



VILLAGE OF HARRISON HOT SPRINGS NOTICE OF MEETING AND AGENDA

ADVISORY PLANNING COMMISSION MEETING

Date: Friday, March 16, 2018
Time: 9:00 a.m.
Location: Council Chambers, 495 Hot Springs Road
 Harrison Hot Springs, British Columbia

1. CALL TO ORDER	
Meeting called to order by the Chair.	
2. INTRODUCTION OF LATE ITEMS	
3. APPROVAL OF AGENDA	
4. ADOPTION OF MINUTES	
(a) THAT the Minutes of the Advisory Planning Commission Meeting held on December 12, 2017 be adopted.	Item 4(a) Page 1
5. ITEMS FOR DISCUSSION	
(a) Zoning Bylaw No. 1115, 2017 <i>(proposed)</i> <ul style="list-style-type: none"> i. PowerPoint presentation regarding Zoning Bylaw No. 1115, 2017 ii. Zoning Bylaw No. 1020 <i>(current)</i> 	Item 5(a) Page 3 Item 5(a)i Page 60 Item 5(a)ii Page 80
6. ADJOURNMENT	

4(a)

VILLAGE OF HARRISON HOT SPRINGS
ADVISORY PLANNING COMMISSION MEETING

DATE: December 12, 2017
TIME: 10:00 a.m.
PLACE: Council Chambers
495 Hot Springs Road
Harrison Hot Springs, BC

IN ATTENDANCE: Freddy Marks, Chair
Frank Peters
Terry Mitchell
Brian Williams

Planning Consultant, Ken Cossey

ABSENT: Donna Cooney

Recording Secretary: Nicole Sather

1.

CALL TO ORDER

Chair Freddy Marks called the meeting to order at 10:02 a.m.

2.

INTRODUCTION OF LATE ITEMS

None

3.

APPROVAL OF AGENDA

Moved by Brian Williams
Seconded by Terry Mitchell

THAT the agenda be approved.

CARRIED
UNANIMOUSLY

4.

ADOPTION OF MINUTES

Moved by Brian Williams
Seconded by Terry Mitchell

THAT the Minutes of the Advisory Planning Commission Meeting held on
July 21, 2017 be adopted.

CARRIED
UNANIMOUSLY

Village of Harrison Hot Springs
Minutes of the Advisory Planning Commission Meeting
December 12, 2017

5. **ITEMS FOR DISCUSSION**

(a) Rezoning of 800 Hot Springs Road from R-2 to TC-5

Report of Planning Consultant – December 12, 2017
Re: Rezoning from R-2 to TC-5 and inclusion into a Tourist Commercial
Development Permit area

Commission members discussed the proposed development.

Moved by Brian Williams
Seconded by Terry Mitchell

THAT the Official Community Plan Amendment Bylaw No. 1113, 2017 be
supported as proposed.

**CARRIED
UNANIMOUSLY**

Moved by Frank Peters
Seconded by Brian Williams

THAT the Zoning Amendment Bylaw No. 1114, 2017 be supported as
proposed.

**CARRIED
UNANIMOUSLY**

6. **ADJOURNMENT**

Moved by Frank Peters
Seconded by Brian Williams

THAT the meeting be adjourned at 10:13 a.m.

**CARRIED
UNANIMOUSLY**

Freddy Marks
Chair

Debra Key
Corporate Officer

5(a)



ZONING BYLAW

For The

Village of Harrison Hot Springs

BYLAW No. 1115, 2017



**VILLAGE OF HARRISON HOT SPRINGS
BYLAW NO 1115, 2017
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**Village of Harrison Hot Springs
Zoning Bylaw No. 1115**

**A BYLAW TO REGULATE THE ZONING AND DEVELOPMENT OF REAL PROPERTY
WITHIN THE VILLAGE OF HARRISON HOT SPRINGS**

WHEREAS section 479 of the *Local Government Act* authorizes a local government to enact a Bylaw respecting Zoning;

AND WHEREAS section 482 of the *Local Government Act* authorizes a local government to offer density benefits for the provision of amenities, affordable housing and special needs housing;

AND WHEREAS section 492 of the *Local Government Act* authorizes a local government to designate a Temporary Use Permit area in a Zoning Bylaw;

AND WHEREAS section 524 of the *Local Government Act* authorizes a local government to create flood plain requirements;

AND WHEREAS section 525 of the *Local Government Act* authorizes a local government to create off-street parking and loading requirements;

AND WHEREAS section 527 of the *Local Government Act* authorizes a local government to create screening and landscaping requirements;

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

**PART 1.0 APPLICATIONS, DEFINITIONS AND ESTABLISHMENT
 OF ZONES**

1.1 Title

- a) This Bylaw may be cited for all purposes as the "Village of Harrison Hot Springs Zoning Bylaw No. 1115, 2017".

1.2 Purpose

- a) The Permitted purpose of this Bylaw is to regulate Land Use and Development within the Village of Harrison Hot Springs for the benefit of the community; and
- b) For the continued implementation of the long-term goals of the Village's Official Community Plan Bylaw, as amended from time to time.

1.3 Application of Bylaw

- a) This Bylaw applies to all Lands, including the surface of water, and all uses, Buildings and other Structures located within the boundaries of the Village of Harrison Hot Springs, as amended from time to time, and as shown on Schedule "A", the Zoning Map, which is attached to and forms part of this Bylaw.

1.4 Definitions

- a) The following definitions apply to this Bylaw;

Accessible

means that a person with disabilities is, with or without assistance, able to approach, enter, pass to and from one area to another and make use of an area and its facilities;

Accessory Building or Structure

means a Building or Structure, the use or intended use of which is accessory to a Permitted use and located on the same Lot;

Accessory Residential Dwelling Unit

means a Residential Dwelling Unit which is subordinate to the Permitted Use of the Lot upon which the Accessory Use is located;

Accessory Residential Suite

means a separate and self-contained Residential Dwelling Unit located within a Detached Dwelling Unit, that meets the requirements of the *BC Building Code* and is subordinate to the Permitted Use of the Lot upon which the Accessory Use is located;

Accessory Use

means a Land Use that is clearly incidental or subordinate to the Permitted Use and located on the same Lot;

Affordable Housing

means any sort of relief, based upon an individual's circumstances, provided for a Residential Dwelling Unit which may be subject to a housing agreement with the Village of Harrison Hot Springs;

Aggregate Extraction

means with a permit issued by the appropriate provincial authority the user can mine, quarry, dig or remove materials or minerals from either the surface or below the surface of a Lot, including, such as but not limited to the following:

- earth, soil, peat, sand and gravel;
- rock and natural substances that are used for a construction purpose on Land that is not within a mineral title or group of mineral titles from which the rock or natural substance is mined; and
- rock or a natural substance prescribed under the *Mineral Tenure Act*, as amended from time to time

Aggregate Processing

means the processing of extracted quarry materials which includes but is not limited to one or more of the following:

- material sorting;
- crushing;

- Screening;
- stockpiling;
- washing;
- truck loading; and
- the on-site operation of a portable asphalt or cement plant;

Alter

means any change to a Building or Structure that would result in either a change to the appearance of the Building or Structure, increase the floor area or both;

Animal Kennel

means the use of Land, Buildings or other Structures in which domestic animals are kept, boarded, bred or trained for Commercial gain;

Approving Officer

means the Approving Officer appointed pursuant to the *Land Title Act*, as amended from time to time;

Apartment

means a Residential Building or Structure containing three or more individual dwelling units in a Building or Structure where each dwelling unit has its Permitted access from an entrance or hallway that is common to at least one other dwelling unit on the same Storey;

Automobile Salvage and Wrecking Yard

means a use providing for towing, unenclosed and closed storage, and or the dismantling from time to time, of more than one unlicensed or Disabled Motor Vehicle, which may include the retail sale of automobile parts;

Average Finished Grade

means the average of the elevations taken at the outermost corners of the finished elevation adjoining each exterior wall of a Building or Structure;

Basement

means the floor of a Building or Structure consisting of a room or rooms that are either partially or entirely below the Natural Grade level;

Buffer

means a Land Use planning technique used to create a neutral space between two different types of Land Uses;

Building or Structure

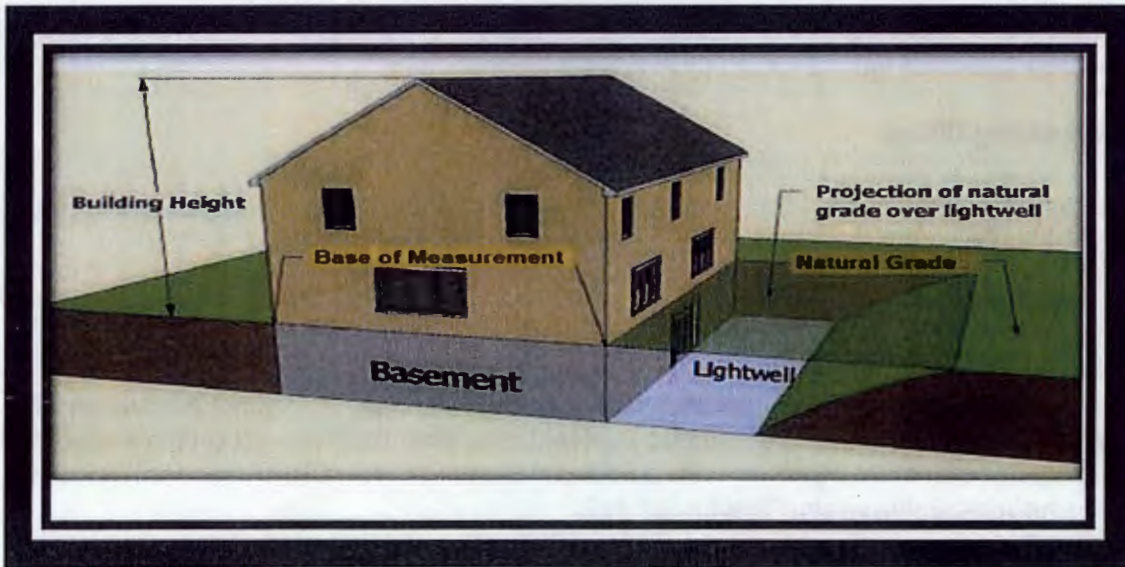
means any Structure and portion thereof, including affixed mechanical devices, that is used or intended to be used for the purpose of supporting or sheltering any use or occupancy on the Land;

Building Area

means the greatest horizontal area of a Building or Structure above grade within the outside surface of the exterior walls or within the outside surface of the exterior walls and the centre line of firewalls and includes the entire Building or Structure footprint including the non-habitable areas such as the garage and carports;

Building Height

means the average vertical distance from the Natural Grade level at the outermost corners of a Building or Structure to the highest part of the roof surface, as illustrated below;



Building Inspector

means the individual appointed or under contract as the Building Inspector of the Village of Harrison Hot Springs;

Building Line

means the extended line of the exterior wall of a Building or Structure, and in particular;

- (a) **Front Building Line** – means the extended line of the exterior wall of a Building or Structure which faces the front Lot line,
- (b) **Rear Building Line** – means the extended line of the exterior wall of a Building or Structure which faces the rear Lot line,
- (c) **Side Building Line** – means the extended line of the exterior wall of a Building or Structure which faces the side Lot line;

Business and Professional Offices

means the use of a Building or Structure, outside of a Home Occupation, for the purposes of carrying out business or professional activities in an office environment;

Campground/Holiday Park

means the use of Land, managed as a unit and includes Buildings or other Structures for a range of camping experiences which provides Temporary Accommodation for any or all of the following:

- cabins and cottages,
- tenting sites,
- tent trailers,
- travel trailers,
- recreational vehicle sites and campers, and

includes accessory facilities which support this use, such as administration offices, laundry facilities or general washroom facilities, but excludes the habitation of manufactured homes, modular homes or any other Buildings or Structures, conveyances or Motor Vehicles;

Carport

means an open or enclosed Structure attached to the Permitted Building or Structure for the use of parking or for temporary storage of private Motor Vehicles;

Chief Administrative Officer

means the individual appointed as the Chief Administrative Officer of the Village of Harrison Hot Springs;

Coach House

means a small, detached Residential Dwelling Unit on an existing Lot, but is contained in a separate Building or Structure from the primary Residential Dwelling Unit and is located in the back yard;

Commercial Uses

means the provision of goods and services as a Land Use activity that is carried out for financial gain or profit, by any person and has a current and valid business license provided by the Village of Harrison Hot Springs. This includes but is not limited to the following Land Use activities:

- artisan activities
- arts and craft shops and arts and culture shops,
- business and professional office,
- catering,
- Community Care Facility
- convenience stores,
- food concessions,
- gas bar – solely for the retail sale of Motor Vehicle fuels and lubricants and may include the sale of automobile accessories,
- gas station,
- medical clinics
- neighborhoods pub,
- neighbourhood store

- personal services uses,
- restaurants
- Retail Establishments, and
- Tourist Accommodations;

Community Care Facility

means the use of Buildings or other Structures where a person provides care of three or more persons and is under permit by the Provincial Government pursuant to the *Community Care and Assisted Living Act*, as amended from time to time;

Community Uses

means the use of Land, a Building or Structure which provides a function under the auspices of either the federal, provincial or municipal government or a community body which includes but is not limited to the following:

- government offices,
- Parks,
- water treatment plants,
- sewer treatment plants,
- kindergartens, playschools, daycare and child care,
- Community Care Facility,
- school,
- community recreation centre,
- community hall,
- fire hall,
- places of worship,
- auditorium,
- youth centre,
- libraries,
- sports fields, and
- group camps;

Community Sewer System

means a system of waste water collection, treatment and disposal that is serving two (2) or more Lots;

Community Water System

means a system for the distribution of fresh potable water serving two (2) or more Lots;

Comprehensive Development Zone

means a Land Use Zone that permits a range of Land Uses such as Commercial, Residential, and Parks.

Council

means the Council of the Village of Harrison Hot Springs;

Disabled Vehicle

means all or part of any irreparable or salvageable vehicle or all or part of any Motor Vehicle which is not validly registered and licensed in accordance with the *Motor Vehicle Act*, and which is not located in a garage or carport;

Development

means any of the following:

- physically altering the landscape in any number of ways,
- changing the landform, from a natural state to a semi natural state,
- subdividing the Land,
- applying for a Land Use change,
- a change in the use of any Building or Structure, and
- the carrying out of any, engineering or the construction, addition or Alteration of any Building or Structure;

Detached Dwelling

means a Residential Building or Structure containing not more than one Permitted Residential Dwelling Unit;

Duplex Dwelling

means a Residential Dwelling Unit consisting of two Dwelling Units placed one above the other or attached by a common wall;

Dwelling Unit

means a self-contained set of rooms capable of occupancy by one or more persons, including provisions for living, sleeping, cooking, sanitation and not more than one kitchen. The use is as a residence for the occupant and includes but is not limited to the following types:

- (a) Accessory Residential Dwelling,
- (b) Accessory Residential Suite,
- (c) Apartment,
- (d) Coach House,
- (d) Detached Dwelling,
- (e) Duplex Dwelling,
- (f) Modular and Mobile Homes
- (g) Townhouse, and

does not include any of the following:

- (h) buses,
- (i) any type of Motor Vehicle,
- (j) recreation vehicle
- (k) tents, and
- (l) travel trailers;

Elevation

means, with respect to the definition of Average Finished Grade, a measurement of the height of Land above an assumed datum;

Farmers' Market

means a physical retail market featuring foods sold directly by farmers to consumers and typically consisting of booths, tables or stands, outdoors or indoors, where farmers sell their Agricultural products and sometimes prepared foods and beverages. It may include mobile Food Trucks and the sale of arts and crafts but excludes the sale of farm machinery, implements, tools and durable goods of every kind, other than gardening supplies.

Fence

means a protective, enclosure or visual barrier made of wood, metal or other substances that is constructed for any purpose, such as marking the boundary of a property and enclosing a property, except as required elsewhere in this Bylaw; it generally is providing privacy; preventing access by people or animals; or dividing a property into sections. This excludes the use of hedges, trees, and other types of vegetation;

Floor Area Ratio (FAR)

means a ratio between the Building or Structure size and the Lot size, that is used to control the bulk of the Building or Structure.

Floor Area, Gross (GFA)

means the total area of space on all storeys and the basement of a Residential Building or Structure measured to from the exterior wall to the exterior wall, and for the purposes of a Commercial Building or Structure excludes areas used for storage and warehouse;

Garage

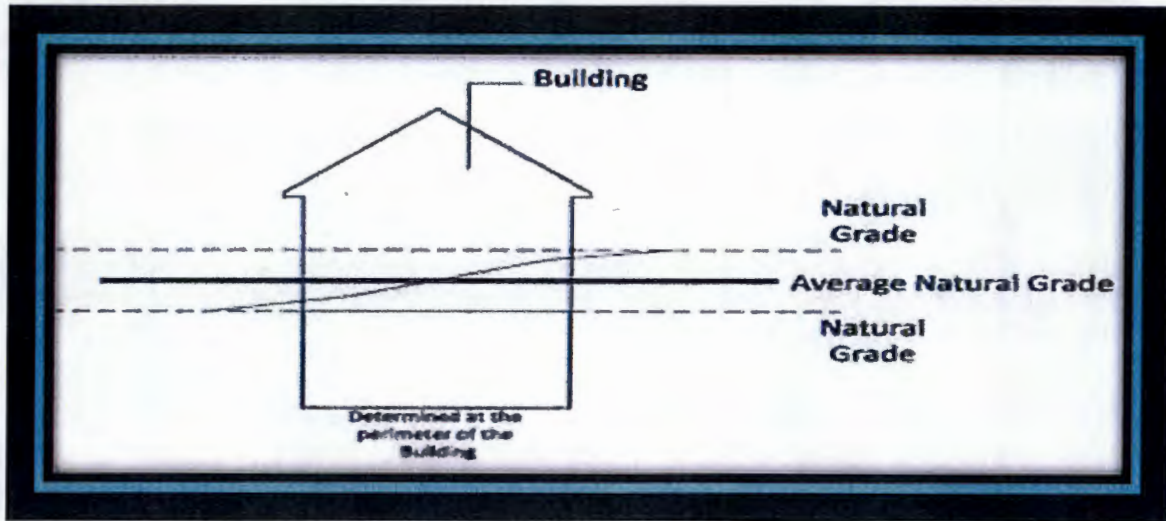
means an accessory Building, Structure or that portion of a Permitted Building or Structure, that is used for the parking of one or more Motor Vehicles and is totally enclosed with a roof, walls, and one or more doors;

Grade

means the elevation of the finished ground surface, not including any artificial embankments;

Grade, Average

means the average of the highest and lowest Grade elevation on a Lot as illustrated below:



Highway

has the same definition as outlined in the British Columbia *Transportation Act*, as amended from time to time, but specifically excludes the following:

- Ferry Approach,
- Ferry Terminal,
- Right-of-ways on any Lot, and
- Tunnel;

Home Occupation

means an accessory use of a Lot in conjunction with a Permitted Residential use for businesses purposes that is contained entirely within the permitted Residential use or any of the Accessory Buildings or Structures required for this Residential use, such as but not limited to the following Land Use activities:

- art and photographer's studio,
- professional contractor services,
- day care facilities,
- household equipment repair services,
- home workshops,
- professional services,
- upholstery shops, and
- woodworking,

Intermodal Shipping Container

means a standardized intermodal freight container, of any size, that can be or was primarily used as a reusable transport and storage unit for moving products and raw materials between locations;

Lane

means a Highway abutting a Rear Lot Line and is used to provide a secondary access or egress point to the Lot;

Land

means real property without improvements, and includes the surface of water;

Licensed Premises

means premises licensed to serve liquor and food under the *Liquor Control and Licensing Act*, as amended from time to time. Licensed Premises may provide accessory live entertainment and dancing;

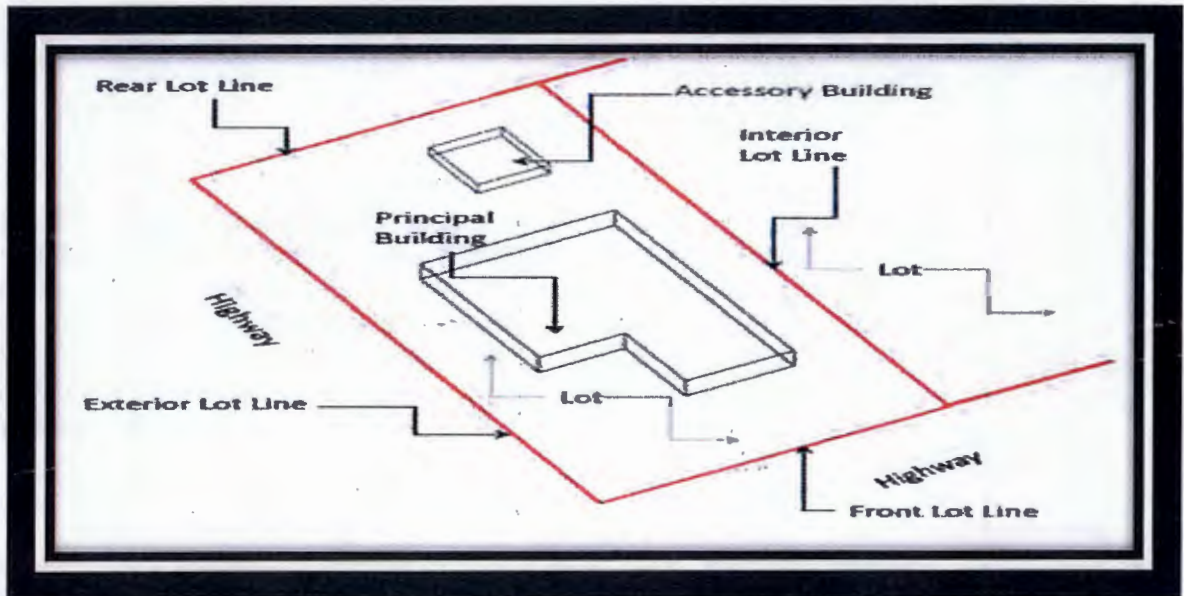
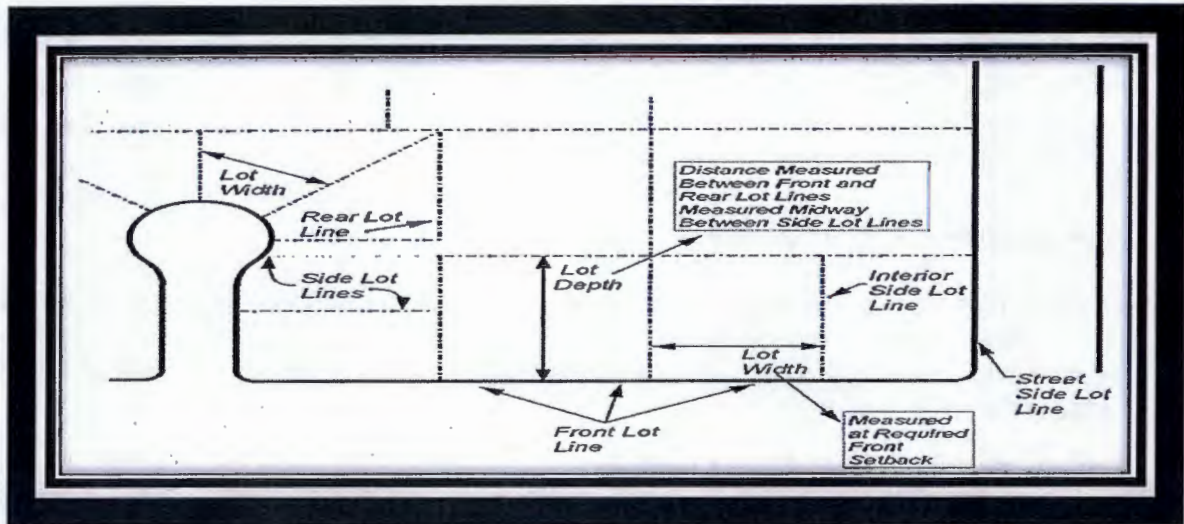
Livestock

means chickens, horses, turkeys, cattle, mules, donkeys, hogs, rabbits, sheep, goats, bison, llamas and alpacas as well as any other animal or fowl used in the production of food, fur or similar products;

Lot

means an area of Land in which real property is held and improved or subdivided and includes a strata Lot created pursuant to the *Condominium Act* and the related Bare Land Strata Regulations, as amended from time to time and in particular;

- (a) **Lot Coverage** – means the Building Area of all the Buildings and Structures that are allowed to cover a Lot and is expressed as a percentage figure of the total area of the Lot;
- (b) **Exterior or Street Side Lot Line** – means a Lot Line common to the Lot and abutting a Highway and excludes a Lane or sidewalk. Please see the Lot diagrams below;
- (c) **Front Lot Line** – means the Lot Line common to the Lot and an abutting Highway, provided that in the case of a Lot having more than one Lot Line abutting a Highway, the shortest Lot Line abutting a Highway must be considered as the Front Lot Line. Please see the Lot diagrams below;
- (d) **Interior Side Lot Line** – means a side Lot Line that is not common to or abutting a Highway and excludes a Lane or sidewalk. Please see the Lot diagrams below;
- (e) **Lot Depth** – means the distance between the Front Lot Line and the most distant part of the Rear Lot Line of a Lot. Please see the Lot diagrams below
- (f) **Lot Line** – means a line that is used to mark the boundaries of a Lot. Please see the Lot diagrams below;
- (g) **Lot Width** – means the greatest distance between the Side Lot Lines, excluding the access strip of a Panhandle Lot. Please see the Lot diagrams below;
- (h) **Minimum Lot Size** – means the smallest size of a Lot, that can be created by Subdivision;
- (i) **Panhandle Lot** – means any Lot, the Building Area of which is serviced and gains access or egress and has a Highway frontage by means of a narrow strip of Land or the “access strip”. The access strip is not included in the minimum Lot calculations;
- (j) **Lot Width** – means the greatest distance between the Side Lot Lines, excluding any access strip. Please see the Lot diagrams below;



Marina

means a site, including the surface of water which is used for a berthing space for boats and may or may not include the selling of fuel;

Marihuana

has the same meaning as outlined in the federal governments Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, as amended from time to time;

Marihuana Dispensary

means a use of Land, a room, Building or Structure where marihuana or any marihuana by-product is prepared and provided to any member of the Community for a fee or if applicable to any club member that may or may not include any payment of club fees. This includes but is not limited to the delivery of the product and the operation of any club, or any not for profit or profit organization, that provides this type of product or service, but excludes a Medical Marihuana Production Facility;

Marihuana Operation

means the cultivating, growing, producing, packaging, storing, distributing, dispensing, advertising, trading or selling of cannabis (marihuana) or its derivatives but excludes Medical Marihuana Production Facility;

Medical Marihuana Production Facility

means the use of Buildings and Structures for the purposes of growing, processing, packaging, testing, destroying, storing or shipping Marihuana as authorized by a license issued under the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, as amended from time to time;

Micro-Brewery, Winery and Distillery

means the use of Land, Buildings and Structures, licensed under the *Liquor Control and Licensing Act* as amended from time to time, on which there is small scale manufacturing of beer, ale, cider, wine or spirits, and may include the accessory use of wholesaling, tours, tastings, retail sales and consumption of liquor produced on-site, as well as the sale of related non-liquor products;

Mobile Home

means a Detached Residential Dwelling Unit designed for transportation after fabrication on Highways either on its own wheels or a flatbed or other trailer. Once on site it is to be occupied as a Dwelling Unit, for year-round living, complete and ready for occupancy except for minor and incidental unpacking and assembly operations such as but not limited to the use of jacks or a temporary foundation and must be connected to utilities. The Mobile Home must be registered in the BC Manufactured Home Registry and have a CSA Z240 label, as amended from time to time, affixed to the unit. This definition does not apply to travel trailers;

Modular Home

means a Detached Residential Dwelling Unit that uses a method of construction differing from other methods of construction; in that the sections are constructed at an off-site facility, then delivered to the intended site of use. Complete construction of the prefabricated sections is completed on site. The modules can be placed side-by-side, end-to-end, or stacked, allowing a wide variety of configurations and styles in the building layout and must meet the CSA A277 standards, as amended from time to time;

Motor Vehicle

has the same meaning as in the *Motor Vehicle Act* and includes a Disabled Vehicle;

Municipality

means the Village of Harrison Hot Springs;

Municipal Services

means a system, work, or resource, including but not limited to natural gas distribution, electricity, community sewerage, community water system, and telephone services;

Natural Boundary

means

- (a) the visible high watermark of any body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the water body a character distinct from its banks, in vegetation, as well as in the nature of the soil itself, and
- (b) the edge of the dormant side channels of the water body;

Natural Grade

means with reference to a Building or Structure not requiring subdivision, the elevation of the ground surface in its existing state at each of the points used in calculating the Height Datum Points, prior to any disturbance, Alteration, excavation or filling, as determined by a registered land surveyor;

Neighbourhood Pub

means an establishment licensed to serve liquor in conjunction with or without live entertainment and or dancing as a Liquor-Primary establishment under the *Liquor Control and Licensing Act* as amended from time to time, and must offer full lunch and dinner menus complete with hot and cold meals;

Off-Street Parking

means the use of Land for the parking of Motor Vehicles other than on a Highway including the parking spaces and the maneuvering aisle. The Off-Street Parking may or may not be contained below a Building or Structure or on a Lot

Park

means an area of Land created or established under any of the following pieces of legislation:

- (a) the *Park Act*, as amended from time to time,
- (b) the *Park (Regional) Act*, as amended from time to time,
- (c) the *Local Government Act*, as amended from time to time, or the
- (d) *Land Title Act*, as amended from time to time,

and includes but may not be limited to anyone of or any combination or all of the following:

- (e) an open space with general Community access for active or passive recreational use and includes natural and manmade landscaping, facilities, playing fields, Buildings, and other Structures that are consistent with the general purposes of the parkland, and includes but is not limited to the following: tot Lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, and water features, and
- (f) ecological or conservation reserves;

Permitted Use

means the use of Land, Building or Structure, which occupies the majority or central portion of Land and constitutes, the primary purpose for which the Land is to be used as outlined by this Zoning Bylaw;

Places of Worship

means the use of a Building or Structure wherein persons assembly for religious worship and which is maintained and controlled by a religious body which is recognized as exempt from taxation under the Canadian *Income Tax Act*, as amended from time to time;

Recreational Facility

means the use of Land, Buildings or other Structures for sports and leisure activities and may include but is not limited to any or a combination of the following:

- (a) health spas,
- (b) racquet sports,
- (c) swimming pools,
- (d) skating rinks,
- (e) curling rinks,
- (f) weight rooms,
- (g) dance studios,
- (h) physical fitness instructional courses,
- (i) recreational equipment rentals,
- (j) restaurants, sales or retail areas,

and any accessory uses of the above;

Recycling Facility

means the use of Land, Buildings or other Structures used as a collection facility and distribution point for materials regulated under the *Environmental Management Act* Product Stewardship program as amended from time to time, but specifically excludes tires. All materials must be collected and stored within a Building. A recycling facility does not include processing, except packaging for shipping, and does not include outdoor storage;

Refuse Disposal Site

means the use of Land, Buildings or other Structures as a sanitary landfill, modified sanitary Landfill, hazardous waste management facility or dry waste site approved or registered pursuant to the *Environmental Management Act*, as amended from time to time, for the processing, treatment, storing, recycling or land filling of municipal, hazardous or industrial waste, but does not include automobile wrecking yard;

Resource Processing

means the use of Land, Buildings or other Structures providing for the processing, storage and wholesaling of Resource materials and includes value added wood processing;

Residential Use

means a Building or Structure that is used as a fixed place of living, and excludes any Tourist Accommodation. This includes but is not limited to the following Land Use activities:

- Accessory Residential Dwelling,
- Accessory Residential Suite,
- Apartments,
- Coach Houses
- Detached dwelling,
- Duplex dwelling,
- Townhouse, and
- Mobile or Modular Homes;

Restaurant Use

means a use of Land, Building or Structure for an eating establishment where food is sold to the Community for immediate consumption within the premises or delivered to other premises, but excludes facilities for the consumption of food in Motor Vehicles parked on the site, or with drive through takeout facilities, which may or may not be licensed pursuant to the *Liquor Control and Licensing Act*, as amended from time to time;

Retail Establishment

means the use of a Building or Structure for the retail sale or rental of goods, wares, articles and other merchandise to the general Community;

Screening

means a continuous planting of vegetation or other similar solid fence like barriers or any combination thereof, that effectively obstructs the view or denies physical access to Land or a portion thereof and may be broken by driveways or walkways;

Setback

means the minimum distance, measured from the respective Lot line, that a Use, Building or Structure must be setback from that Lot line;

Storey has the same meaning as under the *BC Building Code*, as amended from time to time;

Storey, First

means the lowest Storey of a Building having its floor not more than 2 m above grade;

Storey, Half

means the uppermost level of a Building where the floor area, existing, proposed or as may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 50% of the Storey immediately below;

Subdivision

means the division of Land or Lots into two (2) or more Lots of Land, whether by plan, apt descriptive words or otherwise and includes a plan consolidating two or more Lots or Lots of Land into the same or a lesser amount of Lots of Land;

Temporary Accommodation

means a total of 30 days or less;

Tourist Accommodation

means a Building or Structure containing one or more rooms or a dwelling unit that are used primarily for Temporary Accommodation by visitors for a certain fee. The operators of the Tourist Accommodation must have a valid and current Village of Harrison Hot Springs business license and includes but is not limited to the following Land Use activities:

- (a) bed and breakfasts,
- (b) country inns,
- (c) hostels,
- (d) vacation rental
- (e) hotel, and
- (f) motel;

Townhouses

means a Building or Structure containing three (3) or more Residential Dwelling Units, each which has its own separate access not located through a common lobby or corridor;

Utilities

means a use providing for the essential servicing of the Village of Harrison Hot Springs with water, sewer, electrical, telephone and similar services where such use is established by the Village, by another governmental body or by a person or company regulated by and operating under Federal and Provincial legislation, and includes broadcast transmission facilities but excludes a Works Yard;

Watercourse

means a river, creek, stream, wetland or other natural body of water;

Waste Transfer Station

means the use of Land, or a Building or Structure for the temporary deposition of waste and the deposit of recyclable materials;

Wetland

has the same meaning as under the *Riparian Areas Regulation*, as amended from time to time;

Works Yard

means the use of Land, Building and Structure operated by, or on behalf of, the Village of Harrison Hot Springs, Province of British Columbia or Government of Canada, for the storage, manufacture, maintenance or repair of Buildings, infrastructure, materials or equipment. A Community works yard may include uses such as a machine shop, paint shop, sign shop, woodworking shop, repair garage, Waste Transfer Station or storage facility used in connection with Community works for the operation of the respective government; and

Zone

means an area of the Municipality for which specific Land Use regulations are hereinafter outlined in this bylaw and its schedules.

1.5 Enforcement and Implementation Provisions

- a) This Bylaw is designated under the provisions of Section 260 of the *Community Charter*, as amended from time to time, as a Bylaw that may be enforced by means of a ticket issued under the provisions of the Bylaw Notice Enforcement Bylaw;
- b) Any person who violates any provision of this bylaw or who suffers or permits any act or thing to be done in contravention of or in violation of any of the provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw commits an offence is subject to penalties under the Bylaw Notice Enforcement Bylaw; and
- c) Each day that a contravention or violation of or failure to perform any provision of this Bylaw continues to exist will be deemed to be a separate offence.

1.6 Severability

- a) If any part, section, subsection, paragraph, sentence, clause, phrase or schedule of this Bylaw is for any reason found invalid by the decision of any Court of competent jurisdiction, such decision must not affect the validity of the remainder of this Bylaw or the validity of the Bylaw as a whole.

1.7 Administration

- a) The following persons are hereby appointed by Council to administer this Bylaw, the;
 - i) Chief Administrative Officer or his/her delegate.

1.8 Establishment of Zones

1.8.1 Creation of Zones

- a) The Village of Harrison Hot Springs is divided into Zones depicted on Schedule A which is attached to and forms a part of this Bylaw and is a paper copy of the official Zoning map for the Municipality;
- b) The official version of the Zoning Maps shown as Schedule A is kept in electronic form in the Fraser Valley Regional District's GIS System. In the case of conflict between the contents of a paper document copy of the Zoning Map and the electronic form of the Zoning Map, the contents of the electronic version must prevail;

- c) The location of each Zone is defined on Schedule A;
- d) Where a Zone boundary is shown on Schedule A as following a highway, rail right-of-way, utility line, easement or watercourse must be the Zone boundary;
- e) Any dashed Zoning boundary lines used in Schedule A must be interpreted as if they were solid lines;
- f) Where a Zone boundary does not follow a legally defined line, and where distances are not specifically indicated, the location of the boundary must be determined by scaling from the Zoning Map by a surveyor; and
- g) Where a Lot is divided by a Zone boundary, the areas created by such division must be regulated based upon the requirements of each Zone.

1.8.2 Zone Names

- a) The Zones, as shown on the Schedule A, are as follows:

Column 1	Column 2
Zone Name	Abbreviation
Residential 1 (Conventional Lot)	R-1
Residential 2 (Duplex)	R-2
Residential 3 (Small Lot)	R-3
Residential 4 (Townhouse)	R-4
Resort Residential Development	R-5
Village Commercial	C-1
Neighbourhood Commercial	C-2
Tourist Commercial	C-3
Marine Commercial	C-4
Community	P-1
Waterfront	W-1
Village Reserve	VR
Agricultural Land Reserve	ALR

1.9 Split Zones

- a) Where a Lot contains more than one Zone:
 - i) each Zoned area must be treated as a separate Lot for the purpose of determining compliance with the provisions of its Zone; and
 - ii) all uses, Buildings or Structures that are accessory to a Permitted Use, Building or Structure are permitted only within the area of the Lot Zoned for the Permitted Use, Building or Structure to which the uses, Buildings or Structures are Accessory.

1.10 Covenants

- a) Where under this Bylaw an owner of Land or a Building or Structure is required or authorized to grant a covenant restricting Subdivision, strata plan registration, use or Development of Land, the covenant must be granted to the Municipality and

registered pursuant the *Land Title Act*, as amended from time to time, with priority over all financial charges, and under the terms of the covenant the owner must indemnify the Municipality for any fees or expenses the Municipality may incur as a result of a breach of the covenant by the owner.

PART 2.0 MEASUREMENTS AND INTERPRETATION

2.1 Measurements and Calculations

- a) All dimensions and measurements in this Bylaw are expressed in the Standard International Units (metric) system;
- b) Any imperial conversions are provided for convenience only and have no force or effect; and
- c) For the purposes of Part 6 Parking and Loading Requirements, in this Bylaw, units of measure must be interpreted as follows:
 - i) where the sum of the calculation of the required total stall or special stall designation results in a fraction, unless otherwise stated, the required stalls are to be the next higher whole number if the fraction is 0.5 or greater, and the next lower whole number if less than 0.5;
- d) Words used in the present tense include the future tense; and
- e) Words used in the singular include the plural.

2.2 Metric Conversion, Measurements and Abbreviations

2.2.1 Conversions

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

1 metre=3.28 feet		1 sq. ft. = .093 sq. m
1 foot = 0.30 metre		1 hectare (ha) = 2.47 acres
1 sq. metre (m ²) = 10.76 sq. ft.		1 acre = 4047 sq. m or 0.405 ha
1.5 metres = 4.92 feet		3 metres = 9.84 feet
7.5 metres = 24.60feet		4.5 metres = 14.76 feet
1400 sq. m = 15,064 sq. ft. or 0.34 acres		2000 sq. m = 21,520 sq. ft. or 0.49 acres
4047 sq. m = 43,560 sq. ft. or 1 acre		2 ha = 4.94 acres
4 ha = 9.88 acres		20 ha = 49.4 acres

2.2.2 Measurements

- a) All dimensions and measurements in this Bylaw are expressed in the Standard International Units metric system.

2.2.3 Abbreviations

- a) For the purposes of this Bylaw, the following units of measure may be abbreviated as specified in brackets:
 - i) metre (m);
 - ii) cubic metre (m³);

- iii) square metre (m²);
- iv) hectare (Ha);
- v) units per hectare (u/Ha);
- vi) per cent (%).

2.3 Explanatory Notes and Figures

- a) All text in this Bylaw which are either capitalized or italicized, except titles of legislative acts, statutes and regulations, and explanatory figures have a definition applied to them. Where a conflict between explanatory notes and figures and a regulation in this Bylaw occurs, the regulation must be taken as correct.

2.4 Conflicting Regulations

- a) Where this Bylaw contains two or more regulations that could apply to a situation, the most restrictive regulation must apply to the extent of any conflict. Where this Bylaw conflicts with other regulations the restrictive legislation must apply, unless the conflict is outside of the responsibility of the Municipal Council.

2.5 General and Specific Regulations

- a) Where this Bylaw contains both general and specific regulations that could apply to a situation, the more specific regulation must apply.

2.6 Bylaw Format

- a) The format of this Bylaw follows a simple layout intended to facilitate its use. Major divisions within the Bylaw are called Parts and major divisions within Parts are called Sections and major divisions within Sections are called Sub-Sections. The divisions are as described.

2.7 Minimum Lot Size

- a) Where a Minimum Lot Size regulation applies in a Zone, the dimensions which follow such regulations are to be interpreted as:
 - i) the minimum dimensions permissible for a Lot which is to be used as the site of Buildings or Structures for the use specified therein;
 - ii) the minimum dimensions permissible for a new Lot that is to be created by Subdivision.

2.8 Minimum Lot Width

- a) Where a Minimum Lot Width regulation applies in a Zone the dimensions which follow such regulations are to be interpreted as the minimum dimensions permissible for the width of a new Lot, and where a percentage is used it must mean the percentage of the perimeter of the new Lot.

2.9 Maximum Number, Density and Size

- a) Where a Building and Structure and a Maximum Number, Maximum Density and Maximum Size regulation applies in a Zone, such regulation must be interpreted as meaning that a Lot which is designated on the Zoning Map of the Village of Harrison

Hot Springs as being regulated by that schedule must not be occupied by:

- i) a greater number of Residential Dwellings than the number specified, and
 - ii) a Building or Structure that exceeds or is greater than the amount of floor area that is specified.
- b) For the purposes of density, it must be considered the number of Permitted and Accessory Buildings, Structures or Residential Dwelling Units Permitted per Lot, and it includes; maximum floor area size, Lot Coverage Permitted on a Lot and the required parking spaces if applicable.

2.10 Maximum Heights

- a) The specification of measurements for Buildings, Structures or Accessory or Structures under the general heading of Maximum Heights in a Zone must be interpreted as meaning the greatest height, as height is defined in this Bylaw, to which a Building, Structure or Accessory Building or Structure may be constructed on a Lot which is designated on the Zoning Map as being regulated by that schedule.

2.11 Minimum and Maximum Setbacks from Lot Lines

- a) The specification of measurements for front yard, side yard and rear yard under the general heading of Minimum Building Setbacks in a Zone must be:
 - i) interpreted as defining the minimum distance permitted for Buildings and Structures, excluding fences, between the Front, Side or Rear Lot line and the appropriate setback line on a Lot which is designated on the Zoning Map as being regulated by that schedule; such setback areas constituting the front yard, side yard and rear yard respectively, and
 - ii) where a use, Building or Structure is specifically referenced with a following measurement, it must be interpreted as meaning that the minimum Lot Line requirement from a Lot Line for that Use, Building or Structure and must be the measurement specified.

2.12 Maximum Lot Coverage

- a) Where a Zone includes a regulation entitled Maximum Lot Coverage, such regulation must be interpreted as meaning that a Lot which is designated on the Zoning Map as being regulated by that schedule must not have a Lot coverage, as defined in this Bylaw, which exceeds the percentage specified, as defined in this Bylaw for the respective Zone.

2.13 Maximum Floor Area Ratio or Maximum Floor Area

- a) Where a Zone includes a regulation entitled Maximum Floor Area Ratio or Maximum Floor Area, it must be interpreted to mean that a Lot in an area designated as being regulated by that Zone must not have any Buildings or Structures erected on that Lot that exceeds the Maximum Floor Area or Floor Area Ratio, as defined in this Bylaw for the respective Zone.

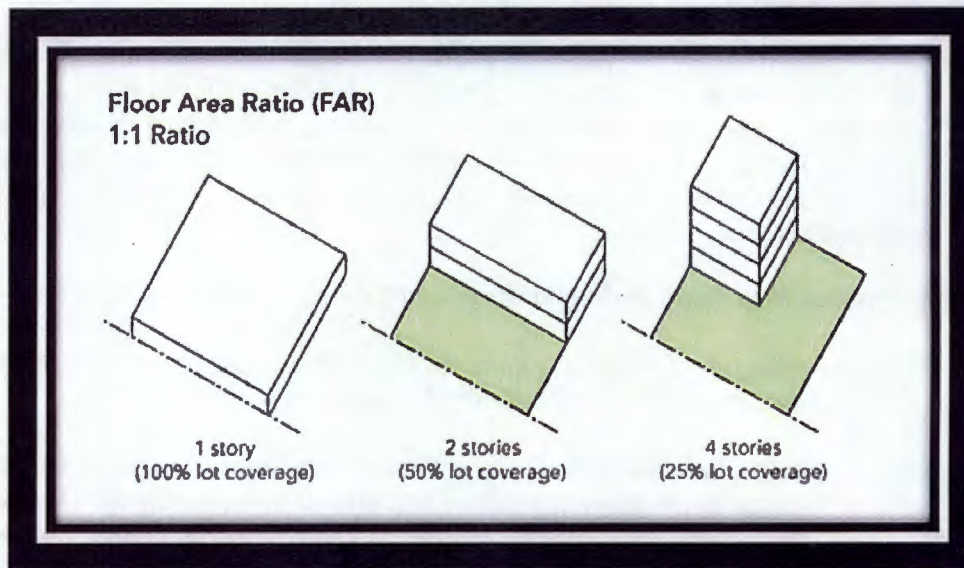
2.14 Types of Non-Residential Dwelling Units

- a) A tent, travel trailer, recreational vehicle, any Tourist Accommodation, bus or other

Motor Vehicle are not considered a Residential Dwelling or an Accessory Residential Dwelling use for the purposes of this Bylaw.

2.15 Calculations of the Floor Area Regulation and the Gross Floor Area

- a) Where a Zone includes a regulation entitled Floor Area Ratio (FAR), the floor area of all Buildings or Structures, including Accessory Buildings or Structures, on the Lot divided by the total area of the Lot must not exceed the ratio identified for the Zone in which the Lot is located. See the FAR illustration below as to how the FAR functions, with respect to controlling the bulk of the Building:



2.16 Gross Floor Area and Floor Area Ratio Exemptions

- a) Without limiting the generality of the definition of either the Gross Floor Area Ratio or the Floor Area Ratio, the following are excluded from the calculation of the Floor Area Ratio:
- i) underground parking garages;
 - ii) unenclosed balconies, decks, porches, and verandas;
 - iii) carports;
 - iv) staircases and stairwells;
 - i) elevator shafts;
 - ii) swimming pools and open sundecks; and
 - iii) any portion of either an area or Building or Structure assigned exclusively to mechanical or electric use for the Building or Structure
- b) For the purpose of computing the Floor Area Ratio for a development that includes the conservation or provision of an amenity through density-bonusing, the floor space of the Building or Structure that is occupied by an amenity must not be included as part of the Floor Area Ratio.

- c) The ratio is calculated as follows:

$$\frac{\text{Gross Floor Area of the Building or Structure}}{\text{Total area of the Lot}} = \text{FAR}$$

2.17 Focus of Buffers

- a) The focus of the buffering technique is to minimize any potential disturbances between the different Land Uses and can be used internally in a Comprehensive Development Zone to separate the Land Uses or externally along the adjacent Lot Lines of the different Land Uses.

PART 3.0 GENERAL COMPLIANCE, PROHIBITIONS AND REGULATIONS

3.1 General Compliance Requirements

- a) No person can use, occupy or permit any person to use or occupy any Land, Building or Structure in contravention of this Bylaw;
- b) Nothing contained within this Bylaw relieves any person from the responsibility to seek and comply with other legislation applicable to that use, activity or other matter regulated under this Bylaw;
- c) Every use of Land, Building or other Structure Permitted in each Zone must conform to all the regulations of the applicable Zone and all other regulations of this Bylaw;
- d) A use is only permitted if lawfully established and ongoing in accordance with:
- i) any applicable conditions of use, as identified in each Zone; and
 - ii) such further general regulations applicable to the use, as identified throughout this Bylaw.
- e) No Lot must be created by Subdivision unless such Lot is equal to or greater than the minimum Lot size and minimum Lot width specified for the Zone in which it is located in accordance with the Zoning Map, unless otherwise specified in this Bylaw.
- f) A Building or Structure must not be constructed, sited, moved or Altered unless it complies with the following:
- i) the General Regulations of this Bylaw; and
 - ii) all regulations and requirements specified for the Zone in which it is located.
- g) A continuation of a non-conforming use, the use of Buildings or Structures must be subject to the provisions of the *Local Government Act*, as amended from time to time.

3.2 General Prohibitions

- a) Any use not expressly permitted in this Bylaw is prohibited in every Zone, and where a particular use is expressly permitted in one Zone, such use is prohibited in every Zone where it is not expressly permitted.

3.3 Specifically Prohibited Land Uses

- a) No person must keep or permit on any Lot in any Zone, any object or chattel which is unsafe, unsightly, or adversely affects the amenities of the Zone. This includes but is not limited to dismantled or wrecked motor vehicles, and any excavation, stockpiling or storage of materials, explosives, flammable liquids, and diesel fuel and gasoline products;
- b) For greater certainty, the following uses are prohibited in all Zones except where permitted for in this Bylaw:
 - i) a track for the racing of Motor Vehicles;
 - ii) storage of explosives, unless authorized by government agencies under the *Canada Explosive Act*, as amended from time to time;
 - iii) a use involving the storage of scrap metal, Disabled Vehicles, disused items, or as an Automobile Salvage and Wrecking Yard;
 - iv) Recycling Facility;
 - v) Refuse Disposal Site;
 - vi) any Resource Processing;
 - vii) any Aggregate Processing;
 - viii) the slaughtering, rendering or processing of any fish or animal products or by-products;
 - ix) any animal kennels;
 - x) any Marihuana Dispensaries or Marihuana Operations;
 - xi) the storage of any construction materials, intended for off-site works, on any Lot.
- c) The following uses are prohibited in all Residential Zones, Commercial Zones except where permitted for in this Bylaw:
 - i) barb wire fencing; and
 - ii) a shipping/cargo container or other form of intermodal shipping container;
- d) Any Land Use which produce malodorous, toxic or noxious matter, or generates vibrations, heat, glare or radiation discernible beyond the boundaries of the Lot;
- e) Tourist Accommodation in any Residential Zone; and any
- f) Gaming and gambling establishments, other than charity gaming.

3.4 Permitted Uses in All Zones

- a) Except as otherwise stated in this Bylaw, the following uses are permitted in all Zones subject to compliance with all regulations that apply to such uses under this Bylaw:
 - i) Accessory Buildings, Structures, uses or works customarily incidental to a Permitted Use, provided they are located on the same Lot or within the same strata plan as the Permitted Use;
 - ii) community gardens and community horticulture projects;
 - iii) any approved environmental protection, restoration and enhancement project;
 - iv) flood control works undertaken by a government agency;
 - v) Highway;
 - vi) Landscaping, landscape buffers, landscape screens and fences;
 - vii) all Community Uses;

- viii) Utility services, excluding offices, maintenance garages and storage areas;
- ix) Temporary Buildings, Structures or storage of materials for a maximum of one year, required for an approved construction project on the same Lot provided such temporary Buildings, Structures and storage areas are removed within 30 days of the completion of the project;
- x) trails, subject to approval of the Agricultural Land Commission if located in the Agricultural Land Reserve;
- xi) government services;
- xii) ecological reserves;
- xiii) fish and wildlife habitat enhancement or protection projects;
- xiv) watershed protection projects;
- xv) picnic sites; and
- xvi) public washrooms on Municipally owned or controlled Land.

3.5 Uses Permitted and Prohibited in the Agricultural Land Reserve

- a) Activities explicitly designated as farm uses pursuant to the Agricultural Land Use, Subdivision and Procedure Regulation, BC Regulation 171/2002, as amended from time to time, are permitted in all areas within any Agricultural Land Reserve area;
- b) Unless an activity is explicitly designated a farm use, or permitted by this Bylaw pursuant to the Agricultural Land Use, Subdivision and Procedure Regulation, BC Regulation 171/2002, as amended from time to time, the use is prohibited unless approval has been granted by the Agricultural Land Commission for a non-farm use or is subject to Section 23(1) of the *Agricultural Land Commission Act*, as amended from time to time, and the non-farm use is permitted by this Bylaw;

3.6 Projections into Required Setbacks and Exceptions to Siting Requirements

- a) Every part of any Setback required by this Bylaw must be open and unobstructed by any Building or Structure, except that:
- b) A Setback may contain architectural or functional Structures or a Building or Structure feature of a such as but not limited to; window sills, sunlight control projections, balconies, cornices, eaves, gutters, chimneys, pilasters, canopies, ornamental features or window bays, provided that:
 - i) no such Structure or feature must project more than 0.6 m into any required Setback;
 - ii) the total combined length of all projections must not exceed 40% of the length of each applicable facade on each Storey;
 - iii) a fence that complies with the height restrictions of this Bylaw is allowed along any Lot Line, or between a Lot Line and a Permitted Building or Structure for the purpose of establishing a barrier between any Setback area;
 - iv) stairs accessing a deck, porch or verandas may be located within a front Setback, exterior side Setback, or rear Setback but must not be located within any side Setback;
 - v) Structures necessary to ensure that a Building and its facilities can be approached, entered, and used by persons with physical or sensory disabilities in accordance with the *BC Building Code*, as amended from time to time, may project into any required front, rear or side Setback provided that the Structure is not closer than 0.3 m from any side Lot line; and
 - vi) an uncovered patio or terrace no greater than 0.6 m above grade, which may be open or enclosed, may be sited in any portion of a Lot except as otherwise provided for in this Bylaw;

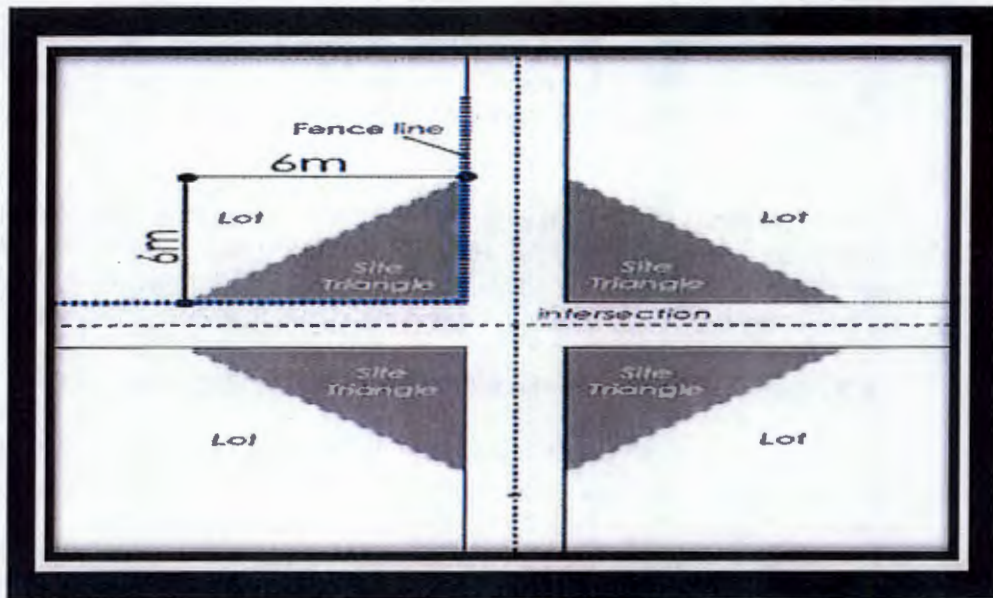
- vii) an uncovered swimming pool may project into a front, side or rear Setback area provided that the pool is not constructed within 1.8 m of a Lot line;
- viii) a retaining wall to a maximum height of 1.2 m may be sited on any portion of a Lot; and
- ix) roadside stands are permitted within a required setback; however, the Structure must not obstruct any vision or sight lines to and from a Highway, driveway or Lane and may need permission from the Ministry of Transportation and Infrastructure

3.7 Height of Buildings and Structures

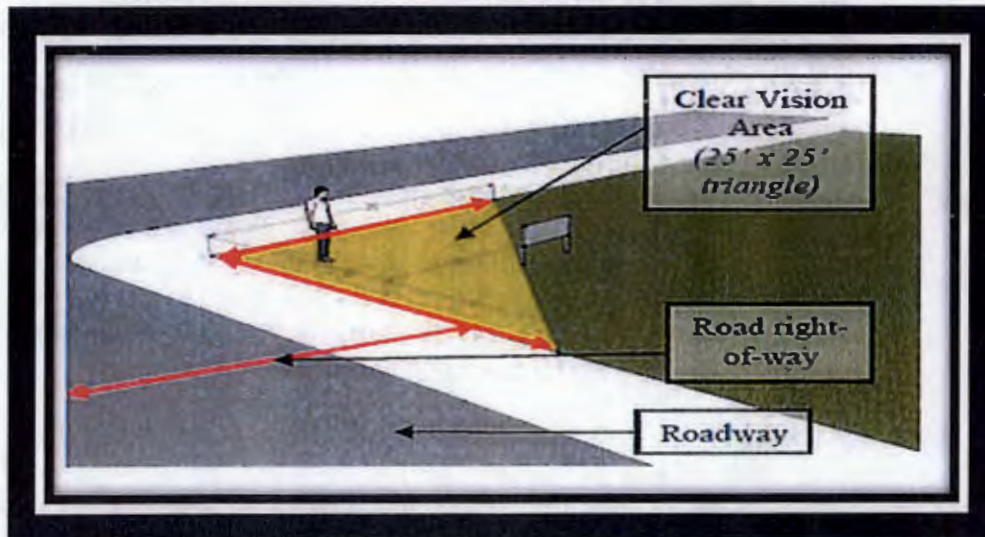
- a) Where a Zone or other part of this Bylaw includes a maximum height regulation entitled, no Building or Structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged in a manner that exceeds the height specified. For certainty;
 - i) the maximum height in a Zone may vary according to the use of the Building or Structure, as specified in the Zone;
 - ii) where the regulation refers to a specific type of Building or Structure, the regulation must be applied to that type of Building or Structure only; and
 - iii) if more than one regulation applies, the most restrictive governs.
- b) The height of Buildings and Structures permitted in this Bylaw must be calculated based on the vertical distance from the average Natural Grade level of the Building footprint to the highest part of the roof surface;
- c) The height of a fence, wall or similar screen must be determined by measurement from the ground level at the average Natural Grade level within 1.0 m of both sides of such fence, wall or similar screen;
- d) Despite the above, the maximum Building Height may be exceeded for the following, provided that portions of, or projections from, Buildings or Structures must not exceed 18.0 m:
 - i) communication towers and antennas;
 - ii) spires, belfries and domes;
 - iii) chimneys;
 - iv) flag poles;
 - v) elevator shafts; and
 - vi) stair and hose towers.
- e) Agricultural Buildings and Structures constructed on Lots in the Agricultural Land Reserve are exempt from the Building Height requirements.

3.8 Sight Line Requirements at Intersections

- a) Nothing must be constructed or maintained, nor must any type of hedge be maintained or allowed to grow, exceeding a height greater than 3.0 m above the established grade of the Highway or otherwise so as to obstruct the clear vision and/or and sight triangle lines formed by extending 6.0 m in an area bounded by the intersecting Lot lines at a street corner and a line joining points along said Lot lines, as illustrated below:



The following diagram below is provided for illustrative purposes only;



3.9 Subdivision of Land

- a) The purpose of this section is to regulate the requirements of Lots which may be created by Subdivision.

3.9.1 Minimum Lot Size and Width

- a) The size and width of a Lot to be created by subdivision and which may lawfully be used as the site for Development must not be less than the minimum dimensions and area for the construction of Buildings or Structures, as set out in the minimum Lot size and width statement in the applicable Zoning schedule, where such minimum area and width have been specified.

3.9.2 Minimum Frontage

- a) As required by the *Local Government Act*, as amended from time to time, no Lot in any proposed subdivision must have less than 10% of its perimeter fronting on a Highway. This requirement may be relaxed by the Council upon application by the property owner.
- b) Notwithstanding Section 3.9.2 (a) above, the minimum frontage for Lots of Land in a cul-de-sac, may be less than 10% of the perimeter of the Lot, provided that the minimum frontage is not less than 7.5 m and the width of the Lot is not less than 10.0 m measured 5.0 m back in a perpendicular manner from the front Lot line.

3.9.3 Lots Exempt from the Minimum Lot Size Requirements

- a) The consolidation of two or more Lots into a single Lot is permitted, notwithstanding that the consolidated Lot may not comply with the minimum Lot size requirement as specified in the Zone in which the new Lot is situated.
- b) The realignment of Lot lines to create new Lots may be permitted provided that:
 - i) the number of new Lots created by Subdivision would be equal to or less than the number of Lots that existed prior to the subdivision;
 - ii) the boundary change would not result in the creation of a Lot having less than 80% of the area of any of the original Lots;
 - iii) where a subdivision is created through the use of density bonusing provisions of the Local Government Act, as amended from time to time and any applicable Municipal Bylaws and policies;
 - iv) where a subdivision is created through the use of density averaging as permitted in applicable Municipal Bylaws or in the provisions of the Strata Property Act, as amended from time to time. Provided that the Owner voluntarily registers a restrictive covenant pursuant to the *Land Title Act*, as amended from time to time, which prohibits the further Subdivision of any part of the Land used in the averaging calculation;

3.9.4 Lot Shape

- a) Unless the pattern of existing Subdivision precludes it, and unless it is impracticable, side Lot lines must be perpendicular or radial to the adjoining Highway; and
- b) A panhandle Lot must not be created where the access strip is narrower than 7.5 m.

3.9.5 Subdivision to Provide a Residence for a Relative

- a) The minimum size for a Lot that may be subdivided under the *Local Government Act*, as amended from time to time, is outlined in the table below:

Zone category	Lot Size allowed
Residential	2.5 Ha
Commercial	1.0 Ha

3.9.6 Subdivision of Lots Separated by Roads or another Lot

- a) Notwithstanding the minimum Lot area provisions of each Zone, where a portion of a Lot is physically separated from the remainder of the Lot by a Highway or another Lot, which separation was in existence as of the date of adoption of this Bylaw, the

physically separated portion may be subdivided from the remainder of the Lot provided that:

- i) The Highway or other Lot is used as the subdivision boundary;
- ii) If the Lot lies in the Agricultural Land Reserve, the approval of the Agricultural Land Commission has first been obtained; and
- iii) No Lot created pursuant to this section must be less than 1 Ha in area where connection to a Community Water System is not available and 0.4 Ha in an area where Community Water System connections are made to each Lot.

3.9.7 Current Subdivision of Lots

- a) In each Zone, all Lots that have a lesser Lot area, frontage or depth than required herein, and that were registered on a plan in the Land Titles Survey Authority of British Columbia prior to the date of adoption of this Bylaw, are established as locations where the minimum Lot area, frontage or depth requirements of the Zone do not apply, but only to the extent necessary to permit the use of that Lot for a Permitted Use in that Zone, and only on the condition that all other requirements of this Bylaw applying in that Zone must be observed.

3.10 Conversion of Buildings or Structures

- a) Buildings or Structures may be converted, Altered or remodeled for another use, provided that:
 - i) the Building Inspector certifies that the Building or Structure is structurally suitable for such conversion, and
 - ii) the converted Building or Structure must conform with all the provisions and regulations prescribed for in the Zone in which it is located.

3.11 Flood Control Requirements

- a) The following Land is designated as a floodplain:
 - i) Land designated as a floodplain within the boundaries of the Village and shown approximately on Schedule "A" of the attached map which forms a part of this Bylaw, and
 - ii) any lot lower than the flood levels specified in 3.11(b) below.
- b) The following elevations are specified as the flood level, except that where more than one flood level is applicable, the higher elevation must be considered as the flood level:
 - i) elevation 14.55 m Geodetic Survey of Canada datum,
 - ii) 1.5 m above the Natural Boundary of Miami Creek, the Miami Slough or any other water course,
- c) Where a flood level or setback has been specified:
 - i) the underside of any floor system or the top of any pad supporting any space, room or Mobile or Modular Home, that is used for Residential Dwelling purposes, Commercial uses, or the storage of goods which are susceptible to damage by floodwater must be above the specified flood level

- outlined in 3.11(b) above,
 - ii) any compacted 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 Ministry of Environment and Climate Change Strategy, as amended from time to time,
 - iii) engineered structural support or engineered compacted landfill may be used to elevate the underside of the floor system or the top of the pad above the flood level specified in 3.11(b) above. In addition to be engineered drawings the structural support or compacted landfill must be designed to protect against scouring, erosion from flood flows, wave action, ice flows and other debris movements, and
 - iv) the Building Inspector may require that a professional engineers' Letter of Assurance has been provided prior to any final inspection,
 - v) any exemptions must follow the requirements as laid out in Section 524 of the *Local Government Act*, as amended from time to time, and
 - vi) no electrical system can be below the minimum flood level, as outlined in 3.11(b) above.
- d) Notwithstanding the above the following exemptions apply:
 - i) on any renovation of an existing Building or Structure that does not involve an addition to the Building or Structure,
 - ii) that portion of a Building or Structure to be used as a Carport, Garage or entrance foyer,
 - iii) hot water tanks and furnaces located on Lots behind standard dykes, and
 - iv) Commercial uses other than any electrical systems, under the designated flood level outlined in 3.11(b) above.

3.11.1 Additional Requirements

- a) Notwithstanding any other provision of this Bylaw, no Residential Dwelling or any part thereof must not be constructed, reconstructed, move, extended or be located within 30.0 m of the Natural Boundary of a lake, river, stream, marsh or pond, unless a professional engineer's stamped and signed drawings, of competent experience, indicating that the Lot can be used safely for the intended use has been received.
- b) Any construction in any alluvial fan must be accompanied by a Letter of Assurance from a professional engineer, of competent experience, indicating that the proposed use can be used safely on the applicable Lot.

PART 4.0 ADDITIONAL REGULATIONS FOR CERTAIN LAND USES

4.1 Marihuana Facilities

- a) A Marihuana Dispensary and any Marihuana Operations are a prohibited use in any Zone whether in a retail storefront format or through a non-profit compassion club, society or otherwise; and
- b) Any Medical Marihuana Production Facility is a prohibited Land Use in all Zones except where authorized by Agricultural Land Use, Subdivision and Procedure Regulation, BC 171/2002, as amended from time to time.

4.2 Accessory Buildings or Structures and Uses

- a) Buildings, Structures or uses must comply with the following:
 - i) an Accessory Building or Structure must not be situated on a Lot unless the Permitted Building or Structure, to which the Accessory Building or Structure is incidental, has already been erected or will be erected simultaneously with the Accessory Building or Structure on the same Lot, with the exception of one Accessory Building or Structure not exceeding 25 m² of the gross floor area, used only for storage purposes;
 - ii) a Garage or Carport attached to a Permitted Building or Structure, by an enclosed, heated area that is not more than 5 m in length, is deemed to be a portion of the Permitted Building or Structure;
 - iii) Land comprising the common property in a strata plan may be used for purposes Accessory and customarily incidental to Permitted Uses on the strata Lots within the same strata plan. For the purposes of Accessory Buildings or Structures that may be constructed on common property, the same setbacks, Building or Structure height, Lot coverage and other Building or Structure standards apply as those which apply to strata Lots in the same Zone; and
 - iv) no part of an Accessory Building or Structure must be used for Residential Use purposes or Tourist Accommodations purposes, except as otherwise provided for in this Bylaw.

4.3 Accessory Residential Suites

- a) Accessory Residential Suites will be permitted for all Uses, except in a Duplex Dwelling, Townhouse, Apartments, Mobile Homes;
- b) Unless a Zone specifically provides for otherwise, only one (1) Accessory Residential Suite is permitted per Lot;
- c) Where a Lot is not serviced by the Municipal Community Sewer System, written confirmation from the applicable licensing body that the capacity of the Lot's sewer system will not be compromised by the presence of an Accessory Residential Suite is required;
- d) Accessory Residential Suites must have a total Gross Floor Area of not more than 90.0 m². For the purposes of this section, the Gross Floor Area does not include areas used for common storage, common laundry facilities, or common areas used for access or egress. In addition to the total size of the suite, the Accessory Residential Suite must have an area of less than 40% of the habitable area of the Detached Dwelling. For the purposes of this section, the habitable area calculation does not include the attached garage;
- e) Accessory Residential Suites cannot be subdivided from the Building or Structure of which it is part of under the *Strata Property Act*, as amended from time to time; and
- f) One off-street parking space in addition to those required for the Permitted Use must be provided.

4.4 Fences, Screening and Retaining Walls

4.4.1 Fences and Retaining Walls

- a) Except as otherwise specifically stated in this bylaw;

- i) The height of a fence or wall must be measured to the highest point from, and perpendicular to, a line representing the average Natural Grade level at its base, including where a fence or wall is constructed above a retaining wall;
 - ii) The maximum height of a fence must not exceed 1.2 m in a front yard and not more than 1.8 m on all other parts of a Lot in a Residential zone;
- b) Notwithstanding paragraph (a) above;
- i) the fence height may be increased to 2.0 m in a front yard provided transparent mesh is used for the portion of fence that is more than 1.2 m in height;
 - ii) the maximum height of a fence must not exceed 2.5 m in any other zone;
 - iii) fences used in association with recreational uses, such as playing fields, golf courses, driving ranges and tennis courts must not be limited in height, provided such fences are constructed of materials that permit visibility, such as transparent mesh; and
 - iv) fences may be constructed on any portion of a Lot, including within a required setback area, except closed fences and landscape screens must be less than 2.0 m in height when sited in a required setback area from a Lot line adjoining any Residential use;
- c) The use of barbed wire, razor wire, electric current, or any hazardous material for fencing is prohibited within all zones designated by this bylaw, except where such fencing is required in conjunction with activities explicitly designated as farm uses pursuant to the Agricultural Land Use, Subdivision and Procedure Regulation, 171/2002, as amended from time to time and
- d) In a Residential zone, a single retaining wall must:
- i) not exceed a height of 1.2 m measured from the Average Natural Grade level at its base; and
 - ii) not be located within 0.6 m, measured horizontally, of any other retaining wall.

4.4.2 Screening

- a) Where a Lot is Developed for a Commercial or Community use as permitted within a Commercial, Community or Comprehensive Development Zone, and where such a Development shares a Lot line with an adjacent Lot that is either:
- i) within a Residential Zone; or
 - ii) occupied with a Residential Use;

the owner must provide Screening along such Lot line. The Screening must be not less than 1.8 m in height nor more than 2.0 m in height, except where the Screening consists of 100% plant material, in which case there must be no maximum height.

- b) Notwithstanding the paragraph (a) above, Screening will not be required along the shared Lot line in cases where:
- i) a Building or Structure is built on the Lot line; or
 - ii) a Residential Use is developed on a Lot that is Zoned Commercial, or Community at the time of adoption of this Bylaw.

- c) Notwithstanding paragraph (a) above, where a Lot is Developed for a Commercial, or Community use as permitted within a Commercial, Community or Comprehensive Development Zone and where such a Lot is separated by a Lane from a Lot that is:
 - i) within a Residential Zone; or
 - ii) occupied with a Detached, Duplex, or Townhouse Residential Dwelling;

the owner must provide Screening along the entire Lot line abutting the Lane. The Screening must not be less than 1.8 m in height nor more than 2.0 m in height, except where the Screening consists 100% of plant material, in which case there must be no maximum height;

- d) Notwithstanding paragraph (a) above, where a Lot in a non-Agricultural, when the Lot is Developed, the owner must provide Screening along the entire length of any Lot line adjoining Land in the Agricultural Land Reserve. The Screening must be designed to minimize any potential Land Use conflicts with the Permitted Agricultural use. The Screening must not be less than 1.8 m in height nor more than 2.0 m in height, except where the Screening consists of 100% plant material, in which case there must be no maximum height.
- e) Notwithstanding paragraph (a), (b) and (c) above, Screening will not be required for the points of Motor Vehicle ingress and egress and for a distance of 3 M on either side of the points of ingress and egress;
- f) Screening, where required by this Bylaw, must be maintained at all times by the owner of the Lot on which they are required; and
- g) If there are any solid waste enclosure requirements in any Zone, then the following regulations apply:
 - i) solid waste must be stored in an animal proof enclosure and such enclosure must contain enough space for separate containers for sorting recyclable products;
 - ii) such enclosure, must have unblocked access; and
 - iii) the enclosure must match in character and the exterior finish for the Building or Structure which it serves, if this type of enclosure is not located within a permitted Building or Structure.

4.5 Home Occupations

- a) For Zones within which a Home Occupation is a permitted use, the following regulations apply:
 - i) all Home Occupation uses, must be conducted within a Residential Detached Dwelling Unit or a wholly enclosed Accessory Building or Structure. This does not include a Community Care Facility;
 - ii) all Home Occupation uses must be clearly subservient and incidental to a Permitted Residential Dwelling Use of the Lot;
 - iii) the Home Occupation must not have a Gross Floor Area that exceeds 100 m² or 40% of the Gross Floor Area of the Permitted Residential Detached dwelling in which the Home Occupation use is located, whichever is less;
 - iv) there must be no Alteration from a Permitted use of the Land or Building or Structure where the Home Occupation is located;
 - v) the Home Occupation must not create excessive traffic or a nuisance of any kind;
 - vi) the Home Occupation must not discharge wastewater to a watercourse,

- groundwater or septic field, except as permitted pursuant to the *Environmental Management Act*, as amended from time to time or the *Community Health Act*, as amended from time to time;
- vii) the Home Occupation must not involve any external display or advertisement of the business other than a maximum of one non-illuminated sign, which must not exceed 0.4 m² in area;
 - viii) the Home Occupation must comply with all applicable provincial and federal regulations and have a valid and current Municipal Business Licence;
 - ix) Automobile body shop, automobile service, boat service, automobile salvage or wrecking yard, Micro-Brewery, distillery, and processing plants are not permitted as Home Occupations;
 - x) except as permitted in accordance with the *Agricultural Land Commission Act*, as amended from time to time, fish, livestock operations, Medical Marihuana facilities or poultry processing are not permitted as Home Occupations;
 - xi) no off-site parking associated with the Home Occupation use is permitted and the use must provide parking in accordance with the Parking Requirements of this Bylaw, as amended from time to time.
- b) Home Occupations must not discharge or emit the following across Lot lines:
- i) odorous, toxic or noxious matter or vapours;
 - ii) heat, glare, electrical interference or radiation;
 - iii) recurring ground vibration; and
 - iv) noise level requirements must follow any applicable noise regulations created by the Village of Harrison Hot Springs.

4.6 Temporary Buildings or Structures used during construction of a new Detached Dwelling Unit

- a) A temporary Building or Structure may be placed on site for construction purposes on a Lot being Developed, for a period not to exceed the duration of such construction or one year, whichever is less, as outlined in section 4.6.1 below;

4.6.1 Temporary Use of an Existing Detached Dwelling Unit during Construction

- a) Despite a restriction under this Bylaw on the number of dwellings permitted on a Lot, an owner of a Lot which already has an existing Detached Dwelling Unit located on it, while in the process of constructing a new Detached Dwelling Unit and with an approved Building Permit on the same Lot, may continue to occupy the existing Detached Dwelling Unit during construction of the new Detached Dwelling Unit, subject to the following conditions being met:
- i) the owner of the Lot agrees to and enters into a restrictive covenant in favour of the Municipality pursuant to the *Land Title Act*, as amended from time to time, to the effect that the owner undertakes to remove the existing Detached Dwelling Unit or render it uninhabitable to the satisfaction of the Building Inspector following the granting of the certificate of occupancy for the new Detached Dwelling Unit. A Letter of Undertaking is not applicable in this situation;
 - ii) when a covenant is required in accordance with subparagraph i), the covenant must specify that an Irrevocable Letter of Credit or other security

satisfactory to the Municipality, in the amount of \$10,000.00, must be issued in favour of the Municipality by the owner, to be forfeited to the Municipality in the event that the other terms of the covenant are not complied with, in which case the Municipality must use the \$10,000.00 to offset any costs of legal action to obtain compliance. The Irrevocable Letter of Credit term must be for the entire term noted in the required covenant; and

- iii) the actions required by covenant under Subparagraph i) must be completed within a maximum time period of two (2) years from the date of issuance of the Building Permit to completion and occupancy of the new Detached Dwelling Unit, and that this time period must be specified in the covenant.

4.7 Intermodal Storage Containers

- a) Intermodal Storage Containers when allowed as a Permitted use in a Zone contained within this Bylaw, must be used in accordance with the following requirements:

- i) the containers must be used for auxiliary storage purposes only;
- ii) they must not be reconstructed, altered or modified in any way to be used for living accommodation or human habitation for either personal or business purposes;
- iii) they must not be used to store animals, trash, refuse, contaminated or hazardous materials;
- iv) they must be placed on a hard dust free surface pad area made with either concrete, asphalt or similar materials and they must not be permanently fixed to the ground;
- v) they may be used for temporary storage during the construction of a permitted Building or Structure. The terms and conditions of the temporary storage container during construction must be identified in the Building Permit;
- vi) on Lots where containers are permitted, they must not be stacked one upon another or laid out in a row;
- vii) they must not occupy any of the Permitted Uses required parking spaces and if applicable the required loading spaces or interfere with the circulation of Motor Vehicles or pedestrians;
- viii) the container must comply with the setback requirements for any Accessory Buildings or Structures in the applicable Zone;
- ix) the container must comply with all other applicable regulations contained within this Bylaw.

- b) In addition to the above, Intermodal Storage Containers in Commercial Zones must also be subject to the following requirements:

- i) no more than one storage container is permitted per Lot;
- ii) not permitted within any front yard area and not project beyond the front face of the Permitted Building and Structure;

- c) For the purposes of this Bylaw, railroad cars, truck vans, converted manufactured homes, travel trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and Structures originally built for purposes other than storage are not permitted as accessory storage Buildings or Structures.

4.8 Swimming Pools, Spas and Hot Tubs

- a) Where a Residential or a Commercial use is Permitted, a swimming pool, spa or hot tub is Permitted as an Accessory Use, in accordance with the following provisions:
 - i) any swimming pool, spa or hot tub must not be located within 15.0 m of a Front Lot line or within a required side or rear Lot line setback;
 - ii) above ground pools must have a maximum Height of 2.5 m; and
 - iii) the combined area of the swimming pools, spa or hot tub must not exceed 15% of the total Lot area.

4.9 Tourist Accommodation

- a) In any Zone where a Tourist Accommodation use is Permitted the following regulations apply:
 - i) no noise, vibration, smoke, dust, odors, heat, glare, electrical or radio disturbance detectable beyond the property boundary must be produced by Tourist Accommodation;
 - ii) meals may be provided to customers of a Tourist Accommodation only and not the Community; and
 - iii) any person intending to operate a Tourist Accommodation must hold a valid and current business license from the Village.

4.10 Coach Houses

- a) Coach Houses will be allowed in the following Residential Zone only:
 - i) Residential 2 (Duplex) R2.
- b) The distance between the Permitted Residential Dwelling unit and the Coach House must be a minimum of 3.0 m;
- c) The combined Gross Floor Area of all Accessory Building or Structures on the Lot, including the Coach House, must not exceed 90m²; and
- d) Coach houses are not permitted on a Lot, unless a connection to both a Community Sewer and a Community Water system exists.

4.11 Coach House or Residential Accessory Suite

- a) On any Lot where a Coach House or a Residential Accessory Suite are permitted, either a Coach House or a Residential Accessory Suite is permitted but not both.

PART 5.0 ADDITIONAL PLANNING TOOLS

5.1 Amenity Bonusing Provisions

5.1.1 Amenity Factors

- a) Notwithstanding the individual density requirements of the respective Zone, the use of Amenity Bonusing is applicable in all Zones, to protect and conserve any environmental feature that the Council determines to be significant. The following

factors, on a case-by-case analysis, must be considered where relevant:

5.1.2 Amenity Environmental Factors

- a) Environmental values are identified prior to any site clearing and design;
- b) The development is located away from areas with high environmental values, and natural buffers are placed between the development site and sensitive features;
- c) The development is concentrated in areas with lower environmental values;
- d) The site plan protects both the area's biodiversity and clean water;
- e) The development is located away from areas that may be subject to erosion, flooding and wildfire conflicts;
- f) The impacts of Highways are minimized, and Development is in proximity to and accessible to existing Highways, and if possible transit;
- g) The development should have the potential to contribute to the overall reduction of community dependence of travel by automobile; and
- h) The fragmentation of habitat is minimized.

5.1.3 Amenity Zoning Tools

- a) The Municipality may consider the use of any of the following tools for the implementation of the amenity;
 - i) site-specific Zoning or the use of a comprehensive development Zone;
 - ii) covenants;
 - iii) an increase in the permitted Lot coverage or Floor Area Ratio for that Zone;
 - iv) designation of development permit areas;
 - v) the use of cash-in-lieu; or
 - vi) any combination of the above tools.

5.2 Temporary Use Permits

- a) Notwithstanding the permitted uses as outlined in each Zone, a Temporary Use Permit for Commercial purposes only may be issued for any Lot located within the Municipality, subject to Section 5.2.1 below: and
- b) Staff must follow the process as outlined in the Village's *Development Procedure Bylaw*, as amended from time to time, for the issuance of permits.

5.2.1 Temporary Use Permit Requirements

- a) Council may consider issuing a permit for temporary commercial uses where the following criteria has been reviewed:
 - i) the temporary use must operate at an intensity of use suitable to the surrounding area;
 - ii) the temporary use is not for any Tourist Accommodation use in a Residential Zone;
 - iii) there is adequate space on the Lot for the required off street parking requirements;
 - iv) the temporary use must be compatible with regard to use, design and operation with the surrounding uses;
 - v) the temporary use does not negatively affect the surrounding uses or properties in terms of noise, lighting, parking, traffic or any health and safety impacts; and

- vi) the public has had an opportunity to comment on the proposed temporary use as outlined in the *Local Government Act*, as amended from time to time.

5.2.2 Additional Conditions, Security required, Terms and Renewal Options

- a) In addition to the current permit conditions as outlined in the *Local Government Act*, as amended from time to time, Council may:
 - i) ask the owner of the Land to give an undertaking to; demolish or remove a Building or Structure or restore Land described in the permit to a condition specified in the permit by a date specified in the permit,
 - ii) require the owner of the Land to provide to the Municipality, security to guarantee the performance of the terms of the permit, and
 - iii) issue the permit for a term not to exceed three-years and consider the renewal of the permit once for an additional term not to exceed three years.

PART 6.0 PARKING AND LOADING REQUIREMENTS

6.1 Off-street Parking General Requirements

- a) Minimum off-street parking spaces and facilities must be provided in accordance with the following table below and the requirements of this section. Where a specific Use is not identified, a similar use to one listed in the following table must be selected as an applicable standard;
- b) Parking stalls may be provided as off-street parking, or as cash-in-lieu of parking payments for on-street parking as set out below in this Bylaw;
- c) When off-street parking is required, a plan of the proposed parking arrangement, drawn at a reasonable scale, showing the off-street parking spaces and access driveways must be part of the site plan submitted as a part of the application package, if this is not possible then it must be filed with the Building Inspector prior to issuance of a Building Permit;
- d) Where the calculation of the required off-street parking spaces results in a number that is a whole number plus a fraction, the number of required spaces must be rounded up to the next whole number;
- e) Where a Building, Structure or a Lot contains more than one function or Use, the required number of parking spaces must be the total sum of the requirements for each function or Use;
- f) At least two parking spaces must be provided for each Lot unless no Building or Structure is located on such Lot;
- g) Where seating accommodation is the basis for a unit of measurement and consists of benches, pews, booths or similar seating accommodation, each 0.5 m² of seating area must be deemed to be one seat;
- h) All Multiple Unit Residential, mixed Residential and Commercial Development must provide bicycle parking at a rate of 20% of the required vehicle parking;
- i) All Multiple Unit Residential, mixed Residential and Commercial Developments requiring at least 20 parking spaces must provide at least one electric vehicle charging outlet, which is readily accessible for charging a vehicle in a required parking space;
- j) For any Use required to be accessible to persons with a disability by the *BC Building Code*, as amended from time to time, a minimum of one parking space for a person with a disability must be provided;
- k) Where 20 or more parking spaces are required by this Bylaw, the required spaces

must be accessible to persons with a disability, as outlined in the table below;

Total Required Parking Stalls	Required Number of Disability Parking Spaces
20-50	4
81-110	6
111-140	8
141-170	10

- l) The parking requirements established in this section do not apply to a Building or Structure or Use existing prior to the adoption date of this Bylaw, provided there is no change, expansion or addition to the Building or Structure or Use that requires more parking spaces than were required for the existing Building or Structure or Use when this Bylaw was adopted. If there is an expansion or addition to an existing Use or Building or Structure, then the provisions of this section apply to the expansion or addition; and
- m) For the purposes of this Bylaw the required parking spaces have been broken into the following categories of uses:
 - i) Residential;
 - ii) Commercial;
 - iii) Community.

6.1.1 Residential Parking Requirements

Land Use	Required Number of On-site Parking Stalls
For All Residential and Similar Land Uses	
Accessory Building & Structure	N/A
Home Occupation	1 per employee
Accessory Residential Suites	1 per suite
Detached Dwelling	2 per Dwelling Unit
Apartment	1.25 per Dwelling Unit (includes a visitor parking area)
Coach Houses	1 per Dwelling Unit
Duplex Dwellings	2 per Dwelling Unit
Townhouse Dwellings	2 per Dwelling Unit and .25 per Unit for the visitor parking area
Mobile/Modular Home	2 per Dwelling Unit and if in a park .25 per Unit for the visitor parking area

6.1.2 Commercial Parking Requirements

Land Use	Required Number of On-site Parking Stalls
For All Commercial and Similar Land Uses	
Campgrounds	2.5 spaces per campsite, includes visitor parking

Tourist Accommodation	1 space per room plus 1 space per 4 seats for any restaurant or bar
Laundromat	1 space per 4 washing machines
Gas Station	1 per 40m ² of GFA and 1 per every 2 fuel or propane tanks
Personal Service Establishment	1 space per 28 m ² of GFA
Pubs/Lounge	1 space per 2 seats
Restaurant	1 space per 3 seats
Community Care Facility – Day care Group Care	1 per person in care 1 per 4 beds
Convenience Stores	.25 per 100 m ² of GFA
Micro-Brewery	1.5 spaces per employee

6.1.3 Community Parking Requirements

Land Use	Required Number of On-site Parking Stalls
For All Community and Similar Land Uses	
All community uses (unless listed)	1 space per 37 m ² of GFA ¹
Places of Worship	1 space per 8 seats
Day Care	See the Commercial parking requirements
School Elementary	2 spaces per classroom

Notes: 1/. GFA is Gross Floor Area

6.2 Parking Cash-in-lieu for the Required Commercial Parking

- a) As an alternative to meeting the parking standards of this Bylaw for a change to an existing use or new Development that would result in an increase in the number of required parking spaces, cash in lieu may be paid to the Municipality by the owner or occupier of the Land subject to the following requirements:
- i) The cash-in-lieu of parking payments collected will be placed into the Municipal Parking Reserve Fund; and
 - ii) If Cash-in-lieu is to be provided it must be in accordance with the following amount, which represents 2017 dollars, and adjusted in accordance with Subparagraph iii);
 - **\$15,000 per ground level parking space**
 - iii) The cash-in-lieu amount must be adjusted for inflation each year beginning in 2017, according to the British Columbia Consumer Price Index, annual average for "all items", as published by BC Stats each January.

6.3 Parking for Persons with a Disability

- a) Each parking space designated as a disability vehicular parking stall must be signed and pavement marked with the International Symbol of Accessibility for the handicapped; and
- b) Disability vehicular parking stalls must be located as near as practical to the Building or Structure entrance designed for handicapped persons. Changes in elevations between the entrance and the parking space must be non-existent; and
- c) Be surfaced with material conducive to providing access for wheelchairs.

6.4 Off-Street Parking Design Criteria, Development and Maintenance

- a) The minimum required dimensions for parking spaces and drive aisles must be in accordance with the table below and the other requirements of this section:

Angle of Parking	Parking Space Width	Parking Space Length	Drive Aisle Width
30	2.75 m	5.8 m	3.5 m
45	2.75 m	5.8 m	4.0 m
60	2.75 m	5.8 m	5.5 m
90	2.75 m	5.8 m	7.0 m
Parallel	2.75 m	7.0 m	3.5 m

- b) Where three or more parking spaces are required, 33% of the required parking spaces may be reduced to 4.6 m in length provided that such spaces are clearly marked small vehicle only within the parking space or on the facing wall or fence, if available;
- c) Despite the minimum required dimensions for parking spaces in paragraph (a), all parking spaces for persons with a disability must be a minimum of 4.0 m in width;
- d) Where any required parking space abuts, along its length any portion of a Fence, Building or Structure, the minimum parking space width must be increased by 0.3 m for that space only;
- e) Except for Residential uses, Highway access or egress from parking areas must be not less than 15.0 m from the nearest point of intersection of any two Highways;
- f) The required parking spaces are not permitted to be located within 1.0 m of a Lot line adjoining any Highway;
- g) All parking areas must be provided with adequate curbs to retain all Motor Vehicles within such permitted parking area and to ensure that adjacent Buildings or Structures, Fences, walkways and landscaped areas are protected from the parked Motor Vehicles;
- h) The maximum grade and cross slope for a parking space or parking area required by this Bylaw must not exceed 8%;
- i) Each parking stall must be surfaced with asphalt, concrete, or permeable drivable surface, such as but not limited to the following: including:
 - (i) porous pavers;
 - (ii) cobblestones;
 - (iii) turf block; and

- (iv) honeycomb grid.
- j) All parking areas required for Commercial uses, Apartments uses and Townhouses must include one or more oil-water separators, and it must be the responsibility of the owner to properly maintain the oil-water separators in good working order, regularly removing oils for proper disposal;
- k) If any lighting is used to illuminate any parking area it must be arranged to direct light upon such parking area and not into any adjoining Lots or Lands;
- l) That portion of any Lot used as a driveway from the Lot line to a required parking area must not exceed a grade of 20%;
- m) All the required parking spaces for all Uses must be located on the same Lot as the uses they serve, subject to Sections 6.2 or 6.6 of this Bylaw;
- n) Each parking area must be graded and drained in accordance with best engineering practices. In no case must drainage be allowed to cross any sidewalk;
- o) Within any Commercial, off-street parking areas they must not be located within 60 m of a Lot Line of any Lot that adjoins a Residential Zone; and
- p) The access to all off-street parking from a Highway must not be less than 6.0 m and not more than 9.0 m wide.

6.5 Off-Street Loading Requirements

- a) Minimum off-street loading spaces and facilities must be provided in accordance with the following table below and the requirements of this section;

Use of Lot, Building or Structure	Minimum Number of Off-Street Loading Spaces
Commercial	1 space for the 300 m ² to 500 m ² of GFA or 2 spaces for 501 m ² to 2,500 m ² of GFA, and 1 space for each GFA above 2,500 m ² or fraction thereof
Office Building or Structure	1 space for the 300 m ² to 3,000 m ² of GFA and 1 space for each GFA above 3,000, or fraction thereof

- b) A minimum of one off-street loading space must be provided on each Lot in a Commercial, Mixed Use or Community Use Zone;
- c) Off-street loading spaces must not be credited against the requirements for any off-street parking;
- d) Each off-street loading space involving the receipt and delivery of goods or materials by vehicles must be not less than 3 m wide, 9.2 m in length and have a vertical clearance of not less than 4.3 m;
- e) Each off-street loading space must always have access to an aisle that intersects with a Highway;
- f) Each off-street loading space must be surfaced with asphalt, concrete, or similar hard surface to provide a durable, dust-free surface, and must be graded and drained to properly dispose of all surface water;
- g) Any lighting used to illuminate any loading area must be so arranged to direct light upon such parking area and not any adjoining Lands or Lots.
- h) Loading areas must include one or more oil-water separators, and it must be the responsibility of the owner to properly maintain the oil-water separators in good working order, regularly removing oils for proper disposal;

- i) The loading requirements established in this section do not apply to any Use or a Building or Structure that existed prior to the adoption date of this Bylaw. However, if there is an expansion or addition to an existing Use, Building or Structure then the provisions of this section apply to such expansion or addition.

6.6 Off-Street Parking Agreement for Commercial Uses

- a) As an alternative to meeting the parking standards of this Bylaw for a change to an existing Use or new Development that would result in an increase in the number of required parking spaces, the additional required off-street parking spaces may be located on a Lot other than that upon which the Use, Building or Structure intended to be served are located, provided the off-site parking is secured by an agreement in accordance with the following:

- i) the agreement must indicate and be registered on title of the Development site and the individual offering the Lot;
- the location and number of parking spaces provided off-site,
 - the terms of any lease or rental agreement between the owner of the off-site parking area and the owner of the Building, Structure or use requiring off-site parking spaces, and
 - terms for the maintenance and where applicable the construction of the off-site parking area;
 - The agreement must require the approval of the Municipality and the Municipality must be a co-signatory; and
- ii) all costs associated with preparing the agreement must be paid by the owner of the Use, Building or Structure that the off-site parking spaces are intended to serve.

6.7 Parking or Storage of Vehicles

- a) In any Residential Zone, no more than the numbers and types of Motor Vehicles set out below will be permitted to be parked or stored on a Lot:
- i) four Motor Vehicles, one of which may be a truck or school bus not exceeding 4,500 kilograms gross Motor Vehicle weight or one-horse trailer or camper or recreation vehicle, and
- ii) one boat and trailer.

PART 7.0 ZONING REGULATIONS

7.1 Zones

- a) The Zones, as shown on Schedule A which is attached to and forms part of this Bylaw have the following the regulations assigned to each Zone as outlined below:

7.1.1 Residential Uses

Permitted Residential Uses	R-1 Zone	R-2 Zone	R-3 Zone	R-4 Zone	R-5 Zone
PERMITTED USES					
Detached Dwelling	◆	◆	◆		◆
Duplex Dwelling		◆			
Townhouse Dwelling				◆	
ACCESSORY USES					
Home Occupation	◆	◆		◆	
Accessory Residential Suite or a Coach House, but not both		◆			
Accessory Buildings or Structures	◆	◆	◆	◆	

DEVELOPMENT REGULATIONS FOR THE RESIDENTIAL ZONES

Residential Development Regulations	R-1 Zone	R-2 Zone	R-3 Zone	R-4 Zone	R-5 Zone
Minimum Lot Size for subdivision purposes(m ²)	925 ⁽¹⁾ 540 ⁽²⁾	925 ⁽¹⁾ 697 ⁽²⁾ 1125 ⁽³⁾ 925 ⁽⁴⁾	360 ⁽²⁾	1500 ⁽²⁾	130 ⁽²⁾
Subdivision for a relative (Ha)	2.5	2.5	2.5	2.5	2.5
Minimum Lot Width (m)	18	18 ⁽⁵⁾ 24 ⁽⁶⁾	12.5	22.5	9
Maximum Density (units / ha)	NA	NA	NA	35	50
Maximum Lot Coverage (%)	40	40	55	55	50
Minimum Front Setback (m)	7.5	7.5	4.5	4.5	2 6 with a front-deck
Minimum Rear Setback (m)	7.5	7.5	4	7.5	3.5
Minimum Interior Side Setback (m)	1.5	1.5	1.2	3.6	1.2
Minimum Exterior Side Setback (m)	3.6	3.6	3.6	7.5	1.2
Maximum Height (m)	10.7	10.7	10.7	11	10.7
Minimum Amenity Area (m ²)	NA	NA	NA	5 per unit ⁽⁷⁾ 10 per unit ⁽⁸⁾	NA
Off-Street Parking	As per the requirements of this bylaw, as amended from time to time	As per the requirements of this bylaw, as amended from time to time	As per the requirements of this bylaw, as amended from time to time	As per the requirements of this bylaw, as amended from time to time	As per the requirements of this bylaw, as amended from time to time

Notes:

- 1/. Sewer only
- 2/. Must be hooked into a Community Water System and a Community Sewer System
- 3/. Duplex – with sewer only
- 4/. Duplex – must be hooked into a Community Water System and a community sewer system
- 5/. Detached Dwelling Unit
- 6/. Duplex Dwelling Unit
- 7/. When a development consists of 10 units or less
- 8/. When a development consists of 11 units or more

Additional Requirements:

1/. For any home occupations refer to the off-street parking requirements of this bylaw, as amended from time to time

2/. Accessory Building and Structure requirements are noted below:

Residential Accessory Building or Structure Regulations	R-1 Zone	R-2 Zone	R-3 Zone	R-4 Zone	R-5 Zone
Maximum Number of Buildings or Structures	2	2	2	2	NA
Minimum Front Setback (m)	15	7.5	4.5	4.5	NA
Minimum Rear Setback (m)	1.5	1.5	1	1.5	NA
Minimum Interior Side Setback (m)	1.5	1.5	1.2	3.6	NA
Minimum Exterior Side Setback (m)	7.5	3.6	3.6	7.5	NA
Maximum Height (m)	5	5	5	5	NA

7.1.2 Commercial Uses

Permitted Commercial Uses	C-1 Zone	C-2 Zone	C-3 Zone	C-4 Zone
PERMITTED USES				
Community Care Facility	♦	♦		
Medical Clinic	♦			
Apartments	♦	♦	♦	
Entertainment facility	♦			
Service Station	♦			
Tourist Accommodation	♦	♦	♦	
Financial Institutions	♦			
Cultural uses	♦			
Pubs	♦			♦
Offices	♦			
Personal Services Uses	♦			
Parking Garage	♦			
Retail Establishments	♦			♦
Restaurants	♦	♦		♦
Convenience Stores	♦	♦		
Catering Establishments	♦			
Marinas/Float Plane dock				♦
Campground/Holiday Parks			♦	
Recreation Facility	♦			
Detached Dwelling	♦		♦	
Micro-Brewery ⁽¹⁾	♦			♦
ACCESSORY USES				
Apartment	♦	♦	♦	♦
Detached Dwelling	♦	♦	♦	♦
Accessory Buildings or Structures	♦	♦	♦	♦

DEVELOPMENT REGULATIONS FOR THE COMMERCIAL USES

Commercial Development Regulations	C-1 Zone	C-2 Zone	C-3 Zone	C-4 Zone
Minimum Lot Size for subdivision purposes(m ²)	464	464	1500 ⁽³⁾ 925 ⁽⁴⁾ 464 ⁽⁵⁾ 16,200 ⁽⁶⁾	464
Subdivision for a relative (Ha)	1	1	1	1
Floor Area Ratio	1.5		1.5	60
Minimum Lot Width (m)	20	20	20	20
Maximum Density (units / ha)	NA	NA	NA	NA
Maximum Lot Coverage (%)	75	60	100	60
Minimum Front Setback (m)	0	7.5	7.5	7.5
Minimum Rear Setback (m)	0 ⁽²⁾	6	0 ⁽⁷⁾	6
Minimum Interior Side Setback (m)	0	3.6	0 ⁽⁷⁾	3.6
Minimum Exterior Side Setback (m)	0 ⁽²⁾	3.6	0 ⁽⁷⁾	3.6
Maximum Height (m)	15	6.5	15	12
Off-Street Parking	As per the requirements of this bylaw, as amended from time to time	As per the requirements of this bylaw, as amended from time to time	As per the requirements of this bylaw, as amended from time to time	As per the requirements of this bylaw, as amended from time to time
Off-Street Loading	As per the requirements of this bylaw, as amended from time to time	As per the requirements of this bylaw, as amended from time to time	As per the requirements of this bylaw, as amended from time to time	As per the requirements of this bylaw, as amended from time to time

Notes:

- 1/. A Micro-Brewery must be located on a Lot with a minimum Lot size of 446 m² and have a maximum building height of 6.0 m.
- 2/. A setback of 7.5 m is required if abutting against a residential use or is a residential use
- 3/. For mixed uses in the C-3 Zone
- 4/. For motels/hotels in the C-3 Zone
- 5/. For all other permitted uses in the C-3 Zone
- 6/. For an Holiday Park located in the C-3 Zone
- 7/. A setback of 6.0 m is required if abutting against a residential use or is a residential use

Additional Requirements:

1/. Accessory Building and Structure requirements noted below:

Commercial Accessory Building or Structure Regulations	C-1 Zone	C-2 Zone	C-3 Zone	C-4 Zone
Maximum Number of Buildings or Structures	1	1	1	1
Minimum Front Setback (m)	0	0	0	4.5
Minimum Rear Setback (m)	0	0	0	6
Minimum Interior Side Setback (m)	0	0	0	3.6
Minimum Exterior Side Setback (m)	0	0	0	7.5
Maximum Height (m)	5	5	5	4.5

7.1.3 Community Uses

Permitted Community Uses	P-1 Zone
PERMITTED USES	
Community Uses	◆
Farmers' Markets	◆
ACCESSORY USES	

DEVELOPMENT REGULATIONS FOR THE COMMUNITY USES

Community Development Regulations	Zone
Minimum Lot Size for subdivision purposes(m ²)	NA
Subdivision for a relative (m ²)	NA
Minimum Lot Width (m)	NA
Maximum Density (units / ha)	NA
Maximum Lot Coverage (%)	NA
Minimum Front Setback (m)	NA
Minimum Rear Setback (m)	NA
Minimum Interior Side Setback (m)	NA
Minimum Exterior Side Setback (m)	NA
Maximum Height (m)	NA
Number of Permitted Buildings or Structures	NA
Off-Street Parking	As per the requirements of this bylaw, as amended from time to time

7.1.4 Other Land Uses

Permitted Other Land Uses	W-1 Zone	VR Zone	ALR Zone
PERMITTED USES			
Marina	♦		
Float plane dock	♦		
Farm uses as outlined in BC Regulation 171/2002, as amended from time to time			♦
Agricultural		♦	
ACCESSORY USES			
Detached Dwelling		♦	

DEVELOPMENT REGULATIONS FOR THE OTHER LAND USES

Other Land Use Development Regulations	W-1 Zone	VR Zone	ALR Zone
Minimum Lot Size for subdivision purposes(m ²)	600	600	Subject to ALC requirements
Minimum Lot Width (m)	30		Subject to ALC requirements
Maximum Density (units / ha)	NA	NA	Subject to ALC requirements
Maximum Lot Coverage (%)	60	60	Subject to ALC requirements
Minimum Front Setback (m)	NA	6	Subject to ALC requirements
Minimum Rear Setback (m)	NA	6	Subject to ALC requirements
Minimum Interior Side Setback (m)	NA	6	Subject to ALC requirements
Minimum Exterior Side Setback (m)	NA	6	Subject to ALC requirements
Maximum Height (m)	NA	10	Subject to ALC requirements
Number of Permitted Buildings or Structures	NA	NA	Subject to ALC requirements
Off-Street Parking	NA	As per the requirements of this bylaw, as amended from time to time	Subject to ALC requirements

PART 8.0 REPEAL

- a) The Village of Harrison Hot Springs Zoning Bylaw, 1020, 2012, and all amendments, are repealed upon adoption of this Bylaw.

8.1 Effective Date

READ A FIRST TIME THIS 20th DAY OF November 2017

RECONSIDERED AND READ A SECOND TIME, AS AMENDED THIS 5th DAY OF FEBRUARY, 2018

PUBLIC HEARING HELD THIS _____ DAY OF _____, 2018

READ A THIRD TIME THIS _____ DAY OF _____, 2018

ADOPTED THIS _____ DAY OF _____, 2018

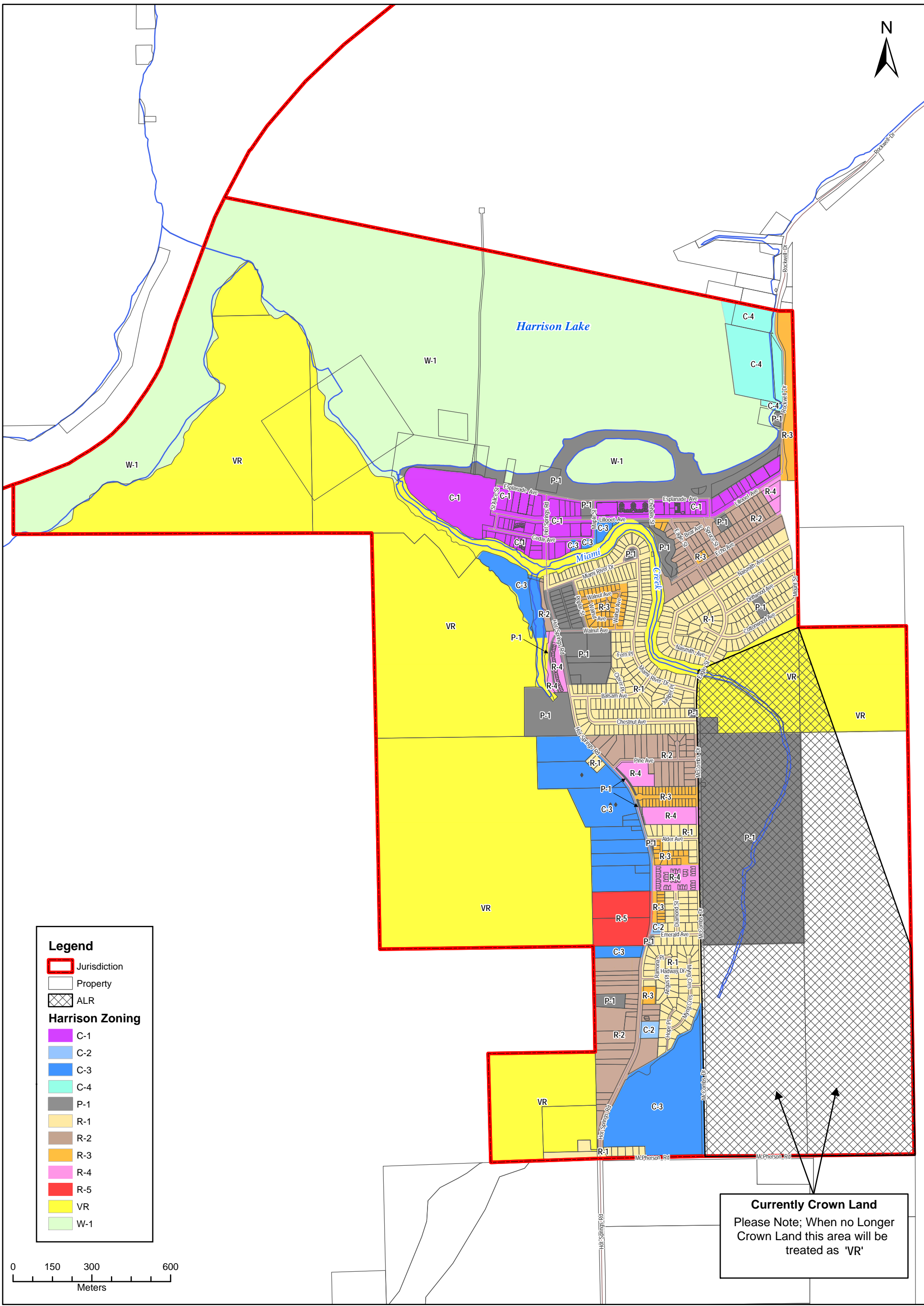
Mayor

Corporate Officer

Village of Harrison Hot Springs - Zoning Map

Zoning Bylaw No. 1115, 2017

Schedule 'A'



Village Of Harrison Hot Springs Zoning Bylaw No. 1115, 2017



Ken Cossey, MCIP, RPP
KWC Planning Services
March 16, 2018



PRESENTATION FORMAT

- Background Information
 - Project Approach
 - Issues Reviewed
- Preamble – contents of Bylaw 1115, 2017
- Summary Points of the Differences (Current vs Proposed)
 - Marihuana Options
 - Zones – comparison analysis
 - Parking
 - Next Steps



BACKGROUND INFORMATION

WHAT IS A ZONING BYLAW?

- A **land use planning tool** used to implement the Village's OCP policies and objectives as it relates to the orderly development of the Village - through the assignment of land use regulations for each lot
- Speaking in very general terms the various land uses categories associated with Harrison's zoning bylaw are; residential, commercial, community or any combination thereof
- Is created under the authority of the *Local Government Act*, specifically section 479 of this Act – as the province allows for the creation of a zoning bylaw it is a legal document that outlines various land use regulations

WHAT DOES A ZONING BYLAW DO?

- Permitted and accessory uses
 - Regulations for Home Occupations
 - Temporary Building Regulations
- Accessory Use Regulations
 - Off Street Parking and Loading Regulations
- Minimum Lot Sizes
- Setbacks from the various lot lines
 - Site Coverage
 - Building Height
- Floor to area ration(FAR)
 - Fence Heights



BACKGROUND INFORMATION

WHY CREATE A NEW BYLAW?

- As a Zoning Bylaw is an important **land development implementation tool** it is recommended that this bylaw be reviewed and updated periodically - the current bylaw was created in 2012 and is today **6 years old**
- The land uses issues that required the creation of this bylaw in the first place, 6 years ago, may not be relevant for you or the Village today – **marihuana, AirBnB, Micro-Breweries**
- In addition to the updates, the review also looked at ways to incorporate green standards into the bylaw, reflect current and new land use standards and create a user friendly bylaw



PROJECT APPROACH

HOW DID WE GET STARTED?

- **GAP ANALYSIS** – compared the current bylaw against various pieces of Legislation and the Official Community Plan
- **CURRENT ZONE COMPARISONS** – what zones can be merged or removed
- **COMMUNITY MEETING** – community input received (Oct 2)
 - **DRAFT BYLAW** – Senior Staff reviewed



ISSUES REVIEWED

- Ensure compliance with the current BC Building Code requirements
- Looked at the possibility of merging or reducing the number of zones
 - Updated the definitions - consistency
 - Looked at emerging new land use issues – Marihuana, Tourist Accommodations, Micro-Breweries
- The use of additional planning tools – Amenity Bonusing, Temporary Use Permits
 - Off- Street Parking and Loading Requirements.



PREAMBLE

The *Local Government Act* allows local governments in BC the ability to create certain bylaws. With Bylaw 1115, 2017 the authority utilized was found within the following sections of the *Local Government Act*.

Section	Used
479	To create a zoning bylaw
482	To offer density benefits for the offer of amenities
492	To create Temporary Use Permit areas
524	To create flood plain requirements
525	To create off street parking and loading requirements
527	To create screening and landscaping requirements



SUMMARY POINTS OF THE DIFFERENCES

- Added illustrations into the definitions section
- Changed the definition of Church to Places of Worship
 - Added a definition of what is meant by development
- Added a definition of what is meant by a Dwelling Unit and a Residential Use, to differentiate it from a Commercial use
- Clarified Tourist Accommodations as a Commercial use



HARRISON HOT SPRINGS

Naturally Refreshed

SUMMARY POINTS OF THE DIFFERENCES

- Set up the enforcement of the proposed bylaw through the Bylaw Notice Enforcement Bylaw process, as opposed to the current summary conviction process. Allows for easier enforcement of your proposed zoning bylaw (section 1.5)
- Section 1.8.2 – reduced the current number of zones from 22 to 13
 - Added a definition of Marihuana and then banned dispensaries as an allowable use in any commercial zone, see section 4.1. **Please note that a medical marihuana production facility is an authorized use on ALR lands**
- Added a Micro-Brewery definition and allow the use in the proposed C1 area only, with its own land use regulations

SUMMARY POINTS OF THE DIFFERENCES

- Revised the use of an existing dwelling unit during construction, added the requirements of a covenant, the use of a \$10,000 Irrevocable Letter of Credit and a maximum two-year term and removed the use of an RV or Mobile Home
 - Added Section 4.8 – Swimming Pools, Spas and Hot Tubs
- Added Section 4.9 – Tourist Accommodation additional requirements, including the requirement on having a current business license
 - Added Coach Houses – Section 4.10
 - Added Part 5 – Amenity Bonusing (section 5.1) provisions and the use of a Temporary Permit (section 5.2). The amenity bonusing issue and the use of the permit, even though it is mentioned in the bylaw - needs to be approved by Council when used by a developer
- Provided for two alternatives for off street parking – cash in lieu (section 6.2) or the use of a parking agreement (section 6.6)
 - Added the Agriculture Land Reserve area on the Zoning map

MARIHUANA OPTIONS

- The federal government will need to decriminalize the product – estimated Aug/Sept 2018
- The provincial government will need to set up a distribution process, (so far - Alta, Ont, Quebec and BC), and
 - Then local governments can set up their requirements in their zoning bylaw

At this stage it is recommended that the zoning bylaw outright ban any marihuana operations and dispensaries - see section 4.1

When the new laws come into effect we can reevaluate the situation and depending upon the wording of either the federal or provincial laws, we can look at a different method of ensuring marihuana dispensaries and operations are banned from the Village.



ZONES

Currently **22 zones** for the Village – some zones not used such as C-8 (Service Station Commercial) and RSR (Residential Reserve)

- **Proposing 13 Zones**

What was done to allow for the recommendation of using 13 zones?

- Performed a zoning bylaw comparison analysis – Looked at the current permitted land uses and the regulations to see if there are any similarities for merging purposes or were we able to remove the zone



RESULTS OF THE ANALYSIS

- Eliminated all CD Zones – CD1 to CD5
- Reduced the number of Commercial Zones – 8 down to 4
 - Merged Rural Resource into Village Reserve
 - Created a fifth Residential Zone



PROPOSING THE FOLLOWING ZONES

Proposed - Bylaw 1115, 2017	Symbol	Bylaw 1020, 2012
Residential 1 (Conventional Lot)	R-1	N/A - Same
Residential 2 (Duplex)	R-2	N/A - Same
Residential 3 (Small Lot)	R-3	Current plus CD 3
Residential 4 (Townhouse)	R-4	Current plus CD2
Resort Residential Development	R-5	CD5
Village Commercial	C-1	C1/C2/CD1
Neighbourhood Commercial	C-2	C4
Tourist Commercial	C-3	C3/C5/CD5
Marine Commercial	C-4	C6/C7/CD4
Community	P-1	N/A - Same
Waterfront	W-1	NA - Same
Village Reserve	VR	VR1/RR
Agricultural Land Reserve	ALR	New

PARKING

Average Family Sedan length and width – 4.9 M long & 2.03 M wide
(Excessive parking requirements)

Angle of Parking	Parking Space Width	Parking Space Length	Drive Aisle Width
30	2.75 M	5.8 M	3.5 M
45	2.75 M	5.8 M	4.0 M
60	2.75 M	5.8 M	5.5 M
90	2.75 M	5.8 M	7.0 M
Parallel	2.75 M	7.0 M	3.5 M



PARKING

- Luxury vehicles – 5.3 M long & 2.03 M wide
- Larger passenger vehicle trucks – 5.7 M long & 2.03 M wide

To address redevelopment issue

- Cash-in-lieu - \$15,000 per space and indexed (Section 6.2)
 - Parking agreement option (Section 6.6)
- DVP – any regulation except use and density can be modified. For example Smart Cars; reduce the space down to 2.5 M wide and a length of 4.5 M

WHAT HAS HAPPENED SO FAR?

- Bylaw 1115, 2017 was created
- Council reviewed and provided input and direction
- Council has given the Bylaw 1st and 2nd Reading
 - Moving into the referral and approval stage

The logo graphic consists of three overlapping, stylized mountain peaks or hills. The leftmost peak is blue, the middle one is green, and the rightmost one is yellow. They are arranged in a slightly overlapping, horizontal line.

HARRISON HOT SPRINGS

Naturally Refreshed



NEXT STEPS

Referred the Bylaw to:

- APC
- FVRD – compliance with the RGS
- Ministry of Transportation and Infrastructure, and
Public hearing – March 26, 2018
Collection of comments
Council reviews and adopts the bylaw



HARRISON HOT SPRINGS
Naturally Refreshed

**Record of Amendments to
Zoning Bylaw No. 1020**

Amending Bylaw No.	Type of Amendment		Summary of Amendment	Date of Adoption
	Text	Map		
1021	X	X	Comprehensive Development Zone 3 (CD-3) (<i>Low Density, Single Detached Dwellings – Strata</i>)	February 18, 2013
1028		X	Resource Reserve (RR) to Low Density Residential 3 (Small Lot) – R3	May 6, 2013
1036	X	X	Comprehensive Development Zone 4 (CD-4) (<i>Marine-Oriented Development</i>)	September 9, 2013
1043		X	Low Density Residential (Duplex) – R2 to Low Density Residential 3 (Small Lot) – R3	November 4, 2013
1076		X	Service Station Commercial - C-8 to Low Density Residential 3 (Small Lot) - R-3	June 6, 2016
1081	X	X	Tourist Commercial (C-5) to Comprehensive Development Zone 5 (CD-5)	February 6, 2017
1094		X	RSR to Low Density Residential (Conventional Lot) R-1 RSR to Medium Density Residential 1 (Townhouse) R-4 RSR to Low Density Residential 3 (Small Lot) R-3	February 6, 2017
1108		X	Low Density Residential 2 (Duplex) R-2 to Low Density Residential 3 (Small Lot) R-3	August 14, 2017

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VILLAGE OF HARRISON HOT SPRINGS
ZONING BYLAW NO. 1020
(CONSOLIDATED)



HARRISON HOT SPRINGS

Naturally Refreshed

August 14, 2017

THIS CONSOLIDATION IS FOR CONVENIENCE AND REFERENCE PURPOSES ONLY. If there is any discrepancy between this consolidation and the original Bylaw and any amending Bylaws, the original Zoning Bylaw No. 1020 and any amending Bylaws are correct. For confirmation of the exact terms of the Bylaw, you must consult the original Bylaw and the amending Bylaws.

*Harrison Hot Springs Consolidated Zoning Bylaw No. 1020
Consolidated to: August 14, 2017*



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 a minimum of 4 bedrooms 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 a minimum of 4 and 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, waterslide, 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.

PRIVATE RESORT RESIDENTIAL DEVELOPMENT means a bare land strata title subdivision pursuant to the Condominium Act, consisting of five or more one-family residential strata lot or holiday, summer or seasonal home strata lots, and containing associated resort and recreational amenity facilities for the use of the residents of the development, which is planned and developed as a whole in a single development operation or in planned phases according to a unified design theme, and which contains no other land (AB#1081)

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.

SINGLE DETACHED DWELLING means a building consisting of one dwelling unit.

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) A minimum of 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 detached 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 detached dwelling*.
- (4) The owner of a *single detached dwelling* containing a secondary suite shall be resident of either the principal dwelling unit or the secondary suite.
- (5) *Off-street parking* shall be provided and maintained in accordance with Table 1 of this Bylaw.
- (6) No secondary suite may be stratified, subdivided, or otherwise legally separated from the *single detached dwelling* wherein it is contained.
- (7) 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

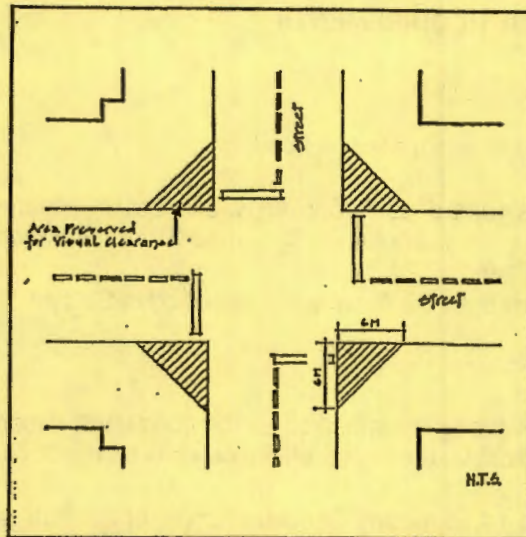
Church spires, chimneys, flag poles, transmission towers, elevators and ventilation machinery, shall not be subject to the height requirements of this Bylaw provided that such *structures* occupy no more than 10% of the surface of the *lot*, or if situated on a *building*, not more than 15% of the roof 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 "B" of the attached hereto and forming part of this Bylaw;
- Land lower than the *flood levels* specified in Section 18.2.

.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) 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.

.4) 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*.

.5) 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.

- .6) 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.
- .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 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.
- .8) 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.

- .9) 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.
- .10) 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.
- .11) 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 2 (Duplex)	R-2
	Low Density Residential 3 (Small Lot)	R-3
	Medium Density Residential 1 (Townhouse)	R-4
	<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
	Comprehensive Development Zone 3	CD-3
	Comprehensive Development Zone 4	CD-4
	Comprehensive Development Zone 5	CD-5
	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)	R-2 Low Density Residential 2 (Duplex)	R-3 Low Density Residential 3 (Small Lot)	R-4 Medium Density Residential 1 (Townhouse)
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)	R-2 Low Density Residential 2 (Duplex)	R-3 Low Density Residential 3 (Small Lot)	R-4 Medium Density Residential 1 (Townhouse)
Minimum Lot Size (m ²)	925 ¹ 540 ²	925 ¹ 697 ³ 1125 ⁴ 925 ⁵	360 ³	1500 ²
Minimum Lot Width (m)	18	18 Single 24 Duplex	12.5	22.5
Maximum Density (units / ha)	N/A	N/A	N/A	35
Maximum Lot Coverage (%)	40	40	55	55
Minimum Front Setback (m)	7.5	7.5	4.5	4.5
Minimum Rear Setback (m)	7.5	7.5	4	7.5
Minimum Interior Side Setback (m)	1.5	1.5	1.2	3.6
Minimum Exterior Side Setback (m)	3.6	3.6	3.6	7.5
Maximum Height (m)	10.7	10.7	10.7	11
Minimum Amenity Area (m ²)	N/A	N/A	N/A	5 per unit ⁶ 10 per unit ⁷
Number of Principal Buildings	1	1	1	N/A
Off-Street Parking	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 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)	R-2 Low Density Residential 2 (Duplex)	R-3 Low Density Residential 3 (Small Lot)	R-4 Medium Density Residential 1 (Townhouse)
Maximum Number of Structures	2	2	2	2
Maximum Size (m ²)	N/A ¹	N/A ¹	N/A ¹	10 per unit
Maximum Height (m)	5	5	5	5
Front Lot Line Setback (m)	15	7.5	4.5	4.5
Rear Lot Line Setback (m)	1.5	1.5	1	1.5
Exterior Side Lot Line Setback (m)	7.5	3.6	3.6	7.5
Interior Side Lot Line Setback (m)	1	1	1	1

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					♦ ¹⁰			
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, 10}	
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	◆ ^{8,9}	
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 hectare.

(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
Front Set back	0 ^{1,3}	0 ^{1,3}	See Note 15	7.5	4.5	7.5	7.5	7.5
Rear Set Back	0 ²	0 ²	See Note 16	6	6	6	4	6
Interior Side lot line setback	0 ³	0 ³	See Note 17	3.6	3.6 ⁹	3.6	4	3
Exterior Side lot line setback	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 deemed to be on Esplanade Avenue; and
 - b) both Cedar and Lillooet Avenues shall 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
<i>PRINCIPAL BUILDING</i>	
<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.

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

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(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
Minimum Parcel Area	0.3 of a hectare
Minimum Parcel Width	40 metres
Minimum Setback – all parcel lines <ul style="list-style-type: none"> • First storey • Second storey and above 	0 metres 3.0 metres
Maximum Parcel Coverage	100%
Maximum Residential Density	173 units per hectare
Maximum Floor Area Density	1.83
Maximum Building Height	7 storeys or 25 metres, whichever is lesser
Parking and Loading	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	
Maximum Number	1
Maximum Lot Coverage	10%
Minimum Lot Size	8000 m ²
Minimum Lot Width	60 metres
Maximum Height	10.0 m
Front Lot Line Setback	10.0 metres
Rear Lot Line Setback	10.0 metres
Exterior Lot Line Setback	7.5 metres
Interior Lot line Setback	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	5 metres
Front Lot Line Setback	15 metres
Rear Lot Line Setback	3 metres
Exterior Lot Line Setback	7.5 metres
Interior Lot Line Setback	3 metres

(8) **COMPREHENSIVE DEVELOPMENT ZONE THREE – CD-3**

Amend.
Bylaw No. 1021,
2012

.1) Intent

This zone is intended to provide for *low density, single detached dwellings* on small bare land strata *parcels* located on Plan 35160, Lot 37, Section 12, Township 4, Range 29, Meridian W6, Land District NW.

.2) Permitted Uses

The following uses and no others are permitted in the CD-3 zone:

Principal Uses

- .1 *Single Detached Dwelling*

Accessory Uses

- .1 *Home Occupation;*
.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 All parcels shall have vehicle access only through a common lane in the rear.
- .3 Landscaping and screening shall be approved by the Village and conducted in accordance with the conditions outlined within the Zoning Bylaw 1020.

.4) Regulations

On a *parcel* zoned CD-3, 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
Minimum Lot Size	335 m ²
Minimum Lot Width	10.5 metres
Maximum Number of <i>Principle Buildings</i>	1
<i>Principle Buildings Minimum Setback</i> <ul style="list-style-type: none"> • front parcel line • interior parcel line • exterior parcel line • rear parcel line 	4.5 metres 1.2 metres 1.2 metres 4.0 metres
Maximum Number of <i>Accessory Buildings and Structures</i>	2
<i>Accessory Building and Structures Minimum Setback</i> <ul style="list-style-type: none"> • front parcel line • interior parcel line • exterior parcel line • rear parcel line 	4.5 metres 1.0 metres 1.2 metres 1.0 metres
Maximum Lot Coverage	60%
Maximum Building Height	7.5 metres for <i>principle buildings</i> 3.8 metres for <i>accessory buildings</i>
<i>Parking and Loading</i>	2 parking spaces per parcel

.5) Community Amenities

On a parcel zoned CD-3, no building or structure shall be constructed until the following community amenity has been provided to the Village:

1. A \$15,000 contribution towards beachfront and waterfront streetscape improvements.

.6) Comprehensive Development Plan

On a parcel zoned CD-3, 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 as Schedule 1.

(9) **COMPREHENSIVE DEVELOPMENT ZONE 4 – CD-4**

.1) Intent

This zone is intended to provide for a marine-oriented development. The development is to feature space for marina boat moorage, multi-unit dwellings, restaurants, recreational and public amenities, and related retail services on the property legally described as District Lot 5031, Group 1, New Westminster Land District, PID 002-410-257, containing about 7,568 m2 of land area (upland), and Block A of District Lot 7211, Group 1, New Westminster Land District, containing about 4.3 hectares of waterlot (waterlot lease 232640)

.2) Permitted Uses

The following uses and no others are permitted in the CD-4 zone:

Principal Uses

- .1 Marina;
- .2 Multi-family dwellings;
- .3 Public community facility.

Accessory Uses

- .1 Offices (maximum 900 m² in combination with retail stores);
- .2 Restaurants and Retail space (maximum, 1000 m²);
- .3 Home Occupations;
- .4 Parking areas and Parking garage;
- .5 Marina fuel sales and services (maximum 1);
- .6 Indoor recreation facilities;
- .7 Outdoor recreation facilities;
- .8 Entertainment facilities;
- .9 Floating homes (maximum 15 units).

.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 225 m²;
 - (d) Provide private amenity areas of no less than 10 m² for each dwelling unit.

.4) Regulations

On a *parcel* zoned CD-4, 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
Minimum <i>Lot Size</i>	2200 m ²
Minimum <i>Setback</i> <ul style="list-style-type: none"> • <i>front parcel line</i> • <i>interior parcel line</i> • <i>exterior parcel line</i> • <i>rear parcel line</i> 	3 metres 1.2 metres 3 metres 2.5 metres
Maximum <i>Residential Density</i>	100 units per hectare
<i>Accessory Building and Structures Minimum Setback</i> <ul style="list-style-type: none"> • <i>front parcel line</i> • <i>side parcel line</i> • <i>rear parcel line</i> 	3 metres 3 metres 2 metres
Maximum <i>Lot Coverage</i>	50%
Maximum <i>Building Height</i>	7 storeys or 30 metres, whichever is lesser
<i>Parking and Loading</i>	1.5 spaces per multi-family unit 1 space per floating home 1 space per 30 m ² of office/retail space 1 space per 16 m ² of restaurant space 1 space per 3 berths in the marina

.5) Community Amenities

On a parcel zoned CD-4, no building or structure shall be constructed until the following community amenity has been provided to the Village:

2. the offered \$375,000.00 community amenity contribution as outlined within the Development Agreement;
3. the offered easement on Block A of District Lot 7211, Group 1, New Westminster Land District waterlot to facilitate access and moorage for Block D of District Lot 5784 and 7211, Group 1, New Westminster District waterlot as outlined within the Development Agreement.

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.6) Comprehensive Development Plan

On a parcel zoned CD-4, 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 as Schedule 1.

(10) COMPREHENSIVE DEVELOPMENT ZONE 5 – CD – 5

.1) Intent

The purpose of this zone is to designate land in areas of attractive natural assets, which, by reason of their setting and the feasibility of access to water and sewer are suitable for development of bare-land strata subdivisions with a full range of resort or recreational amenities for the use of the property owners, but which, because of their setting or location, are not appropriate for conventional urban housing development over the long-term.

.2) Permitted Uses

The following uses and no others are permitted in the CD-5 zone:

Principal Uses

.1 Private Resort Residential Development

Accessory Uses

.1 Garden/Storage Shed

.3) Conditions on Use

- .1 All principle uses shall be connected to the Village of Harrison Hot Springs community water system and sanitary sewer system.**
- .2 Common amenity and recreation facilities, shall be provided for the exclusive use of residents of the private resort residential development and their guests.**
- .3 Common amenity and recreation facilities may include clubhouses or recreational buildings, outdoor recreational facilities such as tennis courts, swimming pools, picnic sites, trails, open park areas, and natural habitat areas.**
- .4 No recreational vehicles shall be occupied on lands within the private resort residential development.**

.4) Regulations

On a parcel zoned CD-5, 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
Minimum Strata Lot Size	130 m ²
Minimum Strata Lot Width	9 metres
Minimum Strata Lot Depth	15 metres
Minimum Strata lot Setback <ul style="list-style-type: none"> • front parcel line • front parcel line to deck • interior parcel line • exterior parcel line • rear parcel line 	2 metres 6 metres 1.2 metres 1.2 metres 3.5 metres
Maximum Residential Density	50 units per hectare
Maximum Number of Accessory Buildings	1
Accessory Building and Structures Minimum Strata Lot Setback <ul style="list-style-type: none"> • front parcel line • side parcel line • rear parcel line 	6 metres 1 metres 1 metres
Maximum Lot Coverage	50%
Maximum Building Height	7.5 metres for principle buildings 3.0 metres for accessory buildings
Parking and Loading	1 space per parcel

.5) Community Amenities

On a parcel zoned CD-5, no building or structure shall be constructed until the following community amenity has been provided to the Village:

4. the offered \$650.00 per unit community amenity contribution as outlined within the Development Agreement;

.6) Comprehensive Development Plan

On a parcel zoned CD-5, 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 as Schedule 1.

.7) Amenity and Common Building Setbacks

Amenity or common buildings or structures shall only be located on common land. No part of any amenity or common building or structure located on common lands shall be located closer than:

- *3 metres from the strata lot boundary (AB#1081)*

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>

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<p style="text-align: center;">COLUMN I Class of Building</p>	<p style="text-align: center;">COLUMN II Required Number of Spaces</p>
<p>Fire Station <i>Fuel Service Station</i></p>	<p>3 per bay 1 per 40 m² of <i>gross floor area</i> and 1 per 2 fuel or propane pumps</p>
<p>Funeral Home Hair Salon</p>	<p>1 per 8 seating places in chapel 1 per 20 m² of <i>gross floor area</i> or 2 per employee</p>
<p><i>Holiday Park</i></p>	<p>1 per recreational vehicle space and 1 per 2 employees</p>
<p><i>Hotel</i></p>	<p>1 per guest room and 1 per 8 seats in a restaurant or bar and 1 per 10 m² (108 ft²) of banquet or dance floor area and 1 per 3 employees (on each shift).</p>
<p>Laboratory</p>	<p>1 per 40 m² of <i>gross floor area</i></p>
<p>Laundromat</p>	<p>1 per 2 washing machines</p>
<p>Liquor Store</p>	<p>1 per 30 m² of <i>gross floor area</i></p>
<p><i>Lodging House/Hotel</i></p>	<p>1 per 2 beds or 1 per sleeping unit</p>
<p>Marina</p>	<p>1 per 2 berths</p>
<p>Medical Office or Clinic</p>	<p>1 per 20 m² <i>gross floor area</i> or 4 per doctor</p>
<p>Miniature Golf</p>	<p>1 per hole</p>
<p>Mini-Storage Facility</p>	<p>1 per 100 m² of <i>gross floor area</i> with a minimum of 5 spaces</p>
<p><i>Motel</i></p>	<p>1 per guest room and 1 per 8 seats in cafe, restaurant or bar and 1 per 10 m² (108 ft²) banquet or dance floor area and 1 per 3 employees (on each shift)</p>
<p><i>Multi-Family Dwelling</i></p>	<p>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.</p>
<p><i>Neighbourhood Pub</i></p>	<p>1 per 5 seats</p>
<p><i>Nightclub</i></p>	<p>1 per 5 seats</p>
<p>Office</p>	<p>1 per 30 m² of <i>gross floor area</i></p>
<p>Post Office</p>	<p>1 per 30 m² of <i>gross floor area</i></p>

<p style="text-align: center;">COLUMN I Class of Building</p>	<p style="text-align: center;">COLUMN II Required Number of Spaces</p>
Public Assembly Facility	1 per 8 seats or persons
Pool Table/Billiard Facility	1 per table
Racquet Court	1 per court
Recreational Facility, Indoor	1 per 8 seats or persons
Rental Shop	1 per 40 m ² of gross floor area
Restaurant	1 per 5 seats
Restaurant, Take-Out	2 per cash drawer
Retail Store	1 per 30 m ² of gross floor area
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 gross floor area
Single Detached Dwelling	1 per dwelling
Supermarket	1 per 30 m ² of gross floor area
Theatre	1 per 10 seats
Travel Agent	1 per 20 m ² of gross floor area or 2 per employee
Warehouse/Storage Facility	1 per 180 m ² of gross floor area

.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	
• Buildings which have less than 500 m ² of <i>gross floor area</i>	1
• Buildings which have between 500 m ² to 2,000 m ² of <i>gross floor area</i>	2
• Buildings which have more than 2,000 m ² of <i>gross floor area</i>	3
Institutional	
• Buildings which have less than 2,800 m ² of <i>gross floor area</i>	1
• Buildings which have 2,800 m ² or more <i>gross floor area</i>	2
Residential	
• For every 2,000 m ² 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

“Zoning Bylaw No. 1020, 2012” adopted on the 7th day of January, 2012

Amendment Bylaw No. 1021, 2013 adopted on the 18th day of February, 2013

Amendment Bylaw No. 1028, 2013 adopted on the 6th of May, 2013

Amendment Bylaw No. 1036, 2013 adopted on the 9th day of September, 2013

Amendment Bylaw No. 1043, 2013 adopted on the 4th day of November, 2013

Amendment Bylaw No. 1076, 2016 adopted on the 6th day of June, 2016.

Amendment Bylaw No. 1081, 2016 adopted on the 6th day of February, 2017.

Amendment Bylaw No. 1094, 2016 adopted on the 6th day of February, 2017.

Amendment Bylaw No. 1108, 2017 adopted on the 14th day of August, 2017.

“Leo Facio”

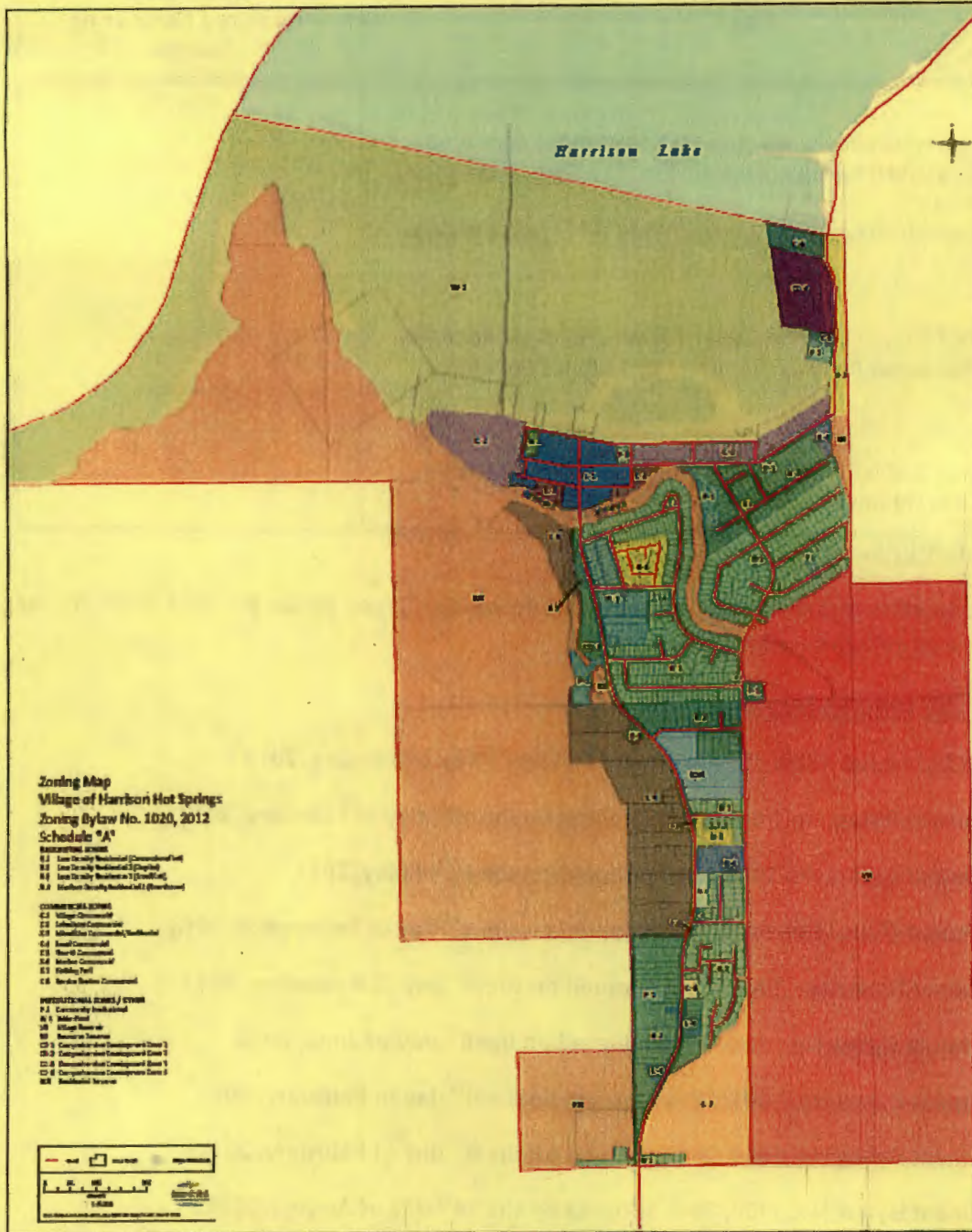
“Debra Key”

Mayor

Corporate Officer

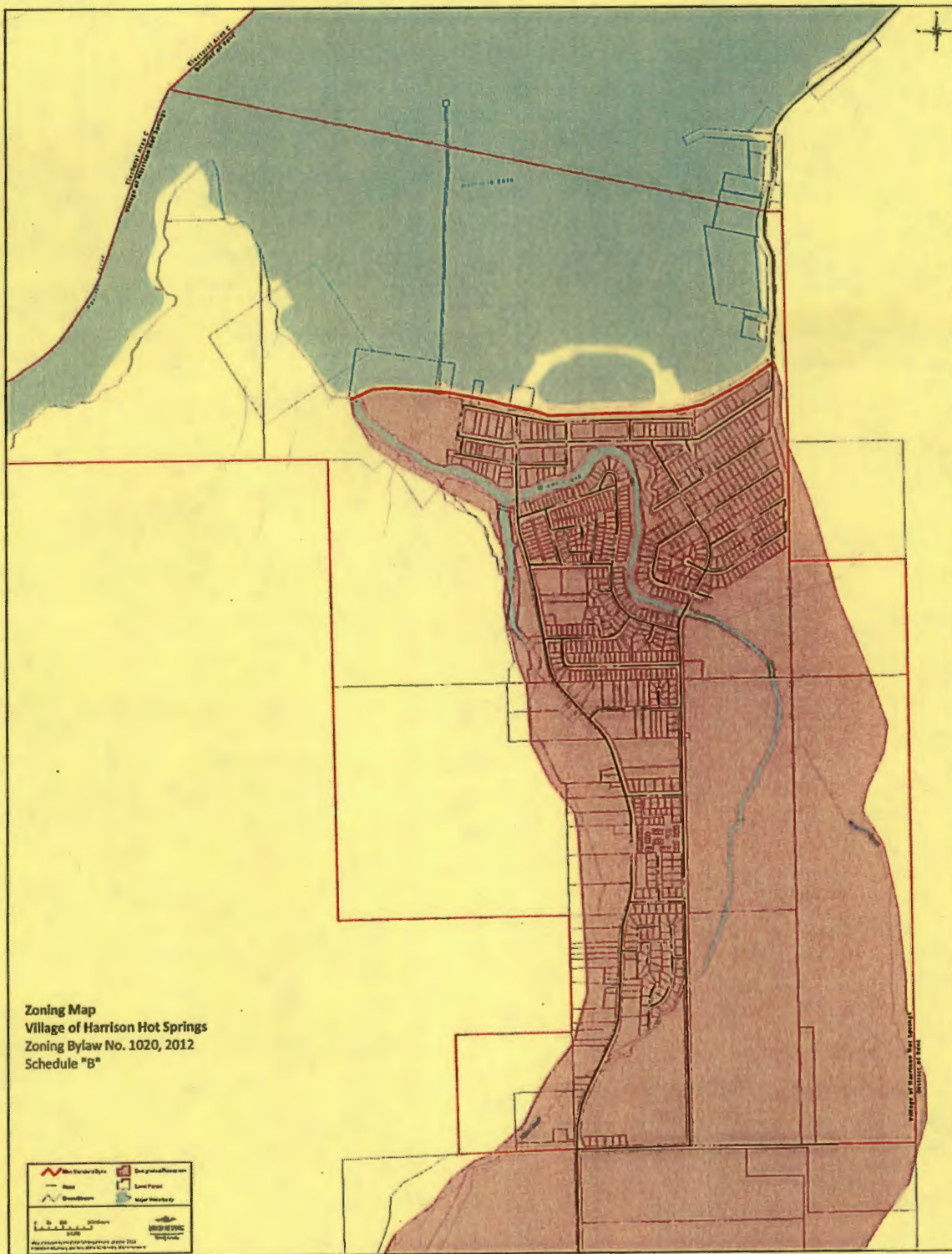
***Harrison Hot Springs Consolidated Zoning Bylaw No. 1020
Consolidated to: August 14, 2017***

Schedule A Zoning Map (Consolidated)



Harrison Hot Springs Consolidated Zoning Bylaw No. 1020
Consolidated to: August 14, 2017

Schedule B Floodplain Map



Harrison Hot Springs Consolidated Zoning Bylaw No. 1020
Consolidated to: August 14, 2017