

# Relevant Excerpts from Electoral Area B Official Community Plan Bylaw No. 850 And Electoral Area B Zoning Bylaw No. 851

(See [Bylaw No. 850](#) and [Bylaw No. 851](#) for all policies and land use regulations)

## Electoral Area B Official Community Plan Bylaw No. 850

### 5.4 Commercial Development Permit Area

#### Designation

- 5.4.1 The Commercial Development Permit Area (CDPA) is designated under Section 919.1(1) (f) of the *Local Government Act*, for the purpose of establishing objectives for the form and character of commercial development.

#### Area

- 5.4.2 Commercial Development Permit Areas include all areas designated in the OCP for commercial use.

#### Justification

- 5.4.3 The form, character, appearance and landscaping of commercial properties is an important part of what makes a place attractive and livable. The commercial properties in Area 'B' are located in areas that are highly visible (e.g. Trans-Canada Highway) and/or focal points within communities. Attention to design details will ensure that a high development standard is maintained for commercial areas.

#### Guidelines

- 5.4.4 Landscaping shall be provided:
- a. along property lines that are next to public areas;
  - b. along the base of buildings that are seen from the public areas;
  - c. between parking areas and public roads; and
  - d. meet Ministry of Transportation Standards, particularly, BC Reg 513/2004, Provincial Public Undertakings, Regulation, Part 3.
- 5.4.5 Views from residential areas.
- a. Landscaping and buffering are to be provided next to any adjacent residential area. The entire setback should be landscaped in trees and shrubs.

- b. Landscaped berms create a visual buffer. Even a small elevation change in the ground has an impact. Berms are encouraged especially where the creation of a visual screen effect is desired.
- c. Signage and lighting will be revised and managed to maintain the rural landscape and atmosphere and to minimize visual impacts from the highway.

#### 5.4.6 Parking, vehicular traffic and waste collection areas.

- a. Outdoor storage or waste collection areas shall be screened by fencing, hedging or landscaping.
- b. Where landscaping is adjacent to parking or vehicular traffic there shall be a concrete curb to protect the landscaping from damage.
- c. In parking areas, landscape islands of trees and shrubs shall be used to visually break up large expanses of parking.

#### 5.4.7 Existing landscaping.

- a. Integration with, or augmentation of, any existing landscaping is encouraged.
- b. Retention of existing trees and integrating them into the proposed site and landscape design is encouraged.

#### 5.4.8 Standards.

- a. Plant material must meet the BC Landscape Standard for size and leaf density. (The BC Landscape Standard is published jointly by the BC Society of Landscape Architects and the BC Landscape and Nursery Association).
- b. Low volume irrigation is encouraged.
- c. All trees must be staked in accordance with the BC Landscape standards.

### **Safety**

- 5.4.9 Landscaping should not create blind spots, potential hiding places, or screen wildlife, particularly next to highways.
- 5.4.10 There may be a need to screen storage yards or noxious land uses.
- 5.4.11 Development shall be encouraged to implement strategies consistent with Bear Aware and Bear Smart programs.

### **Building Design**

- 5.4.12 Buildings shall create visual interest, using:

- strong detailing in windows and doors,

- no large expanses of blank wall, and
- localized lighting.

## Exemptions

5.4.13 A Development Permit must be approved before demolition of, construction of, addition to or alteration of a building or structure, except, a Development Permit is not required where:

- a. Changes to a building or structure are internal alternations that do not affect the exterior of a building, the repair or replacement of roofing.
- b. The construction, alternations or additions of building are:
  - additions up to 200 m<sup>2</sup> in areas where the addition results in less than a 10% increase in floor area; or
  - minor external alterations that do not alter or affect parking requirements, required landscaping, access to the site, or the building footprint or have any significant impact on the character of the building; or
  - the construction or alterations in accessory buildings or structures are not in excess of 40 m<sup>2</sup> where the total floor area is no more than 10% of the main building, and, provided parking requirements, required landscaping, required environmental measures, access to the site, and the character of the site are not affected.
- c. Development applications for residential developments within a Resort Commercial designation (e.g. Mica Creek).

## **Bylaw No. 851**

### **PART 1: DEFINITIONS**

CONVENIENCE STORE is the *use* of land, *buildings* and structures for the retailing and display of merchandise inside a *building*, occupying a maximum *floor area* of 100 m<sup>2</sup> but does not include a *restaurant*, motor *vehicle repair* facility of any kind, or *service station*;

DWELLING UNIT is the *use* of one or more habitable rooms in a *building* that constitute a single self-contained unit with a separate entrance and used together for living and sleeping purposes for not more than one *family*, and containing a bathroom with a toilet, wash basin, and a bath or shower and only one room which due to its design, plumbing, equipment and furnishings may be used primarily as a kitchen. *Dwelling unit* does not include *camping unit*, *park model*, *tourist cabin*, or *sleeping unit* in a *hotel*, *lodge* or *motel*;

FREE-STANDING SIGN Is a sign which is supported independent of a *building*;

FUEL STORAGE is the *use* of land, *buildings* and structures where fuel is stored or kept for sale or distribution;

GENERAL STORE is the *use* of land, *buildings* and structures for the retailing and display of sale foodstuffs, periodicals, sundries, fresh fruits and vegetables, hygienic or cosmetic goods or plants, hot deli & pizza ovens and includes ancillary fuel sales, occupying a maximum *floor area* of 100 m<sup>2</sup>;

HOTEL is the use of land, *buildings* and structures to provide accommodation on a *temporary* basis to the travelling public, within a building, and may also contain meeting rooms & *restaurant*;

LANDSCAPE SCREEN is an opaque barrier formed by a row of shrubs, trees, by a wooden fence or masonry wall or by a combination of these;

PARKING AREA is one or more off-street *parking spaces* and includes circulation ways;

PARKING SPACE is an off-street space for the parking of one vehicle exclusive of *parking area* circulation ways, driveways, ramps or obstructions;

PRINCIPAL USE is the main purpose that land, *buildings* or structures on a *parcel* are ordinarily used;

RESIDENTIAL USE is the *use* of land, *buildings*, structures and stationary vessels for sleeping, eating and other activities generally associated with habitation for more than 14 consecutive days;

RESTAURANT is the *use* of land, *buildings* and structures as an establishment for the preparation and serving of prepared, ready to eat food, to be consumed on or off the premises. *Restaurant* includes a drive-in *restaurant* and take-out *restaurant*;

RETAIL STORE is the *use* of land, *buildings* and structures for the retailing and display of merchandise inside a *building*, but does not include a *restaurant*, or motor *vehicle repair* facility of any kind, or *service station*;

SECONDARY USE is a *use* which is permitted only in conjunction with an existing principal *use*;

SERVICE STATION is the *use* of land, *buildings*, and structures for the retailing of motor fuels; and repairs, servicing and washing of vehicles but does not include auto body repairs or painting, or *vehicle wrecking*;

SINGLE FAMILY DWELLING is the *use* of land, structures and one detached *building* used exclusively for one *dwelling unit*, except where additional *uses* are specifically permitted in this *Bylaw* as a part of a *single family dwelling*;

USE is purpose or function to which land, *buildings* and structures are put to and if not in *use*, then the *purpose* they are designed or intended to be put to.

### **3.24 SIGNAGE**

#### **(1) General Regulations:**

##### **(a) Permitted Signs:**

- (i) Subject to the provisions of this *Bylaw*, *signs* shall be permitted to be located on a *parcel* of land only if they advertise a product, service, place, activity, person, institution, or business located on the same *parcel*.
- (ii) Notwithstanding the provisions of subsection (1)(a)i. above and subject to the regulations contained elsewhere in this *Bylaw*, the following *signs* shall be permitted to be located on any *parcel* of land:
  - *bed and breakfast signs*
  - *construction signs*
  - *community signs*
  - *directional signs*
  - *government signs*

- *home occupation signs*
- *vacation rental signs*
- *"neighbourhood watch" signs*
- *political signs*
- *real estate signs*
- *seasonal and holiday signs*
- *special event signs*

(b) Prohibited Signs:

Notwithstanding the provisions of subsection 1.a. above, the location of the following *signs* on any *parcel* of land is expressly prohibited:

- *animated signs*
- *billboards*
- *inflatable signs*
- *flashing signs*
- off premise signs (third party signs)
- *portable/temporary signs*
- *roof signs*

(c) Design Standards:

- (i) All signage shall be professionally prepared;
- (ii) All *signs* affixed to the exterior of a *building* shall be architecturally compatible with the style, composition, materials, colours and details of the buildings, as well as with other *signs* used on the *building* or its vicinity;
- (iii) All *signs* should be mounted so that the method of installation is hidden – including all services to the *sign*;
- (iv) All *signs* shall meet BC Building Code standards as required;
- (v) All *signs* shall be visible, legible and readable and located with consideration to street appearance, traffic and pedestrian safety, and in accordance to general regulations as set within this section; and
- (vi) All *signs* should not project into areas used by the public.

(d) Sign Area:

The *sign* area shall be not greater than:

- (i) 0.5 m<sup>2</sup> for *home occupation* and *vacation rental signs* or
- (ii) 1 m<sup>2</sup> for *directional signs* and for *real estate signs* located in a residential zone or
- (iii) 3 m<sup>2</sup> for *real estate signs* located in other than a residential zone.

(e) Height of Signs:

The height of *free standing signs* shall not exceed 2 m.

(f) Number of Signs:

There shall be no more than one (1) *home occupation, vacation rental or real estate sign* located on a *parcel* of land.

(g) Setbacks:

- (i) The setback of free standing *signs* (any part of any part of) from all property lines shall be not less than 1 m;
- (ii) *Signs* shall not be placed in an area where an easement or covenant restrict such structures; and
- (iii) Notwithstanding the setback requirements of Subsection (1)(f)i. above, no free standing *sign* shall be permitted to be located within a distance of 6 m from:
  - a lot corner adjacent to the intersection of two public highways; and
  - a lot corner adjacent to a public highway and common to two lots.

(h) Maintenance:

- (i) All *signs* shall be properly maintained and any *sign* located on a property which becomes vacant and unoccupied for a period of six months, and any *sign* which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned, and shall be removed by the owner of the land within thirty (30) days of receipt of a written notification by the Manager of Development Services or delegate.
- (ii) Any *sign* that is in an unsafe condition, the Manager of Development Services or delegate, may by written notice require the *sign* be repaired or removed within ten (10) days from the date of the letter.

**(2) Specific Regulations – Public Institutional, Commercial and Industrial Zones:**

(a) Sign Area:

The maximum *sign* area shall be not greater than:

- (i) the square root of (the total wall area x 10) - for wall *signs* and projecting *signs*; or
- (ii) the square root of (the total wall area x 2) - for free standing *signs*.
- (iii) 3 m<sup>2</sup> for free standing *signs*.

(b) Height of Signs:

The height of free standing *signs* shall not exceed 5 m.

(c) Illumination:

Internal and external illumination of *signs* shall be permitted provided that the light source does not cause undue glare to adjacent properties or persons travelling on adjacent public highways or in any way obstruct or interfere with the function of a traffic signal light or *sign*.

(d) Number of Signs:

The maximum number of free-standing *signs* permitted on a *parcel* of land zoned public institutional, commercial or industrial shall be one (1).

(e) Landscaping:

Free standing *signs* shall be placed in and co-ordinated with the landscaped areas of the *parcel*.

## **5.12 HIGHWAY COMMERCIAL - HC**

### **Principal Uses**

(1) The *uses* stated in this subsection and no others are permitted in the Highway Commercial zone as principal *uses*, except as stated in Part 3: General Regulations:

- (a) *amusement establishment*
- (b) *campground*
- (c) *convenience store*
- (d) *day care*
- (e) *hotel*
- (f) *general trade contracting office and works yard*
- (g) *lodge*
- (h) *mini storage*
- (i) *motel*
- (j) *office*
- (k) *owner/operator dwelling*
- (l) *outdoor sales*
- (m) *personal service*
- (n) *plant nursery and services*
- (o) *pub*
- (p) *public assembly facility*
- (q) *recycling drop-off facility*
- (r) *rental shop*
- (s) *restaurant*
- (t) *retail store*



- (u) *service station*
- (v) *single family dwelling*
- (w) *tourist cabin*
- (x) *wholesale establishment*

### **Secondary Uses**

- (2) The *use* stated in this subsection and no others are permitted in the Highway Commercial zone as a *secondary use*, except as stated in Part 3: General Regulations:
- (a) *accessory use*
  - (b) *home occupation*
  - (c) *secondary dwelling unit*
  - (d) *staff accommodation*

### **Regulations**

- (3) On a *parcel*/zoned Highway Commercial, no land shall be used; no *building* or structure shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 4: Parking and Loading Regulations.

<b>COLUMN 1</b> <b>MATTER REGULATED</b>	<b>COLUMN 2</b> <b>REGULATION</b>
(a) Minimum <i>parcel</i> /size created by <i>subdivision</i> <ul style="list-style-type: none"> <li>▪ where <i>parcel</i> is serviced by an existing <i>community sewer system</i></li> <li>▪ in all other cases</li> </ul>	<ul style="list-style-type: none"> <li>▪ 0.4 ha</li> <li>▪ 1 ha</li> </ul>
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	20 m
(c) Maximum <i>parcel coverage</i>	40%
(d) Maximum density of <i>tourist cabins</i> per <i>parcel</i> <ul style="list-style-type: none"> <li>▪ where a <i>parcel</i> is serviced by both a <i>community sewer system</i> and a <i>community water system</i></li> <li>▪ in all other cases</li> </ul>	<ul style="list-style-type: none"> <li>▪ 40 per hectare</li> <li>▪ 6 per hectare</li> </ul>

(e) Maximum number of <i>single detached dwellings</i> per <i>parcel</i> (subject to Section 3.7 of this <i>Bylaw</i> )	(a) one
(f) Maximum number of <i>secondary dwelling</i> units per <i>parcel</i> (subject to Section 3.15 of this <i>Bylaw</i> )	(b) one
(g) Maximum <i>gross floor area</i> of <i>secondary dwelling unit</i>	(c) shall not exceed 100 m <sup>2</sup> or 60% of the <i>gross floor area</i> of the <i>single family</i>
(h) Maximum <i>gross floor area</i> of a <i>home occupation</i>	(d) shall not exceed 100 m <sup>2</sup> or 60% of the <i>gross floor area</i> of the <i>single family</i>
(i) Combined maximum number of <i>camping spaces</i> and <i>hotel/motel/lodge</i> units per <i>parcel</i>	(e) 50
(j) Maximum number of <i>sleeping spaces</i> for staff accommodation per <i>parcel</i>	(f) 10
(k) Maximum <i>height</i> for: <ul style="list-style-type: none"> <li>▪ principal <i>buildings</i> and structures</li> <li>▪ <i>accessory buildings</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 11.5 m</li> <li>▪ 10 m</li> </ul>
(l) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <li>▪ <i>front parcel boundary</i></li> <li>▪ <i>interior side parcel boundary</i></li> <li>▪ <i>exterior side parcel boundary</i></li> <li>▪ <i>rear parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 5 m</li> <li>▪ 5 m</li> <li>▪ 5 m</li> <li>▪ 5 m</li> </ul>
(m) Outdoor sales, plant nursery and services and outdoor display area	shall be sited in conformance with the minimum <i>setback</i> regulations

### **Screening**

- (4) All outside commercial storage, including the storage of garbage, shall be completely contained within a landscape screen of not less than 2 m in height.