



VILLAGE OF HARRISON HOT SPRINGS

NOTICE OF MEETING AND AGENDA

REGULAR COUNCIL MEETING

Date: Monday, December 3, 2012
Time: 7:00 p.m.
Location: Council Chambers, 495 Hot Springs Road
 Harrison Hot Springs, British Columbia

1. CALL TO ORDER			
	(a)	Meeting called to order by Mayor Facio	
2. INTRODUCTION OF LATE ITEMS			
3. APPROVAL OF AGENDA			
4. ADOPTION OF COUNCIL MINUTES			
<input type="checkbox"/> Regular Council Meetings Minutes of November 19, 2012		THAT the Regular Council Meeting Minutes of November 19, 2012 be adopted.	Item 4.1 Page 1
<input type="checkbox"/> Public Hearing Record of November 19, 2012		THAT the Public Hearing Record of November 19, 2012 be received.	Item 4.2 Page 7
5. BUSINESS ARISING FROM THE MINUTES			
6. CONSENT AGENDA			
i. Bylaw			Item 6.i
ii. Agreements			Item 6.ii
iii. Committee/ Commission Minutes			Item 6.iii

iv. Correspondence		Item 6 iv
7. DELEGATIONS		
		Item 7.1
8. CORRESPONDENCE		
	Item 8.1	
9. BUSINESS ARISING FROM CORRESPONDENCE		
10. REPORTS OF COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS		
		Item 10.1
11. REPORTS FROM MAYOR		
L. Facio – verbal		
12. REPORTS FROM STAFF		
<input type="checkbox"/> 2013 Regular Council Meeting Schedule <input type="checkbox"/> Special Occasion Licence Application – Harrison Festival of the Arts <input type="checkbox"/> Fraser Valley Regional Library Board representative and alternate	<p>Report of Deputy Chief Administrative Officer/CO – November 19, 2012 Re: 2013 Regular Council Meeting Schedule</p> <p>Recommendation:</p> <p>THAT the 2013 Regular Council meeting schedule be approved.</p> <p>Report of Deputy Chief Administrative Officer/CO – November 22, 2012 Re: Special Occasion Licence Application – Harrison Festival of the Arts</p> <p>Recommendation:</p> <p>THAT Council approve the endorsement of the Harrison Festival of the Arts Special Occasion Licence Applications for the period January to June 2013.</p> <p>Report of Deputy Chief Administrative Officer/CO – November 22, 2012 Re: Fraser Valley Regional Library Board representative and alternate</p> <p>Recommendation:</p> <p>THAT Council appoint a member of Council to fulfil the role as municipal director for the Fraser Valley Regional Library Board; and</p> <p>THAT Council appoint a member of Council to fulfil the role as alternate municipal director for the Fraser Valley Regional Library Board.</p>	<p>Item 12.1 Page 13</p> <p>Item 12.2 Page 17</p> <p>Item 12.3 Page 19</p>

<p><input type="checkbox"/> Results of Public Hearing – Zoning Bylaw No. 1020, 2012</p> <p><input type="checkbox"/> Fire Protection Services Agreement</p>	<p>Report of Manager of Development Services – November 22, 2012 Re: Results of Public Hearing – Zoning Bylaw No. 1020, 2012</p> <p>Recommendation:</p> <p>THAT the report from staff on the Public Hearing regarding ‘Harrison Hot Springs Zoning Bylaw No. 1020, 2012’ be received.</p> <p>Report of Chief Administrative Officer – November 29, 2012 Re: Fire Protection Services Agreement</p> <p>Recommendation:</p> <p>THAT Council authorise staff to serve notice to the District of Kent pursuant to section 7(a) of the Agreement and terminate the Agreement.</p>	<p>Item 12.4 Page 21</p> <p>Item 12.5 Page 79</p>
13. BYLAWS		
14. QUESTIONS FROM THE PUBLIC		
15. ADJOURNMENT		

**VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE REGULAR MEETING OF COUNCIL**

DATE: November 19, 2012
TIME: 8:09 p.m.
PLACE: Council Chambers, Memorial Hall
 290 Esplanade Avenue, Harrison Hot Springs

IN ATTENDANCE:

Mayor Leo Facio
 Councillor Allan Jackson
 Councillor Sonja Reyerse
 Councillor John Buckley
 Councillor Zoltan Kiss

DCAO/Corporate Officer, Debra Key
 CAO, Ted Tisdale
 Manager of Planning and Community Services,
 Andre Isakov
 Manager of Development Services, Ian Crane
 Ian Gardner, Operations Manager

Recording Secretary, Krystal Sobie

ABSENT:

1. CALL TO ORDER

Mayor Facio called the meeting to order at 8:09 p.m.

2. INTRODUCTION OF LATE ITEMS

3. APPROVAL OF AGENDA

Moved by Councillor Jackson
Seconded by Councillor Buckley

THAT the agenda be approved.

**CARRIED
UNANIMOUSLY**

4. ADOPTION AND RECEIPT OF MINUTES

Regular Council Meeting
 Minutes – November 5, 2012

Moved by Councillor Reverse
Seconded by Councillor Buckley

THAT the minutes of the Regular Council Meeting of November 5,
 2012 be adopted.

**CARRIED
UNANIMOUSLY**

*Village of Harrison Hot Springs
Minutes of the Regular Council Meeting
November 19, 2012*

5. **BUSINESS ARISING FROM THE MINUTES**

6. **CONSENT AGENDA**

i. **Bylaws** Bylaw No. 1022 Financial Plan Amendment

ii. **Agreements**

iii. **Committee/
Commission
Minutes** Advisory Planning Commission Meeting Minutes of September 18, 2012

iv. **Correspondence** Letter dated October 31, 2012 from the Minister of Public Safety regarding Joint Emergency Preparedness Program (JEPP) and the Canadian Emergency Management College

Moved by Councillor Jackson
Seconded by Councillor Reyerse

THAT Bylaw No. 1022 Financial Plan Amendment be adopted and the Advisory Planning Commission meeting minutes and correspondence be received.

**CARRIED
UNANIMOUSLY**

7. **DELEGATIONS**

8. **CORRESPONDENCE**

9. **BUSINESS ARISING OUT OF CORRESPONDENCE**

10. **REPORTS OF COMMITTEES, COMMITTEE OF THE WHOLE
AND COMMISSIONS**

Councillor Kiss reported on the following items:

There is a PEP meeting being held on December 5, 2012

November 20, 2012 the Agassiz Library is offering a free diabetes test for any residents

*Village of Harrison Hot Springs
Minutes of the Regular Council Meeting
November 19, 2012*

WorkBC in Agassiz offers a program to help citizens learn how to better understand the use of their electronics

November 18-24 is the multi cultural week in Canada

11.

REPORTS FROM MAYOR FACIO

Announcement of receipt of Congratulations from MP Mark Strahl

Requested that a letter of thanks be sent to Roger Poulton for his dedicated 10 years with the Emergency Program on behalf of the Council

The month of November is adoption month in Canada

On December 5, 2012 at 11:30 a.m. the annual Christmas Lunch with the Citizens Advisory Committee at Mountain Institution is taking place for any member of Council who wishes to attend

Attended the Remembrance Day Ceremony in Agassiz on November 11, 2012

December 17,2012 the holiday train will be going through Agassiz

December 14, 2012 will be the judging of the Christmas lights for residential and commercial properties in Harrison

December 1, 2012 will be the 5th annual Breakfast with Santa taking place at the Memorial Hall. Tickets are available at the Village Office, Agassiz/Harrison Community Services and the Harrison Preschool

12.

REPORTS FROM STAFF

Deputy Mayor
Appointments

Moved by Councillor Jackson
Seconded by Councillor Buckley

THAT the following members of Council be appointed as Deputy Mayor for 2013:

January – March	Councillor Sonja Reyerse
April – June	Councillor Zoltan Kiss
July – September	Councillor John Buckley
October – December	Councillor Allan Jackson

**CARRIED
UNANIMOUSLY**

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☐ Lagoon Beautification Initiative (LBI)

Manager of Planning and Community Services, Andre Isakov updated Council with the discussions of the staff proposal review committee for the three RFPs that were submitted for the Lagoon Beautification Initiative.

Moved by Councillor Jackson
Seconded by Councillor Reyerse

THAT all proposals be rejected by Council.

**CARRIED
UNANIMOUSLY**

☐ Dewatered Sludge (Biosolids) Removal/Disposal

Operation Manager, Ian Gardner provided Council background information regarding the disposal of dewatered sludge from the Village's wastewater treatment plant. Operations Manager, Ian Gardner also discussed the disposal process for the dewatered sludge from the Village's wastewater treatment plant.

Moved by Councillor Kiss
Seconded by Councillor Reyerse

THAT Council authorizes staff to enter into a Contract with Timbro Contracting for removal and disposal of Dewatered Sludge from the Village's Wastewater Treatment Plant.

**CARRIED
UNANIMOUSLY**

13.

BYLAWS

☐ Zoning Bylaw Amendment No. 1021 - Rezoning Application – 775 Hot Springs Road

Moved by Councillor Reyerse
Seconded by Councillor Buckley

THAT the Zoning Bylaw Amendment Bylaw No. 1021, 2012 Rezoning Application for 775 Hot Springs Road be withdrawn from the agenda.

**CARRIED
UNANIMOUSLY**

14.

QUESTIONS FROM THE PUBLIC

Q. What is the cost of the playground equipment going in at Spring Park?

A. \$38,000.00 and it is coming from the RMI and a contribution of \$25,000.00 from Kingma

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Q. Where is the public consultation in the involvement of the decisions of putting in new playground equipment?

A. Our staff has gone through a Risk Management Study and the play structure was deemed unsafe

Q. Does the wastewater removal include the polymer?

A. Yes that is correct

Q. Is \$88.00 per ton the current contract?

A. Yes that is correct

Q. Will the new contract with Timbro be the same price?

A. We will be negotiating the price but Timbro has proposed \$85.00 per ton

Q. As far as quantity are we on track?

A. Yes we are currently producing 4 tons per week and are hauling about 2 tons per week

Q. How much of the water is recycled back into the treatment facility?

A. the water from the dewatering is brought back through the treatment facility and goes through the process again

Q. Will the old play structure be removed from Spring Park?

A. Yes anything that was found to be unsafe will be removed.

Q. What will happen to the old structure?

A. you will have to contact the administrator.

15.

ADJOURNMENT

Moved by Councillor Jackson

Seconded by Councillor Buckley

THAT the meeting be adjourned at 8:39 p.m.

**CARRIED
UNANIMOUSLY**

Leo Facio
Mayor

Debra Key
Corporate Officer

**VILLAGE OF HARRISON HOT SPRINGS
RECORD OF PUBLIC HEARING OF
ZONING BYLAW 1020, 2012**

DATE: November 19, 2012
TIME: 7:00 p.m.
PLACE: Council Chambers, Memorial Hall,
 290 Esplanade Avenue, Harrison Hot Springs

IN ATTENDANCE: Mayor Facio
 Councillor Jackson
 Councillor Reyerse
 Councillor Buckley
 Councillor Kiss

Ted Tisdale, Chief Administrative Officer
 Debra Key, Deputy Chief Administrative Officer/CO
 Andre Isakov, Manager of Planning and Community
 Services
 Ian Crane, Manager of Development Services
 Ian Gardner, Operations Manager

Krystal Sobie, Recording Secretary

**(1) Call to
Order**

CALL TO ORDER

Mayor Facio called the public hearing to order at 7:00 p.m.

(2)

PROCEDURE FOR PUBLIC HEARING

Mayor Facio read the opening statement and procedures for conducting the public hearing pursuant to Sec 890 and 892 of the *Local Government Act*.

Zoning Bylaw 1020, 2012

The Village's Manager of Planning & Community Services gave a brief overview of the proposed changes introduced in the new bylaw.

The Mayor reported that 5 written submissions and 5 separate written submissions from Mr. Allen were received.

**VILLAGE OF HARRISON HOT SPRINGS
RECORD OF THE PUBLIC HEARING
OF ZONING BYLAW 1020, 2012
November 19, 2012**

(3)

PUBLIC COMMENTS

Ladislau Ghezesan – 811 Ramona Place

- Is opposed to this bylaw.
 - He does not see how the parking can be regulated.
 - How do DCC's get charged for the R1A Zone?
- A - Development Cost Charge would be for one single family dwelling.
- A- If this bylaw goes ahead and suites are allowed in R1 zone Council will have to discuss if there is a development cost charge attached to the unit.

Spyridion Halatsis 19-349 Walnut Avenue

- Is opposed to the bylaw.
- Not in favour of secondary suites.

Marc Ferrero 345 Chestnut Avenue

- Is it possible to see in writing that secondary suites already exist?
 - Has Council considered how taxes are going to be applied to this new R1 zone?
- A - BC Assessment will look at the property and determine what the uses are there. If commercial use the assessment may have to change which would affect the tax rate.

John Allen 398 Hot Springs Road

- Is opposed to the bylaw
- Believes the bylaw is in violation of the Official Community Plan
- The land north of the Village Office was purchased and zone P1 for a future civic center
- Why is the land now zoned R1A?
- Secondary suites is a disaster for the Village of Harrison Hot Springs
- What is the economic impact?
- How do you police that only one unit is being rented out?
- Secondary suites of any type are not permitted in Harrison Hot Springs under the current zoning bylaw.

Marc Ferrero 345 Chestnut Avenue

- Residents of the "wosk" subdivision signed a covenant that prohibited secondary suites.

**VILLAGE OF HARRISON HOT SPRINGS
RECORD OF THE PUBLIC HEARING
OF ZONING BYLAW 1020, 2012
November 19, 2012**

Hank Smith 524 Cottonwood Avenue

- Is against the bylaw.

Peter Bugden 407 Miami River Drive

- Is against the bylaw.

John Neville 124 Lillooet

- Is against allowing secondary suites.

Janne Perrin 327 Miami River Drive

- Is opposed to secondary suites.

Marg Doman 518 Cottonwood Avenue

- Is opposed to secondary suites.

John Allen 398 Hot Springs Road

- If bylaw 1020 proceeds the density in the R1 zone will double and with your proposed sizes in lots in R1 and R2 the R1 zone will actually be 1/3 more dense then R2 zone.
- R1 zone will be 33% more dense then the R2 zone.
- The bylaw calls for Council to preserve the character of each zone, character of the buildings already located in the zone and the suitability of the zone for the particular use.”
- OCP Objective 3.2.6 says “you must look after the conservation of property values.”
- You are also required to work towards the fulfillment of community goals in accordance with the OCP, and you are not doing that with 1020.
- In OCP objective 6.2.1 states that the objective is to protect and promote high quality residential neighbourhoods.
- Objective 6.2.3 is to promote compatibility of new residential developments with existing developments and the overall character of Harrison Hot Springs.
- The parking requirement is 1 parking space per dwelling unit. So that means that there are only 2 spaces that must be provided off street so the other 2 cars have nowhere to park. So I then asked where the other 2 or 3 or 4 cars would park?
- The objective is to free the street of parked cars and make people provide their own off-street parking and leave the streets for the bicycles, pedestrians, the vehicles that are moving.
- The parking requirement should be at least 2 and possibly 3 in this day and age.
- I believe this hearing is illegal as a Public Hearing because you are required by Provincial statute to notify every effective property owner of the zoning bylaw.

**VILLAGE OF HARRISON HOT SPRINGS
RECORD OF THE PUBLIC HEARING
OF ZONING BYLAW 1020, 2012
November 19, 2012**

- This bylaw affects every property in Harrison Hot Springs.
- I see errors in the map.
- The current zoning bylaw has been misinterpreted and wrongly applied, allowing the 3 major hotels to charge their guests a daily fee for off-street parking.
- It states that if you were required to provide off-street parking for your guests and customers you had to do so at no charge and could not charge an extra fee as you are not a commercial parking lot.
- Bylaw 1020 should have language added to prohibit any hotel, motel or restaurant for charging for the parking that they are supposed to provide off street and on their own land as part of their development permit.

Peter Bugden 407 Miami River Drive

- Was provided with a covenant from Mr. Kingma when he bought his house; What supersedes the covenant or the Village's bylaw?

The Mayor called for a second time for submissions to Council regarding Bylaw No. 1020, 2012 Zoning Amendment.

James Tangen 301 Miami River Drive

- Is not in favour of secondary suites.
- Will cause the need for sidewalks throughout the village which will impose owners to clear snow from sidewalks. The majority of the residents in Harrison are seniors.

Ladislau Ghezesan – 811 Ramona Place

- Mr. Mayor how is your residence classified?
- A- This can be discussed outside of this meeting.
- I did not see any development permit application, building permit posted, by definition your house is a duplex and my information you didn't pay the DCCs which you saved around \$20,000.00.
- A- DCCs were already paid on the "Wosk" subdivision previously. All the proper procedures were carried out regarding permits, payments, inspections and connections.

Marc Ferrero 345 Chestnut Avenue

- What is the minimum size for the secondary suite is allowed?
- A- There is no minimum but there is a maximum of 90 squared meters.
- I have a copy of Mr. Bugden's covenant and it states that 1,100 square feet is the minimum and I believe if you have a secondary suite it would have to be a minimum of 1,100 square feet to meet with this covenant which is already listed on these property.
- A- The legality of this document will be looked into.

**VILLAGE OF HARRISON HOT SPRINGS
RECORD OF THE PUBLIC HEARING
OF ZONING BYLAW 1020, 2012
November 19, 2012**

Peter Bugden 407 Miami River Drive

- I was not permitted to have my building permit from the Village until Mr. Kingma signed off on my plans.

John Allen 398 Hot Springs Road

- You have owned two homes on Miami River Drive both of which have had this building scheme registered on title. You cannot sit here and tell us that you don't know about this.
- A- I have not owned two homes on Miami River Drive. I had a covenant and it stated about the riparian area and that was it.
- The financial impact the secondary suites have on the single family zone are great.
- There has been no process to ensure a secondary suite will pay twice as much for utilities as a singly family occupied home.
- A revised schedule of charges for sewer and water should be proposed at the time of this bylaw
- Is against bylaw 1020.

The Mayor called for a third and final time for submissions to Council regarding Bylaw No. 1020, 2012 Zoning Amendment

Hearing none, the public hearing is now concluded.

(4) CONCLUSION

The public hearing concluded at 7:58 p.m.

Certified a true and correct copy of the record of the Zoning Bylaw 1020, 2012, Public Hearing held November 19, 2012 in the Council Chambers, Memorial Hall, 290 Esplanade Avenue, Village of Harrison Hot Springs, BC

**Leo Facio
Mayor**

**Debra Key
Corporate Officer**



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** November 19, 2012
FROM: Debra Key,
Deputy Chief Administrative Officer/
Corporate Officer **FILE:** 0550-01
SUBJECT: 2013 Regular Council Meeting Schedule

ISSUE:

To adopt the 2013 Regular Council meeting schedule.

BACKGROUND:

Subject to Section 127(1) of the *Community Charter*, Council must prepare a schedule of dates, times and places of Regular Council meetings for the next full calendar year.

In accordance, please find attached a "draft" of the proposed schedule.

RECOMMENDATION:

THAT the 2013 Regular Council meeting schedule be approved.

Respectfully submitted for your
consideration;

Debra Key,
Deputy Chief Administrative Officer/
Corporate Officer

DIRECTOR OF FINANCE COMMENTS:



Dale Courtice
Director of Finance

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Ted Tisdale
Chief Administrative Officer

REGULAR COUNCIL MEETINGS 2013

- Statutory Holidays
- Regular Council Meetings
- LGMA Convention
- LMLGA Convention
- UBCM Convention
- FCM Convention * (May 31-June 3)

<u>January</u>	<u>February</u>	<u>March</u>
Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
<u>April</u>	<u>May</u>	<u>June</u>
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<u>July</u>	<u>August</u>	<u>September</u>
Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
<u>October</u>	<u>November</u>	<u>December</u>
Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	Su Mo Tu We Th Fr Sa 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** November 22, 2012
FROM: Debra Key, Deputy Chief **FILE:** 4320-50
Administrative Officer/Corporate Officer
SUBJECT: Special Occasion Licence Application – Harrison Festival of the Arts

ISSUE:

Endorsement for Special Occasion Licence Application for public events.

BACKGROUND:

Under Section 15(9) of the Liquor Control and Licencing Regulation, if public events are to be held on lands or premises owned or operated by the local government, the applicant must first obtain written permission for the event signed by an authorized official of that government.

The Harrison Festival of the Arts has scheduled special events for 2013 and is requesting endorsements for their Special Occasion Licence Applications.


RECOMMENDATION:

THAT Council approve the endorsement of the Harrison Festival of the Arts Special Occasion Licence Applications for the period January to June of 2013.

Respectfully submitted for your
consideration;

Debra Key
Deputy Chief Administrative Officer/
Corporate Officer

DIRECTOR OF FINANCE COMMENTS:




Dale Courtice
Director of Finance

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Ted Tisdale
Chief Administrative Officer

DIRECTOR OF FINANCE COMMENTS:



Dale Courtice
Director of Finance

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Ted Tisdale
Chief Administrative Officer



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** November 22, 2012

FROM: Ian Crane **FILE:** 3900-01
Manager of Development Services

SUBJECT: RESULTS OF PUBLIC HEARING
ZONING BYLAW No. 1020, 2012

ISSUE:

The Public Hearing notes for *Zoning Bylaw No. 1020, 2012* are available for Council's review.

BACKGROUND:

On November 19, 2012 the Public Hearing was held regarding the Village of Harrison Hot Springs *Zoning Bylaw No. 1020, 2012* which would replace the existing Village of Harrison Hot Springs *Zoning Bylaw No. 672, 1996*

Attachments:

- 1) Record of Public Hearing of Village of Harrison Hot Springs *Zoning Bylaw No. 1020, 2012*
- 2) The Village of Harrison Hot Springs *Zoning Bylaw No.1020, 2012*

SUMMARY OF PUBLIC INFORMATION MEETING:

The Record of Public Hearing of the Village of Harrison Hot Springs *Zoning Bylaw No. 1020, 2012* is attached. The clarifications to most concerns raised at the Public Hearing were provided at the meeting. Following is a summary of main comments with clarifications as appropriate.

In addition this report will provide Council with suggested amendments to the proposed Bylaw based upon further review.

Concern:

Questions regarding the legality of the Public Hearing due to failure to properly notify property owners.

Clarification:

The *Local Government Act* establishes rules governing the Public Hearing process specifically Part 26: Division 4 - Sections 890 through 894.

The regulation states that under normal circumstances notification must be delivered to the owners of all parcels within a distance specified by bylaw from the area subject to the bylaw alteration, which in the case of the Village is 30 meters.

However, the regulation goes on to say that this requirement does not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration. Clearly *Zoning Bylaw 1020, 2012* effects more than 10 parcels and therefore individual notification to property owners is not required.

Concern:

The accompanying proposed zoning map amendment attempts to rezone Village owned parcels north of the Village office to the proposed new R1A zone. These parcels are not designated as residential in the Official Community Plan; therefore the amendment contravenes the OCP and would be illegal.

Clarification:

Zoning Bylaw 1020, 2012 proposes to create a new R1A zone and in order to facilitate the creation of this new zone there is a requirement to “attach” the new zone to a parcel. The properties north of the Village office were selected primarily due to Village ownership with the understanding that an Official Community Plan amendment would be required.

If Council supports the R1A zone it is staff’s intention to bring forward the appropriate OCP amendment prior to adoption of *Zoning Bylaw 1020, 2012*.

Concern:

The residential parking requirements in *Zoning Bylaw 1020, 2012* are “backward and Upside down” forcing people to park in the street.

Clarification:

Zoning Bylaw 1020, 2012 does not amend the off- street parking requirements in respect of residential zones from the requirements found in the present *Zoning Bylaw 672, 1996*

Concern:

The present *Zoning Bylaw 672, 1996* prohibits hotels from charging their guests a daily fee for off-street parking.

Clarification:

The present *Zoning Bylaw 672, 1996* sets out the required number of off-street parking spaces for any particular use in each zone. The Bylaw does not prohibit commercial property owners from regulating the use of these spaces such as limiting parking time or charging a fee.

SUGGESTED AMENDMENTS

R1A ZONE:

During the review of *Zoning Bylaw 672, 1996* a distinct density gap between the 697 m² Low Density Residential R1 Zone and the 400 m² Low Density Residential R3 Zone lot sizes was noted. The proposed creation of the 500 m² Low Density Residential R1A Zone is aimed at closing that gap by providing a medium lot size option.

Upon further review however it was discovered that a very high percentage of the existing Low Density Residential R1 zoned properties do not conform to the minimum 697 m² lot size and would be considered non-conforming.

In order to bring these properties into compliance and achieve a medium lot size option staff is recommending Council consider removing the proposed Low Density Residential R1A Zone from *Zoning Bylaw 1020, 2012* and instead introduce a reduction in the Low Density Residential R1 minimum lot size from 697 m² to 540 m²

MEDIUM DENSITY RESIDENTIAL R5 ZONE:

Zoning Bylaw 1020, 2012 provided requirements for a Medium Density (apartment) R5 Zone. Considering C1 Village, C2 Lakeshore and C3 Mixed Use zones all facilitate high density R5 type construction and there are presently no properties in the Village zoned R5 staff is recommending Council consider removing the zone reference.

In addition to the C1, C2 and C3 zones higher density developments can be facilitated through the use of Comprehensive Development (CD) zoning.

FLOOD CONTROL REQUIREMENTS:

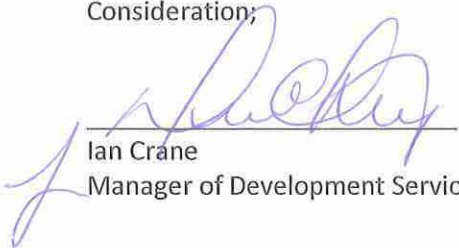
Upon further review of *Section V Subsection 18 "Flood Control Requirements"* it was noted that setback requirements referenced in the Bylaw were already mandated through Provincial legislation. Therefore, staff is recommending Council consider removing the setback requirements by deleting *Section V Subsection 18 Paragraph 3 "Setbacks"* in its entirety.

In addition *Zoning Bylaw 1020, 2012* referred to land designated floodplain as shown on Schedule "A" of the Bylaw, this reference should be amended to read "Schedule "B" in addition to adding "Schedule "B" to the Bylaw.

RECOMMENDATION:

THAT the report from staff on the Public Hearing regarding 'Harrison Hot Springs Zoning Bylaw 1020, 2013" be received.

Respectfully submitted for your
Consideration;



Ian Crane
Manager of Development Services

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Ted Tisdale
Chief Administrative Officer.



VILLAGE OF HARRISON HOT SPRINGS
ZONING BYLAW NO. 1020

A bylaw to regulate the zoning and development of real property within the Village of Harrison Hot Springs

WHEREAS the *Local Government Act* authorizes a local government to enact bylaws respecting the use of land, buildings, and structures and other related development matters;

NOW THEREFORE the Municipal Council of the Village of Harrison Hot Springs in open meeting assembled enacts as follows:

I. TITLE

This Bylaw may be cited for all purposes as the "Village of Harrison Hot Springs Zoning Bylaw No. 1020, 2012".

II. PURPOSE

The principal purpose of this Bylaw is to regulate land use and development within the Village of Harrison Hot Springs for the benefit of the community as a whole.

III. DEFINITIONS

ACCESSORY BUILDING OR STRUCTURE means a *building* or *structure* which is customarily ancillary and subordinate to the *principal building* situated on the same *parcel*.

ACCESSORY USE means a use other than the *principal use*, which is customarily ancillary and subordinate, incidental and exclusively devoted to a *principal use* on the same *parcel*.

AFFORDABLE DWELLING means a dwelling for which the rent (as defined in the Residential Tenancy Act) or purchase price is not more than 75% of the fair market rent or price, respectively, for a comparable dwelling.

ALTERATION means a structural change to a *building*, including;

- (1) an addition to *gross floor area* or *height*;
- (2) removal of part of the *building*;
- (3) construction of, cutting into, or removal of any wall, partition, column, beam, joist floor, or other support;
- (4) a change to, or closing of, any required means of access; and
- (5) a change to the fixtures or equipment.

AMENITY AREA means indoor or outdoor space on a parcel designed for shared or private recreation or enjoyment; includes landscaped open space, child play area, courtyards, patios, sun decks, balconies, terraces, swimming pools, saunas, exercise areas, craft and games room, and meeting rooms.

AMENITY AREA – COMMON means an *amenity area* designed for use on a shared basis by the occupants of more than one *dwelling unit* in the *building* and where a common access is provided to the amenity space.

AMENITY AREA – PRIVATE means an *amenity area* designed for the exclusive use of the occupants of a specific *dwelling unit*, where a degree of visual privacy is provided for the occupants and the *amenity area* is located within, or immediately adjacent to, the *dwelling unit*.

BALCONY means a projection from the second or higher *storey* of a *building*.

BASEMENT means that portion of a *building* between two floor levels which has more than one-half of its height from finished floor to finished ceiling below the *grade*, and is not less than 2.14 metres (7 feet) in height measured between basement floor and ceiling surfaces.

BED AND BREAKFAST means a use accessory to a *single detached dwelling* use in which no more than 4 rooms accommodating no more than 2 persons per room are used for the *temporary* accommodation of the travelling public, and in which meals are served to the registered guest.

BUILDING means any *structure* used or intended for supporting or sheltering any *use* or occupancy.

CAMPGROUND means land providing for accommodations using tents, trailers, or recreation vehicles and does not allow permanent residency.

CAMPING SPACE means an area in a *campground* use by a trailer, recreation vehicle, or tent.

CATERING a business dedicated to the preparation of food for the purpose of delivery and consumption off site.

CHILD DAY CARE FACILITY means a facility providing a child minding, nursery school, child group day care, specialized day care, kindergarten or out-of-school day care;

CLINIC means office for medical, dental or similar purposes, including associated laboratory facilities, but not including any such use where the principal services rendered are related to drug or alcohol detoxification or rehabilitation.

COMMUNITY CARE FACILITY means any facility licensed under the Community Care and Assisted Living Act.

COMMUNITY CENTRE means any *building* used for purposes of community assembly;

COMMUNITY SEWER SYSTEM means a sewage collection or disposal system that is owned and operated by the *Municipality*, and has been approved under the applicable legislation.

COMMUNITY WATER SYSTEM means a system of waterworks which serves two or more *parcels* and which is owned, operated and maintained by the *Municipality*, and has been approved under the applicable legislation.

CONVENIENCE STORE means a retail sales outlet which offers for sale foodstuffs and convenience goods, and has a maximum *gross floor area* of 200 m².

COTTAGE means a building containing sleeping units and used for temporary accommodation.

DENSITY means, for commercial uses, the *floor area ratio*; and for residential uses, the number of *dwelling units* per hectare; and for the holiday park *zone*, the number of *recreational spaces* per hectare.

DERELICT VEHICLE means a car, boat, truck or similar vehicle that has not been licensed for a period of one (1) year and is not enclosed within a *structure* or *building*.

DESIGNATED FLOOD means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval, based on a frequency analysis of unregulated historic flood records or by regional analysis where there is inadequate stream flow data available.

DESIGNATED FLOOD LEVEL means the observed or calculated elevation for the *designated flood*, which is used in the calculation of the *flood construction level*.

DEVELOPED SITE AREA means the portion of a *parcel* which is occupied by *building*, *structures*, driveways, parking, and *land* improvements including *landscaping*.

DEVELOPMENT means the carrying out of any *building*, engineering, construction or other operation in, on, over or under *land* or water, or the construction, addition or alteration of any *building* or *structure*;

DUPLEX means a building that contains two dwelling units.

DWELLING UNIT means a suite of habitable rooms used or intended to be used for the residential accommodation of one family *and* containing only one set of cooking facilities;

ENTERTAINMENT FACILITY means a business providing entertainment to the public for a fee; includes an auditorium, movie theatre, bingo hall, electronic games and billiard facility.

EXTERIOR SIDE LOT LINE means a *parcel* boundary other than a *front* or *rear parcel line* which is common to a *highway*, *lane* or a walkway.

FAMILY means:

- (1) two or more persons related by blood, marriage, adoption or foster parenthood sharing one *dwelling unit*; or
- (2) not more than five (5) unrelated persons sharing one *dwelling unit*.

FAMILY DAY CARE means the use of a *dwelling unit* for the care of not more than seven (7) children, licensed under the *Community Care Facility Act*,

FENCE means a type of screening or divider consisting of a *structure* that is used to form a boundary or enclose an area, but excludes hedges, trees and other types of natural vegetation.

FIRST STOREY means the *storey* having its floor closest to *grade* and not more than 2 metres above *grade*.

FLOOD CONSTRUCTION LEVEL or FLOOD LEVEL means a *designated flood level* plus *freeboard*, or where a *designated flood level* cannot be determined, a specified height above a *natural boundary*, *natural ground* elevation, or any obstruction that could cause ponding.

FLOODPLAIN means the area which is susceptible to flooding from a watercourse, lake or other body of water and that which is designated in Section 4.15 of this bylaw.

FLOOR AREA means the area of the floor of all *storeys* of a *building* between exterior walls, including the area of the floor occupied by interior walls and partitions.

FLOOR AREA RATIO means the figure obtained when the *floor area* of a building on a *parcel* is divided by the area of the *parcel*;

FREEBOARD means a vertical distance added to a *designated flood level*, used to establish a *flood construction level*.

FRONT LOT LINE means any *parcel* boundary common to a *parcel* and one *highway* other than a *lane* or to a water body; except that where a *parcel* is contiguous to the intersection of two *highways*, the front *parcel* line is the shortest *parcel* line contiguous to a *highway* other than a *lane*. Where a *parcel* fronts on more than one *highway*, its front *parcel* line is the narrower side of the *parcel* abutting a *highway*.

FRONT SETBACK means that portion of the *parcel*, extending from one *side parcel line* to the other, between the front lot line and a parallel line. The depth of the setback means the perpendicular distance between the front lot *line* and the parallel line. In the case of a *parcel* with a panhandle access, the panhandle shall be used in determining the front setback but a minimum setback of 1.5 m shall apply.

GARAGE means a *building*, or part thereof, used or intended to be used for the shelter or storage of vehicles.

GARAGE, PRIVATE means a *building* used for the storage of private passenger motor vehicles with a capacity of not more than three vehicle spaces for each *dwelling unit* to which the garage is appurtenant. This does not include the repair or maintenance of vehicles for profit.

GRADE, AVERAGE means the sum of the average of the lesser of natural or finished *grade* at each side of the *structure* divided by the sum of the length of the sides of the *structure*;

GRADE, NATURAL means the level of ground undisturbed by human action, or where there is evidence of disturbance by human action, the level of ground as determined by a BC Land Surveyor;

GRADE, FINISHED means the average final ground elevation around the perimeter of a structure after *development* but excluding where permitted:

- (a) light wells providing they do not:
 - i. extend more than 1.5 metres from the *building*; and
 - ii. exceed in length 25% of the length of the wall.
- (b) *basement* stairs providing they do not:
 - i. extend more than 1.2 metres from the *building*; and
 - ii. exceed 3.6 metres feet in length.
- (c) sunken patios providing they do not:
 - i. exceed an area of 14 metres;
 - ii. extend more than 3 metres from the *building*;
 - iii. exceed a length of 4.6 metres along the wall; and
 - iv. exist on the same side of the of the *building* as a depressed vehicle access;

GROSS FLOOR AREA means the total *floor area* of all *storeys* in all *buildings* on a *parcel* including exterior walls, excluding any area used for parking purposes.

HALF STOREY means a *story* under a gable, hip, or gambrel roof, the wall-plates of which on at least two opposite exterior walls are not more than 0.6 metres above the floor of such *storey* and does not exceed 66% of the *story* immediately below.

HEIGHT OF BUILDINGS means the vertical distance between the highest point of the *building* and the *average finished grade*, determined by:

- (a) the highest point of a flat roof;

- (b) the highest point of a mansard roof;
- (c) the midpoint between a point 2.4 meters above the top floor and the ridge of a gable, hip or gambrel roof. A flat portion of a gable, hip or gambrel roof cannot cover more than 10% of the roof area viewed directly from above.

HIGHWAY includes a public street, road, path, lane, walkway, trail, bridge, viaduct, thoroughfare and any other way, but specifically excludes private rights of way on private property.

HOLIDAY PARK means an area of land operated and maintained for the purpose of providing 2 or more *recreational vehicle spaces*, together with ancillary, common leisure and service facilities for the exclusive use of the owners or occupiers of the *recreational vehicle spaces*; does not include a *manufactured home park, motel, campground, or a group camp*.

HOME OCCUPATION means a craft or occupation conducted as an *accessory use* subordinate to the *principal use* of a *dwelling unit*.

HOTEL means a *building* for the transient public which contains *sleeping units* and which have their principal access from an entrance common to the units; may contain assembly, commercial, entertainment, indoor recreation, and restaurant uses, and liquor licenced premises licensed under Provincial legislation.

INN means a *building(s)* or *cottage(s)* or a combination thereof available to the travelling public and containing up to maximum of 10(ten) sleeping units where meals may be provided.

INDOOR RECREATIONAL FACILITY means a facility for recreation and sports activities primarily conducted indoors, including electronic games, arena, fitness club, racquet court, gymnasium, dance studio, swimming pool and bowling alley.

INTERIOR SIDE LOT LINE means a *parcel* boundary between 2 or more *parcels* other than a *front or rear lot line*.

LAND means real property without improvements, has the same meaning as in the *Assessment Act*, and includes the surface of water.

LANDSCAPING means the planting and maintenance of a combination of trees, shrubs, hedges, ground cover, lawns and other horticultural elements, and fencing, walks, lights, ponds, pools and other *structures* and materials used for the enhancement of outdoor areas.

LANE means a *highway* which provides secondary access to the side or rear of a *parcel* and is less than 10 metres wide.

LOADING SPACE means a space for the loading or unloading of a vehicle, either outside or inside a *building* or *structure*, but specifically excludes manoeuvring aisles and other areas providing access to the space.

LOT AREA means the total area of a parcel.

LOT means a parcel. For greater certainty the term lot and parcel are used interchangeable throughout this bylaw.

LOT COVERAGE means the percentage of a *lot* covered by *buildings* and *structures*, based on the projected area of the outside of the outermost walls of all *buildings* and structures, including accessory buildings, covered decks and covered patios; but excluding steps, eaves not exceeding 0.9 metres, and decks or portions of decks built above ground level not exceeding a height of 0.6 metres above the higher of *natural* or *finished grade* below such deck.

MANUFACTURED HOME / MODULAR HOME means a *structure* containing one *dwelling* unit of not less than 100 m², that is designed, constructed or manufactured to be moved from one place to another by being towed or carried; placed on a permanent foundation. All Manufactured homes must be constructed to CAN/CSA Z 240 or CAN/CSA A 277 standards.

MARINA means a site, including the surface water which is primarily used for the berthing space and floats for the boats.

MINIMUM LOT SIZE means the smallest area into which a *lot* may be subdivided.

MOTEL means a building divided into two or more temporary tourist accommodation units, each unit provided with individual outside access and conveniently located parking space.

MOBILE CONCESSION means a business that is not permanently affixed to the land, that provides for sale to the general public, food, drinks, confectionary items and/or non-food related items.

MULTI UNIT DWELLING means any *building*, divided into two or more *dwelling units*, which are occupied or intended to be occupied as dwelling units for two or more *families* living independently of one another.

NATURAL GROUND means the undisturbed ground elevation prior to *site* preparation or development.

NEIGHBOURHOOD PUB means premises licensed as a neighbourhood public house and marine pub under Provincial legislation.

NIGHTCLUB means premises where entertainment is provided to patrons and is licensed under Provincial legislation.

OFF-STREET PARKING means the use of *land* for the parking of vehicles other than on a *highway* including the *parking spaces* and the manoeuvring aisle.

OFFICIAL COMMUNITY PLAN means a community plan that is adopted by the Council of the Village of Harrison Hot Springs pursuant to the *Local Government Act*.

OUTDOOR RECREATIONAL FACILITY means a facility for recreation and sports activities primarily conducted outdoors, including stadium, golf course, driving range, waterside, water activities, mini golf, theme park, and electric go-karts (go-karts only in C5 Zone).

OUTDOOR STORAGE AREA means an area outside a *building* that is used for the storage of garbage containers, shipping container, maintenance materials and equipment, and similar activities.

PAD means a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a *manufactured home* to achieve flood construction level; or a concrete pad, slab or floor supporting a space or room.

PANHANDLE LOT means a lot that has street frontage through the use of a relatively narrow strip of *land* not less than 3 metres in width which is an integral part of the *lot*, called "the access strip".

PARCEL means an area of *land* designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Registry Office, and having a principal frontage upon a public street or place.

PARK means a designated public open space which is owned, possessed or controlled by the municipality and provides for public social and recreational activities, playgrounds and natural areas.

PARKING AREA means a portion of a *lot* that is used to accommodate *off-street parking*.

PARKING GARAGE means a *building* the primary use of which is the parking or storage of vehicles and which is available to the public.

PARKING SPACE means a space within a building or parking area for the parking of one motor vehicle.

PRINCIPAL USE means the principal permissible purpose for which *land, buildings or structures* may be used in a zone but does not include an accessory use.

PERMANENT RESIDENCY means a building constructed for the purposes of providing continuous and principal accommodation.

PERMITTED USE means the use or uses to which land, buildings or structures may be put in a zone.

PERSONAL SERVICE ESTABLISHMENT means the use of a *building* where personal services are provided and goods accessory to the provision of such services may be sold and includes a barber shop, beauty salon, shoe repair shop, dry cleaning, Laundromat, electrical appliance repair, upholstery, watch repair, photographer, tailor or dressmaker, and similar services.

PREMISES mean the *building and structures* located on a *lot*.

PRINCIPAL BUILDING means the *building* for the principal use of the *lot* as listed under the *permitted uses* of the applicable zone.

PROPERTY LINE means *lot line*.

PUBLIC UTILITY means a system, work, *building, structure*, plant, equipment or resource owned by a *municipality*, public or private utility company or other government agency for the provision of water, sewer, drainage, gas, electricity, transportation, communication services; includes public works yards.

REAR LOT LINE means the *parcel* boundary which is not connected to and lays the most opposite to the *front parcel line*.

REAR SETBACK means that portion of the *parcel*, extending from one side *parcel* line to the other, between the rear line of the *parcel* and a parallel line. The depth of the setback means the perpendicular distance between the *rear lot line* and the parallel line.

RECREATIONAL VEHICLE means a mobile accommodation for recreational purposes such a trailer, camper-car, and RV.

RECREATIONAL VEHICLE SPACE means an area in a *holiday park* or campground set aside for use by one recreational vehicle.

RESTAURANT means an eating establishment where food is sold to the public primarily for immediate consumption upon the premises.

RETAIL STORE means a *building or land* where goods are offered, displayed or kept for sale at retail, and stored in limited quantities; includes antique store, arts and crafts store, appliance

sales and service, bakery store, beer and wine store, book store, butcher shop, camera shop, candy store, clothing store, confectionary store, delicatessen, department store, drugstore, fish market, furniture store, gift shop, grocery store, hardware store, liquor store, music store, pet store, photography studio and store, shoe store and repair, souvenir shop, sports shop, stationery store, tailor, toy store, travel agency, variety store and video store.

RETAINING WALL means a *structure* erected to hold back or support a bank of earth.

SCREENING means the use of a continuous fence, wall, berm, *landscaping* or combination of them to screen the *land* which it encloses, broken only by access driveways and walkways.

SECONDARY SUITE means an additional *dwelling unit*:

- (a) having a total floor space of not more than 90 m² in area,
- (b) having a floor space less than 40% of the habitable floor area of the *building*.
- (c) located within a *building of residential occupancy* containing only one other *dwelling unit*.

SENIORS SUPPORTIVE OR ASSISTED HOUSING means the use of a *building* for residential units designed to accommodate seniors as they age including separate common areas for dining and socialization, and the provision of meals, housekeeping and personal care.

SERVICE STATION means a *building or land* used or equipped to be used for the retail sale of motor fuels and lubricants and servicing and repairs to vehicles and may include accessory retail sales.

SET BACK means the horizontal distance separating a building, structure or use from a specified location.

SHIPPING CONTAINER means a metal structure used for transporting or storing of materials. The container may not exceed 2.75 m in height, 2.5 m in width, and 12.2 m in length.

SIDE LOT LINE means a *parcel* boundary between 2 or more *parcels* other than a *front* or *rear parcel line*.

SIGN means any visual representation which communicates information for any purpose.

SLEEPING UNIT means one or more habitable rooms used for the lodging of person or persons where such unit contains no cooking facilities.

STANDARD DYKE means a dyke built to a minimum crest elevation equal to the *flood construction level* and meeting standards of design and construction approved by the Province.

STOREY means that portion of a *building* which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not mean or include a basement.

STRUCTURE means anything constructed or erected, the use of which requires its permanent location on or in the ground, or its attachment to something having a permanent location on the ground.

TOWNHOUSE means a *building* not more than 3 *storeys* high; containing 3 or more attached *dwelling units*, each having a separate, private entrance.

UNDEVELOPABLE PROPERTY is a lot that due to the size, shape, frontage, topography, location, environmental regulation, or/and legal use cannot be developed with site improvements such as a *building* in the opinion of an accredited engineer or approving officer.

USE means the purpose or function to which *land*, a *building*, or *structure* is designed, put, or intended to be put.

VILLAGE OFFICIAL means the Bylaw Enforcement Officer, the Building Inspector or other staff as appointed by the municipal CAO.

ZONE means a defined area to which a unified set of regulation apply.

IV. ADMINISTRATION AND ENFORCEMENT

.1) ADMINISTRATION

(1) This *Bylaw* shall be administered by the *Chief Administrative Officer* of the *Village* under the direction of *Council*.

.2) INSPECTION

(1) The *Village Official* is hereby authorized to enter, at all reasonable times, on any property subject to the regulations of this *Bylaw*, to ascertain whether the regulations or directions contained herein are being observed.

.3) ENFORCEMENT

(1) It is unlawful for any person to cause, suffer, or permit any building or structure to be constructed, reconstructed, altered, moved, extended, occupied, or used, or any land to be occupied or used, in contravention of this *Bylaw* or otherwise to contravene or fail to comply with this *Bylaw*.

(2) It is unlawful for any person to prevent or obstruct, or attempt to prevent or obstruct the authorized entry of the *Village Official*.

(3) The *Village Official* may cause notice in writing to be served to the owner or occupier of real property found to contravene the provisions of this *Bylaw* setting out the details of the contravention and the action required of the party so notified.

(4) The *Village Official* may serve notice by:

- (a) registered mail addressed to the property owner as recorded in the property records of the *Village*,
- (b) hand-delivering it to the owner or occupier of the real property that is subject to the notice, or
- (c) posting it on a conspicuous place on the real property that is the subject of the notice, and the notice shall then be deemed to be validly and effectively served for the purposes of this *Bylaw* at the expiration of three (3) days immediately following the date the notice was so posted.

(5) No liability or responsibility other than that set out in accordance with this *Bylaw* rests with the *Village* to prove delivery of the notice.

.4) PENALTIES

(1) Every person who commits an offence contrary to the provisions of this *Bylaw*, as amended from time to time, is liable, upon summary conviction, to a penalty of not less than \$500.00, and not more than \$10,000.00 in addition to the costs of the prosecution.

- (2) Each day that such violation is caused to continue, or allowed to continue, constitutes a separate offence.

V. GENERAL REGULATIONS

.1) GENERAL OPERATIVE CLAUSES

- (1) No *land, building or structure* in any *zone* shall be used for any purpose other than that specified for the *zone* in which it is located in accordance with the Zoning Map.
- (2) No *building or structure* shall be constructed, sited, moved or altered unless it complies with the General Regulations of this Bylaw and all regulations and requirements specified for the *zone* in which it is located.
- (3) No *parcel* shall be created by *subdivision* unless:
- (a) Such *parcel* is equal to or greater than the *minimum lot size* specified for the *zone* in which it is located in accordance with the zoning Map, unless otherwise specified in this Bylaw; or
 - (b) The *subdivision* is for a realignment of a *lot line* and no additional *parcels* would be created.

.2) APPLICATION

- (1) This Bylaw applies to all land, buildings and structures including the surface of water within the boundaries of the Village.

.3) SIZE, SHAPE AND SITING OF BUILDINGS & STRUCTURES

- (1) No more than one *principal building* may be sited on one *parcel*, except as otherwise specified in this Bylaw.
- (2) No *building or structure* shall be constructed, reconstructed, sited, altered, or extended so as to cause any existing *building or structure* on the same *lot* to violate the provisions of this Bylaw.

.4) ACCESSORY BUILDINGS AND STRUCTURES

- (1) An *accessory building or structure* must not be used as a *dwelling unit*.
- (2) When *accessory buildings or structures* are attached to the *principal building*, they will be considered to be part of the *principal building*, and subject to the required *setbacks* for the *principle building*.
- (3) Maximum *lot coverage* for all *accessory buildings and structures* must not exceed 10% and must be included with the *principle building* in the maximum *lot coverage* calculation for a *parcel*.

.5) SHORT-TERM BUILDINGS

- (1) A short-term building or structure may only be erected on a *lot* in conjunction with the construction of a *principal use*, and shall only be permitted for a period not to exceed the duration of such construction.
- (2) Short-term buildings or structures shall be subject to the following requirements:

- (a) An application shall be made in writing to the *Village Official* for a permit to erect a short-term building or structure;
 - (b) Such permit may be granted for a period of not more than 6 months, provided however, that it may be renewed upon further application for one further period not to exceed 6 months;
 - (c) at the expiration of a permit such short-term building or structure shall be removed and the *lot* thereof restored as nearly as possible to its former condition.
- (3) Recreational vehicles or trailers may be permitted as temporary buildings or structures in conjunction with construction on a lot, subject to the obtaining of a permit as outlined in Section 5 (2) above, and subject to the provision of approved water, power and sanitary sewage disposal facilities (including holding tanks).

.6) SHIPPING CONTAINERS

- (1) Shipping containers subject to satisfying the setback requirements will be permitted, subject to issuance of permit by *Village Official* as follows:
- (a) Residential zoned properties for a temporary purpose not to exceed 60 days, with a possibility of 60 day extensions at the approval of the *Village Official*, and the shipping container cannot exceed a length of 15 m; or
 - (b) Commercial zoned property subject to the shipping container being properly screened from general public view, and is maintained to an acceptable standard.

.7) CANVAS STRUCTURES

- (1) Canvas structures are exempt from requiring permits as per Building Regulation Bylaw.

.8) HOME OCCUPATION USE

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

- (1) The activities shall be conducted entirely within the *principal building* or *accessory building* except where such activity involves horticulture or a *family day care*.
- (2) The following activities shall not be permitted as a *home occupation* use:
 - (a) the servicing or repair of vehicles, boats, or other machinery;
 - (b) a body shop; or
 - (c) the fabricating of metal objects, woodworking and associated activities.
- (3) The use may involve the display and the sale of a commodity that is produced on the *lot*.
- (4) The use shall occupy up to a maximum of 30 m² of the *principal building*.
- (5) The use within one or more *accessory buildings* shall occupy a total of not more than 40 m².
- (6) In no case shall the aggregate *floor space* of all *buildings* used for *home occupation* use exceed 50 m² on a parcel.

- (7) Not more than two *home occupations* shall be permitted on a *parcel*.
- (8) There shall be nothing to indicate from the exterior of a *dwelling unit* or a *building* that it is being used for any purpose other than its principal or approved use other than one outdoor advertising sign, the regulations of which are contained within the *Sign Regulation Bylaw*.
- (9) A *home occupation* shall be solely operated by a person resident in the *dwelling unit* and shall not involve the employment of more than 2 full-time equivalent employees on the premises, except in the case of a *secondary suite* in which case the *home occupation* shall be conducted only by the residents of the *secondary suite*.
- (10) Home occupations shall not discharge or emit the following across *lot lines*:
 - (a) odorous, toxic or noxious matter or vapours;
 - (b) heat, glare, electrical interference or radiation;
 - (c) recurring ground vibration
- (11) Home occupation operation shall require a business license.
- (12) All parking requirements shall be accommodated on site.

.9) BED AND BREAKFAST

In any zone in which a bed and breakfast use is permitted, the following conditions shall be satisfied:

- (1) The sleeping accommodation for a *bed and breakfast* use shall be located entirely within a *principal dwelling unit*.
- (2) Not more than four bedrooms in a *dwelling unit* shall be used for a *bed and breakfast*.
- (3) A *bed and breakfast* shall not be permitted within a *dwelling unit* containing a *secondary suite*.
- (4) One *off-street parking space* shall be provided for each bedroom used as *bed and breakfast*, in addition to the parking requirement for the *single family dwelling*.
- (5) Any *off-street parking space* for guests or guest outdoor amenity space shall be landscaped to buffer that area from abutting residential premises.
- (6) Guest bedrooms in a *bed and breakfast* shall not exceed 40% of the *gross floor area* of the *dwelling unit*.
- (7) The *bed and breakfast* use shall be owned and operated by the resident of the *dwelling unit*.
- (8) No cooking facilities or other facilities for the keeping of food shall be provided for within the guest bedrooms intended for the bed & breakfast.
- (9) No *bed and breakfast* use shall operate without a business license.
- (10) A *dwelling unit* containing a *bed and breakfast* use shall be equipped with an installed smoke alarm and fire extinguisher in accordance with the Building Bylaw.

.10) SECONDARY SUITES

- (1) A *secondary suite* is a permitted use within a *single family dwelling* that is in conformance with this Bylaw.
- (2) Only one *secondary suite* is permitted per *parcel*.
- (3) A *secondary suite* shall not exceed the lesser of a total *floor area* of 90 square metres or 40% of the total *floor area* of the *single family dwelling*.
- (4) The owner of a *single family dwelling* containing a *secondary suite* shall be resident of either the *principal dwelling* unit or the *secondary suit*.
- (5) *Off-street parking* shall be provided and maintained in accordance with Table 1 of this Bylaw.
- (6) A *secondary suite* must satisfy all the applicable requirements of the *BC Building Code*, and other pertinent legislation.

.11) EXCEPTIONS TO SITING REQUIREMENTS

- (1) Where chimneys, cornices, headers, gutters, sills, *bay windows* or ornamental features project beyond the face of a *building*, the minimum distance to an abutting *lot line* as required elsewhere in this Bylaw may be reduced by not more than 0.7 metres providing such reduction shall only apply to the projecting feature.
- (2) Where steps, eaves, sunlight control projections, canopies, or light wells project beyond the face of a *building*, the minimum distance to an abutting *lot line* as required elsewhere in this Bylaw may be reduced by not more than 1.0 metre provided that the minimum distance of the projecting feature to any *lot line* shall not be less than 1.0 metre.
- (3) Structures for the support of plants and vines, such as *open* pergolas or trellises, may project within a required *setback* area provided they do not exceed 2.4 metres in *height*.
- (4) Covered entry porches shall be permitted to project into a *front yard* setback a maximum of 1.5 metres provided that:
 - (a) The porch shall be open or protected by guard rails the *height* of which shall not exceed the minimum specified in the *BC Building Code*;
 - (b) the porch is located at the basement or first *storey*; and
 - (c) the roof *height* does not exceed 3.66 metres measured from the porch floor.
- (5) Campground spaces that back on to a public right-of-way, with the exception of a Provincial highway, or *undevelopable properties* may have a set back from the property line of 1 metre.
- (6) Balconies, patio decks or like facilities may extend into the rear or front set back by 2.5 metres, inside lot setback by .7 metres.

.12) EXCEPTIONS TO HEIGHT REQUIREMENT

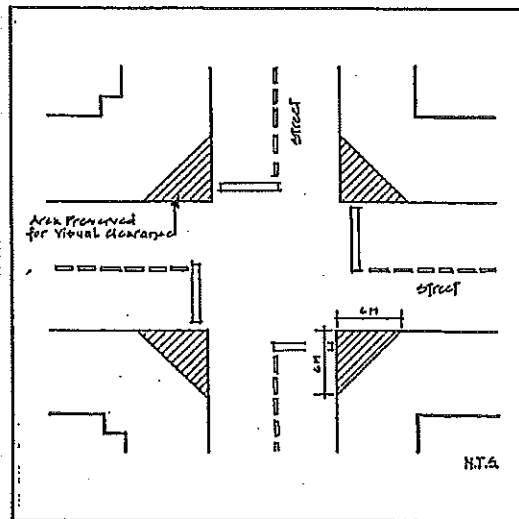
Church spires, chimneys, flag poles, transmission towers, elevators and ventilation machinery, shall not be subject to the height requirements of this Bylaw provided that such *structures* occupy no more than 10% of the surface of the *lot*, or if situated on a *building*, not more than 15% of the roof area of the *building*.

.13) UNDERSIZED PARCELS

A *parcel* that is shown on a plan deposited in the Land Title Office prior to the adoption of this Bylaw, which has less than the *minimum lot size* requirement as established in the *zone* in which that *lot* is situated may be used for any use permitted in that *zone*, subject to all the regulations for that *zone*.

.14) OBSTRUCTION OF VISION

In all zones, no fence, sign, wall or structure shall be erected to a height greater than 1 metre and no hedge, bush, shrub, tree or other growth shall be maintained or allowed to grow so as to obstruct vision clearance in the area bounded by the intersecting parcel lines at a street, road, lane, or driveway entrance corner and a line joining points along side parcel lines or driveway pavement edge 6 metres from their point of intersection, as illustrated in the following diagram.



Visual Clearance at Intersections

.15) FENCES AND RETAINING WALLS

.1) Notwithstanding the provisions of Section 5.14, the following *height* limitations will apply to fences:

(.1) For a *parcel* within the following *zones* the maximum *height* of fences will be:

<u>Zone</u>	<u>Maximum height</u>
• Residential, Commercial and Industrial <i>zones</i>	2.0 m
• Public use <i>zones</i>	2.4 m (3.0 m open mesh)

(.2) No fence in any *zone* will be constructed using barbed wire, electrified wire, razor wire, ribbon wire, or ultra barrier wire.

.16) SITING REQUIREMENTS FOR PROPERTIES ADJACENT TO A PROVINCIAL HIGHWAY

Notwithstanding the siting requirements specified in this Bylaw setbacks of buildings adjacent to a Provincial Highway may be regulated by the Ministry of Transportation.

.17) DERELICT VEHICLES, AIRCRAFT AND BOATS

No derelict vehicle or trailer, recreational vehicle, boat or vessel or aircraft, or engine, frame, chassis, body, box or van unit thereof shall be kept, stored or parked except within a building in any Zone.

.18) FLOOD CONTROL REQUIREMENTS

.1) Floodplain Designation

The following land is designated as floodplain:

- Land designated as floodplain within the boundaries of the Municipality and approximately as shown on Schedule 'A' of the attached hereto and forming part of this Bylaw;
- Land lower than the *flood levels* specified in Section 18.2;
- Land within the *setbacks* specified in Section 18.3.

.2) Flood Level

The following elevations are specified as the *flood level*, except that where more than one *flood level* is applicable, the higher elevation shall be the *flood level*:

- Elevation 14.55 metres Geodetic Survey of Canada datum;
- 1.5 metres above the *natural boundary* of Miami Creek, Miami Slough, or any other *watercourse*;
- 1.0 metre above the surrounding *natural ground* elevation;
- 1.5 metres above the *natural boundary* of any other lake, marsh, or pond.

.3) Setback

The following distances are specified as the *setback*, except that where more than one setback is applicable, the greater distance shall be the setback:

- 30.0 metres from the *natural boundary* of the Harrison River;
- 15.0 from the *natural boundary* of Harrison Lake;
- 7.5 metres from the *natural boundary* of Miami Creek, Miami Slough, a swamp, pond or any other watercourse;
- 7.5 metres from any *standard dyke* right of way or *structure* for flood protection or seepage control.

.4) Application of Floodplain Specifications

Where a flood level or setback has been specified:

- The underside of any floor system, or the top of any *pad* supporting any space, room or manufactured home, that is used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater must be above the specified *flood level*, and
- any landfill required to support a floor system or *pad* must not extend within any *setback* from a watercourse or body of water specified by the Bylaw or the Minister of Environment.
- Structural support or compacted landfill or a combination of both may be used to elevate the underside of the floor system or the top of the *pad* above the *flood level* specified in Section 18.2. The structural support or landfill or both must be protected against scour and erosion from flood flows, wave action, ice and other debris.
- The Building Inspector, or such person appointed by the Council of the Village of Harrison Hot Springs for the purpose of administering *building* regulations may require that a British Columbia Land Surveyor's certificate be provided before a *building* permit may be issued to verify compliance with the *flood level* and *setback* specified in Sections 18.2 and 18.3. The cost of verification shall be assumed by the land owner.

.5) General Exemptions

The following types of development are exempt or conditionally exempt from the flood level specified in Section 18.2 of this bylaw:

Exempt

- A renovation of an existing *building* or *structure* that does not involve an addition to the *building* or *structure*;
- An addition to a *building* or *structure*, at the original non-conforming floor elevation, that would increase the size of the *building* or *structure* by less than 25 percent of the ground *floor area* (excluding carports or garages) existing at the date of adoption of this bylaw, as long as the degree of non-conformity regarding *setback* is not increased;

- That portion of a *building* or *structure* to be used as a carport, garage, entrance foyer;
- Hot water tanks and furnaces behind *standard dykes*;

Conditionally Exempt

- Industrial uses, other than main electrical switchgear, may be located with the underside of a floor system or the top of *pad* no lower than 0.6 metres lower than the *flood level* specified in Section 18.2 of this Bylaw. Main electrical switchgear must be located no lower than the *flood level*.

6) Site-Specific Exemptions

An application by a property owner to the Minister of Environment, Lands and Parks for a site-specific exemption shall be completed upon a form provided by the Village of Harrison Hot Springs and submitted in accordance with the instructions on the application.

- 7) Notwithstanding any other provisions of this Bylaw, no *dwelling unit building*, *modular home* or *structure* or any part thereof shall be constructed, reconstructed, moved, extended or located within 30.0 metres of the *natural boundary* of a lake, river, stream, marsh or pond unless otherwise established by a registered professional engineer.
- 8) Notwithstanding any other provisions of this Bylaw, no *dwelling unit building*, *modular home* or *structure*, or any part thereof shall be constructed, reconstructed, moved, extended or located with the underside of a wooden floor system or top of a concrete slab of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a *modular home* or *unit* the ground level or top of the concrete or asphalt pad on which it is located:
 - (a) Lower than the *flood construction level* for any watercourse or the sea where it has been determined to the satisfaction of the Village; or
 - (b) where it has not been determined or a site-specific *flood construction level* has not been determined.
- 9) The required elevation may be achieved by structural elevation of the said habitable, business, or storage area or by adequately compacted landfill on which any *building* is to be constructed or *modular home* or *dwelling unit* located, or by a combination of both structural elevation and landfill.
- 10) Where landfill is used to achieve the required elevation, no portion of the landfill slope shall be closer than the distances in Section 18.7 from the *natural boundary*, and the face of the landfill slope shall be adequately protected against erosion from flood flows, wave action or other debris.
- 11) Foundations of construction in *alluvial fan* areas shall be designed by a Professional Engineer to ensure that structures are anchored to minimize the impact of flood, sediment and erosion damage; footings are extended below scour depth, or fill materials are armoured where elevation is achieved by fill, to protect against scour, erosion and flood flows.
- 12) Section 18.(8) shall not apply to:
 - (a) that portion of a *building* or *structure* to be used as a carport or a garage; or
 - (b) on-loading and off-loading facilities associated with water-oriented industry provided that the main electrical switchgear shall be placed above the *flood construction level*.

.19) AGRICULTURAL LAND RESERVE

- (1) Notwithstanding the provisions of this Bylaw, land within the Village designated as "Agricultural Land Reserve" pursuant to the *Agricultural Land Commission Act*, shall be subject to the *Agricultural Land Commission Act* regulations made under the *Agricultural Land Commission Act*, and relevant orders of the Agricultural Land Commission under the *Agricultural Land Commission Act*; that is to say, and without limiting the generality of the foregoing, where land within an "Agricultural land Reserve" is also within a zone established under this Bylaw, the Bylaw shall be binding only insofar as it is not contrary to the *Agricultural Land Commission Act*, regulations made thereunder and orders of the Agricultural Land Commission.
- (2) Where land pursuant to the *Agricultural Land Commission Act*, regulations made thereunder, or orders of the Agricultural Land Commission is excluded from an "Agricultural Land Reserve" or exempted by the *Agricultural Land Commission Act*, or exempted by regulations made under the *Agricultural Land Commission Act*, the provisions of this Bylaw shall be binding.

VI. LAND USE ZONES

.1) ZONING MAP

- (1) For the purpose of this bylaw, the Village is hereby divided into zones as shown upon the plan in Schedule A of this bylaw entitled "Zoning Map".
- (2) The zones, as shown on the Zoning Map, are as follows and the requirements of each zoning district schedule of this bylaw shall be applied to areas designated on the Zoning Map with the corresponding alpha-numeric symbol:

Section	Zoning District Name	Short Form
	<u>RESIDENTIAL ZONES</u>	
	Low Density Residential (Conventional Lot)	R-1
	Low Density Residential (Medium Lot)	R-1A
	Low Density Residential 2 (Duplex)	R-2
	Low Density Residential 3 (Small Lot)	R-3
	Medium Density Residential 1 (Townhouse)	R-4
	Medium Density Residential 2 (Apartment)	R-5
	<u>COMMERCIAL ZONES</u>	
	Village Commercial	C-1
	Lakeshore Commercial	C-2
	Mixed Use Commercial/Residential	C-3

Local Commercial	C-4
Tourist Commercial	C-5
Marine Commercial	C-6
Holiday Park	C-7
Service Station Commercial	C-8
<u>INSTITUTIONAL ZONES/ OTHER</u>	
Community and Institutional	P-1
Waterfront	W-1
Village Reserve	VR
Resource Reserve	RR
Comprehensive Development Zone 1	CD-1
Comprehensive Development Zone 2	CD-2
Residential Reserve	RSR

.2) INTERPRETATION

(1) Permitted Uses

The list of uses in the chart entitled "Permitted Uses" in each of the zones set out in this Division shall be interpreted to mean the uses listed in that particular zoning district and no other use shall be permitted.

(2) Development Regulations

The list of regulations in the chart entitled "Development Regulations" in each of the zones set out in this Division shall be interpreted to mean the following unless otherwise authorised by the Local Government Act:

(a) Lot Size

No lot shall be subdivided or developed that is less than the minimum lot size.

(b) Lot Width

No lot shall be subdivided or developed that is less than the prescribed lot width.

(c) Density

No lot shall be subdivided or developed that has a building or structure with a density greater than the prescribed density.

(d) Floor Area Ratio

No lot shall be developed with a building or structure that has a

floor area ratio greater than the prescribed floor area ratio.

- (e) Lot Coverage
No lot shall be developed with a building or structure that has a lot coverage greater than the prescribed lot coverage.
- (f) Siting Setbacks
No lot shall be developed with a building or structure that is sited less than the prescribed setback from the lot line.
- (g) Height
No lot shall be developed with a building or structure that has a height greater than the prescribed height.
- (h) Building Width
No lot shall be developed with a building or structure that has a width less than the prescribed building width.
- (i) Number of Principal Buildings
No lot shall be developed with a number of principal of buildings that is greater than the prescribed number of principal buildings.
- (j) Amenity Space
No lot shall be developed with a multi-family building that has less than the prescribed amount of amenity space per dwelling unit.

(3) ***Zoning Boundaries***

Where a *zone* boundary is designated as following a *highway*, the centre line of the *highway* shall be the *zone* boundary.

Where a *zone* boundary does not follow a legally defined *lot line*, and where distances are not specifically indicated, the location of the boundary shall be determined by scaling from the Zoning Map.

Where a parcel is divided by a *zone* boundary, the areas created by such division shall be deemed to be separate *lots* for the purpose of determining the requirements of each zone.

.3) RESIDENTIAL ZONES

(1) PERMITTED USES

The uses set out in this table and no other uses are permitted in the zone indicated.

	R-1 Low Density Residential (Conventional Lot)	R1-A Low Density Residential (Medium Lot)	R-2 Low Density Residential 2 (Duplex)	R-3 Low Density Residential 3 (Small Lot)	R-4 Medium Density Residential 1 (Townhouse)	R-5 Medium Density Residential 2 (Apartment)
PRINCIPAL USES						
Single Family Dwelling	◆	◆	◆	◆		
Two Family Dwelling			◆			
Multiple Family Dwelling					◆	◆
Family Day Care	◆	◆	◆			
ACCESSORY USES						
Accessory Bed and Breakfast			◆			
Accessory Family Day Care	◆	◆	◆	◆	◆	◆
Accessory Home Occupation	◆	◆	◆	◆	◆	◆
Accessory Secondary Suite	◆	◆	◆	◆		
Accessory Buildings	◆	◆	◆	◆	◆	

(2) DEVELOPMENT REGULATIONS PRINCIPLE BUILDING

	R-1 Low Density Residential (Conventional Lot)	R1-A Low Density Residential (Medium Lot)	R-2 Low Density Residential 2 (Duplex)	R-3 Low Density Residential 3 (Small Lot)	R-4 Medium Density Residential 1 (Townhouse)	R-5 Medium Density Residential 2 (Apartment)
Minimum Lot Size (m ²)	925 ¹ 697 ²	500 ³	925 ¹ 697 ³ 1125 ⁴ 925 ⁵	360 ³	1500 ²	1500 ²
Minimum Lot Width (m)	18	15	18 Single 24 Duplex	12.5	22.5	22.5
Maximum Density (units / ha)	N/A	N/A	N/A	N/A	35	74 ¹⁰
Maximum Lot Coverage (%)	40	40	40	55	55	70
Minimum Front Setback (m)	7.5	7.5	7.5	4.5	4.5	4.5
Minimum Rear Setback (m)	7.5	7.5	7.5	4	7.5	7.5
Minimum Interior Side Setback (m)	1.5	1.5	1.5	1.2	3.6	3.6
Minimum Exterior Side Setback (m)	3.6	3.6	3.6	3.6	7.5	7.5
Maximum Height (m)	10.7	10.7	10.7	10.7	11	11
Minimum Amenity Area (m ²)	N/A	N/A	N/A	N/A	5 per unit ⁶ 10 per unit ⁷	200 ⁹
Number of Principal Buildings	1	1	1	1	N/A	1
Off-Street Parking	As per Section VII ⁶	As per Section VII ⁶	As per Section VII ⁶	As per Section VII ⁶	As per Section VII ⁶	As per Section VII ⁶

Notes:

1. Lots serviced with Community Sewer System only.
2. Lots serviced with Community Sewer and Community Water Systems.
3. Single Family Dwelling must have Community Sewer and Community Water Systems.
4. Duplex Dwelling Lots serviced with Community Sewer System only.
5. Duplex Dwelling Lots serviced with Community Sewer and Community Water Systems.
6. Off-street parking shall be provided in accordance with this bylaw. See Section VII (seven) Off-street Parking of this bylaw.
7. When a development consists of 10 units or less.
8. When a development consists of 11 units or more.
9. Common amenity areas shall be provided for all multi-family dwellings of 10 or more units. The

amenity area shall be no less than 200 m².

10. The maximum *density* of 74 units per hectare may be increased to a maximum of 100 units per hectare in accordance with the following:
- i) 2 units per hectare for each dwelling unit which are constructed and designated for the disabled persons; or
 - ii) 10 units per hectare where a minimum of 50% of required *off street parking spaces* are below *grade* or in a *parking garage*; or
 - iii) 5 units per hectare where a minimum of 5 of the units are *affordable housing units*.

(3) DEVELOPMENT REGULATIONS ACCESSORY BUILDINGS

	R-1 Low Density Residential (Conventional Lot)	R1-A Low Density Residential (Medium Lot)	R-2 Low Density Residential 2 (Duplex)	R-3 Low Density Residential 3 (Small Lot)	R-4 Medium Density Residential 1 (Townhouse)	R-5 Medium Density Residential 2 (Apartment)
Maximum Number of Structures	2	2	2	2	2	0
Maximum Size (m ²)	N/A ¹	N/A ¹	N/A ¹	N/A ¹	10 per unit	N/A ¹
Maximum Height (m)	5	5	5	5	5	N/A
Front Lot Line Setback (m)	15	7.5	7.5	4.5	4.5	N/A
Rear Lot Line Setback (m)	1.5	1.5	1.5	1	1.5	N/A
Exterior Side Lot Line Setback (m)	7.5	7.5	3.6	3.6	7.5	N/A
Interior Side Lot Line Setback (m)	1	1	1	1	1	N/A

Notes:

- 1. Must be contained within the maximum lot coverage provisions.

.3) COMMERCIAL ZONES

(1) PERMITTED USES

The uses set out in this table and no other uses are permitted in the zone indicated.

	C-1 Village	C-2 Lakeshore	C-3 Mixed Use	C-4 Commercial	C-5 Tourist	C-6 Marine	C-7 Holiday Park	C-8 Service Station
PRINCIPAL USES								
Automotive Repair and Service								◆
Automotive Sales, Lease or Rental								◆
Boat Launching Ramp						◆		
Campground					◆ ¹¹			
Child Care Facility	◆	◆						
Community Care Facility	◆		◆	◆				
Convenience Store				◆				
Clinic	◆ ¹							
Dwelling Units	◆ ²	◆ ²	◆ ²					
Entertainment Facility	◆	◆						
Financial Institution	◆							
Floatplane Dock and Heliport						◆		
Fuel Service Station	◆ ³							◆
Holiday Park							◆ ^{7, 11}	
Hotel and Motel	◆	◆	◆		◆ ⁹			
Indoor Recreation Facility		◆	◆		◆			
Inn			◆					
Libraries, Art Galleries, & other Cultural Activities	◆	◆	◆					
Lodges, Fraternal Organizations and Clubs	◆	◆	◆					
Marina						◆		
Marine Fuel Sales						◆		
Neighbourhood Pubs	◆	◆		◆				

	C-1 Village	C-2 Lakeshore	C-3 Mixed Use	C-4 Commercial	C-5 Tourist	C-6 Marine	C-7 Holiday Park	C-8 Service Station
Office	◆	◆	◆					
Outdoor Recreation Equipment Rental						◆		
Outdoor Recreation Facility					◆			
Off Street Parking Area	◆ ⁴		◆					
Parking Garage	◆		◆					
Personal Service Establishment	◆		◆	◆				
Retail	◆	◆	◆	◆				
Restaurant	◆ ^b	◆ ^b	◆	◆		◆		
ACCESSORY USES	◆	◆	◆	◆	◆	◆	◆	◆
Convenience Store					◆		◆	◆
Indoor Recreation Facility							◆	
Outdoor Recreation Facility							◆	
Residential Dwelling	◆	◆	◆ ¹	◆ ¹	◆ ¹	◆ ¹	◆ ^{4,9}	
Restaurant					◆		◆	
Parking Area		◆	◆	◆		◆		◆
Parking Garage		◆	◆					
Lodges, Fraternal Organizations and Clubs	◆							
Car Wash								◆

Notes:

1. Clinic or an office for medical, dental or similar purposes, including associated laboratory facilities, but not including any such use where the principal services rendered are related to drug or alcohol detoxification or rehabilitation.
2. For buildings that mix commercial and residential uses:
 - a) no portion of the first storey of a building to a depth of 10.7 meters from the front wall of the building and extending across its full width shall be used for residential purposes except for entrances to the residential portion; and
 - b) 200 m² of common amenity area shall be provided with a minimum mean dimension of 6 m and 5 m² of private amenity area shall be provided for each dwelling unit.
3. Notwithstanding the list of uses permitted in Section 6.3.1, a fuel service station shall be the only use permitted on Lot 7, Plan 251 (200 Hot Springs Road).
4. No front yard shall be used for off street parking.
5. Not including a drive-in or drive through restaurant.
6. An accessory residential dwelling use shall be attached to the principal building and shall have a maximum floor area of 186 m².

7. One *accessory residential dwelling* use shall be permitted for a caretaker, owner, or manager of the principal use, except where the *lot* is 1.62 hectares or greater in which case one *accessory residential dwelling unit* shall be permitted for the caretaker and one *accessory residential dwelling unit* shall be permitted for the owner or manager.
8. The *holiday park* shall not be used for occupancy by permanent residents and may only be used as temporary accommodation within recreation vehicles and travel trailers.
9. One *accessory residential dwelling* use shall be permitted for a caretaker, owner, or manager of the principal use, except where the *holiday park* consists of 80 or more camping spaces in which case one *accessory residential dwelling unit* shall be permitted for the caretaker and one *accessory residential dwelling unit* shall be permitted for the owner or manager.
10. *Camp spaces* are not to exceed 50 spaces per hectore.

(2) DEVELOPMENT REGULATIONS PRINCIPLE BUILDING

	C-1 Village	C-2 Lakeshore	C-3 Mixed Use	C-4 Commercial	C-5 Tourist	C-6 Marine	C-7 Holiday Park	C-8 Service Station
Minimum Lot Size (m ²)	464	464	See Note 14	464	See Note 7	600	16,200	925
Minimum Lot Width (m)	20	20	20	20	20	30	40	30
Maximum Density (units/ha)	100	100 ⁵	100	N/A	See Note 8	N/A	See Note 11	N/A
Maximum Floor Area Ratio	1.5	1.25	1.5	N/A	N/A	N/A		N/A
Maximum Lot Coverage (%)	75	75	100	60	60	60	60 ¹²	40
Minimum Setbacks (m)								See Note 6
<i>Front Set back</i>	0 ^{1,3}	0 ^{1,3}	See Note 15	7.5	4.5	7.5	7.5	7.5
<i>Rear Set Back</i>	0 ²	0 ²	See Note 16	6	6	6	4	6
<i>Interior Side lot line setback</i>	0 ³	0 ³	See Note 17	3.6	3.6 ⁹	3.6	4	3
<i>Exterior Side lot line setback</i>	0 ²	0 ²	See Note 18	3.6	3.6	3.6	4	6
Maximum Height (m)	15 ⁴	15 ⁴	15 ⁴	6.5	10 ¹⁰	12	10	6.5
Off-Street Parking	As per Section VII ¹³							

Notes:

1. The *front lot line* for all *lots* with frontages on:
 - a) both Esplanade and Lillooet Avenues shall be deemed to be on Esplanade Avenue; and
 - b) both Cedar and Lillooet Avenues shall be deemed to be on Lillooet Ave.
2. A *setback* of 7.5 meters shall be required in cases where the abutting *lot* is within a residential zone.
3. A *setback* of 3.6 meters shall be required for any *storey* above the first *storey*.
4. The maximum *height* for the *principal building* shall not exceed 15 meters or 4 storeys whichever is lesser.
5. The maximum *density* of 100 per hectare may be increased to a maximum of 120 units per hectare and an associated increase in the *Floor Area Ratio* in accordance with the following:
 - a) 2 units per hectare for each dwelling unit which caters to the disabled; or
 - b) 5 units per hectare where a minimum of 5 of the units are *affordable housing units*.
6. Gasoline service pumps or pump islands, and propane tanks and dispensing equipment shall be sited not less than 6 meters from any *lot line* and a fuel pump canopy shall be sited not less than 4.5 meters from any *lot line*.

7. Minimum lot sizes:
 - 925 m² for *motel* or *indoor recreation facility*;
 - 1.62 ha for a *campground*, trailer park, or *outdoor recreation facility*;
 - 1.72 ha for a combination *motel / campground* or trailer park.
8. The maximum *density* shall be 50 *camping spaces* per ha. or 50 *motel* units per ha.
9. The setback shall be increased to 6 meters in case where the abutting *lot* is within a residential *zone*.
10. The maximum *height* shall be 10 meters or 2 *storeys* whichever is the lesser.
11. The maximum *density* shall be 50 *camping spaces* per ha with community water and sewer and 35 *camping spaces* per hectare without community water and sewer.
12. Common outdoor recreation, amusement, and sports amenity structures and areas shall be less than 10% of the lot area.
13. Off-street parking shall be provided in accordance with this bylaw. See Section VII (seven), Off-street Parking, of this bylaw.
14. Minimum lot sizes:
 - 925 m² for *hotels* and *motels*
 - 1,500 m² for mixed *multi-family* and commercial *uses*
 - 464 m² (5,000sq.ft) for other permitted *uses*
15. Minimum setback for front parcel lines:
 - first *storey*, except *motels* is 0 metres;
 - above one *storey*, except *motels* is 3.6 metres;
 - motels* is 7.5 metres.
16. Minimum setbacks for *rear parcel lines*:
 - abutting other zone is 0 metres;
 - above one *storey* is 3.6 metres;
 - abutting residential zone is 6 metres.
17. Minimum setbacks for *interior side parcel lines*:
 - first *storey* is 0 metres;
 - above one *storey* is 3.6 metres;
 - abutting residential zone is 6 metres.
18. Minimum setbacks for *exterior side parcel lines*:
 - abutting other zone is 0 metres;
 - abutting residential zone is 6 metres.

(3) DEVELOPMENT REGULATIONS ACCESSORY BUILDINGS

	C-1 Village	C-2 Lakeshore	C-3 Mixed Use	C-4 Commercial	C-5 Tourist	C-6 Marine	C-7 Holiday Park	C-8 Service Station
Maximum Number	1	1	0	1	1 per 10 units ¹	0	1	1
Maximum Size (m ²)	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³	N/A ³	See Note 2 and 3
Maximum Height (m)	5	5	N/A	4.5	4.5	4.5	4.5	4.5
Front Lot Line Setback (m)	0	0	N/A	7.5	7.5	7.5	N/A	0
Rear Lot Line Setback (m)	0	0	N/A	6	6	6	N/A	0
Exterior Side Lot Line Setback (m)	0	0	N/A	3.6	3.6	3.6	N/A	0
Interior Lot Line Setback (m)	0	0	N/A	3.6	3.6	3.6	N/A	0

1. Only one *dwelling unit* will be permitted for the owner, manager or caretaker, except where the developed *site* area of the permitted use is 1.62 hectares or more in which case one *dwelling unit* will be permitted for the owner or manager and 1 *dwelling unit* will be permitted for the caretaker.
2. Maximum *dwelling unit* area for the owner, manager or caretaker is 125 m².
3. Must be contained within the maximum lot coverage provisions.

.4) INSTITUTIONAL ZONES

(1) COMMUNITY AND INSTITUTIONAL – P-1

(1.1) Permitted Uses

- (1) *Accessory Buildings*
- (2) *Accessory Single Family Residential*
- (3) *Accessory Uses*
- (4) *Church*
- (5) *Community Centre*
- (6) *Libraries, Art Galleries, and other Cultural Buildings*
- (7) *Hall and Auditoriums*
- (8) *Indoor/outdoor Recreation Facility*
- (9) *Hospital*
- (10) *Park or playground, beaches, and tennis courts*
- (11) *Parking Area*
- (12) *Parking Garage*
- (13) *Public Utility*
- (14) *Public School*

(1.2) Conditions for Permitted Land Uses

- (1) One *accessory residential dwelling unit* use shall be permitted for a caretaker of the principal use.

COLUMN 1	COLUMN II
PRINCIPAL BUILDING	
<i>Minimum Parcel Area</i>	500 m ²
<i>Minimum Parcel Width</i>	20 metres
<i>Maximum Size</i>	n/a
<i>Maximum Height</i>	15 m
<i>Front Lot Line Setback</i>	6 metres
<i>Rear Lot Line Setback</i>	6 metres
<i>Exterior Side Lot Line Setback</i>	6 metres
<i>Interior Side Lot line Setback</i>	6 metres
<i>Off-Street Parking</i>	Off-street parking spaces shall be provided in accordance with this Bylaw.

ACCESSORY BUILDINGS AND STRUCTURES	
<i>Maximum Number</i>	n/a
<i>Maximum Height</i>	4.5 metres
<i>Front Lot Line Setback</i>	6 metres
<i>Rear Lot Line Setback</i>	6 metres
<i>Exterior Lot Line Setback</i>	6 metres
<i>Interior Lot Line Setback</i>	6 metres

(2) WATERFRONT – W-1

(2.1) Permitted Uses

- (1) *Accessory Buildings*
- (2) *Accessory Residential*
- (3) *Accessory Uses*
- (4) Boating, boat rentals, charter/leasing and boat launching;
- (5) Hiking trails, picnic sites, viewing areas;
- (6) Marina
- (7) Marine fuel sales;
- (8) Moorage facilities for marine craft;
- (9) *Parks*, swimming and beach areas;
- (10) Private floats, wharves piers and walkways necessary for water access to property immediately abutting the foreshore lying within municipal boundaries;
- (11) Public washrooms;
- (12) Refreshment vending;
- (13) Outdoor recreation equipment rentals;

14 Accessory Uses

- (14) one *dwelling unit* for a caretaker or watchman in conjunction with a moorage facility for marine craft;
- (15) *parking areas*;
- (16) *accessory buildings and structures*

(2.2) Conditions for Permitted Land Uses

- (1) One *accessory residential dwelling unit* use shall be permitted for a caretaker, owner, or manager of the principal use.

COLUMN 1	COLUMN II
PRINCIPAL BUILDING	
<i>Minimum Lot Size</i>	600 m ²
<i>Maximum Number</i>	1
<i>Maximum Lot Coverage</i>	60%
<i>Minimum Lot Width</i>	30 metres
<i>Maximum Height</i>	10 m
<i>Front Lot Line Setback</i>	7.5 metres
<i>Rear Lot Line Setback</i>	0 metres

<i>Exterior Lot Line Setback</i>	6 metres
<i>Interior Lot line Setback</i>	3 metres
<i>Off-Street Parking and Loading</i>	<i>Off-street parking spaces shall be provided in accordance with this Bylaw.</i>
ACCESSORY BUILDINGS AND STRUCTURES	
<i>Maximum Number</i>	1
<i>Maximum Height</i>	4.5 metres
<i>Front Lot Line Setback</i>	n/a
<i>Rear Lot Line Setback</i>	n/a
<i>Exterior Lot Line Setback</i>	n/a
<i>Interior Lot Line Setback</i>	n/a

(3) VILLAGE RESERVE – VR-1

(3.1) Permitted Land Uses

- (1) *Accessory Buildings*
- (2) *Accessory Residential*
- (3) *Accessory Uses*
- (4) *Agriculture*

(3.2) Conditions for Permitted Land Uses

- (1) One *accessory residential dwelling unit* use shall be permitted for a caretaker, owner, or manager of the principal use.

COLUMN 1	COLUMN II
PRINCIPAL BUILDING	
Minimum Lot Size	600 m ²
Maximum Number	1
Minimum Lot Width	30 metres
Maximum Lot Coverage	60%
Maximum Height	10 m
Front Lot Line Setback	7.5 metres
Rear Lot Line Setback	7.5 metres
Exterior Lot Line Setback	7.5 metres
Interior Lot line Setback	7.5 metres
Off-Street Parking and Loading	Off-street parking spaces shall be provided in accordance with this Bylaw.
ACCESSORY BUILDINGS AND STRUCTURES	
Maximum Number	n/a
Maximum Size	n/a
Maximum Height	4.5 metres
Front Lot Line Setback	7.5 metres
Rear Lot Line Setback	7.5 metres
Exterior Lot Line Setback	7.5 metres
Interior Lot Line Setback	7.5 metres

(4) RESOURCE RESERVE – RR

.1) Intent

The intent of the RR *zone* is to provide for outdoor recreation use and the protection of natural areas. Lands within this *zone* include upland, forested or water areas with physical limitations to development due to natural hazards, or wildlife, scenic or historic values.

.2) Permitted Uses

The following uses and no others are permitted in the RR *zone*:

Principal Uses

- .1 boating, boat rentals, swimming, boat charters, boat leasing;
- .2 hiking trails and bridges, picnic *sites*, viewing areas;
- .3 special *structures* to stabilize the land, vegetation, or to enhance water quantity or quality;
- .4 special *structures* to serve the needs of fish or wildlife;

Accessory Uses

- .5 one *single family dwelling*;
- .6 *parking area*;
- .7 *accessory buildings and structures*

.3) Regulations

On a *parcel* zoned RR, no *building or structure* will be constructed, located or altered and no plan of subdivision will be approved which contravenes the regulations set out in the following table in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I	COLUMN II
.1 Minimum <i>Parcel Area</i>	8 hectare
.2 Minimum <i>Setback</i>	
• <i>Front parcel line</i>	7.5 metres
• <i>Interior parcel line</i>	7.5 metre
• <i>Exterior side parcel line</i>	7.5 metres
• <i>Rear parcel line</i>	7.5 metres

.3 Maximum Number of <i>principal buildings</i>	1 <i>single detached dwelling per parcel</i>
.4 Parking and Loading	As required by Bylaw



(5) **COMPREHENSIVE DEVELOPMENT ZONE ONE – CD-1**

.1) Intent

This zone is intended to provide for a high density mixed use building which will accommodate a combination of residential units and increased commercial space that complements the business and resort oriented uses of the Village Centre.

New development zoned CD-1 will be required to obtain a Development Permit as per the Official Community Plan.

.2) Permitted Uses

The following uses and no others are permitted in the CD-1 zone:

Principal Uses

- .1 Hotel and motel;
- .2 Offices;
- .3 Restaurant;
- .4 Retail store;
- .5 Indoor recreation facility;
- .6 Personal services establishment;
- .7 Business services establishment;
- .8 Medical and dental clinics;
- .9 Family Daycare facility;
- .10 Convenience stores;
- .11 Entertainment facility;
- .12 Financial institutions;
- .13 Multi-family dwelling.

Accessory Uses

- .1 Accessory Home Occupation – Type I;
- .2 Parking area;
- .3 Parking garage.

.3) Conditions on Use

- .1 All permitted uses shall be connected to the Village of Harrison Hot Springs community water system and sanitary sewer system.
- .2 Multi-family dwellings use must:
 - (a) Be located above the first floor;
 - (b) Have entrances leading directly to the street and the separate entrances shall be divided from other uses by walls;
 - (c) Provide *common amenity areas* of no less than 300m² and have a minimum dimension of 6 metres;
 - (d) Provide private amenity areas of no less than 5 m² for each dwelling unit.

.4) Regulations

On a *parcel* zoned CD-1, no *building or structure* will be constructed, located or altered and no plan of subdivision will be approved which contravenes the regulations set out in the following table in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN 1	COLUMN II
<i>Minimum Parcel Area</i>	0.3 of a hectare
<i>Minimum Parcel Width</i>	40 metres
<i>Minimum Setback – all parcel lines</i> <ul style="list-style-type: none"> • <i>First storey</i> • <i>Second storey and above</i> 	0 metres 3.0 metres
<i>Maximum Parcel Coverage</i>	100%
<i>Maximum Residential Density</i>	173 units per hectare
<i>Maximum Floor Area Density</i>	1.83
<i>Maximum Building Height</i>	7 storeys or 25 metres, whichever is lesser
<i>Parking and Loading</i>	As required per Section 5

.5) Special Regulations

New development zoned CD-1 will be required to meet the density bonusing and amenity contributions provisions set out for the Village Centre Area as per the Official Community Plan.

(6) **COMPREHENSIVE DEVELOPMENT ZONE TWO – CD-2**

.1) Intent

This zone is intended to provide for a medium density residential development for a 1.52 ha. (4 acres) portion of the lands located on the south east section of the lands, adjacent to Hot Springs Road, legally described as: Section 13, Township 4, Range 29, Meridian W6, New Westminster Land District, Portion FRACTIONAL, Except Plan PT SUBDIVIDED BY PL 251, & EXC PT SUBDIVIDED BY PL 9656, 9786, 27133, 38836, 48818, 53383, 66843, 66844, 66845, 66846, 70213, PID 002-102-234.

.2) Permitted Uses

The following uses and no others are permitted in the CD-2 zone:

Townhouse
Accessory recreational facilities for the use of residents
Home Occupation
Accessory Parking Area

.3) Conditions of Use

- .1 All permitted uses shall be connected to the Village of Harrison Hot Springs community water system and sanitary sewer system.
- .2 Townhouses shall:
 - (a) have entrances leading directly to the street and the separate entrances shall be divided from other uses by walls
 - (b) provide *common amenity areas* of no less than 200 m² and have a minimum dimension of 6 metres
 - (c) provide *private amenity areas* of no less than 5 m² for each dwelling unit.

.4) Regulations

On a parcel zoned CD-2, no building or structure shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the following table in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I	COLUMN II
<i>Minimum parcel area</i>	1.52 ha.
<i>Minimum parcel width</i>	20 meters
<i>Minimum setbacks</i>	6 meters from all lot lines
<i>Maximum parcel coverage</i>	25%
<i>Maximum residential density</i>	18 units per ha.
<i>Maximum building height</i>	3 storeys or 10.2 meters, whichever is lesser
<i>Parking and loading</i>	2 parking spaces per unit plus visitor parking as required in s. 5 of the Zoning Bylaw

.5) Comprehensive Development Plan

On a parcel zoned CD-2, no building or structure shall be constructed, located or altered and no plan of subdivision approved which is not generally in accordance with the Comprehensive Development Plan which forms an integral component of this zone.



(7) RESIDENTIAL RESERVE – RSR

(1) Permitted Land Uses

- (1) Accessory Buildings
- (2) Accessory Uses
- (3) Single Detached Dwelling
- (4) Home Occupation

COLUMN 1	COLUMN II
PRINCIPAL BUILDING	
<i>Maximum Number</i>	1
<i>Maximum Lot Coverage</i>	10%
<i>Minimum Lot Size</i>	8000 m ²
<i>Minimum Lot Width</i>	60 metres
<i>Maximum Height</i>	10.0 m
<i>Front Lot Line Setback</i>	10.0 metres
<i>Rear Lot Line Setback</i>	10.0 metres
<i>Exterior Lot Line Setback</i>	7.5 metres
<i>Interior Lot line Setback</i>	5 metres
<i>Off-Street Parking and Loading</i>	<i>Off-street parking spaces shall be provided in accordance with this Bylaw.</i>
ACCESSORY BUILDINGS AND STRUCTURES	
<i>Maximum Number</i>	n/a
<i>Maximum Size</i>	n/a
<i>Maximum Height</i>	5 metres
<i>Front Lot Line Setback</i>	15 metres
<i>Rear Lot Line Setback</i>	3 metres
<i>Exterior Lot Line Setback</i>	7.5 metres
<i>Interior Lot Line Setback</i>	3 metres

VII. OFF-STREET PARKING

.1) Application of Regulations

Space for the off-street parking and loading of motor vehicles in respect of a *use* permitted under this bylaw shall be provided and maintained in accordance with this section.

.2) Exemption of Existing Buildings from Parking and Loading Requirements

The regulations contained in this section will not apply to *buildings, structures* and *uses* existing on the effective date of this Bylaw except that:

- (1) Off-street parking and loading must be provided and maintained in accordance with this section for any addition to any existing *building or structure* or any change or addition to an existing *use*;
- (2) Off-street parking and loading provided prior to the adoption of this Bylaw shall not be reduced below the applicable off-street parking and loading requirement of this section.

.3) Required Number of Spaces

- (1) The number of off-street *parking spaces* for motor vehicles required for any *uses* calculated according to Table 1 of this Bylaw in which Column I classifies the types of *uses* and Column II sets out the number of required off-street *parking spaces* or loading spaces that are to be provided for each *use* in Column;
- (2) in respect of a *use* permitted under this Bylaw which is not specifically referred to in Column I of Tables 1 and 2 the number of off-street *parking spaces* and loading spaces is calculated on the basis of the requirements for a similar *use* as determined by *the Chief Administrative Officer* that is listed in Table I and Table 2;
- (3) Where the calculation of the required off-street *parking spaces* and loading spaces results in a fraction, the number of *parking space* or loading space will be rounded to the nearest whole number.
- (4) For the purposes of calculating off-street parking requirements, ``*gross floor area*`` is as defined in Section 2, but excludes basement storage spaces and utility areas.
- (5) Where more than one *use* is located on a *parcel*, the total number of *parking spaces* or loading spaces to be required shall be the total of the requirements for all *uses* on the *parcel*;

- (6) Where more than one *use* is located in a *building*, the total number of *parking spaces* and loading spaces to be required may recognize the mixed *use* and the required number of spaces based on the *uses*, the area of the *building* dedicated to each *use*, the parking requirements generated by each *use*, and the peak and off times for the parking requirements for each *use*.
- (7) Where more than one standard may apply to a *use*, the standard requiring the greatest number of *parking spaces* shall be used.
- (8) Where the number of *parking spaces* is determined per person is applied the total number of persons shall be according to the maximum occupancy load established under the BC Building Code.
- (9) Off-street loading as required by this section shall not be credited against the requirements for off-street parking, and off-street vehicle parking space must not be credited against the requirements for off-street loading.
- (10) No off-street *parking space* or off-street loading space shall be used for any other purpose than parking, or loading, or unloading, respectively, as required by this bylaw.

4.) **Location**

- (1) For *uses* in Residential zones, off-street *parking spaces* shall be located on the same *parcel* as the *use* they serve. If it is Multi-Family residential, provisions of Section 3 may apply subject to the parking being within 150m of the *building*.
- (2) For *uses* in zones other than Residential zones, if sufficient off-street *parking spaces* cannot be provided on the same *parcel* as the *use* they serve, the required off-street *parking spaces* may be located on another *parcel* within 150 metres of the *building* or *use* the spaces serve.
- (3) If parking is not located on the same *parcel* as the *parcel* these spaces serve, a restrictive covenant, pursuant to Section 215 of the Land Title Act, will be registered. The covenant must be registered against the titles of the *parcel* on which the *use* is located, and the *parcel* that contains the *parking spaces* and must be in favour of the *Municipality*, to ensure that:
 - (a) off-street *parking spaces* are constructed and maintained to the standards specified in this Bylaw, and

are constructed in conjunction with *development* of the land;

- (b) the use is not commenced or continued if the *parking spaces* are not provided; and,
- (c) the *land* on which the *parking spaces* are provided must be used for that purpose.

- (4) Off-street loading spaces will be located on the same *spaces* as the *use* they serve.
- (5) Every off-street *parking space* and loading space will have at all times convenient vehicular access to a *highway*.
- (6) No off-street *parking space* or loading space must be located less than 1.5 metres from any *parcel* line.

5.) **Cash in Lieu**

- (1) An owner of *land*, a *building* or *structure* that is being developed within the *Municipality* may, at their option, pay to the *Municipality* the sum of fifteen thousand dollars (\$15,000) per required *parking space* up to a maximum of 10% of the number of *parking spaces* required, in lieu of providing off-street *parking spaces*. These funds collected by the *Municipality* are to be used for transportation and/or parking improvements and/or studies.

6.) **Size and Standards**

- (1) Each off-street *parking space*, other than a parallel parking space, required by this Bylaw will not be less than 2.6 metres in width, 5.5 metres in length and 2.1 metres in height.
- (2) Each off-street parallel *parking space* shall not be less than 3.0 metres in width, 7.0 metres in length (except 5.5 metres in length for an end space), and 2.1 metres in height.
- (3) Adequate provision shall be made for individual entry or exit by vehicles to all *parking spaces* at all times by means of unobstructed manoeuvring aisles, having widths not less than:
 - (a) 6.0 metres for residential, church, school
 - (b) 7.5 metres for commercial or other institutional

- (4) One-way cross aisles shall have a minimum width of 4.0 metres. Two-way cross aisles shall have a minimum width of 7.0 metres. Cross aisles are traffic corridors connecting manoeuvring aisles.
- (5) All *parking areas* and loading areas shall be provided with adequate curbs in order to retain all vehicles within such permitted parking areas, and to ensure that fences, walls, hedges or landscaped areas, as well as *buildings*, will be protected from vehicles.
- (6) Except for *single detached dwellings* and *duplex dwellings*, all *parking areas* and loading areas must be surfaced in a way that is durable and dust-free, and must be graded and drained as to properly dispose of all surface water.
- (7) Within an off-street *parking area*, all areas intended for vehicular access, parking and loading must be clearly delineated and separated from areas intended for pedestrian access and movements, and all required off-street *parking spaces* and loading spaces must be clearly marked on the ground by painted lines.
- (8) All off-street *parking areas* required for commercial, *multi-family dwelling*, institutional, and assembly uses must be screened from view from an adjacent *residential use*, except at points of entry and exit, by screening as provide in this Bylaw.
- (9) For all *uses, buildings* and *structures* where the total number of off-street *parking spaces* required under this Bylaw is greater than 15 spaces, and for all *parking areas* which are not located on the same *parcel* as the *building* or *use* which they serve, adequate illumination of *parking areas* must be provided.
- (10) Any lighting used to illuminate *parking area* or loading area or *parking garage* must be so arranged that all direct rays of light are reflected upon such parking or parking garage, and not on any nearby premises, residences or *highways*.
- (11) Every off-street *parking area* containing more than 10 off-street *parking spaces* must be provided with a bicycle storage rack with provision for the storage of not less than 5 bicycles for every 10 *parking spaces*.

.7) **Parking for Physically Disabled Persons**

- (1) For a commercial use where twenty-six (26) or more off-street *parking spaces* are required, a proportion of the required spaces shall be provided for physically disabled persons, such spaces to be in accordance with the following table:

<u>Required Parking Spaces</u>	<u>Spaces for the Disabled</u>
1-25	1
26-75	2
76-125	3
Over 126	3 spaces plus one space for every 100 required spaces in excess of 200

- (2) Required off-street *parking spaces* for physically disabled persons shall not be less than 4.2 metres in width.
- (3) Required off-street *parking spaces* for physically disabled persons shall be clearly designated "**FOR USE OF DISABLED PERSONS ONLY**".
- (4) Required off-street *parking spaces* for physically disabled persons shall be constructed and located so as to permit convenient access to a *building* entrance.

.8) **Parking or Storage of Vehicles**

In residential *zones*, no more than the number and type of vehicles set out below will be parked or stored on one *parcel*;

- Four vehicles, one of which may be a truck or school bus not exceeding 4,500 kilograms gross vehicle weight or one horse trailer or camper or recreation vehicle: and
- One boat and boat trailer.

.9) **Ministry of Transportation and Highways Standards**

Development requiring access to or from a provincial *highway* may have to comply with the Ministry of Transportation and Highway's standards as a condition of obtaining a highway access permit.

TABLE 1
REQUIRED OFF-STREET PARKING SPACES

COLUMN I Class of Building	COLUMN II Required Number of Spaces
Ambulance Station	1 and 1 per bay
Amusement Arcade	1 per 40 m ² of <i>gross floor area</i>
Animal Hospital	4 per veterinarian
Appliance Service/Repair Shop	1 per 40 m ² of <i>gross floor area</i>
Automobile Service/Repair Shop	1.5 per bay
Barber Shop	1 per 20 m ² of <i>gross floor area</i> or 2 per employee
<i>Bed and Breakfast</i>	1 per guest room
Boat Launch	15 per 6 m of boat launch ramp width. Each space will be 3 m wide by 9 m deep.
Bowling Alley/Green	3 per lane
Campground	1 per <i>camping space</i>
Cemetery	1 per 200 graves
<i>Church/Place of Worship</i>	1 per 8 seating places
<i>Community Care Facility, Non-Residential</i>	1 per 40 m ² of <i>gross floor area</i>
<i>Community Care Facility, Residential</i>	1 per 3 beds and 1 per 2 employees
Family Daycare Facility	1 per employee and drop off area
Dental Office or Clinic	1 per 20 m ² of <i>gross floor area</i> or 4 per dentist
Dry Cleaning Shop	1 per 40 m ² of <i>gross floor area</i>
<i>Duplex</i>	1 per <i>dwelling unit</i>
Equipment Sales and Rental Store	1 per 70 m ² of <i>gross floor area</i> and 1 per 400 m ² display area and 2 per parts dept.
Financial Institution	1 per 30 m ² of <i>gross floor area</i>
Fire Station	3 per bay
<i>Fuel Service Station</i>	1 per 40 m ² of <i>gross floor area</i> and 1 per 2 fuel or propane pumps
Funeral Home	1 per 8 seating places in chapel

COLUMN I Class of Building	COLUMN II Required Number of Spaces
Hair Salon	1 per 20 m ² of <i>gross floor area</i> or 2 per employee
<i>Holiday Park</i>	1 per recreational vehicle space and 1 per 2 employees
<i>Hotel</i>	1 per guest room and 1 per 8 seats in a restaurant or bar and 1 per 10 m ² (108 ft ²) of banquet or dance floor area and 1 per 3 employees (on each shift).
Laboratory	1 per 40 m ² of <i>gross floor area</i>
Laundromat	1 per 2 washing machines
Liquor Store	1 per 30 m ² of <i>gross floor area</i>
<i>Lodging House/Hotel</i>	1 per 2 beds or 1 per sleeping unit
Marina	1 per 2 berths
Medical Office or Clinic	1 per 20 m ² <i>gross floor area</i> or 4 per doctor
Miniature Golf	1 per hole
Mini-Storage Facility	1 per 100 m ² of <i>gross floor area</i> with a minimum of 5 spaces
<i>Motel</i>	1 per guest room and 1 per 8 seats in cafe, restaurant or bar and 1 per 10 m ² (108 ft ²) banquet or dance floor area and 1 per 3 employees (on each shift)
<i>Multi-Family Dwelling</i>	1 per 1 bedroom unit, 1.5 per 2 bedroom unit, 2 per 3 bedroom unit, and 0.2 spaces per <i>dwelling unit</i> for visitor parking.
<i>Neighbourhood Pub</i>	1 per 5 seats
<i>Nightclub</i>	1 per 5 seats
Office	1 per 30 m ² of <i>gross floor area</i>
Post Office	1 per 30 m ² of <i>gross floor area</i>
Public Assembly Facility	1 per 8 seats or persons
Pool Table/Billiard Facility	1 per table

COLUMN I Class of Building	COLUMN II Required Number of Spaces
Racquet Court	1 per court
<i>Recreational Facility, Indoor</i>	1 per 8 seats or persons
Rental Shop	1 per 40 m ² of <i>gross floor area</i>
<i>Restaurant</i>	1 per 5 seats
<i>Restaurant, Take-Out</i>	2 per cash drawer
<i>Retail Store</i>	1 per 30 m ² of <i>gross floor area</i>
Riding Stable	1 per stall
School, Kindergarten/Elementary	1 per employee
School, Secondary	1 per employee and 1 per 10 students
Secondary Suite	1 per suite
Service/Repair of Small Items	1 per 40 m ² of <i>gross floor area</i>
<i>Single Detached Dwelling</i>	1 per <i>dwelling</i>
Supermarket	1 per 30 m ² of <i>gross floor area</i>
Theatre	1 per 10 seats
Travel Agent	1 per 20 m ² of <i>gross floor area</i> or 2 per
Warehouse/Storage Facility	1 per 180 m ² of <i>gross floor area</i>

10) **Off-street Loading**

- (1) No use may be undertaken in any *zone* unless the off-street loading requirements in this Bylaw have been met for that use.
- (2) Each off-street loading space must not be less than 9.0 metres in length, 3.0 metres in width and provide no less than 4.0 metres of vertical clearance.
- (3) Any loading space and access to it within the same *parcel* must be located as not to interfere with street traffic, pedestrian traffic or customer parking.

TABLE 2

REQUIRED OFF-STREET LOADING SPACES

COLUMN I Use	COLUMN II Required Number of Spaces
Commercial <ul style="list-style-type: none"> • Buildings which have less than 500 m² of <i>gross floor area</i> • Buildings which have between 500 m² to 2,000 m² of <i>gross floor area</i> • Buildings which have more than 2,000 m² of <i>gross floor area</i> 	1 2 3
Institutional <ul style="list-style-type: none"> • Buildings which have less than 2,800 m² of <i>gross floor area</i> • Buildings which have 2,800 m² or more <i>gross floor area</i> 	1 2
Residential <ul style="list-style-type: none"> • For every 2,000 m² of <i>gross floor area</i> used for apartment units or townhouse units 	1

VIII. REPEAL

The Corporation of the Village of Harrison Hot Springs Zoning Bylaw No. 672-1996 and all amendments thereto are hereby repealed.

IX. READINGS AND ADOPTION

READ FOR A FIRST TIME THIS 15th DAY OF OCTOBER, 2012.

A PUBLIC HEARING WAS HELD THE 5th DAY OF NOVEMBER, 2012.

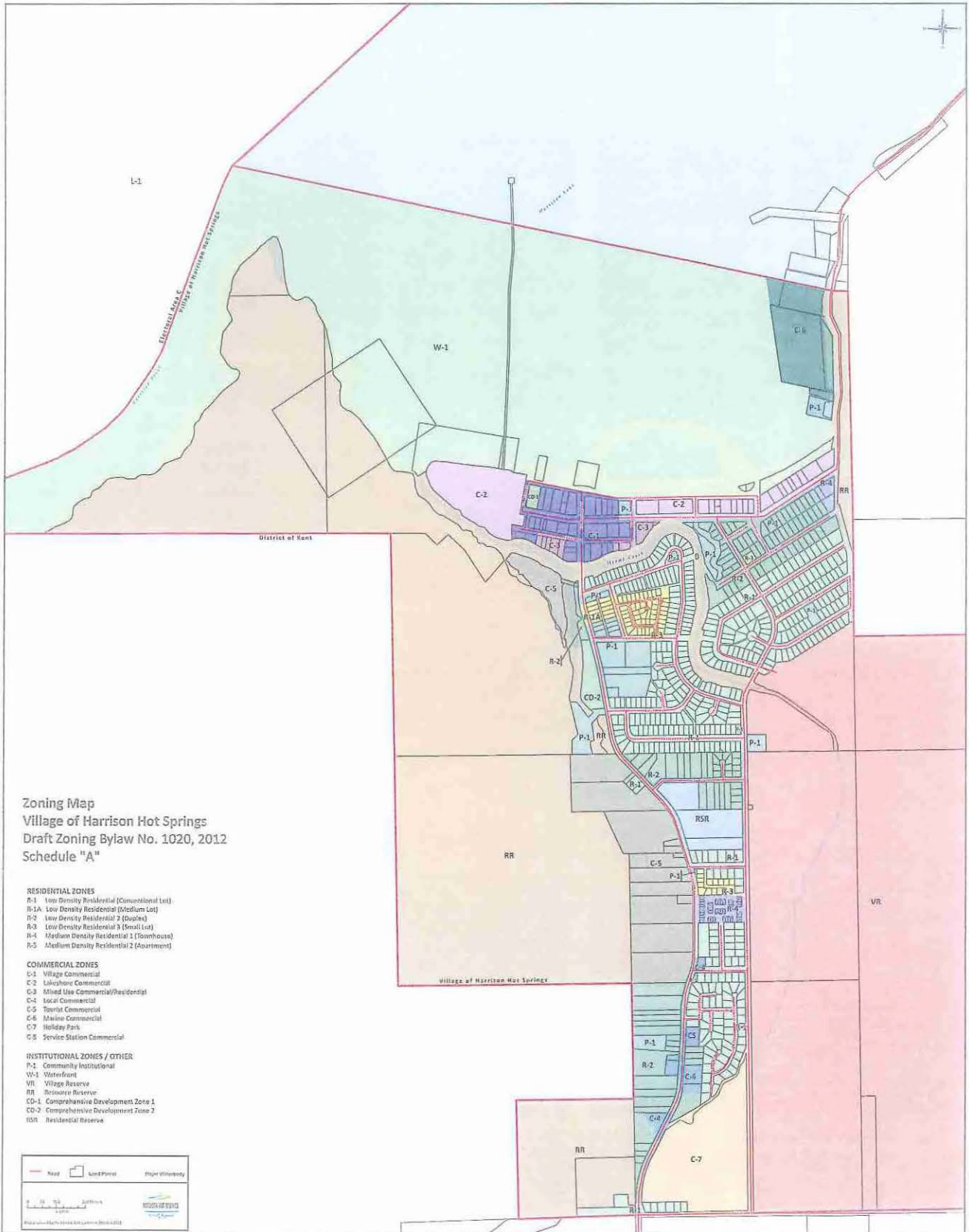
READ FOR A SECOND TIME THIS DAY OF NOVEMBER, 2012.

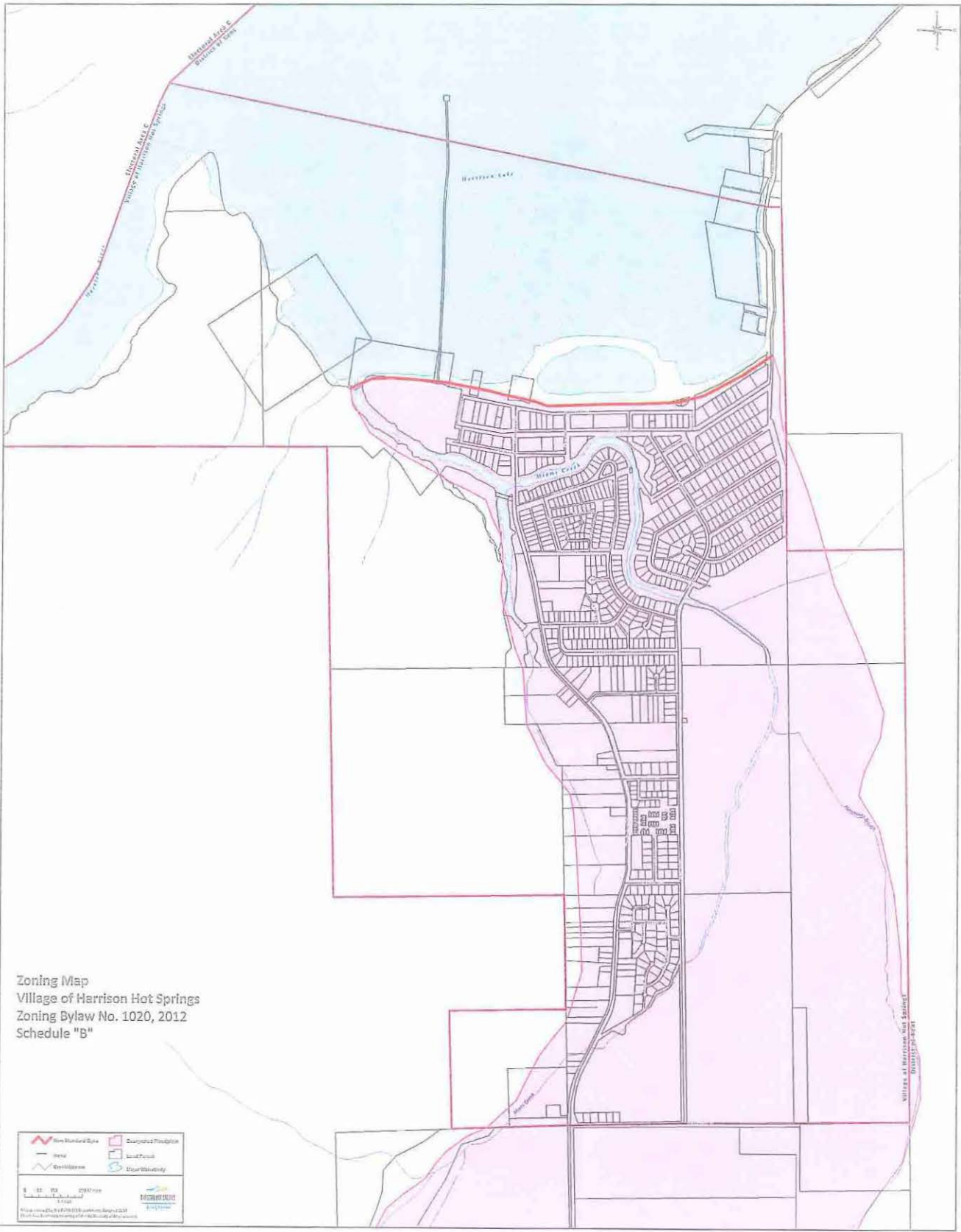
READ FOR A THIRD TIME AS THIS DAY OF NOVEMBER, 2012.

ADOPTED THIS DAY OF , 2012.

Mayor

Corporate Officer





Zoning Map
 Village of Harrison Hot Springs
 Zoning Bylaw No. 1020, 2012
 Schedule "B"

	Water Main/Utility Line		Designated Precinct
	Road		Local Precinct
	Environment		Urban Municipality

0 10 20 30 40 50
 Meters
 0 10 20 30 40 50
 Feet
 1:1000
 Prepared by: Harrison Hot Springs
 Date: 2012

Village of Harrison Hot Springs
 00001201201

DIRECTOR OF FINANCE COMMENTS:



Dale Courtice
Director of Finance

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Ted Tisdale
Chief Administrative Officer