

REPORT TO:	Council	FOR: Committee of the Whole
REPORT FROM:	Development Services (Planning)	
PRESENTED:	December 17, 2013	FILE: 2013-27 (Bylaw 2303)
SUBJECT:	District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (Technical Amendments Omnibus No. 2) No. 2303, 2013	

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### **Recommendation:**

**That** the District of Squamish provide direction for any changes in advance of staff bringing Zoning Bylaw No. 2200, 2011, Amendment Bylaw (Technical Amendments Omnibus No. 2) No. 2303, 2013 forward for first and second readings.

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#### **1. Purpose:**

The intent of Amendment Bylaw No. 2235, 2012 is to update and make amendments to Zoning Bylaw No. 2200, 2011 in order to keep the Zoning Bylaw current, relevant and accurate.

This report highlights some of the more significant amendments to the Zoning Bylaw, and ensures these changes are consistent with Council direction.

#### **2. Background:**

This is the second round of technical amendments to Zoning Bylaw no. 2200, 2011 (the first amendments were made in July 2012). These amendments have upheld staff's commitment to regularly update Bylaw 2200 to ensure it is a 'living document' that is a clear, cohesive, and effective land use tool. Council adopted Zoning Bylaw No. 2200, 2011 in November 2011, which replaced and repealed Zoning Bylaw No. 1342, 1995. Zoning Bylaw No. 2200 was a comprehensive review and major zoning bylaw overhaul over 18 months that involved consulting expertise, as well as significant consultation including internal staff and Council workshops, and external stakeholder review.

#### **3. Project Information:**

Bylaw No. 2303 is a general collection (omnibus) of technical amendments. As with the first omnibus bylaw, there are a number of technical contradictions and inconsistencies in the Zoning Bylaw that are currently impacting land use interpretations and building permit applications. A number of the changes are of a housekeeping nature correcting typos or clarifying language that was previously subjective. Other proposed amendments address topical issues in Development Services that have emerged since the last Zoning Bylaw review. Undertaking the amendments will benefit all users of the Zoning Bylaw, streamlining interpretations and processing.

Attachment 2 summarizes the full list of proposed zoning amendments, which number nearly 90. The following amendments are highlighted for Council's specific consideration. The omnibus amendment bylaw:

- a) Medical Marihuana Production – Prohibits Medical Marihuana Production within District of Squamish boundaries, per Council motion December 10, 2013, until further public discussion and research is had surrounding medical marijuana production benefits.
- b) Indoor food production – Defines, and includes in the definition of Industrial and Light Industrial, thereby allowing this use on industrial zoned lands.
- c) Alcoholic beverage manufacturing - Allows Alcoholic Beverage Manufacturing use (includes distillery/ brewery/ winery), including tasting room and sales of liquor manufactured on-site, in I-1 and C-4 Zones.
- d) Shipping containers – Provides definitions for Shipping Container and Temporary Building. To provide regulations related to Shipping Containers, such as: use; siting; and adherence to BC Building Code when not considered a Temporary Building. To allow community and event storage in P-3 Zone.
- e) Drive-through restaurants – Restricts further development of drive-through restaurants, per Council motion from December 2012.
- f) Urban agriculture – Allows bee keeping per Council motion from September 2012. To provide regulations surrounding bee keeping and community gardens.
- g) Incorporation of alternative vehicle fuels and electric charging stations – Provides definition for Alternative Fuel Station. To provide definition and regulations for Electric Vehicle Charging Station. To revise name of C-2 Zone 'Gasoline Service Station Commercial' to 'Vehicle Fueling Station' (which includes both gasoline and alternative fuels);
- h) Heat pumps – Requires that heat pumps be a minimum distance of 15'-0" from property line, and not permitted in front yards. This amendment will result in heat pumps being located in the rear yards of a standard RS-1 or RS-2 lot.
- i) Accessory buildings size – Clarifies maximum size of accessory buildings and maximum number. In addition, increases the maximum size of accessory buildings in RM and I Zones from 60 m<sup>2</sup> (645 square feet) to 140 m<sup>2</sup> (1,507 square feet).
- j) Increase height of permitted rural residential accessory buildings – Increases the height of accessory buildings in RL-1 and RL-2 from 15' back to 35', to correct a past oversight.
- k) Pet care – Provides definition for pet daycare and to allow in RL Zones and RE Zone. In addition, allows pet daycare as Home Occupation, Residential business if less than three dogs in a single-unit or two-unit dwelling. Removes 'grooming of domestic dogs and cats' as a permitted use in I-1, but includes it in the definition of Personal Service Establishment, thereby allowing it in C-1, C-4, CD-27, CD-37, CD-48, and CD-71 Zones.
- l) Park, Recreational, and Institutional Use (P-3) – Permits community and event storage as a principal use.

- m) Local Commercial Zone (C-1) – Permits fitness centre; home occupation, office; liquor primary establishment; as principal uses. Permit accessory retail sales as accessory use.
- n) Tourist Commercial Zone (C-3) – Permits a wider range of uses in the C-3 Zone, including arts and culture, interpretive area, and accessory retail sales.
- o) Downtown Commercial Zone (C-4) – Permits assembly; home occupation, office; liquor primary establishment; and alcoholic beverage manufacturing as principal uses. Permit accessory retail sales as accessory use.
- p) Light Industrial (I-1) – Permits alcoholic beverage manufacturing as principal use. Remove grooming of domestic cats and dogs use.
- q) Resource land use – Zones any “uncoded” or “unzoned” land as Resource.
- r) Off-street parking design criteria – Requires that driveways to residential units be a minimum of 6 metres (19.7 ft) in length.

#### **Notes on amendments:**

Comprehensive Development (CD) zones were generally not edited. For instance where drive-through use is permitted in a CD zone, or where parking is identified as a permitted use in a CD zone (parking should not be identified as a permitted use, because parking is a regulation and regulated in Section 40 of the Zoning Bylaw), those regulations were left untouched in those zones.

#### **Policies related to the following items will be brought forward to Council for consideration and discussion:**

- (a) Food trucks – Staff will be bringing forward a more detailed discussion for Council related to permitting food trucks and mobile vending as part of the Business License Bylaw review in 2014. Currently the zoning bylaw is silent on temporary commercial vending as well as mobile food or other vending trucks, however a limited number of food trucks are permitted through the Business License Bylaw.
- (b) Wildlife Attractant Bylaw will be updated with additional detail surrounding bee keeping requirements. While certain regulations for bee keeping are captured in this Zoning Bylaw amendment, greater detail could be provided in an amended Wildlife Attractant Bylaw.

#### **4. Department Comments:**

This suite of Zoning Bylaw amendments has been identified through implementation of Zoning Bylaw 2200, 2011 since the last omnibus amendment in July 2012. The amendments have been reviewed by a cross-section of staff departments that implement the zoning bylaw. These amendments will improve understanding and usability of the bylaw.

By undertaking ongoing technical amendments to the Zoning Bylaw, Bylaw 2200 will continue to be a current, relevant document that keeps abreast of legislative changes. Ultimately, by undertaking regular maintenance and periodic Zoning Bylaw updates, the need for large and expensive ‘overhauls’ in the future will be substantially reduced.

Bylaw 2303 will be brought forward for consideration of First and Second Reading in January 2014. In this report, amendments are presented in advance of First and Second Reading in order to get feedback from Council and to incorporate any proposed changes in Bylaw 2303.

## **5. Implications:**

### **a) Budget:**

There are generally no budget implications for the proposed zoning omnibus amendments. One exception for Council awareness and consideration are taxation implications for uses such as Indoor Food Production and Community Gardens.

For example, allowing indoor food production on industrial land may have farm tax implications (e.g. if land owners apply for Farm reclassification, there is potential for reduction in tax revenue). The idea of indoor food production is gaining momentum and the District has received inquiries about this type of use. Indoor food production meets the land use intent and definition of industrial (e.g. production and processing) under the zoning, and supports opportunities for local food production.

Staff also notes that with conversion of vacant lots for community garden use (already allowed in any zone) property owners may apply for reassessment from “business or commercial” to “recreational or non-profit”. Where approved by BC Assessment, owners are eligible for reduced taxes which impacts tax revenues. In some jurisdictions where gardens proliferate like the City of Vancouver, the tax reclassification issue has become a concern and a “fair taxation model” is under review that would not shift the tax burden to other commercial property owners.

### **b) Policy:**

n/a

### **c) Environmental:**

Amendments related to urban agriculture including community gardens and bee keeping will allow Squamish residents to eat food grown closer to home, thereby reducing the environmental impact of our food systems.

### **d) GHGe:**

Amendments related to electric vehicle charging stations and alternative fuel infrastructure will ease installation of charging stations and alternative fuel infrastructure which will reduce GHGe.

e) **Council Priority and Strategic Plan Alignment:**

This technical omnibus amendment aligns with Council's 2013 Strategic Initiative of 'Responsible Provision of Services: Improve Business Processes', in that it makes changes to the Zoning Bylaw that aid in interpretation for the public, Council, and staff, and the omnibus amendment also addresses topical issues in the community with timely and relevant amendments.

6. **Attachments:**

1. Summary of Zoning Bylaw omnibus amendments
2. Draft Bylaw No. 2303, 2013

7. **Alternatives to Staff Recommendation:**

**That** the District of Squamish Council not receive the December 17, 2013 Report regarding the Zoning Bylaw No. 2200, 2011, Amendment Bylaw (Technical Amendments Omnibus No. 2) No. 2303, 2013; and provide direction for any changes in advance of staff bringing Bylaw No. 2303, 2013 forward to First and Second Reading;

And/or another course of action as determined by Council.

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Elaine Naisby, PIBC Candidate Member, BCSLA  
Planner, Development Services

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Sarah McJannet, MCIP, RPP  
Acting Director, Planning Services

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Robin Arthurs  
GM, Corporate Services

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Linda Glenday

GM, Development Services and Public Works

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Joanne Greenlees

GM, Financial Services

**CAO Recommendation:**

That the recommendation of the Planning Department be approved.

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C. Speaker, CAO

## 2013 Zoning Bylaw Omnibus Amendment - Summary

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The following amendments are highlights from the attached summary table, explained:

a) Medical Marihuana Production

On December 10, 2013, District of Squamish Council passed the following resolution:

“THAT pursuant to section 929(2) of the *Local Government Act*, Council directs staff to commence preparation of a bylaw to amend the District’s Zoning Bylaw No. 2200, 2011 to prohibit the use of any land within the municipal boundaries of the District of Squamish for federally licensed medical marihuana grow operation.

This course of action will prohibit any **new** federally licensed medical marihuana grow operations within District of Squamish. Existing **commercial** licensed and permitted grow operations will become ‘pre-existing, non-conforming’, and will be able to continue their operations. Existing **personal** grow operations will be phased out through changes to federal licensing.

To incorporate this change, the zoning bylaw has been amended as follows:

- General Regulation No. 4.32 is amended to
  - Provide a definition that reflects new federal Marihuana for Medical Purposes Regulations (MMPR).
  - Prohibit medical marihuana production anywhere within District of Squamish boundaries.
- Industrial and Light Industrial definitions are amended to eliminate references to medical marihuana.

b) Alcoholic beverage manufacturing - Distillery/ Brewery/ Winery – Changes to provincial liquor laws in March 2013 allow on-site lounges or tasting rooms. Staff recommends making Alcoholic Beverage Manufacturing use, together with tasting room use and sales of liquor manufactured on-site that are permitted under accessory retail sales, explicit in the Zoning Bylaw. This has been done by adding a definition for Alcoholic Beverage Manufacturing which comprises a tasting room and accessory retail sales, and allowing this use in I-1 and C-4. C-4 (Downtown) does not typically have manufacturing uses in it, but for smaller operations that do not require a lot of space and can add to the downtown transformation with a tasting room, this amendment would be in keeping with the Brew Pub use that is already a success in the Downtown area.

c) Shipping containers – Previously undefined in the Zoning Bylaw, Shipping Containers have now been included in three ways:

- A definition for Shipping Container has been added.
- A definition for Temporary Building has been added, which includes a timeframe of one year.
- Regulations around Shipping Containers have been added to the Accessory Buildings section of General Regulations.

Previously undefined in the Zoning Bylaw, these amendments include addition of a definition for Shipping Container, a definition for Temporary Building (1 year), and regulations for Shipping Containers added to the Accessory Buildings section of General Regulations. In addition, P-3 zone now includes Community and Event Storage as a principal use to accommodate community group storage.

*A shipping container is an accessory building if it is not a temporary building as defined in this Bylaw. Shipping containers shall:*

- (a) adhere to the BC Building Code and to the District of Squamish Building Bylaw requirements, and all enactments applicable to electrical and fire safety;*
- (b) be used for auxiliary storage purposes only, and not be reconstructed, altered or modified in any way to be used for living accommodation or human habitation for either personal or business purposes;*
- (c) not be used to store animals, refuse or contaminated or hazardous materials;*
- (d) not be stacked one upon another;*
- (e) not occupy required parking and loading spaces or interfere with the circulation of vehicles or pedestrians;*
- (f) comply with the setback requirements for accessory buildings in the applicable zone; and*
- (g) comply with all other applicable provision contained within this bylaw.*

d) Drive-through restaurants

Per Council motion from December 2012, the permitted use “drive through restaurant” has been removed from the Tourist Commercial C-3 Zone, where it was a generally permitted use. The remaining references to “drive through restaurant” as a permitted use were in Downtown Commercial C-4, Specialized Highway Commercial C-9, and Light Industrial I-1, however, in all these zones, it was restricted to certain legal parcel numbers. Since Council has directed “no further development of drive-through”, references to parcels where “drive-through” is existing will remain. For those parcels that do not have a drive-through currently constructed on them, references to drive throughs are removed. Where “drive-through restaurant” is a permitted use in a CD zone, drive-through restaurant has not been removed from the list of permitted uses.

- e) Urban agriculture regulations have been added relating to community gardens and bee keeping, in a new ‘Urban Agriculture’ section of the General Regulations. The keeping of bees has been included in the ‘agriculture, urban’ definition.



have been added relating to community gardens and bee keeping, in a new 'Urban Agriculture' section of the General Regulations. The keeping of bees has been included in the 'agriculture, urban' definition.

- f) Pet care – Currently pets are addressed in the Zoning Bylaw with a definition for kennel and pet grooming as a permitted use in I-1. There is no definition for pet daycares, nor inclusion of pet daycares in any zone.
- Currently grooming of domestic dogs and cats is a permitted use in I-1 only. There are at least two such establishments in I-1. The proposed amendments are structured so that the existing establishments can operate as pre-existing, non-conforming use, but pet grooming use aligns better with Personal Service Establishment than as a use on industrial-zoned land. With this amendment, pet grooming will be removed as use in I-1, and will be added to the definition of Personal Service Establishment, and permitted accordingly in zones that permit Personal Service Establishment, which are C-1, C-4, CD-27, CD-37, CD-48, and CD-71 Zones.
  - Pet daycare - The amendment creates a definition (currently undefined), and permits pet daycare where kennel use is currently permitted (in rural residential and resource land). The amendment clarifies kennel definition to overnight boarding of four or more dogs. In addition, amendment to Home Occupation, Residential to allow pet daycare if less than three dogs in a single-unit or two-unit dwelling is also a consistent approach to the District of North Vancouver.

Currently pets are addressed in the Zoning Bylaw with a definition for kennel and pet grooming as a permitted use in I-1. There is no definition for pet daycares, nor inclusion of pet daycares in any zone.

- g) Accessory buildings size – Amendments were made to this section in order to clarify the language to aid in interpretation. In addition, the maximum size of accessory buildings has been a challenge on certain projects where variances have been sought, and the recommendation is to increase the maximum size of accessory buildings in certain zones. Proposed amendments are as follows:

Previously:

**Section 4.4 [Accessory Buildings, Structures and Uses]**

- (b) *One accessory building or structure is permitted per lot in all zones, except as otherwise provided for in this Bylaw.*
- (c) *In relation to Section 4.4 (b), up to 5 buildings, each not exceeding 10 square metres in gross floor area, may be permitted on a lot provided that all the regulations in this section and in the appropriate zone can be satisfied.*
- (d) *All accessory buildings and structures, including accessory buildings and structures permitted on a temporary basis, shall satisfy the following conditions:*
- v) *the gross floor area shall not exceed in total 60 square metres (645 square feet), except as otherwise provided for in this Bylaw;*

Proposed amendments

*(b) The gross floor area of all accessory buildings on one lot shall not exceed in total 60 square metres (645 square feet), except as otherwise provided for in this Bylaw;*

*(c) In relation to Section 4.4 (b), up to 5 buildings may be permitted on a lot provided that all the regulations in this section and in the appropriate zone can be satisfied.*

1. 60m<sup>2</sup> (645 square feet) in the RS, RMH and RL-1, C, UC and RE zones
2. 140 m<sup>2</sup> (1,507 square feet) in the RM, RL-2 and I zones

- h) Increase height of permitted rural residential accessory buildings – Rural residential accessory building height had been increased previously through a bylaw amendment, but our current Zoning Bylaw does not reflect this (appears to be a technical oversight). The recommendation is to revise the current 15' height limitation back to the maximum 35' height that had been permitted. Staff has had several inquiries from residents on rural land wishing to build barns or stables, and all would require a variance to the current maximum height.
- i) Heat pumps – there have been conflicts between neighbours regarding the increase of heat pumps that are located within side-yard setbacks. The recommendation is to provide a required distance of 15'-0" from property line, and not permit heat pumps in front yards. This amendment will result in heat pumps being located in the rear yards of a standard RS-1 or RS-2 lot.
- j) Incorporation of alternative vehicle fuels and electric charging stations –
- Definitions are added for Alternative Fuel Station, Electric Vehicle Charging Station and Vehicle Fueling Service Station (this includes both gasoline and alternative fuels);
  - The C-2 zone (previously Gasoline Service Station Commercial) is amended to become "Vehicle Fueling Service Station Commercial" to capture alternative fuels as well as gasoline service stations.
  - Regulations are added to Section 4 General Regulations for Electric Vehicle Charging Stations.
  - 1 off-street parking stall is required for each electric vehicle charging station bay.
- k) Tourist commercial zone (C-3)– The amendments propose a wider range of permitted uses in the C-3 Zone, including arts and culture, interpretive area, and accessory retail sales that would allow for more current and diverse tourist commercial uses.
- l) Resource land use - Where there is no zone specified, the zone shall be Resource. Other Zoning Bylaws include a statement that describes what happens if a parcel of land is found to be "uncoded" or "unzoned". This is not common, but it does happen from time to time. These parcels are typically on the outskirts of the municipality and would typically align with Resource land uses.

## 2013 Zoning Bylaw Omnibus Amendment - Summary

	Section #	Section Name	Proposed Amendment	Notes
	<b>Section 1 - Definitions / Interpretations</b>			
1	1	ACCESSORY BOARDING	Edit definition	Clarification
2	1	ACCESSORY RESIDENTIAL DWELLING	Add definition	Previously undefined
3	1	ACCESSORY USE	Add definition	Previously undefined
4	1	AGRICULTURE, URBAN	Include keeping of bees. Add stipulation that urban agriculture use does not include accessory retail sales.	Re. keeping of bees: As per the Council motion from the July 24, 2012 COW and ratified in the Sept. 4, 2012 Council meeting to include bee apiary as a permitted use in the District; and clarification
5	1	ALCOHOLIC BEVERAGE MANUFACTURING	Add definition	Previously undefined
6	1	ALTERNATIVE FUEL SERVICE STATION	Add definition	Previously undefined
7	1	AUTOMOBILE-ORIENTED COMMERCIAL	Edit definition	Revise 'gasoline service station' to 'vehicle fueling station', to allow for alternative fuel stations as well.
8	1	BUILDING AREA	Add definition to match BC Building Code definition	Previously undefined
9	1	CINEMA	Add definition	Previously undefined
10	1	COMMUNITY GARDEN	Add definition	Previously undefined
11	1	ELECTRIC VEHICLE CHARGING STATION	Add definition. Permit in all zones but residential zones.	Previously undefined
12	1	FLOOR AREA	Add definition to match BC Building Code definition	Previously undefined
13	1	GARAGE	Delete last few words of definition.	Typo.

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14	1	HEIGHT	Revise how height calculations are determined, from 'eaves' to 'top of top floor walls'.	Max height needs a definition of exactly where a measurement from the "eaves" is taken. The eaves is defined as that portion of the roof between the wall and the end of the rafters. This leaves room for interpretation as to what part of that we measure from. A builder could also extend his over hangs as far as possible to allow for greater rise on the main roof.
15	1	HOME OCCUPATION, RESIDENTIAL	Edit definition	Clarification surrounding what types of businesses are considered Home Occupation, Residential
16	1	INDOOR FOOD PRODUCTION	Add definition	Previously undefined
17	1	INDUSTRIAL	Amend definition to remove Medical Marihuana Production and to include indoor food production use.	Revision
18	1	KENNEL	Clarify that it is four or more dogs, and that it means <u>overnight boarding (as opposed to pet daycare)</u> .	Clarification
19	1	LIGHT INDUSTRIAL	Amend definition to remove Medical Marihuana Production and to include indoor food production use.	Revision
20	1	LIQUOR STORE	Clarification that an accessory retail sale of alcohol that is manufactured on-site by an Alcoholic Beverage Manufacturer use is not considered a liquor store.	Clarification
21	1	MEDICAL MARIHUANA PRODUCTION	The definition for Medical Marihuana is deleted from the Definitions section. It is now defined in Section 4.32 of General Regulations.	Previously there were two definitions relating to Medical Marijuana Production: Medical Marihuana Production and Medical Marihuana Production, Multiple Users. These definitions were specific to the previous federal MMAR regulations. Deletion per Council motion Dec. 10, 2013.
22	1	NEIGHBOURHOOD ENERGY UTILITY	Add definition	Previously undefined
23	1	NURSERY	Add definition	Previously undefined
24	1	PERSONAL CARE SERVICE	Edit definition. Previously said that "allows building residents" but the wording building residents is extraneous to the definition, so that wording was removed.	Clarification
25	1	PERSONAL SERVICE ESTABLISHMENT	Include "grooming of domestic dogs and cats" and "tattoo parlour"	Clarification. This will now allow pet grooming in all zones that permit Personal Service Establishment, these include: C-1, C-4, CD-27, CD-37, CD-48, and CD-71 Zones.
26	1	PET DAYCARE	Add definition	Previously undefined

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27	1	PET GROOMING	Add definition	Previously undefined, but called "Grooming of domestic dogs and cats" in I-1 permitted uses.
28	1	SHIPPING CONTAINER	Add definition	Previously undefined
29	1	VEHICLE FUELING STATION	Add definition	Previously undefined.
30	1	TEMPORARY BUILDING	Add definition	Previously undefined. Definition aligns with DOS Building Bylaw.
	<b>Section 4 - General Regulations</b>			
31	4.2	General Regulations	Six sections were re-organized in order to group similar items in the General Regulations for ease of reference.	For ease of use
32	4.2	Uses Permitted in All Zones	Interpretive signage was permitted if located within municipal road allowances or municipal park - remove the location specified to allow interpretive signage anywhere in the District.	Revision
33	4.2	Uses Permitted in All Zones	Add "trails" as a permitted use in all zones.	Makes sense
34	4.2	Uses Permitted in All Zones	"including community gardens" has been deleted from urban agriculture here because it was already included in the definition of urban agriculture.	Redundant
35	4.3	One Building on Any One Lot	This information is contained within the zones themselves and is therefore redundant. Suggest to remove this section.	Not more than one principal building shall be located on any lot within a residential zone, except in an RM 1, RM 2, RM 3, CD, RMH 1, or RMH 2 Zone or as otherwise provided for in this Bylaw.
36	4.4	Accessory Buildings, Structures and Uses	Amendments were made to this section in order to clarify the language to aid in interpretation.	Clarification
37	4.4	Accessory Buildings, Structures and Uses	Revise maximum size of accessory buildings in the RM, RL-2 and I zones; to 140 m2 (1,507 square feet) (used to be 60m2 (645 square feet))	Revision
38	4.4	Accessory Buildings, Structures and Uses	Add language that not permitted in front yard.	Clarification

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39	4.4	Accessory Buildings, Structures and Uses	Shipping containers - add regulations.	Previously undefined.
40	4.4	Accessory Buildings, Structures and Uses	(f) add in "unless otherwise provided for in this Bylaw" to reflect the higher rural residential heights.	Clarification
41	4.6	Fencing	electric fence requirements related to bee keeping have been added	Per Council resolution to allow bees
42	4.11	Projections into Required Setback	(a) add eaves which incorporate a guard to exemptions.	
43	4.12	Utility Siting	Renamed 'Satellite Dishes' to 'Utility Siting'	To capture wider breadth of siting requirements for satellite dishes as well as heat pumps and otherwise.
44	4.12	Utility Siting	Added in heat pump siting requirements	There have been complaints between neighbours regarding the noise of heat pumps located within side yard setbacks.
45	4.16	Mixed Commercial and Residential Use	Revise 'gasoline service station' to 'vehicle fueling station', to allow for alternative fuel stations as well.	
46	4.18	Home Occupation	remove reference to size of agricultural operation	
47	4.25	GFA	Revise to ensure GFA exclusion for concealed parking areas for multi-unit residential buildings	
48	4.31	Electric Vehicle Charging Stations	Add regulations	New section to reflect increase in electric vehicle charging station interest.
49	4.32	Medical Marihuana Production	General Regulation No. 4.32 is amended to define Medical Marihuana Production and to prohibit Medical Marihuana Production anywhere within District of Squamish boundaries.	Per Council motion Dec. 10, 2013.
50	4.33	Agriculture, Urban	Add regulations related to community gardens and bee keeping.	
<b>Section 5 - Establishment of Zones</b>				
51	5.1	Zone Designations	Amend zone name from 'Gasoline Service Station Commercial' to 'Vehicle Fueling Station Commercial'; and amend zone intent to include alternative fuels.	
52	5.2	Zoning Map	Where there is no zone specified, the zone shall be zoned Resource.	

	<b>Section 6 to 39 - Zones</b>			
53		RS-1, RS-1A, RS-2, RL-1, RL-2(confirm), C-1, C-2, C-4, C-5, C-6, C-7	Delete reference to Section 4.2 - because it is referencing the wrong section, and because the reference does not state anything different than what is already stated in each zone: that one principal building is permitted per lot.	Clarification
54	8.2	RS-2	(c) The minimum lot width is 18.36 metres (60 feet) for single unit dwellings and two-unit dwellings where one unit is above the other (vertical duplex) or front-and-back (lane-way duplex). (d) The minimum lot width is 23 metres (75 feet) for two-unit dwellings where the two units are side by side (horizontal duplex).	Revised wording for clarity.
55	14.3/ 15.3	RL-1/ RL-2	change accessory building heights back to 35	Revision, to reflect earlier amendment to height for these zones
56	14.3/ 15.3	RL-1/ RL-2	Add 'pet daycare' as a principle use	Revision
57	15.1	RL-2	Reference numbers in items (j) (k) (m) were all off by one number.	Typo
58	18.1	P-3	Add community and event storage as a principal use	To allow for community storage
59	21	RE	Add 'pet daycare' as a principle use	Previously, pet daycare not defined
60	22.1	C-1	Add 'fitness centre' as as a principal use	So people can exercise close to home
61	22.1	C-1	Add 'home occupation, office' as a principal use	For apartment dwellings
62	22.1	C-1	Add 'liquor primary establishment' as a principal use	For neighbourhood pubs
63	22.1	C-1	Add 'accessory retail sales' as accessory use	
64	23	C-2	Amend zone name from 'Gasoline Service Station Commercial' to 'Vehicle Fueling Station Commercial'	Update the zone to reflect a wider choice of fuel station.
65	23	C-2	Amend intent of the zone to reflect alternative fuels as well as gasoline.	Update the zone to reflect a wider choice of fuel station.
66	23.1	C-2	Amend principal permitted use from 'gasoline service station' to 'vehicle fueling station'	Update the zone to reflect a wider choice of fuel station.
67	24.1	C-3	Add 'arts and culture' and 'interpretive area' as principal uses, and 'accessory retail sales' as a permitted accessory use	Update the zone to reflect a wider breadth of tourist commercial uses.
68	24.1	C-3	delete drive-through as a principal use	Per Council motion
69	25.1	C-4	Add 'assembly' as a principal use	Makes sense for people to gather Downtown
70	22.1	C-4	Add 'home occupation, office' as a principal use	For apartment dwellings
71	25.1	C-4	Add 'liquor primary establishment' as a principal use	Should already be included Downtown

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72	25.1	C-4	Add alcoholic beverage manufacturing as a principal use	To allow for brewery, distillery or winery with tasting room Downtown
73	25.11	C-4	Remove reference to one legal parcel that no longer contains a drive-through restaurant Lot H, Block L, District Lot 486, Plan 4107	Per Council motion Dec. 2012 re drive-through restaurants
74	30.1	C-9	Removed "accessory off street parking and loading" identified as a permitted use.	Because parking is a regulation (regulated in Section 40 of the Zoning Bylaw)
75	30.1	C-9	Question as to whether to remove reference to one legal parcel that does not yet contain a drive-through restaurant	Per Council motion Dec. 2012 re drive-through restaurants
76	32.1	I-1	Amend (c ) business and Professional Office, Minor use from "subject to section 4.21", to "subject to section 32.13"	Typo
77	32.1	I-1	Add Alcoholic Beverage Manufacturing as a principal use	To allow for brewery, distillery or winery as a light manufacturing use.
78	32.1	I-1	Remove "grooming of domestic cats and dogs" as a principal use	Rather than allowing in I-1, suggest to amend Bylaw to allow under definition of 'Personal Service Establishment', thereby allowing anywhere that Personal Service Establishment is a principal use in a zone.
79	32.12 (b)	I-1	Amend the legal parcels that have permitted drive-through, as the lots in the Zoning Bylaw were consolidated to one lot.	Update to reflect lot consolidation
80	33.1	I-2	Removed "accessory off street parking and loading" identified as a permitted use	Because parking is a regulation (regulated in Section 40 of the Zoning Bylaw)
81	35.10	I-4	Remove reference to asphalt and cement plant	Because they are no longer permitted uses in I-4 Zone.
82	39L	CD-12	Amend 'multiple unit dwellings' to Multiple-unit residential (appears several times in this zone)	Revise. A remnant from previous ZB omnibus.
83	39Z.1	CD-29	Add cinema as a principal use.	Previously missing (Adventure Centre zone)
84	39GG	CD-37	Entertainment is "subject to 4.25" which is Gross Floor Area - this does not relate so the reference to 4.25 has been removed	Clarification
<b>Section 40 - Off-Street Parking</b>				
85	40.5 (a)	Spaces for Persons with Disabilities	Numbers in the left hand column of table should read 111 – 170, and then 171 – 390.	typo - Transposing error in the last two rows.
86	40.7	Off-Street Parking Requirements	Amend 'Gasoline Service Station' to 'Vehicle Fueling Station', and add requirement for 1 off-street parking stall for each electric vehicle service bay.	Update the zone to reflect a wider choice of fuel station.



**DRAFT**

87	40.11 (d)(vi)	Design criteria	Renumbered - Previously, this incorrectly referenced section 40.10 (d)(i) - should be 40.11(d)(i)	Clarification
88	40.11 (d) (viii)	Off-Street Parking Design Criteria]	(d) Access - Add item (viii): The access to all off-street parking in the form of driveways shall not be less than 6 metres (19.7 ft) in length.	We should have a minimum driveway length to ensure vehicles do not encroach or park on the sidewalk.

**DISTRICT OF SQUAMISH**

BYLAW NO. 2303, 2013

A bylaw to amend the District of Squamish  
Zoning Bylaw No. 2200, 2011

WHEREAS the District of Squamish deems it necessary and appropriate to amend Zoning Bylaw No. 2200, 2011;

NOW THEREFORE the Council of the District of Squamish, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as “District of Squamish Zoning Bylaw No. 2200, 2011, Amendment Bylaw (Technical Amendments Omnibus No. 2) No. 2303, 2013”.
2. **Section 1.3 [Definitions]** is amended by adding the following in alphabetical order:

**ACCESSORY BOARDING** means an accessory use to a principal single unit dwelling, two unit dwelling, or townhouse use for the accommodation of persons other than members of the immediate family. It is contained entirely within the dwelling unit and accommodates a maximum of 2 boarders, but does not include a bed and breakfast nor a secondary suite.

**ACCESSORY RESIDENTIAL DWELLING** means a residential dwelling that is permitted in a non-residential zone, that is accessory to a permitted principal use on a lot.

**ACCESSORY USE** means a use which is:

- a) Subordinate to a principal use on the same lot, and exists to aid/ contribute to/ carry out the function of that principal use;
- b) Subordinate in area, extent and purpose to the principal use served;
- c) Customarily incidental to the principal use; and
- d) A permitted use in the zone in which it is located.

**ALCOHOLIC BEVERAGE MANUFACTURING** includes breweries, distilleries and wineries. It means a use where alcohol is manufactured. This use includes selling of alcoholic off-sales products that are manufactured on site, as well as a tasting area to serve alcohol that is manufactured on site, that complies with federal liquor laws.

**ALTERNATIVE FUEL SERVICE STATION** means anyone of the following:

- a) Electric Vehicle Charging Station;
- b) Fast-fill compressed natural gas (CNG) vehicle refuelling station;
- c) Hydrogen vehicle refuelling station; and/or
- d) Liquefied petroleum gas (propane) vehicle refuelling station.

**BUILDING AREA** means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of firewalls.

**CINEMA** means a means a place where motion pictures are exhibited for public viewing.

**COMMUNITY GARDEN** means a public place for growing and maintaining edible and ornamental plants for personal and non-commercial use or for charitable donation, and operated or overseen by a non-profit society, community group or school.

**ELECTRIC VEHICLE CHARGING STATION** means public electric vehicle charging station located in commercial, comprehensive development, mixed-use, industrial, institutional and civic zones. Public charging stations can supply charging for a fee.

**FLOOR AREA** means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces, and their enclosing assemblies.

**INDOOR FOOD PRODUCTION** means an industrial use where plants are grown inside a building that is connected to District services, including sewer, water, and drainage. May include food processing. Does not include medical marihuana production.

**NEIGHBOURHOOD ENERGY UTILITY (also called DISTRICT HEATING)** means a system for distributing heat generated in a centralized location for residential and commercial heating requirements such as space heating and water heating.

**NURSERY** means a use where plants are propagated and grown. They include retail nurseries which sell to the general public, wholesale nurseries which sell only to businesses, and private nurseries which supply the needs of institutions or private estates. Includes sale of plant-related retail items.

**PET DAYCARE** means premises in which care is provided to household pets during the day and may include the provision of pet training services but does not include breeding or animal boarding facilities.

**PET GROOMING** means grooming of domestic cats and dogs.

**SHIPPING CONTAINER** means a metal transport container with an assigned GVW weight. It is designed for and customarily associated with road, rail or ocean transport with a maximum dimension of eight feet by forty feet by eight feet high.

**TEMPORARY BUILDING** means a building that is intended to be used for a period of time not exceeding one year from the date of issuance of a building permit, after which time it must be removed from site. It does not include construction site temporary buildings which must be removed prior to occupancy of the building where the construction has taken place.

**VEHICLE FUELING STATION** means a gasoline service station or an alternative fuel service station.

3. **Section 1.3 [Definitions]** is further amended by deleting and replacing the following definitions, in alphabetical order:

**ACCESSORY RETAIL SALES** means a sales use accessory to a principal use that:

- a) is accessory to principle commercial, agricultural or industrial uses permitted in the zone;
- b) for industrial zones: is manufactured, repaired, warehoused or wholesaled on the same lot;
- c) is limited to 20% of the total floor area contained within the building where the accessory retail sales will occur; and
- d) can includes rental, display, or sales of goods.

**AGRICULTURE, URBAN** means the act of growing produce on a lot such as in a garden, this also includes community gardens, fruit and nut tree production and the keeping of bees. Urban agriculture does not include the keeping of poultry, fowl, or livestock. Urban agriculture use does not include accessory retail sales. Urban agriculture is an accessory use on parcels that are zoned residential.

**AUTOMOBILE-ORIENTED COMMERCIAL** means a use providing for the retail sale of automobiles, trucks, boats, recreational vehicles and related parts and accessories, and includes facilities to service, wash or repair; excludes vehicle fueling stations.

**GARAGE** means a roofed accessory building or portion of a principal building with more than 60% of the perimeter being enclosed within walls, the principal use of which is for parking one or more motor vehicles.

**HEIGHT** with reference to a building or structure means the vertical distance from the Height Datum to:

- (a) the highest point of the roof surface of a flat roof;
- (b) the deck line of a mansard roof;
- (c) the mean level between the top of top floor walls and the ridge of a gable, hip gambrel, or other sloping roof;
- (d) the highest point of a façade, false framing or parapet; and
- (e) the highest point of a structure other than a building.

**HOME OCCUPATION, RESIDENTIAL** means any occupation carried on for financial gain or otherwise, in or from a dwelling unit or accessory building in a Residential zone, which use

is separate and subordinate to the use of the dwelling unit for residential purpose, shall not alter the residential character of the area, and shall be subject to the provisions of Section 4.18 of this Bylaw. Home occupation, residential includes but is not limited to:

- (a) home occupation, office;
- (b) child care facility;
- (c) a home business that bring no more than one client at a time to the residence (ie. massage therapy and hair styling); and
- (d) Dog daycare of three dogs or less.

**INDUSTRIAL** means a use providing for the processing, fabricating, assembly, storing, transporting, distributing, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials, or things; includes without limitation the operation of truck and shipping terminals, docks, railway service spur, passenger depots, marinas, heliport and seaplane facilities, bulk gas and fuel loading and storage facilities, auction and liquidation sales, sawmill, pulpmill and log booming. Includes indoor food production.

**KENNEL** means an establishment for the overnight boarding or breeding of four or more dogs.

**LIGHT INDUSTRIAL** means a use providing for the processing, fabricating, assembling, leasing, warehousing, transporting, distributing, wholesaling, testing, servicing, or repairing of goods or materials, where the primary activity of such a use is carried out within or exterior to a building, which may be serviced with a railway spur. Includes indoor food production.

**LIQUOR STORE** means the use of premises for the sale of liquor, beer or wine for consumption off premises. This includes a government liquor store, government beer store or government wine store, or an agency established under the *Liquor Distribution Act*, including an agency store, an authorized vendor, a distributor, and a licensee. An accessory retail sale of alcoholic beverages that are manufactured on-site by an Alcoholic Beverage Manufacturer is not considered a liquor store.

**PERSONAL CARE SERVICE** means those services that assist with the activities of daily living and specific nursing and rehabilitation tasks, which include assistance with personal hygiene, bathing, dressing, grooming, eating, moving around safely, and managing medication.

**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 barber shop, beauty salon, domestic dog and cat grooming, shoe repair shop, dry cleaning, laundromats, electrical appliance repair, upholstery, watch repair, photographer, tailor or dressmaker, tatoo parlour and other similar services.

4. **Section 1.3 [Definitions]** is further amended by deleting the definitions 'Medical Marihuana Production' and 'Medical Marihuana Production, Multiple Users.'
5. **Section 4 [General Regulations]** is amended by deleting **Section 4.3 [One Building on Any One Lot]**.
6. **Section 4 [General Regulations]** is further amended by renumbering the items in order to group similar items for ease of use purposes, as follows:
  1. At **Section 4.3 [One Building on Any One Lot]** and substituting with previous **Section 4.21 [Accessory Residential Dwellings]**.
  2. At **Section 4.5 [Storage]** and substituting with previous **Section 4.23 [Secondary Suite Use]**.
  3. At **Section 4.21 [Accessory Residential Dwellings]** and substituting with previous **Section 4.31 [Recreational Vehicle Length of Stay Provision]**.
  4. At **Section 4.23 [Secondary Suite Use]** and substituting with previous **Section 4.5 [Storage]**.
  5. At **Section 4.31 [Recreational Vehicle Length of Stay Provision]** and substituting with new section **[Electric Vehicle Charging Stations]**.
  6. At **Section 4.33** add new section **[Urban Agriculture]**.
  7. All references to those numbers and letters shown above that appear in any provisions of the bylaw are amended to be consistent with this bylaw.
7. **Section 4.2 [Uses Permitted in All Zones]** is amended by deleting item (m) and substituting the following:  
(m) interpretive signage;
8. **Section 4.2 [Uses Permitted in All Zones]** is amended by deleting item (o) and substituting the following:  
(o) urban agriculture.
9. **Section 4.2 [Uses Permitted in All Zones]** is further amended by adding the following item  
(p) after item (o):  
(p) trails.
10. **Section 4.4 [Accessory Buildings, Structures and Uses]** is amended by deleting items (b), (c) and substituting the following:  
  
(b) The gross floor area of all accessory buildings on one lot shall not exceed in total:
  - (i) 60 m<sup>2</sup> (645 square feet) in the RS, RMH and RL-1, C, UC and RE zones;
  - (ii) 140 m<sup>2</sup> (1,507 square feet) in the RM, RL-2 and I zones;
  - (iii) except as otherwise provided for in this Bylaw;

(c ) In relation to Section 4.4 (b), up to 5 buildings, may be permitted on a lot provided that all the regulations in this section and in the appropriate zone can be satisfied.

(f ) No accessory building shall exceed a height of 4.58 metres (15 ft) unless it contains a permitted secondary suite, in which case the maximum height is 6.6 metres (21.65ft), except as otherwise provided for in this Bylaw.

- 11. Section 4.4 [Accessory Buildings, Structures and Uses]** is further amended by deleting item (d) (v):

(d ) (v ) The gross floor area shall not exceed in total 60 square metres (645 square feet), except as otherwise provided for in this Bylaw;

- 12. Section 4.4 [Accessory Buildings, Structures and Uses]** is further amended by adding items (i), (j) (i) to (x):

(i) An accessory building shall not be located in a front yard.

(j) A shipping container is an accessory building if it is not a temporary building as defined in this Bylaw. Shipping containers shall:

- (i) adhere to the BC Building Code and to the District of Squamish Building Bylaw requirements, and all enactments applicable to electrical and fire safety;
- (ii) be used for auxiliary storage purposes only, and 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) not be used to store animals, refuse or contaminated or hazardous materials;
- (iv) not be stacked one upon another;
- (v) not occupy required parking and loading spaces or interfere with the circulation of vehicles or pedestrians;
- (vi) comply with the setback requirements for accessory buildings in the applicable zone; and
- (vii) comply with all other applicable provision contained within this bylaw.

- 13. Section 4.6 [Fencing]** is amended by adding (vi) after (v):

- (vi) In the case of electric security fencing to prevent bears from accessing fruit or other food sources including bee hives, a minimum of six strands of 12.5 gauge high tensile galvanized wire with the bottom wire no more than 5 cm from the ground and subsequent wires spaced at an interval of no greater than 25 cm apart, with alternating positive and negative strands, with the top wire at the height of no less than 110cm from the ground.

- 14. Section 4.11 [Projections into Required Setback]** is amended by deleting (a) and substituting the following:

- (a) eaves, eaves which incorporate a guard, sills, chimneys, fireplaces, bay windows, sunshades, or other similar features not incorporating floor area, provided that such projections do not exceed 0.61 metres (2 feet) into the front, rear and side setback area;

15. **Section 4.12 [Satellite Dishes]** is amended by changing the section name to **[Utility Siting]** and also amended by deleting and substituting the following:

The following requirements relate to siting electrical, mechanical or similar infrastructure on a lot:

- (a) Satellite dishes and similar equipment shall not be permitted in the front yard of any property occupied with a residential use with the exception of properties within the Rural zones.
- (b) All mechanical equipment located on the exterior of a building for the purpose of heating, cooling, or air conditioning, shall not be permitted in the front yard of any property in all zones. The location of this type of equipment must maintain a minimum of 4.57M or 15' from any side and rear setbacks. If a unit becomes disruptive, measures will be required to be taken in order to reduce or eliminate the noise.

16. **Section 4.16 [Mixed Commercial and Residential Use]** is amended by deleting item (a) and substituting the following:

- (a) the residential units are contained in the same building as the commercial use, except where the commercial use is a vehicle fueling station or tourist accommodation, in which case the dwelling unit may be in a separate building from the Commercial use;

17. **Section 4.18 [Home Occupation]** is amended by deleting item (a) and substituting the following:

- (a) shall be carried out wholly within the principal dwelling unit or within a permitted accessory building, but not in a secondary suite. The area used for all home occupation shall not exceed 10% of the gross floor area of the principal dwelling unit to a maximum gross floor area of 23.23 square meters (250 square feet) except in the case of a residential child care facility.

18. **Section 4.25 [Gross Floor Area]** is amended by adding the following item (b)(iv) after item (b)(iii):

- (b)(iv) concealed parking areas.

19. **Section 4.31 [Electric Vehicle Charging Stations]** is added after Section 4.30 with the following:



Electric Vehicle Charging (EVC) Stations conditions of use:

- (a) Notwithstanding Section 40.6 (f), up to six (6) required off-street parking spaces may be designated for EVC station use, subject to registration of a restrictive covenant against the lot on which the shared parking arrangement is or will be located, prior to the commencement of that use;
- (b) Designated parking stalls shall meet all parking design criteria in Section 40.11 of this bylaw;
- (c) A minimum of 50% of the designated stalls for EVC charging may be reserved exclusively for this use 24 hrs per day; the remaining stalls shall also be made available for public use during the identified peak period for parking demand for different classes of use in Table 2, Section 40.6 of this bylaw;
- (d) A minimum of 10% of designated EVC station stalls shall be designed as accessible parking stalls in accordance with Section 40.5 of this bylaw;
- (e) Screening and landscaping in accordance with Sections 4.6 and 4.7 of this bylaw are required to shield electrical transformers, panels or other EVC station equipment; and
- (f) EVC stations shall provide lighting for safety and convenience that is arranged and shielded so that no direct rays of light are oriented upwards or shine beyond the boundaries of the charging area.

20. **Section 4.32 [Medical Marihuana Production]** is amended by deleting (a) to (d) and substituting the following:

- (a) **MEDICAL MARIHUANA PRODUCTION** means the growing, harvesting, storing, packaging, shipping and disposing of marihuana as licensed under the federal Marihuana for Medical Purposes Regulations (MMPR); and
- (b) Medical Marihuana production is prohibited anywhere within District of Squamish Boundaries.

21. **Section 4.34 [Urban Agriculture]** is added after Section 4.33 with the following:

- (a) Urban Agriculture prohibits accessory retail sales of agricultural produce and products grown on the lot, unless expressly permitted in the zone.
- (b) The following regulations apply to community gardens:
  - (i) Community garden use shall be authorized in accordance with all relevant District policies and bylaws.
  - (ii) Community gardens must be serviced by and connected to the municipal water system on the same lot as where the community garden is located.
  - (iii) Notwithstanding 4.4 (e), accessory buildings and structures for community garden use, including but not limited to storage for materials and tools, a composting

facility or greenhouse, are permitted. The siting and size of accessory buildings and structures shall be in accordance with Section 4.4 of this bylaw.

- (iv) Raised garden beds shall be set back a minimum of 5 feet from all lot lines.
- (v) Composting and storage shall be in accordance with Section 4.5 of this bylaw.
- (vi) Where a lot is developed for a community garden use and where such a lot abuts a residential use, a fence or landscape screening is required as per section 4.6 (Fencing) and 4.7 (Screening) of the Zoning Bylaw.

(c) The following regulations apply to bee keeping:

- (i) Maximum of 8 beehives per hectare be allowed and no more than 2 beehives on residential zoned lots, except rural residential lots;
- (ii) All beehives must be situated so as to ensure the flight path of the bees is up over the neighbouring houses in order to minimize the volume of bees at ground level. Height of beehive should relate to height of flight path;
- (iii) Electric fence is required to surround beehives, per Fencing Section 4.6 (vi) of this bylaw;
- (iv) Beehives must be placed no less than 1 metre from the electric fence; and
- (v) Other regulations relating to electric fencing for beehives can be found in the District of Squamish Wildlife Attractant Bylaw No. 2053.

**22. Section 5.1 [Zone Designations]** is amended by deleting C-2 Zone line item and substituting the following:

- (a) C-2 Zone/ Section 23/ Vehicle Fueling Station Commercial/ The intent of this zone is to provide for vehicle fueling and/or service stations, including alternative fuels, and distribution of related products.

**23. Section 5.2 [Zoning Map]** is amended by deleting and substituting the following:

- (b) The extent of each zone is shown on Schedule "A" Zoning Map, which is attached to and forms part of this Bylaw.
- (c) Where there is no zone specified, the zone shall be zoned Resource.

**24. Section 6 [Residential 1 (RS-1)]** is amended as follows:

- 1. At **Section 6.8 – [Building Per Lot]** by deleting and substituting the following:  
No more than one principal building shall be located on a lot.

**25. Section 8 [Residential 2 (RS-2)]** is amended as follows:

- 2. At **Section 8.2 – [Minimum Lot Size]** by deleting sections (c) and (d) and substituting the following:

(c) The minimum lot width is 18.36 metres (60 feet) for single-unit dwellings and two-unit dwellings where one unit is above the other (vertical duplex) or front-and-back (lane-way duplex).

(d) The minimum lot width is 23 metres (75 feet) for two-unit dwellings where the two units are side by side (horizontal duplex).

**26. Section 7 [Residential 1A (RS-1A)] is amended as follows:**

1. At **Section 7.8 – [Building Per Lot]** by deleting and substituting the following:  
No more than one principal building shall be located on a lot.

**27. Section 8 [Residential 2 (RS-2)] is amended as follows:**

1. At **Section 8.8 – [Building Per Lot]** by deleting and substituting the following:  
No more than one principal building shall be located on a lot.

**28. Section 14 [Rural Residential 1 (RL-1)] is amended as follows:**

1. At **Section 14.1 [Permitted Uses]** by adding ‘pet daycare’ as a permitted principal use.
2. At **Section 14.3 [Maximum Height]** by deleting the maximum height of accessory building and substituting with a height of 35 ft.
3. At **Section 14.7 [Building Per Lot]** by deleting and substituting the following: No more than one principal building shall be located on a lot.

**29. Section 15 [Rural Residential 2 (RL-2)] is amended as follows:**

1. At **Section 15.1 [Permitted Uses]** by adding ‘pet daycare’ as a permitted principal use.
2. At **Section 15.1 [Permitted Uses]** by deleting and substituting:  
(j) accessory residential unit, subject to Section 15.11;  
(k) accessory small-scale manufacturing, subject to Section 15.12;  
(m) accessory retail, subject to Section 15.13.
3. At **Section 15.3 [Maximum Height]** by deleting the maximum height of accessory building and substituting with a height of 35 ft.
4. At **Section 15.7 [Building Per Lot]** by deleting and substituting the following: No more than one principal building shall be located on a lot.

**30. Section 18 [Park, Recreational and Institutional Use (P-3)]** is amended as follows:

1. At **Section 18.1 [Permitted Uses]** by adding the following under principal uses:  
(g) community and event storage

**31. Section 22 [Local Commercial (C-1)]** is amended as follows:

1. At **Section 22.1 [Permitted Uses]** by adding the following under principal uses:  
(k) fitness centre;  
(l) home occupation, office; and  
(m) liquor primary establishment.
2. At **Section 22.1 [Permitted Uses]** by adding the following under accessory uses after (k):  
(l) accessory retail sales;
3. At **Section 22.7 [Building Per Lot]** by deleting and substituting the following: No more than one principal building shall be located on a lot.

**32. Section 23 [Gasoline Service Station Commercial (C-2)]** is amended as follows:

1. By replacing the name of the zone with **[Vehicle Fueling Station Commercial]**;
2. By replacing the intent of the zone with "The intent of this zone is to provide for vehicle fueling and/or service stations, including alternative fuels, and distribution of related products."
3. At **Section 23.1 [Permitted Uses]** by deleting (a) and substituting the following under principal uses:  
(a) vehicle fueling station.
4. At **Section 23.7 – [Building Per Lot]** by deleting and substituting the following: No more than one principal building shall be located on a lot.

**33. Section 24 [Tourist Commercial (C-3)]** is amended as follows:

1. At **Section 24.1 [Permitted Uses]** by deleting the following under principal uses:  
(c) drive-through restaurant;
2. At **Section 24.1 [Permitted Uses]** by adding the following under principal uses:  
(j) arts and culture; and  
(k) interpretive area.
3. At **Section 24.1 [Permitted Uses]** by adding the following under accessory uses after (j):

- (k) accessory retail sales;

**34. Section 25 [Downtown Commercial (C-4)] is amended as follows:**

1. At **Section 25.1 [Permitted Uses]** by adding the following under principal uses:
  - (q) assembly;
  - (r) home occupation, office;
  - (s) liquor primary establishment; and
  - (t) alcoholic beverage manufacturing.
2. At **Section 25.11 [Drive-Through Restaurant Use]** by deleting item (b).
3. At **Section 25.5 – [Building Per Lot]** by deleting and substituting the following:  
No more than one principal building shall be located on a lot.

**35. Section 26 [Recreation Commercial (C-5)] is amended as follows:**

1. At **Section 26.5 – [Building Per Lot]** by deleting and substituting the following:  
No more than one principal building shall be located on a lot.

**36. Section 27 [Liquor Primary Establishment Commercial (C-6)] is amended as follows:**

1. At **Section 27.6 – [Building Per Lot]** by deleting and substituting the following:  
No more than one principal building shall be located on a lot.

**37. Section 28 [Highway Commercial (C-7)] is amended as follows:**

1. At **Section 28.5 – [Building Per Lot]** by deleting and substituting the following:  
No more than one principal building shall be located on a lot.

**38. Section 30 [Specialized Highway Commercial (C-9)] is amended as follows:**

1. At **Section 30.1 [Permitted Uses]** by deleting the following under principal uses:
  - (h) off-street parking and loading.

**39. Section 32 [Light Industrial (I-1)] is amended as follows:**

1. At **Section 32.1 [Permitted Uses]** by deleting (c ) and replacing with:
  - (c) business and Professional Office, Minor use subject to Section 32.13;
2. At **Section 32.1 [Permitted Uses]** by deleting the following under principal uses:

- (f) grooming of domestic cats and dogs;
- 3. At **Section 32.1 [Permitted Uses]** by adding the following under principal uses:
  - (n) alcoholic beverage manufacturing;
- 4. At **Section 32.12 [Restaurant and Drive-Through Use]** by deleting and substituting the following:
  - (b) Within this zone, a drive-in restaurant shall be permitted only on Parcel 120, District Lot 1305, Group 1 New Westminster, District Plan LMP25880.
- 40. **Section 33 [Rail Marshalling Yard (I-2)]** is amended as follows:
  - 1. At **Section 33.1 [Permitted Uses]** by deleting the following under principal uses:
    - (a) accessory off-street parking and loading.
- 41. **Section 35 [Used Goods Industrial (I-4)]** is amended as follows:
  - 1. At **Section 35.10 [Accessory Buildings]** by deleting and substituting the following:
    - (b) Notwithstanding Section 4.4(b), a maximum of two buildings or structures shall be permitted, except for a recycling depot, in which case there should be no limitations on the number of accessory buildings permitted.
- 42. **Section 39L [Comprehensive Development Zone 12 (CD-12)]** is amended as follows:
  - 1. At **Section 39L.1 [Permitted Use and Densities]** by deleting “multiple unit dwellings” and substituting “multiple-unit residential” in (3) Uses (a) and Densities (a); (4) Uses (a) and Densities (a).
  - 2. At **Section 39L.2 [Minimum Lot Size and Frontage]** by deleting “multiple unit dwellings” and substituting “multiple-unit residential” in (b).
- 43. **Section 39Z [Comprehensive Development Zone 29 (CD-29)]** is amended as follows:
  - 1. At **Section 39Z.1 [Permitted Use and Densities]** by adding the following after (g):
    - (h) cinema.
- 44. **Section 39GG [Comprehensive Development Zone 37 (CD-37)]** is amended as follows:

1. At **Section 39GG.1A [Permitted Uses]** by deleting (g) and substituting the following:  
g) entertainment;

**45. Section 40 [Off-Street Parking]** is amended as follows:

1. At **Section 40.5 [Spaces for Persons with Disabilities]**, in “Table 1: Designated Space Minimum Requirements”, replacing the numbers “111-390” with “111-170”, and the numbers “391-170” with “171-390”.
2. At **Section 40.7 [Off-Street Parking Requirements]**, by deleting ‘Gasoline Service Station’ line item and replacing with ‘Vehicle Fueling Station’/ 1.25 spaces per liquid fuel service bay; and/or 1 parking space for every electric vehicle charging station bay.
3. At **Section 40.11 [Design Criteria]**, by deleting reference to section 40.10 (d)(i) and substituting with 40.11(d)(i).
4. At **Section 40.11 [Design Criteria]**, by adding after (4) (vii), the following item:  
(viii) The access to all off-street parking in the form of driveways shall not be less than 6 meters (19.7 ft) in length.

46. The bylaw is amended so that the numerical and alphabetical ordering of its provisions, and any and all references to those numbers and letters that appear in any provisions of the bylaw, are revised to be consistent with the amendments of this bylaw.

READ A FIRST AND SECOND TIME this XX day of XX.

PURSUANT TO THE LOCAL GOVERNMENT ACT, NOTICE WAS ADVERTISED ON XX AND XX.

PUBLIC HEARING HELD on the XX day of XX.

READ A THIRD TIME AS AMENDED this XX day of XX.

ADOPTED this XX day of XX.

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Rob Kirkham, Mayor

DRAFT