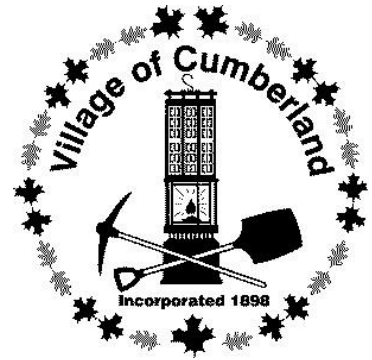


COUNCIL REPORT



REPORT DATE: June 8, 2026
MEETING DATE: June 22, 2026

File No. 3360-01

TO: Mayor and Councillors
FROM: Karin Albert, Senior Planner
SUBJECT: Official Community Plan Amendment Bylaw No. 1265, 2026 and Zoning Amendment Bylaw No. 1266, 2026 – First and Second Reading

RECOMMENDATION

THAT Council give first and second reading to Official Community Plan Amendment Bylaw No. 1265, 2026.

THAT Council give first and second reading to Zoning Amendment Bylaw No. 1266, 2026.

THAT Council direct staff to schedule a public hearing for Official Community Plan Amendment Bylaw No. 1265, 2026 and Zoning Amendment Bylaw No. 1266, 2026.

PURPOSE

This report introduces Official Community Plan Amendment Bylaw No. 1265, 2026 and Zoning Amendment Bylaw No. 1266. Both bylaws present housekeeping amendments. In the case of the OCP, a few minor corrections are required, exemptions to the Heritage Conservation Area (HCA) guidelines are further detailed and expanded to accommodate existing uses in the area that has been newly added to the HCA. In the case of the Zoning Bylaw, the amendments clarify a few definitions, add definitions that are needed, simplify several requirements, reinsert regulations that were omitted from the previous Zoning Bylaw, and increase consistency with OCP policy.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
January 12, 2026	THAT Council adopt Official Community Plan Bylaw No. 1230, 2025.
February 9, 2026	THAT Council adopt the Zoning Bylaw No. 1238, 2025

BACKGROUND

Council adopted Official Community Plan Bylaw No. 1230, 2025 on January 12, 2026 and Zoning Bylaw No. 1238, 2025 on February 9, 2026. Both bylaws were a full repeal and replace of previous bylaws. The need for future housekeeping amendments was anticipated at the time given the

scale of the changes, in particular, to the Zoning Bylaw which adopted a different format, with many regulations captured in tables, introduced a few new regulations, and was done with a short timeline driven by a deadline by the Province.

Public inquiries with regards to what is permitted on a property, new development applications, and feedback from architects and builders, have helped identify areas of the bylaws that are open to different interpretations and/or are difficult to implement as written.

The proposed housekeeping amendments are to increase clarity and facilitate implementation of the regulations.

ANALYSIS

Official Community Plan (OCP) Housekeeping Amendments

DPA 6 – Multi-Unit Residential and Mixed Use

The language under section 2. Landscaping and Amenity Areas reinserts language from the previous OCP for the guideline related to play areas. During the OCP review, the intent was to establish requirements for playgrounds and their sizes in the new Zoning Bylaw. However, this was not ultimately included in the new Zoning Bylaw due to complexities that would have needed more time to resolve. The re-inserted language in the OCP identifies that either a play area or a recreation area should be provided. Including the term “recreation area” provides flexibility to request recreation amenities other than a playground, depending on the needs of the occupants of the proposed new development.

Heritage Conservation Area (HCA) Guidelines

The proposed amendments to the Heritage Conservation Area (HCA) guidelines give more consideration to the residential area that was added to the HCA with the adoption of the new OCP.

To correct an oversight:

- a. Deletion of the reference to Schedule A in Objective 3 of the Heritage Conservation Area as that Schedule was not added to the OCP.

Further, a number of amendments are proposed to encourage the adaptive reuse and retention of heritage buildings within the area newly added to the HCA, located on the north side of Derwent Avenue, the South side of Penrith Avenue and on Second and Third avenues between Penrith and Maryport and zoned MU-2 in the new Zoning Bylaw. The amendments:

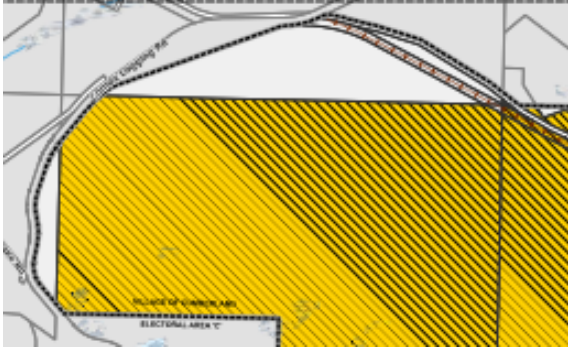
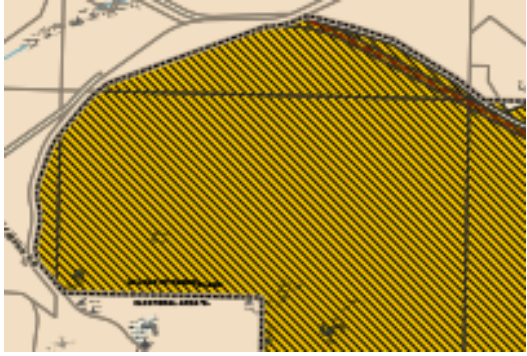
- a. Clarify that the exemption for alterations and repairs to existing single residential buildings from a heritage alteration permit (HAP) includes renovations to add secondary suites or create additional residential units within an existing building. The exemption for alterations and repairs to single residential buildings from a HAP was in the HCA guidelines in the previous OCP. The clarification is intended to assist with the interpretation of the exemption and to reduce barriers to conversion of heritage buildings to more intensive residential uses.
- b. Permit additions to existing single residential buildings that involve lifting the building and adding a floor below or adding an area no larger than 20 percent of the building’s gross floor area to the side or rear of the building. This amendment more fully implements Objective 6 of the HCA Guidelines “To promote the appropriate adaptive reuse of existing buildings”. It permits owners to add to their homes to increase their living space or to add a suite.

- c. Exempt construction of a single residential unit in the rear yard. This permits the addition of a laneway house in the rear yard without requiring a HAP. This exemption was added since the impact of laneway homes on the streetscape is minor. Similarly to the two amendments above, the exemption encourages densification while retaining existing heritage buildings.

The pages with the above amendments can be read in context in Attachment 1 – Track Changes of Amendments to Bylaw 1230. Comment boxes in the document provide background information on the reason for a proposed amendment. For further context, the entire current OCP bylaw is available at: <https://cumberland.ca/ocp/>. The proposed amendment bylaw is in Attachment 2 – Bylaw 1265.

Map Amendments

The OCP *Map H – DPA 4 Wildland Urban Interface* is proposed to be amended to include the northernmost property within the Village’s administrative boundary in the Wildland-Urban Interface Development Permit Area (DPA-4). The updated DPA 4 includes all properties within or along the border of forested areas. This parcel was missed in the mapping update.

Existing OCP Map H	Recommended Amendment
	

Zoning Bylaw Housekeeping Amendments

The proposed Zoning Bylaw amendments are intended to clarify the regulations, reduce requirements for small-scale single residential and infill development and childcare facilities, and better align the bylaw with OCP policies, particularly those related to food security. The amendments include:

- a. Additional headings for navigational purposes.
- b. Clarification of definitions.
- c. Addition of new definitions for commercial greenhouse and food production facility which are proposed to be added as permitted uses to the industry zones.
- d. Correction to errors, such as to the calculations for required setbacks for protective fencing around trees.
- e. Streamlining of a number of requirements, in particular when it comes to landscaping and landscape screens.

- f. Reinsertion of a few regulations that were omitted from the previous Zoning Bylaw, such as
 - i. prohibition of water bottling facilities in all zones,
 - ii. the requirement of a 1.5 m obstruction-free emergency access to the rear of properties.
- g. Rectifying the unintended consequences of no longer regulating by type of dwelling units. Specifically, this involves reinstating the setback regulations that previously applied uniquely to Accessory Dwelling Units (ADUs) by requiring a lesser setback for dwelling units up to two storeys in height in the rear yard.
- h. Clarification of regulations, such as the distinction between permitted virtual retail sales as part of a home occupation and prohibited in-person retail sales.
- i. Reduction of loading requirements for some uses that do not regularly require loading space.
- j. Amendments to increase consistency with OCP policy and guidelines, such as
 - i. Addition of commercial greenhouse and food production facility as permitted uses in the industry zones in support of food security policy in the OCP.
 - ii. Deletion of “conifer” as an alternative to a large tree in the landscaping requirements to avoid conflict with DPA 4 - Wildland-Urban Interface guidelines which seek to reduce flammability of vegetation and structures in the Village.
 - iii. Addition of window graphic signs and painted wall signs to align with the types of signs permitted in the HCA guidelines.

The full amendment text can be read in the context of the parent bylaw in Attachment 3 – Track Changes of Amendments to Bylaw 1238. Comment boxes in the document provide background information on the reason for a proposed amendment. For further context, a copy of the entire current Zoning Bylaw is at <https://cumberland.ca/zoning-bylaw/>. The amendment bylaw is presented in Attachment 4 – Bylaw 1266.

PUBLIC NOTIFICATION AND CONSULTATION

A notice of the public hearing will be published in two consecutive issues of the Comox Valley Record, as required in section 94.1 of the *Community Charter*.

Many of the housekeeping amendments are in direct response to issues that have arisen during the development process and in response to feedback received by applicants.

To ensure timely adoption of the housekeeping amendments to be able to correct errors and remove or lighten some requirements, additional public engagement is not recommended.

FINANCIAL IMPLICATIONS

There are no financial implications to the Village of adopting the proposed amendment bylaws.

OPERATIONAL IMPLICATIONS

The implementation of the OCP and Zoning Bylaw are part of the regular services provided by Development and Bylaw Services with the support of other departments, in particular Engineering

and Public Works. The housekeeping amendments will make it easier to communicate requirements and implement the two bylaws.

CLIMATE CHANGE IMPLICATIONS

The housekeeping amendments do not change sections in the OCP and the Zoning Bylaw that support the reduction of greenhouse gas emissions, such as policy and regulations that encourage densification of existing residential areas rather than sprawl, or regulations that require end of trip facilities for cycling and electric vehicle charging.

While additional flexibility for landscaping requirements is proposed, the regulations continue to support an increase in tree canopy cover to regulate the local micro-climate and support uptake of greenhouse gases.

ALTERNATIVES

- 1. No changes to the OCP and/or Zoning Bylaw
- 2. THAT Council direct staff to make the following further amendments to Bylaw 1265:
 - a.
 - b.

AND THAT Council give first and second reading to the Bylaw as amended.

- 3. THAT Council direct staff to make the following further amendments to Bylaw 1266:
 - a.
 - b.

AND THAT Council give first and second reading to Bylaw 1266 as amended.

STRATEGIC OBJECTIVE

- Diverse and Healthy Community
- Sustainable Service Delivery and Asset Management
- Community Planning

ATTACHMENTS

- 1. Track changes of amended sections of Bylaw 1230
- 2. Official Community Plan Amendment Bylaw No. 1265, 2026
- 3. Track changes of amended sections of Bylaw 1248
- 4. Zoning Amendment Bylaw No. 1266, 2026

CONCURRENCE

Courtney Simpson, Director of Development and Bylaw **CS**

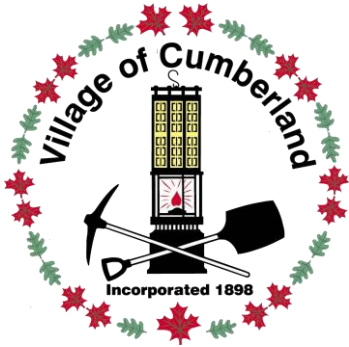
Respectfully submitted,

K. Albert

Karin Albert
Senior Planner

M. Mason

Michelle Mason
Chief Administrative Officer



Village of Cumberland Official Community Plan Bylaw No. 1230, 2025

11.10 DPA 6 – MULTI-UNIT RESIDENTIAL AND MIXED USE

A. DESIGNATED AREA

The Multi-Unit Residential and Mixed-Use Development Permit Area, DPA 6, is shown on **Map J**.

B. CATEGORY

This development permit area is designated pursuant to section 488.1 (1), (a), (b), (f), (h), (i), (j) of the *Local Government Act* for the following purposes:

- (f) Establishment of objectives for the form and character of commercial and multi-family residential development.
- (h) Establishment of objectives to promote energy conservation.
- (i) Establishment of objectives to promote water conservation.
- (j) Establishment of objectives to promote the reduction of greenhouse gas emissions.

In addition, section 485 of the *Local Government Act* permits local governments to request development approval information such as site plans, reports and studies. All of DPA 6 is included within the area designated by the Village for development approval information (see section 9.7 Development Approval Information).

C. JUSTIFICATION

This development permit area designation is established to promote a high standard of design for stand-alone multi-unit residential developments and for mixed use developments that include both residential and commercial uses.

Additional objectives of this designation include:

1. Promote a compact urban form where housing is located within a short walking distance of shops, restaurants, grocery stores, personal services, the community centre and parks.
2. Support housing diversity.
3. Ensure multi-unit residential development is well integrated and sensitive to the surrounding neighbourhood context.
4. Design buildings to a human scale and orient them to the street.
5. Ensure a pedestrian and bicycle-oriented development.
6. Provide landscaping and create greenspace for the enjoyment of residents.
7. Provide landscaping that is drought resistant and pollinator-friendly.
8. Reduce energy and water consumption and greenhouse gas emissions associated with the overall development.

D. EXEMPTIONS

A Development Permit is not required for this DPA for the following types of work:

Activities under a Senior Government’s Jurisdiction

1. Activities that are regulated by a senior level of government. Note that certain aspects of those activities may be subject to Village bylaws.

Village and Village-Approved Works

2. Works conducted by the Village or its agents where appropriate measures have been undertaken to satisfy the applicable DPA guidelines as determined by the Village.

Emergency Response and Hazard Reduction

3. Emergency responses or works undertaken by the Village or its agents to prevent or control forest fire, flooding, erosion, and other hazards or emergencies.

Limited Construction, Repair and Maintenance of Existing Property

4. The placement of impermanent structures such as benches and tables.
5. Construction or replacement of buildings where there is less than 10.0 square metres increase in the building footprint (a building permit is not required), and which does not damage existing native vegetation, provided that:
 - a. the building, and all associated land alteration, is more than 30 m away from the present natural boundary of any watercourse, wetland, or lake; and
 - b. construction of the building follows best management practices for erosion and sediment control.
6. Reconstruction, repair or maintenance of, or renovations to, existing legal buildings, structures or utilities within the existing footprint, including those buildings or structures that have been damaged or destroyed to *less than 75%* or more of their value above its foundations, as determined by the building inspector (s. 532 (1) of the *Local Government Act*). A building permit may still be required.
7. Erection of fences 2.0 metres or less in height
8. Installation of solar domestic hot water or photovoltaic systems on roofs.
9. Soft landscaping (replanting existing beds or creating new planting beds and planting vegetation).

Other

10. Subdivision where no new lots are created.
11. Text or content changes to existing signage that does not alter the overall appearance.

E. GUIDELINES

1. SITE DESIGN

- a. Site design must demonstrate how natural site features, such as the natural topography, mature trees and native understorey, are preserved and integrated into the design and layout.
- b. Wayfinding signage for larger developments should be provided. All signage should be architecturally compatible with the overall design of the buildings.
- c. Service and outside storage areas should be located at the rear of buildings. Where site constraints prevent this, they may be visually screened and located at the side of buildings.
- d. Orientation and placement of buildings, building entrances and windows should contribute to animating the streetscape. For example, building entrances and display windows should be located close to the street. On corner sites consider wrapping active uses (e.g. cafes, retail stores) around the building corner at grade and orienting plazas, interior lobbies, and prominent windows towards the corner. Sites that are mid-block could integrate small courtyards or covered setbacks to display merchandise or provide outdoor seating.

2. LANDSCAPING AND AMENITY AREAS

- a. All areas not covered by buildings or structures should be landscaped.

SOFTSCAPING

- b. Landscaping should consider the incorporation of natural daylight and seasonal shade needs. For example, evergreen and deciduous trees should be planted in appropriate locations to provide shade in the summer and solar radiation in winter.
- c. Landscaped areas should primarily feature trees, shrubs, perennials, and grasses, and may include vegetable gardens. Lawn areas should be used minimally. Select plant species that are:
 - i. Native or adapted to the region
 - ii. Supportive of habitat, nesting, foraging, or pollination
 - iii. Drought-tolerant
 - iv. Adapted to anticipated future climate conditions wherever possible.
 - v. BC FireSmart
- d. Existing healthy mature trees, shrubs and native understorey should be retained to the extent possible.
- e. The root zones of existing mature trees should be identified and building foundations and areas to be excavated during construction should be sited so as not to disturb the root zones.

- f. Impermeable surfaces over the root zones of existing mature trees should be avoided.
- g. Vegetation should be chosen and planted in accordance with BC FireSmart guidelines, including, but not limited to:
 - i. A non-combustible surface should be left free of vegetation within 1.5 metres of a building or structure.
 - ii. Coniferous trees can be present within 1.5 and 10 metres of a building or structure provided they are lone trees, are limbed up to 2.0 metres from the ground, there are no shrubs or heavy accumulation of vegetation below the drip line, and the siding of the building is non-combustible.
 - iii. Due to their high flammability, juniper, English yew and cedar hedges should not be planted.



Figure 11.10-1: Example of emphasis on public realm (guideline 2 i)

HARDSCAPING

- h. Building footprints should be located to create opportunities for plazas, courtyards, or garden patio areas with appropriate site furniture and lighting.
- i. The appearance of both the buildings and the site landscaping should have a strong emphasis on views to and from the street, incorporating a concept that emphasizes the public realm.
- j. Recreation and play areas should be provided within each project and should be sensitive to the needs of all groups likely to reside within the development. Where possible, recreation and play areas should be sited such that all units within a development may view them.
- ~~j. Where a playground is required, it must:~~
 - ~~i. be sited so that the maximum number of units possible within the development may view it, and~~
 - ~~ii. not have a grade greater than 2 percent.~~
- k. Common open spaces should:
 - i. Be located as close to dwelling units as possible, with walkways or multi-use pathways connecting to building entrances and to any parks and open spaces adjacent to the development;
 - ii. Include a portion that is usable for active recreation, such as a walkway.
- l. Green walls/green screens are encouraged.

Commented [KA1]: This proposed amendment re-Inserts the language from the previous OCP. When this DPA was reviewed, the intent was to require a playground for certain types and sizes of development in the new Zoning Bylaw as part of a new section on amenities. However, the amenity section was not included in the Zoning Bylaw as it would have had to be very specific and would not have been 'customizable' to fit a range of developments types.

- m. Fencing and/or vegetative screening on property lines should protect the privacy of occupants of adjacent properties.
- n. Fencing materials should be sensitive to the neighbourhood context. Chainlink and solid corrugated metal fences on front lot lines are discouraged.
- o. All waste disposal and recycling bins must be screened on three sides within a solid walled animal-proof enclosure, not less than 2.0metres in height.
- p. Such elements as outdoor storage areas, transformers, and meters must be additionally screened with landscaping, solid fencing, and through appropriate siting.
- q. Outdoor storage should not be viewed from the public roadway by locating it behind buildings or setting it back from the street frontage and using fencing or landscaping for screening.



Figure 11.10-2: Example of landscaped common space with walkway (guidelines 2 k.i.)



Figure 11.10-3: Example of screened outdoor storage (guidelines 2 q)



Figure 11.10-4: Example of fence and vegetative screening

WATER CONSERVATION

- r. Landscaped areas should be watered by an automatic irrigation system, complete with an automated ‘smart’ controller.
- s. Design sites to minimize water use for irrigation by using strategies such as:
 - i. Designing planting areas and tree pits to passively capture rainwater and stormwater run-off.



Figure 11.13-1: Downtown core (February 11, 1932), Cumberland Museum and Archives CMA 270-042

11.13 HCA 1 – HISTORIC VILLAGE COMMERCIAL CORE

A. DESIGNATED AREA

These heritage conservation area guidelines apply to the area designated as Heritage Conservation Area 1 (HCA-1) and shown on **Map K**.

B. CATEGORY

This HCA is designated pursuant to section 614 of the *Local Government Act* for the purpose of heritage conservation. This HCA also includes development permit designations under section 488 (1) of the *Local Government Act*:

- h) Establishment of objectives to promote energy conservation
- i) Establishment of objectives to promote water conservation
- j) Establishment of objectives to promote the reduction of greenhouse gas emissions.

In order to facilitate development respectful of the surrounding natural environment through appropriate stormwater management and sediment control, this DPA also includes designation under 488(1)(a) *protection of the natural environment, its ecosystems and biological diversity*.

C. JUSTIFICATION

This Heritage Conservation Area (HCA) is intended to provide long-term protection of the Historic Village Commercial Core (HVCC) that has been designated for future mixed use. Included in the HCA is the existing downtown commercial core on Dunsmuir Avenue as well as side streets and adjacent residential streets. Some of these had commercial uses in the past while others may be converted to a future commercial use as part of the growth of the commercial core.

Cumberland’s downtown commercial area is the social, cultural, historic, and economic heart of the Village. It is also the most visible part of the community and requires special design considerations which extend beyond the buildings themselves to the site development.

This HCA seeks to conserve the character of the HVCC by managing change that complements the established Village commercial streetscape and maintains the integrity of the historic architectural forms. It is essential to the integrity of an HCA to have the established heritage character serve as inspiration for new development. The form, character, and sense of place of the Historic Village Commercial Core is reliant on the existing stock of buildings, other structures and features and landscape elements, and it is essential that all components work together in an integrated and harmonious fashion. There is an eclectic mixture of architectural styles that lend to the unique character of the area and should inspire diversity of styles over time.

The conservation of heritage buildings is inherently sustainable, supporting the Village’s greenhouse gas emission targets and climate goals. Conserving existing buildings conserves embodied energy, reduces construction waste at the landfill, and reduces the consumption of new building materials.

CHARACTER DEFINING ELEMENTS

Character defining elements of this area include:

- a. A generally intact and unified streetscape of commercial and some residential buildings that illustrate the development period of the late 19th and first half of the 20th century, including buildings built to the street frontages. Character defining elements specific to some of the key historic buildings are further described in their Statements of Significance.

Commercial buildings:

- b. A variety of architectural styles, including:
 - i. “Storefront” design incorporating large, glazed display frontage, awnings and signage indicative of the late 19th and early 20th century “Pioneer” style. (e.g. Big Store, Frelones buildings)
 - ii. Georgian style hip-roofed rectangular building with central recessed entry (e.g. King George Hotel)
 - iii. Revival era commercial design (e.g. former Cumberland Drug Store at 2719 Dunsmuir, First Credit Union at 2717 Dunsmuir Avenue)

PART D | IMPLEMENTATION – HCA 1 HISTORIC VILLAGE COMMERCIAL CORE

- iv. Edwardian era commercial style with balanced symmetrical façade, cornice with lentils, round headed windows on main frontage on facing first floor, and brick construction (Old Post Office).
 - v. Art Deco with sleek linear appearance, curved entrance with decorative tile work, and stucco siding (e.g. Ilo Ilo Theatre).
- c. Architectural features such as cubic massing and dense site coverage, generally limited to one or two stories.
 - d. Continuing commercial viability with a variety of independent businesses, and a mix of institutional and residential uses.
 - e. Typical wood-frame construction for both early residential and commercial architecture
 - f. Street façades that are more elaborate than the more utilitarian rear façades.
 - g. Front façade that extends above the top storey and hides a gable or a flat roof.
 - h. Punched window openings, often with muntin or grille treatments.
 - i. Wood framed storefront windows, sometimes with transom windows.
 - j. Projecting cornices at the rooflines.
 - k. Recessed retail entrances.
 - l. Remaining examples of historic architectural detailing and materials.
 - m. An eclectic mix of vibrant and contrasting building styles and colours.
 - n. A mix of roof types including pitched as well as flat roofs.



Figure 11.13-2: Examples of false front (top and middle), canted storefront entrance with transom windows (all), pitched roof (middle), hip roof (right -most building in bottom photo).

Residential heritage buildings:

- o. Common architectural elements are:
 - i. Asymmetrical house shape with intersecting roof lines, turrets and bay windows, first-floor porch, patterned shingles and decorative trim and other elements of what is often referred to as Queen Anne style.
 - ii. Simple house forms decorated with elaborate spindle work, jigsaw-cut bargeboards, decorative trim, reminiscent of Folks Victorian.

- iii. Low-pitched gable roof with deep, bracketed overhangs and exposed rafters, porches supported by massive piers and unadorned square posts, windows and doors with long vertical panes, and other elements referencing Craftsman style
- p. Typical wood-frame construction for early residential architecture.
- q. The use of:
 - i. pitched, gable and hip roofs,
 - ii. large porches and verandas facing the main street:
 - iii. wood siding and wooden-sash windows; trim and soffits.
 - iv. wood from old growth trees and other raw materials that are rare and valuable today
- r. End-wall chimneys, bay and picture windows.
- s. Mature landscaping.

BRIEF HISTORY OF CUMBERLAND

Cumberland is part of the traditional territory of the K’ómoks First Nations (KFN) who used the area for hunting, gathering, and cultural practices long before the arrival of European settlers in the area. The Village recognizes the K’ómoks continued presence on the land and is committed to working with the First Nation to recognize that presence in formal and informal ways, as for example, through interpretive signage, art and place naming.

Colonial history is relatively short in Cumberland, beginning in 1852 with the discovery of rich coal deposits near Comox Lake. The earlier company town of Union was built in 1888 by coal baron, Robert Dunsmuir and Union Camp in 1889 centred around the part of Dunsmuir Avenue west of Sutton Road, locally known as “Camp Road”. The town of Cumberland was built further east in 1893. The current Cumberland Village site began development in 1893, with the layout of streets and blocks from First to Fifth Street and between Allen to Windermere Avenue, by the Union Colliery Company Surveyor Frank B. Smith²⁶. The two towns were amalgamated in 1967. Cumberland was named after a county in England, known for its coal mining and beautiful lake country.

Today, the HVCC stands as one of few surviving early mining town commercial and adjacent residential areas on Vancouver Island. The historic form and scale of commercial and residential buildings in the downtown area of Cumberland are integral to the appearance, feeling, and ambience of this area.

The heritage features and characteristics of the HVCC form a direct link with Cumberland’s historic past. As typical with prosperous resource driven towns, a mix of businesses, institutions, and residences evolved to support a rapidly growing population. Even with economic depressions throughout the mining era, the Village boasted significant cultural, institutional, and business amenities. The outcome of this growth legacy is a high level of civic pride, community voice, and sense of place that have attracted businesses, visitors, and residents alike.

²⁶ Jennifer Nell Barr, *Cumberland Heritage: A Selected History of People, Buildings, Institutions and Sites 1888-1950*, p.37-38

The past 130 years has seen changes to the downtown commercial core either through fires, demolition or remodeling. Despite this, the core heritage character of buildings and streetscape continues to define Dunsmuir Avenue and neighbouring streets. This is a significant asset and opportunity for the Village. The value and character of this area provides the potential to greatly contribute to the near and long term economic and cultural well-being of the community, justifying stewardship, conservation, and repurposing of the downtown commercial core buildings and streetscape.

SUPPORTING PLANNING DOCUMENTS

Prepared in 2008, the Cumberland Enhancement Study identified Dunsmuir Avenue between First and Fifth Street as a 'Historic Commercial Core'. The 2014 OCP created a Heritage Conservation Area for the HVCC to achieve appropriate, consistent, and sensitive revitalization of that designated area.

In 2015-2016, the Village prepared a comprehensive Heritage Management Plan that lays out a policy framework and heritage themes to guide heritage conservation actions. The plan takes a broad view of heritage in Cumberland, recognizing the importance of heritage resources throughout the village, including older residential areas.

With the 2025 OCP, the HCA-1 is extended and updated to add the areas on either side of Dunsmuir Avenue that are designated for commercial-residential mixed use to guide their redevelopment in a way that is sympathetic to the heritage character of those streets.

OBJECTIVES

This HCA is designated to achieve the following objectives:

1. To recognize and enhance the historic nature of the HVCC, designated on **Map K** for the benefit of present and future generations.
2. To ensure that building restorations, rehabilitations, or alterations, and property development or redevelopment within the HCA respect the history and enhance the heritage character and value of the HVCC.
3. To promote conservation and restoration of the heritage buildings, other structures, land or features in the HCA, ~~listed on Schedule A at the end of the HCA guidelines.~~
4. To regulate subdivision within the HCA, in a manner consistent with the guidelines and heritage scale, form and character of the area.
5. To accommodate infill development that is consistent with the existing heritage buildings and enhances the heritage character of the HCA.
6. To promote appropriate adaptive reuse of existing buildings.
7. To support commercial development and densification in the residential areas included within the HCA in a manner that is sensitive to the heritage character of those primarily residential streets.

Commented [KA2]: Schedule A was not added to the HCA guidelines as part of the OCP review.

8. To continue to promote a pedestrian-friendly, accessible, vibrant, and animated historic downtown Village core.
9. To ensure the safe, efficient, convenient, and functional movement of multiple modes of transportation with priority given to alternate modes of transportation, including public transit, bicycles, and pedestrians.
10. To accommodate, encourage and manage new development on vacant lots and redevelopment of existing properties to ensure that new buildings constructed within this HCA are designed so as not to detract from the overall effect and character of the surrounding original structures.
11. To implement the above objectives in a manner that promotes energy conservation, water conservation, and reduction of greenhouse gas emissions.
12. To prevent sediment from entering the stormwater system.

D. HERITAGE ALTERATION PERMIT

A Heritage Alteration Permit (HAP) is required pursuant to sections 617 to 619 of the *Local Government Act*, noting current statutory language indicates a person must not do any of the following unless a heritage alteration permit authorizing the action has been issued:

- a. Subdivide land within the area;
- b. Start the construction of a building or structure or an addition to an existing building or structure within the area;
- c. Alter a building or structure or land within the area
- d. Alter a feature that is protected heritage property

For greater certainty, the above includes the requirement for a Heritage Alteration Permit for:

- a. Demolition of a building
- b. Placement of a shipping container

In those cases where zoning requirements are considered for a variance, the heritage character of the area will remain the primary concern.

Given the multiple designations under the section 614 and 488 of the *Local Government Act*, a HAP issued in accordance with this HCA includes the required Development Permit noted under the heading “Category” above.

E. EXEMPTIONS

A Heritage Alteration Permit is not required for this HCA for the following types of work:

Activities under a Senior Government’s Jurisdiction

1. Activities that are regulated by a senior level of government. Note that certain aspects of those activities may be subject to Village bylaws.

Village and Village-Approved Works

- 2. Works conducted by the Village or its agents where appropriate measures have been undertaken to satisfy the applicable DPA guidelines as determined by the Village.

Emergency Response and Hazard Reduction

- 3. Emergency responses or works undertaken by the Village or its agents to prevent or control forest fire, flooding, erosion, and other hazards or emergencies.

Limited Construction, Repair and Maintenance of Existing Property

4. Alterations or repairs to existing single residential buildings. For clarity, this includes the addition of a secondary suite and the creation of up to three residential units within an existing building.

5. Additions to existing single residential buildings on properties not fronting Dunsmuir Avenue that involve lifting the building and adding a floor below or adding an area no larger than 20 percent of the building's gross floor area to the side or rear of the building.

~~4-6.~~ Construction of a single residential unit in the rear yard on properties not fronting Dunsmuir Avenue.

~~5-7.~~ The placement of impermanent structures such as benches and tables.

~~6-8.~~ Routine upkeep, exterior maintenance and repairs of commercial or mixed-use buildings and structures on the same property with materials, design and colours that are consistent with these guidelines so long as there are no changes to overall appearance, design, or materials used. However, any alterations to the types of windows (e.g. window pattern, substitution of aluminum or vinyl for wood frame windows), changes to cladding materials, or changes to architectural features will require a Heritage Alteration Permit.

~~7-9.~~ Additions of accessibility features including automatic doors, ramps, or handrails that are compatible (e.g. similar materials, colours, design) with, but subordinate to, the heritage character of the existing building.

~~8-10.~~ Installation of solar domestic hot water or photovoltaic systems on roofs.

~~9-11.~~ Soft landscaping (replanting existing beds or creating new planting beds and planting vegetation).

Other

~~10-12.~~ Subdivision where no new lots are created.

~~11-13.~~ Text or content changes to existing signage that does not alter the overall appearance.

~~12-14.~~ Installation of heat pumps, provided they are screened from public view with materials compatible with the main building. For clarity, where mechanical lines are attached to the façade, a Heritage Alteration Permit is required.

~~13-15.~~ Public art as approved by Council or designate.

~~14-16.~~ Interior alterations

Commented [KA3]: This exemption of alterations and repairs to existing single residential buildings was in the previous OCP. The line proposed to be added clarifies the breadth of the possible alterations or repairs.

Not requiring a HAP in the cases outlined is intended to encourage the retention of existing heritage buildings.

Commented [KA4]: This amendment is to more fully implement Objective 6 of the HCA Guidelines "To promote the appropriate adaptive reuse of existing buildings" and Objective 7 "To support commercial development and densification in the residential areas included within the HCA in a manner that is sensitive to the heritage character of those primarily residential streets."

It permits owners to add to their homes to increase the living space.

Commented [KA5]: This permits the addition of a laneway house in the rear yard in the area that was recently added to the HCA without requiring a HAP. The impact of laneway homes on the streetscape is minor. As the two amendments above, this encourages densification while retaining existing heritage buildings.

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1265

A Bylaw to amend the Village of Cumberland Official Community Plan Bylaw No. 1230, 2025

The Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts as follows:

1. This Bylaw shall be cited as “Official Community Plan Amendment Bylaw No. 1265, 2026”.
2. “Official Community Plan Bylaw No. 1265, 2026” is amended in *Part D Implementation – DPA 6 Multi-Unit Residential and Mixed Use*, section 2 j. by striking:
 - “Where a playground is required, it must
 - i. be sited so that the maximum number of units possible within the development may view it, and
 - ii. not have a grade greater than 2 percent.”and substituting:
 - “j. Recreation and play areas should be provided within each project and should be sensitive to the needs of all groups likely to reside within the development. Where possible, recreation and play areas should be sited such that all units within a development may view them.”
3. “Official Community Plan Bylaw No. 1265, 2026” is amended in *Part D Implementation – HCA 1 Historic Village Commercial Core*:
 - (a) under *C. Justification, Objectives 3*. by striking: “, listed on Schedule A at the end of the HCA guidelines.”
 - (b) under *E. Exemptions*, following “4. Alterations or repairs to existing residential buildings.” by inserting: “For clarity, this includes the addition of a secondary suite and the creation of up to three residential units within an existing building.”
 - (c) under *E. Exemptions*, by inserting:
 - “5. Additions to existing single residential properties not fronting Dunsmuir Avenue that involve lifting the building and adding a floor below or adding an area no larger than 20 percent of the building’s gross floor area to the side or rear of the building.
 6. Construction of a single residential unit in the rear yard of properties not fronting Dunsmuir Avenue.”

and renumbering the paragraphs that follow in sequential order.

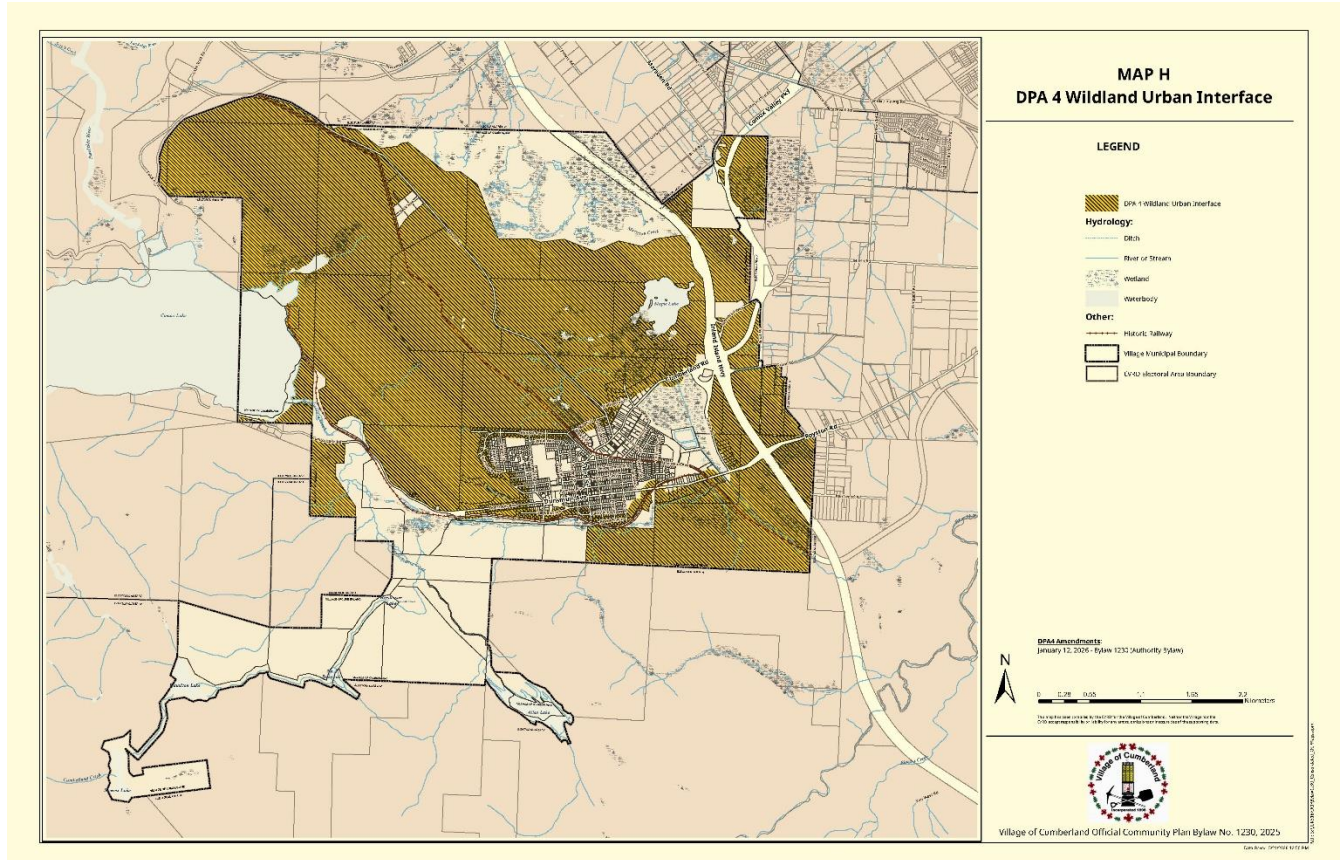
4. "Official Community Plan Bylaw No. 1265, 2026" is amended in *Part E Maps* by substituting the existing Map H – DPA 4 Wildland Urban Interface with the map in Schedule A to this amendment bylaw.

READ A FIRST TIME THIS	___	DAY OF	_____	2026.
READ A SECOND TIME THIS	___	DAY OF	_____	2026.
READ A THIRD TIME THIS	___	DAY OF	_____	2026.
ADOPTED THIS	___	DAY OF	_____	2026.

Mayor

Corporate Officer

Schedule A: Map H – DPA 4 Wildland-Urban Interface





Village of Cumberland
Zoning Bylaw No. 1238, 2025
Housekeeping Amendments

entertainment establishments, libraries, and cultural exhibits. Typical uses include but are not limited to municipal offices, community halls, Indigenous services, social clubs, private clubs, libraries, museums, galleries, auditoria, and concert venues.

DATA CENTRE means a building or group of buildings used for the storage and operation of networked computers or data and transaction processing equipment, and may include telecommunications systems and associated components.

DENSITY means a measure of the development intensity of a lot, including the number of dwelling units permitted on a lot measured in units per lot, units per hectare, or floor area ratio, as well as the maximum floor area of dwelling units.

DRIVE AISLE means a pathway designated for use by vehicular traffic, within a parking lot or similar area, for the purpose of accessing individual parking and loading spaces.

Commented [KA1]: Added to capture all that was included in the now deleted 'manoeuvring aisle' term.

DRIVEWAY means the portion of a lot between a highway or lane and a parking or loading area used for vehicular access and egress, but specifically excludes internal manoeuvring aisles within a parking lot.

DRIVE THROUGH FACILITY means premises where goods or services are provided through a window by an attendant or automated machine, to persons remaining in vehicles that are in a designated queuing space.

DWELLING UNIT means a building or self-contained portion thereof containing sleeping, sanitary, and cooking facilities, used or intended to be used as a residence for one household, but does not include hostels, hotels, motels, or recreational vehicles.

EDUCATION SERVICES means the provision of training, instruction, education, or certification in a specific trade, skill, or service, including classrooms, administrative offices, gymnasiums, or maintenance and/or storage facilities ancillary to the primary education service. Typical uses include but are not limited to public or private schools, commercial schools, community colleges, universities, vocational schools, and adult education centres.

EMERGENCY AND PROTECTIVE SERVICES means premises used as a base of operations for fire protection, police, ambulance, or other such services, including standard administrative and operational support functions, temporary staff accommodation, and other common spaces ancillary to the primary emergency and protective service.

END-OF-TRIP FACILITIES means complementary amenities necessary to support, and designated for use by, cyclists, joggers, walkers, and other active commuters at the end of their trip, including

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

but not limited to common clothing lockers, changeroom, washroom, and shower facilities, bicycle repair space, and bicycle wash stations.

ENTERTAINMENT FACILITY means premises used or intended to be used to provide entertainment and amusement to patrons for remuneration, including but not limited to arcades, billiard and pool halls, bowling alleys, cinemas, miniature golf, nightclubs, and theatres, but specifically excludes gaming facilities such as casinos, bingo halls, video lottery terminals, slot machines, or teletheatre outlets.

FARM STAND means a building or **structure** used for the sale of seasonal crops and farm products grown or produced on-site.

FARMER’S MARKET means a market for the sale of locally produced goods typically produced on farms, with multiple vendors, operated in a fixed location on a periodic basis. This use includes but is not limited to the sale of arts and crafts and **mobile vending**, but specifically excludes the sale of farm machinery, implements, and tools other than gardening supplies.

FENCE means a vertical **structure** used as a physical barrier or enclosure, or for screening purposes, including any moveable components such as a gate or door.

FLEET SERVICES FACILITY means premises used to dispatch, store, repair, clean, and otherwise maintain three or more vehicles used for the transport of people, goods, or services, but specifically excludes the production, display, sale, or rental of such vehicles. Typical uses include but are not limited to buses, couriers, limousines, taxis, or roadside assistance vehicles.

FLOOR AREA means the sum of all horizontal area with a clear ceiling height of 1.8 metres or more for each **storey** of a building, measured to the interior face of exterior walls.

FLOOR AREA RATIO (FAR) means the figure obtained when the **gross floor area** of a lot is divided by the total **lot area**.

FLOOR AREA, GROSS (GFA) means the sum of the total **floor area** for all buildings on a lot, measured from the outside face of the exterior walls, excluding enclosed areas used to accommodate **required parking areas** and any associated ramps used for vehicular access/egress.

FOOD SERVICES means premises used for the preparation, service, and sale of food and beverages to the public, where such premises may be licensed pursuant to the *Liquor Control and Licensing Act*. Typical uses include but are not limited to licensed restaurants, theatre restaurants, banquet facilities, cafes, delicatessens, lunchrooms, and take-out restaurants, but specifically excludes a **drive through facility**.

Commented [KA2]: Added 'required' to ensure that this definitions doesn't inadvertently exempt floor area for garages that house more than the required number of parking spaces.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

GAS STATION means premises used for the selling and dispensing of vehicular fuels, lubricants, electricity, and automotive parts and accessories, and may include a car wash or the ancillary sale of food, tobacco, pharmaceuticals, periodicals, or other similar convenience items.

GRADE, FINISHED means the elevation of the ground following construction or land altering activities.

GRADE, NATURAL means the elevation of the ground surface in its natural state, prior to the commencement of any alteration or development, or on sloping sites, the plane angles prior to the commencement of any alteration or development. Where land alteration has occurred, **natural grade** is determined using historical records or interpolation based on surrounding **natural grades**.

GREENHOUSE, COMMERCIAL means a climate-controlled structure enclosed by glass or multiple layers of plastic, used year-round for the cultivation of agricultural crops intended for **wholesale or retail sales**.

Commented [KA3]: Definition added as Greenhouse, Commercial was added as a permitted use in the I-1 and the I-2. This supports OCP policy 8.3.3.6: *Review permitted uses in industrial zones to include non-soil based agriculture, greenhouses, food processing and post-production facility uses.*

HEALTH SERVICES means the provision of physical or mental health services, on an out-patient basis, which may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical uses include but are not limited to medical and dental offices, chiropractors, massage therapists, acupuncture clinics, reflexology, health clinics, and counselling services.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

HOTEL means a building or group of buildings with a common entrance lobby and shared corridors, divided into self-contained sleeping units which may include cooking facilities, used or intended to be used as temporary accommodation for transient visitors, and where hotel staff are on the premises at all times. This use may also include ancillary facilities such as food services, banquet halls, meeting and convention rooms, personal services, and recreation facilities for the convenience of guests.

HOUSING AGREEMENT means an agreement authorized by bylaw and executed by a property owner and the Village in accordance with the *Local Government Act*.

IMPERMEABLE SURFACE means a surface which either prevents or impedes the entry of water into the soil mantle or causes water to run off the surface in greater quantities or at a rate of flow greater than the rate of flow present under natural conditions prior to development. Such surfaces include but are not limited to concrete, asphalt, and brick pavers with a joint of 12.0 millimetres or less.

INDUSTRIAL, HEAVY means the assembly, fabrication, manufacturing, processing, storage, and testing of materials or products predominantly from extracted, bulk, or raw materials, ~~including the processing of animal products and byproducts~~ and processes using hazardous materials or processes which may create hazardous or commonly recognized offensive conditions, and may include ancillary sales of such materials and products but specifically excludes the storage, processing, or handling of hazardous waste.

Commented [KA4]: Now included within the definition of Production Facility, Food. This allows the Village to permit this use in the I-1 and the I-2. See Part 12 - Industry Zone.

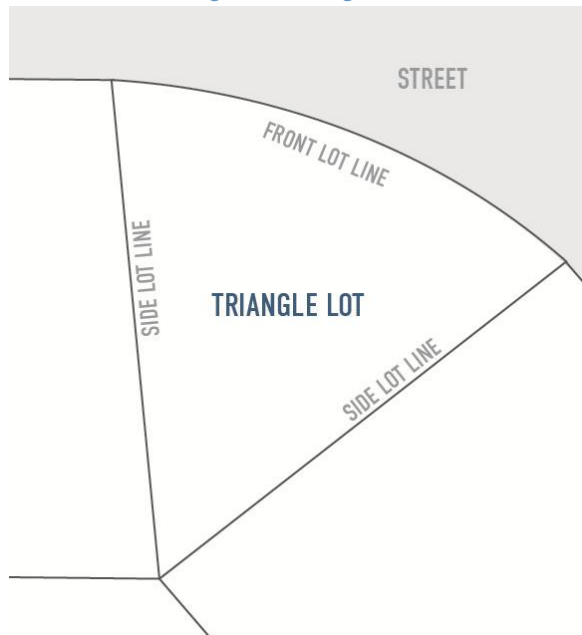
INDUSTRIAL, LIGHT means the assembly, fabrication, manufacturing, repair, servicing, maintenance, and testing of goods or materials where carried out wholly within an enclosed building or structure, including processes using hazardous materials, or processes which may create hazardous or commonly recognized offensive conditions, and may include ancillary sales of such goods or materials but specifically excludes the processing of animal products and byproducts and the storage, processing, or handling of hazardous waste.

KENNEL means premises used for the breeding, buying, selling, or overnight boarding of domesticated animals, but specifically excludes livestock.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

LOT, TRIANGLE means a lot which is generally configured such that its width at the rear lot line is lesser than at its front lot line.

Figure 4-8. Triangle Lot



~~**MANOEUVRING AISLE** means a pathway designated for use by vehicular traffic, within a parking lot or parking area, for the purpose of accessing individual parking and loading spaces.~~

Commented [KA5]: Deleted to avoid duplication and possible confusion with the definition and regulations for drive aisle.

MANUFACTURED HOME means a building containing one dwelling unit, built in a factory environment in one or more sections, intended to be occupied in a place other than its manufacture and is constructed to either the CAN/CSA Z-240 (Mobile Home) or CAN/CSA Z-277 (Modular Home) standard.

Commented [KA6]: This clarifies that a manufactured home can be either a mobile home or a modular home. This is consistent with the broad definition of manufactured home in the Manufactured Home Park Bylaw No. 1036, 2016.

MOBILE VENDING means the sale or rental of goods or services from a mobile, non-permanent, and moveable apparatus such as a vehicle, trailer, or cart, but specifically excludes the sale of alcoholic beverages or cannabis products.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

MOTEL means a building or group of buildings divided into self-contained **sleeping units** used or intended to be used as temporary accommodation for transient visitors, each with a separate exterior entrance and convenient access to on-site parking, and which may include **cooking facilities**. A **motel** may also contain ancillary facilities such as **food services**, banquet, beverage, meeting, or convention rooms, and **personal service** establishments for the convenience of guests.

NATURAL RESOURCE EXTRACTION means the mining, quarrying, digging, removal, or processing of earth, gravel, sand, peat, rock, or other natural substances found on or under the site. Typical uses include but are not limited to quarries, gravel pits, and stripping of topsoil.

PARK means land or water used or intended to be used for passive or active recreation by the public, including but not limited to walkways, trails, watercourses, environmentally sensitive areas, forest reserves, wildlife sanctuaries, green belts, conservation areas, nature interpretation areas, sources of drinking water, and **landscaping**.

PARKING AREA means the area of a **lot** used to accommodate **parking spaces** and associated ~~maneuvering drive aisles~~.

Commented [KA7]: Manoeuvring replaced with drive because the definition for manoeuvring aisle as been deleted and replaced with drive aisle. See above.

PARKING LOT means any **lot** or part of a **lot** used to temporarily park more than five vehicles.

PARKING SPACE means a designated area intended to be used to park one vehicle, exclusive of any **driveways**, **drive aisles**, or ramps.

PARKING, BARRIER-FREE means **parking spaces** designated for use by persons with disabilities.

PARKING, COURTESY means **parking spaces** designated for use by persons who are pregnant or who have young children.

PARKING, ELECTRICAL VEHICLE (EV) means **parking spaces** designated for use by electric vehicles.

PARKING, EV CHARGING STATION means a **parking space** equipped with electric vehicle supply equipment that provides Level 2 electrical vehicle charging in accordance with SAE International's J1772 Standard.

PARKING, EV PREPARED means a **parking space** equipped with the necessary conductors, connectors, devices, apparatuses, fittings, and electrical supply to support Level 2 electrical vehicle charging in accordance with SAE International's J1772 Standard.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PARKING, LONG-TERM BICYCLE means bicycle parking specifically provided and equipped for use by cyclists who typically stay at a site for extended periods of time; such facilities are easy to access for a range of users, are located in a secured or controlled area, and provide protection from inclement weather.

PARKING, SHORT-TERM BICYCLE means bicycle parking specifically provided and equipped for use by cyclists who typically stay at a site for short periods of time; such facilities are readily visible and accessible for a range of users and are located within 25.0 metres of the main entrance of the premises they serve.

PARKING, TANDEM means two [parking spaces](#), one behind the other, with a common or shared point of access to a [drive aisle](#), [driveway](#), [lane](#), or [highway](#).

PERSONAL SERVICES means the provision of services which are related to the care and appearance of the body or the cleaning and repair of personal effects, including the sale of goods which are ancillary to the primary personal service operation. Typical uses include but are not limited to barber shops, hairdressers, tattoo parlours, manicurists, estheticians, tailors, shoe repair shops, dry cleaning establishments, and laundromats, but specifically excludes [health services](#).

PLANT NURSERY means premises used for the growing, harvesting, display, and [wholesale or retail sale](#) of plants, trees, sod, and similar plant materials, including the sale of goods which are ancillary to the primary nursery operation, but specifically excludes the production or sale of cannabis products.

Commented [KA8]: Previously missed hyperlinks

PRODUCTION FACILITY, ALCOHOL means premises licensed under the *Liquor Control and Licensing Act* to produce, package, store, and distribute wine, beer, or spirits, and may include ancillary [retail sales](#), tours, tastings, or food and beverage service.

PRODUCTION FACILITY, CANNABIS means premises licensed under the *Cannabis Act* to grow, process, test, package, store, distribute, and destroy cannabis or cannabis-related products, but specifically excludes [cannabis retail](#).

PRODUCTION FACILITY, FOOD means [premises used to process, package, store, and distribute agricultural products, including animal products and byproducts, but specifically excluding cannabis or cannabis-related products, and may include ancillary sales of such products.](#)

Commented [KA9]: Added to define this permitted use that is proposed to be added to the Industry zones to implement OCP policy to permit food processing and post-production facilities in those zones.

PROFESSIONAL SERVICES, INTERNAL-FACING means the provision of technical, management, administrative, consulting, or financial services which do not include the servicing and repair of goods, the manufacturing or handling of a product, or on-site [retail sales](#), and where the provision of such services could function without directly servicing clients or customers entering the

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 5 GENERAL REGULATIONS

5.1 Uses Permitted in All Zones

- (1) The following uses, buildings, and structures are permitted in all zones
- (a) parks, open space, community gardens, multi-use trails, and ecological reserves;
 - (b) short- and long-term bicycle parking;
 - (c) renewable energy apparatuses; and
 - (d) telecommunication towers and wires, traffic control devices, free-standing lightning poles, flag poles, and clock towers.

5.2 Uses Prohibited in All Zones

- (1) The following uses, buildings, and structures are prohibited in all zones:
- (a) a track for the racing of motor vehicles;
 - (b) data centres; ~~and~~
 - (c) drive through facilities; ~~and-~~
 - (d) water and beverage bottling except where the source is the municipal water supply supplied directly to the property on which the bottling is taking place.

Commented [KA10]: This prohibition appeared in the previous Zoning Bylaw but was inadvertently omitted from the new bylaw. It is based on a 2020 Council resolution adopted in response to concerns about groundwater overuse in the Comox Valley.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

5.3 Development Standards

5.3.1 Setbacks

(1) Where a zone establishes minimum setback regulations, no building or structure within that zone shall be placed, erected, constructed, sunk into, re-constructed, altered, or enlarged nearer to the lot line than the distance specified.

(a) Despite Section 5.3.1(1), where a dwelling unit is located within the rear portion of a lot and does not have year-round rear lane access by a lane that is wider than 6.0 metres:

- i. a 1.5-metre-wide emergency access aisle, clear of any buildings, structures, retaining walls, and other such obstructions must be provided between the front lot line and the dwelling unit; and
- ii. fences erected within the emergency access aisle must be passable at all times via 1.5-metre-wide fence gate.

(2) For certainty, all portions of a building or structure, whether located above or below finished grade, are subject to all setbacks for the zone in which it is located.

Commented [KA11]: This provision was in the previous Zoning Bylaw but was inadvertently omitted. The 1.5 m clear emergency access is essential for fire fighting and easy access by paramedics.

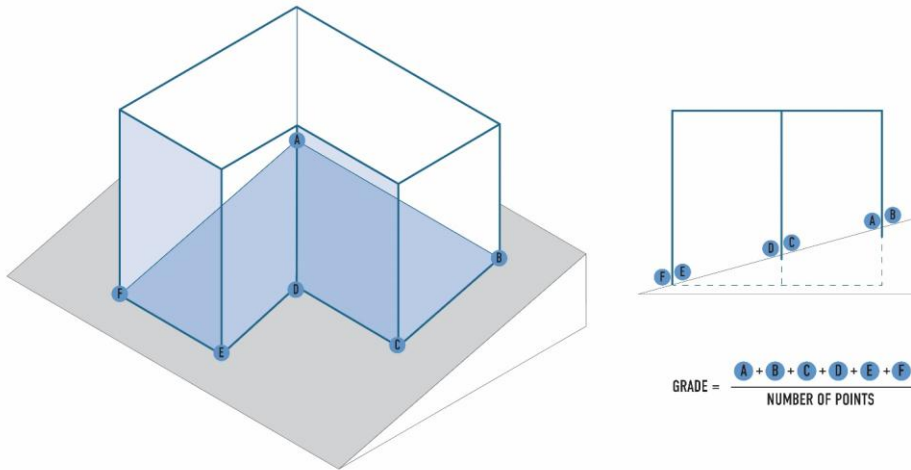
5.3.2 Height

(3) For the purposes of calculating height, grade shall be measured by averaging the elevation at any point at which the corner of a building or structure comes into contact with the surface of a lot, excluding any artificial mounds of earth or rocks placed at or near the face the building or structure, and excluding the minimum window well width and depth required by the British Columbia Building Code.

Commented [KA12]: Added for navigational purposes.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Figure 5-1. Calculating Grade



- (4) Where a zone establishes maximum height regulations, no building or structure within that zone shall be placed, erected, constructed, sunk into, re-constructed, altered, or enlarged such that it exceeds the height specified.
- (5) ~~Despite any other provision of this Bylaw, heating, ventilation and air conditioning equipment must be located to minimize their impact on adjacent dwelling units by avoiding proximity to windows and doors.~~

Commented [KA13]: "Proximity" is open to interpretation and therefore this regulation is not enforceable as written. Table 7.3(1) includes screening requirements for HVAC equipment to reduce impact on neighbours.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

5.4 Exemptions from Development Regulations

Table 5.4(1) Exemptions from Development Regulations					
E = exempt -- = not exempt					
Exemptible Features	Setbacks	Height	GFA	FAR	Lot Coverage
Accessory buildings and structures	--	--	--	--	E ¹
Arbours, trellises, and pergolas	n/a	--	n/a	n/a	E
Areas used to house a building's mechanical and electrical systems	--	E ²	--	E	--
Areas used to provide service access to a building	--	--	--	E	--
Bay windows, chimneys, headers, pilasters, and sills	E ³	E ⁴	--	--	E ⁵
Belfries, domes, and spires	--	E ²	--	--	--
Breezeways	--	--	E	E	--
Carports	--	--	E	E	--
Common amenity areas including storage, laundry, recreational, and end-of-trip facilities	--	--	--	E	--
Courtyards, patios, sidewalks, and other hard surfacing	n/a	n/a	n/a	n/a	E
Cornices, eaves, and gutters	E ⁶	--	n/a	n/a	E ⁵
Cranes	--	E ²	n/a	n/a	n/a
Enclosed areas used to accommodate required parking areas, including ramps for vehicular access/egress ⁷	--	--	E	E	--
Exterior features used to facilitate barrier-free access to a building or structure in accordance with the BC Building Code	E ⁷⁸	E ²	E	E	E
Exterior stairs	E ⁸⁹	E ⁹¹⁰	E	E	E

Commented [KA14]: Amendment to clarify that only required parking areas are exempt and addition of condition to clarify that this includes garages.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 5.4(1) Exemptions from Development Regulations

E = exempt
 -- = not exempt

Exemptible Features	Setbacks	Height	GFA	FAR	Lot Coverage
Farm stands	E	--	E	E	--
Fences and retaining walls	E	--	n/a	n/a	n/a
Flagpoles	n/a	E ²	n/a	n/a	n/a
Guardrails	n/a	E	n/a	n/a	n/a
Landscaping	E	--	n/a	n/a	n/a
Renewable energy apparatuses	--	E ²	n/a	n/a	--
Shared corridors, stairs, and elevator shafts	--	E 1011	--	E	--
Stair and hose towers	--	E ²	--	E	--
Telecommunications towers	--	E ²	n/a	n/a	n/a
Uncovered driveways, manoeuvring drive aisles, and parking and loading spaces	E	n/a	n/a	n/a	E
Unenclosed balconies, decks, porches, and verandas	--	--	E	E	E 1112
Water towers or other such reservoirs	--	E	n/a	n/a	E

Commented [KA15]: Changed as manoeuvring aisle was deleted from the definitions.

CONDITIONS [Table 5.4(1)]:

- ¹ One accessory building having less than 10.0 square metres of floor area may be exempt from the calculation of lot coverage.
- ² Such features are permitted to exceed the height regulations of this Bylaw up to an overall maximum height of 18.0 metres.
- ³ Bay windows, chimneys, headers, pilasters, and sills are permitted to project 0.6 metres into a required yard, provided such features do not exceed 40% of the length of each building frontage, per storey.
- ⁴ Chimneys are permitted to exceed the height regulations of this Bylaw up to an overall maximum height of 18.0 metres.
- ⁵ To be exempt from the calculation of lot coverage, bay windows, chimneys, headers, pilasters, sills, cornices, eaves cannot extend to grade level.
- ⁶ Cornices, eaves, and gutters are permitted to project 0.6 metres into a required yard.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 5.4(1) Exemptions from Development Regulations

E = exempt

-- = not exempt

Exemptible Features	Setbacks	Height	GFA	FAR	Lot Coverage
2					<u>Includes garages, underground parkades, and any other such enclosed parking structure used to accommodate required parking areas.</u>
7.8					Exterior features used to facilitate barrier-free access to a building or structure in accordance with the BC Building Code are permitted within a required yard, provided such features are sited no closer than 0.3 metres to any lot line.
8.9					Exterior stairs are permitted within a required front yard, exterior side yard, or rear yard.
9.10					Exterior stairs are permitted to exceed the height regulations of this Bylaw, provided such stairs are required to facilitate rooftop access.
11.9					Elevator shafts and their associated enclosures are permitted to exceed the height regulations of this Bylaw up to a maximum height of 18.0 metres.
4+12					To be exempt from the calculation of lot coverage, unenclosed balconies, decks, porches, and verandas must be at least 1.0 metre above finished grade and cantilevered.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 6.4(2) Home Occupation Regulations

Criteria	Minor	Standard	Major	Accommodation	
				Bed and Breakfast	Short-Term Rental
Licencing Requirements	All home occupations must have a valid business licence issued by the Village of Cumberland.				
Location	Must be conducted entirely within a dwelling unit. ¹	Must be conducted within a dwelling unit or accessory building.		Must be conducted entirely within a dwelling unit.	Must be conducted within a dwelling unit on the same lot as the dwelling unit in which the resident operator resides. ²
Maximum GFA	20.0 m ² or 25% of the GFA of all buildings on the lot, whichever is less.	50.0 m ² or 25% of the GFA of all buildings on the lot, whichever is less.	100.0 m ² or 25% of the GFA of all buildings on the lot, whichever is less.	n/a	
Use of Outdoor Spaces	Must be conducted entirely within an enclosed building or structure. ³			Side and rear yards may be used by guests of the accommodation home occupation. ⁴	
Operator Restrictions	The home occupation must be operated by an individual whose principal residence is the dwelling unit associated with the home occupation.				The home occupation must be operated by an individual whose principal residence is on the same lot as the dwelling unit associated with the home occupation and the principal resident is present.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 6.4(2) Home Occupation Regulations

Criteria	Minor	Standard	Major	Accommodation	
				Bed and Breakfast	Short-Term Rental
Employee Restrictions ⁵	No non-resident employees. ¹	A maximum of one non-resident employee.	A maximum of two non-resident employees.	No non resident employees.	
Client / Guest Restrictions ⁶	One client at any given time. ¹	Two clients at any given time. ⁷		Two guests per sleeping unit, up to a maximum of two sleeping units.	Two guests per sleeping unit, up to a maximum of three sleeping units.
Nuisance Restrictions	No nuisance from noise, vibration, smoke, dust, odours, heat, glare, or electrical or radio disturbance can be produced by any home occupation, and, at all times, the privacy and enjoyment of adjacent properties must be preserved and in no instance must the home occupation adversely affect or interfere with the amenities of the surrounding neighbourhood.				
Storage Restrictions	Outdoor storage or use of containers is not permitted.				
Commercial Vehicle Restrictions	On-site parking of commercial vehicles larger than 5,500 kilograms gross vehicle weight is not permitted. ⁸				
Retail Sale Restrictions	The display and retail sale of goods is limited to goods that were produced or manufactured on-site incidentally to the home occupation, or goods produced or manufactured off-site which are directly related to the home occupation. In no instance must the display and in-person sale of goods be the primary purpose of any home occupation. For clarity, the virtual sale and distribution of goods is permitted.				
Other Restrictions	A food catering business operating lawfully within a dwelling may establish additional cooking facilities, provided the installation of such facilities is required by the Health Authority. Should the home occupation cease, the additional cooking facilities must be removed and are in no instance to be used to establish an additional dwelling.			No accommodation home occupation can be operated on the same lot as a care facility.	

Commented [KA16]: These proposed amendments are to clarify that virtual retail sales are not restricted a part of a home occupation.

Commented [KA17]: This reference is deleted because the definition of dwelling unit in this bylaw no longer limits it to a single set of cooking facilities. Further, provided the zone allows for that, the creation of an additional dwelling unit would support infill housing.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 6.4(2) Home Occupation Regulations

Criteria	Minor	Standard	Major	Accommodation	
				Bed and Breakfast	Short-Term Rental
CONDITIONS [Table 6.4(2)]:					
1	Where there are two or fewer dwelling units on a lot, a home occupation may: <ul style="list-style-type: none"> • be conducted within a dwelling unit or accessory building; • occupy 50.0 m² or 25% of the GFA of all buildings on the lot, whichever is less; • employ a maximum of one non-resident employee; and • allow for a maximum of two clients at any given time. 				
2	No more than one dwelling unit per lot shall be used for a short-term rental accommodation home occupation.				
3	The use of outdoor spaces, a side or rear yard is permitted for care facility home occupations only, subject to the screening requirements prescribed in Part 7 of this Bylaw.				
4	Guest use of outdoor space is subject to the screening requirements prescribed in Part 7 of this Bylaw.				
5	Employee restrictions are applicable only to persons who are employed in a home occupation which requires that the work be carried out in the dwelling unit or accessory building associated with the home occupation. There is no limit to the number of employees associated with a home occupation where non-resident employees work off-site.				
6	There is no limit to the number of persons permitted at any given time for a child or community care facility home occupation, provided such facility holds a valid licence from the Health Authority.				
7	A maximum of four clients are permitted at any given time for home occupations which are educational or instructional in nature, including but not limited to private music, dance, art, or tutoring classes.				
8	No home occupation must cause goods or materials to be delivered to or from the dwelling associated with the home occupation in such a quantity as to require regular or frequent delivery by a commercial vehicle.				

Commented [KA18]: This reflects the practice of existing day cares which use rear and front yards and have low chain link fencing rather than a tall solid fence. It avoids imposing fencing costs on new day care home occupations and making existing day cares legally non-conforming.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

6.5 Mobile Vending

- (1) Where expressly permitted in a zone, **mobile vending**:
- (a) must be located a minimum of 30.0 metres from any **food services** establishment, except where such establishment has provided written permission stating that the **mobile vendor** may be sited closer to its premises; and
 - (b) must be **set back** a minimum of 1.0 metre from all **lot lines**.

6.6 Refuse Disposal Facilities

- (1) Despite any other provision of this Bylaw, the following uses may not be located within 500.0 metres of a **refuse disposal facility**:

- (a) ~~dwelling units; residential~~
- (b) ~~food production facilities; and~~ ~~essing~~
- (c) ~~food services.~~

- ~~(1) Despite any other provision of this Bylaw, only the following uses may be located within 500.0 metres of a refuse disposal facility:~~

- ~~a. automotive and equipment services, industrial;~~
- ~~b. bulk fuel storage;~~
- ~~c. compost facility;~~
- ~~d. containers;~~
- ~~e. fleet services facility;~~
- ~~f. industrial, heavy;~~
- ~~g. natural resource extraction;~~
- ~~h. parking lot;~~
- ~~i. recycling facility;~~
- ~~j. sawmill;~~
- ~~k. silviculture;~~

Commented [KA19]: Listing the specific uses that are permitted within the 500 m landfill buffer could inadvertently exclude uses that may be appropriate. The amendment takes the opposite approach by not permitting certain sensitive uses. This reflects the approach taken in the provincial landfill siting guidelines.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

~~l. storage, outdoor;~~

~~m. storage, warehouse; and~~

~~n. wrecking yard.~~

6.7 Secondary Suites

- (1) Where expressly permitted in a zone, a **secondary suite** must:
 - (a) be incidental to, and integrated with, a principal **dwelling unit**, and must not be connected to the principal **dwelling unit** via **breezeway**, garage, or other such unconditioned space; and
 - (b) have its own separate entrance.
- (2) A maximum of one **secondary suite** is permitted per principal **dwelling unit**.
- (3) No **secondary suite** can be subdivided from the principal **dwelling unit** under the *Strata Property Act*.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

6.8 Urban Agriculture

Table 6.8(1) Urban Agriculture Regulations

Criteria	Small-Scale Production of Food and Farm Products	Keeping of Bees	Keeping of Poultry
Siting Restrictions	n/a	n/a	The keeping of poultry is only permitted in a rear yard.
Minimum Lot Area	n/a	550.0 m ²	n/a
Accessory Buildings and Structures	All accessory buildings or structures used for urban agriculture must conform to the setbacks for accessory buildings and structures in each zone.		
	The maximum height of any accessory building or structure used for urban agriculture is 3.5 metres.		
	The maximum gross floor area of a greenhouse is 30.0 m ² .	A maximum of two hives and two nucs are permitted per lot.	Where opaque screening is provided, a coop and associated run may be located 0.0 metres from any lot line which abuts a lot in a non-Residential zone.
		Hives must be equipped with adequate ventilation and water supply, and must be securely located to prevent accidental disturbance or damage. ¹	Where opaque screening is not provided, a coop and associated run must be setback a minimum of 1.5 metres from all lot lines.
All hives must be setback a minimum of 6.0 metres from all sidewalks, highways, and any lot line which abuts a lot in a Residential or Public Use zone.		A coop and associated run must be set back a minimum of 4.5 metres from any lot line which abuts a lot in a Residential zone.	

Commented [KA20]: This change provides clarity as to the applicability of the restriction.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 6.8(1) Urban Agriculture Regulations

Criteria	Small-Scale Production of Food and Farm Products	Keeping of Bees	Keeping of Poultry
Composting	On-site composting must not utilize any mechanized process, and must consist only of plant matter, plant-based materials, or animal manure. ²		
	Where opaque screening is provided, on-site compost receptacles may be located 0.0 metres from any lot line.		
	Where opaque screening is not provided, on-site compost receptacles must be located at least 3.0 metres from any lot line.		
Food Processing Restrictions	Processing of agricultural food products (including animal products or byproducts) produced on-site is prohibited unless in conjunction with an authorized home occupation. ³		
Nuisance Restrictions	No nuisance from noise, vibration, smoke, dust, odours, vermin, or visual disturbance can be produced by any urban agriculture activity, and, at all times, the privacy and enjoyment of adjacent properties must be preserved and in no instance must urban agriculture adversely affect or interfere with the amenities of the surrounding neighbourhood.		
Retail Sale Restrictions	The display and retail sale of goods via farm stand is limited to crops or farm products produced on-site.	The sale of honey and other products associated with the keeping of bees must be limited to products produced on-site.	The sale of eggs, manure, and other products associated with the keeping of poultry is limited to products produced on-site.
	The maximum floor area of a farm stand is 5.0 square metres.		
Storage Restrictions	No outdoor storage or use of containers are be permitted.		
Other Restrictions	n/a	n/a	A maximum of six female birds and zero male birds are permitted per lot.

Commented [KA21]: Food is replaced with "agricultural" and the clarification is added that animal products and byproducts are also included to capture a broader range of uses. Depending on the nuisance odours they may produce, processing of animal products or byproducts can be denied when a home occupation application is reviewed by the Village.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 6.8(1) Urban Agriculture Regulations

Criteria	Small-Scale Production of Food and Farm Products	Keeping of Bees	Keeping of Poultry
CONDITIONS [Table 6.8(1)]:			
<p>1 A “flyway barrier” comprised of a solid fence or dense hedge which is a minimum of 1.8 metres in height, must be placed, within 1.5 metres of the hive, along the side of the hive containing the hive’s entrance. The flyway barrier must extend 0.6 metres on either side of the hive. Where all hives are set back a minimum of 7.6 metres from all lot lines, or are located on a porch, balcony, or rooftop which is a minimum of 3.0 metres above finished grade and setback 1.5 metres from all lot lines, no flyway barrier is required.</p> <p>2 Manure may be kept on-site in an enclosed receptacle, up to a maximum of 3.0 square metres. All manure must be disposed of at an appropriate refuse disposal facility.</p> <p>3 On-site slaughter of poultry is prohibited. Any deceased poultry must be disposed of at an appropriate refuse disposal facility or through the services of a veterinarian.</p>			

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 7 LANDSCAPING AND SCREENING

7.1 General

- (1) Landscaping and screening regulations, including provisions for fencing, retaining walls, and visual clearance at intersections, are intended to:
 - (a) ensure a reasonable standard of livability, aesthetic, and placement of landscaping;
 - (b) protect and strengthen the Village’s urban tree canopy;
 - (c) support a healthy and resilient environment through microclimate stabilization, improved on-site stormwater management, and habitat protection and enhancement in support of increased biodiversity; and
 - (d) mask or separate incompatible land uses.
- (2) All required landscaping and landscape screen installations, including associated irrigation, must meet or exceed the Canadian Landscape Standard (CLS).
- (3) All required landscaping and landscape screen installations must be regularly maintained by property owners to meet or exceed the Canadian Landscape Standard throughout the year.
 - (a) Required landscaping maintenance for plant material must include watering, mulching, pruning, fertilizing, liming, and tree support, as well as weed, pest, and disease control.
 - (b) Required landscaping maintenance for lawn and grass areas must include mowing, trimming, edging, aeration, and repairs such as regrading, reseeding, resodding, as well as weed, pest, and disease control.
 - (c) Required maintenance for non-vegetative landscape screens includes structural repairs or replacements, aesthetic improvements such as painting or refinishing, and clearing of litter and other such debris.
- (4) All required landscaping installations must consider the Village of Cumberland’s Urban Forest Management Plan for species recommendations and planting guidelines.

Commented [KA22]: Language added to require maintenance to apply to both landscaping and landscape screens.

Commented [KA23]: Added to capture landscape screens that are made from human-made materials, rather than plants, in the maintenance requirement. The maintenance requirement assists with enforcement if a property were to develop into a nuisance property.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

7.2 Landscaping Requirements

- (1) ~~The landscaping requirements prescribed in Table 7.2(4) and Table 7.2(5) are only applicable to development comprising one or more new dwelling units, including the demolition and replacement of one or more existing dwelling units.~~
- (1) Erosion control and protection measures must be used during all on-site construction to prevent the pollution, degradation, or siltation of natural areas, including vegetation and water-courses.
- (2) Where construction works are proposed within 10.0 metres of an existing tree that is to be retained to meet the requirements prescribed in Table 7.2(3), temporary protective fencing must be erected around the dripline of the tree or ~~along the perimeter of a circle having a radius which is calculated by multiplying the at a minimum radius equal to 1.0 metre for every 1.0 centimetre of trunk diameter measured from 1.37 metres above natural grade by 12, whichever is greater.~~
- (a) Temporary protective fencing must remain in place for the duration of construction and must be clearly marked and maintained to prevent damage to the trunk, roots, and canopy of the tree.

Commented [KA24]: Proposed amendments further down in this section mean that requirements in tables 7.2(4) and 7.2(5) apply to different numbers or combinations of dwelling units. These are now captured in the tables.

Commented [KA25]: The previous calculation resulted in very large setbacks, far beyond the dripline of trees. The revised wording is based on the wording in the Village's draft tree protection bylaw and results in appropriate setbacks.

Table 7.2(3) Landscaping Regulations - Trees

Criteria	Residential Zones	All Other Zones
Minimum Number of Trees 4,2	<p>≤ Three Dwelling Units: 1 tree per dwelling unit ^{1,2}</p> <p>≥ Four Dwelling Units: 1 tree per 10.0 linear metres of landscape area ^{1,2,3,4}</p>	1 tree per 10.0 linear metres of landscape area ^{3*}
	A minimum of one tree is required per lot.	
Minimum Tree Size ⁴	<p>Small Tree: expected mature canopy diameter of less than 65.0 metres</p> <p>Medium Tree: expected mature canopy diameter of 65.0 metres to 108.0 metres</p> <p>Large Tree: expected mature canopy diameter of greater than 810.0 metres</p>	
Minimum Tree Size Ratio	<p>Small Tree: maximum 25% of required trees</p> <p>Medium Tree: n/a</p> <p>Large Tree: minimum 50% of required trees</p> <p>Where only one tree is required, such tree it must be a large tree. ^{6,4} or conifer, two medium trees or, where the canopy cover cannot be accommodated within the open space on the lot, three small trees.</p>	
Minimum Deciduous Tree Caliper	<p>Small Tree: 3.0 cm</p> <p>Medium Tree: 4.0 cm</p> <p>Large Tree: 5.0 cm</p>	

Commented [KA26]: The reduction in canopy diameters by 1.0 to 2.0 metres is to make it easier to meet the requirements on lots with little open space.

Commented [KA27]: The option for a conifer is inconsistent with FireSmart practices for homes. The option to plant two medium or three small trees instead of a large tree is added to provide more flexibility and account for different lot layouts

Commented [KA28]: Row deleted. The caliper sizes are challenging to implement with the reduced minimum tree height proposed below. Further, having two separate measurements, caliper size and tree height, makes it challenging to find a tree that fits both requirements.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 7.2(31) Landscaping Regulations - Trees

Criteria	Residential Zones	All Other Zones	
	At the time of planting, the minimum vertical distance between grade and the tree's lowest limb must be 1.5 metres for all deciduous trees;		
Minimum Coniferous Tree Height	1.4-1.5 m		
Minimum Soil Volume Per Tree		Single Tree	Shared ^{4Z}
	Small Tree	15.0 m ³	10.0 m ³
	Medium Tree	18.0 m ³	12.0 m ³
	Large Tree	20.0 m ³	15.0 m ³
Minimum Setback from Buildings or Structures	<p>Small Tree: 1.0 metre radius from centre of the tree</p> <p>Medium Tree: 2.0 metre radius from centre of the tree, depending on expected mature canopy diameter at maturity.</p> <p>Large Tree: 3.0 metre radius from centre of the tree</p>		
Tree Spacing	Minimum tree spacing must be based on site requirements for sightlines, accessibility, and standard planting practices for the selected tree species.		
Overhead Interference	Required trees must be planted where overhead electrical power lines or other such objects will not interfere with their growth.		
Exemptions	For development comprised of two or more dwelling units, required trees may be accommodated within an irrigated boulevard, subject to written consent agreement from the Village.	Required trees may be accommodated within an irrigated boulevard, subject to written consent agreement from the Village.	

Commented [KA29]: Deleted since the minimum tree height is proposed to be reduced to 1.4 m and, the requirement for the lowest limb to be 1.5 m no longer makes sense.

Commented [KA30]: This requirement is to apply to all tree types. The reduction in minimum height recognizes that tall trees are difficult to find in local nurseries and the taller the tree, the greater the transplant shock. The reduced height minimum increases the chance of start-up success for the tree. 1.4 m aligns Cumberland's requirement with that of the Town of Comox.

Commented [KA31]: This clarifies that the consent cannot be just verbal.

Commented [KA32]: The condition exempts secondary suites to reduce barriers to building new or converting existing space for a suite.

Commented [KA33]: Medium crossed out to reduce confusion of what might apply. Columnar, fastigate or dwarf cultivars canopy sizes are generally comparable to those of "small trees" as defined in the table above in the row titled "Minimum Tree Size". The second part of the sentence provides for consideration of them being comparable to a different tree canopy size if demonstrated.

CONDITIONS [Table 7.2(43)]:

- ¹ Landscaping requirements do not apply to the replacement or addition of a secondary suite.
- ² The minimum number of trees is inclusive of any existing trees on the lot that are to be retained, provided such trees meet all other landscaping regulations.
- ³ The linear metre calculation is used to determine the minimum number of trees to be planted on the lot.
- ⁴ Tree size must be determined based on the expected mature canopy spread under local growing conditions, as classified in the Species Recommendations included in the Village's Urban Forest Management Plan, planting plan, nursery tag, or published species information from a reputable source (e.g., BC Landscape & Nursery Association or Canadian Landscape Standard plant database). All columnar, fastigate, or dwarf cultivars are considered small ~~or medium~~ trees,

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 7.2(31) Landscaping Regulations - Trees		
Criteria	Residential Zones	All Other Zones
	regardless of their height, unless otherwise demonstrated through nursery specifications or arborist verification.	
54	Soil volume may be shared amongst multiple plantings (trees, shrubs, etc.), provided continuous growing medium can be reached by the roots of such plantings.	

Table 7.2(32) Landscaping Regulations – All Other Requirements		
Criteria	Residential Zones ¹	All Other Zones
Minimum Planting Requirements for Landscape Areas ²	75% of all landscape areas must be planted with soft-landscaping elements. ³	75% of all landscape areas must be planted with soft-landscaping elements. ^{3, 4, 5}
Minimum Planting Requirements for Tiered Retaining Walls	100% of the horizontal area between each tier of a retaining wall must be planted with soft-landscaping elements.	
Minimum Landscaping for Parking Areas	Parking Areas that Accommodate < 15 Vehicles: n/a Parking Areas that Accommodate ≥ 15 Vehicles: a contiguous, 1.5 metre wide landscape buffer planted with soft-landscaping elements shall be provided between the parking area and any abutting highways	
	A minimum of one tree must be included in a landscape island. ^{6, 5}	
	The maximum number of consecutive parking spaces is 15. A landscape buffer or drive aisle must separate the next 15 parking spaces.	
	Landscape buffers must be clearly delineated as separate and in addition to required parking and loading spaces.	
Irrigation	Landscape buffers must be located such that loading and unloading vehicles can access the site without interference.	
	All required landscaping installations must be equipped with a permanent, fully automatic, low-water requirement irrigation system. ^{7, 6}	
Outdoor Lighting	Run-off onto sidewalks, highways, or parking and loading areas is not permitted.	
	Flashing or blinking exterior lighting is not permitted.	

Commented [KA34]: Condition footnote added to identify in what instances the regulations in this column apply. Other footnotes renumbered.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 7.2(42) Landscaping Regulations – All Other Requirements		
Criteria	Residential Zones ¹	All Other Zones
	All direct or ambient lighting must have a DarkSky seal and be directed or shielded to ensure direct light rays do not shine beyond the boundaries of the lot.	
CONDITIONS [Table 7.2(52)]:		
¹	Landscaping requirements are only applicable to development comprising four or more dwelling units on a lot, including the replacement of existing dwelling units. Landscaping requirements do not apply to the development of a new coach house, or a new secondary suite within an existing building.	
²	Electrical transformers and driveways sited within the landscape area can be excluded from the total landscape area measurement used to calculate the minimum requirements for soft-landscaping elements.	
³	There are no planting requirements for landscape areas on lots where large trees have been planted in the boulevard.	
⁴	There are no planting requirements for landscape areas on lots where required trees have been wholly accommodated within the boulevard.	
³⁴	For lots abutting the Inland Island Highway, a landscape area comprising the first 30.0 metres from the lot line abutting the Inland Island Highway must be 100% planted with soft-landscaping elements.	
⁴⁵	For lots abutting Minto Road Memorial Way, a landscape area comprising the first 10.0 metres from the lot line abutting Minto Road Memorial Way must be 100% planted with soft-landscaping elements.	
⁵⁶	The minimum number of trees required within parking islands is in addition to the minimum number of trees required for all development. Where applicable, trees in adjacent parking islands may share soil volume with an adjacent landscape area to meet the minimum trenched/shared soil volume amounts, provided no tree is counted twice when determining whether the overall tree requirements of a lot have been achieved.	
⁶⁷	Areas of existing, undisturbed, native vegetation which wholly or partially achieve the landscaping requirements, as well as areas specifically designed as xeriscape or with drought resistant native species planting are exempt from requiring a permanent, fully automatic, low-water requirement irrigation system, provided the applicant demonstrates how the vegetation will be established and maintained.	

Commented [KA34]: Condition footnote added to identify in what instances the regulations in this column apply. Other footnotes renumbered.

Commented [KA35]: This limits landscaping requirements to four-unit infill development and multi-residential development. The Village is generally not experiencing problems with a lack of landscaping on lower density residential properties. Having too many requirements can result in variance applications, especially when lots are small or lot configurations are unusual.

Commented [KA36]: Deleted as these two regulations duplicate the Exemption in Table 7.2(3) Landscaping Regulations – Trees.

Commented [KA37]: Correction of the road name.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

7.3 Landscape Screens

Table 7.3(1) Landscape Screen Standards		
Type	Minimum Height	Maximum Height
Existing vegetation which provides a complete and permanent visual screen	2.0 m	n/a
Continuous row of native, drought tolerant plants	2.0 m [‡]	n/a
Solid, opaque fence or brick or stone wall	1.8 m	2.0 m
CONDITIONS [Table 7.3(1)]:		
‡ The minimum height at the time of planting is 1.0 metres.		

Commented [KA38]: Table moved below the primary regulatory table and edited to show different requirements for Industry zones.

~~(2)~~ All required landscape screens must be regularly maintained by property owners to ensure a healthy, neat, and orderly appearance throughout the year.

~~(a)~~ Required maintenance for vegetative landscape screens includes watering, fertilizing, liming, pruning, and removal of dead or diseased plant material, as well as weed, pest, and disease control.

~~(b)~~ Required maintenance for non-vegetative landscape screens includes structural repairs or replacements, aesthetic improvements such as painting or refinishing, and clearing of litter and other such debris.

Commented [KA39]: Deleted. Landscape screen maintenance requirements have been added instead under 7.1 General Requirements above.

~~(31)~~ Except where otherwise specified in this Bylaw, all required landscape screens must be continuous except to accommodate access/egress to or from the screened area.

~~(42)~~ No landscape screen in any zone other than the Industrial Refuse (R-3) zone can be comprised of or contain barbed wire, razor wire, electrified wire, sheet metal, or plywood.

Table 7.3(5) Landscape Screen Regulations Requirements			
Criteria or Use	Residential Zones	Industry Zones	All Other Zones
Adjacent Zones	-	A fence must be provided along all lot lines that abut a lot in a non-Industry zone.	-
	Where there is more than one detached dwelling		

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 7.3(51) Landscape Screen Regulations Requirements

Criteria or Use	Residential Zones	Industry Zones	All Other Zones
Detached Dwelling Units	<u>unit on a lot, and where a detached dwelling unit is located within 4.5 metres of any lot line abutting a lot in a Residential zone, a landscape screen must be provided along such lot line.</u>	n/a	n/a
	A landscape screen must be provided along all rear and interior side lot lines. ⁴		
	Receptacles used for waste management must be screened from adjacent properties. ⁴		
≥ Four new Dwelling Units	A landscape screen must be provided along all rear and interior side lot lines.	n/a	n/a
	Receptacles used for waste management must be screened from adjacent properties.		
Bulk Fuel Storage	n/a	A fence must be provided around all yards used for bulk fuel storage.	n/a
Care Facilities	A landscape screen must be provided around all rear and side yards used for a care facility.	n/a	A landscape screen must be provided around all rear and side yards used for a care facility that abuts a lot in a Residential zone.
Home Occupations	A landscape screen must be provided around all rear or side yards used for an accommodation home occupation.	n/a	n/a
Heating, Ventilation and	Where HVAC equipment is located within 3.0 to 10.0 metres of a lot line, a landscape screen must be provided around the equipment to attenuate the noise		

Commented [KA40]: Changed to correspond to the screening requirement for accessory dwelling units in the previous Zoning Bylaw.

Commented [KA41]: This applies the landscape screen requirements to infill consisting of four units and to multi-unit residential development. This puts the onus for screening on the developer of higher density developments.

Commented [KA42]: Deleted this requirement to reflect current practice in Cumberland of not having a solid screen around daycares. Daycares are regulated by Island Health, including fencing. Currently Island Health does not require a solid fence. See-through fencing promotes social interaction and supports mental health. Solid fencing requirements would also impose considerable costs on new daycares.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Criteria or Use	Residential Zones	Industry Zones	All Other Zones
Air Conditioning (HVAC) Equipment	emanating from the equipment. A landscape screen must be provided around any heating, ventilation, and air conditioning equipment located within 3.0 metres of a window or door of a dwelling unit on an adjacent lot.		
Outdoor Storage	n/a		A landscape screen must be provided around all yards used for outdoor storage.
Wrecking Yards	n/a	A fence must be provided around all wrecking yards.	n/a

CONDITIONS [Table 7.3(51)]:

¹ Screening requirements only apply where there are two or more detached dwelling units on a lot.

² Screening requirements only apply where there are three or more attached dwelling units on a lot.

Commented [KA43]: Changed for a more consistent approach to reduce the visual impact of heat pumps and attenuate the hum of the pump. The previous requirement did not account for some buildings going in earlier than others in a new subdivision or buildings being replaced or renovated and locations of windows and doors potentially changing.

Commented [KA44]: Industry is exempted from the solid screening requirement. Equipment storage is commonly behind tall chainlink fences that are difficult to break into. A see-through chainlink fence provides better security, as passerbys can see any intruders. Residential is also exempted since other sections in the Zoning Bylaw restrict outdoor storage. For multi-unit residential, this is regulated in the Development Permit Area guidelines.

Commented [KA45]: No longer required due to proposed amendments within the table which specifies the types of new dwellings that are required to put in landscape screens.

Commented [KA46]: This was moved below the previous table as it is sub-ordinate to the regulations. Separate requirements have been added for Industry zones to be consistent with permitted fence heights in those zones.

Type	Industry Zones		All Other Zones	
	Minimum Height	Maximum Height	Minimum Height	Maximum Height
Existing vegetation which provides a complete permanent visual screen	2.0 m	n/a	2.0 m	n/a
Continuous row of native, drought-tolerant plants	2.0 m ²	n/a	2.0 m ²	n/a
Solid, opaque fence or brick or stone wall ³	2.5 m	3.5 m	1.8 ⁴	2.0 m

CONDITIONS [Table 7.3(24)]:

¹ Except where otherwise specified in this Bylaw, all required landscape screens shall be continuous except to accommodate access/egress to or from the screened area.

² The minimum height at the time of planting is 1.0 metres.

³ No landscape screen in any zone other than the Industrial Refuse (I-3) zone can be comprised of or contain barbed wire, razor wire, sheet metal, or plywood.

⁴ The minimum height is 2.5 metres for landscape screens in an Industry zone.

⁵ The maximum height is 3.5 metres for landscape screens in an Industry zone.

Commented [KA47]: Moved under Conditions from the section below.

Commented [KA48]: Moved under conditions from the section below.

Commented [KA49]: Moved into the table as a separate column to make it easier to see at first glance that there are separate regulations for Industry zones.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

- (3) ~~No landscape screen in any zone other than the Industrial Refuse (I-3) zone can be comprised of or contain barbed wire, razor wire, electrified wire, sheet metal, or plywood.~~
- (4) ~~Except where otherwise specified in this Bylaw, all required landscape screens must be continuous except to accommodate access/egress to or from the screened area.~~

7.4 Fence

- (1) ~~Despite any other regulation in this Bylaw, no fence shall exceed the maximum fence height regulation prescribed in this section.~~
- (2) The height of a fence is determined by measuring the vertical distance between the highest point of the fence and finished grade, and, where such fence is constructed on top of a retaining wall, must include the height of such retaining wall (see Figure 7-1).

Commented [KA50]: Created a separate section on fences to avoid giving the impression that fences are a required landscape screen. The minimum and maximum fence heights apply where owners want to, but do not have to install fences.

Commented [KA51]: Added for clarification.

7-1. Fence Height

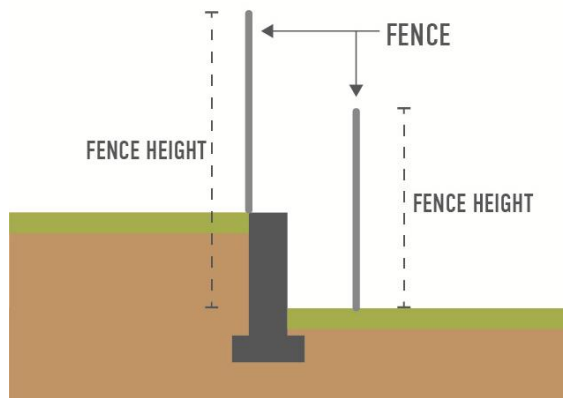


Table 7.34 (37) Fence Standards-Heights ¹

Zone(s)		Minimum Fence Height	Maximum Fence Height ²
Residential and Mixed-Use	Front Yard	-	1.2 m [±]
	All Other Yards	-	2.0 m [±]
Rural and Public Use	All Yards	-	2.0 m [±]
Industry	All Yards	2.5 m	3.5 m [±]
Interchange	All Yards	-	2.0 m [±]

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

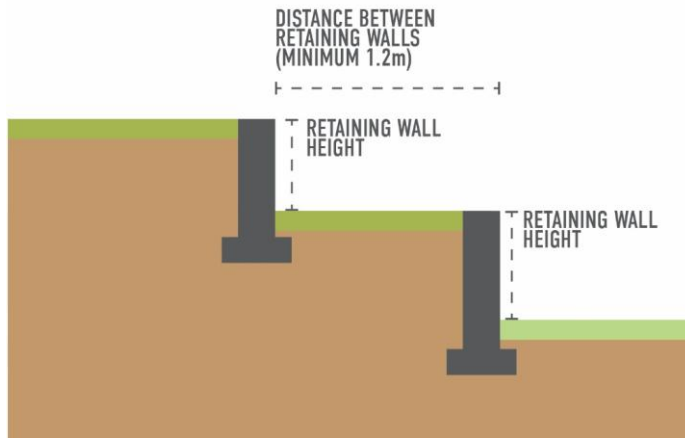
Table 7.34 (3) Fence Standards-Heights ¹		
Zone(s)	Minimum Fence Height	Maximum Fence Height ²
<p>CONDITIONS [Table 7.4(3)]:</p> <p>⁺¹ No fence in any zone other than the Industrial Refuse (I-3) zone can be comprised of or contain barbed wire, razor wire, sheet metal, or plywood.</p> <p>² The maximum height of a fence erected on a lot which abuts a neighbouring lot where the finished grade is higher than that of subject lot, is 3.0 metres, provided the fence does not protrude more than 2.0 metres above the finished grade of the neighbouring lot (see Figure 7-1).</p>		

Commented [KA52]: Clarification added.

7.45 Retaining Walls

- (1) The height of a retaining wall is determined by measuring the vertical distance between the highest point of the retaining wall and finished grade on the lower side (see Figure 7-2).

7-2. Retaining Walls



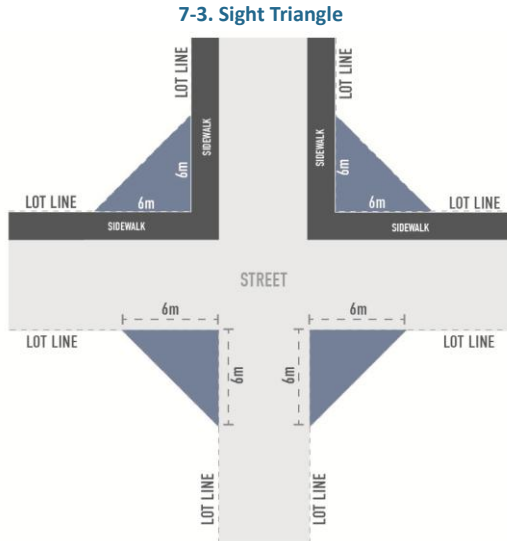
- (2) No retaining wall can exceed 1.2 metres, except as required as a condition of subdivision approval or development permit or where constructed in accordance with a professional design by a qualified professional engineer, up to a maximum height of 3.0 metres.
- (3) The maximum height of a retaining wall erected on a lot which abuts a neighbouring lot where the finished grade is higher than that of subject lot must not exceed 2.0 metres above the finished grade of the neighbouring lot.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

- (4) No retaining wall exceeding 1.2 metres in height can be sited within 1.2 metres measured horizontally from another retaining wall.
- (5) The maximum number of retaining wall tiers that may be constructed without a professional design by a professional engineer is two, up to a maximum total height of 2.4 metres.
- (6) The maximum number of retaining wall tiers that may be constructed with a professional design by a professional engineer is two, up to a maximum total height of 3.0 metres.
- (7) Retaining walls constructed using lock blocks are permitted in all zones, provided:
 - (a) the retaining wall does not exceed 1.2 metres in height; and
 - (b) the retaining wall is not located within an exterior side yard.

7.56 Visual Clearance at Intersections

- (1) On any corner lot, no building, structure, fence, retaining wall, landscaping, screening, or other such object can be placed, planted, erected, sunk into, or constructed within the area formed by measuring 6.0 metres along the edge of the two adjoining property boundaries from the point of highway intersection and joining these points on the diagonal, as illustrated in Figure 7-3.



1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 8 SIGNAGE

8.1 Third Party Signs

- (1) **Third party advertising signs** of any type, with the exception of public service and community announcements where signage is otherwise permitted, are not permitted on any **lot** or **structure**.

8.2 Home Occupation Signs

- (1) The regulations in this section apply to all **signs** associated with a **home occupation**.
- (a) maximum number of **signs** per **home occupation**: 1
- (b) a minor, standard, or major **home occupation sign** is subject to the following regulations:
- i. must only be in the physical form of a **fascia sign**, a **freestanding sign**, or a **sign** attached to a **fence**;
 - ii. must only be permitted for a **home occupation** holding a valid business licence;
 - iii. maximum **sign area** must not exceed 1.5 square metres; and
 - iv. maximum **height** of a **freestanding sign** must not exceed 1.5 metres.
- (c) an accommodation **home occupation** must have one **sign** with the name of the accommodation **home occupation** and contact information for the operator posted on or adjacent to the **dwelling unit** where the accommodation **home occupation** is located, subject to the following regulations:
- i. must only be in the physical form of a hanging sign, **fascia sign**, painted wall sign, or a **freestanding sign**;
 - ii. is only permitted for a **bed and breakfast accommodation** or **short-term rental accommodation home occupation** holding a valid business licence;
 - iii. maximum **sign area** must not exceed 1.5 square metres;
 - iv. maximum **height** of a **freestanding sign** must not exceed 1.5 metres; and
 - v. any **sign** illumination must be exterior, from the front, and downcast.

8.3 All Other Signs

- (1) The regulations in this section apply to all **signs** located on **lot** not in a **Residential** zone.
- (a) **Signs** pertaining to the commercial component(s) of a mixed-use development must only be located on those portions of the **lot** and building that contain the commercial component.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

(b) The following sign types are permitted, up to a combined maximum of two signs per business:

- i. one fascia sign, subject to the following regulations:
 - a. maximum sign area must not exceed 0.5 square metres per linear metres/feet of wall length of the business frontage to which the sign is affixed;
 - b. must have a minimum clearance of 2.4 metres if projection is more than ~~80~~77.0 millimetres from the façade;
 - c. must not project more than 0.3 metres from the face of the wall; and
 - d. the sign must only be located on the wall of the building containing the business premises to which the sign refers.
- ii. one awning sign, subject to the following regulations:
 - a. maximum sign area must not exceed 2.0 square metres;
 - b. must not project more than 77.0 millimetres from the surface of the awning; and
 - c. minimum vertical clearance of an awning from the nearest finished grade must be 2.4 metres.
- iii. one canopy sign, subject to the following regulations:
 - a. maximum sign area must not exceed 2.0 square metres.
- iv. one hanging sign, subject to the following regulations:
 - a. maximum sign area must not exceed 2.0 square metres;
 - b. minimum clearance must not be less than 2.4 metres ; and
 - c. must not have a vertical dimension which exceeds 0.6 metres .
- v. one freestanding sign, subject to the following regulations:
 - a. maximum height must not exceed 4.0 metres ; and
 - b. maximum sign area must not exceed 4.0 square metres.

Commented [KA53]: Changed because there is no appreciable difference between 77.0mm and 80 mm and it is preferable to have even numbers.

- ~~vi. one free-standing sign at each formal access or egress to a property that is shared by several businesses, subject to the following regulations:~~
 - ~~a. maximum height must not exceed 4.0 m~~
 - ~~b. maximum sign area must not exceed 6.0 square metres~~

Commented [KA54]: Added to permit several businesses to share a free-standing sign, e.g. at the driveway entrance to the Beaufort Medical Centre.

~~vii. one window graphics sign~~

~~vii. one painted wall sign~~

Commented [KA55]: (ii) and (vii) are added to be consistent with the sign types identified in the Heritage Conservation Area guidelines in the Official Community Plan.

(c) Sign illumination for new signs must be exterior, from the front, and downcast.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

- i. Internally illuminated signs may include halo lighting or direct back lighting for individual letters and logos only.

(d) Signs equipped with flashing, oscillating, or moving lights or beacons are not permitted discouraged.

Commented [KA56]: Edited because “discouraged” is more typical for a development permit area guideline but not specific enough for a Zoning Bylaw regulation.

PART 9 PARKING AND LOADING

9.1 General

- (1) Except as otherwise specified in this Bylaw, off-street parking and loading spaces must be provided and maintained for any development, including new development, a change of use associated with an existing development, and the expansion of an existing development.
- (2) **Parking spaces** must not be credited as loading spaces or vice versa.
- (3) No parking or loading space required by this Bylaw must be used for access or egress, a **driveway** or other such **manoeuvring aisle**, commercial repair work, displays, or the sale or storage of goods of any kind.
- (4) No parking or loading space required by this Bylaw can interfere with or obstruct any **landscaping** or screening installations prescribed in **Part 7** of this Bylaw.

9.2 Cash-in-Lieu

- (1) A property owner may pay to the **Village** a sum of money equal to the number of required spaces not provided multiplied by the applicable cash-in-lieu amount prescribed in **Table 9.2(21)** and **Table 9.2(52)**.

Table 9.2(21) Cash-in-Lieu Amounts per Parking Space, per Type of Required Parking

Area	Conventional Parking	Visitor Parking	Courtesy Parking	Electric Vehicle Parking
Village Core Parking Area	n/a			
All Other Areas	\$10,000.00 per space ¹	\$10,000.00 per space ²	\$10,000.00 per space ²	\$24,900.00 per space ²

CONDITIONS **Table 9.2(21)**:

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.2(21) Cash-in-Lieu Amounts per Parking Space, per Type of Required Parking

Area	Conventional Parking	Visitor Parking	Courtesy Parking	Electric Vehicle Parking
<p>¹ Cash-in-lieu may be provided for 100% of the required parking spaces associated with non-residential uses and a maximum of 30% of the required parking spaces associated with residential uses.</p> <p>² A minimum of one parking space must be provided wherever more than one such parking space is required.</p>				

Table 9.2(22) Cash-in-Lieu Amounts for Bicycle Parking and End-of-Trip Facilities

Zone	Short-Term Bicycle Parking	Long-Term Bicycle Parking	End-of-Trip Facilities
Village Core Parking Area	\$500.00 per space ¹	\$1,500.00 per space ¹	n/a
All Other Zones	\$250.00 per space ²	\$750.00 per space ²	
<p>CONDITIONS [Table 9.2(23)]:</p> <p>¹ Cash-in-lieu will be accepted for a maximum of 50% of all required short-term and long-term bicycle parking spaces.</p> <p>² Cash-in-lieu will be accepted for a maximum of 70% of all required short-term and long-term bicycle parking spaces.</p>			

9.3 Location, Siting, Dimension, and Design Standards

- (1) Except as otherwise specified in this Bylaw, all parking and loading spaces must be located on the same lot as the building, structure, or use which they serve.
- (2) Despite Section 9.3(1), conventional or small vehicle parking spaces may be provided on a separate lot located within 120.0 metres of the lot on which the building, structure, or use which they serve is located, provided the following conditions are met:
 - (a) the building, structure, or use requiring the spaces is not on a lot within a Residential zone;
 - (b) the use requiring the spaces is not residential or residential-related;
 - (c) parking lot is a permitted use on the lot; and

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

- (d) pursuant to Section 219 of the *Land Title Act*, a restrictive covenant is registered on the title of the lot to limit the use of all or a portion of said lot to the provision of parking spaces in accordance with the parking space requirements of this Bylaw.
- (3) All parking and loading spaces must have unobstructed access/egress to a highway via driveway, manoeuvring aisle, or lane.
- (4) Except in Residential zones, no individual parking or loading space can have direct access/egress to a highway.
- (5) No parking or loading space can be located within 1.0 metre of a highway.

Table 9.3(33) Minimum Dimensions for Conventional Parking Spaces ¹

Parking Angle	Width	Length	Depth to Curb	Drive Aisle Width ²
0° (parallel parking)	2.6 m	7.0 m	2.6 m	3.7 m (one-way)
30°	2.6 m	5.5 m	5.2 m	3.7 m (one-way)
45°	2.6 m	5.5 m	5.7 m	3.7 m (one-way)
60°	2.6 m	5.5 m	6.0 m	6.1 m (one-way)
90°	2.6 m ³	5.5 m ³	5.5 m ³	7.0 m (two-way) ⁴

CONDITIONS [Table 9.3(36)]:

- ¹ The minimum dimension requirements of a conventional parking space are applicable to all required courtesy parking spaces, electric vehicle (EV) parking spaces, small-vehicle parking spaces, tandem parking spaces, and visitor parking spaces.
- ² Minimum drive aisle width dimensions are applicable to any drive aisle used to access any type of parking or loading space.
- ³ For a small vehicle parking space, the minimum width is 2.4 metres and the minimum length and depth to curb is 4.5 metres. Small vehicle parking spaces provided at any other angle must be designed by a professional engineer.
- ⁴ Where parking spaces are provided in a single row, the minimum drive aisle width is 6.75 metres.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

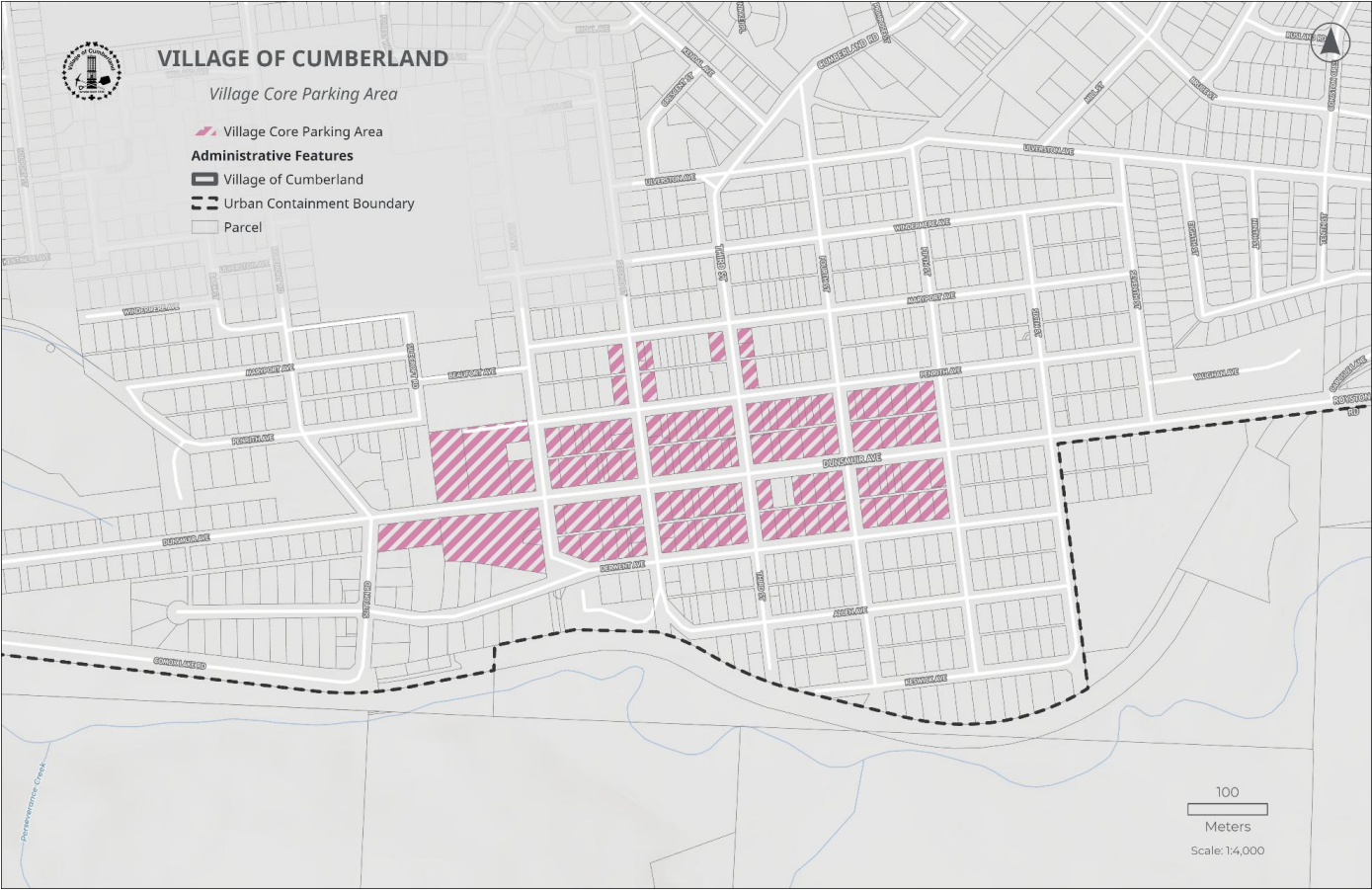
- (9) Every parking and loading area required to accommodate five or more vehicles, including areas used for access and egress, must:
- (a) clearly delineate individual parking spaces, loading spaces, barrier-free parking spaces, courtesy parking spaces, electric vehicle parking spaces, manoeuvring aisles, entrances, and exits with pavement markings, signage, or other physical means in accordance with the Manual of Uniform Traffic Control Devices for Canada (MUTCDC);
 - (b) be designed to allow forward access/egress directly to an abutting highway from the lot on which the parking or loading area is located; and
 - (c) be illuminated using DarkSky compliant lighting which is directed or shielded to ensure direct light rays do not shine beyond the boundaries of the lot.

9.4 Parking and Loading Requirements

- (1) Parking and loading spaces must be provided in accordance with the number of parking and loading spaces required for a specific use as specified in Table 9.4.1(1) for the Village Core (Figure 9-3) and Table 9.4.1(2) for all other areas.
- (2) Parking and loading spaces for secondary uses must be provided in addition to the parking and loading spaces required for principal uses.
- (3) Where multiple uses are established on a single lot or a parking area collectively serves multiple uses established on a single lot, the total number of required parking and loading spaces must be the sum of the parking and loading requirements for each use calculated separately.
- (4) Where a specific use is not listed, the parking and loading requirements applicable to the use which is most comparable in character and purpose apply.
- (5) For existing uses which have been lawfully established on a lot, the number of required parking and loading spaces is the lesser of:
 - (a) the number of parking and loading spaces existing on the lot at the time that this Bylaw was adopted, provided such spaces satisfied the applicable regulations at the time that the uses were established; or
 - (b) the number of parking and loading spaces applicable to the existing uses in accordance with the regulations of this Part.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Figure 9-3. Village Core Parking Area



1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.1(2) Parking Requirements – All Other Areas			
Use		Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
RESIDENTIAL AND RESIDENTIAL-RELATED USES			
Principal Dwelling Units	One detached dwelling unit	1.0 space per dwelling unit	2.0 spaces per dwelling unit
	Two attached dwelling units	0.9 spaces per dwelling unit	1.5 spaces per dwelling unit
	Three or more attached dwelling units		
	Manufactured homes ¹	1.0 space per dwelling unit	2.0 spaces per dwelling unit
Secondary Dwelling Units	Secondary suites ²	1.0 space per dwelling unit	
	Caretaker suites		
Care Facility, Licence-Not-Required		n/a	
Home Occupation	Minor	n/a	
	Standard	1.0 space per non-resident on-site employee	
	Major		
	Bed and Breakfast Accommodation	0.6 spaces per sleeping unit	
	Short-Term Rental Accommodation	0.6 spaces per sleeping unit	
ALL OTHER USES			
Automotive and Equipment Services, Light		1.0 space per 100.0 m ² of floor area	n/a
Automotive and Equipment Services, Industrial		1.0 space per 100.0 m ² of floor area	n/a
Bulk Fuel Storage		n/a	
Campground		1.0 space per campsite	n/a
Care Facility, Child		1.0 space per 8 children of capacity or 2.0 spaces	n/a

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.1(2) Parking Requirements – All Other Areas

Use	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
	per 100.0 m ² of floor area, whichever is lesser	
Care Facility, Community	1.0 space per 8 persons of capacity	n/a
Cemetery	n/a	0.5 spaces per 500.0 m ² of lot area
Compost Facility	0.5 spaces per 100.0 m ² of floor area, plus 2.5 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales	1.0 space per 100.0 m ² of floor area, plus 3.0 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales
Cultural and Community Services	2.5 spaces per 100.0 m ² of floor area	n/a
Education Services	1.5 spaces per 100.0 m ² of floor area	n/a
Emergency and Protective Services	4.0 spaces per 100.0 m ² of floor area	n/a
Entertainment Facility	2.5 spaces per 100.0 m ² of floor area	5.0 spaces per 100.0 m ² of floor area
Farmer's Market	n/a	3.5 spaces per 100.0 m ² of lot area
Fleet Services Facility	1.0 space per 100.0 m ² of floor area, plus 1.0 space per fleet vehicle ³	n/a
Food Services	2.0 spaces per 100.0 m ² of floor area	3.5 spaces per 100.0 m ² of floor area
Gas Station	2.5 spaces per 100.0 m ² of floor area	n/a
<u>Greenhouse, Commercial</u>	<u>0.5 spaces per 100.0 m² of floor area, plus</u>	<u>1.0 space per 100.0 m² of floor area, plus</u>

Commented [KA57]: Greenhouse, Commercial and has been added as a permitted use in the Industry zones. This adds the parking requirement for the use.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.1(2) Parking Requirements – All Other Areas

Use	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
	parking space requirements of any ancillary uses	parking space requirements of any ancillary uses
Health Services	4.0 spaces per 100.0 m ² of floor area	5.0 spaces per 100.0 m ² of floor area
Hostel Hotel Motel	1.0 space per sleeping unit, plus parking space requirements of any ancillary uses	1.5 spaces per sleeping unit, plus parking space requirements of any ancillary uses
Industrial, Heavy	0.5 spaces per 100.0 m ² of floor area, plus 2.5 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales	1.0 space per 100.0 m ² of floor area, plus 3.0 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales
Industrial, Light	0.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses	1.0 space per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses
Kennel	1.0 space per 100.0 m ² of floor area	3.0 spaces per 100.0 m ² of floor area
Licensed Premises	2.0 spaces per 100.0 m ² of floor area	3.5 spaces per 100.0 m ² of floor area
Mobile Vending	n/a	
Natural Resource Extraction	1.0 space per 100.0 m ² of floor area devoted to ancillary activities such as reception areas and offices for administrative or technical support	n/a
Park	n/a	0.5 spaces per 100.0 m ² of lot area

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.1(2) Parking Requirements – All Other Areas

Use	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
Personal Services	1.0 space per 100.0 m ² of floor area	3.0 spaces per 100.0 m ² of floor area
Plant Nursery	3.0 spaces per 100.0 m ² of floor area	5.0 spaces per 100.0 m ² of floor area
Production Facility, Alcohol	0.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses	1.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses
Production Facility, Cannabis	0.5 spaces per 100.0 m ² of floor area, plus 1.0 space per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales	1.0 space per 100.0 m ² of floor area, plus 2.0 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices for administrative or technical support, indoor display, and retail sales
<u>Production Facility, Food</u>	<u>0.5 spaces per 100.0 m² of floor area, plus parking space requirements of any ancillary uses</u>	<u>1.5 spaces per 100.0 m² of floor area, plus parking space requirements of any ancillary uses</u>
Professional Services, Internal-Facing	2.0 spaces per 100.0 m ² of floor area	n/a
Professional Services, Public-Facing	2.5 spaces per 100.0 m ² of floor area	3.0 spaces per 100.0 m ² of floor area
Recreation Services, Indoor	7.0 spaces per 100.0 m ² of floor area	n/a
Recreation Services, Outdoor	n/a	0.5 spaces per 100.0 m ² of lot area
Recycling Facility	0.5 spaces per 100.0 m ² of floor area, plus 2.5 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices	1.0 space per 100.0 m ² of floor area, plus 3.0 spaces per 100.0 m ² of floor area devoted to ancillary activities such as reception areas, offices

Commented [KA58]: Production Facility, Food has been added as a permitted use in the Industry zones. This adds the parking requirement for the use.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.8(2) Visitor Parking Requirements

Total Number of Required Parking Spaces	Minimum Number of Visitor Parking Spaces ¹
> 20	10% of total number of required spaces

CONDITIONS [Table 9.4.8(2)]:

¹ Visitor parking is calculated in addition to the total number of required parking spaces. For example: where a residential development must provide 15 parking spaces, the total number of required parking spaces is 17, two of which must be designated as visitor parking.

- (3) Where one or more visitor parking spaces are required, a minimum of one of such visitor parking space must achieve the standards of a barrier-free parking space.
- (4) Despite Section 9.3, visitor parking spaces must be clearly marked with pavement markings or upright/vertical signage designating the parking space(s) for exclusive use as visitor parking.

9.4.9 Loading

Table 9.4.9(1) Minimum Dimensions for Loading Spaces

Type of Loading Space	Width	Length	Height Clearance ¹	Side Access Aisle Width
Conventional	2.6 m	5.5 m	2.75 m	0.5 m
Oversize	3.5 m	16.0 m	3.0 m	1.0 m

CONDITIONS [Table 9.4.9(1)]:

¹ Refers to the minimum clearance that must be provided between the surface of the loading space and the underside of any obstruction located directly above such loading space.

² Two adjacent barrier-free parking spaces may share a single side access aisle.

- (2) Loading spaces must be provided in addition to the total number of required parking spaces prescribed in Table 9.4.1(1) and Table 9.4.1(2). Zero loading spaces are required for specific uses not listed in Table 9.4.9(32).

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.9(32) Loading Requirements			
Use	Floor Area	Minimum Number of Loading Spaces	
		Conventional	Oversize
RESIDENTIAL AND RESIDENTIAL-RELATED USES			
Dwelling Units ¹	n/a	1	0
ALL OTHER USES – Conventional Minimal Loading			
Automotive and Equipment Services, Light Care Facility, Child Care Facility, Community Cultural and Community Services	< 235.0 m ²	0	0
Education Services Entertainment Facility Farmer’s Market Food Services Health Services Licensed Premises Personal Services Plant Nursery Professional Services, Internal Facing Professional Services, Public Facing	235.0 m ² – 465.0 m ²	1	0
Recreation Services, Indoor	465.0 m ² – 2,800.0 m ²	2	0
Retail, Cannabis Retail Sales Veterinary Services	> 2,800.0 m ²	2	1
ALL OTHER USES – Oversize Loading			

Commented [KA59]: Changed to conventional as that is the term used in Table 9.4.9(1) Minimum Dimensions for Loading Spaces.

Commented [KA60]: These uses are proposed to be deleted and therefore exempted from loading requirements. Loading can be expected to be a very infrequent activity for these uses. Requiring loading spaces could result in variance applications for developments or tenant improvement applications for these uses.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.4.9(32) Loading Requirements

Use	Floor Area	Minimum Number of Loading Spaces	
		Conventional	Oversize
Automotive and Equipment Services, Industrial Bulk Fuel Storage Campground Compost Facility Emergency and Protective Services Fleet Services Facility <u>Greenhouse, Commercial</u>	< 2,325.0 m ²	1	1
Hostel Hotel Motel Industrial, Heavy Industrial, Light Natural Resource Extraction Production Facility, Alcohol Production Facility, Cannabis <u>Production Facility, Food</u> Recreation Services, Outdoor Recycling Facility Refuse Disposal Facility Sawmill Silviculture Storage, Indoor Storage, Warehouse Wholesale Services Wrecking Yard	≥ 2,325.0 m ²	n/a	1

CONDITIONS [Table 9.4.9(32)]:

¹ Loading requirements apply to residential developments comprising thirty or more attached dwelling units.

Commented [KA61]: Greenhouse, Commercial and Production Facility, Food were added as uses in the industry zone. They are added here to identify the loading space requirements.

Commented [KA62]: "Loading" space is required for moving in and out of units. The number has been increased since smaller apartment or mixed use buildings would have infrequent loading needs.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

9.5 Bicycle Parking

Table 9.5(1) Minimum Dimensions for Bicycle Parking

Feature	Ground Anchored Rack		Wall Mounted Rack	
	> 45 degrees	≤ 45 degrees	> 45 degrees	≤ 45 degrees
Angle of Rack	> 45 degrees	≤ 45 degrees	> 45 degrees	≤ 45 degrees
Minimum Space Depth	1.8 m	1.45 m	1.2 m	
Minimum Aisle Width	1.5 m			
Minimum Distance Between Bicycle Racks	0.9 m	1.3 m	0.9 m	1.3 m
Minimum Distance Between a Bicycle Rack and an Obstruction	0.6 m			

- (2) Despite **Table 9.5(1)**, a minimum of 25% of all required long-term bicycle parking spaces must be designed to accommodate oversized bicycles in accordance with the minimum dimensions prescribed in **Table 9.5(2)**.

Table 9.5(2) Minimum Dimensions for Oversize Bicycle Parking

Feature	Ground Anchored Rack		Wall Mounted Rack	
	> 45 degrees	≤ 45 degrees	> 45 degrees	≤ 45 degrees
Angle of Rack	> 45 degrees	≤ 45 degrees	> 45 degrees	≤ 45 degrees
Minimum Space Depth	1.8 m	2.4 m	2.4 m	
Minimum Aisle Width	1.5 m			
Minimum Distance Between Bicycle Racks	0.9 m	1.3 m	0.9 m	1.3 m
Minimum Distance Between a Bicycle Rack and an Obstruction	0.6 m			

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.5(34) Minimum Standards for Bicycle Parking

Feature	Short-Term Bicycle Parking	Long-Term Bicycle Parking
Materials and Design	Must be constructed of theft resistant materials and designed to support two points of the bicycle frame and enable the bicycle frame and at least one wheel to be securely locked to the rack with a single U-style lock.	
	n/a	70% of all required long-term bicycle parking spaces provided in the form of a wall mounted rack must be equipped with an assisted lift mechanism.
		50% of all required long-term bicycle parking space must include charging infrastructure for e-bikes.
Installation	Must be permanently anchored to the ground or a wall with secure, tamper-proof hardware.	
Location	Must be conveniently located within 25.0 metres of any main entrances, whether inside or outside of the building, and in a well-lit area.	Must be located inside a building or within a secure, weather-protected, dedicated facility accessible to residents, employees, or other identified users of the building.
		Where seven or more long-term bicycle parking spaces are required, must have an entry door that is a minimum width of 0.9 metres and is equipped with an automatic or button-activated opening mechanism.
		Must have a minimum unobstructed height clearance of 1.9 metres between the floor and the ceiling.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

- (5) Bicycle parking spaces must be provided in accordance with the number of short-term and long-term bicycle parking spaces required for a specific use as specified in Table 9.5(64).
- (a) Bicycle parking spaces for secondary uses must be provided in addition to the bicycle parking spaces required for principal uses.
 - (b) Where multiple uses are established on a single lot, the total number of required bicycle parking spaces must be the sum of the bicycle parking requirements for each use calculated separately.
 - (c) Where a specific use is not listed, the bicycle parking requirements applicable to the use which is most comparable in character and purpose will apply.

Table 9.5(64) Bicycle Parking Requirements

Use		Short-Term Bicycle Parking	Long-Term Bicycle Parking
RESIDENTIAL AND RESIDENTIAL-RELATED USES			
Principal Dwelling Units	One detached dwelling unit	n/a	
	Two attached dwelling units	0.25 spaces per dwelling unit	1.0 space per dwelling unit ¹
	Three or more attached dwelling units	0.25 spaces per dwelling unit	1.5 spaces per dwelling unit ¹
	Manufactured homes	n/a	
Secondary Dwelling Units	Secondary suites ^{2,3}	n/a	1.0 space per dwelling unit
	Caretaker suites	n/a	1.0 space per dwelling unit
Care Facility, Licence-Not-Required		n/a	
Home Occupation	Minor	n/a	
	Standard	n/a	1.0 space per non-resident on-site employee
	Major	n/a	1.0 space per non-resident on-site employee
	Bed and Breakfast Accommodation	0.6 spaces per sleeping unit	n/a

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.5(4) Bicycle Parking Requirements

Use		Short-Term Bicycle Parking	Long-Term Bicycle Parking
	Short-Term Rental Accommodation	0.6 spaces per sleeping unit	n/a
ALL OTHER USES			
Automotive and Equipment Services, Light		n/a	0.1 space per 100.0 m ² of floor area
Automotive and Equipment Services, Industrial		n/a	0.1 space per 100.0 m ² of floor area
Campground		0.2 spaces per campsite	n/a
Care Facility, Child		0.4 spaces per 100.0 m ² of floor area	
Care Facility, Community		0.4 spaces per 100.0 m ² of floor area	
Compost Facility		n/a	0.1 space per 100.0 m ² of floor area
Cultural and Community Services		0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Education Services		0.8 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Emergency and Protective Services		n/a	0.4 spaces per 100.0 m ² of floor area
Entertainment Facility		0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	n/a
Farmer's Market		0.6 spaces per 100.0 m ² of floor area or 6.0 spaces, whichever is greater	n/a
Fleet Services Facility		n/a	0.1 space per 100.0 m ² of floor area
Food Services		0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	n/a
Gas Station		0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	n/a

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.5(64) Bicycle Parking Requirements

Use	Short-Term Bicycle Parking	Long-Term Bicycle Parking
<u>Greenhouse, Commercial</u>	<u>n/a</u>	<u>0.2 space per 100.0 m² of floor area</u>
Health Services	0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Hostel Hotel Motel	0.4 spaces per sleeping unit or 6.0 spaces, whichever is greater	0.6 spaces per sleeping unit
Industrial, Heavy	n/a	0.1 space per 100.0 m ² of floor area
Industrial, Light	n/a	0.2 space per 100.0 m ² of floor area
Licensed Premises	0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	n/a
Natural Resource Extraction	n/a	0.1 space per 100.0 m ² of floor area
Personal Services	0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Plant Nursery	0.6 spaces per 100.0 m ² of floor area or 6.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Production Facility, Alcohol	0.6 spaces per 100.0 m ² of floor area	0.2 spaces per 100.0 m ² of floor area
Production Facility, Cannabis	0.4 spaces per 100.0 m ² of floor area	
<u>Production Facility, Food</u>	<u>0.6 spaces per 100.0 m² of floor area</u>	<u>0.2 spaces per 100.0 m² of floor area</u>
Professional Services, Internal-Facing	0.4 spaces per 100.0 m ² of floor area	
Professional Services, Public-Facing	0.6 spaces per 100.0 m ² of floor area	0.4 spaces per 100.0 m ² of floor area
Recreation Services, Indoor	0.6 spaces per 100.0 m ² of floor area	0.2 spaces per 100.0 m ² of floor area

Commented [KA63]: Added as this is now a permitted use in the industry zones and employees may commute to work by bicycle.

Commented [KA64]: Added as this is now a permitted use in the industry zones and employees may commute to work by bicycle.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 9.5(5.4) Bicycle Parking Requirements

Use	Short-Term Bicycle Parking	Long-Term Bicycle Parking
Recreation Services, Outdoor	0.6 spaces per 100.0 m ² of floor area or 10.0 spaces, whichever is greater	n/a
Recycling Facility	n/a	0.1 space per 100.0 m ² of floor area
Refuse Disposal Facility	n/a	0.1 space per 100.0 m ² of floor area
Retail, Cannabis	0.6 spaces per 100.0 m ² of floor area	0.2 spaces per 100.0 m ² of floor area
Retail Sales	0.6 spaces per 100.0 m ² of floor area or 2.0 spaces, whichever is greater	0.2 spaces per 100.0 m ² of floor area
Sawmill	n/a	0.1 space per 100.0 m ² of floor area
Silviculture	n/a	0.1 space per 100.0 m ² of floor area
Veterinary Services	n/a	0.2 spaces per 100.0 m ² of floor area
Wholesale Services	n/a	0.2 spaces per 100.0 m ² of floor area
Wrecking Yard	n/a	0.1 space per 100.0 m ² of floor area

CONDITIONS [Table 9.5(6)]:

- ¹ Long-term bicycle parking is not required for principal dwelling units that have individual garages.
- ² Bicycle parking requirements for secondary suites are in addition to the bicycle parking requirements for the associated principal dwelling unit.
- ³ Bicycle parking requirements for secondary suites apply to residential developments comprising two or more attached principal dwelling units.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

9.6 End of Trip Facilities

- (1) End-of-trip facilities must be provided as a function of the total number of required long-term bicycle parking spaces prescribed in [Table 9.5\(46\)](#).

Table 9.6(21) End-of-Trip Facility Requirements

Use	Number of Long-Term Bicycle Parking Spaces	Number of Toilets	Number of Sinks	Number of Showers	Number of Storage Lockers
Dwelling Units Hostel Hotel Motel	0 – 6	0	0	0	0
	7 – 15 ¹				
	16 – 30 ^{1,2}				
	> 30 ^{1,2}				
All Other Uses	0 – 3	0	0	0	0.5 lockers per space
	4 – 15 ¹	1	1	1	
	16 – 30 ^{1,2}	2	2	2	
	> 30 ^{1,2}	4, plus 2 for each additional 30 spaces	4, plus 2 for each additional 30 spaces	4, plus 2 for each additional 30 spaces	

CONDITIONS [Table 9.6(21)]:

- ¹ End-of-trip facilities must include a bicycle repair station including tools for bikes, a commercial grade tire pump, and a dedicated area to undertake simple repairs and maintenance.
- ² End-of-trip facilities must include a bicycle wash station including access to water and a dedicated bicycle cleaning area.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 10 RESIDENTIAL ZONES

10.1 Intent of Zones

Zone	Zone Name	Intent of Zone
R-1	Infill Residential	This zone is intended to support the gentle densification of existing low-density neighbourhoods by accommodating up to four dwelling units through either the renovation of existing residences or infill redevelopment in the form of small-scale multi-unit housing which complements the character of adjacent properties.
R-2	West Dunsmuir Residential	This zone is intended to accommodate up to three dwelling units in existing residential areas where there are known infrastructure constraints limiting further densification.
R-3	Large Lot Residential	This zone is intended to accommodate low-density residential uses on lots which are larger, not connected to community water or community sewer systems, or are outside of the Urban Containment Boundary.
R-MHP	Manufactured Home Park Residential	This zone is intended to accommodate manufactured home parks in accordance with the <i>Village's Manufactured Home Park Bylaw</i> .
R-RTMU	Rental Tenure Multi-Unit Residential	This zone is intended to support the provision of dwelling units under Residential Rental Tenure and prohibit bareland or building stratification.
R-MU	Multi-Unit Residential	This zone is intended to support multi-unit residential development in the form of low-rise apartments and ground-oriented or stacked townhouses.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

10.2 Permitted Uses

Table 10.2(1) Permitted Uses

P = permitted as a principal use
 S = permitted as a secondary use
 -- = use not permitted

Use	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU
Accessory Buildings and Structures	S	S	S	S	S	S
Agriculture, Urban ¹	S	S	S ²	S	S	S
Care Facility, Child ³	S	S	S	S	--	S
Care Facility, Community	S	S	S	S	--	S
Care Facility, Licence-Not-Required	S	S	S	S	--	S
Dwelling Units	P	P	P	P	P	P
Home Occupation ⁴	Minor	S	S	S	S	S
	Standard	S	S	S	S	--
	Major	--	--	S	--	--
	Bed and Breakfast Accommodation	S	S	S	--	--
	Short-Term Rental Accommodation	S ⁵	S ⁵	--	--	--
Manufactured Homes	P	P	P	P	--	--
Parking Lot	n/a	n/a	n/a	S	S	S
Secondary Suite ⁶	S	S	S	--	S	S

Commented [KA65]: Deleted as the type of dwelling is restricted to Manufactured Homes. See six rows down.

CONDITIONS [Table 10.2(1)]:

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

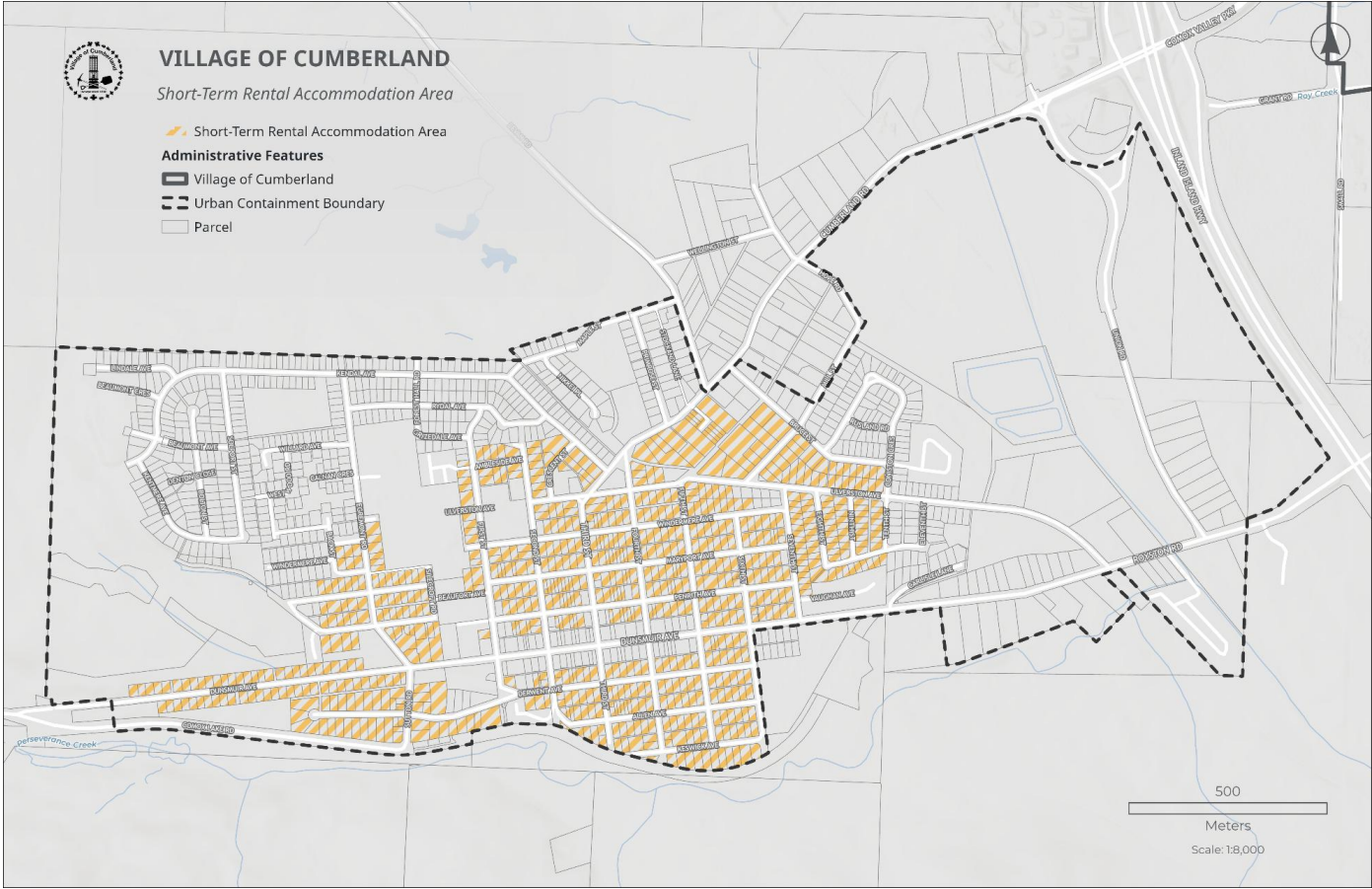
Table 10.2(1) Permitted Uses

P = permitted as a principal use
 S = permitted as a secondary use
 -- = use not permitted

Use	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU
1 Subject to the urban agriculture regulations prescribed in Section 6.8 of this Bylaw.						
2 For lots larger than 0.4 hectares, urban agriculture may include the keeping of animals used in the production of food, fur, or similar products, including horses, cattle, sheep, goats, and rabbits, but specifically excluding hogs, pigs and peacocks.						
3 Subject to the screening requirements for care facilities prescribed in Section 7.3 of this Bylaw.						
4 Subject to the home occupation regulations prescribed in Section 6.4 of this Bylaw.						
5 Short-term rental accommodation home occupations are only be permitted in the areas indicated in Figure 10-1 .						
6 Subject to the secondary suite regulations prescribed in Section 6.7 of this Bylaw.						

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Figure 10-1. Short-Term Rental Accommodation Area



1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

10.3 Subdivision Standards

Table 10.3(1) Minimum Standards for Subdivision						
Criteria	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU
Minimum Lot Area	650.0 m ²	650.0 m ²	2,024.0 m ²	1.0 ha	1,570.0 m ²	2,024.0 m ²
Minimum Lot Width	15.0 m	15.0 m	25.0 m	40.0 m	10% of lot perimeter	10% of lot perimeter

10.4 General Regulations

Table 10.4(1) General Regulations						
Criteria	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU
Maximum Lot Coverage	50%	40%	35%	45%	65%	65%
Maximum Lot Coverage including Impermeable Surfaces	70%	70%	50%	70%	80%	80%
Maximum No. of Dwelling Units ¹	4 per lot	3 per lot	2 per lot ²	20 per ha ₂₂	89 per ha _{43, 45}	50 per ha _{65, 67}

CONDITIONS [Table 10.4(1)]:

¹ For buildings containing three or more principal dwelling units accessed through shared corridors, stairs, and elevators, 10% of all dwelling units must be constructed in accordance with the Adaptable Dwelling Unit standard specified in the BC Building Code.

² ~~A maximum of three dwelling units are permitted on lots that are connected to both community water and community sewer systems or are 1.0 hectare or larger in size.~~

²² Subject to the Village's *Manufactured Home Park Bylaw*.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Commented [KA65]: Correction to this unintended change to the density in the R-3 zone permitted in the previous Zoning Bylaw. This is consistent with the Council direction to keep the R3 zone area on Cumberland Road outside of the UCB.

Table 10.4(1) General Regulations

Criteria	R-1	R-2	R-3	R-MHP	R-RTMU	R-MU
43	All dwelling units must be under residential rental tenure.					
54	For the lot legally described as LOT 1, DISTRICT LOT 24, NELSON DISTRICT, PLAN 28034, EXCEPT PART IN PLAN VIP82131 (2782 Ulverston Avenue):					
	<ul style="list-style-type: none"> 1/3 of dwelling units must be provided at below market rent, as established through a housing agreement held between the property owner and the Village; and dwelling units provided at below market rent must be subject to a rental agreement requiring such units to be managed by a non-profit housing society and rented to low- or medium-income families. 					
65	For the lot legally described as LOT A, DISTRICT LOT 24, NELSON DISTRICT, PLAN EPP103460 (3345 Second Street), the maximum number of dwelling units is 145 units per hectare and may be increased by 25 units per hectare provided a minimum of 20% of all dwelling units are provided as affordable housing units.					
76	For the lot legally described as STRATA LOTS 1-84, DISTRICT LOT 24, NELSON DISTRICT, STRATA PLAN EPS4795 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V (2607 Kendal Avenue), the maximum number of dwelling units is 96 and may be increased by 10 units per hectare provided a minimum of 30% of all dwelling units are provided as affordable housing units.					

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

10.5 Development Standards

Table 10.5(1) Development Regulations for Principal and Secondary Buildings and Structures

Criteria		R-1	R-2	R-3	R-MHP	R-RTMU	R-MU	
Maximum Floor Area of Each Additional Detached Dwelling Unit		n/a	90.0 m ²	90.0 m ²	n/a	n/a	n/a	
Maximum Height		11.0 m	10.0 m	10.0 m	4.5 m	10.0 m	15.0 m	
Maximum Number of Storeys		3	2	2	1	2	4	
Minimum Front Setback	1 st – 2 nd storey	3.0 m ¹	3.0 m ^{2, 3}	7.5 m	7.5 m	3.0 m	3.0 m	
	3 rd storey and above	4.5 m	n/a			n/a		
	garage / carport	3.0 m ¹	3.0 m ^{2, 3}			3.0 m	4.5 m	
Minimum Rear Setback	1 st – 2 nd storey	4.5 m ⁴	4.5 m ⁴	4.5 m		7.5 m	7.5 m	4.5 m
	3 rd storey and above	6.0 m	n/a	n/a			6.0 m	
Minimum Side Setback ⁵		1.5 m	1.5 m	1.5 m		1.5 m	1.5 m	
Minimum Exterior Side Setback	1 st – 2 nd storey	3.0 m	3.0 m	3.0 m		3.0 m	3.0 m	
	3 rd storey and above	4.5 m	n/a	n/a		n/a	4.5 m	

CONDITIONS [Table 10.5(1)]:

- ¹ The minimum front setback is 7.5 metres for the lot legally described as LOT 1 BLOCK 4 SECTION 25 TOWNSHIP 10 COMOX DISTRICT AND OF DISTRICT LOT 24 NELSON DISTRICT PLAN 4222 EXCEPT PLAN EPP103982 (4681 Cumberland Road).
- ² The minimum front setback is 0.0 metres for the lots indicated in Figure 10-2.
- ³ The maximum front setback for one dwelling unit is 2.0 metres for the lots indicated in Figure 10-2.
- ⁴ Where the rear lot line abuts a lane, the minimum rear setback is 1.5 metres.

Commented [KA66]: This addresses the issue of setbacks for accessory dwelling units/laneway homes otherwise being increased from 1.5m to 4.5m because the new Zoning Bylaw does not differentiate between type of dwelling. Note that if a new building in the rear yard is built with a third storey, this reduction does not apply and the setback would be 4.5 m.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 11 MIXED-USE ZONES

11.1 Intent of Zones

Zone	Zone Name	Intent of Zone
MU-1	Historic Village Commercial Core Mixed-Use	The intent of this zone is to support a vibrant, pedestrian-oriented Village Core through development comprised of commercial uses on the ground-level with residential uses above or to the rear.
MU-2	Neighbourhood Mixed-Use	The intent of this zone is to promote mixed-use development which serves as a transition between the Village Core and surrounding residential neighbourhoods.
MU-3	Coal Valley Estates Mixed-Use	The intent of this zone is to implement a Comprehensive Development Agreement which identifies a mixed-use node in the area known as Coal Valley.

11.2 Permitted Uses

Use	MU-1 ¹	MU-2	MU-3
Accessory Buildings and Structures	S	S	S
Agriculture, Urban ²	S	S	S
Care Facility, Child ³	P	P	P
Care Facility, Community ³	P	P	P
Care Facility, Licence-Not-Required	S	S	S
Caretaker Suite	--	--	S ⁴
Containers	S ⁵	S ⁵	--
Cultural and Community Services	P	P	--

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 11.2(1) Permitted Uses				
P = permitted as a principal use				
S = permitted as an secondary use				
-- = use not permitted				
Use	MU-1 ¹	MU-2	MU-3	
Dwelling Units	P ⁶	P ⁷	P ⁷	
Education Services	P	P	--	
Emergency and Protective Services	-- ⁸	--	--	
Entertainment Facility	P	--	--	
Farmer's Market	S	--	S	
Food Services	P	P ⁹	P ¹⁰	
Gas Station	-- ¹¹	--	--	
Health Services	P ¹²	P	P	
Home Occupation ¹³	Minor	S	S	S
	Standard	--	S	S
	Bed and Breakfast Accommodation	--	--	S
	Short-Term Rental Accommodation	-- ¹⁴	S	--
Hostel	P	--	--	
Hotel	P	--	--	
Licensed Premises	P	--	P	
Mobile Vending ¹⁵	P	P	--	
Motel	P	--	--	
Parking Lot	S ¹⁶	S ¹⁶	S	
Personal Services	P	P	P	
Production Facility, Alcohol	P ¹⁷	--	--	
Professional Services, Internal-Facing	P ¹²	P	P	
Professional Services, Public-Facing	P	P	P	
Recreation Services, Indoor	P	P	P	
Retail, Cannabis ¹⁸	P	--	--	
Retail Sales	P ^{19, 20}	P ^{19, 20}	P ^{20, 21}	

Commented [KA67]: Added to continue to permit standard home occupations in residential buildings in the MU-2 zone.

Commented [KA68]: This edit ensures the regulation corresponds to the map in Figure 10-1 above which shows where short-term rentals are permitted. The intent was not to change that area in this new Zoning Bylaw.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 11.2(1) Permitted Uses			
P = permitted as a principal use			
S = permitted as an secondary use			
-- = use not permitted			
Use	MU-1 ¹	MU-2	MU-3
Secondary Suite ²²	n/a	S	S
Storage, Outdoor	S ²³	--	S ²³
Veterinary Services	P	P	--

CONDITIONS [Table 11.2(1)]:

- Non-residential principal uses, where located within the first storey of a principal building, must be oriented towards the portion of a lot which abuts a highway. The primary access for any such use must be located within the front or exterior side business frontage.
- Subject to the urban agriculture regulations prescribed in Section 6.8 of this Bylaw.
- Subject to the screening requirements for care facilities prescribed in Section 7.3 of this Bylaw.
- Caretaker suites must be integrated within a principal building.
- Containers are permitted to supplement the commercial storage capacity of a principal use occurring on the same lot, provided:
 - there are no residential uses occurring within the first storey of any building on the lot;
 - the container is clad in the same materials as the building in which the associated principal use is located;
 - the container is located to the rear of any principal building on the lot; and
 - the maximum length of the container is 6.1 metres.
- Dwelling units must be integrated within a principal building where there are other non-residential uses occurring, subject to the following regulations:
 - they are located above or to the rear of a non-residential use occurring on the first storey;
 - they are accessed through a separate entrance from all non-residential uses occurring within the same building, so long as areas used for residential access must not exceed a combined 25% of the first storey business frontage; and
 - dwelling units located on the first storey must not exceed 40% of the total first storey floor area.
- Where dwelling units are integrated within a principal building where there are non-residential uses occurring, they must:
 - be located above, below, or to the rear of a non-residential use occurring on the first storey; and

Commented [KA69]: Correction. The intent was to continue to permit secondary suites in this new zone.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

11.3 Subdivision Standards

Criteria		MU-1	MU-2	MU-3
Minimum Lot Area	One detached dwelling unit	n/a	325.0 m ²	550.0 m ² ¹
	Two attached dwelling units			
	Three or more attached dwelling units	325.0 m ²		800.0 m ²
	All other uses			2,000.0 m ²
Minimum Lot Width	One detached dwelling unit	9.0 m	9.0 m	15.0 m
	Two attached dwelling units			20.0 m
	Three or more attached dwelling units			
	All other uses			

CONDITIONS [Table 11.3(1)]:

¹ The minimum lot area is 450.0 square metres for up to 50% of lots created in any given plan of subdivision.

Commented [KA71]: Amended as the zone does not permit for new stand alone single detached or two attached dwelling units. As per condition 6 in Table 11.2(1), dwelling units have to be integrated within a principal building where other non-residential uses occur. Three or more attached dwelling units could be included in a development.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 12 INDUSTRY ZONES

12.1 Intent of Zones

Zone	Zone Name	Intent of Zone
I-1	Service Industry	This zone is intended to accommodate a range of service commercial and low-impact industrial uses on larger lots predominantly located outside of the Urban Containment Boundary.
I-2	Industrial	This zone is intended to designate and preserve land for intensive industrial development.
I-3	Refuse Industrial	This zone is intended to accommodate the Comox Valley Regional District's (CVRD) Waste Facility.

12.2 Permitted Uses

Use	I-1	I-2	I-3
Accessory Buildings and Structures	S	S	S
Automotive and Equipment Services, Light	P	--	--
Automotive and Equipment Services, Industrial	--	P	--
Bulk Fuel Storage	--	S	--
Care Facility, Child ¹	P	P	--
Care Facility, Community ¹	P	P	--
Caretaker Suite	S	S	S
Compost Facility	--	--	P
Containers	S	S	S
Education Services	S	S	S
Fleet Services Facility	P	P	--

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 12.2(1) Permitted Uses			
P = permitted as a principal use			
S = permitted as a secondary use			
-- = use not permitted			
Use	I-1	I-2	I-3
Food Services	S ²	--	--
Gas Station	-- ³	--	--
Greenhouse, Commercial	P	P	--
Industrial, Heavy	--	P	--
Industrial, Light	P	--	--
Kennel	P	--	--
Mobile Vending ⁴	S	S	--
Natural Resource Extraction	--	P	--
Parking Lot	S	S	S
Plant Nursery	P	--	--
Production Facility, Alcohol	P	--	--
Production Facility, Cannabis	P	--	--
Production Facility, Food	P	P	--
Professional Services, Public-Facing	S	S	S
Recreation Services, Indoor	P	--	--
Recycling Facility	--	P	P
Refuse Disposal Facility ⁵	--	--	P ⁶
Retail Sales	P ⁷	--	--
Sawmill	--	S	--
Silviculture	--	P	--
Storage, Indoor	P	--	--
Storage, Outdoor	S	S ⁸	S
Storage, Warehouse	S	P	--
Veterinary Services	P	--	--
Wholesale Services	P	S	--
Wrecking Yard	--	P	--

Commented [KA72]: This addition is in support of OCP policy 8.3.3.6: Review permitted uses in industrial zones to include non-soil based agriculture, greenhouses, food processing and post-production facility uses.

Commented [KA73]: This addition is in support of OCP policy 8.3.3.6: Review permitted uses in industrial zones to include non-soil based agriculture, greenhouses, food processing and post-production facility uses.

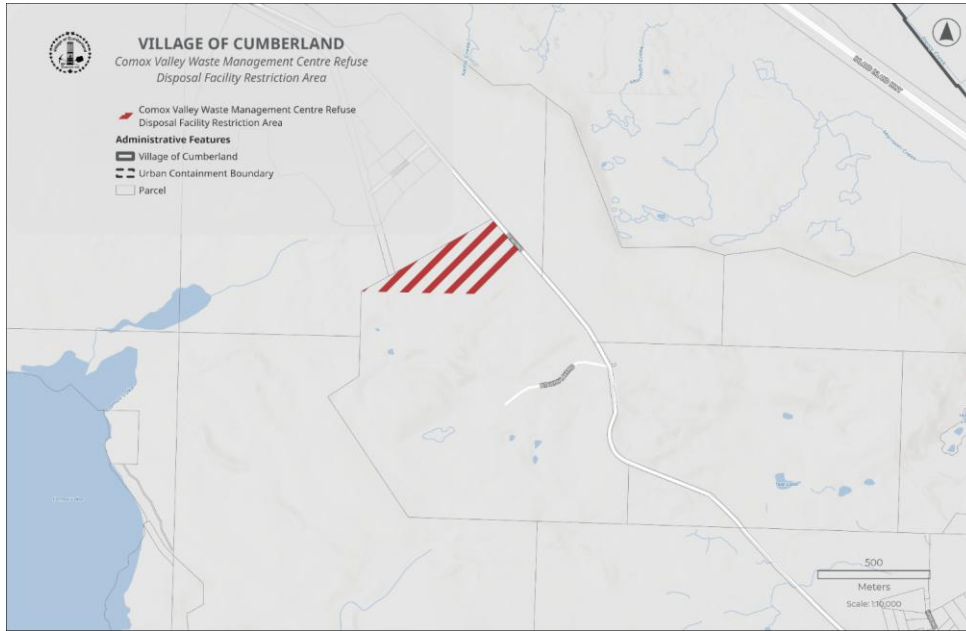
1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 12.2(1) Permitted Uses			
P = permitted as a principal use			
S = permitted as an secondary use			
-- = use not permitted			
Use	I-1	I-2	I-3
CONDITIONS [Table 12.2(1)]:			
<ol style="list-style-type: none"> ¹ Subject to the screening requirements for care facilities prescribed in Section 7.3 of this Bylaw. ² The maximum floor area for food services is 150.0 square metres. ³ Gas station is permitted as a principal use, provided all fuel service pumps or pump island are located a minimum of 4.5 metres from all lot lines, on the lot legally described as LOT A OF SECTION 25, TOWNSHIP 10, COMOX DISTRICT AND OF DISTRICT LOT 24, NELSON DISTRICT, PLAN 5444 (4690 Cumberland Road). ⁴ Subject to the mobile vending regulations prescribed in Section 6.5 of this Bylaw. ⁵ Subject to the refuse disposal facility regulations prescribed in Section 6.6 of this Bylaw. ⁶ With the exception of a leachate equalization pond, refuse disposal facility is not permitted within the northern portion of the lot legally described as LOT A, SECTIONS 26, 27, 34 AND 35, TOWNSHIP 10, COMOX DISTRICT, PLAN EPP111857 (Comox Valley Waste Management Centre) as indicated in Figure 12-1. For clarity, this is the portion of land that was added to the Comox Valley Waste Management Centre property in 2021 in Plan EPP111857. ⁷ The maximum floor area for retail sales is 930.0 square metres. Indoor storage is permitted as a principal use on the lots legally described as STRATA LOTS 1-50, SECTION 34, TOWNSHIP 10, COMOX DISTRICT, STRATA PLAN EPS10779 (2794 Beck Avenue). ⁸ Outdoor storage may include the temporary storage of detached dwelling units being moved from one lot to another, up to a maximum of three detached dwelling units per lot. 			

Commented [KA74]: Deleted because this exemption is not necessary as the property is in I-1 where indoor storage is permitted.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Figure 12-1. Comox Valley Waste Management Centre Refuse Disposal Facility Restriction Area



1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

12.3 Subdivision Standards

Criteria	I-1	I-2	I-3
Minimum Lot Area	4,000.0 m ²	7,500.0 m ²	7,500.0 m ²
Minimum Lot Width	30.0 m	30.0 m	10% of lot perimeter

12.4 General Regulations

Criteria	I-1	I-2	I-3
Maximum Lot Coverage	60%	60% ¹	50%
Maximum Lot Coverage including Impermeable Surfaces	80%	70%	n/a
Maximum No. of Dwelling Units ²	1 per lot	1 per lot	1 per lot
Maximum FAR	1.0	0.75	0.75
CONDITIONS [Table 12.4(1)]: ¹ Greenhouses are exempt from lot coverage. ² Dwelling units are permitted in the form of a caretaker suite.			

12.5 Development Standards

Criteria	I-1	I-2	I-3
Maximum Height	15.0 m	12.0 m	15.0 m
Minimum Front Setback	7.5 m	7.5 m ⁴	15.0 m
Minimum Rear Setback	7.5 m		
Minimum Side Setback	7.5 m		

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 12.5(1) Development Regulations for Principal and Secondary Buildings and Structures

Criteria	I-1	I-2	I-3
Minimum Exterior Side Setback	7.5 m		
CONDITIONS [Table 12.5(1)]:			
⁺ Buildings and structures associated with heavy industrial, natural resource extraction, recycling facility, silviculture, and wrecking yard uses must be setback a minimum of 50.0 metres from all lot lines abutting a Residential, Mixed-Use, or Public Use zone.			

Commented [KA75]: Condition can be deleted as no conflict exists between industry zoned properties and the PU-1 zone. It is acceptable to have industrial development next to PU-2 (e.g. the wastewater treatment plant).

Table 12.5(2) Development Regulations for Accessory Buildings and Structures

Criteria	I-1	I-2	I-3
Maximum Floor Area ¹	10% of lot area	10% of lot area	10% of lot area
Maximum Height	15.0 m	15.0 m	15.0 m
Minimum Front Setback	7.5 m	7.5 m	15.0 m
Minimum Rear Setback	7.5 m		
Minimum Side Setback	7.5 m		
Minimum Exterior Side Setback	7.5 m		
CONDITIONS [Table 12.5(2)]:			
¹ Maximum floor area refers to the combined floor area of all accessory buildings and structures on a lot.			
² Buildings and structures associated with heavy industrial, natural resource extraction, recycling facility, silviculture, and wrecking yard uses must be setback a minimum of 50.0 metres from all lot lines abutting a Residential, Mixed-Use, or Public Use zone.			

Commented [KA76]: See above

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 13 PUBLIC USE ZONES

13.1 Intent of Zones

Zone	Zone Name	Intent of Zone
PU-1	Parks and Open Space	This zone is intended to preserve and enhance the community's parks and open space assets while providing for a range of low impact recreational uses.
PU-2	Civic Uses	This zone is intended to accommodate a range of civic functions, including both publicly and privately operated institutional, cultural, educational, and recreational uses.
PU-3	Utility and Services	This zone is intended to accommodate emergency and protective services operations and public and private utilities.

13.2 Permitted Uses

Use	PU-1	PU-2	PU-3
Accessory Buildings and Structures	S	S	S
Care Facility, Child ¹	--	P	--
Care Facility, Community ¹	--	P	--
Caretaker Suite	--	--	S
Cemetery	--	P	--
Container	--	S	S
Cultural and Community Services	S	P	--
Dwelling Units	-- ²	--	--
Education Services	S	P	S
Emergency and Protective Services	--	P	P

Commented [KA77]: This was inadvertently omitted in the new Zoning Bylaw. Shipping containers are in use on properties in both the PU-2 and PU-3 zones. The use has been added to avoid creating lawful non-conforming uses in those zones.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

Table 13.2(1) Permitted Uses

P = permitted as a principal use
 S = permitted as a secondary use
 -- = use not permitted

Use	PU-1	PU-2	PU-3
Farmer's Market	S	S	--
Food Services	S ³	S ⁴	--
Health Services	--	P	S
Mobile Vending ⁵	S	S	--
Parking Lot	S	S	S
Recreation Services, Indoor	--	P	--
Recreation Services, Outdoor	S	P	--
Utilities	S	S	P

CONDITIONS [Table 13.2(1)]:

- ¹ Subject to the screening requirements for care facilities prescribed in [Section 7.3](#) of this Bylaw.
- ² One detached [dwelling unit](#) is permitted as a principal use on the lot legally described as LOT 1, SECTION 3 AND DISTRICT LOT 24, NELSON DISTRICT, PLAN VIP74169 (Coal Creek Historic Park).
- ³ The maximum [floor area](#) for [food services](#) is 20.0 square metres.
- ⁴ The maximum [floor area](#) for [food services](#) is 150.0 square metres.
- ⁵ Subject to the [mobile vending](#) regulations prescribed in [Section 6.5](#) of this Bylaw.

13.3 Subdivision Standards**Table 13.3(1) Subdivision Standards**

Criteria	PU-1	PU-2	PU-3
Minimum Lot Area	n/a	325.0 m ²	325.0 m ²
Minimum Lot Width	n/a	9.0 m	9.0 m

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

PART 14 RURAL ZONES

14.1 Intent of Zones

Zone	Zone Name	Intent of Zone
FSG	Forest Stewardship Greenway	This zone is intended to accommodate forest management and any associated residential uses, as well as appropriate, low impact, recreational activities in the forested areas outside of the Urban Containment Boundary.
RT	Recreation and Tourism	This zone is intended to accommodate existing recreational accommodation and associated recreational activities adjacent to Comox Lake.
DWP	Drinking Water Protection	Comox Lake is a drinking water source for the Comox Valley. This zone is intended to accommodate low impact recreational uses while limiting development in and on Comox Lake to protect its water quality.

14.2 Permitted Uses

Use	FSG	RT	DWP
Accessory Buildings and Structures	S	S	-- ¹
Agriculture, Urban ²	S	--	--
Campground	--	P--	--
Care Facility, Child ³	P	P	--
Care Facility, Community ³	P	--	--
Care Facility, Licence-Not-Required	S	--	--
Dwelling Units	P	P	--
Home Occupation ⁴	Minor	S	--
	Standard	S	--

Commented [KA78]: The Comox Lake Land Corporation property is the only property in this zone. As part of the rezoning application of that property, "campground" was taken out as a permitted use to avoid potential additional human use within the Comox Lake Drinking Watershed. That is reflected in Bylaw 1241 which received second reading in October 2025. In the event that Bylaw 1241 is not adopted, it is nonetheless desirable to prevent the possible future establishment of a private campground within the Drinking Watershed.

1 – Administration	2 – Enforcement	3 – Interpretation	4 – Definitions	5 – General Regulations
6 – Use-Specific Regulations	7 – Landscaping & Screening	8 – Signage	9 – Parking and Loading	10 – Residential Zones
11 – Mixed-Use Zones	12 – Industry Zones	13 – Public Use Zones	14 – Rural Zones	15 – Interchange Zones

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1266

A Bylaw to amend the Village of Cumberland Zoning Bylaw No. 1238, 2025

The Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts as follows:

1. This Bylaw shall be cited as “Zoning Amendment Bylaw No. 1266, 2026”.
2. “Zoning Bylaw No. 1238, 2026” is amended in **Part 4 Definitions**, section *4.1 Defined Terms* as follows:
 - (a) Under DRIVE AISLE, by inserting: “and loading” between “parking” and “spaces.”
 - (b) Under FLOOR AREA, GROSS (GFA) by inserting: “required” between “accommodate” and “parking areas”
 - (c) Following the definition for GRADE, NATURAL by inserting: “GREENHOUSE, COMMERCIAL means a climate-controlled structure enclosed by glass or multiple layers of plastic, used year-round for the cultivation of agricultural crops intended for wholesale or retail sales.”
 - (d) Under INDUSTRIAL, HEAVY, following “raw materials,” by striking: “including the processing of animal products and byproducts.”
 - (e) By striking: “MANOEUVRING AISLE means a pathway designated for use by vehicular traffic, within a parking lot or parking area, for the purpose of accessing individual parking and loading spaces.”
 - (f) Under MANUFACTURED HOME, following “is constructed to” by inserting: “either” and following “CAN/CSA Z-240 (Mobile Home)” by inserting: “CAN/CSA Z-277 (Modular Home)”.
 - (g) Under PARKING AREA, by striking: “maneuvering” and substituting: “drive”.
 - (h) Under PLANT NURSERY, after “display and” inserting hyperlinks for “wholesale” and for “retail sale”.
 - (i) Following the definition for PRODUCTION FACILITY, CANNABIS by inserting: “PRODUCTION FACILITY, FOOD means premises used to process, package, store, and

distribute agricultural products, including animal products and byproducts, but specifically excluding cannabis or cannabis-related products, and may include ancillary sales of such products.”

3. “Zoning Bylaw No. 1238, 2026” is amended in **Part 5 General Regulations** as follows

(a) Under *5.2 Uses Prohibited in All Zones* by inserting: “(d) water and beverage bottling where the source is the municipal water supply supplied directly to the property on which the bottling is taking place.”

(b) Under *5.3 Development Standards*

- i. under the heading “5.3 Development Standards” by inserting the subheading: “5.3.1 Setbacks”
- ii. under the new section 5.3.1 at the end of (1), by inserting after “distance specified”:

“(a) Despite Section 5.3.1(1), where a dwelling unit is located within the rear portion of a lot and does not have year-round rear lane access by a lane that is wider than 6.0 metres:

 - i. a 1.5-metre-wide emergency access aisle, clear of any buildings, structures, retaining walls, and other such obstructions must be provided between the front lot line and the dwelling unit; and
 - ii. fences erected within the emergency access aisle must be passable at all times via 1.5-metre-wide fence gate.”
- iii. at the end of the new section 5.3.1 by inserting a new section title: “5.3.2 Height” and renumbering the paragraphs that follow “(1)” and “(2)”
- iv. by striking: “(5) Despite any other provisions in this Bylaw, heating, ventilation, and air conditioning equipment must be located to minimize their impact on adjacent dwelling units by avoiding proximity to windows and doors.”

(c) in *Table 5.4(1) Exemptions from Development Regulations*,

- i. at the end of the row starting with “Enclosed areas...”, by striking: “Enclosed parking areas, including ramps for vehicular access/egress” and substituting: “Enclosed areas used to accommodate required parking areas, including ramps for vehicular access/egress”
- ii. in the row starting with “Uncovered driveways...”, by striking: “manoeuvring” and substituting: “drive”.

- iii. under CONDITIONS, inserting “7 Includes garages, underground parkades, and any other such enclosed parking structure used to accommodate required parking areas.” and
 - iv. renumbering the subsequent lines in sequential order.
4. “Zoning Bylaw No. 1238, 2026” is amended in **Part 6 Home Occupations** as follows:
- (a) In *Table 6.4(2) Home Occupation Regulations*,:
- i. in the row titled “Retail Sale Restrictions”, by striking: “The display and retail sale of goods is limited to goods that were produced or manufactured on-site incidentally to the home occupation, or goods produced or manufactured off-site which are directly related to the home occupation. In no instance must the display and sale of a good be the primary purpose of any home occupation.”

and substituting:

“The display and retail sale of goods is limited to goods that were produced or manufactured on-site incidentally to the home occupation, or goods produced or manufactured off-site which are directly related to the home occupation. In no instance must the display and in-person sale of goods be the primary purpose of any home occupation. For clarity, the virtual sale and distribution of goods is permitted.”
 - ii. in the row titled “Other Restrictions”, in the second cell of that row, by striking: “Should the home occupation cease, the additional cooking facilities must be removed and are in no instance to be used to establish an additional dwelling.”
 - iii. under CONDITIONS [Table 6.4(2)] by striking:

“The use of a side or rear yard is permitted for care facility home occupations only, subject to the screening requirements prescribed in Part 7 of this Bylaw.”

and substituting:

“The use of outdoor spaces is permitted for care facility home occupations.”
- (b) In section *6.6 Refuse Disposal Facility* by striking:
- “(1) Despite any other provision of this Bylaw, only the following uses may be located within 500.0 metres of a [refuse disposal facility](#):
 - (a) [automotive and equipment services, industrial](#);

- (b) bulk fuel storage;
- (c) compost facility;
- (d) containers;
- (e) fleet services facility;
- (f) industrial, heavy;
- (g) natural resource extraction;
- (h) parking lot;
- (i) recycling facility;
- (j) sawmill;
- (k) silviculture;
- (l) storage, outdoor;
- (m) storage, warehouse; and
- (n) wrecking yard.”

and substituting:

“ (1) Despite any other provision of this Bylaw, the following uses may not be located within 500.0 metres of a refuse disposal facility:

- (a) dwelling units;
- (b) food production facilities; and
- (c) food services.”

(c) In *Table 6.8(1) Urban Agriculture Regulations*, in the row titled *Accessory Buildings and Structures*,

- i. in the column titled *Keeping of Bees*, following “A maximum of two hives and two nucs” by striking “is” and substituting: “are”
- ii. in the column titled *Keeping of Bees*, following “All hives must be set back a minimum of 6.0 metres from all sidewalks, highways,” by striking: “lots” and substituting “any lot line which abuts a lot”
- iii. in the column titled *Keeping of Poultry*, following “A coop and associated run must be set back a minimum of 4.5 metres from” by striking: “all lots” and inserting “any lot line which abuts a lot”

(d) In *Table 6.8(1) Urban Agriculture Regulations*, in the row titled *Food Processing Restrictions*, by striking: “food” and substituting: “agricultural” and, following “products” inserting: “(including animal products or byproducts)”.

5. “Zoning Bylaw No. 1238, 2026” is amended in **Part 7 Landscaping and Screening** as follows:

(a) In section *7.1 General*,

- i. subsection (2) following “All required landscaping” by inserting: “and landscape screen”
- ii. subsection (3) following “All required landscaping” by inserting: “and landscape screen”
- iii. at the end of subsection (3), by inserting: “(c) Required maintenance for non-vegetative **landscape screens** includes structural repairs or replacements, aesthetic improvements such as painting or refinishing, and clearing of litter and other such debris.”

(b) In section 7.2 *Landscaping Requirements* by striking:

“(1) The **landscaping** requirements prescribed in **Table 7.2(4)** and **Table 7.2(5)** are only applicable to development comprising one or more new **dwelling units**, including the demolition and replacement of one or more existing **dwelling units**.”
 and renumbering the subsequent paragraphs starting with (1).

(c) In section 7.2 *Landscaping Requirements*,

- i. by striking: “Where construction works are proposed within 10.0 metres of an existing tree that is to be retained to meet the requirements prescribed in **Table 7.2(4)**, temporary protective fencing must be erected around the dripline of the tree, or at a minimum radius equal to 1.0 metre for every 1.0 centimetre of trunk diameter measured from 1.37 metres above natural grade, whichever is greater.”
 and
- ii. substituting:” Where construction works are proposed within 10.0 metres of an existing tree that is to be retained to meet the requirements prescribed in **Table 7.2(1)**, temporary protective **fencing** must be erected around the dripline of the tree or along the perimeter of a circle having a radius which is calculated by multiplying the trunk diameter measured from 1.37 metres above **natural grade** by 12, whichever is greater.”.

(d) In section 7.2 *Landscaping Requirements*, by striking *Table 7.2(3) Landscaping Regulations – Trees* and substituting:

Table 7.2(1) Landscaping Regulations - Trees		
Criteria	Residential Zones	All Other Zones
	≤ Three Dwelling Units : 1 tree per dwelling unit ^{1,2}	1 tree per 10.0 linear metres of landscape area ³

Table 7.2(1) Landscaping Regulations - Trees			
Criteria	Residential Zones		All Other Zones
Minimum Number of Trees ²	≥ Four Dwelling Units: 1 tree per 10.0 linear metres of landscape area ^{1,2,3}		
	A minimum of one tree is required per lot.		
Minimum Tree Size ⁴	Small Tree: expected mature canopy diameter of less than 5.0 metres Medium Tree: expected mature canopy diameter of 5.0 to 8.0 metres Large Tree: expected mature canopy diameter of greater than 8.0 metres		
Minimum Tree Size Ratio	Small Tree: maximum 25% of required trees Medium Tree: n/a Large Tree: minimum 50% of required trees		
	Where only one tree is required, such tree must be a large tree. ⁴ .two medium trees or, where the canopy cover cannot be accommodated within the open space on the lot, three small trees.		
Minimum Tree Height	1.4 m		
Minimum Soil Volume Per Tree		Single Tree	Shared ⁷
	Small Tree	15.0 m ³	10.0 m ³
	Medium Tree	18.0 m ³	12.0 m ³
	Large Tree	20.0 m ³	15.0 m ³
Minimum Setback from Buildings or Structures	Small Tree: 1.0 metre radius from centre of the tree Medium Tree: 2.0 metre radius from centre of the tree, depending on expected mature canopy diameter at maturity. Large Tree: 3.0 metre radius from centre of the tree		
Tree Spacing	Minimum tree spacing must be based on site requirements for sightlines, accessibility, and standard planting practices for the selected tree species.		
Overhead Interference	Required trees must be planted where overhead electrical power lines or other such objects will not interfere with their growth.		
Exemptions	For development comprised of two or more dwelling units , required trees may be accommodated within an irrigated boulevard, subject to written consent from the Village.	Required trees may be accommodated within an irrigated boulevard, subject to written consent from the Village.	

Table 7.2(1) Landscaping Regulations - Trees		
Criteria	Residential Zones	All Other Zones
<p>CONDITIONS [Table 7.2(3)]:</p> <p>1 Landscaping requirements do not apply to the replacement or addition of a secondary suite.</p> <p>2 The minimum number of trees is inclusive of any existing trees on the lot that are to be retained, provided such trees meet all other landscaping regulations.</p> <p>3 The linear metre calculation is used to determine the minimum number of trees to be planted on the lot.</p> <p>4 Tree size must be determined based on the expected mature canopy spread under local growing conditions, as classified in the Species Recommendations included in the Village’s Urban Forest Management Plan, planting plan, nursery tag, or published species information from a reputable source (e.g., BC Landscape & Nursery Association or Canadian Landscape Standard plant database). All columnar, fastigate, or dwarf cultivars are considered small trees, regardless of their height, unless otherwise demonstrated through nursery specifications or arborist verification.</p> <p>5 Soil volume may be shared amongst multiple plantings (trees, shrubs, etc.), provided continuous growing medium can be reached by the roots of such plantings.</p>		

(i) In section 7.2 Landscaping Requirements by striking Table 7.2(4) Landscaping Regulations – All Other Requirements and substituting:

Table 7.2(2) Landscaping Regulations – All Other Requirements		
Criteria	Residential Zones ¹	All Other Zones
Minimum Planting Requirements for Landscape Areas ²	75% of all landscape areas must be planted with soft-landscaping elements.	75% of all landscape areas must be planted with soft-landscaping elements. ^{3, 4}
Minimum Planting Requirements for Tiered Retaining Walls	100% of the horizontal area between each tier of a retaining wall must be planted with soft-landscaping elements.	

Table 7.2(2) Landscaping Regulations – All Other Requirements		
Criteria	Residential Zones ¹	All Other Zones
Minimum Landscaping for Parking Areas	<p>Parking Areas that Accommodate < 15 Vehicles: n/a</p> <p>Parking Areas that Accommodate ≥ 15 Vehicles: a contiguous, 1.5 metre wide landscape buffer planted with soft-landscaping elements shall be provided between the parking area and any abutting highways</p>	
	A minimum of one tree must be included in a landscape island. ⁵	
	The maximum number of consecutive parking spaces is 15. A landscape buffer or drive aisle must separate the next 15 parking spaces .	
	Landscape buffers must be clearly delineated as separate and in addition to required parking and loading spaces.	
	Landscape buffers must be located such that loading and unloading vehicles can access the site without interference.	
Irrigation	All required landscaping installations must be equipped with a permanent, fully automatic, low-water requirement irrigation system. ⁶	
	Run-off onto sidewalks, highways, or parking and loading areas is not permitted.	
Outdoor Lighting	Flashing or blinking exterior lighting is not permitted.	
	All direct or ambient lighting must have a DarkSky seal and be directed or shielded to ensure direct light rays do not shine beyond the boundaries of the lot .	
<p>CONDITIONS [Table 7.2(2)]:</p> <p>¹ Landscaping requirements are only applicable to development comprising four or more dwelling units on a lot, including the replacement of existing dwelling units. Landscaping requirements do not apply to the development of a new coach house, or a new secondary suite within an existing building.</p> <p>² Electrical transformers and driveways sited within the landscape area can be excluded from the total landscape area measurement used to calculate the minimum requirements for soft-landscaping elements.</p> <p>³ For lots abutting the Inland Island Highway, a landscape area comprising the first 30.0 metres from the lot line abutting the Inland Island Highway must be 100% planted with soft-landscaping elements.</p> <p>⁴ For lots abutting Memorial Way, a landscape area comprising the first 10.0 metres from the lot line abutting Memorial Way must be 100% planted with soft-landscaping elements.</p>		

Table 7.2(2) Landscaping Regulations – All Other Requirements		
Criteria	Residential Zones ¹	All Other Zones
5	The minimum number of trees required within parking islands is in addition to the minimum number of trees required for all development. Where applicable, trees in adjacent parking islands may share soil volume with an adjacent landscape area to meet the minimum trenched/shared soil volume amounts, provided no tree is counted twice when determining whether the overall tree requirements of a lot have been achieved.	
6	Areas of existing, undisturbed, native vegetation which wholly or partially achieve the landscaping requirements, as well as areas specifically designed as xeriscape or with drought resistant native species planting are exempt from requiring a permanent, fully automatic, low-water requirement irrigation system, provided the applicant demonstrates how the vegetation will be established and maintained.	

(j) In section 7.3 Landscape Screens by striking: *Table 7.3(1) Landscape Screen Standards.*

(k) In section 7.3 *Landscape Screens* by striking:

“(2) All required landscape screens must be regularly maintained by property owners to ensure a healthy, neat, and orderly appearance throughout the year.

(a) Required maintenance for vegetative landscape screens includes watering, fertilizing, liming, pruning, and removal of dead or diseased plant material, as well as weed, pest, and disease control.

(b) Required maintenance for non-vegetative landscape screens includes structural repairs or replacements, aesthetic improvements such as painting or refinishing, and clearing of litter and other such debris.”

and renumbering the paragraphs that follow in sequential order.

(l) In section 7.3 *Landscape Screens* by striking *Table 7.3(5) Landscape Screen Regulations* and substituting:

Table 7.3(1) Landscape Screen Requirements			
Criteria or Use	Residential Zones	Industry Zones	All Other Zones
Adjacent Zones	-	A fence must be provided along all lot lines that abut a lot	-

Table 7.3(1) Landscape Screen Requirements			
Criteria or Use	Residential Zones	Industry Zones	All Other Zones
		in a non-Industry zone.	
Detached Dwelling Units	Where there is more than one detached dwelling unit on a lot, and where a detached dwelling unit is located within 4.5 metres of any lot line abutting a lot in a Residential zone, a landscape screen must be provided along such lot line.	n/a	
	Receptacles used for waste management must be screened from adjacent properties.		
≥ Four new Dwelling Units	A landscape screen must be provided along all rear and interior side lot lines.	n/a	
	Receptacles used for waste management must be screened from adjacent properties.		
Bulk Fuel Storage	n/a	A fence must be provided around all yards used for bulk fuel storage.	n/a
Home Occupations	A landscape screen must be provided around all rear or side yards used for an accommodation home occupation.	n/a	
Heating, Ventilation and Air Conditioning (HVAC) Equipment	Where HVAC equipment is located within 3.0 metres of a lot line, a landscape screen must be provided around the equipment to attenuate noise emanating from the equipment.		

Table 7.3(1) Landscape Screen Requirements			
Criteria or Use	Residential Zones	Industry Zones	All Other Zones
Outdoor Storage	n/a		A landscape screen must be provided around all yards used for outdoor storage.
Wrecking Yards		A fence must be provided around all wrecking yards.	n/a

(m) In section 7.3 *Landscape Screens*, following Table 7.3(1) *Landscape Screen Requirements* by inserting Table 7.3(2) *Standards for Required Landscape Screens*:

Table 7.3(2) Standards for Required Landscape Screens ¹				
Type	Industry Zones		All Other Zones	
	Minimum Height	Maximum Height	Minimum Height	Maximum Height
Existing vegetation which provides a complete permanent visual screen	2.0 m	n/a	2.0 m	n/a
Continuous row of native, drought-tolerant plants	2.0 m ²	n/a	2.0 m ²	n/a
Solid, opaque fence or brick or stone wall ³	2.5 m	3.5 m	1.8	2.0 m

CONDITIONS [Table 7.3(2)]:

- ¹ Except where otherwise specified in this Bylaw, all required landscape screens shall be continuous except to accommodate access/egress to or from the screened area.
- ² The minimum height at the time of planting is 1.0 metres.
- ³ No landscape screen in any zone other than the **Industrial Refuse (I-3)** zone can be comprised of or contain barbed wire, razor wire, sheet metal, or plywood.

(n) In section 7.3 *Landscape Screens* by striking:

- “ (3) No landscape screen in any zone other than the Industrial Refuse (I-3) zone can be comprised of or contain barbed wire, razor wire, electrified wire, sheet metal, or plywood.
- (4) Except where otherwise specified in this Bylaw, all required landscape screens must be continuous except to accommodate access/egress to or from the screened area.

(o) Following Table 7.3(1) in section 7.3 *Landscape Screens* by inserting a new heading: “7.4 Fence” and renumbering subsequent headings in Part 7.

(p) In section 7.4 Fence, by inserting:

- “(1) Despite any other height regulation in this Bylaw, no fence shall exceed the maximum fence height regulations prescribed in this section.”

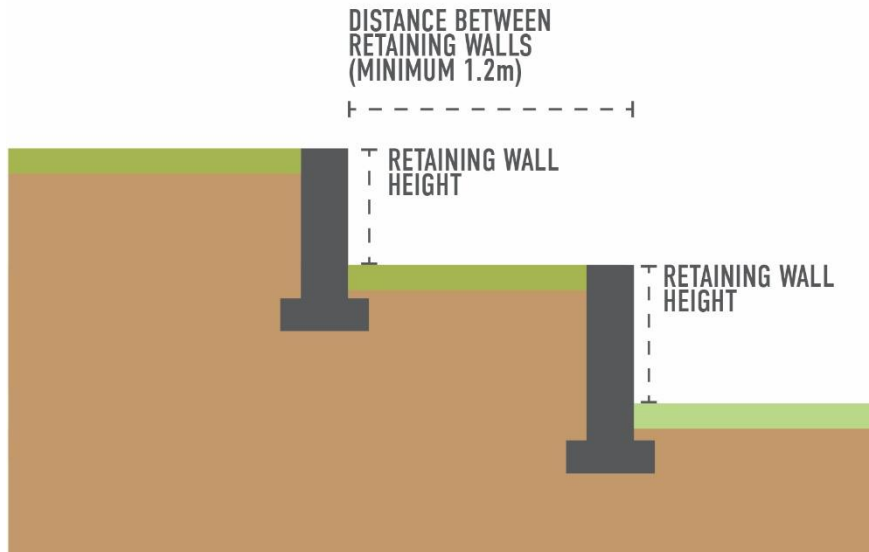
(q) In section 7.4 Fence, by striking *Table 7.3(7) Fence Standards* and substituting:

Table 7.4(3) Fence Heights ¹			
Zone(s)		Minimum Fence Height	Maximum Fence Height ²
Residential and Mixed-Use	Front Yard	-	1.2 m
	All Other Yards	-	2.0 m
Rural and Public Use	All Yards	-	2.0 m
Industry	All Yards	2.5 m	3.5 m
Interchange	All Yards	-	2.0 m

CONDITIONS [Table 7.4(3)]:

- ¹ No fence in any zone other than the Industrial Refuse (I-3) zone can be comprised of or contain barbed wire, razor wire, sheet metal, or plywood.
- ² The maximum height of a fence erected on a lot which abuts a neighbouring lot where the finished grade is higher than that of subject lot, is 3.0 metres, provided the fence does not protrude more than 2.0 metres above the finished grade of the neighbouring lot (see Figure 7-1).

- (r) In section 7.5 *Retaining Walls* by striking *Figure 7-2 Retaining Walls* and inserting the Figure below:



6. “Zoning Bylaw No. 1238, 2026” is amended in **Part 8 Signage** as follows:
- (a) In section 8.3 *All Other Signs*, subsection (b) i. b. by striking: “77.0” and substituting: “80.0”
 - (b) In section 8.3 *All Other Signs*, subsection (b) by inserting:
 - “vi. one free-standing sign at each formal access or egress to a property that is shared by several businesses, subject to the following regulations:
 - a. maximum height must not exceed 4.0 m
 - b. maximum sign area must not exceed 6.0 square metres
 - vii. one window graphics sign
 - vii. one painted wall sign.”
 - (c) In section 8.3 *All Other Signs*, subsection (d) by striking: “discouraged” and substituting: “not permitted”.
7. “Zoning Bylaw No. 1238, 2026” is amended in **Part 9 Parking and Loading** as follows:

- (a) In section 9.2 *Cash-in-Lieu* paragraph (1) by striking: “Table 9.2(5) and Table 9.2(5)” and substituting: “Table 9.2(1) and Table 9.2(2).
- (b) In Table 9.2(2), in the header row, by striking “Table 9.2(2)” and substituting: “Table 9.2(1)”.
- (c) In Table 9.2(2), following CONDITIONS by striking “Table 9.2(3)” and substituting: “Table 9.2(1)”.
- (d) In section 9.3 *Location, Siting, Dimension and Design Standards*, in the header row and following CONDITIONS, by renumbering “Table 9.3(6)” to: “Table 9.3(3).”
- (e) In section 9.4.1 *Conventional Parking*, Table 9.4.1(2) *Parking Requirements – All Other Areas* by inserting the following row below the row titled “Gas Station”

Greenhouse, Commercial	0.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses	1.0 space per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses
------------------------	--	---

and by inserting the following row below the row titled “Production Facility, Cannabis”:

Production Facility, Food	0.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses	1.5 spaces per 100.0 m ² of floor area, plus parking space requirements of any ancillary uses
---------------------------	--	--

- (f) In section 9.4.9 *Loading*, renumber Table 9.4.9(3) *Loading Requirements* to: “Table 9.4.9(2) *Loading Requirements*” and, under CONDITIONS, renumber Table 9.4.9(3) to: “Table 9.4.9(2)”.
- (g) In section 9.4.9 *Loading*, Table 9.4.9 (2) *Loading Requirements*
 - i. In the row titled “All Other Uses – Minimal Loading” by striking “Minimal” and substituting: “Conventional”
 - ii. In the row below the heading row “All Other Uses – Conventional Loading, by striking:
 - “Personal Services”,
 - “Professional Services, Internal Facing” and
 - “Professional Services, Public Facing”

- iii. In the row below the heading row “All Other Uses – Oversize Loading” by inserting:
 “Greenhouse, Commercial” and
 “Production Facility, Food”
- iv. Under CONDITIONS [Table 9.4.9(2)] 1 by striking “ten” and substituting “thirty”

(h) Under section 9.5 *Bicycle Parking*

- i. by renumbering paragraph (2) to: “(1)”
- ii. under (1) renumbering Table 9.5(3) to: “Table 9.5(2)” and
- iii. renumbering the tables that follow in this section in sequential order.

- (i) Under section 9.5 *Bicycle Parking*, in Table 9.5(4) *Bicycle Parking Requirements*, below the row titled “Gas Stations” by inserting:

Greenhouse, Commercial	n/a	0.2 space per 100.0 m ² of floor area
------------------------	-----	--

- (j) Under section 9.5 *Bicycle Parking*, in Table 9.5(4) *Bicycle Parking Requirements*, below the row titled “Production Facility, Cannabis” by inserting:

Production Facility, <u>Food</u>	0.6 spaces per 100.0 m ² of floor area	0.2 spaces per 100.0 m ² of floor area
----------------------------------	---	---

- (k) Under section 9.6 *End of Trip Facilities*, paragraph (1) by striking: “Table 9.5(6)” and substituting: “Table 9.5(4).”

- (l) renumbering all occurrences of “Table 9.5(6) End of Trip Facility Requirements” to “Table 9.6(1) End of Trip Facility Requirements”

8. “Zoning Bylaw No. 1238, 2026” is amended in **Part 10 Residential Zones** as follows:

- (a) In section 10.2 *Permitted Uses*, Table 10.2(1) in the row titled “Dwelling Units”, under the column titled “R-MHP” by striking “--” and substituting: “P”
- (b) In section 10.4 *General Regulations*, Table 10.4(1) *General Regulations*, CONDITIONS [Table 10.4(1)] by striking: “² A maximum of three dwelling units are permitted on lots that are connective to both community water and community sewer systems or are 1.0 hectares of larger in size.”

and renumbering the conditions that follow in sequential order.

(c) In section 10.5 *Development Standards, Table 10.5(1)*, under “CONDITIONS [Table 10.5(1)]”, by inserting: “⁴ Where the rear lot line abuts a lane, the minimum rear setback is 1.5 m.”

9. “Zoning Bylaw No. 1238, 2026” is amended in **Part 11 Mixed-Use Zones, Table 11.2(1) Permitted Uses** as follows:

- (a) in the cell in the row titled “Home Occupation/Standard” and under the column titled “MU-2” by striking “—” and substituting: “S”
- (b) in the cell in the row titled “Home Occupation/Short-Term Rental Accommodation” and under the column titled “MU-2” by striking “—” and substituting: “S”
- (c) in the cell in the row titled “Secondary Suite” and under the column titled “MU-2” by striking “—” and substituting: “S”
- (d) under CONDITIONS [Table 11.2(1)], line 19 by striking “2,800” and substituting: “1,270”.
- (e) in section 11.3 *Subdivision Standards*, in the row titled “Minimum Lot Area, One-detached dwelling unit” and the row titled “Minimum Lot Area, Two attached dwelling units” under the column titled “MU-1” by inserting “n/a”.

10. “Zoning Bylaw No. 1238, 2026” is amended in **Part 12 Industry Zones** as follows:

(a) In *Table 12.2(1) Permitted Uses*:

i. by inserting the following row below the row titled “Gas Station”:

Greenhouse, Commercial	P	P	--
------------------------	---	---	----

ii. by inserting the following row below the row titled “Production Facility, Cannabis”:

Production Facility, Food	P	P	--
---------------------------	---	---	----

iii. under CONDITIONS [Table 12.1(2)] by striking paragraph 8:

“Indoor storage is permitted as a principal use on the lots legally described as STRATA LOTS 1-50, SECTION 34, TOWNSHIP 10, COMOX DISTRICT, STRATA PLAN EPS10779 (2794 Beck Avenue).”

and renumbering the paragraph that follows: “8”

(b) In section 12.5 *Development Standards, Table 12.5(1) Development Regulations for Principal and Secondary Buildings and Structures*, by striking:

:

CONDITIONS [Table 12.5(1)]:

¹ Buildings and structures associated with heavy industrial, natural resource extraction, recycling facility, silviculture, and wrecking yard uses must be setback a minimum of 50.0 metres from all lot lines abutting a Residential, Mixed-Use, or Public Use zone..

(c) In section 12.5 Development Standards, in Table 12.5(2) Development Regulations for Accessory Buildings and Structures, under CONDITIONS by striking:

“² Buildings and structures associated with heavy industrial, natural resource extraction, recycling facility, silviculture, and wrecking yard uses must be setback a minimum of 50.0 metres from all lot lines abutting a Residential, Mixed-Use, or Public Use zone.”

11. “Zoning Bylaw No. 1238, 2026” is amended in **Part 13 Public Use Zones** as follows:

(a) In section 13.2, Table 13.2(1) Permitted Uses, following the row titled “Cemetery” by inserting:

Container	--	S	S
-----------	----	---	---

12. “Zoning Bylaw No. 1238, 2026” is amended in **Part 14 Rural Zones** as follows:

(a) In Table 14.2(1) Permitted Uses in the cell where the column titled “RT” intersects with the row titled “Campground” by inserting: “P”

READ A FIRST TIME THIS _____ DAY OF _____ 2026.
 READ A SECOND TIME THIS _____ DAY OF _____ 2026.
 READ A THIRD TIME THIS _____ DAY OF _____ 2026.
 ADOPTED THIS _____ DAY OF _____ 2026.

 Mayor

 Corporate Officer