

VILLAGE OF TAHSIS

ZONING BYLAW No. 630, 2020

A BYLAW TO DIVIDE THE VILLAGE OF TAHSIS INTO ZONES, TO REGULATE THE USE OF LAND, BUILDINGS AND STRUCTURES, INCLUDING THE SURFACE OF WATER, AND TO REGULATE THE LOCATION, SIZE AND SHAPE OF BUILDINGS AND STRUCTURES ERECTED THEREON PURSUANT TO THE LOCAL GOVERNMENT ACT

WHEREAS Section 479 of the *Local Government Act* provides that a local government may, by bylaw, divide the whole or part of the municipality into zones and define each zone to regulate within the zones, the use of land, buildings and structures, the density of the use of land, buildings and structures, and the area, shape and dimensions of all parcels of land that may be created by subdivision;

AND WHEREAS the Council of the Village of Tahsis deems it necessary and expedient to reconsider the zoning regulations in the Village of Tahsis;

NOW THEREFORE the Council of the Village of Tahsis, in open meeting assembled, enacts as follows:

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PART ONE: APPLICATION AND ADMINISTRATION

1.1 Title

 This bylaw may be cited for all purposes as "Village of Tahsis Zoning Bylaw No. 630, 2020."

1.2 Application

1) The regulations of this bylaw apply to the whole of the area within the boundaries of the Village of Tahsis.

1.3 Administration

- 1) The building official and such other persons as may be appointed by the Council for that purpose are authorized to administer this Bylaw.
- 2) Persons appointed under sub-section (1) may enter any building or premises at all reasonable times, in accordance with Section 16 of the *Community Charter*, to inspect and determine whether the regulations under this Bylaw are being complied with.

1.4 **Prohibition**

- 1) No person shall use, occupy, or subdivide, or shall permit any person to use, occupy or subdivide any land, building or other structure contrary to the regulations in this Bylaw.
- Any use of land, or of a building or structure, that is not expressly permitted in this Bylaw is prohibited.

1.5 Non-Conforming Use

1) Lawful non-conforming uses of land and buildings are governed by Division 14 of Part 14 of the *Local Government Act*.

1.6 Conflicting Use or Siting

 No land may be subdivided, no building, structure, land or water surface may be used, and no building or structure may be sited in a manner which renders any existing use, building or structure on the same parcel non-conforming with respect the provisions of this Bylaw.

1.7 Violation

 A person who causes, suffers, or permits any building or structure to be constructed, reconstructed, altered, moved, extended or used, or land to be occupied or used, in contravention of this Bylaw, or who otherwise contravenes or fails to comply with this Bylaw, commits an offence.

1.8 Penalty

- A person who violates the provisions of this Bylaw is liable on summary conviction to a penalty not exceeding:
 - a) A fine of fifty thousand (\$50000.00) dollars;
 - b) imprisonment for not more than six (6) months.
- Each day during which a violation of this Bylaw continues constitutes a new and separate offence.
- 3) This Bylaw may be enforced by Municipal Ticket Information issued under the Village of Tahsis Ticketing for Bylaw Offences Bylaw No. 601, 2018.

1.9 Severability

1) If any provision of this Bylaw is found invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

PART TWO: INTERPRETATION

2.1 Definitions

- The definitions provided in this Bylaw supersede any interpretation or definition of the same word in a provincial statute that would otherwise apply to this Bylaw. The definitions provided shall also supersede the normal or common meaning of the same word.
- 2) The following definitions apply to this Bylaw:

Term	Definition	
Accessory Building	means a building or use which is ancillary to that of a principal building	
or Accessory Use	or use on the same lot.	
Agricultural Use means providing for the growing, rearing, producing, harvest		
	sale of agricultural products; includes the storage and sale on an	
	individual farm of the products harvested, reared or produced on that	
	farm; and, the storage of farm implements and supplies; and, repairs	
	to farm machinery and implements used on that farm; and specifically	
	excludes all manufacturing, processing, storage and repairs not	
	specifically included in this definition, and livestock and poultry	
	processing, piggery use, and feedlots.	
Apartment	means any building divided into not less than three (3) dwelling units,	
	each of which is occupied or intended to be occupied as a permanent	
	home or residence, distinct from a hotel, motel, or similar transient	
	accommodation. Excludes townhouses.	
Bed and Breakfast	means the use of not more than four (4) bedrooms within a dwelling	
Accommodation	to provide temporary accommodation to the travelling public which	
	includes food service and the operator as a permanent resident of the dwelling.	
Boarding Use	means a structure where the building or buildings on a lot contain one	
	or more sleeping units contained within a dwelling unit and which are	
	used by persons other than members of the family sharing the	
	dwelling unit.	
Building	means a structure that is designated, erected or intended for the	
	support, enclosure or protection of persons or property and includes	
	any part of a building as the context requires.	

Term	Definition
Building Official	means the person employed or contracted to administer the Village of
	Tahsis Building Bylaw No. 525, 2006, as amended or replaced from
	time to time.
Church	means a building, not ordinarily used for residential purposes, wherein
	persons regularly assemble for religious worship, and which is
	maintained and controlled by a religious body organized to sustain
	public worship.
Community Care	means a facility licensed pursuant to the <i>Community Care and Assisted</i>
Facility	Living Act.
Council	means the council of the Village of Tahsis.
Duplex	means any dwelling divided into two (2) units each of which is
	occupied or intended to be occupied as a permanent home or
	residence, distinct from a hotel, motel or similar transient
	accommodation.
Dwelling	means any building or portion thereof that is designated or used for
residential purposes.	
Dwelling Unit	means accommodation for residential occupancy with sleeping and
	sanitary facilities, and not more than one set of cooking facilities.
	Excludes recreational vehicles.
Gasoline Service	means premises used primarily for the retail sale of gasoline,
Station	lubricating oil, motor vehicle accessories and convenience items and
	the servicing of motor vehicles but does not include body works and
	painting.
Gross Floor Area	means the total area of all floors measured to the extreme outer limits
	of the building.
Height of Buildings	means the vertical distance of the mean grade level to the highest
	point of roof surface on a flat rock, to the deck line of a mansard roof,
	and to the means level between eaves and the ridge of a gable, hip,
	gambrel or other sloping roof and in the case of a structure without a
	roof to the highest point of the structure.
Hen	means a domesticated female chicken that is at least four (4) months
	old.
Highway	means a street, road, land, bridge, viaduct or any other way open to
	the use of the public, and does not include a private right-of-way on
	private property.

Term	Definition	
Hive	means a manufactured receptacle or container prepared for the use of	
	honey bees that includes movable frames, combs and substances	
	deposited into the hives by honey bees.	
Home-Based	means an occupation, profession, service or other business which is	
Business	clearly accessory and incidental to the use of a dwelling unit for	
	residential purposes, or to the residential use of a lot occupied by a	
	dwelling, and which conforms to the regulations under Section 3.2(1)	
	of this Bylaw. Activities that qualify as a home-based business include	
	but are not limited to the following: a) retail establishments, b) service	
	establishments, c) small engine repair, d) assembly, processing, and	
	repair of finished products, e) artist's studio and gallery, f) bakery, g)	
	hair salon, barbershop, or other personal services, h) bed and	
	breakfast accommodation and short-term rental accommodation, and	
	i) produce stands for urban agricultural use. But exclude professional	
	occupations.	
Honey Bee	means a subset of bees in the genus Apis, primarily distinguished by	
	the production and storage of honey and the construction of	
	perennial, colonial nests out of wax.	
Institutional Use	means the use of land, buildings or other structures provided by a	
	government or agency of government to address social, education,	
	health, cultural and recreational needs, and may include: museum,	
	public library, parks, fire or police station, public works, hospital or	
	medical center, school, recreation center, and municipal office.	
Junkyard	means the use of any land, building or structure for a salvaging	
	operation, including but not limited to the storage and/or sale of	
	waste wood products, paper, scrap metal, and any discarded materials	
	and the collection, dismantlement, storage and salvage of any vehicle	
_	or boat, subject to the provisions in Section 3.11(1) of this Bylaw.	
Lane	means a public thoroughfare not exceeding ten (10) metres in width,	
	which provides a secondary means of access to a site.	
Light Industrial Use	means a use providing for the processing, fabricating, assembling,	
	storing, transporting, distributing, wholesaling, testing, servicing, or	
	repairing of goods, materials or things, but shall not include those uses	
	similar to or including wood processing and log storage, except as	
	permitted under Section 5.8 of this Bylaw, auto-wrecking, refuse	
	disposal grounds, gravel extraction, manufacturing of concrete	
	products, fish or shellfish processing, or bulk fuel depots.	

Term	Definition
Livestock	means chickens, horses, turkeys, cattle, hogs, rabbits, sheep and goats raised for agricultural purposes, such as food production.
Loading Space	means an area used to provide free access for vehicles to a loading door, platform or bay.
Lot	means an area of land designated as a separate and distinct parcel on a legally recorded subdivision plan, including a bare land strata plan,
	filed in the Office of the Land Title and Survey Authority of British Columbia.
Lot Area	means the area of the land within the boundaries of a lot but excludes the area of the panhandle in the case of a panhandle lot.
Lot Coverage	means the total horizontal area within the outermost walls of the building on a lot, expressed as a percentage of the lot area.
Lot Line	means a line which marks the boundary of a lot.
Lot Line, Front	means the lot line that divides the lot from the highway. In the case of a corner lot the shortest lot line which abuts the highway shall be deemed to be the front lot line but shall not include the radial or straight-line corner cut created for the purpose of highway intersection widening.
Lot Line, Rear	means the lot line opposite to and most distant from the front lot line. Where the rear portion of the lot is bounded by two intersecting side lot lines, it shall be the point of such intersection.
Lot Line, Side	means a lot line which is neither the front nor rear lot line.
Mean Grade Level	means the average of the elevation of the ground surface in tis natural state, before alteration or construction, as it adjoins each face of a building or structure.
Mobile Home	means any structure, whether or not ordinarily equipped with wheels, that is designated, constructed or manufactured to be moved from one place to another by being towed or carried, and to provide a dwelling, house, or premises, that is registered or capable of being registered in the Manufactured Home Registry established under the <i>Manufactured Home Act</i> , and complies with the specifications for manufactured homes set out in the Manufactured Home Regulation B.C. Regulation 441/2003.
Motel	means a use where the building or group of buildings provide separate sleeping or dwelling units having direct access to the outside, intended to be occupied primarily by the travelling public.

Term	Definition	
Natural Boundary	means the visible high-water mark of any lake, river, stream, or other	
	bodies of water where the presence and action of the water is so	
	common and usual and so long continued in all ordinary years as to	
	mark upon the soil of the bed of the lake, river, stream, or other body	
	of water a character distinctive from that of the banks thereof, in	
	respect to vegetation as well as in respect to the nature of the soil	
	itself.	
Non-Conforming	means any building or use which does not conform with all the	
Building or Use	regulations of the Bylaw or amendments thereto, for the zone in which	
	such building or use is located.	
Non-Medical	means a retail store for the sale of cannabis that is licensed under the	
Cannabis Retail	Cannabis Control and Licensing Act.	
Store		
Panhandle	means a narrow, elongated portion of a lot, the primary purpose of	
	which is to provide access to the building area.	
Parcel	see "Lot."	
Parking Area	means an area of land used for the parking of vehicles of owners,	
	occupiers, visitors, customers, or employees, but does not include	
	streets or driveways.	
Principal Building	means the main building or structure on a parcel of land which reflects	
	the primary use of that land.	
Professional	means the following professions: a) doctor, b) dentist, c) chiropractor,	
Occupation	d) veterinary surgeon, e) lawyer, and f) accountant and which	
	conforms to the regulations under Section 3.2(2) of this Bylaw.	
Public Utility Use	means a use providing water, sewer, electrical, telephone, and similar	
	services where such use is established or authorized by the Village of	
	Tahsis, or by another government body, and includes public utility	
	regulated by federal or provincial authorities.	
Recreational	means any camper, vehicle, trailer, fifth wheel, coach, structure or	
Vehicle	conveyance designed to travel or to be transported on the highways	
	and constructed or equipped to be used as a temporary living or	
	sleeping quarters by travelers.	
Retaining Wall	means a structure constructed for the purpose of retaining, stabilizing	
	or supporting an earthen bank as a result of differences in lot grades.	
Road	see "Highway."	

Term	Definition
Screening	means a continuous opaque fence, wall compact evergreen hedge or
	combination thereof of sufficient height, supplemented with
	landscape planting, that would effectively screen the property which it
	encloses and is broken only by access drives and walks.
Shipping/Cargo	means an intermodal freight container that is used for the
Container	transportation and storage of goods and materials which are loaded
	into trucks, trains or ships for the purpose of moving goods and
	materials and which does not have wheels and does not include a
	truck body, trailer or transport trailer.
Short-Term Rental	means the rental of all or a portion of a dwelling for a period of less
Accommodation	than thirty-one (31) days.
Site Triangle	means the triangular are bounded by the intersection of lot lines at a
	street or lane corner, and a line joining points along the lot lines ten
	(10) metres from their point of intersection.
Structure	means an erection or construction of any kind whether fixed to,
	supported by, or sunk into land or water, but does not include fences
	or walls that are less than or equal to the height permitted under this
	Bylaw.
Temporary Building	means a building, either constructed on-site or off-site, that is
	intended to be placed on a property for a temporary use or purpose
	during the construction of a principal building on the same lot.
Townhouse	means a building or buildings divided into not less than three (3)
	dwelling units with each dwelling unit having direct access to the
	outside and is intended to be occupied as a permanent home or
	residence, distinct from a hotel, motel or similar transient
	accommodation. Excludes apartments.
Urban Agricultural	means the growing of fruits and vegetables, flowers, native and
Use	ornamental plants, edible berries and food perennials and includes the
	keeping of honey bees and backyard hens, operating in accordance
	with Section 3.3 of this Bylaw. Excludes agricultural use.
Use	means the purpose for which any lot, site, building or structure is
	designed, arranged or intended.
Watercourse	means any natural or man-made depression with a well-defined bed
	zero point six (0.6) metres or more below the surrounding land serving
	to give direction to a current of water at least six (6) months of the
	year and includes any lake, river, stream, creek, spring, ravine, swamp,
	wetland or the sea.

Term	Definition
Yard	means the space on a lot adjacent to a building extending to the lot lines as illustrated in Figure A:
	Rear Yard
	Accessory Building
	Side Yard Side Yard Principal Building
	Highway Front Yard
	Highway
	Figure A.
Yard, Front	means that portion of the lot between the front lot line and the closest point of the outer wall of the principal building facing the front lot line. In the case of a through lot, being a lot with road frontage at opposite
	ends, there shall be two front yards. In the case of a lot with
	panhandle access, the front yard is defined as the narrowest or
panhandle portion of the lot with road frontage.	
Yard, Rear	means that portion of the lot between the rear lot line and the closest point of the outer wall of the principal building facing the rear lot line.
Yard, Side	means that portion of the lot, excluding the front yard, between the
	side lot line and the closest point of the outer wall of a principal
	building facing that side lot line.

PART THREE: GENERAL REGULATIONS

3.1 Uses Permitted in All Zones

- On any parcel, the use of land, buildings and structures for the following principal uses is permitted:
 - a) public utility use;
 - b) parks;
 - c) urban agricultural use
- 2) On a parcel of land with an area of zero point four (0.4) hectares or more, the use of land, buildings and structures for agricultural use is permitted, including the keeping of livestock for domestic purposes only.

3.2 Occupations Permitted in All Zones

- A home-based business is permitted in any zone subject to compliance with the following regulations:
 - a) the home-based business must not alter the essential residential character of the premises where the home-based business is situated;
 - b) there shall be no external indication that any building on the lot is utilized for any purpose other than normally associated with a residential use except for a single sign not exceeding 3600 square centimetres;
 - c) the home-based business shall not generate any off-site parking or vehicular traffic beyond that which is normally associated with a residential use within the Village;
 - d) the home-based business shall not produce, discharge or emit any smoke, dust, litter, vibrations, odours, effluent, noise, fumes or glare such as to create a nuisance to persons residing in the surrounding area;
 - e) the home-based business shall be conducted entirely within a building that conforms with the other regulations under this Bylaw with the exception that, subject to compliance with subsection (d), activities associated with the home-

based business may be conducted on the lot exterior to the building between the hours of 9:00 a.m. and 5:00 p.m. daily;

- f) there shall be no external storage of materials, equipment, containers or finished products;
- g) the home-based business must be operated by a person who permanently resides within a dwelling unit on the lot where the home-based business is situated;
- h) the gross floor area of the home-based business shall not exceed 50% of the gross floor area of the part of the dwelling unit that is used for a residential purpose;
- i) for certainty, a home-based business may be carried out in whole or in part in an accessory building or structure, provided that the accessory building or structure conforms with the other regulations under this Bylaw; and
- j) a maximum of one person who does not reside within a dwelling unit located on the lot where the home-based business is situated may be employed by the home-based business.
- A professional occupation is permitted in any zone, subject to compliance with the following regulations:
 - a) the professional occupation must not alter the essential residential character of the premises where the professional occupation is situated;
 - b) there shall be no external indication that any building on the lot is utilized for any purpose other than normally associated with a residential use except for a single sign not exceeding 3600 square centimetres;
 - c) the professional occupation shall not generate any off-site parking or vehicular traffic beyond that which is normally associated with a residential use within the Village;
 - d) the professional occupation shall not produce, discharge, or emit any smoke, dust, litter, vibration, odours, effluent, noise, fumes, or glare such as to create a nuisance to persons residing in the surrounding area;

- e) the professional occupation shall be conducted entirely within a building that conforms with the other regulations under this Bylaw; and
- f) there shall be no external storage of materials, equipment, containers or finished products.

3.3 Urban Agricultural Use

- 1) Urban agricultural use shall not generate any off-site parking or vehicular traffic beyond what is normally associated within the Zone in which it is located.
- 2) Urban agricultural use shall not generate odour, waste, noise, smoke glare, fire hazard, visual impact, or any other hazard or nuisance, in excess of that which is characteristic of the Zone in which it is located under normal circumstances wherein no urban agriculture exists.
- 3) Greenhouses shall:
 - a) be subject to the setback and location requirements of an accessory building;
 - b) direct artificial lighting downwards or provide a shield to prevent the spillage of light onto adjacent parcels;
 - c) only permit the use of artificial lighting between the hours of 8:00am and 10:00pm daily.
- 4) Compost bins and composting shall:
 - a) be subject to the setback and location requirements of an accessory building;
 - b) only consist of plant, plant-based material, or animal manure and shall not utilize any mechanized processes.
- 5) A produce stand shall be considered a home-based business and therefore subject to the regulations in Section 3.2(1) of this Bylaw.
- 6) The keeping of honey bees is a permitted urban agricultural use provided that:
 - a) bees shall be housed in hives
 - b) only two hives with colonies shall be permitted per lot;
 - c) hives shall be at least four (4) metres from any neighbouring house, sidewalks,
 streets and public areas;

- hives must be located at least a minimum of three (3) metres above grade level to ensure the flight path of the bee is over the neighbouring houses in order to minimize the volume of bees at ground level;
- e) hives shall be securely located to prevent accidental disturbance or trespass by people and pets, and to prevent damage from wildlife;
- f) hives shall be equipped with adequate ventilation and near a water source;
- g) all beekeeping activities shall be in accordance to the Bee Regulation B.C.
 Regulation 3/2015 under the Animal Health Act.
- 7) The keeping of hens is a permitted urban agricultural use provided that:
 - a) the maximum number of hens shall be six (6) per lot;
 - b) roosters are not permitted;
 - c) a coop must be provided to house the hens and said enclosure must provide a minimum of zero point three seven (0.37) square metres per hen;
 - d) coops shall not exceed three (3) metres in height;
 - e) coops shall be subject to the setback and location requirements of an accessory building;
 - f) coops shall be maintained in a clean condition and the coop shall be kept free of obnoxious odours, substances and vermin.
- 8) The keeping and raising of livestock for agricultural use is only permitted on lots greater than zero point four (0.4) hectares.

3.4 Height of Buildings and Structures

- The maximum height of all buildings and structure shall not exceed ten (10) metres above mean grade level, except for public utility uses and industrial uses.
- 2) The following are not be subject to the height requirements prescribed in each given zone of this Bylaw: church spires, windmills, chimneys, flagpoles, masts, aerials, water tanks, domes, belfries, monuments, observation towers, elevators and ventilation machinery, solar panels, agricultural buildings including silos provided that such

structures occupy no more than 20% of the lot area, or if situated on a building, not more than 15% of the roof area of the principal building.

3.5 Siting of Principal and Accessory Buildings

- No residential use building shall be located on the same lot as another residential use building, except as otherwise provided for in this Bylaw.
- 2) No accessory building shall be located on any lot where a principal building has not been constructed or under construction except where allowed as a temporary building.
- 3) Except as expressly permitted under this Bylaw, no building or structure, including accessory buildings, or any part of a building or structure, shall be located in the area of any lot designated under Part 5 of this Bylaw as the minimum front yard.
- 4) Except as expressly permitted under this Bylaw, no principal building or structure or any portion thereof shall be located in the area of any lot designated under Part 5 of this Bylaw as the minimum side yard or rear yard.
- 5) Accessory buildings may be located in the area of any lot designated under Part 5 of this Bylaw as the minimum rear yard or side yard, but not part of an accessory building may be less than one point five (1.5) metres from the property boundary.
- Except within an industrial zone, any industrial use of public utility use building exceeding ten (10) metres in height shall not be sited within twelve (12) metres of any property line.

3.6 Siting Exceptions

- 1) Where chimneys, cornices, leaders, gutters, pilasters, belt courses, 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 zero point six (0.6) metres, providing that such reduction shall apply only to the projecting feature. For certainty, no such feature may project over a lot line.
- 2) Where steps, eaves, sunlight controls, canopies, balconies or open porches project beyond the face of a building, the minimum distance to a front, rear and side lot line

abutting a road as required elsewhere in this Bylaw for the projecting feature may be reduced by not more than two (2) metres and the minimum distance to an abutting side lot line not abutting a road as required elsewhere in this Bylaw for the projecting feature may be reduced by not more than 50% of such minimum distance. For certainty, no such feature may project over a lot line.

3.7 Siting of Buildings Adjacent to Watercourses

1) Notwithstanding any other provisions of this Bylaw, no building or any part thereof shall be constructed, reconstructed, moved or extended nor shall any mobile home unit, modular home or structure be located within thirty (30) metres of the natural boundary of the sea, a lake, swamp or pond or the natural boundaries of the Leiner River, the Tahsis River and other watercourses within the municipality.

3.8 Fences and Retaining Walls

- The maximum height of all fences shall not exceed two (2) metres above mean grade level except where provided for elsewhere in this Bylaw.
- The maximum height of all retaining walls shall not exceed one point two (1.2) metres above mean grade level except where provided for elsewhere in this Bylaw.

3.9 Visibility at Intersections

 On a corner lot in any zone, nothing shall be erected, placed, or allowed to grow within the site triangle in such a manner as to impede vision between a height of one (1) metre and three (3) metres above the center-line grade of a street. The site triangle is illustrated in Figure B:

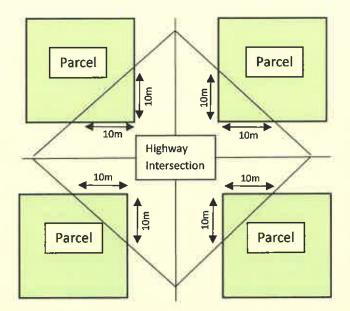


Figure B.

3.10 Temporary Buildings

- 1) A temporary building or structure may be erected or installed in conjunction with the permanent construction of a building or structure on the same lot.
- 2) A temporary building or structure shall be subject to the same siting, height and size requirements of an accessory building under this this Bylaw.
- Prior to the construction or installment of a temporary building or structure, an application for a building permit shall be submitted to the building official and signed by the owner or agent in accordance with the Village of Tahsis Building Bylaw No. 525, 2006.
- 4) If the building official is satisfied that the proposed temporary building or structure would not constitute or cause a public hazard or public nuisance, nor obstruct any public right-of-way, they may issue a building permit for the temporary building or structure for a period not exceeding twelve (12) months.
- 5) The twelve (12) months period shall commence when the building permit has been issued to the owner or agent.

- 6) Upon the expiration of the building permit for a temporary building, the temporary building or structure shall be removed by the owner and the site restored as nearly as possible to its former condition.
- 7) Where a residence is under construction, one temporary building or accessory building may be used as a temporary dwelling on the same lot for a period of not more than twelve (12) months.
- 8) A temporary building or accessory building may not be used as a temporary dwelling unless the building official issues an occupancy permit authorizing the temporary use.
- At the expiration of the occupancy permit, the residential use of such temporary building or accessory building must be discontinued.
- 10) Permits for temporary buildings are renewable upon application to the building official, for one additional renewal period not to exceed six (6) months. An application for permit renewal must provide reasons why renewal is necessary.

3.11 Temporary Occupancy of a Recreational Vehicle

- The residential use of a recreational vehicle (RV) as a temporary dwelling on a parcel while in the process of constructing a permanent dwelling on the same parcel is permitted, provided that the following conditions are met:
 - a) the occupancy of the RV must not commence until a building permit has been issued for the construction of a detached dwelling unit located on the same lot;
 - b) sewage must be disposed of at an approved off-site location, or be connected to an approved municipal sewer system;
 - c) the owner must apply for and obtain a permit from the building official authorising the use of the RV as a temporary dwelling.
 - d) the RV must be sited in accordance with the provisions of this Bylaw regulating the siting of accessory buildings;
 - e) the period of occupancy of the RV must not exceed twelve (12) months from its commencement, unless the permit issued under subsection (c) is renewed upon application to the building official, for period not to exceed six (6) months.

3.12 Storage

- 1) In all zones, except as provided for in the Industrial Zone Two (I-2), no parcel shall be used for the wrecking or storage of derelict automobiles or as a junkyard.
- A vehicle which has not been licensed and insured for over twelve (12) months and which is not housed in a garage of carport shall be deemed to be a derelict vehicle or junk.
- 3) Shipping/cargo containers shall not be permitted as accessory storage buildings, except:
 - a) the temporary placement of shipping/cargo containers on residentially zoned lots, or on lots of which the principal use is residential, shall be permitted for a temporary period not exceeding six (6) months.
 - b) the placement of a shipping/cargo container shall be permitted in all commercial, industrial, institutional, and rural zones, subject to compliance with the siting regulations for accessory building under this Bylaw.

3.13 Off-Street Parking

1)	Off-street parking shall be	e provided on each lot ir	n accordance with the following table:
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Use	Required Parking Space
Apartment/Condominium	1 space per dwelling unit + 1 visitor space per 4
Building	dwelling units
Auto Repair	1 space per 2 employees + 1 space per 70m ² of sales
	floor + 1 space per service bay
Bed and Breakfast	1 space per guest room + the 2 spaces required for the
	principal dwelling in which the bed and breakfast is
	located
Boat Sales and Repair	1 space per 2 employees + 1 space per 90m ² of storage
	area + 1 space per 35m ² of retail area
Building Materials and	1 space per 2 employees + 1 space per 90m ² of storage
Supply	area + 1 space per 35m ² of retail area
Campground	2 spaces per campsite
Café/Dining Room	1 space per 3 seats
Commercial Office	1 space per office + 1 customer space per office

Use	Required Parking Space
Community Care Facility	1 space per person in care + 1 space per employee
(Institutional)	
Community Care Facility	1 space per person in care + the 2 spaces required for
(Residential)	the principal dwelling
Contractors Yard	1 space per 2 employees
Farmer's Market	1 space per 30m ² of sales area
Fish and Shellfish	1 space per 2 employees
Processing	
Gas Station	1 space per 2 employees + 2 spaces per service bay
Health and Beauty Salon	1 space per 10m ² of gross floor area
Home-Based Business	1 space + the 2 spaces required for the principal dwelling unit
Hospital	1 space per 2 employees + 1 space per 5 patient beds
Hotel/Motel	1 space per rentable room or sleeping unit
Laundromat	1 space per 3 washing machines
Library	1 space per 2 employees + 1 space per 35m ² gross
	floor area
Manufacture/Industrial	1 space per 2 employees
Marina	1 space per 2 employees + 1 space per 2 boat spaces
Medical Clinic	4 spaces per medical professional
Museum	1 space per 10m ² of gross floor area
Police Detachment	1 space per 2 employees + 1 space for each additional
	police vehicle stored at the detachment
Public Bus Depot	1 space per 2 employees + 1 space per 20m ² of waiting room
Residential (Single-Family)	2 spaces per dwelling unit
Residential (Multi-Family)	1 space per dwelling unit + 1 visitor space per 4 dwelling units
Recreation Center	1 space per 10m ² of gross floor area
School (Elementary)	1 space per classroom + 1 visitor space for every 2
	classrooms
School (Secondary)	1 space per classroom + 1 visitor space for every 2
	classrooms + 1 space per 10 students
Shopping Center	6 spaces per 90m ² of gross floor area
Short-Term Rental	1 space per guest room + the 2 spaces required for the
Accommodation	principal dwelling

Use	Required Parking Space
Swimming Pool	1 space per 4m ² of pool water surface
Retail Store/Liquor	1 space per 15m ² of gross floor area
Store/Supermarket	
Tire Repair	1 space per 2 employees + 1 space per service bay
Tourist Cabin	1 space per guest room
Produce and Farm Stand	1 space per 15m ² of gross floor area with a minimum
	of 2 spaces provided
Warehouse	1 space per 200m ² of gross floor area devoted to the
	warehouse/storage use + 1 space per 400m ² of area
	used for outdoor storage of boats and recreational
	vehicles

- 2) Only the following shall be parked or stored in the open of any residential zone for each dwelling unit on a site:
 - a) automobiles;
 - b) one commercial vehicle not exceeding a licensed gross vehicle weight of 907 kilograms;
 - c) trucks, commercial vehicles or equipment required for the construction, repair, serving or maintenance of the premises;
 - any dismantled or wrecked vehicle or boat for a period of not more than thirty
 (30) successive days;
 - e) recreational boats and vehicles for the personal use of the occupant.
- 3) Off-street parking may be provided collectively in a parking area provided that the total number of parking spaces, when used together, is not less than the sum of the requirements for the various individual uses, also provided that the nearest of such parking spaces shall be within fifty (50) metres of the building or uses for which they are required and that such parking spaces be contiguous.
- 4) All off-street parking areas shall:
 - a) have a clear length of not less than six (6) metres, a clear width of not less than two point eight (2.8) metres and a clear height of not less than two point one (2.1) metres except in the case of parallel parking where each space shall be a minimum of six point seven (6.7) metres in length;

- b) be marked and provided with adequate curbs in order to retain all vehicles and to ensure that fences, hedges or landscape areas, as well as any buildings, will be protected from parking vehicles;
- c) where there are more than four (4) off-street parking spaces required, be provided with a surface that is durable and dust-free and shall be so graded and drained as to properly dispose of all surface water;
- d) be provided with adequate maneuvering aisles to facilitate vehicular movement from all individual parking spaces.
- 5) Required parking aisle widths shall be:
 - a) six (6) metres for 90-degree parking
 - b) five (5) metres for 60-degree parking
 - c) four (4) metres for 45-degree parking
- 6) All off-street parking is to be provided at no charge to users except where approved by resolution of Council.
- 7) Off-street parking spaces for the use of persons with a disability shall be:
 - a) provided where total vehicular parking requirements exceed ten (10) stalls, five
 (5) per cent of the total number of parking space (rounded to the nearest whole number) to a maximum of ten (10) stalls shall be designated for such purpose;
 - b) signed and pavement marked with the International Symbol for Accessibility;
 - c) located as near as practical to the building entrance designed for a person with a disability. Changes in elevations between the entrance and the parking space should be ideally non-existent, and if grade changes exist, they shall be gradual and clearly marked.

3.14 Lot Sizes

1) The minimum parcel area into which land may be subdivided is prescribed in the following table:

Zone	Minimum Lot Area
Residential	557.4m ²
Commercial	278.7m ²
Industrial	557.4m ²

PART FOUR: ESTABLISHMENT OF ZONES AND SCHEDULES

4.1 Zone Classification

1) For the purpose of this Bylaw, the Village of Tahsis shall be classified and divided into the following zone designations and their abbreviations:

Zone Classification	Abbreviation
Residential Zone One	R-1
Residential Zone Two	R-2
Residential Multiple Zone One	RM-1
Residential Multiple Zone Two	RM-2
Rural Zone One	RU-1
Commercial Zone One	C-1
Commercial Zone Two	C-2
Industrial Zone One	i-1
Industrial Zone Two	I-2
Public Assembly-Institutional Zone One	PA-1
Tourist-Campground Zone One	TC-1

4.2 Extent of Zone

 The extent of each zone is shown on Map A which is attached to and forms part of this Bylaw.

4.3 Road Allowance/Creek Boundary

1) When the zone boundary is shown on Schedule A as following a road allowance or creek, the center-line of such road allowance or creek shall be the zone boundary.

4.4 Determination of Boundaries

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

PART FIVE: ZONES

5.1 Regulations for Each Zone

1) The Tables set out in this part set out the regulations that must be complied with in

each zone, including but not limited to regulations for:

- a) permitted principal and accessory uses;
- b) minimum setbacks;
- c) maximum lot coverage;
- d) maximum density;
- e) conditions of use.

5.2 Residential Zone One (R-1)		
Principal Uses	Accessory Uses	
 single-family dwellings 	accessory building or structure	
	community care facility	
	 home-based business 	
	 professional occupations 	
	 bed and breakfast accommodations 	
	short-term rental accommodations	
	urban agricultural use	
Minimum	Setbacks	
Front yard minimum	6 metres	
Rear yard minimum	2 metres	
	1.5 metres (except where the size yard flanks	
Side yard minimum	a street in which case the minimum yard	
	distance shall be 3 metres)	
Maximum Height		
All buildings and structures	10 metres	
Maximum Lot Coverage		
All buildings and structures	35%	

5.3 Residential Zone Two (R-2)		
Principal Uses	Accessory Uses	
 single-family dwellings 	 accessory building or structure 	
duplexes	community care facility	
 boarding house (restricted to not 	home-based business	
more than 4 boarders)	 professional occupations 	
	 bed and breakfast accommodations 	
	 short-term rental accommodations 	
	urban agricultural use	
Minimum Setbacks		
Front yard minimum	6 metres	
Rear yard minimum	2 metres	
	1.5 metres (except where the size yard flanks	
Side yard minimum	a street in which case the minimum yard	
	distance shall be 3 metres)	
Maximum Height		
All buildings and structures	10 metres	
Maximum	Lot Coverage	
All buildings and structures	35%	

5.4 Residential Multiple Zone One (RM-1)		
Principal Uses	Accessory Uses	
 single-family dwellings 	 accessory building or structure 	
duplexes	community care facility	
 boarding houses 	 home-based business 	
townhouses	 professional occupations 	
apartments	bed and breakfast accommodations	
	short-term rental accommodations	
B Alia inc. un	urban agricultural use	
Front yard minimum	6 metres	
Rear yard minimum	10.5 metres	
Side yard minimum	4.5 metres	
	m Density	
Single-family dwellings, duplexes and boarding houses	18 dwelling units per hectare	
Townhouses, apartments and bunkhouses	50 dwelling units per hectare	
Maximu	m Height	
All buildings and structures	10 metres	
Maximum I	Lot Coverage	
All buildings and structures	40%	
Conditio	ons of Use	
 rooms at or below grade, or less than or b) parking spaces shall be located at least to of habitable rooms where the sill is one grade; c) no parking space or area shall be located 	six (6) metres away from windows of habitable ne point seven five (1.75) metres above grade; two point five (2.5) metres away from window point seven five (1.75) metres or more above d within one point five (1.5) metres of any	
 property line; d) no parking space, area or driveway shall be located within seven point five (7.5) metre of any playground. 		
2) Playground	cause matrix shall be provided for each four	
) square metres shall be provided for each four for the purpose of providing a playground	
3) Landscaping	tor the purpose of providing a playeround	
a) landscaping in the forms of grass, shrub	s, plants, flowers and/or decorative boulders eveloped with buildings, parking and driveway ng and recreation areas shall be clearly	

indicated on plans submitted for a building permit;

5.4	Residential Multiple Zone One (RM-1)		
b)	parking, playground and open storage areas shall be screened along all property lines,		
	except where road vision may be impaired, by a landscaped hedge and/or fence not		
	less than one point seven five (1.75) metres in height.		

5.5 Residential Multiple Zone Two (RM-2)		
Principal Uses	Accessory Uses	
mobile homes	 accessory building or structure community care facility home-based business professional occupation urban agricultural use 	
Minimum		
 A seven point five (7.5) metre minimum yard shall be maintained along all exterior property lines in a mobile home park. No mobile home shall be location within seven (7) metres of another mobile home No part of any mobile home, or any addition or accessory building shall be located: a) within two (2) metres of an internal access road right-of-way or common parking area; b) within two (2) metres of rear and side mobile home space lines. 		
Maximun		
Mobile home park	20 dwelling unit per hectare	
Maximur		
All buildings and structures	10 metres	
Maximum L	ot Coverage	
Mobile home and additions to it (exclusive of carport)35%Addition to a mobile home (exclusive of 20%20%		
carport and/or patio) Minimum Lot Size	and Lot Frontage	
Minimum area Minimum frontage when abutting an internal roadway right-of-way	325 square metres 12 metres	
Minimum frontage when abutting a cul-de- sac or panhandle mobile home space	6 metres (unless otherwise approved by Council)	
Conditions of Use		
 discernible mobile home pad of compact concrete pavement; c) no more than one mobile home shall be 5) Off-Street Parking a) two (2) parking stalls shall be provided to the provided to th	v drained, clearly numbered and have a clearly ted gravel or be surfaced with asphalt or located on a mobile home space. for each mobile home space; nobile home spaces shall be provided in the	

	Residential Multiple Zone Two (RM-2)
6) G	General Provisions
a)	the owner of a mobile home park shall provide within the mobile home park one or
	more recreation areas, protected from automobile traffic and having a total area of
	not less than 10% of the mobile home park. The buffer strip and street right-of-way
	shall not be included in calculating the recreation area provided;
b)	at least one open communal storage site having a surface area of a minimum average
	of twenty (20) square metres for each mobile home site shall be located within each
	mobile home park. The communal storage site shall be located in a section of the park
	where it will not create a nuisance, as to sight, sound or smell, and must be adequately
	landscaped, provide adequate security, and not be located in any buffer or recreation
	area. No structures shall be constructed in open communal storage sites.
c)	All accessory structures such as patios, porches, additions, skirting and storage
	facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that
	the appearance, design and construction will complement the mobile home. The
	undercarriage of each mobile home shall be screened from view by skirting or such
	other means satisfactory to the building official.

5.6 Rural Zone One (RU-1)		
Principal Uses	Accessory Uses	
 one single-family dwelling (including a mobile home) agricultural use (including the sale of products grown on the property) animal kennels and shelters silviculture and commercial nurseries airports, heliports, and associated uses campsite and tenting sites (maximum density of 25 units per hectare) 	 accessory building or structure single fully enclosed building to house a maximum of 3 people being employed in a business conducted on the lot and subject to the conditions of use in 5.5(1) home-based business professional occupation urban agricultural use 	
	Setbacks	
Front yard minimum	7.5 metres	
Rear yard minimum	7.5 metres	
Side yard minimum	3.5 metres (except where the width of a lot is 30 metres or less at the required front yard setback and where there is not street flanking the side yard, in which case the minimum is 1.75 metres)	
Maximu	m Height	
All buildings and structures (excluding agricultural buildings)	10 metres	
Maximum L	ot Coverage	
All buildings and structures (excluding commercial greenhouses)	15%	
All buildings and structures (excluding commercial greenhouses when located on a lot equal to or less than 1625 square metres)	35%	
Conditions of Use		
 A single fully enclosed building to house a maximum of three (3) people being employed are subject to the following conditions: a) no outdoor storage; b) building height to be no more than of four point five (4.5) metres; c) minimum yard clearance along all property lines of seven point five (7.5) metres; 		

d) maximum gross floor area of 75 square metres.

5.7 Commercial Zone One (C-1)		
Principal Uses	Accessory Uses	
 retail stores offices entertainment establishments banks, credit unions, loan, and trust companies, pawnshops coffee shops and restaurants hotels, motels, lodges, pubs personal service establishments private clubs repair establishments printing and publishing shops boat sales and service building supply and lumber yards retail sale of motor vehicle fuels and ancillary products non-medical cannabis retail store 	 accessory building or structure one single-family dwelling home-based business professional occupation urban agricultural use 	
Minimum Setbacks		
Front yard minimum	Not required	
Rear yard minimum	Not required (except where the abutting property is zoned residential in which case a 2 metre rear yard is required)	
Side yard minimum	Not required (except where the abutting property is zoned residential in which case a 3.5 metre side yard is required)	
Maximu	m Height	
All buildings and structures	10 metres	
	ns of Use	
 No activity on a lot for a permitted use shall cause nuisance to surrounding area by reasons of unsightliness, odor emissions, liquid effluents, dust, noise, fumes, smoke or glare. No parking, loading or storage areas shall be located in any required yards where the 		

2) No parking, loading of storage areas shall be located in any rec abutting property is zoned residential.

5.8	8 Commercial Zone Two (C-2)		
	Principal Uses	Accessory Uses	
• • • • •	automobile sales and service mobile home and recreational vehicle sales plumbing, sheet metal, welding and machine shops gasoline service stations auto body repair warehousing open-air recreation and entertainment establishments restaurants and coffee shops non-medical cannabis retail store	 accessory building or structure one single-family dwelling home-based business professional occupation urban agricultural use 	
	Minimum	Setbacks	
	Front yard minimum	Not required	
	Rear yard minimum	Not required (except where the abutting property is zoned residential in which case 2 metres shall be maintained)	
Side yard minimum		Not required (except where the abutting property is zoned residential in which case 3.5 metres shall be maintained)	
	Maximum Height		
	All buildings and structures	10 metres	
	Condition		
 No activity on a lot for a permitted use shall cause nuisance to surrounding area by reasons of unsightliness, odor emissions, liquid effluents, dust, noise, fumes, smoke or glare. 			
	2) No parking, loading or storage areas shall be located in any required yards where the		

abutting property is zoned residential.

5.9	5.9 Industrial Zone One (I-1)		
	Principal Uses	Accessory Uses	
	 those listed in (I-2), but including lumber storage, lumber dry kilns, lumber remanufacturing, and shake and shingle manufacturing building supply and lumber yards automobile sales and service mobile home and recreational vehicle sales plumbing, sheet metal, welding and machine shops gasoline service stations 	 accessory building or structure one single-family dwelling home-based business professional occupation urban agricultural use 	
	Minimum	Setbacks	
	Front yard minimum	Not required	
	Rear yard minimum	Not required (except where the abutting property is zoned residential in which case 2 metres shall be maintained)	
	Side yard minimum	Not required (except where the abutting property is zoned residential in which case 7.5 metres shall be maintained)	
		ns of Use	
	All outdoor storage or supply yard shall be screened from any abutting property by solid fencing or screening not less than one point seven five (1.75) metres or greater than two (2) metres in height.		
3) / 1 4)			

5.1	5.10 Industrial Zone Two (I-2)				
	Principal Uses	Accessory Uses			
	 wood processing including sawmills, shake mills, pulp and paper bulk fuel storage auto wrecking refuse disposal fish and shellfish processing aquaculture barge loading and freight handling facilities commercial marina facilities manufacture of concrete products non-medical cannabis retail store 	 accessory building or structure one single-family dwelling home-based business professional occupation urban agricultural use 			
Minimum Setbacks					
	Front yard minimum	Not required			
	Rear yard minimum	Not required (except where the abutting property is zoned residential in which case 2 metres shall be maintained)			
	Side yard minimum	Not required (except where the abutting property is zoned residential in which case 7.5 metres shall be maintained)			
	Minimum Lot Size				
	Minimum area (all upland uses)	0.4 hectares			
	Condition				
	zoned residential by solid fencing or screening not less than two (2) metres in height.				

5.11 Public Assembly – Insti	itutional Zone One (PA-1)
Principal Uses	Accessory Uses
 churches community care facility day care facility fire hall government offices and facilities hospitals and related medical facilities libraries museums and galleries police detachment public assembly use public utility use playgrounds recreational facilities 	 accessory building or structure one single-family dwelling home-based business professional occupation urban agricultural use
Minimum	Setbacks
Front yard minimum	6 metres
Rear yard minimum	2 metres
Side yard minimum	1.5 metres (except where the side yard flanks a street in which case the minimum yard distance shall be 3 metres)
1) No building or structure shall be located wi	thin three point five (3.5) metres of an
accessory building on the same lot.	
Maximu	
All buildings and structures (excludes public	10 metres
utility uses)	
Maximum L	
All buildings and structures	35%

5.12 Tourist-Campground Zone One (TC-1)				
Principal Uses	Accessory Uses			
 campground nature park 	 accessory store accessory storage of recreational vehicles campground office caretaker's residence 			
Front and exterior lot lines				
Rear and interior lot lines	5 metres 7.5 metres			
	m Density			
Maximum number of camping spaces	70 per hectare			
Maximum number of campsites	140 per parcel			
 No buildings other than one caretaker resi accessory campground office building, acc maintenance building permitted on a lot. 	· · · ·			
Maximu	ım Height			
All buildings and structures	10 metres			
Maximum	Lot Coverage			
All buildings and structures	10%			
Open site area (excluding areas occupied by buildings, structures, concrete, and other impervious surfacing)	Not less than 55%			
Minimu	m Lot Size			
Minimum area	0.4 hectares			
Conditio	ons of Use			
 b) an accessory store shall have a maximum c) a campground office shall have a maximum d) any other accessory building shall have a square metres; e) area for the storage of recreational vehic area of the parcel. 3) Structure Area a) a structure or system of structures to sup 	aximum gross floor area of 125 square metres; n gross floor area of fifty (50) square metres; um gross floor area of fifty (50) square metres; n maximum gross floor area of seventy-five (75)			

5.12	Tourist-Campground Zone One (TC-1)		
b)	one accessory unenclosed deck or patio may be constructed adjacent to each		
	recreational vehicle provided that such structures shall not exceed a maximum area of		
	fourteen (14) square metres and no canopy over such a structure shall exceed the		
	height of the adjacent recreational vehicle.		
4) Accessory Storage Area			
a) the perimeter of an accessory storage area for recreational vehicles shall be screened			
	by a solid fence or landscaping hedge.		

PART SIX: REPEAL

6.1 Bylaw Repeal

1) The Village of Tahsis Zoning Bylaw No. 176, 1981 and amendments thereto, is hereby repealed.

READ a first time this 2 day of ___, 2020 READ a second time this $\frac{16}{10}$ day of $\frac{1}{2020}$ READ a third time this 4^{2} day of $\frac{4}{2}$ 2020 Reconsidered, Finally Passed and Adopted this 18 the day of 4. 2020

MAYOR

CORPORATE OFFICER

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No. 630, 2020 duly passed by the Council of the Village of Tahsis on this $\frac{14}{20}$ day of $\frac{4}{2020}$.

CORPORATE OFFICER

