Figure 12: Increased Parking Space Width

- (c) An off-street loading space shall have dimensions of not less than 3.0 metres in width, 9.25 metres in length and 4.25 metres in height.

- (5) **Surfacing**
On Multi-Family Residential, Commercial, Marine, Industrial or Institutional zoned parcels,
- (a) parking areas, loading areas and driveways shall be surfaced with an asphalt, concrete, or a similar hard surface so as to provide a surface that is durable and dust-free, and shall be so graded and drained as to dispose of all surface water in accordance with common engineering practices and standards; and
 - (b) each parking and loading space shall be demarcated with a painted line; does not include parking spaces in tandem.
- (6) **Curbing**
All parking and loading areas shall be provided with curbing or wheel-stops adequate to retain all vehicles within the area and to ensure that buildings, fences, walls, hedges, and landscaped areas are protected from vehicle damage.
- (7) **Lighting**
Parking and loading areas shall be illuminated in accordance with the following requirements:
- (a) illumination levels shall be in accordance with common engineering practices and standards;
 - (b) lighting shall be of a metal halide type;
 - (c) lighting shall be either full cut off/flat lens pole lighting or fully shielded wall lighting;
 - (d) lighting shall be arranged so that all direct rays of light are directed upon the parking or loading areas, not upon adjoining parcels or streets; and
 - (e) lighting fixtures, excluding those that are incorporated into canopies, shall
 - (i) be so arranged that no part of any fixture is more than 4.5 metres above finished ground level; and
 - (ii) not overhang maneuvering aisles or loading spaces.
- (8) **Signage**
- (a) Visitor parking spaces shall be clearly marked with the words “VISITOR PARKING ONLY” on the parking space surface.
 - (b) One-way maneuvering aisles shall be clearly marked with traffic flow directional arrows on the aisle surface.
 - (c) Loading spaces shall be clearly marked with the words “LOADING SPACE ONLY” on the loading space surface.
 - (d) Small car parking spaces shall be clearly marked with the words “SMALL CAR” on the parking space surface.

6.13 Small Car Parking Spaces

Small car parking spaces shall be permitted up to a maximum of 25% of the total number of spaces required.

6.14 Required Off-Street Parking Spaces

- (1) For regulations regarding parking spaces for disabled persons see Section 6.9
- (2) Parking spaces shall be provided in accordance with the requirements in Section 6.14(3). In the case of a use not specifically mentioned, the required parking spaces shall be the same as for the most comparable use.
- (3) **Required Parking Spaces**

USE	REQUIRED PARKING SPACES (minimum)
Abbeyfield housing	0.75 per bedroom plus 0.25 per bedroom for visitors
Air terminal	n/a
Aircraft repair or servicing, aircraft storage	1 per 90m ²
Amusement centre, excluding pool or billiard tables	1 per 4 machines
Animal shelter	4
Assembly centre (excluding schools), cultural centre, library, museum	1 per 10 seats or 1 per 10 m ² intended for public use, whichever is greater
Bed and Breakfast accommodation	1
Billiard hall	1 per table
Bottle depot	1 per 90 m ²
Bowling alley	2 per bowling lane
Building supply and lumber outlet	1 per 90m ²
Child Care facility	1 per 5 children licensed by the Province
Congregate care housing	0.5 per unit plus 0.25 per unit for visitors
Driving range	0.5 per stall
Dwelling unit above commercial use	1 per dwelling unit, plus 0.25 per dwelling unit for visitors
Dwelling, apartment	1 per dwelling unit, plus 0.25 per dwelling unit for visitors, plus 1 oversized vehicle parking space per 10 dwelling units to a maximum of 18 spaces
Dwelling, In-law Suite – excluding in-law suite	2
In-law Suite	1
Dwelling, patio	1 per dwelling unit, plus 0.25 per dwelling unit for visitors, plus 1 oversized vehicle parking space per 10 dwelling units to a maximum of 18 spaces
Dwelling, single-family, excluding single-family dwellings in the CD1.1 zone and single-family dwellings containing a secondary suite (#1460 Nov 2/05)	2 per dwelling unit
Dwelling, single-family: CD1.1 zone	1 per dwelling unit
Dwelling, single-family containing a secondary suite (#1460 Nov 2/05)	2
Dwelling, townhouse	1.5 per dwelling unit plus 0.25 per dwelling unit for visitors, plus 1 oversized vehicle parking space per 10 dwelling units to a maximum of 18 spaces
Dwelling, two-family	2 per dwelling unit
Equipment or tool rental	1 per 40m ²
Film theatre	1 per 10 seats
Financial institution	1 per 40m ²
Fire station, ambulance station	4
Fish processing or packaging	1 per 40 m ²

THIS CONSOLIDATED ZONING BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

USE	REQUIRED PARKING SPACES (minimum)
Funeral parlor	1 per 10 seats
Gas bar	2
Golf course	2 per hole
Home occupation	0
Hospital	1 per 42m ²
Hotel	1 per sleeping unit
Intermediate care facility	0.25 per bed plus 0.25 per bed for visitors
Manufacturing, processing or packaging, excluding fish processing or packaging	1 per 90m ²
Marina	1 per 2 berths
Marine fueling station	1
Marine grid for boat maintenance	1 per grid
Medical clinic, dental clinic	1 per 40 m ²
Mobile home	1
Motel	1 per sleeping unit
Office	1 per 40 m ²
Park, playground, sportsfield	0
Personal service establishment	1 per 40 m ²
Pub, neighbourhood pub, brew pub, marine pub	1 per 4 seats of maximum seating capacity, including outdoor seating
Recreation facility	1 per 10 seats or 1 per 10m ² intended for public use excluding playing surfaces, whichever is greater.
Recycling drop-off centre	1 per 90 m ² or 1 per bin for self-serve
Repair, servicing or testing of appliances, machinery, equipment, tools or boats	1 per 90 m ²
Research laboratory	1 per 90 m ²
Restaurant	1 per 6 seats of maximum seating capacity excluding outdoor seating
Retail store: – less than 500 m ² gross floor area – equal to or greater than 500 m ² gross floor area	1 per 40m ² 1 per 20m ²
School, adult education	4 per classroom
School, primary, elementary, junior high	1 per classroom
School, senior high	4 per classroom
Unstaffed car wash, unstaffed industrial fueling installation	0
Unstaffed public utility building or facility, such as telephone exchanges or transformer stations	1
Vehicle repair	3 per bay
Vehicle sales or rental showroom	3 plus 1 per 20 m ²
Veterinary clinic	1 per 40 m ²
Video rental store	1 per 40 m ²
Warehousing	1 per 180 m ²

6.15 Required Off-Street Loading Spaces

(1) Loading spaces shall be provided in accordance with the requirements in Section 6.15(2).

(2) **Required Loading Spaces**

USE	REQUIRED LOADING SPACES (minimum)
Commercial use with gross floor area of 475m ² or greater	1
Industrial use with gross floor area of 475m ² or greater	1

SECTION 7 CLASS I AND CLASS II BICYCLE PARKING SPACES

7.1 General

Class I and Class II bicycle parking spaces shall be located on the same parcel as the structure or use for which they are provided.

7.2 Calculation of the Recommended Minimum Number of Bicycle Parking Spaces

- (1) Where area is used as a unit of measure for the calculation of the recommended minimum number of bicycle parking spaces, the calculation shall be based upon 80% of the gross floor area.
- (2) In the case of different uses occupying the same parcel, the total recommended minimum number of bicycle parking spaces shall be the sum of the recommended minimum number of bicycle parking spaces of the various uses computed separately.
- (3) When the calculation of the total recommended minimum number of bicycle parking spaces for a parcel results in a fractional figure, it shall be rounded upward to the nearest whole number.

7.3 Use of Class I and Class II Bicycle Parking Spaces

Class I and Class II bicycle parking spaces shall be used only for the purpose of accommodating the bicycles of clients, customers, employees, members, residents, tenants, or visitors who make use of the structure or use for which the bicycle parking space is provided.

7.4 Class I Bicycle Parking Spaces

- (1) Development and Maintenance Standards
 - (a) Design:
 - (i) Each bicycle parking space shall be 1.8 metres (length) by 0.6 metres (width) by 2.0 metres (height).
 - (ii) Each bicycle parking space must be independently accessible from a sturdy rack designed for frame, not wheel-only, support.
 - (iii) Racks shall be of a design such that the user is able to lock a bicycle frame and one wheel to the rack with a u-shaped lock.
 - (iv) Racks shall be securely anchored to the ground or a wall to prevent removal.
 - (b) Location:
 - (i) Racks shall be located within 6.0 metres of the main entrance of the principal building.
 - (ii) Access shall be provided from each bicycle space to a street, excluding a lane.
 - (iii) Rack location should allow for a high degree of visual surveillance by building occupants or from streets that abut the parcel.
 - (c) Lighting:

Racks shall be illuminated with metal halide type lighting, consisting of either full cut off/flat lens pole lighting or fully shielded wall lighting.

(2) **Class I Bicycle Parking Spaces – Recommended Minimum**

USE	SPACES – Recommended Minimum
Residential:	
Apartment dwellings	0.25 per unit
Congregate care housing, Intermediate care facilities	6
Financial institutions, restaurants, restaurant-lounges (#1417 March 3/04)	1 per 125m ² with a minimum of 4
Convenience stores, pubs, marine pubs, brew pubs, neighbourhood pubs	6
Hospitals, assembly centres (excluding schools), museums, libraries, cultural centres, and recreation facilities	6

7.5 Class II Bicycle Parking Spaces

(1) Development and Maintenance Standards

(a) **Bike Racks**

- (i) Each bicycle parking space shall be 1.8 metres (length) by 0.6 metres (width) by 2.0 metres (height).
- (ii) Each bicycle parking space must be independently accessible from a sturdy rack designed for frame, not wheel-only, support.
- (iii) Racks shall be of a design such that the user is able to lock a bicycle frame and one wheel to the rack with a u-shaped lock.
- (iv) Racks shall be securely anchored to the ground or a wall to prevent removal.

(b) **Bicycle Rooms**

(i) **Design:**

- (A) Bicycle rooms shall be completely enclosed within a building; interior walls may be comprised of chain link fencing.
- (B) No more than 20 bicycles parking spaces shall be provided in each bicycle room. However, larger bicycle rooms may be used if the room is compartmentalized into smaller rooms using chain link fencing with lockable chain link doors. If a larger room is utilized, each compartment shall provide no more than 20 bicycle parking spaces.
- (C) The whole room shall be visible from the entry door.
- (D) There shall be a separate security lock and key for each room and compartment. Security locks shall consist of a minimum one-inch throw dead bolt.
- (E) Entry doors shall be hinged on the inside unless tamper-proof hinges are used, and shall be constructed of (1) chain link fencing, or (2) steel with a security window that allows permanent visibility and that is constructed of a

laminated of tempered glass and polycarbonate in a steel frame.

- (ii) Location:
 - (A) If bicycle rooms are directly accessible from the outside, access shall be located in a visible location and illuminated with metal halide type lighting.
 - (B) Bicycle rooms (1) shall be located on the ground floor, and (2) where applicable, should be located off the vestibule or corridor to the main building elevator.
 - (C) Access shall be provided from each bicycle space to a street, excluding lanes.
- (iii) Lighting:
 - (A) Bicycle rooms shall be illuminated.
 - (B) Lighting shall be enclosed in a tamper-proof housing.

(c) Bicycle Lockers

- (i) Each bicycle locker shall count as one bicycle parking space.
- (ii) Design:
 - (A) The minimum inside dimensions of each bicycle locker shall be:
 - (1) width at the door end 0.60 m
 - (2) width at opposite end 0.22 m
 - (3) length 1.8 m
 - (4) height 1.2 m
 - (B) Bicycle lockers shall be securely anchored to the ground, floor, or a wall to prevent removal.
 - (C) There shall be a separate security lock and key for each locker. The security lock shall consist of a minimum one-inch throw dead bolt.
 - (D) Bicycle lockers shall be (1) made of materials that are solid, sturdy, opaque and weatherproof, and (2) constructed in such a manner as to be highly resistant to bicycle theft.
 - (E) All fasteners shall be internal, unless the locker is completely set within a building wall.
 - (F) Entry doors shall be constructed out of steel and hinged on the inside, unless tamper-proof hinges are used.
- (iii) Location:
 - (A) If bicycle lockers are directly accessible from the outside, access shall be located in a visible location and illuminated with metal halide type lighting.
 - (B) Bicycle lockers shall be located on the ground floor.
 - (C) Access shall be provided from each bicycle locker to a street, excluding lanes.

(2) Class II Bicycle Parking Spaces – Recommended Minimum

USE	SPACES – Recommended Minimum
Apartment dwellings	0.5 per unit
Congregate care housing, Intermediate care facilities	4
Retail stores, financial institutions, offices, personal service establishments, restaurants, restaurant-lounges, liquor stores (#1417 March 3/04), child care facilities, marinas, pubs, marine pubs, brew pubs and neighbourhood pubs	1 per 125m ² with a minimum of 2
Hotels, motels, schools, indoor recreation facilities, cultural centers and museums	1 per 500m ² , with a minimum of 2
Libraries, hospitals, fire stations, ambulance stations, public works yards	1 per 250m ² , with a minimum of 2

SECTION 8 SCREENING

8.1 Provision

Where the terms of this Bylaw require the provision of screening, every owner or occupier of structures or land shall, upon the parcel in question, provide and maintain screening in accordance with the standards and requirements as contained within this Bylaw.

8.2 Conflict With Other Bylaws

In the event that a provision of Section 8 conflicts with that of another provision of this Bylaw, the other provision shall take precedence.

8.3 Screening Exemptions

- (1) Driveways and pedestrian walkways shall be excluded from the provisions of Section 8.
- (2) Those portions of structures or uses that require screening, that are masked along their perimeter by another structure to a degree equal to or greater than that required in Section 8, shall be exempt from the provisions of Section 8.

8.4 Maintenance

All required plant materials shall be maintained in a healthy condition and whenever necessary replaced with new plant materials to ensure continued compliance with this Bylaw. All required fences shall be permanently maintained in good repair and presentable appearance and whenever necessary they shall be repaired or replaced.

8.5 Plant Varieties and Size

- (1) Selection of plant varieties shall be based on local climatic conditions, constraints of location, cleanliness, ease of maintenance, and resistance to disease, drought, insect attack, and deer.
- (2) Plant materials shall be installed of such a size as to grow to the minimum dimensions required within two growing seasons.

8.6 Outside Storage Areas

Where required in Schedule "A", outside storage areas and any fencing thereof shall be concealed from view along their perimeter in accordance with the following requirements:

- (1) **Materials:** Landscape material, hedge, or combination thereof so as to be effective year round.
- (2) **Height:** Not less than 1.8 metres above finished ground level.

8.7 Garbage Compounds

Where required in Schedule "A", garbage compounds shall be concealed from view along their perimeter in accordance with the following requirements:

- (1) **Materials:** Metal doors secured to metal posts and (a) fence, or (b) fence and landscape material, so as to be effective year round.
- (2) **Height:** Not less than 1.8 metres above finished ground level.

8.8 Off-Street Parking and Loading Areas

Where required in Schedule "A", off-street parking or loading areas or portions thereof that are visible from an abutting street shall be concealed from view along their perimeter in accordance with the following requirements; does not apply to parking spaces in tandem:

- (1) **Materials:** Landscape materials, hedge, fence, or combination thereof, so as to be effective year round.
- (2) **Height:** Not less than 1.2 metres above finished ground level.

8.9 Utility Kiosks

Where required in Schedule "A", utility kiosks shall be concealed from view along their perimeter in accordance with the following requirements:

- (1) **Materials:** Landscape material, hedge, or combination thereof, so as to be effective year round.
- (2) **Height:** Not less than 1.2 metres, nor more than 2.0 metres in height above finished ground level.
- (3) **Horizontal Clearance:** Screening materials shall not be permitted within
 - (a) 2.5 metres of utility kiosk doors; or
 - (b) 0.3 metres of any other part of a utility kiosk.

8.10 Parcels Abutting Residential Zoned Parcels

Where required in Schedule "A", parcels shall be concealed from view from abutting Residential zoned parcels in accordance with the following:

- (1) **Materials:** Landscape material, hedge, fence, or combination thereof, so as to be effective year round.
- (2) **Height:** Not less than 1.8 metres above finished ground level.
- (3) **Location:** Screening shall be located along and within 1.0 metre of a lot line shared with a Residential zoned parcel.

8.11 Parcels Abutting Residential or Multi-Family Residential Zoned Parcels

Where required in Schedule "A", parcels shall be concealed from view from abutting Residential or Multi-Family Residential zoned parcels in accordance with the following:

- (1) **Materials:** Landscape material, hedge, fence, or combination thereof, so as to be effective year round.
- (2) **Height:** Not less than 1.8 metres above finished ground level.
- (3) **Location:** Screening shall be located along and within 1.0 metre of a lot line shared with a Residential or Multi-Family Residential zoned parcel.

SECTION 9 ENACTMENT

9.1 Repeal of Previous Bylaws

Town Bylaw No. 767 (Comox Zoning Bylaw, 1984) is hereby repealed.

9.2 Effective Date of Bylaw

This Bylaw shall come into force on the date of adoption by Council.

Introduced and read a first time the 5th day of June, 2002.

Read a second time the 5th day of June, 2002.

Considered at a Public Hearing the 17TH day of June, 2002.

Read a third time the 19th day of June, 2002.

Reconsidered and finally adopted the 19th day of June, 2002.

Mayor

Clerk

SCHEDULE "A" TOWN OF COMOX, ZONING BYLAW 1377

RESIDENTIAL ZONES

101. R1.1 SINGLE-FAMILY

101.1 Permitted Uses:

In the R1.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Bed and Breakfast accommodations
- (3) Home occupations
- (4) Single-family dwellings

101.2 Conditions of Use:

n/a

101.3 Density:

n/a

101.4 Parcel Area:

Parcel area shall not be less than 650 square metres.

101.5 Parcel Frontage

Parcel frontage shall not be less than 20.0 metres.

101.6 Parcel Depth

Parcel depth shall not be less than 26.0 metres.

101.7 Parcel Coverage:

Parcel coverage shall not exceed 35%.

101.8 Height and Storeys:

Height shall not exceed 9.0 metres.

101.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 2.0 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.5 metres.

101.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;

- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not exceed 60m² in gross floor area;
- (5) not be located within a front yard;
- (6) not be located closer than 3.0 metres to a principal building; and
- (7) be excluded from required rear and interior side setbacks provided that
 - (a) no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
 - (b) a 2.0 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard, as shown in Figure 13.

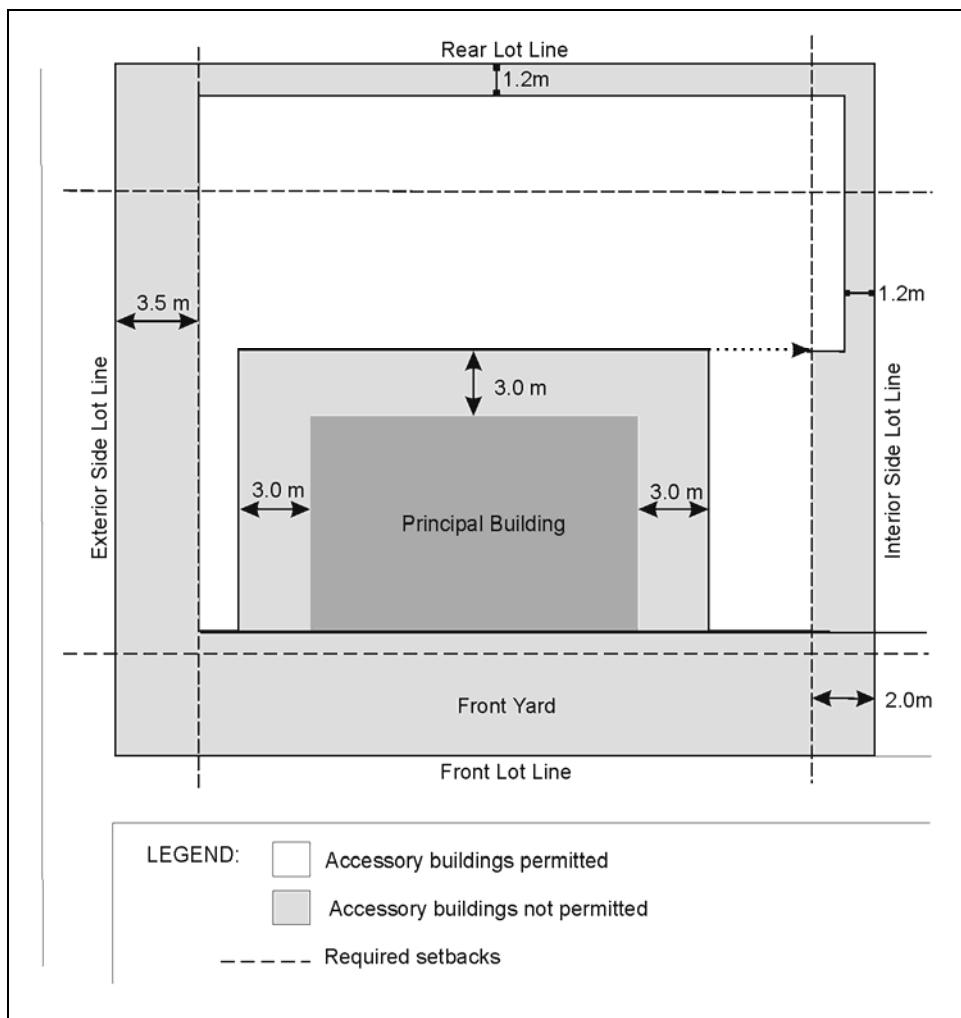


Figure 13. R1.1: Accessory building buildable area

101.11 Screening

Utility kiosks shall be screened in accordance with Section 8.

101.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

THIS CONSOLIDATED ZONING BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

101.13 Other Requirements

- (1) No more than one principal building shall be permitted on a parcel.
- (2) All buildings shall conform to Section 5.16, Watercourse Regulations.

102. R1.2 MOBILE HOME

102.1 Permitted Uses:

In the R1.2 zone, the following uses are permitted and all others uses are prohibited:

- (1) Accessory structures and uses
- (2) Home occupations
- (3) Mobile homes
- (4) Single-family dwellings

102.2 Conditions of Use:

n/a

102.3 Density:

n/a

102.4 Parcel Area:

Parcel area shall not be less than 465 square metres.

102.5 Parcel Frontage:

Parcel frontage shall not be less than 15.0 metres.

102.6 Parcel Depth:

Parcel depth shall not be less than 26.0 metres.

102.7 Parcel Coverage:

Parcel coverage shall not exceed 35%.

102.8 Height and Storeys:

- (1) Height shall not exceed 4.6 metres.
- (2) The number of storeys shall not exceed 1.

102.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 5.0 metres.
- (2) Rear
Rear setback shall not be less than 5.0 metres.
- (3) Side - interior
Interior side setback shall not be less than 1.5 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.5 metres.

102.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not be located within a front yard; and

- (5) be excluded from required rear and interior side setbacks provided that no accessory building is located closer than 1.2 metres to a rear or interior side lot line.

102.11 Screening

Utility kiosks shall be screened in accordance with Section 8.

102.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

102.13 Other Requirements

- (1) No more than one principal building shall be permitted on a parcel.
- (2) All buildings shall conform to Section 5.16, Watercourse Regulations.

103. R1.3 SINGLE-FAMILY – 1100 M² PARCEL (#1506 JUN 7/06)

103.1 Permitted Uses:

In the R1.3 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Home occupations
- (3) Single-family dwellings

103.2 Conditions of Use:

n/a

103.3 Density:

n/a

103.4 Parcel Area:

Parcel area shall not be less than 1100 square metres.

103.5 Parcel Frontage:

Parcel frontage shall not be less than 27.0 metres.

103.6 Parcel Depth:

Parcel depth shall not be less than 40.0 metres.

103.7 Parcel Coverage:

Parcel coverage shall not exceed 30%.

103.8 Height and Storeys:

Height shall not exceed 9.0 metres.

103.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 9.0 metres.
- (2) Rear
Rear setback shall not be less than 9.0 metres.
- (3) Side – interior
 - (a) Parcels with an exterior side lot line - Interior side setback shall not be less than 2.0 metres.
 - (b) All other situations – Interior side setback shall not be less than 4.0 m for one lot line or a series of connected lot lines either of which extends from a front to a rear lot line and 2.0 metres for any other interior side lot line.
- (4) Side – exterior
Exterior side setback shall not be less than 4.5 metres.

103.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (4) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;

- (5) not exceed 60 m² in gross floor area;
- (6) not be located within a front yard;
- (7) not be situated closer than 3.0 metres to a principal building; and
- (8) be excluded from required rear and interior side setbacks provided that
 - a. no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
 - b. the required interior side setback is maintained from the front lot line to a point 4.0 metres into the rear yard, as shown in Figure 14.

- Drawing Not to Scale -

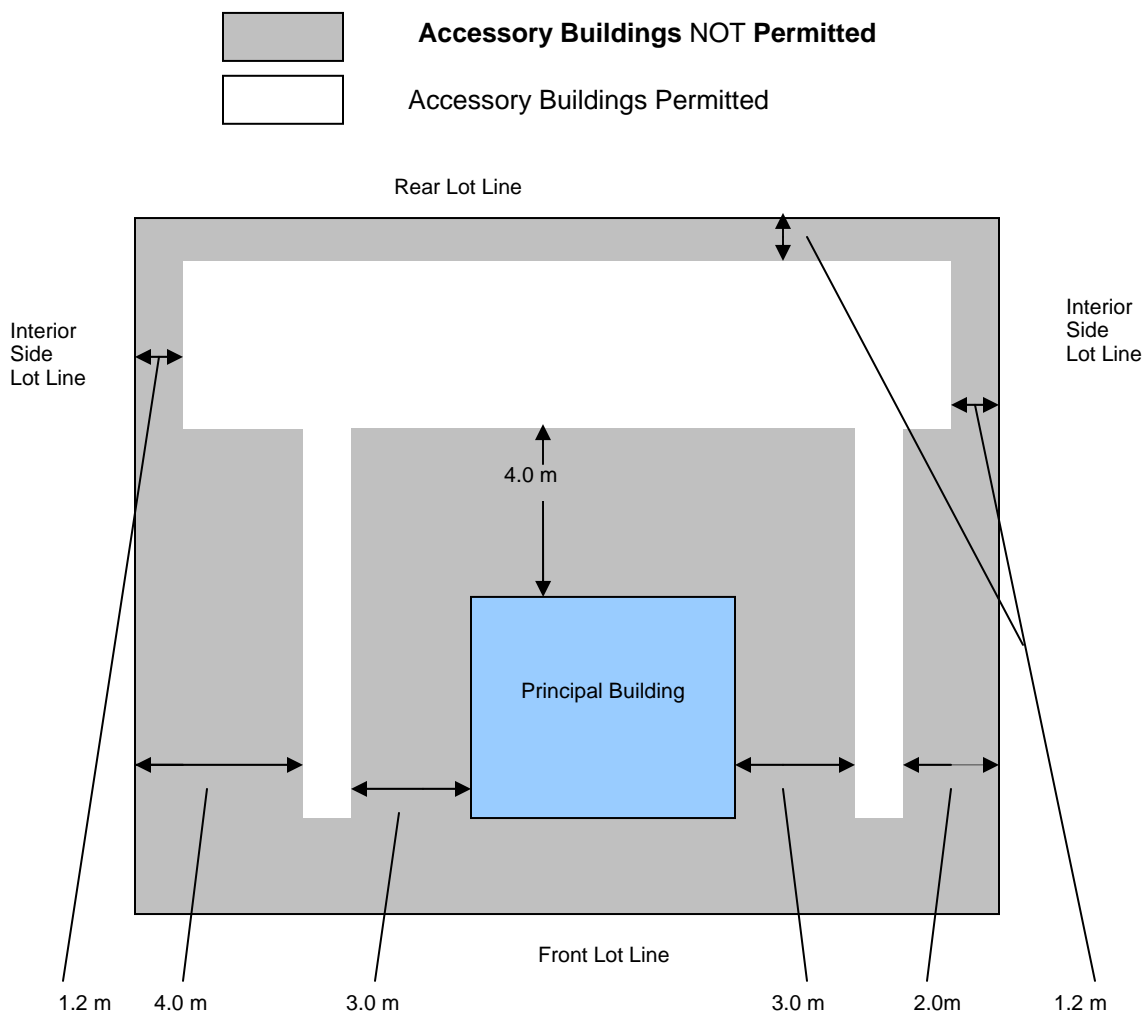


Figure 14. R1.3: Accessory building buildable area

103.11 Screening

Utility kiosks shall be screened in accordance with Section 8:

103.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

103.13 Other Requirements:

THIS CONSOLIDATED ZONING BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

- (1) No more than one principal building shall be permitted on a parcel.
- (2) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

103. R2.1 SINGLE/TWO-FAMILY

103.1 Permitted Uses:

In the R2.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Bed and breakfast accommodations
- (3) Home occupations
- (4) Single-family dwellings
- (5) Two-family dwellings

103.2 Conditions of Use:

n/a

103.3 Density:

n/a

103.4 Parcel Area:

Parcel area shall not be less than 900 square metres.

103.5 Parcel Frontage:

Parcel frontage shall not be less than 20.0 metres.

103.6 Parcel Depth:

Parcel depth shall not be less than 26.0 metres.

103.7 Parcel Coverage:

Parcel coverage shall not exceed 35%.

103.8 Height and Storeys:

Height shall not exceed 9.0 metres.

103.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 2.0 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.5 metres.

103.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not be located within a front yard;
- (5) not be located closer than 3.0 metres to a principal building; and
- (6) be excluded from required rear and interior side setbacks provided that

- (a) no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
- (b) a 2.0 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard, as shown in Figure 15.

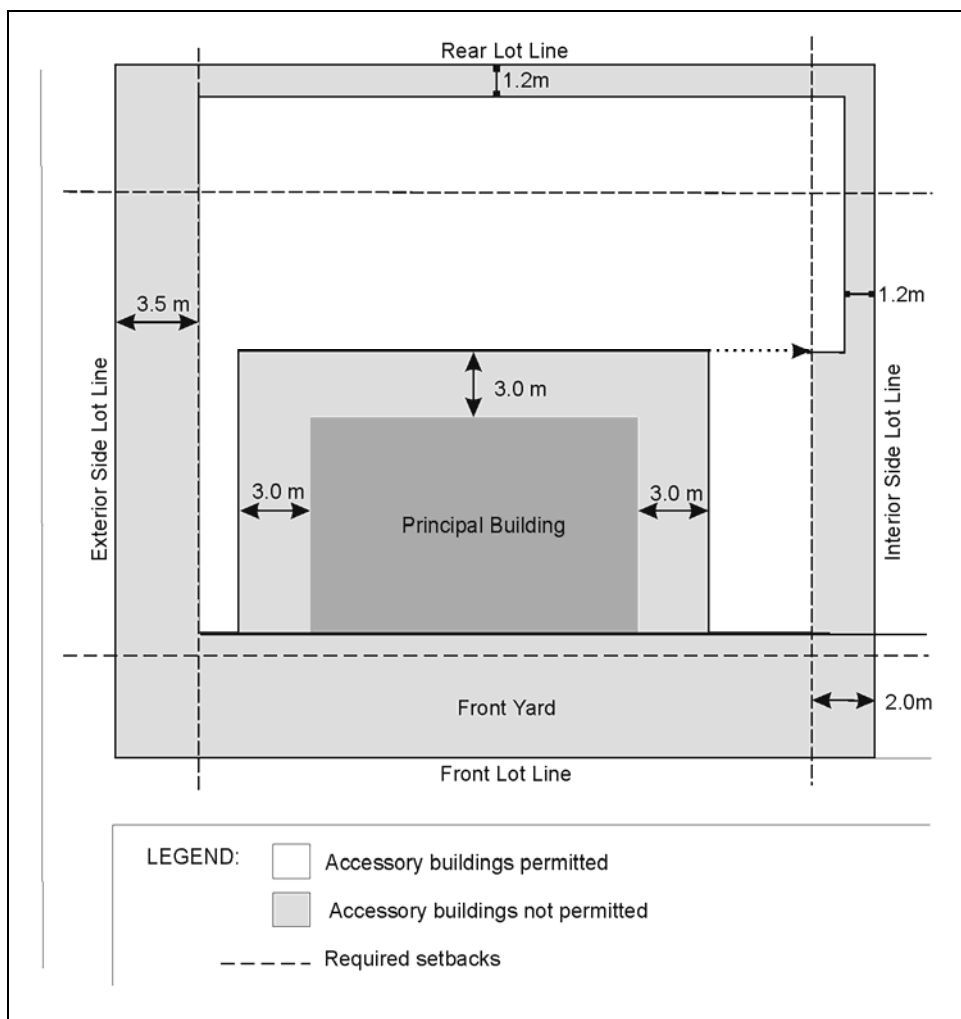


Figure 15. R2.1: Accessory building buildable area

103.11 Screening

Utility kiosks shall be screened in accordance with Section 8.

103.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

103.13 Other Requirements

- (1) No more than one principal building shall be permitted on a parcel.
- (2) All buildings shall conform to Section 5.16, Watercourse Regulations.

104. R2.2 TWO-FAMILY

104.1 Permitted Uses:

In the R2.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Bed and Breakfast accommodations
- (3) Home occupations
- (4) Single-family dwellings
- (5) Two-family dwellings

104.2 Conditions of Use:

n/a

104.3 Density:

n/a

104.4 Parcel Area:

Parcel area shall not be less than 900 square metres.

104.5 Parcel Frontage:

Parcel frontage shall not be less than 20.0 metres.

104.6 Parcel Depth:

Parcel depth shall not be less than 26.0 metres.

104.7 Parcel Coverage:

Parcel coverage shall not exceed 35%.

104.8 Height and Storeys:

Height shall not exceed 9.0 metres.

104.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 2.0 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.5 metres.

104.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not be located within a front yard;
- (5) not be located closer than 3.0 metres to a principal building; and
- (6) be excluded from required rear and interior side setbacks provided that

- (a) no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
- (b) a 2.0 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard, as shown in Figure 16.

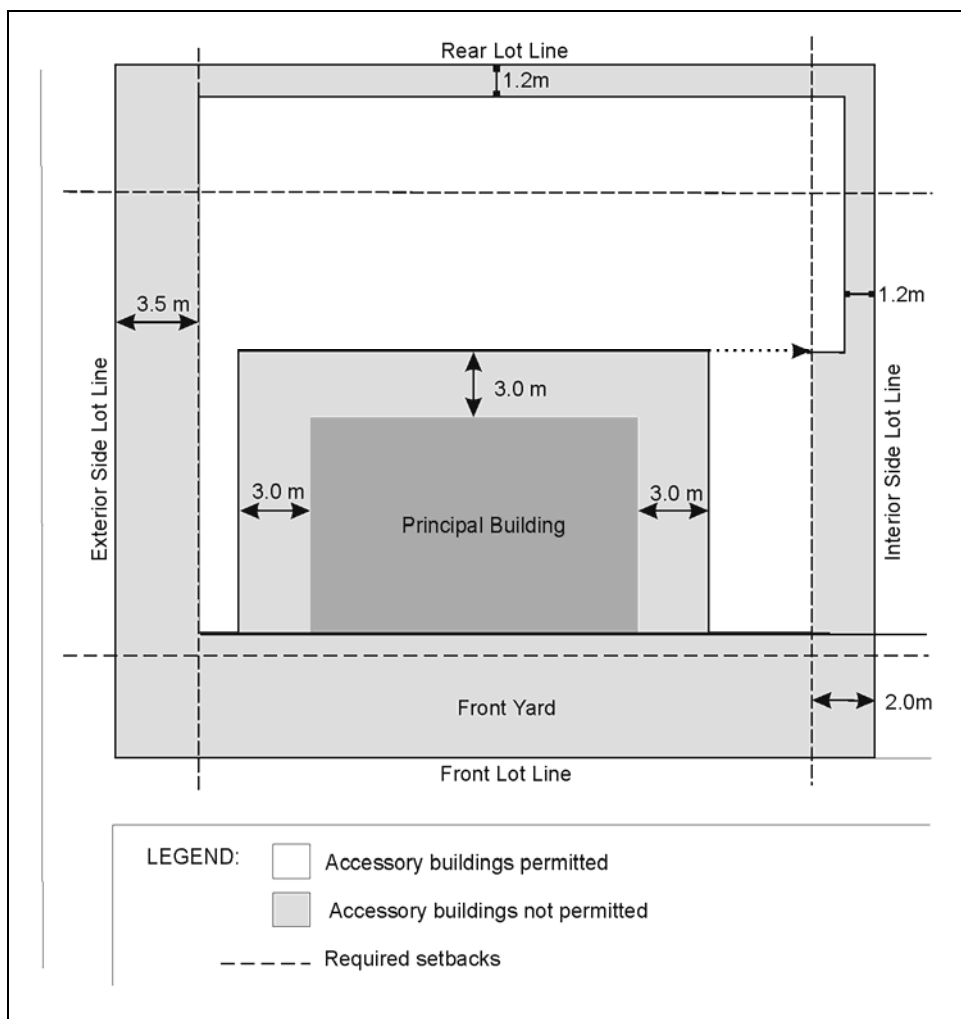


Figure 16. R2.2: Accessory building buildable area

104.11 Screening

Utility kiosks shall be screened in accordance with Section 8.

104.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

104.13 Other Requirements

- (1) No more than two single-family dwellings shall be permitted on a parcel.
- (2) No more than one two-family dwelling shall be permitted on a parcel.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

105. R3.1 SINGLE-FAMILY/SECONDARY SUITE (#1460 NOV 2/05)

105.1 Permitted Uses:

In the R3.1 zone, the following uses are permitted and all other uses are prohibited:

- (9) Accessory structures and uses
- (10) Bed and Breakfast accommodations
- (11) Home occupations
- (12) Secondary suites
- (13) Single-family dwellings

105.2 Conditions of Use:

n/a

105.3 Density:

n/a

105.4 Parcel Area:

Parcel area shall not be less than 650 square metres.

105.5 Parcel Frontage:

Parcel frontage shall not be less than 20.0 metres.

105.6 Parcel Depth:

Parcel depth shall not be less than 26.0 metres.

105.7 Parcel Coverage:

Parcel coverage shall not exceed 35%.

105.8 Height and Storeys:

Height shall not exceed 9.0 metres.

105.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side – interior
Interior side setback shall not be less than 2.0 metres.
- (4) Side – exterior
Exterior side setback shall not be less than 3.5 metres.

105.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (14) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (15) not exceed 60 m² in gross floor area;
- (16) not be located within a front yard;
- (17) not be situated closer than 3.0 metres to a principal building; and

- (18) be excluded from required rear and interior side setbacks provided that
- a. no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
 - b. a 2.0 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard, as shown in Figure 17.

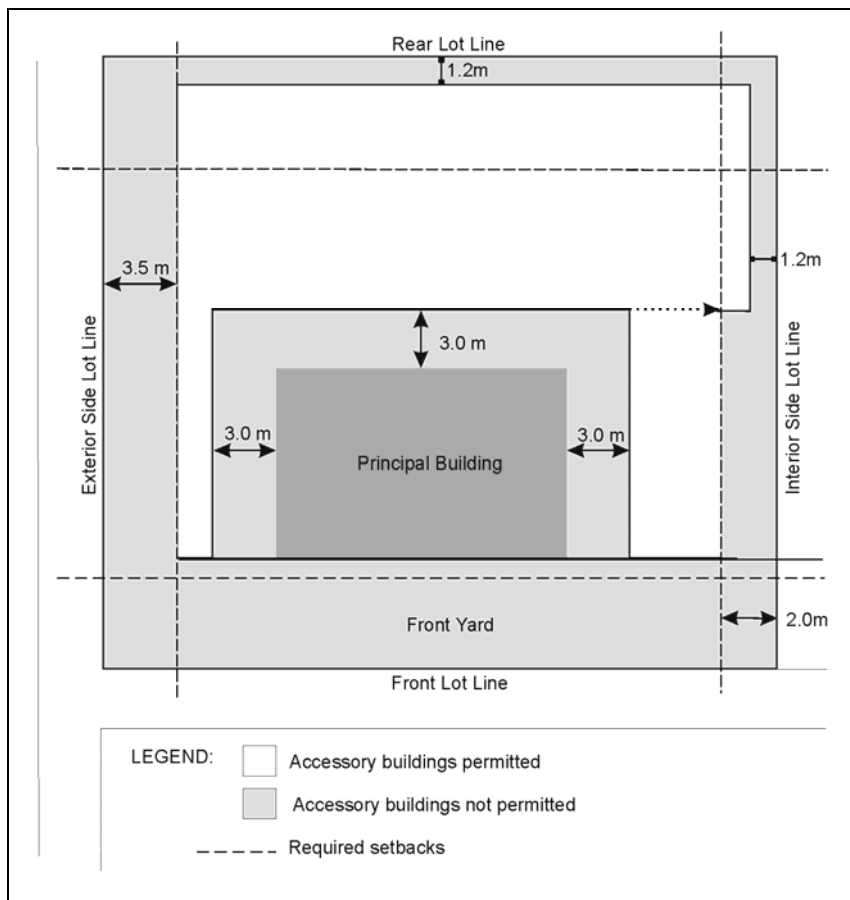


Figure 17. R3.1: Accessory building buildable area

105.11 Screening

Utility kiosks shall be screened in accordance with Section 8:

105.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

105.13 Other Requirements:

- (4) No more than one principal building shall be permitted on a parcel.
- (5) All buildings shall conform to Section 5.16, Watercourse Regulations.

106. R3.2 SINGLE-FAMILY/SECONDARY SUITE – 450 m² Parcel (#1460 NOV 2/05)

106.1 Permitted Uses:

In the R3.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Bed and Breakfast accommodations
- (3) Home occupations
- (4) Secondary suites
- (5) Single-family dwellings

106.2 Conditions of Use:

Gross floor area of the second story of a building shall not exceed 75% of the gross floor area of the first storey of the building including attached garages.

106.3 Density:

n/a

106.4 Parcel Area:

Parcel area shall not be less than 450 square metres.

106.5 Parcel Frontage:

Parcel frontage shall not be less than 15.0 metres.

106.6 Parcel Depth:

Parcel depth shall not be less than 26.0 metres.

106.7 Parcel Coverage:

- (1) No building on a parcel exceeds one storey - Parcel coverage shall not exceed 40%.
- (2) A building on a parcel exceeds one storey – Parcel coverage shall not exceed 35%.

106.8 Height and Storeys:

- (1) Height shall not exceed 9.0 metres.
- (2) The number of storeys shall not exceed 2.
- (3) For multi-storey dwelling units,
 - (a) a minimum of 30% of the building parcel frontage shall be a maximum of one storey, extending the full depth of the parcel with the roof ridge a minimum of 1.2 metres lower than the roof ridge of any multi-storey portion as shown in Figure 18; or
 - (b) a minimum of 50% of the building parcel frontage shall be a maximum of one storey, extending a minimum of 3.0 metres back from the elevation face, with the roof ridge a minimum of 1.2 metres lower than the roof ridge of any multi-storey portion as shown in Figures 19 and 20;

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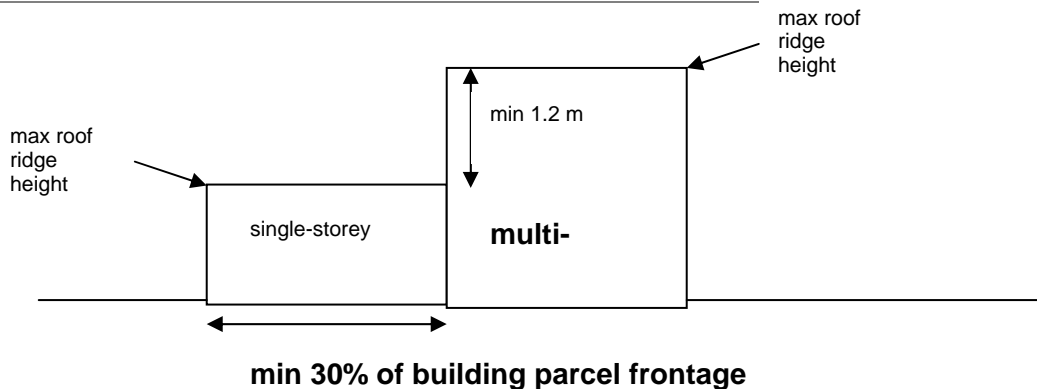


Figure 18. Elevation Block Out

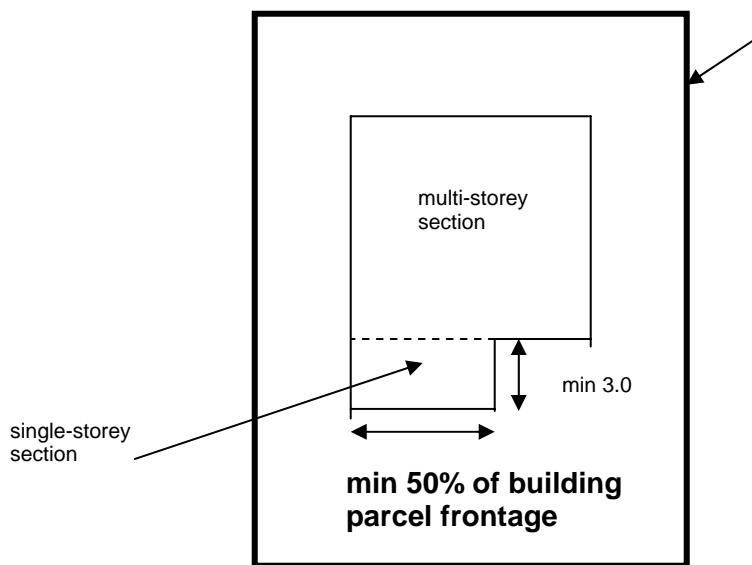


Figure 19. Site Plan

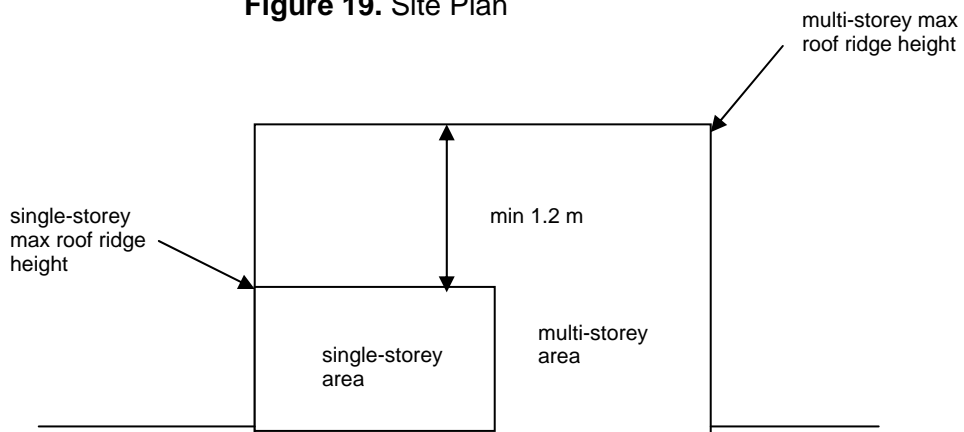


Figure 20. Elevation Block Out

106.9 Required Setbacks:

- (1) Front
 - (1) For 5.5 m as measured parallel to and at the front setback – Front setback shall not be less than 7.5 metres as shown in Figure 21.
 - (2) For any part of a structure used as a garage or carport – Front setback shall not be less than 7.5 metres.
 - (3) All other situations – Front setback shall not be less than 4.5 metres.
- (2) Rear

Rear setback shall not be less than 7.5 metres.
- (3) Side – interior

Interior side setback shall not be less than 2.0 metres.
- (4) Side – exterior

Exterior side setback shall not be less than 3.5 metres.

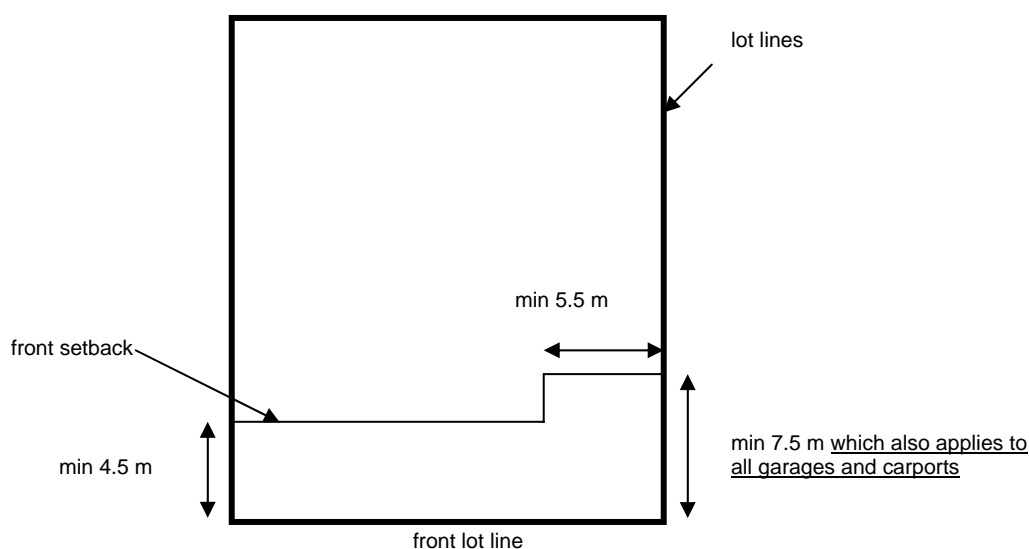


Figure 21. Minimum Front Setback

106.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (19) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (20) not exceed 60 m² in gross floor area;
- (21) not be located within a front yard;
- (22) not be situated closer than 3.0 metres to a principal building; and
- (23) be excluded from required rear and interior side setbacks provided that
 - a. no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
 - b. a 2.0 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard, as shown in Figure 22.

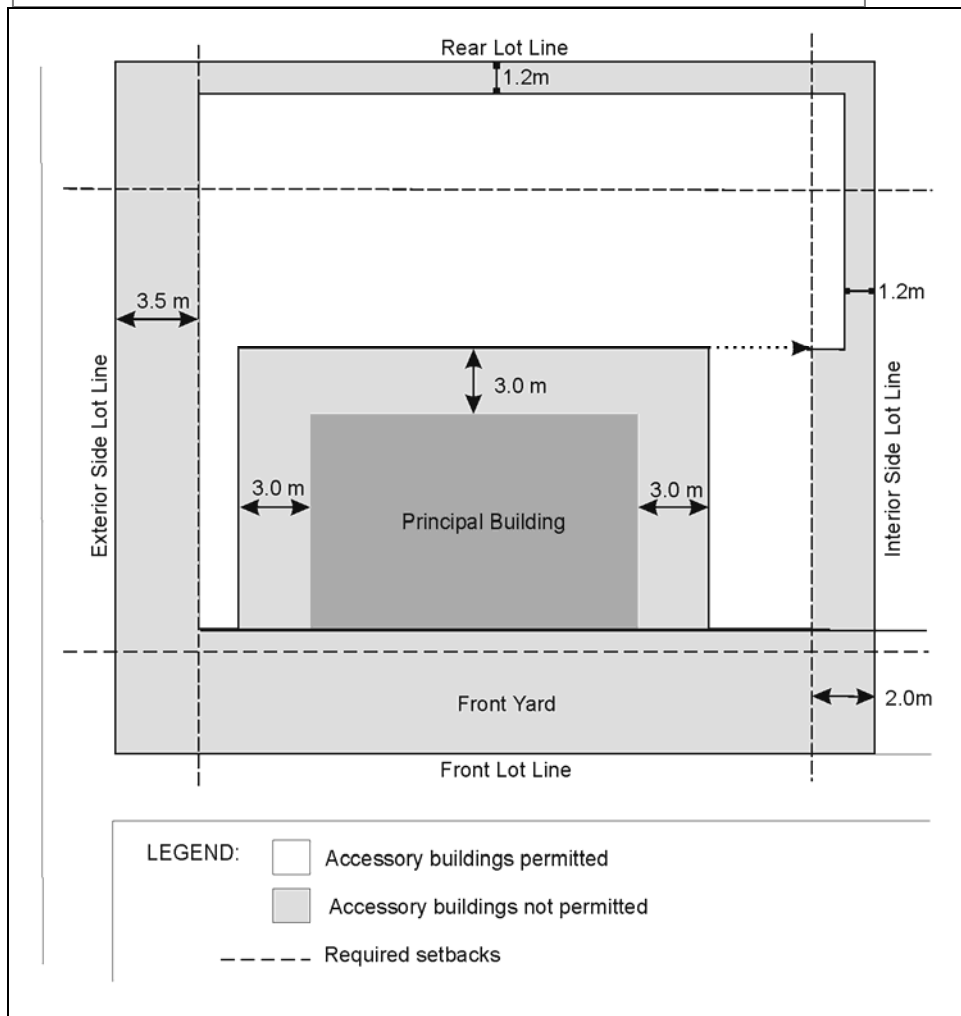


Figure 22. R3.2: Accessory building buildable area

106.11 Screening

Utility kiosks shall be screened in accordance with Section 8:

106.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

106.13 Other Requirements:

- (1) No more than one principal building shall be permitted on a parcel.
- (2) All buildings shall conform to Section 5.16, Watercourse Regulations.

MULTI-FAMILY RESIDENTIAL ZONES

201. RM1.1 PATIO DWELLING – 4.6 METRE MAXIMUM HEIGHT

201.1 Permitted Uses:

In the RM1.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Home occupations
- (3) Patio dwellings

201.2 Conditions of Use:

n/a

201.3 Density:

Density shall not exceed 22 units per hectare.

201.4 Parcel Area:

Parcel area shall not be less than 1,850 square metres.

201.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

201.6 Parcel Depth:

n/a

201.7 Parcel Coverage:

Parcel coverage including parking areas, loading areas and driveways that are open sided and roofless shall not exceed 70%.

201.8 Height and Storeys:

Height shall not exceed 4.6 metres.

201.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 4.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 4.5 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 4.5 metres.

201.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point; and
- (4) not be located within a front yard.

201.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) RM1.1 zoned parcels from abutting Residential zoned parcels

201.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

201.13 Other Requirements

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

202. RM1.2 PATIO DWELLING – 6.3 METRE MAXIMUM HEIGHT

202.1 Permitted Uses:

In the RM1.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Home occupations
- (3) Patio dwellings

202.2 Conditions of Use:

n/a

202.3 Density:

Density shall not exceed 22 units per hectare.

202.4 Parcel Area:

Parcel area shall not be less than 1,850 square metres.

202.5 Parcel Frontage:

Parcel frontage shall not be less than 30 metres.

202.6 Parcel Depth:

n/a

202.7 Parcel Coverage:

Parcel coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 70%.

202.8 Height and Storeys:

Height shall not exceed 6.3 metres.

202.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall be of not less than 4.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 4.5 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 4.5 metres.

202.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point; and
- (4) not be located within a front yard.

202.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) RM1.2 zoned parcels from abutting Residential zoned parcels

202.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

202.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

203. RM2.1 TOWNHOUSE/PATIO DWELLING

203.1 Permitted Uses:

In the RM2.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Home occupations
- (3) Patio dwellings
- (4) Single-family dwellings
- (5) Townhouse dwellings
- (6) Two-family dwellings

203.2 Conditions of Use:

- (1) The number of single-family dwellings on a parcel shall not exceed 25% of the sum of all the patio and single-family dwelling units on the parcel.
- (2) The number of two-family dwelling units on a parcel shall not exceed 25% of the sum of all the townhouse and two-family dwelling units on the parcel.

203.3 Density:

Density shall not exceed 17 units per hectare.

203.4 Parcel Area:

Parcel area shall not be less than 2,400 square metres.

203.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

203.6 Parcel Depth:

n/a

203.7 Parcel Coverage:

Parcel coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 30%.

203.8 Height and Storeys:

- (1) Two-family and townhouse dwelling – Height shall not exceed 9.0 metres.
- (2) Single-family and patio dwelling – Height shall not exceed 6.3 metres.
- (3) Two-family and townhouse dwellings – Number of storeys shall not exceed 2.
- (4) Single-family and patio dwellings – Number of storeys shall not exceed 1.

203.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 4.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 4.5 metres.
- (4) Side - exterior

- Exterior side setback shall not be less than 4.5 metres.
- (5) Dwelling units shall not be located closer than 6.0 metres from an internal road.

203.10 Accessory Buildings

Accessory buildings shall

- (1) exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 20%;
- (3) have a parcel coverage excluding garages and carports, not exceeding 10%;
- (4) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point; and
- (5) not be located within a front yard.

203.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) RM2.1 zoned parcels from abutting Residential zoned parcels

203.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

203.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

204. RM2.2 TOWNHOUSE

204.1 Permitted Uses:

In the RM2.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Home occupations
- (3) Townhouse dwellings
- (4) Two-family dwellings

204.2 Conditions of Use:

The number of two-family dwelling units on a parcel shall not exceed 25% of all the dwelling units on the parcel.

204.3 Density:

Density shall not exceed 22 units per hectare.

204.4 Parcel Area:

Parcel area shall not be less than 1,850 square metres.

204.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

204.6 Parcel Depth:

n/a

204.7 Parcel Coverage:

Parcel coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 70%.

204.8 Height and Storeys:

- (1) Height shall not exceed 9.0 metres.
- (2) Number of storeys shall not exceed 2.

204.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 10.0 metres.
- (2) Rear
Rear setback shall not be less than 10.0 metres.
- (3) Side - interior
Interior side setback shall not be less than 5.5 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 5.5 metres.

204.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not be located within a front yard; and

- (5) be excluded from required rear setbacks provided that no accessory building is located closer than 5.5 metres to a rear lot line.

204.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) RM2.2 zoned parcels from abutting Residential zoned parcels

204.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

204.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

205. RM3.1 APARTMENT/TOWNHOUSE – LOW DENSITY

205.1 Permitted Uses:

In the RM3.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Apartment dwellings
- (3) Home occupations
- (4) Townhouse dwellings
- (5) Two-family dwellings

205.2 Conditions of Use:

The number of two-family dwelling units on a parcel shall not exceed 25% of all the dwelling units on the parcel.

205.3 Density:

Density shall not exceed 35 units per hectare; however, if over 75% of the required parking is provided as underground parking, density shall not exceed 54 units per hectare.

205.4 Parcel Area:

Parcel area shall not be less than 900 square metres.

205.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

205.6 Parcel Depth:

n/a

205.7 Parcel Coverage:

Parcel coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 50%.

205.8 Height and Storeys:

Height shall not exceed 9.0 metres.

205.9 Required Setbacks:

- (1) Front
 - (a) Apartment dwellings – Front setback shall not be less than 12.0 metres.
 - (b) Townhouse dwellings – Front setback shall not be less than 7.5 metres.
 - (c) Two-Family dwellings – Front setback shall not be less than 7.5 metres.
- (2) Rear

Rear setback shall not be less than 7.5 metres.
- (3) Side - interior

Interior side setback shall not be less than 3.5 metres.
- (4) Side - exterior

Exterior side setback shall not be less than 3.5 metres.

205.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 20%;
- (3) have a parcel coverage excluding garages and carports not exceeding 10%;
- (4) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (5) not be located within a front yard; and
- (6) be excluded from required rear setbacks provided that no accessory building is located closer than 3.5 metres to a rear lot line.

205.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) RM3.1 zoned parcels from abutting Residential zoned parcels

205.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

205.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

206. RM3.2 APARTMENT/TOWNHOUSE – HIGH DENSITY

206.1 Permitted Uses:

In the RM3.2 zone, the following uses, except as otherwise noted in this Bylaw:

- (1) Accessory structures and uses
- (2) Apartment dwellings
- (3) Home occupations
- (4) Townhouse dwellings
- (5) Two-family dwellings

206.2 Conditions of Use:

The number of two-family dwelling units on a parcel shall not exceed 25% of all the dwelling units on the parcel.

206.3 Density:

Density shall not exceed 65 units per hectare; however, if over 75% of the required parking is provided as underground parking, density shall not exceed 91 units per hectare.

206.4 Parcel Area:

Parcel area shall not be less than 900 square metres.

206.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

206.6 Parcel Depth:

n/a

206.7 Parcel Coverage:

Parcel coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 70%.

206.8 Height and Storeys:

Height shall not exceed 10.0 metres.

206.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 12.0 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 3.5 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.5 metres.

206.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 20%;
- (3) have a parcel coverage, excluding garages and carports, not exceeding 10%;

- (4) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (5) not be located within a front yard; and
- (6) be excluded from required rear setbacks provided that no accessory building is located closer than 3.5 metres to a rear lot line.

206.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) RM3.2 zoned parcels from abutting Residential zoned parcels

206.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

206.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

207. RM4.1 CONGREGATE/INTERMEDIATE CARE

207.1 Permitted Uses:

In the RM4.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Congregate care housing
- (3) Dwelling units as an accessory use
- (4) Intermediate care facilities
- (5) Restaurants

207.2 Conditions of Use:

Dwelling units shall be limited to one caretaker suite and one guest suite per parcel.

207.3 Density:

n/a

207.4 Parcel Area:

Parcel area shall not be less than 900 square metres.

207.5 Parcel Frontage:

Parcel frontage shall not be less than 25.0 metres.

207.6 Parcel Depth:

n/a

207.7 Parcel Coverage:

Parcel coverage including parking areas loading areas, and driveways that are open sided and roofless shall not exceed 50%.

207.8 Height and Storeys:

Height shall not exceed 13.5 metres.

207.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 15.0 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 4.0 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 4.0 metres.

207.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 20%;
- (3) have a parcel coverage excluding garages and carports not exceeding 10%;
- (4) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (5) not be located within a front yard; and

- (6) be excluded from required rear setbacks provided that no accessory building is located closer than 4.0 metres to a rear lot line.

207.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) RM4.1 zoned parcels from abutting Residential zoned parcels

207.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

207.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

208. RM5.1 MARINE PLAZA

208.1 Permitted Uses:

In the RM5.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Apartment dwellings
- (3) Townhouse dwellings

208.2 Conditions of Use:

n/a

208.3 Density:

Density shall not exceed 30 units per hectare.

208.4 Parcel Area:

Parcel area shall not be less than 1,350 square metres.

208.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

208.6 Parcel Depth:

n/a

208.7 Parcel Coverage:

Parcel coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 50%.

208.8 Height and Storeys:

Height shall not exceed 9.0 metres.

208.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 9.5 metres.
- (2) Rear
Rear setback shall not be less than 10.0 metres.
- (3) Side - interior
Interior side setback shall not be less than 5.5 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 5.5 metres.

208.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not be located within a front yard; and
- (5) be excluded from required rear setbacks provided that no accessory building is located closer than 5.5 metres to a rear lot line.

208.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) RM5.1 zoned parcels from abutting Residential zoned parcels

208.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

208.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

209. RM5.2 MARINE PLAZA

209.1 Permitted Uses:

In the RM5.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Apartment dwellings

209.2 Conditions of Use:

n/a

209.3 Density:

Density shall not exceed 30 units per hectare.

209.4 Parcel Area:

Parcel area shall not be less than 1,350 square metres.

209.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

209.6 Parcel Depth:

n/a

209.7 Parcel Coverage:

Parcel coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 50%; however, if all required parking spaces are provided in the form of underground parking, parcel coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 60%.

209.8 Height and Storeys:

- (1) Height shall not exceed 9.0 metres.
- (2) Number of storeys shall not exceed 2.

209.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 9.5 metres.
- (2) Rear
Rear setback shall not be less than 10.0 metres.
- (3) Side - interior
Interior side setback shall not be less than 4.5 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 4.5 metres.

209.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 3.0 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not be located within a front yard; and

- (5) be excluded from required rear setbacks provided that no accessory building is located closer than 4.5 metres to a rear lot line.

209.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) RM5.2 zoned parcels from abutting Residential zoned parcels

209.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

209.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

COMMERCIAL ZONES

301. C1.1 NEIGHBOURHOOD COMMERCIAL – GAS BAR

301.1 Permitted Uses:

In the C1.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings and outside storage
- (2) Gas bars
- (3) Restaurants
- (4) Retail stores

301.2 Conditions of Use:

All permitted uses shall be located within a portion of a building completely enclosed by exterior walls, except for gas bars, restaurants, accessory structures and landscape material.

301.3 Density:

n/a

301.4 Parcel Area:

Parcel area shall not be less than 900 square metres.

301.5 Parcel Frontage:

Parcel frontage shall not be less than 35.0 metres.

301.6 Parcel Depth:

n/a

301.7 Parcel Coverage:

n/a

301.8 Height and Storeys:

Height shall not exceed 9.0 metres.

301.9 Required Setbacks:

- (1) Front
 - (a) Gas bars, except for gas pump islands and associated canopies – Front setback shall not be less than 12.0 metres.
 - (b) Gas bar gas pump islands and associated canopies – Front setback shall not be less than 2.0 metres.
 - (c) All other uses – Front setback shall not be less than 12.0 metres.
- (2) Rear
 - (a) Gas bars, except for gas pump islands and associated canopies – Rear setback shall not be less than 7.5 metres.
 - (b) Gas bar gas pump islands and associated canopies – Rear setback shall not be less than 2.0 metres.
 - (c) All other uses – Rear setback shall not be less than 7.5 metres.
- (3) Side - interior

- (a) Gas bars, except for gas pump islands and associated canopies – Interior side setback shall not be less than 6.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
 - (b) Gas bar gas pump islands and associated canopies – Interior side setback shall not be less than 2.0 metres.
 - (c) All other uses – Interior side setback shall not be less than 6.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (4) Side - exterior
- (a) Gas bars, except for gas pump islands and associated canopies – Exterior side setback shall not be less than 12.0 metres.
 - (b) Gas bar gas pump islands and associated canopies – Exterior side setback shall not be less than 2.0 metres.
 - (c) All other uses – Exterior side setback shall not be less than 12.0 metres.

301.10 Accessory Buildings

n/a

301.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) C1.1 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

301.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

301.13 Other Requirements:

- (1) No more than one principal building shall be permitted on a parcel.
- (2) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (3) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

302. C2.1 GENERALCOMMERCIAL

302.1 Permitted Uses:

In the C2.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings and outside storage
- (2) Childcare facilities
- (3) Dental clinics
- (4) Denturist labs
- (5) Dwelling units
- (6) Financial institutions
- (7) Garden Centres (#1406 Aug 6/03)
- (8) Home occupations
- (9) Locksmiths
- (10) Medical clinics
- (11) Offices
- (12) Personal service establishments
- (13) Restaurants
- (14) Retail stores
- (15) Small appliance repair shops, processing or packaging of food or beverage products, or establishments that repair or assemble electronic equipment which (1) have a total non-retail floor area not in excess of 460 square metres, (2) retail directly from the premises, and (3) have the retail area extending the full width of the premises and located adjacent to the primary pedestrian entrance.
- (16) Video rental stores

302.2 Conditions of Use:

- (1) Dwelling units shall not be located on or below the ground floor or on a storey containing non-residential uses.
- (2) All permitted uses shall be located within a portion of a building completely enclosed by exterior walls, except for restaurants, childcare facilities, garden centres, accessory structures, and landscape material. (#1406 Aug 6/03)

302.3 Density:

n/a

302.4 Parcel Area:

Parcel area shall not be less than 550 square metres.

302.5 Parcel Frontage:

Parcel frontage shall not be less than 15.0 metres.

302.6 Parcel Depth:

n/a

302.7 Parcel Coverage:

Parcel coverage shall not exceed 60%.

302.8 Height and Storeys:

Height shall not exceed 9.0 metres.

302.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 3.0 metres.
- (2) Rear
Rear setback shall not be less than 3.0 metres.
- (3) Side - interior
Interior side setback shall not be less than 3.5 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (4) Side - exterior
Exterior side setback shall not be less than 3.0 metres.

302.10 Accessory Buildings

n/a

302.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) C2.1 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

302.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

302.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

303. C2.2 GENERALCOMMERCIAL/ACCOMMODATION

303.1 Permitted Uses:

In the C2.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings and outside storage
- (2) Brew pubs
- (3) Childcare facilities
- (4) Dental clinics
- (5) Denturist labs
- (6) Dwelling units
- (7) Financial institutions
- (8) Garden Centres (#1406 Aug 6/03)
- (9) Home occupations
- (10) Hotels
- (11) Locksmiths
- (12) Medical clinics
- (13) Motels
- (14) Offices
- (15) Personal service establishments
- (16) Pubs
- (17) Restaurants
- (18) Restaurant-Lounges (#1417 Mar 3/04)
- (19) Retail stores
- (20) Small appliance repair shops, processing or packaging of food or beverage products, or establishments that repair or assemble electronic equipment which (1) have a total non-retail floor area not in excess of 460 square metres, (2) retail directly from the premises, and (3) have the retail area extending the full width of the premises and located adjacent to the primary pedestrian entrance.
- (21) Video rental stores

303.2 Conditions of Use:

- (1) Other than a live-in caretaker suite for a motel, dwelling units shall not be located on or below the ground floor or on a storey containing non-residential uses.
- (2) All permitted uses shall be located within a portion of a building completely enclosed by exterior walls, except for pubs, brew pubs, restaurants, child care facilities, garden centres, accessory structures, and landscape material. (#1406 Aug 6/03)

303.3 Density: n/a

303.4 Parcel Area: Parcel area shall not be less than 2,000 square metres.

303.5 Parcel Frontage: Parcel frontage shall not be less than 35.0 metres.

303.6 Parcel Depth:

n/a

303.7 Parcel Coverage:

Parcel coverage shall not exceed 60%.

303.8 Height and Storeys:

Height shall not exceed 10.0 metres.

303.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 3.0 metres.
- (2) Rear
Rear setback shall not be less than 3.0 metres.
- (3) Side - interior
Interior side setback shall not be less than 6.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (4) Side - exterior
Exterior side setback shall not be less than 2.0 metres.

303.10 Accessory Buildings

n/a

303.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) C2.2 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

303.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

303.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

304. C2.3 COMMERCIAL – BUILDING SUPPLIES

304.1 Permitted Uses:

In the C2.3 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings
- (2) Boat sales and service
- (3) Building supply and lumber outlets
- (4) Car washes
- (5) Garden Centres (#1406 Aug 6/03)
- (6) Gas bars
- (7) Minor vehicle repair
- (8) Plant nurseries
- (9) Service stations
- (10) Vehicle sales or rental
- (11) Veterinary clinics

304.2 Conditions of Use:

- (1) A parcel on which a service station or gas bar is located shall be flanked on at least two sides, including front or rear lot lines, by streets.
- (2) Minor or major vehicle repair shall be located within a portion of a building completely enclosed by exterior walls.

304.3 Density:

n/a

304.4 Parcel Area:

Parcel area shall not be less than 900 square metres.

304.5 Parcel Frontage:

- (1) Service stations and gas bars – Parcel frontage shall not be less than 35.0 metres.
- (2) All other uses – Parcel frontage shall not be less than 30.0 metres.

304.6 Parcel Depth:

n/a

304.7 Parcel Coverage:

n/a

304.8 Height and Storeys:

Height shall not exceed 10.0 metres.

304.9 Required Setbacks:

- (1) Front
 - (a) Service stations and gas bars, except for gas pump islands and associated canopies – Front setback shall not be less than 12.0 metres.
 - (b) Service station and gas bar gas pump islands and associated canopies – Front setback shall not be less than 2.0 metres.
 - (c) All other uses – Front setback shall not be less than 7.5 metres.

- (2) Rear
 - (a) Service stations and gas bars, except for gas pump islands and associated canopies – Rear setback shall not be less than 7.5 metres.
 - (b) Service station and gas bar gas pump islands and associated canopies – Rear setback shall not be less than 2.0 metres.
 - (c) All other uses – Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
 - (a) Service stations and gas bars, except for gas pump islands and associated canopies – Interior side setback shall not be less than 6.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
 - (b) Service station and gas bar gas pump islands and associated canopies – Interior side setback shall not be less than 2.0 metres.
 - (c) All other uses – Interior side setback shall not be less than 6.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (4) Side - exterior
 - (a) Service stations and gas bars, except for gas pump islands and associated canopies – Exterior side setback shall not be less than 12.0 metres.
 - (b) Service station and gas bar gas pump islands and associated canopies – Exterior side setback shall not be less than 2.0 metres.
 - (c) All other uses – Exterior side setback shall not be less than 3.5 metres.

304.10 Accessory Buildings

n/a

304.11 Screening

The following shall be screened in accordance with Section 8.

- (1) Outside storage areas
- (2) Garbage compounds
- (3) Off-street parking and loading areas
- (4) Utility kiosks
- (5) C2.3 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

304.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

304.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

305. C3.1 ARTERIAL COMMERCIAL

305.1 Permitted Uses:

In the C3.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings and outside storage
- (2) Amusement centres
- (3) Assembly centres
- (4) Billiard halls
- (5) Bowling alleys
- (6) Brew pubs
- (7) Childcare facilities
- (8) Dental clinics
- (9) Denturist labs
- (10) Drive-thru restaurants
- (11) Film theatres
- (12) Financial institutions
- (13) Funeral parlours
- (14) Garden Centres (#1406 Aug 6/03)
- (15) Gas bars
- (16) Hotels
- (17) Libraries
- (18) Liquor Stores (#1417 Mar 3/04)
- (19) Locksmiths
- (20) Medical clinics
- (21) Motels
- (22) Offices
- (23) Personal service establishments
- (24) Pubs
- (25) Recycling drop-off centres
- (26) Restaurants
- (27) Restaurant-Lounges (#1417 Mar 3/04)
- (28) Retail stores
- (29) Service stations
- (30) Small appliance repair shops, processing or packaging of food or beverage products or establishments that repair or assemble electronic equipment which (1) have a total non-retail floor area not in excess of 460 square metres, (2) retail directly from the premises, and (3) have the retail area extending the full width of the premises and located adjacent to the primary pedestrian entrance.
- (31) Veterinary clinics
- (32) Video rental stores

305.2 Conditions of Use:

- (1) All permitted uses shall be located within a portion of a building, completely enclosed by exterior walls, except for child care facilities, restaurants, gas bars, brew pubs, pubs, service stations, recycling drop-off centres, garden centres, accessory structures and landscape material. (#1406 Aug 6/03)
- (2) A parcel on which a service station or gas bar is located shall be flanked on at least two sides, including front or rear lot lines, by streets.

- (3) A liquor store shall only be permitted on Lot A, Section 70, Comox District, Plan 21153; and a liquor store shall only be permitted on a parcel provided a pub is also located on the parcel. (#1417 Mar 3/04)

305.3 Density:
n/a

305.4 Parcel Area:
Parcel area shall not be less than 900 square metres.

305.5 Parcel Frontage:
(1) Service stations and gas bars – Parcel frontage shall not be less than 35.0 metres.
(2) All other uses – Parcel frontage shall not be less than 30.0 metres.

305.6 Parcel Depth:
n/a

305.7 Parcel Coverage:
n/a

305.8 Height and Storeys:
Height shall not exceed 10.0 metres.

305.9 Required Setbacks:
For the purpose of this section only, lot lines common to Comox Avenue shall be deemed front lot lines for Lot A, Section 1, Comox District, Plan 41740.

(1) Front
(a) Service stations and gas bars, except for gas pump islands and associated canopies – Front setback shall not be less than 12.0 metres.
(b) Service station and gas bar gas pump islands and associated canopies – Front setback shall not be less than 2.0 metres.
(c) All other uses – Front setback shall not be less than 7.5 metres.

(2) Rear
(a) Service stations and gas bars, except for gas pump islands and associated canopies – Rear setback shall not be less than 7.5 metres.
(b) Service station and gas bar gas pump islands and associated canopies – Rear setback shall not be less than 2.0 metres.
(c) All other uses – Rear setback shall not be less than 7.5 metres.

(3) Side - interior
(a) Service stations and gas bars, except for gas pump islands and associated canopies – Interior side setback shall not be less than 6.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
(b) Service station and gas bar gas pump islands and associated canopies – Interior side setback shall not be less than 2.0 metres.
(c) All other uses – Interior side setback shall not be less than 6.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.

(4) Side - exterior

- (a) Service stations and gas bars, except for gas pump islands and associated canopies – Exterior side setback shall not be less than 12.0 metres.
- (b) Service station and gas bar gas pump islands and associated canopies – Exterior side setback shall not be less than 2.0 metres.
- (c) All other uses – Exterior side setback shall not be less than 3.5 metres.

305.10 Accessory Buildings

n/a

305.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) C3.1 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

305.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

305.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

306. C4.1 CORE COMMERCIAL

306.1 Permitted Uses:

In the C4.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings and outside storage
- (2) Artist studios
- (3) Assembly centres
- (4) Billiard halls
- (5) Bowling alleys
- (6) Brew pubs
- (7) Childcare facilities
- (8) Cultural centres
- (9) Dental clinics
- (10) Denturist labs
- (11) Dwelling units
- (12) Film theatres
- (13) Financial institutions
- (14) Garden Centres (#1406 Aug 6/03)
- (15) Home occupations
- (16) Hotels
- (17) Libraries
- (18) Liquor stores (#1417 Mar 3/04)
- (19) Locksmiths
- (20) Marine pubs
- (21) Medical clinics
- (22) Museums
- (23) Offices
- (24) Parkades
- (25) Parking lots
- (26) Personal service establishments
- (27) Produce stalls
- (28) Pubs
- (29) Recycling drop-off centres
- (30) Restaurants
- (31) Restaurant-Lounges (#1417 Mar 3/04)
- (32) Retail stores
- (33) Small appliance repair shops, processing and packaging of food or beverage products, or establishments that repair or assemble electronic equipment which (1) have a total non-retail floor area not in excess of 460 square metres, (2) retail directly from the premises, and (3) have the retail area extending the full width of the premises and located adjacent to the primary pedestrian entrance.
- (34) Video rental stores

306.2 Conditions of Use:

- (1) Dwelling units shall not be located on or below the ground floor or on a storey containing non-residential uses.
- (2) All permitted uses shall be located within a portion of a building, completely enclosed by exterior walls, except for restaurants, child care facilities, produce stalls, brew pubs, marine pubs, pubs, recycling drop-off centres, parking lots, parkades, garden centres, accessory structures, and landscape material.

(#1406 Aug 6/03)

- (3) Liquor stores shall only be permitted on Lot A, Section 56, Comox District, Plan VIP75741 and Lot 22, Section 56, Comox District, Plan 104. Only one liquor store shall be permitted on Lot A, Section 56, Comox District, Plan VIP75741. A liquor store shall only be permitted on Lot 22, Section 56, Comox District, Plan 104 provided a pub is also located on the parcel.

(#1565 Aug 15/07)

306.3 Density:

n/a

306.4 Parcel Area:

Parcel area shall not be less than 550 square metres.

306.5 Parcel Frontage:

Parcel frontage shall not be less than 15.0 metres.

306.6 Parcel Depth:

n/a

306.7 Parcel Coverage:

n/a

306.8 Height and Storeys:

Height shall not exceed 10.0 metres.

306.9 Required Setbacks:

- (1) Front

n/a

- (2) Rear

n/a

- (3) Side - interior

Interior side setback shall not be less than 3.5 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.

- (4) Side - exterior

n/a

306.10 Accessory Buildings

n/a

306.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) C4.1 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

306.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

306.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.
- (4) No portion of the ground floor of any building shall be located in the area bounded by the intersecting (a) front and exterior side lot lines of a parcel, or (b) the front and interior side lot lines of a parcel where the interior side lot line abuts a lane and a line joining points along the lot lines
 - (i) 4.5 metres from their point of intersection if abutting a street; or
 - (ii) 3.0 metres from their point of intersection if abutting a lane, as shown in Figure 23, *Corner Cut-Out*.

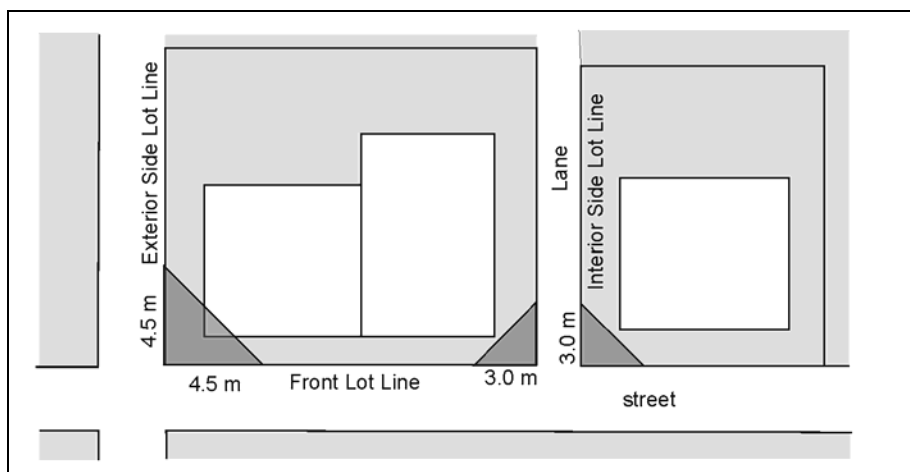


Figure 23. Corner Cut-Out

307. C5.1 RESIDENTIAL-ORIENTED MIXED USE (#1513 JUN 7/06)

307.1 Permitted Uses:

In the C5.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings and outside storage
- (2) Artist studios
- (7) Childcare facilities
- (9) Dental clinics
- (10) Denturist labs
- (11) Dwelling units
- (13) Financial institutions
- (14) Home occupations
- (16) Libraries
- (17) Locksmiths
- (19) Medical clinics
- (20) Museums
- (21) Offices
- (24) Personal service establishments
- (25) Produce stalls
- (28) Restaurants
- (29) Retail stores
- (31) Video rental stores

307.2 Conditions of Use:

- (1) Dwelling units shall not be located on or below the ground floor;
- (2) Permitted uses other than dwelling units shall not be located above the ground floor;
- (3) All permitted uses shall be located within a portion of a building, completely enclosed by exterior walls, except for restaurants, child care facilities, produce stalls, accessory structures, and landscape material;

307.3 Density:

n/a

307.4 Parcel Area:

Parcel area shall not be less than 550 square metres.

307.5 Parcel Frontage:

Parcel frontage shall not be less than 15.0 metres.

307.6 Parcel Depth:

n/a

307.7 Parcel Coverage:

n/a

307.8 Height and Storeys:

Height shall not exceed 10.0 metres.

307.9 Required Setbacks:

(1) Front

n/a

(2) Rear

n/a

(3) Side - interior

Interior side setback shall not be less than 3.5 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.

(4) Side - exterior

n/a

307.10 Accessory Buildings

n/a

307.11 Screening

The following shall be screened in accordance with Section 8:

(1) Garbage compounds

(2) Off-street parking and loading areas

(3) Utility kiosks

(4) C5.1 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

307.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

307.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.
- (4) No portion of the ground floor of any building shall be located in the area bounded by the intersecting (a) front and exterior side lot lines of a parcel, or (b) the front and interior side lot lines of a parcel where the interior side lot line abuts a lane and a line joining points along the lot lines
 - (i) 4.5 metres from their point of intersection if abutting a street; or
 - (ii) 3.0 metres from their point of intersection if abutting a lane, as shown in Figure 24, *Corner Cut-Out*.

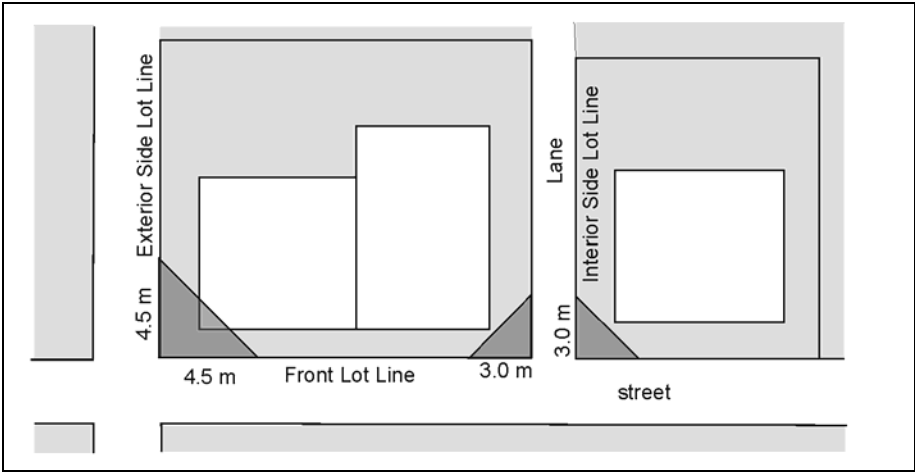


Figure 24. Corner Cut-Out

MARINE ZONES

401. M1.1 MARINE RECREATION

401.1 Permitted Uses:

In the M1.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings and outside storage
- (2) Breakwaters
- (3) Navigation of boats
- (4) Parks

401.2 Conditions of Use:

n/a

401.3 Density:

n/a

401.4 Parcel Area:

n/a

401.5 Parcel Frontage:

n/a

401.6 Parcel Depth:

n/a

401.7 Parcel Coverage:

n/a

401.8 Height and Storeys:

n/a

401.9 Required Setbacks:

- (1) Front
n/a
- (2) Rear
n/a
- (3) Side - interior
n/a
- (4) Side - exterior
n/a

401.10 Accessory Buildings

n/a

401.11 Screening

n/a

THIS CONSOLIDATED ZONING BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

401.12 Off-Street Parking and Loading

n/a

401.13 Other Requirements:

n/a

402. M1.2 MARINE AQUACULTURE (#1445 DEC 15/04)

402.1 Permitted Uses:

In the M1.2 zone, the following uses are permitted and all other uses are prohibited:

- (24) Navigation of boats
- (25) Parks
- (26) Shellfish aquaculture

402.2 Conditions of Use:

n/a

402.3 Density:

n/a

402.4 Parcel Area:

n/a

402.5 Parcel Frontage:

n/a

402.6 Parcel Depth:

n/a

402.7 Parcel Coverage:

n/a

402.8 Height and Storeys:

n/a

402.9 Required Setbacks:

- (1) Front
n/a
- (2) Rear
n/a
- (3) Side - interior
n/a
- (4) Side - exterior
n/a

402.10 Accessory Buildings

n/a

402.11 Screening

n/a

402.12 Off-Street Parking and Loading

n/a

THIS CONSOLIDATED ZONING BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

402.13 Other Requirements:

n/a

403. M2.1 MARINA

403.1 Permitted Uses:

In the M2.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings and outside storage
- (2) Breakwaters
- (3) Marinas
- (4) Navigation of boats
- (5) Parks
- (6) Promenades
- (7) Retail sale of seafood from a boat

403.2 Conditions of Use:

n/a

403.3 Density:

n/a

403.4 Parcel Area:

Parcel area shall not be less than 2.0 hectares.

403.5 Parcel Frontage:

n/a

403.6 Parcel Depth:

n/a

403.7 Parcel Coverage:

n/a

403.8 Height and Storeys:

n/a

403.9 Required Setbacks:

- (1) Front
n/a
- (2) Rear
n/a
- (3) Side - interior
n/a
- (4) Side - exterior
n/a

403.10 Accessory Buildings

n/a

403.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Utility kiosks

403.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

403.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel.

404. M2.2 MARINE COMMERCIAL

This zone has different regulations for land above and below the natural boundary.

404.10 LAND ABOVE THE NATURAL BOUNDARY

404.11 Permitted Uses:

In the M2.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings and outside storage
- (2) Artist studios
- (3) Assembly centres
- (4) Boat launches
- (5) Boat rental or charter operations
- (6) Boat sales
- (7) Childcare facilities
- (8) Dental clinics
- (9) Dwelling units as an accessory use
- (10) Hotels
- (11) Libraries
- (12) Marinas
- (13) Marine grids for boat maintenance
- (14) Marine pubs
- (15) Medical clinics
- (16) Museums
- (17) Offices
- (18) Parkades
- (19) Parking lots
- (20) Parks
- (21) Promenades
- (22) Restaurants
- (23) Restaurant-Lounges (#1417 Mar 3/04)
- (23) Retail stores

404.12 Conditions of Use:

- (1) Dwelling units shall,
 - (a) be limited to one per commercial unit; and
 - (b) not be located on or below the ground floor.
- (2) Offices, assembly centres, medical clinics, or dental clinics shall not be located on or below the ground floor.
- (3) All permitted uses shall be located within a portion of a building completely enclosed by exterior walls, except for restaurants, marine pubs, parking lots, parkades, boat launches, childcare facilities, marine grids for boat maintenance, parks, promenades, marinas, accessory structures, and landscape material.

404.13 Density:

n/a

404.14 Parcel Area:

Parcel area shall not be less than 900 square metres.

404.15 Parcel Frontage:

Parcel frontage shall not be less than 35.0 metres.

404.16 Parcel Depth:

n/a

404.17 Parcel Coverage:

Parcel coverage shall not exceed 50%.

404.18 Height and Storeys:

Height shall not exceed 10.0 metres.

404.19 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 3.5 metres only where parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (4) Side - exterior
Exterior side setback shall not be less than 3.5 metres.

404.110 Accessory Buildings

n/a

404.111 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) M2.2 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

404.112 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

404.113 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

404.20 LAND BELOW THE NATURAL BOUNDARY

404.21 Permitted Uses:

In the M2.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding boathouses and outdoor storage other than the storage of tenders for boats moored in a marina
- (2) Boat launches
- (3) Boat rental or charter operations
- (4) Boat sales
- (5) Breakwaters
- (6) Marinas
- (7) Marine fueling station
- (8) Marine grids for boat maintenance
- (9) Marine loading and unloading
- (10) Minor boat servicing or repair
- (11) Navigation of boats
- (12) Parks
- (13) Promenades
- (14) Restaurants

404.22 Conditions of Use:

- (1) Gross floor area of restaurants shall not exceed 50 square metres.
- (2) Gross floor area of buildings shall not exceed 185 square metres.

404.23 Density:

n/a

404.24 Parcel Area:

Parcel area shall not be less than 900 square metres.

404.25 Parcel Frontage:

n/a

404.26 Parcel Depth:

n/a

404.27 Parcel Coverage:

- (1) Parcel coverage of buildings shall not exceed 3%.

404.28 Height and Storeys:

- (1) Height shall not exceed 5.5 metres measured from the surface of the water.
- (2) Number of storeys shall not exceed 1.

404.29 Required Setbacks:

- (1) Front
Front setback shall not be less than 3.0 metres.
- (2) Rear
Rear setback shall not be less than 3.0 metres.
- (3) Side - interior
Interior side setback shall not be less than 3.0 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.0 metres.

404.210 Accessory Buildings

n/a

404.211 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Utility kiosks

404.212 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

404.213 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel.

INDUSTRIAL ZONES

501. I1.1 LIGHT INDUSTRIAL

501.1 Permitted Uses:

In the I1.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings
- (2) Animal shelters
- (3) Bottle depots
- (4) Building supply and lumber outlets
- (5) Car washes
- (6) Dental clinics (#1428 Aug 18/04)
- (7) Dwelling units as an accessory use
- (8) Garden Centres (#1406 Aug 6/03)
- (9) Gas bars
- (10) Industrial fuelling installations
- (11) Laundry or dry-cleaning
- (12) Mail sorting and distribution
- (13) Major vehicle repair
- (14) Manufacturing
- (15) Medical clinics (#1428 Aug 18/04)
- (16) Offices for an industrial or construction business
- (17) Parkades
- (18) Parking lots
- (19) Plant nurseries
- (20) Printers or publishers
- (21) Processing or packaging of food or beverage products
- (22) Public utility buildings and facilities such as telephone exchanges, transformer stations, and public works yards
- (23) Research laboratory
- (24) Retail stores
- (25) Sale or rental of machinery, equipment, tools, or boats
- (26) Service stations
- (27) Taxi dispatch centres
- (28) Testing, repair or servicing of goods, machinery, equipment, tools, or boats
- (29) Truck terminals
- (30) Vehicle sales or rental
- (31) Veterinary clinics
- (32) Warehousing
- (33) Wholesale outlets

501.2 Conditions of Use:

- (1) Dwelling units as an accessory use shall be limited to one on a parcel.
- (2) Outside storage shall
 - (a) not include used, partially completed, damaged, or obviously unserviceable products, goods, machinery, equipment, tools, boats, vehicles, or articles;
 - (b) not be located in a front yard; and
 - (c) be excluded from required rear and side setbacks provided that no outside storage is located closer than 3.0 metres to a lot line.

- (3) Manufacturing, processing, packaging, testing, repair, servicing, research laboratories, warehousing, wholesale outlets, and bottle depots shall be located within a portion of a building completely enclosed by exterior walls.
- (4) Nothing shall be permitted which is an annoyance or nuisance to surrounding areas by reason of unsightliness, odour, emission, liquid effluents, dust, noise, fumes, smoke, glare, or vibration.
- (5) A parcel on which a service station is located shall be flanked on at least two sides, including front or rear lot lines, by streets.
- (6) Medical clinics and dental clinics shall only be permitted on Lot 2, District Lot 170, Comox District, Plan 35818, Except that part in Plan 41140. (#1428 Aug 18/04)

501.3 Density:
n/a

501.4 Parcel Area:
Parcel area shall not be less than 900 square metres.

501.5 Parcel Frontage:
(1) Service stations and gas bars – Parcel frontage shall not be less than 35.0 metres.
(2) All other uses – Parcel frontage shall not be less than 30.0 metres.

501.6 Parcel Depth:
n/a

501.7 Parcel Coverage:
Parcel coverage shall not exceed 50%.

501.8 Height and Storeys:
Height shall not exceed 10.0 metres.

501.9 Required Setbacks:

- (1) Front
 - (a) Service stations and gas bars, except for gas pump islands and associated canopies – Front setback shall not be less than 12.0 metres.
 - (b) Service station and gas bar gas pump islands and associated canopies – Front setback shall not be less than 2.0 metres.
 - (c) All other uses – Front setback shall not be less than 7.5 metres.
- (2) Rear
 - (a) Service stations and gas bars, except for gas pump islands and associated canopies – Rear setback shall not be less than 3.0 metres, except where the parcel abuts a Residential or Multi-Family Residential zoned property, in which case the rear setback shall not be less than 7.5 metres.
 - (b) Service station and gas bar gas pump islands and associated canopies – Rear setback shall not be less than 2.0 metres.
 - (c) All other uses – Rear setback shall not be less than 3.0 metres, except where the parcel abuts a Residential or Multi-Family Residential zoned property, in which case the rear setback shall not be less than 7.5 metres.
- (3) Side - interior

- (a) Service stations and gas bars, except for gas pump islands and associated canopies – Interior side setback shall not be less than 3.0 metres, except where the parcel abuts a Residential or Multi-Family Residential zoned property, in which case the interior side setback shall not be less than 6.0 metres.
 - (b) Service station and gas bar gas pump islands and associated canopies – Interior side setback shall not be less than 2.0 metres.
 - (c) All other uses – Interior side setback shall not be less than 3.0 metres, except where the parcel abuts a Residential or Multi-Family Residential zoned property, in which case the interior side setback shall not be less than 6.0 metres..
- (4) Side - exterior
- (a) Service stations and gas bars, except for gas pump islands and associated canopies – Exterior side setback shall not be less than 12.0 metres.
 - (b) Service station and gas bar gas pump islands and associated canopies – Exterior side setback shall not be less than 2.0 metres.
 - (c) All other uses – Exterior side setback shall not be less than 3.0 metres.

501.10 Accessory Buildings
n/a

501.11 Screening
The following shall be screened in accordance with Section 8:

- (1) Outside storage areas
- (2) Garbage compounds
- (3) Off-street parking and loading areas
- (4) Utility kiosks
- (5) I1.1 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

501.12 Off-Street Parking and Loading
Off-street parking and loading shall be provided in accordance with Section 6.

501.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

502. 12.1 AERONAUTICAL INDUSTRIAL

502.1 Permitted Uses:

In the I2.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings
- (2) Aircraft or aircraft equipment, parts, accessory, or tool
 - (a) Manufacturing
 - (b) Rental
 - (c) Repair
 - (d) Research laboratory
 - (e) Sales
 - (f) Servicing
 - (g) Testing
 - (h) Warehousing
- (3) Aircraft storage
- (4) Airline or air cargo operations or the servicing thereof
- (5) Dwelling units as an accessory use
- (6) Parkades
- (7) Parking lots
- (8) Vehicle rental

502.2 Conditions of Use:

- (1) Dwelling units as an accessory use shall be limited to one on a parcel.
- (2) Outside storage as an accessory use shall
 - (a) not be located in a front yard;
 - (b) be excluded from required rear and side setbacks provided that no outside storage is located closer than 3.0 metres to a lot line; and
 - (c) not include used, partially completed, damaged, or obviously unserviceable products, goods, machinery, equipment, tools, vehicles, or articles other than aircraft under repair or manufacture.
- (3) Nothing shall be permitted which is an annoyance or nuisance to surrounding areas by reason of unsightliness, odour, emission, liquid effluents, dust, noise, fumes, smoke, glare, or vibration.
- (4) Manufacturing, testing, repair, servicing, sales, rental, or warehousing of items other than aircraft shall be located within a portion of a building completely enclosed by exterior walls.

502.3 Density:

n/a

502.4 Parcel Area:

Parcel area shall not be less than 900 square metres.

502.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

502.6 Parcel Depth:

n/a

502.7 Parcel Coverage:

Parcel coverage shall not exceed 50%.

502.8 Height and Storeys:

Height shall not exceed 10.0 metres.

502.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 3.0 metres, except where the parcel abuts a Residential or Multi-Family Residential zoned property, in which case the rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 3.0 metres, except where the parcel abuts a Residential or Multi-Family Residential zoned property, in which case the interior side setback shall not be less than 6.0 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.0 metres.

502.10 Accessory Buildings

n/a

502.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Outside storage areas other than aircraft storage
- (2) Garbage compounds
- (3) Off-street parking and loading areas
- (4) Utility kiosks
- (5) I2.1 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

502.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

502.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

PARK ZONES

601. P1.1 PARK AND OPEN SPACE

601.1 Permitted Uses:

In the P1.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Parks
- (3) Playgrounds
- (4) Recreation facilities
- (5) Restaurants (#1417 Mar 3/04)
- (6) Sports fields

601.2 Conditions of Use:

n/a

601.3 Density:

n/a

601.4 Parcel Area:

n/a

601.5 Parcel Frontage:

n/a

601.6 Parcel Depth:

n/a

601.7 Parcel Coverage:

Parcel coverage of all buildings shall not exceed 35%.

601.8 Height and Storeys:

Height shall not exceed 9.0 metres.

601.9 Required Setbacks:

- (1) Front
n/a
- (2) Rear
Rear setback shall not be less than 3.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (3) Side - interior
Interior side setback shall not be less than 3.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (4) Side - exterior
n/a

601.10 Accessory Buildings

n/a

601.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Outside storage areas
- (2) Garbage compounds
- (3) Utility kiosks

601.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

601.13 Other Requirements:

- (1) All buildings shall conform to Section 5.16, Watercourse Regulations.

602. P1.2 PARK AND NATURE CONSERVATION

602.1 Permitted Uses:

In the P1.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Parks
- (3) Public utilities
- (4) Private utilities

602.2 Conditions of Use:

n/a

602.3 Density:

n/a

602.4 Parcel Area:

n/a

602.5 Parcel Frontage:

n/a

602.6 Parcel Depth:

n/a

602.7 Parcel Coverage:

Parcel coverage of all buildings shall not exceed 35%.

602.8 Height and Storeys:

Height shall not exceed 9.0 metres.

602.9 Required Setbacks:

- (1) Front
n/a
- (2) Rear
Rear setback shall not be less than 3.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (3) Side - interior
Interior side setback shall not be less than 3.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (4) Side - exterior
n/a

602.10 Accessory Buildings

n/a

602.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Outside storage areas
- (2) Garbage compounds
- (3) Utility kiosks

602.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

602.13 Other Requirements:

- (1) All buildings shall conform to Section 5.16, Watercourse Regulations.

603. P2.1 PUBLIC GOLF COURSE

603.1 Permitted Uses:

In the P2.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding outdoor storage
- (2) Ancillary commercial
- (3) Brew Pubs (#1417 Mar 3/04)
- (4) Driving ranges
- (5) Golf courses
- (6) Parks
- (7) Playgrounds
- (8) Pubs (#1417 Mar 3/04)
- (9) Restaurants (#1417 Mar 3/04)
- (10) Restaurant-Lounges (#1417 Mar 3/04)
- (11) Sports fields

603.2 Conditions of Use:

n/a

603.3 Density:

n/a

603.4 Parcel Area:

n/a

603.5 Parcel Frontage:

n/a

603.6 Parcel Depth:

n/a

603.7 Parcel Coverage:

Parcel coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 10%.

603.8 Height and Storeys:

Height shall not exceed 10.0 metres.

603.9 Required Setbacks:

- (1) Front
n/a
- (2) Rear
Rear setback shall not be less than 3.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (3) Side - interior
Interior side setback shall not be less than 3.0 metres, only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.
- (4) Side - exterior
n/a

603.10 Accessory Buildings

Accessory buildings shall not exceed 4.5 metres in height.

603.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) P2.1 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels which, for the purpose of this section only, is limited to parking and loading areas on the P2.1 parcel.

603.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

603.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) All buildings shall conform to Section 5.16, Watercourse Regulations.

INSTITUTIONAL ZONES

701. PA1.1 PUBLIC ASSEMBLY

701.1 Permitted Uses:

In the PA1.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding outside storage
- (2) Ambulance stations or training facilities
- (3) Animal shelters
- (4) Assembly centres
- (5) Boat launches
- (6) Childcare facilities
- (7) Cultural centres
- (8) Fire stations or training facilities
- (9) Hospitals and related facilities
- (10) Libraries
- (11) Museums
- (12) Offices
- (13) Parkades
- (14) Parking lots
- (15) Parks
- (16) Playgrounds
- (17) Police stations or training facilities
- (18) Public utility buildings and facilities such as telephone exchanges, transformer stations and public works yards
- (19) Recreation facilities
- (20) Recycling drop-off centres
- (21) Sports fields
- (22) Visitor information centres

701.2 Conditions of Use:

n/a

701.3 Density:

n/a

701.4 Parcel Area:

Parcel area shall not be less than 750 square metres.

701.5 Parcel Frontage:

Parcel frontage shall not be less than 18.0 metres.

701.6 Parcel Depth:

n/a

701.7 Parcel Coverage:

Parcel coverage shall not exceed 35%.

701.8 Height and Storeys:

Height shall not exceed 15.0 metres.

701.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 9.0 metres.
- (3) Side - interior
Interior side setback shall not be less than 6.0 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 6.0 metres.

701.10 Accessory Buildings

Accessory buildings, excluding buildings accessory to parks, playgrounds, sports fields, recreation facilities, and public utility buildings and facilities shall

- (1) not exceed 4.5 metres in height; and
- (2) not be located within a front yard.

701.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) PA1.1 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

701.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

701.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) All buildings shall conform to Section 5.16, Watercourse Regulations.

702. PA1.2 PUBLIC ASSEMBLY/HOUSING

702.1 Permitted Uses:

In the PA1.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding outside storage
- (2) Ambulance stations or training facilities
- (3) Assembly centres
- (4) Childcare facilities
- (5) Cultural centres
- (6) Dwelling units
- (7) Fire stations or training facilities
- (8) Libraries
- (9) Medical clinics
- (10) Museums
- (11) Offices
- (12) Parkades
- (13) Parking lots
- (14) Parks
- (15) Playgrounds
- (16) Police stations or training facilities
- (17) Recreation facilities
- (18) Recycling drop-off centres
- (19) Sports fields
- (20) Visitor information centres

702.2 Conditions of Use:

n/a

702.3 Density:

n/a

702.4 Parcel Area:

Parcel area shall not be less than 900 square metres.

702.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

702.6 Parcel Depth:

n/a

702.7 Parcel Coverage:

n/a

702.8 Height and Storeys:

Height shall not exceed 10.0 metres.

702.9 Required Setbacks:

- (1) Front
n/a
- (2) Rear

Rear setback shall not be less than 3.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned property.

(3) Side - interior

Interior side setback shall not be less than 3.0 metres only where the parcel abuts a Residential or Multi-Family Residential zoned property.

(4) Side - exterior

n/a

702.10 Accessory Buildings

Accessory buildings, excluding buildings accessory to parks, playgrounds, sports fields and recreation facilities shall

- (1) not exceed 4.5 metres in height; and
- (2) not be located within a front yard.

702.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) PA1.2 zoned parcels from abutting Residential or Multi-Family Residential zoned parcels

702.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

702.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

703. DND1.1 CFB COMOX

703.1 Permitted Uses:

In the DND1.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Air terminals
- (3) Aircraft repair or servicing
- (4) Aircraft storage
- (5) Airline or air cargo operations or the servicing thereof
- (6) Assembly centres
- (7) Boat launches
- (8) Brew Pubs (#1417 Mar 3/04)
- (9) Canadian Forces bases
- (10) Driving ranges
- (11) Golf courses
- (12) Home Occupations (#1417 Mar 3/04)
- (13) Parkades
- (14) Parking lots
- (15) Parks
- (16) Playgrounds
- (17) Pubs (#1417 Mar 3/04)
- (18) Recreation facilities
- (19) Restaurants (#1417 Mar 3/04)
- (20) Restaurant-Lounges (#1417 Mar 3/04)
- (21) Sports fields
- (22) Vehicle rental

703.2 Conditions of Use:

n/a

703.3 Density:

n/a

703.4 Parcel Area:

n/a

703.5 Parcel Frontage:

n/a

703.6 Parcel Depth:

n/a

703.7 Parcel Coverage:

n/a

703.8 Height and Storeys:

n/a

703.9 Required Setbacks:

THIS CONSOLIDATED ZONING BYLAW IS FOR CONVENIENCE PURPOSES ONLY AND SHOULD NOT BE USED FOR LEGAL OR INTERPRETIVE PURPOSES WITHOUT REFERENCE TO THE ORIGINAL BYLAW AND AMENDING BYLAWS.

- (1) Front
n/a
- (2) Rear
n/a
- (3) Side - interior
n/a
- (4) Side - exterior
n/a

703.10 Accessory Buildings
n/a

703.11 Screening
n/a

703.12 Off-Street Parking and Loading
n/a

703.13 Other Requirements:
n/a

COMPREHENSIVE DEVELOPMENT ZONES

801. CD1.1 COMPREHENSIVE DEVELOPMENT 1.1: SINGLE/TWO-FAMILY (#1403 May 7/03)	BECKTON ESTATES –
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For the purpose of Section 801, Areas G, H, I, J, K, and Road A are as shown on Appendix A, Drawing 1.

801.1 Permitted Uses:

In the CD1.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Bed and Breakfast accommodations
- (3) Home occupations
- (4) Single-family dwellings

801.2 Conditions of Use:

Within Area K - Number of parcels shall not exceed 5; however, if the owner dedicates as public park at least 2 zero-lot-line parcels, the owner may subdivide the lands into a maximum of 8 zero-lot-line parcels and they may be used for townhouse dwellings or patio dwellings.

801.3 Density:

n/a

801.4 Parcel Area:

- (1) Within Area G – Parcel area shall not be less than 450 square metres.
- (2) Within Area H – Parcel area shall not be less than 450 square metres.
- (3) Within Area I – Parcel area shall not be less than 440 square metres.
- (4) Within Area J – Parcel area shall not be less than 400 square metres.
- (5) Within Area K – Parcel area shall not be less than 550 square metres or 360 square metres under the density bonusing option in 801.2

801.5 Parcel Frontage:

n/a

801.6 Parcel Depth:

n/a

801.7 Parcel Coverage:

- (1) Within Area G, H, and I – Parcel coverage shall not exceed 35%.
- (2) Within Area J – Parcel coverage shall not exceed 40%.
- (3) Within Area K – Parcel coverage shall not exceed 35% except where the owner dedicates 2 zero-lot-line parcels as public park wherein parcel coverage shall not exceed 45%.

801.8 Height and Storeys:

- (1) Height shall not exceed 9.0 metres.
- (2) Number of storeys shall not exceed 2.

801.9 Required Setbacks:

Setbacks shall not be less than as shown on Appendix A, Drawings 2 and 3.

801.10 Accessory Buildings

- (1) No more than one accessory building shall be permitted on a parcel.
- (2) Accessory buildings shall
 - (a) not exceed 4.5 metres in height;
 - (b) have a parcel coverage not exceeding the greater of 45.0 square metres or 10% of the area of the required rear setback;
 - (c) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
 - (d) not be located within a front yard;
 - (e) not be located closer than 4.5 metres from an exterior side lot line;
 - (f) be excluded from required rear setbacks provided that no accessory building is located closer than 1.2 metres to a rear lot line;
 - (g) not be located closer than 3.0 metres to a principal building; and
 - (h) be excluded from required interior side setbacks provided that
 - (i) no accessory building is located closer than 1.2 metres to an interior side lot line; and
 - (ii) a 2.0 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard, as shown in Figure 25.

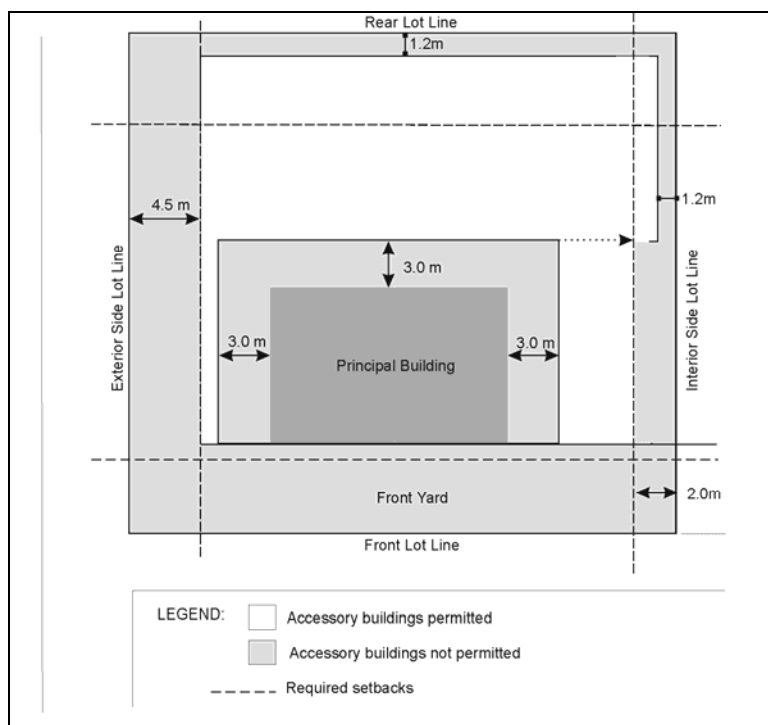


Figure 25. CD1.1: Accessory building buildable area

801.11 Screening

- (1) Within Area J, all lot lines adjacent to the designated park shall be fenced and the fence shall be a single design installed at the time of subdivision, shall be of wooden material and be between 1.5 to 1.8 metres in height; and
- (2) Utility kiosks shall be screened in accordance with Schedule 8.

801.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

801.13 Other Requirements:

- (1) Overhead wiring on a parcel shall not be permitted. All new services on a parcel shall be placed underground.
- (2) No more than one principal building shall be permitted on a parcel.
- (3) Within Area G
 - (a) No vehicle access shall be permitted to Guthrie Road or to the street identified as Road A.
- (4) Within Area J
 - (a) No vehicle access shall be permitted to Noel Road or to the south side of the street identified as Road A.
- (5) All buildings shall conform to Section 5.16, Watercourse Regulations.

802. CD1.2 COMPREHENSIVE DEVELOPMENT 1.2: BECKTON ESTATES
– MULTI-FAMILY (#1403 May 7/03)

For the purpose of Section 802, Areas A1, A2, B and C1 are as shown on Appendix A, Drawing 1.

802.1 Permitted Uses:

In the CD1.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Within Areas A1 and A2:
 - (a) Accessory structures and uses
 - (b) Home occupations
 - (c) Patio dwellings
 - (d) Townhouse dwellings
- (2) Within Area B:
 - (a) Accessory structures and uses
 - (b) Home occupations
 - (c) Patio dwellings
 - (d) Townhouse dwellings
- (3) Within Area C1:
 - (a) Accessory structures and uses
 - (b) Apartment dwellings
 - (c) Home occupations
 - (d) Townhouse dwellings

802.2 Conditions of Use:

n/a

802.3 Density:

- (1) Within Areas A1 and A2 (combined) – Density shall not exceed 19 units per hectare.
- (2) Within Area B – Density shall not exceed 21 units per hectare.
- (3) Within Area C1 – Density shall not exceed 36 units per hectare.

802.4 Parcel Area:

- (1) Within area A1 – Parcel area shall not be less than 20,000 square metres.
- (2) Within Area A2 – Parcel area shall not be less than 23,000 square metres.
- (3) Within Area B – Parcel area shall not be less than 6,000 square metres.
- (4) Within Area C1 – Parcel area shall not be less than 2,000 square metres.

802.5 Parcel Frontage:

n/a

802.6 Parcel Depth:

n/a

802.7 Parcel Coverage:

Parcel coverage shall not exceed 25%.

802.8 Height and Storeys:

- (1) Within Areas A1, A2 and B
 - (a) Height shall not exceed 10.6 metres.
 - (b) Number of storeys shall not exceed 2.
- (2) Within Area C1
 - (a) Height shall not exceed 12.0 metres.
 - (b) Number of storeys shall not exceed 3.

802.9 Required Setbacks:

- (1) Within Areas A1 and A2
 - (a) Front setback shall not be less than 10.6 metres.
 - (b) Rear setback shall not be less than 7.5 metres.
 - (c) Interior side setbacks shall not be less than 7.5 metres.
 - (d) Exterior side setbacks shall be not less than 7.5 metres.
- (2) Within Area B
 - (a) Setbacks shall not be less than as shown on Appendix A, Drawings 2.
- (3) Within Area C1
 - (a) Front setback shall not be less than 10.6 metres.
 - (b) Rear setback shall not be less than 6.0 metres.
 - (c) Interior side setbacks shall not be less than 2.4 metres.
 - (d) Exterior side setbacks shall not be less than 2.4 metres.

802.10 Accessory Buildings

- (1) Accessory buildings shall
 - (a) not exceed 4.5 metres in height;
 - (b) have a parcel coverage not exceeding the greater of 45.0 square metres or 10% of the area of the required rear setback;
 - (c) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
 - (d) not be located within a front yard;
 - (e) not be located closer than 4.5 metres from an exterior side lot line;
 - (f) be excluded from required rear setbacks provided that no accessory building is located closer than 1.2 metres to a rear lot line; and
 - (g) not be located closer than 3.0 metres to a principal building.

802.11 Screening

- (1) Parking and loading areas shall be screened from any abutting Residential zoned parcels by a landscape screen not less than 1.75 metres in height.
- (2) The following shall be screened in accordance with Schedule 8:
 - (a) Garbage compounds
 - (b) Utility kiosks
 - (c) Off-street parking and loading areas

802.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

802.13 Other Requirements:

- (1) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16
- (2) Overhead wiring on a parcel shall not be permitted. All new services on a parcel shall be placed underground.
- (3) Within Areas A1 and A2,
 - (a) vehicle accesses onto Guthrie Road shall not exceed 2.
- (4) Within Areas B and C1,
 - (a) vehicle accesses onto Guthrie Road shall not exceed 1.
- (5) All buildings shall conform to Section 5.16, Watercourse Regulations.

803. CD1.3 COMPREHENSIVE DEVELOPMENT 1.3: BECKTON ESTATES – COMMERCIAL

For the purpose of Section 803, Areas F1 and F2 are as shown on Appendix A, Drawing 1.

803.1 Permitted Uses:

In the CD1.3 zone, the following uses are permitted and all other uses are prohibited:

- (1) Within Area F1:
 - (a) Retail stores, offices, financial institutions, and restaurants on the ground floor
 - (b) Dwelling units, offices, financial institutions, and restaurants above the ground floor
 - (c) Accessory structures and uses, excluding buildings and outside storage
- (2) Within Area F2:
 - (a) Retail stores, restaurants, restaurant-lounges, neighbourhood pubs, offices, and financial institutions on the ground floor; (**#1417 Mar 3/04**)
 - (b) Dwelling units, offices, financial institutions, restaurants, restaurant-lounges, and neighbourhood pubs above the ground floor (**#1417 Mar 3/04**)
 - (c) Accessory structures and uses, excluding buildings and outside storage

803.2 Conditions of Use:

- (1) Within Areas F1 and F2
 - (a) A central public courtyard using hard and soft landscaping shall be provided in conjunction with the development of each Area.
 - (b) A retail store shall not exceed a gross floor area of 300 m².

803.3 Density:

n/a

803.4 Parcel Area:

- (1) Within Area F1 – Parcel area shall not be less than 3,000 square metres.
- (2) Within Area F2 – Parcel area shall not be less than 4,000 square metres.

803.5 Parcel Frontage:

n/a

803.6 Parcel Depth:

n/a

803.7 Parcel Coverage:

Within Areas F1 and F2 – Parcel coverage shall not exceed 30%.

803.8 Height and Storeys:

Within Areas F1 and F2

- (1) Height shall not exceed 12.0 metres.
- (2) Number of storeys shall not exceed 2.

803.9 Required Setbacks:

- (1) Within Area F1
 - (a) Front setback shall be not less than 1.5 metres.
 - (b) Rear setback shall be not less than 1.5 metres.
 - (c) Interior side setback shall not be less than 13.7 metres.
 - (d) Exterior side setback shall be not less than 1.5 metres.
- (2) Within Area F2
 - (a) Front setback shall be not less than 1.5 metres.
 - (b) Rear setback shall be not less than 1.5 metres.
 - (c) Interior side setback shall be not less than 4.5 metres.
 - (d) Exterior side setback shall be not less than 1.5 metres.

803.10 Accessory Buildings

n/a

803.11 Screening

- (1) Within Area F2, landscape screening and fencing shall be provided within a minimum 3.0 metre corridor along the eastern lot lines with the intent of providing a buffer to the adjacent residential parcels.
- (2) Parking and loading areas shall be screened from any abutting Residential or Multi-Family Residential zoned parcels by a landscape screen not less than 1.75 metres in height.
- (3) The following shall be screened in accordance with Schedule 8:
 - (a) Garbage compounds
 - (b) Utility kiosks
 - (c) Off-street parking and loading areas

803.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

803.13 Other Requirements:

- (1) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16
- (2) Overhead wiring on a parcel shall not be permitted. All new services on a parcel shall be placed underground.
- (3) Within Area F1
 - (a) no more than 2 principal buildings shall be permitted on a parcel; and
 - (b) vehicle accesses onto Guthrie Road shall not exceed 1.
- (4) Within Area F2
 - (a) no more than 3 principal buildings shall be permitted on a parcel; and
 - (b) vehicle accesses onto Guthrie Road shall not exceed 1.
- (5) All buildings shall conform to Section 5.16, Watercourse Regulations.

**804. CD2 COMPREHENSIVE DEVELOPMENT 2: CLUSTER SINGLE-FAMILY
(#1492 Jun 7/06)**

804.1 Permitted Uses:

In the CD2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Single-family dwellings

804.2 Conditions of Use:

n/a

804.3 Density:

Density shall not exceed 34 units per hectare.

804.4 Parcel Area:

Parcel area shall not be less than 1,850 square metres.

804.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

804.6 Parcel Depth:

n/a

804.7 Parcel Coverage:

Parcel coverage, including parking areas, loading areas, and driveways that are open sided and roofless, shall not exceed 70%.

804.8 Height and Storeys:

- (1) Height shall not exceed 7.5 metres.
- (2) Number of storeys shall not exceed 2.

804.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 9.0 metres.
- (2) Rear
Rear setback shall not be less than 3.0 metres.
- (3) Side - interior
Interior side setback shall not be less than 1.5 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 2.45 metres.

804.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not be located within a front yard; and
- (5) not be located closer than 3.0 metres to a rear or side lot line.

804.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) CD2 zoned parcels from abutting Residential zoned parcels

804.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

804.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.

805. CD3 COMPREHENSIVE DEVELOPMENT 3: IN-LAW SUITE

805.1 Permitted Uses:

In the CD3 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Home occupations
- (3) In-law suite dwellings
- (4) Single-family dwellings

805.2 Conditions of Use:

In-law suite dwellings are permitted subject to the following conditions:

- (1) The size of the in-law suite shall be lesser in gross floor area than the other dwelling unit and shall be limited to a maximum gross floor area of 65.0 square metres and a minimum gross floor area of 37.0 metres.
- (2) In-law suites may have entrances from the exterior and from the other dwelling unit.
- (3) In-law suites must be located within the portion of parcel area outlined by the exterior walls of the other dwelling unit.

805.3 Density:

n/a

805.4 Parcel Area:

Parcel area shall not be less than 650 square metres.

805.5 Parcel Frontage:

Parcel frontage shall not be less than 20.0 metres.

805.6 Parcel Depth:

Parcel depth shall not be less than 26.0 metres.

805.7 Parcel Coverage:

Parcel coverage shall not exceed 35%.

805.8 Height and Storeys:

Height shall not exceed 9.0 metres.

805.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 2.0 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.5 metres.

805.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;

- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not be located within a front yard;
- (5) not be situated closer than 3.0 metres to a principal building; and
- (6) be excluded from required rear and interior side setbacks provided that
 - (a) no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
 - (b) a 2.0 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard, as shown in Figure 26.

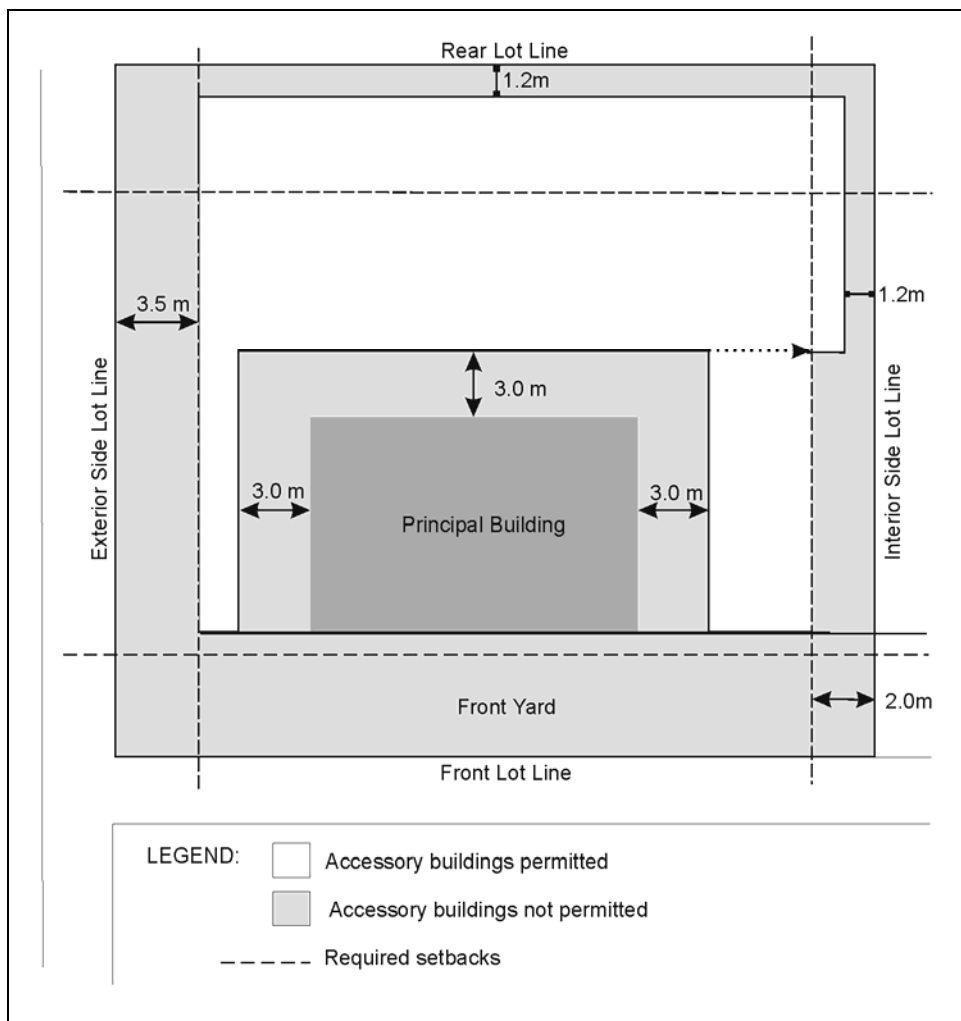


Figure 26. CD3: Accessory building buildable area

805.11 Screening

Utility kiosks shall be screened in accordance with Section 8.

805.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

805.13 Other Requirements

- (1) No more than one principal building shall be permitted on a parcel.
- (2) An in-law suite shall only be permitted if the property owner has entered into a housing agreement which shall be registered on title, which shall restrict occupancy of the in-law suite to a maximum of two adults related by blood, adoption or marriage to an occupant of the principal residence.
- (4) All buildings shall conform to Section 5.16, Watercourse Regulations.

806. CD4 COMPREHENSIVE DEVELOPMENT 4: CONGREGATE CARE
(#1430 Oct 6/04)

806.1 Permitted Uses:

In the CD4 zone, the following uses are permitted and all other uses are prohibited:

- (27) Accessory structures and uses, excluding outside storage
- (28) Artist studios
- (3) Assembly centres
- (4) Billiard halls
- (5) Bowling alleys
- (6) Brew pubs
- (7) Childcare facilities
- (8) Congregate care housing
- (9) Cultural centres
- (10) Dental clinics
- (11) Denturist labs
- (12) Dwelling units
- (13) Film theatres
- (14) Financial institutions
- (15) Garden Centres
- (16) Home occupations
- (17) Hotels
- (18) Intermediate care facilities
- (19) Libraries
- (20) Locksmiths
- (21) Marine Pubs
- (22) Medical clinics
- (23) Museums
- (24) Offices
- (25) Parkades
- (26) Personal service establishments
- (27) Produce Stalls
- (28) Pubs
- (29) Recycling drop-off centres
- (30) Restaurants
- (31) Restaurants - Lounges
- (32) Retail stores
- (33) Small appliance repair shops, processing or packaging of food or beverage products or establishments that repair or assemble electronic equipment which (1) have a total non-retail floor area not in excess of 460 square metres, (2) retail directly from the premises, and (3) have the retail area extending the full width of the premises and located adjacent to the primary pedestrian entrance.
- (34) Video rental stores

806.2 Conditions of Use:

- (a) Dwelling units shall be limited to one caretaker suite and one guest suite per parcel.
- (b) All permitted uses shall be located within a portion of a building, completely enclosed by exterior walls, except for restaurants, child care facilities, produce

stalls, brew pubs, marine pubs, pubs, recycling drop-off centres, parking lots, parkades, garden centres, accessory structures, landscape material, congregate care housing, intermediate care facilities, dwelling units and accessory uses to congregate care housing, intermediate care facilities, and dwelling units.

- (c) Accessory buidligns shcall be limited to those servicing the following principal uses: congregate care housing and intermediate care facilities.

806.3 Density:

n/a

806.4 Parcel Area:

Parcel area shall not be less than 8000 square metres.

806.5 Parcel Frontage:

Parcel frontage shall not be less than 25.0 metres.

806.6 Parcel Depth:

n/a

806.7 Parcel Coverage:

n/a

806.8 Height and Storeys:

Height shall not exceed 13.5 metres.

806.9 Required Setbacks:

- (1) Front

n/a

- (2) Rear

Rear setback shall not be less than 7.5 metres.

- (3) Side - interior

Interior side setback shall not be less than 4 metres only where the parcel abuts a Residential or Multi-Family Residential zoned parcel.

- (4) Side - exterior

n/a

806.10 Accessory Buildings

If Accessory allowed:

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 20%;
- (3) have a parcel coverage excluding garages and carports not exceeding 10%;
- (4) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (5) not be located within a front yard; and
- (6) be excluded from required rear setbacks provided that no accessory building is located closer than 4.0 metres to a rear lot line.

806.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) CD4 zoned parcels from abutting Residential zoned parcels

806.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

806.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.
- (4) No portion of the ground floor of any building shall be located in the area bounded by the intersecting (a) front and exterior side lot lines of a parcel, or (b) the front and interior side lot lines of a parcel where the interior side lot line abuts a lane and a line joining points along the lot lines
 - (i) 4.5 metres from their point of intersection if abutting a street; or
 - (ii) 3.0 metres from their point of intersection if abutting a lane, as shown in Figure 27, *Corner Cut-Out*.

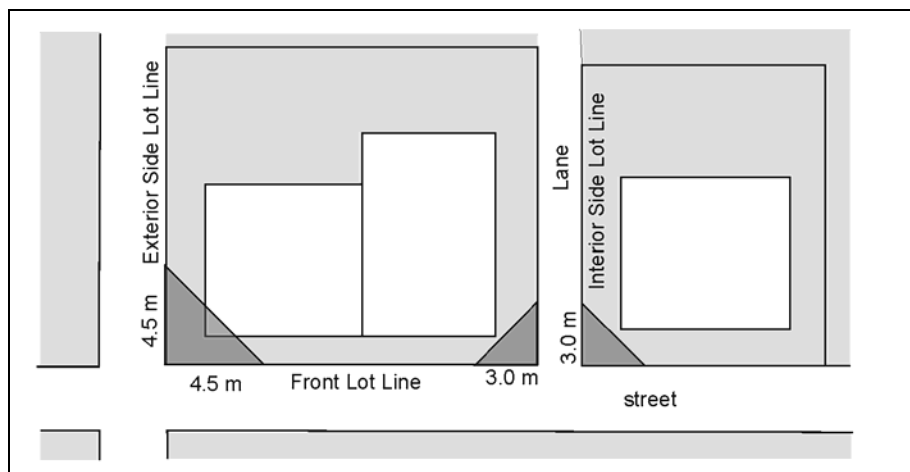


Figure 27. Corner Cut-Out

**807. CD5 COMPREHENSIVE DEVELOPMENT 5: LAZO MARSH - SINGLE FAMILY
(#1443 MAY 4/05)**

807.1 Permitted Uses:

In the CD5 zone, the following uses are permitted and all other uses are prohibited:

- (29) Accessory structures and uses
- (30) Bed and Breakfast accommodations
- (31) Home occupations
- (32) Single family dwellings

807.2 Conditions of Use:

n/a

807.3 Density:

n/a

807.4 Parcel Area:

Parcel area shall not be less than 1400 square metres.

807.5 Parcel Frontage:

Parcel frontage shall not be less than 27.0 metres.

807.6 Parcel Depth:

28.0 metres.

807.7 Parcel Coverage:

Parcel coverage shall not exceed 20%, including non-permeable driveways and parking areas.

807.8 Height and Storeys:

Height shall not exceed 9.0 metres.

807.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 2.0 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.5 metres, except for parcels adjacent to Guthrie Road where the exterior side setback shall be not less than 7.5 m.

807.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not exceed 100 sq. m. in gross floor area;
- (5) not be located within a front yard;
- (6) not be situated closer than 3.0 metres to a principal building; and
- (7) be excluded from required rear and interior side setbacks provided that
 - a. no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
 - b. a 2.0 metre interior side setback is maintained from the front lot line to a point 3 metres into the rear yard, as shown in Figure 28.

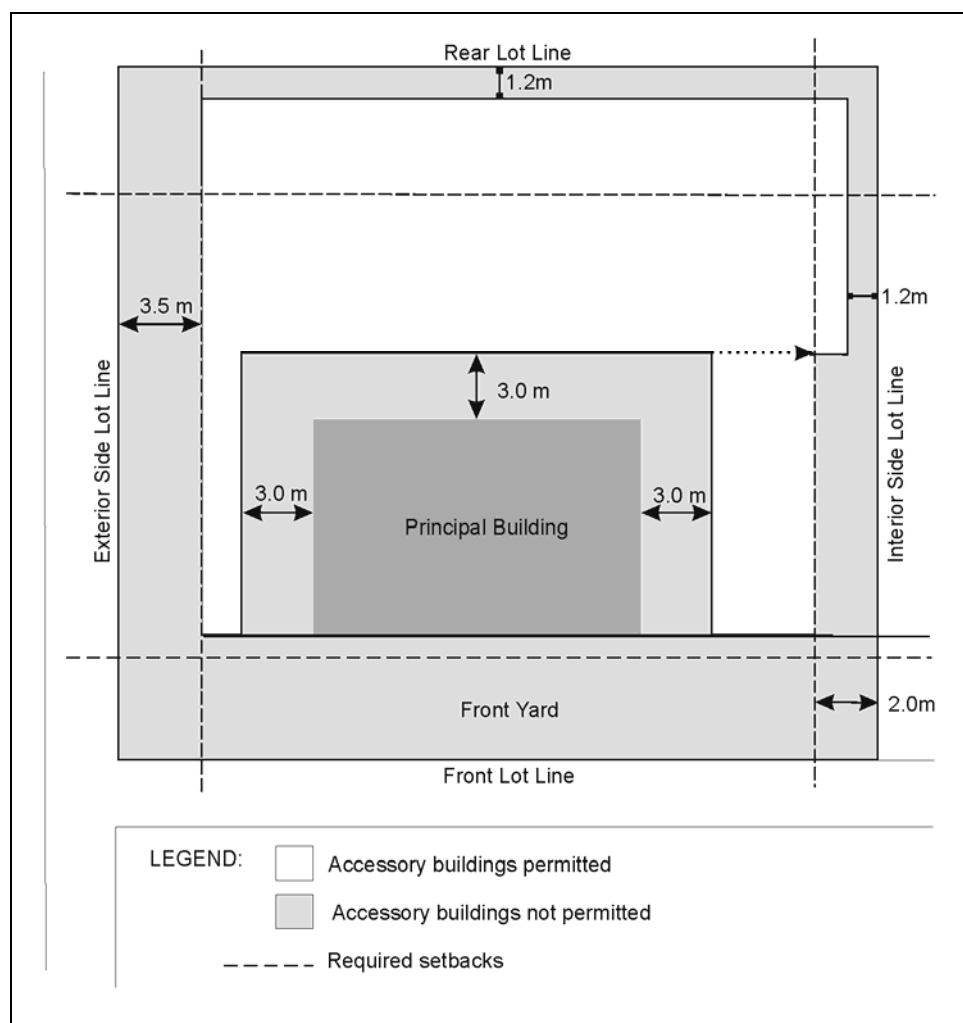


Figure 28. CD5: Accessory building buildable area

807.11 Screening

Utility kiosks shall be screened in accordance with Section 8:

807.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

807.13 Other Requirements:

- (6) No more than one principal dwelling on a parcel.
- (7) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (8) All buildings shall conform to Section 5.16, Watercourse Regulations

**809. CD7 COMPREHENSIVE DEVELOPMENT 7: 1700 BALMORAL AVE.
(1523 FEB 21/07)**

809.1 Permitted Uses:

In the CD7 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Apartment dwellings
- (3) Home occupations

809.2 Conditions of Use:

- (1) Excluding accessory buildings:
 - (a) The gross floor area of the first storey shall not exceed 1094 square metres;
 - (b) The gross floor area of the second storey shall not exceed 1088 square metres;
 - (c) The gross floor area of the third storey shall not exceed 1003 square metres;
 - (d) The gross floor area of the fourth storey shall not exceed 784 square metres; and
 - (e) The gross floor area of the fourth storey shall not exceed 80% percent of the third storey gross floor area.

- (1) All parking spaces shall be located underground and below grade.

809.3 Density:

Density shall not exceed 113 units per hectare.

809.4 Parcel Area:

Parcel area shall not be less than 2700 square metres.

809.5 Parcel Frontage:

Parcel frontage shall not be less than 50.0 metres.

809.6 Parcel Depth:

Parcel Depth shall be not less than 50.0 metres.

809.7 Parcel Coverage:

Parcel Coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 55 percent.

809.8 Height and Storeys:

- (1) Height shall not exceed 18.0 metres.
- (2) Number of storeys shall not exceed four.

809.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 6.0 metres.
- (2) Rear
Rear setback shall not be less than 6.0 metres.
- (3) Side - interior
Interior side setback shall not be less than 3.5 metres.

809.10 Accessory Buildings:

Accessory building shall

- (1) Not exceed 8.5 metres in height;
- (2) have a gross floor area not exceeding 135 square metres; and
- (3) have a parcel coverage not exceeding 0.5 percent.

809.11 Screening:

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) CD7 zoned parcels from abutting Residential parcels.

809.12 Off-Street Parking and Loading:

Off-street parking and loading shall be provided in accordance with Section 6.

809.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.15.
- (4) All buildings shall conform to Section 5.15, Watercourse Regulations.
- (5) No more than one principal building shall be permitted on a parcel.
- (6) No more than one accessory building shall be permitted on a parcel.

810. CD8 COMPREHENSIVE DEVELOPMENT 8: SHAMROCK PLACE (#1536 JUL 18/07)

810.1 Permitted Uses:

In the CD8 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Apartment dwellings
- (3) Home occupations

810.2 Conditions of Use:

N/A

810.3 Density:

Density shall not exceed 86 units per hectare.

810.4 Parcel Area:

Parcel area shall not be less than 900 square metres.

810.5 Parcel Frontage:

Parcel frontage shall not be less than 30.0 metres.

810.6 Parcel Depth:

n/a

810.7 Parcel Coverage:

Parcel coverage including parking areas, loading areas, and driveways that are open sided and roofless shall not exceed 70%.

810.8 Height and Storeys:

Height shall not exceed 10.0 metres.

810.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 12.0 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 3.5 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.5 metres.

810.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 20%;
- (3) have a parcel coverage, excluding garages and carports, not exceeding 10%;
- (4) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (5) not be located within a front yard; and
- (6) be excluded from required rear setbacks provided that no accessory building is located closer than 3.5 metres to a rear lot line.

810.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds
- (2) Off-street parking and loading areas
- (3) Utility kiosks
- (4) CD8 zoned parcels from abutting Residential zoned parcels

810.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

810.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground.
- (2) Unoccupied open spaces shall be fully and suitably landscaped with landscape material; this does not include environmentally sensitive areas, including watercourse setbacks as specified in Section 5.16.
- (3) All buildings shall conform to Section 5.16, Watercourse Regulations.