



## REQUEST FOR PROPOSALS

**RFP-2024-04**

June 7, 2024

# Engagement and Urban Design Services for New Zoning Bylaw and Updated Design Standards

City of Duncan, Planning Department  
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**Submission Deadline: June 28, 2024, 12:00 p.m. local time**

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## REQUEST FOR PROPOSALS

### Engagement and Urban Design Services for New Zoning Bylaw and Updated Design Standards

#### **1.0 - INTRODUCTION**

##### **1.1 PURPOSE**

The City of Duncan is replacing its existing 2017 zoning bylaw with a new zoning bylaw and updating the existing development permit area guidelines in the City’s Official Community Plan (OCP). This Request for Proposals (“RFP”) is an invitation to qualified consulting firms to undertake all aspects of the **engagement, urban design, and mapping components of the new zoning bylaw and the engagement, urban design, and writing of the updated development permit area guidelines**. The City is seeking proposals from qualified consulting firms with demonstrated experience in planning, engagement, and urban design.

##### **1.2 BACKGROUND**

###### **Zoning Bylaw**

The City’s current zoning bylaw was adopted in 2017 (see Schedule 1). The City is developing a new zoning bylaw for the following reasons:

- On March 4, 2024, the City adopted a new OCP and the City would like to ensure that the zoning bylaw is consistent with the new OCP. Council’s Strategic Plan 2023-2026 includes “updating the zoning bylaw to align with the new OCP.”
- The City successfully applied for a federal housing grant and one of the City’s projects related to the grant is to do a comprehensive update of the City’s zoning bylaw in 2024. In particular, the intent is to improve the regulatory framework to produce more housing in Duncan at an accelerated pace, including pre-zoning land for housing, accommodating and encouraging missing middle housing forms, reducing parking requirements, and clarifying amenity provisions to reduce uncertainty related to negotiated amenities.
- There are a number of administrative and housekeeping amendments that the City would like to incorporate into the new zoning bylaw based on the City’s experience with the existing zoning bylaw since it was adopted in 2017.
- The City would like to incorporate any neighbourhood-specific regulatory provisions from other City plans and policies, such as the Cairnsmore Sustainable Neighbourhood Plan and the University Village Local Area Plan, into the new zoning bylaw, as appropriate.

## Development Permit Area Guidelines

The City’s development permit area guidelines or “design standards” are relatively recent, as they were substantially adopted in 2023 as an amendment to the previous 2007 OCP and further clarified and updated in the new 2024 OCP (see Schedule 2). However, the City believes that there are additional improvements that can be made to the design standards. The City is updating the design standards for the following reasons:

- The City successfully applied for a federal housing grant and one of the City’s projects related to the grant is to update, simplify, and streamline the design standards in 2024 to facilitate additional housing development.
- The design standards would benefit from the addition of photo examples, graphics, illustrations, and diagrams to explain the intent and desired application of the design standards. **NOTE: this is one of the most important aspects of this project. The successful consultant must have significant, demonstrable experience in visualization of development concepts and urban design.**
- Certain sections and elements of the design standards could be consolidated and simplified to improve clarity and reduce duplication. The intent is to create a smaller list of high priority design standards to ensure that developments are adhering to the desired design principles.
- In conjunction with the regulatory updates the City has made to permit small-scale multi-unit housing (up to 4 units) in the low density residential zone, there is a need to create a smaller, simplified list of standards, guidelines, and expectations for this type of housing. This is anticipated to be a subset of the more comprehensive design standards.

## Objectives

The intended outcomes and objectives of this project are as follows:

- Contemporary zoning bylaw that aligns with the policies of the new OCP and best practices in land use management and zoning regulations.
- Contemporary design standards for new development based on sound urban design principles and practices.
- Improved and simplified regulatory and design review framework, including removing barriers to the development of new housing, including missing middle housing forms.
- Simple and highly illustrative zoning bylaw that is accessible and easy for staff, Council, and, importantly, the development community and the broader public, to use and understand.
- Clear parameters around density bonusing provisions and works and services standards related to zoning (if these end up being part of the new zoning bylaw).
- Reducing parking requirements for new development, with a focus on encouraging new commercial space, services, and mixed use buildings, and that are also relevant to the local

Cowichan Valley context.

- Sufficient opportunities for public engagement on important elements of the zoning bylaw and design standards.
- Meeting the City’s obligations under its federal grant.

### **Overall Approach and Timeline**

The City intends to draft the new zoning bylaw using internal resources; however, the City requires assistance with certain components of the process and the bylaw, including public engagement and preparing all illustrations, graphics, diagrams, and mapping that will be included in the bylaw.

With respect to the design standards, the successful consultant will be responsible for writing the design standards to replace the existing design standards in DPA 1 – Design Standards, including undertaking public engagement on the new standards and preparing all supporting graphics, illustrations, and diagrams.

Following closure of this RFP, the City will select and enter into a contract with the successful consultant. The successful consultant will then plan for and undertake the public engagement. The consultant will summarize all feedback received and submit the summary to the City. City staff will finalize the draft zoning bylaw, including incorporating public input and the illustrations, graphics, diagrams, and mapping provided by the successful consultant. In order to meet the City’s commitments under the federal grant, the zoning bylaw update needs to be completed expeditiously (ideal completion date in first quarter of 2025).

## **1.3 SCOPE AND DELIVERABLES**

### **Engagement**

The successful consultant will be responsible for all aspects of public engagement associated with this project, including:

- Preparing a brief engagement plan and approach in collaboration with the City
- Preparing advertising for engagement activities
- Preparing engagement materials (e.g. posters, panels, surveys (if required), draft zoning provisions and design standards). This will include mapping and illustrating options for building height in different areas of the community. In particular, building heights in the downtown comprehensive and high density residential zones are expected to vary depending on location and type of development.
- Organizing and facilitating any in-person and virtual engagement opportunities with appropriate staffing and resources
- Creating and managing a project page on the City’s [Big Conversations](#) platform
- Providing a concise summary and analysis of engagement results following completion of the engagement

As a regulatory bylaw, a zoning bylaw is not typically subject to extensive public consultation in the same way that a community plan, strategy, or other visionary or scenario-based planning exercise may be. However, the zoning bylaw does regulate what land owners can and cannot do on their land and any changes that would further restrict those provisions require an opportunity for land owners to make their views known on those potential changes. Furthermore, there are certain provisions of the zoning bylaw, such as building height, minimum parking requirements, and amenities associated with density bonusing (if applicable), in which the broader public would likely have an interest. It is expected that the engagement materials will include mapping and drawings to illustrate development scenarios and options.

With respect to the design standards, it is anticipated that the public may wish to provide feedback on the proposed design principles and the types of elements to be included in the designs of new development.

The City envisions that the successful consultant will develop an approach to public engagement that suits the regulatory nature of the zoning bylaw and the desired improvements to the design standards and carry out the public engagement, including communicating the regulatory and design options and seeking input from the public on those options. It is anticipated that public engagement would take place in Fall 2024 during a short but intensive engagement period.

The City will provide a venue and refreshments for in-person engagement events.

### **Illustrations, Graphics, Diagrams, and Mapping**

The City would like the zoning bylaw and design standards to be highly illustrative to assist with interpretation of the regulations and standards and, to a reasonable extent, help generate design ideas for new development in Duncan. The illustrations, graphics, and diagrams must be uniquely created for Duncan and the local context (i.e. not stock diagrams and graphics from other projects).

For the zoning bylaw, the successful consultant will prepare up to 70 illustrations, graphics, and explanatory diagrams covering a wide range of regulatory provisions to be selected by the City. Examples include building height calculations, fence height calculations, parking dimensions, permitted projections, intersection visibility, parcel line definitions, screening requirements, and floor area ratio calculations. The successful consultant will also create and manage the zoning map during the engagement stage as an ESRI ArcGIS map document to be provided to the City at the end of the consultant's involvement in the project.

For the design standards, the successful consultant will prepare up to 100 illustrations, graphics, and explanatory diagrams covering a wide range of standards. The successful consultant will also provide representative photo examples of desired design elements from Duncan or other communities.

### **Design Standards**

In addition to preparing the illustrations, graphics, and diagrams for the new design standards, the successful consultant must prepare the written design standards to be included in the Official Community Plan.

**NOTE TO ALL BIDDERS: The City of Duncan may negotiate with the Proponent to adjust or change some of the requested scope and duties prior to signing a contract.**

**File Formats**

DOCUMENT TYPE	REQUIRED FILE FORMAT
Written Documents	Microsoft Word
Spreadsheets	Microsoft Excel
Technical Drawings	Autodesk AutoCAD 2019 (or newer)
Non-technical Graphics	.jpg, .jpeg, png
Database	Microsoft Access, .gdb for spatial databases
Drawings, Maps and Spatial Data	Drawing/map source data must be delivered in ESRI ArcGIS shape file <u>and</u> Autodesk Spatial Data File (sdf) NAD 83, UTM Zone 10N projection and accurately overlay onto the City’s existing base mapping. Core attributes and label names must be defined or included in the source data feature class tables with attribute domains created to constrain field values (where possible). From the final map series, a set of symbology layer files must be rendered for all map themes. All digital data are to be delivered on media compatible with the City’s computer equipment.

**2.0 - INSTRUCTIONS TO PROPONENTS**

**2.1 SUBMISSION OF PROPOSALS**

Electronic submissions are supported and encouraged. Electronic submissions should be sent by email to [kyoung@duncan.ca](mailto:kyoung@duncan.ca) by the closing date and time: **June 28, 2024, 12:00 p.m. local time**. It is recommended that the sender verify receipt of the submission by the City. The City is not responsible for email submissions that are not received by the City by the closing date and time due to technological issues.

Hard copy proposals are also supported and should be clearly marked with the name and address of the Proponent and the RFP project title. Hard copy submissions should also include an electronic submission on a USB drive. The sealed envelope containing the proposal should be addressed to the following:

**City of Duncan, Planning Department  
 Attn: Kyle Young, Director of Planning and Sustainability  
 200 Craig Street  
 Duncan, BC V9L 1W3**

Proposals should be received on or before the Closing Time and Date of:

Time: **12:00 p.m. local time**  
 Date: **June 28, 2024**

It is the Proponent’s sole responsibility to ensure its Proposal is received at the address set out above by the Closing Time and Date.

Proponents wishing to make changes to their Proposals after submission but prior to the Closing Time and Date may do so by submitting the revisions by email or hard copy. It is the Proponent’s sole responsibility to ensure the revisions are received by the City prior to the Closing Time and Date.

## **2.2 INQUIRIES AND SOLICITATION OF COUNCIL MEMBERS AND STAFF**

Proponents and their agents will not contact any member of the City Council or City staff with respect to this RFP at any time other than the City Representative named in this RFP.

Proponents shall carefully examine the RFP documents and shall fully inform themselves as to the intent, existing conditions and limitations which may affect their Proposal submission. No consideration will be given after submission of a Proposal to any claim that there was any misunderstanding with respect to the conditions imposed.

Proponents finding discrepancies or omissions in the Contract or RFP, or having doubts as to the meaning or intent of any provision, should immediately notify the City Representative named in this document. If there are any changes, additions, or deletions to the Proposal scope, conditions, or closing date, Proponents will be advised by means of an Addendum issued by the City. All Addenda are to become part of the Proposal Documents and receipt of Addenda should be acknowledged by the Proponent in the submission.

## **2.3 PROPONENT REPRESENTATIVE**

Each Proponent should designate one individual to whom any additional information deemed relevant to this RFP may be communicated. This information is to be emailed to the City Representative noted above.

## **3.0 - GENERAL TERMS OF PROPOSAL PROCESS**

### **3.1 PROPOSAL PREPARATION COSTS**

All expenses incurred by the Proponent in preparation and submission of this Proposal are to be borne by the Proponent, with the express understanding that no claims for reimbursements against the City will be accepted. The City shall not be responsible for any costs involved in or associated with any meetings, discussion or negotiation following submission that could lead to acceptance of the Proposal and award of a contract.

### **3.2 PROPOSAL EVALUATION**

The City recognizes that “Best Value” is the essential part of purchasing a product and/or service and therefore the City may prefer a Proposal with a higher price, if it offers greater value and better serves the City’s interests, as determined by the City, over a Proposal with a lower price. Proposals will be evaluated based on the criteria listed below and detailed in Appendix F Project Evaluation Form. The evaluation team will not be limited to the criteria listed below, and the evaluation team may consider other criteria that the team identifies as relevant during the evaluation process. However, any criteria considered will be applied evenly and fairly to all Proposals.

The City, at its sole discretion, reserves the right to:



- Reject any or all Proposals whether complete or not;
- Reject any Proposal it considers not in its best interests;
- Waive any minor irregularity or insufficiency in the Proposal submitted;
- Not be liable for misunderstandings or errors in the Request for Proposals;
- Issue addenda to the Request for Proposals;
- Contact references provided by the Proponents;
- Retain independent persons or contractors for assistance in evaluating Proposals;
- Request points of clarification to assist the City in evaluating Proposals;
- Negotiate changes with the successful Proponent; and
- Withdraw the Request for Proposals.

Item	Evaluation Criteria
1.	Inclusion of specifically requested items
2.	Qualifications, experience, past performance, and references of Proponent.
3.	Specifications of the proposed methodology to be used to complete the Work.
4.	Clarity and readability of the Proposal itself.
5.	Quoted price.
6.	Project Management and Quality Assurance.

### 3.3 PROPOSAL PRESENTATION

The City reserves the right to request one or more of the Proponents, whose submissions are of particular interest to the City, to make verbal presentations to the City.

### 3.4 PROPOSAL CONFIDENTIALITY AND PROPRIETARY INFORMATION

All submissions become the property of the City and will not be returned to the Proponent. The City will consider all Proposals submitted as confidential but reserves the right to make copies of all Proposals received for its internal review and for review by its financial, accounting, legal, and technical consultants.

Proponents should be aware that the City is a “public body” as defined in and subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

If a Proponent believes any of the information requested in this RFP and provided by the Proponent is confidential, they must identify it as such and provide a rationale as to why it should not be released under “Freedom of Information” legislation.

The rationale for keeping information confidential under this legislation includes:

- a) Trade secrets of the Proponent;
- b) Financial, commercial, scientific or technical information, the disclosure of which could reasonably be expected to result in material financial loss or gain or could reasonably be expected to prejudice the competitive position of the Proponent; or
- c) Information the disclosure of which could be reasonably expected to interfere with contractual or other negotiations of the Proponent.

### **3.5 CONFLICT OF INTEREST**

A Proponent shall disclose in its Proposal any actual or potential conflicts of interest and existing business relationships it may have with the City, its elected or appointed officials or employees, and any property ownership direct or indirect in the jurisdiction. The City may rely on such disclosure.

### **3.6 COLLUSION**

Except as otherwise specified or as arising by reason of the provision of the contract documents, no person whether natural, or body corporate, other than the Proponent has or will have any interest or share in this Proposal or in the proposed contract which may be completed in respect thereof. There is no collusion or arrangement between the Proponent and any other actual or prospective Proponents in connection with Proposals submitted for this project and the Proponent has no knowledge of the contents of other Proposals and has made no comparison of figures or agreement or arrangement, express or implied, with any other party in connection with the making of the Proposal.

### **3.7 LITIGATION**

Proponents who, either directly or indirectly through another corporation or entity, have been or are in litigation, or who have served notice with intent to proceed with court action against the City in connection with any contract for works or services, may be considered ineligible Proponents. Receipt of Proposals from such Proponents may be disqualified from the evaluation process.

### **3.8 NO CONTRACT**

This RFP is not a tender or contract and does not commit the City in any way to select a preferred Proponent. By submitting a Proposal and participating in the process as outlined in this RFP, Proponents expressly agree that no contractual, tort or other legal obligation of any kind is formed under or imposed on the City by this RFP or submissions prior to the completed execution of a formal written contract.

### **3.9 ACCEPTANCE OF PROPOSAL**

The acceptance of a Proposal will be made in writing from the City and will be addressed to the successful Proponent at the address given in the submitted Proposal. Following acceptance and approval to proceed with the Proposal, the Proponent is expected to enter into a contract with the City to perform the works or services set out and agreed upon in the Proposal.

The agreement that the successful Proponent will be expected to execute with the City will be prepared by the City. The agreement attachments will include the entire Request for Proposals, the Proponent's total Proposal submission and any mutually agreed upon modifications, changes or negotiated adjustments. In the event of a conflict between the RFP and the Proponent's submission, the RFP will take precedence.

## **4.0 - PROPOSAL CONTENT**

Proposals should, at minimum, contain the following:

### **4.1 GENERAL**

Full name, address and telephone number of the submitting office of the Proponent and where applicable, the name, address and telephone number of any branch office, affiliate or sub-consultant(s) that will be involved in the Project.

### **4.2 PERSONNEL**

#### **4.2.1 Project Manager**

The Proposal should identify the proposed project manager who will be the single point of contact responsible for direct interaction with the City, including stating their position and professional discipline. The Proposal should describe the work to be performed by the project manager, their qualifications and substantive experience directly related to the proposed Work.

#### **4.2.2 Proposed Project Team**

The Proposal should list the project team members, including proposed Project roles and responsibilities, qualifications, and substantive experience. Proposals need not show team members who will not actually be involved in the project. The City's expectation is that if a person is listed in the Proposal, they will be actively involved in the Project. The City does not place increased value on Proposals that identify larger project teams or high profile professionals if it is evident that the person listed as a Project team member is unlikely to be directly involved in the Project.

### **4.3 CORPORATE EXPERIENCE**

The proposals are to include a list of experience on similar projects and descriptions as to how the Proponent would handle administration, supply and installation, and overall project management.

### **4.4 PROJECT APPROACH AND SCHEDULE**

The Proposal shall contain an outline of strategies and skills that will be used to manage the project's expectations, resources, budget, and quality control, and discuss how each task will be carried out and what services or interaction is required from/with the City. The Proposal may suggest alternatives, if appropriate. The Proposal should identify any specialized equipment, unique approaches, or concepts or cost saving measures which your company may use relevant to the required services.

The proposal should include a schedule for the Proponent to complete the specified work and project.

#### **4.5 REFERENCES**

The Proposal should provide no less than two (2) references that are relevant to the proposed Work. The references should be from a third party who can provide information about the performance of the Proponent in delivering services for the experience cited.

#### **4.6 SUB-CONTRACTORS**

The Proposal shall include the company name of all sub-contractors and sub-consultants proposed to be used in the performance of the Work with a description of the work they would be performing.

The sub-contractors and sub-consultants listed in the Proposal may not be changed without the written consent of the City. If the City so requires, the Proponent shall be prepared to confirm to the City the competence of sub-contractors and sub-consultants prior to acceptance of the Proposal.

#### **4.7 PROPOSAL CONTENT & INNOVATION**

The Proponent will address in the Proposal submission all the information as requested in the RFP documentation. The Proponent is also encouraged to include innovative, alternative or unique solutions to the Proposal subject that may, along with other things, indicate cost initiatives, improved environmental impacts, better public relations and/or project acceptance, reduced risk, improved management or administrative efficiencies, etc. Any alternative Proposals submitted should include all the requirements of the original RFP with costs identified for comparative purposes.

#### **4.8 WORKERS COMPENSATION ACT**

The Proponent, and any proposed sub-contractors and sub-consultants, will provide a Work Safe BC (Workers Compensation Board) Registration Number in the Proposal and shall, at the time of signing a contract agreement, provide proof of payment of claims in good standing with Work Safe BC.

#### **4.9 PRICES**

The Proposal should include a schedule of fees and disbursements as to adequately perform the Work and satisfy the Scope. In addition, a schedule of hourly rates should be included to be used in the event of unforeseen extra work. It is suggested that this schedule should include, but not be limited to, the following:

- a) Hourly rates of all office staff;
- b) Hourly rates of all field staff etc.; and
- c) Hourly or unit rates of all equipment.

All prices shall be in Canadian Funds and are to show taxes (if applicable) separately.

#### **4.10 OTHER ITEMS**

Proponents will ensure they provide confirmation that all materials and services conform with the requirements of the RFP, and that all requested data is included in the Proposal.

#### **5.0 - LIST OF SCHEDULES**

Please refer to the following schedules for additional background information:

SCHEDULE 1 – Existing Zoning Bylaw

SCHEDULE 2 – Existing Design Standards

**NOTE TO ALL BIDDERS: The City of Duncan may negotiate with the Proponent to adjust or change some of the requested scope and duties prior to signing a contract.**



## **City of Duncan**

### **Zoning Bylaw No. 3166, 2017 (With Amendments to December 12, 2022)**

#### **Consolidated for Convenience Only**

This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws of this subject

Bylaw No. 3166.01, 2020 – Adopted August 17, 2020

Bylaw No. 3166.02, 2021 – Adopted November 15, 2021

Bylaw No. 3166.03, 2022 – Adopted December 12, 2022



Zoning Bylaw No. 3166, 2017

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## The City of Duncan Zoning Bylaw

### Bylaw No. 3166

A BYLAW TO REGULATE THE USE OF LAND, BUILDINGS AND STRUCTURES; REQUIRE OFF-STREET PARKING AND LOADING SPACES; AND ESTABLISH STANDARDS FOR THE PROVISION OF LANDSCAPING AND SCREENING.

#### PART 1 - ADMINISTRATION

NOW THEREFORE the Council of the City of Duncan in an open meeting assembled hereby enacts as follows:

##### 1.1 Citation

—1.1.1— This bylaw may be cited as “Zoning Bylaw 3166, 2017”.

##### 1.2 General Compliance

- 1.2.1 No *person* may use, occupy or permit a *person* to use or occupy land, a *building* or a *structure* in contravention of this Bylaw.
- 1.2.2 No *person* may subdivide land in contravention of this Bylaw.
- 1.2.3 Nothing in this Bylaw relieves any *person* from the responsibility to comply with other legislation that applies to matters regulated in this Bylaw.
- 1.2.4 Every use of land, water, *buildings* and *structures* permitted in a zone must conform to all the regulations of the applicable zone and all regulations of this Bylaw.
- 1.2.5 For the purpose of this Bylaw, all uses not listed as *permitted uses* are deemed to be prohibited in that zone.
- 1.2.6 A continuation of a non-conforming use, *building* or *structure* shall be subject to the provisions of the *Local Government Act*.
- 1.2.7 Where a *Bylaw Enforcement Officer* observes that a contravention of this Bylaw has occurred, the *Bylaw Enforcement Officer* may issue to such *person* an Order to Comply with the requirements of this Bylaw.
- 1.2.8 A *Bylaw Enforcement Officer* or *Building Inspector* may enter onto *property* that is subject to the regulations of this Bylaw in accordance with the *Community Charter* and any other applicable legislation.

- 1.2.9 Service of an Order to Comply referred to in subsection 1.2.7 will be sufficient if a copy of the order is:
- a) mailed, by registered mail, to the address of the *owner* shown on the current property assessment roll;
  - b) delivered to the *owner or occupier* of the *property*, or placed in a mailbox, or other receptacle for the receipt of mail, on the *property*; or
  - c) posted on the *property*.
- 1.2.10 An Order to Comply under subsection 1.2.7 must state:
- a) the civic address of the subject *property*;
  - b) the legal description of the subject *property*;
  - c) the particulars of the non-compliance with this Bylaw to be remedied; and
  - d) the deadline for remedying the non-compliance with this Bylaw.
- 1.2.11 If the *owner or occupier of property* fails to comply with the *Bylaw Enforcement Officer's* Order to Comply within the time period specified, the *City*, by its workers or others, may at all reasonable times and in a reasonable manner, enter the *property* and bring about such compliance at the cost of the defaulting *owner*. Such costs shall consist of all costs and expenses incurred by the *City* to achieve compliance with this Bylaw.
- 1.2.12 If the *owner or occupier of property* defaults in paying the cost referred to in subsection 1.2.11 within 30 days after receipt of an invoice from the *City*, the *City* may either recover from the *owner or occupier* in any court of competent jurisdiction the cost as a debt to the *City*, or if unpaid on December 31 of the year in which the work was performed, may be added to and form part of the taxes payable on that *property* as taxes in arrears.
- 1.2.13 Service of an invoice for payment referred to in subsection 1.2.12 will be sufficient if a copy is served personally, or mailed by regular mail, to the *owner* of the *property* as shown on the current property assessment roll.

### 1.3 Penalty

- 1.3.1 The provisions of this Bylaw may be enforced by any *City Bylaw Enforcement Officer*.
- 1.3.2 Each day that a contravention of this Bylaw continues constitutes a separate offence.
- 1.3.3 Any *person* who contravenes any provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw or who refuses or omits or neglects to fulfill, observe, carry out or perform any duty imposed by this bylaw shall be liable on summary conviction to a fine not exceeding Ten Thousand Dollars (\$10,000) for each offence.
- 1.3.4 Contraventions to this Bylaw are subject to fines contained within the "Bylaw Offence Notice Enforcement Bylaw" and the "Municipal Ticketing Information System Implementation Bylaw".

## 1.4 Zone Boundaries

- 1.4.1 The zoning adjacent to a *highway* or a *lane* applies to the *highway* or *lane*. Where a *highway* or *lane* forms a *zone* boundary, the boundary is at the centreline of the *highway* or *lane*.

## 1.5 Schedules and Figures

- 1.5.1 Schedule A attached to the Bylaw forms part of the Bylaw.  
1.5.2 Figures form part of the Bylaw.

## 1.6 Interpretation

- 1.6.1 A term that is italicized in this Bylaw, other than legislation, is defined within the definitions section of this Bylaw.
- 1.6.2 The intent section in each *zone* is provided for information only and does not form part of the Bylaw.
- 1.6.3 Diagrams and illustrations in this Bylaw are provided only as examples to illustrate a regulation or term, and are not exclusive, exhaustive or restrictive, and in the event of any inconsistency with the text, the text shall govern.
- 1.6.4 References to *zones* in this Bylaw that are listed only by the *zone* designation mean the same as the *zone* listed by its full title and number.
- 1.6.5 All dimensions and measurements in this Bylaw are expressed in the Standard Interpretation Units (metric) system as follows:
- (a) metres (m)
  - (b) square metres (m<sup>2</sup>)
  - (c) kilograms (kg)

## 1.7 Severability

- 1.7.1 If any provision of this Bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, that provision must be severed, and the remainder of this Bylaw must continue in full force and effect.

## 1.8 Repeal

- 1.8.1 City of Duncan “Zoning Bylaw No. 1540, 1988”, “Off-Street Parking and Loading Spaces Bylaw No. 3098, 2013”, “Screening and Landscaping Regulation Bylaw No. 3112, 2014”, “Fencing (Barbed Wire) Bylaw No. 607, 1955”, “Payment In Lieu of Parking Bylaw No. 1784, 1996”, and all amendments thereto are hereby repealed.

## PART 2 – ESTABLISHMENT OF ZONES

For the purposes of this Bylaw, the *City* is divided into the following *zones*, as designated in Schedule A of this Bylaw:

### 2.1 Residential Zones

Residential Zones	
Low Density Residential Zone	LDR
Medium Density Residential Zone	MDR
High Density Residential Zone	HDR

### 2.2 Commercial Zones

Commercial Zones	
Downtown Comprehensive Zone	DTC
Neighbourhood Commercial Zone	NC
Highway Corridor Commercial Zone	HCC

### 2.3 Community Use Zones

Community Use Zones	
Community Services Zone	CS
Community Park Zone	CP

## PART 3 – GENERAL REGULATIONS

### Land Uses

#### 3.1 Uses Permitted in All Zones

3.1.1 The following *uses* are permitted in all *zones*:

- (a) *Accessory buildings and structures*;
- (b) *Community Care* facility for no more than 10 persons;
- (c) *Transition House* for no more than 10 persons;
- (d) *Transportation corridors*;
- (e) *Trails*;
- (f) *Urban Food Gardens*; and
- (g) *Utilities*.

#### 3.2 Uses Prohibited in All Zones

3.2.1 Except as otherwise stated in this Bylaw, the following *uses* are prohibited in all *zones*:

- (a) *Auto wrecking*;
- (b) *Industrial Activity*;
- (c) *Kennel*;
- (d) *Marijuana Operations*;
- (e) Storage of one or more *Derelict Motor Vehicles*;
- (f) Parking, storage or commercial use in a *fabric covered structure*;
- (g) *Storage Yard* as a *principal use*;
- (h) *Temporary Accommodation*, except where expressly permitted as a *Transition House, Bed and Breakfast* or *Tourist Accommodation*; and
- (i) *Residential use* of a *mobile home* or *recreational vehicle* or other temporary *structure*.

#### 3.3 Accessory Uses

3.3.1 *Accessory uses* and *accessory buildings* are permitted in every *zone* if:

- (a) a *principal use* is in existence on the *parcel*, or
- (b) a *building* for a *principal use* has been constructed on the *parcel*, or is in the process of being constructed pursuant to an active Building Permit.

3.3.2 Despite the minimum *setbacks* specified in each *zone*, one (1) *accessory building* or *structure* may be sited not less than 1 m from an interior side or *rear parcel line* if:

- (a) the *accessory building* or *structure* has a *gross floor area* less than 10 m<sup>2</sup>;
- (b) the *accessory building* or *structure* is placed directly on the ground or on non-permanent foundation blocks or footings; and
- (c) the *height* of the *accessory building* or *structure* does not exceed 3 m.

3.3.3 *Small wind energy systems* and *solar collectors* are permitted *accessory structures* in all *zones*, but must be sited at least 4 m from all *parcel lines* and are not permitted within a *front yard* or *exterior side yard*.



- 3.3.4 An *accessory building* must not
- (a) be used as a *dwelling unit*;
  - (b) contain bathing facilities; and
  - (c) have more than two (2) plumbing fixtures that require drainage, unless its use as a *detached secondary suite* is expressly permitted by the regulations under this Bylaw that apply to the *zone* in which the *accessory building* is located.

### 3.4 Shipping Containers

- 3.4.1 *Shipping containers* may only be placed permanently on a *parcel* in accordance with the following:
- (a) One (1) *shipping container* is permitted per *parcel* zoned Community Services (CS) for use as an *emergency preparedness kiosk*.
  - (b) One (1) *shipping container* is permitted per *parcel* as an *accessory use* within the Low Density Residential Zone (LDR), Downtown Comprehensive Zone (DTC) or the Neighbourhood Commercial Zone (NC) if the container is completely clad in wood or cement board siding in a colour complementary to the existing *single-unit dwelling* or *principal building*, covered by a shed or gable roof with a pitch of not less than 4:12, ventilated to permit internal air exchange, and sited in accordance with *setback* requirements for *accessory buildings*.
- 3.4.2 *Shipping containers* may be placed temporarily on a *parcel* only for the temporary storage of tools and materials during the construction or maintenance of a *utility, building* or *structure* pursuant to a Building Permit that has not expired, but the *shipping container* must be removed prior to the issuance of any *occupancy* permit for the *building* or *structure*.
- 3.4.3 Nothing in this Bylaw prohibits the use of *shipping containers* as a construction material for the construction of residential or commercial *buildings* pursuant to a design prepared by a professional Architect and sealed by a professional Structural Engineer.

### 3.5 Secondary Suites

- 3.5.1 Where an *attached secondary suite* or *detached secondary suite* is permitted, the maximum number of suites is one *attached secondary suite* or one *detached secondary suite* per *single-unit dwelling*.
- 3.5.2 The maximum *gross floor area* of an *attached secondary suite* is 90 m<sup>2</sup> or 40% of the *habitable gross floor area* of the *single-unit dwelling* in which it is located, whichever is less.
- 3.5.3 The maximum *gross floor area* of a *detached secondary suite* is 90 m<sup>2</sup> or 60% of the *habitable gross floor area* of the *single-unit dwelling* to which it is an *accessory building*, whichever is less.

### 3.6 Temporary Uses

- 3.6.1 *Temporary accommodation* in a *recreational vehicle* is permitted during the construction of a *building* or *structure* pursuant to a Building Permit that has not expired, on the *parcel* that is the subject of the Building Permit, but the accommodation in the *recreational vehicle* must be discontinued before the issuance of any *occupancy* permit for the *building* or *structure*.
- 3.6.2 The temporary use of a *building* as a campaign headquarters for a political candidate is permitted in any *zone* for the duration of the campaign up to and including days remaining in the month following general election day.
- 3.6.3 Temporary *buildings* or *structures* are permitted as follows:
- shelter for construction or maintenance crews engaged in work on the *parcel* on which the temporary *building* or *structure* is placed, or an abutting *parcel*;
  - a sales *office* for development placed on a *parcel* under active development, or a lot contiguous to the *parcel* under active development, provided the *office* does not exceed a *gross floor area* of 70 m<sup>2</sup>; and
  - the storage on a *parcel* of materials for the construction or maintenance on that *parcel* of any *utility, building* or *structure* for which a Building Permit has been issued and has not expired, but any remaining materials must be removed before the issuance of any *occupancy* permit for the *building* or *structure*.

### 3.7 Urban Food Gardens

- 3.7.1 An *urban food garden* is permitted in all *zones* provided that:
- the total area which may be under cultivation on any *parcel* zoned for Multi-Unit *Residential* or *Commercial use* does not exceed 600 m<sup>2</sup>;
  - production does not include growing and harvesting mushrooms or marijuana; and
  - no artificial lighting, pesticides or herbicides are used.

### 3.8 Swimming Pools

- 3.8.1 *Swimming pools* must be enclosed by a *fence* between 1.5 m and 1.8 m in *height* and designed so that it does not facilitate climbing, and where gates provide access to the pool area they must be self-closing, be operated by hinges and a latch and be able to be opened freely only from the inside.

## Height and Siting

### 3.9 Fence Height

- 3.9.1 *Fence height* is determined by measuring vertically from either *natural grade* or *finished grade*, whichever is lower, to the highest portion of the *fence*.
- 3.9.2 Decorative *fence* post caps with a *height* not greater than 0.1 m, and entrance arbours are excluded from the calculations of *fence height*.

3.9.3 *Retaining walls*, or portions thereof, are considered *fences* for the purposes of section 3.9.

3.9.4 The maximum *fence height* is as follows:

Zones	Front Yard or Exterior Side Yard	Rear Yard or Interior Side Yard
Residential	1.2 m	2 m
Commercial	Not permitted in either yard or between the front face or <i>exterior side yard</i> face of the <i>building</i> and the <i>parcel line</i> .	2 m
Community Use	1.2 m	2 m

3.9.5 Despite subsection 3.9.4, *fences* are permitted where required for screening in accordance with section 3.23.

3.9.6 Where deemed necessary for the construction of a *building*, as determined by the *Building Inspector*, a guardrail up to 1.07 m in *height* may be excluded from the total calculation of *fence height*.

3.9.7 Despite subsection 3.9.4, within the Residential and Commercial zones, no *fence* shall exceed a *height* of 2 m in any portion of the *parcel* not otherwise defined as a yard.

3.9.8 Despite subsection 3.9.4, no *fence* shall be located within any portion of the *front yard* of any *parcel* in Plan 12568, Section 17, Range 5, Quamichan District (also known as Centennial Heights).

3.9.9 A *fence* on a *parcel* zoned residential, commercial, community services or park must not include barbed wire, razor wire, electric wire, ultra-barrier, or any other material intended to deter trespass by threat or cause of personal injury to any animal or *person* who may come into contact with the *fence*.

### 3.10 Building Height

3.10.1 *Building height* is calculated as distance measured vertically from the average *finished grade* or average *natural grade*, whichever is less, recorded at the outermost corners of the *building*, to the highest part of the *building*. The *City* may require an applicant for a Building Permit for a *building* or *structure* to engage a *B.C. Land Surveyor* to establish grade for the purposes of such measurement.

### 3.11 Height Exemptions

3.11.1 *Green building systems*, *green roofs*, *solar collectors*, and *small wind energy systems* (including the blades), church spires, civic clock towers, church belfries, civic monuments, fire or hose towers, chimneys, transmission towers, aerials, flagpoles, rooftop water tanks, elevator penthouses and *mechanical equipment* components and enclosures are exempt from the maximum *height* regulations in this Bylaw if:

- (a) enclosures or structural elements cover no more than 20% of the *parcel* or, if located on a *building*, not more than 10% of the roof area, with the exception of a *green roof* and *solar collectors*; and
- (b) those *structures* do not exceed twice the maximum *height* when they are in a residential *zone*.

### 3.12 Building Separations

- 3.12.1 *Accessory buildings*, regardless of *zone*, must be sited at least 1.2 m from a principal *dwelling unit* or *principal building* measured between the exterior wall faces or supporting *structures* of each *building*.
- 3.12.2 *Detached secondary suites* must be sited at least 2.5 m from a principal *dwelling unit*, measured between the foundations of each *building*.

### 3.13 Projections into Yards

- 3.13.1 Except as otherwise permitted in this bylaw, the minimum *parcel line setbacks* in Parts 4 to 6 of this bylaw do not apply, to the extent indicated, to the following features:

Feature	Maximum Permitted Projection
Eave, exterior finish, <i>green wall</i> , gutter, cornice, sunlight control projection	0.6 m
Chimney	0.75 m
Steps and landing	2 m
<i>Porch</i>	2 m into a <i>front</i> or <i>exterior side yard</i> only
<i>Open Deck</i>	2 m into a <i>rear yard</i> only

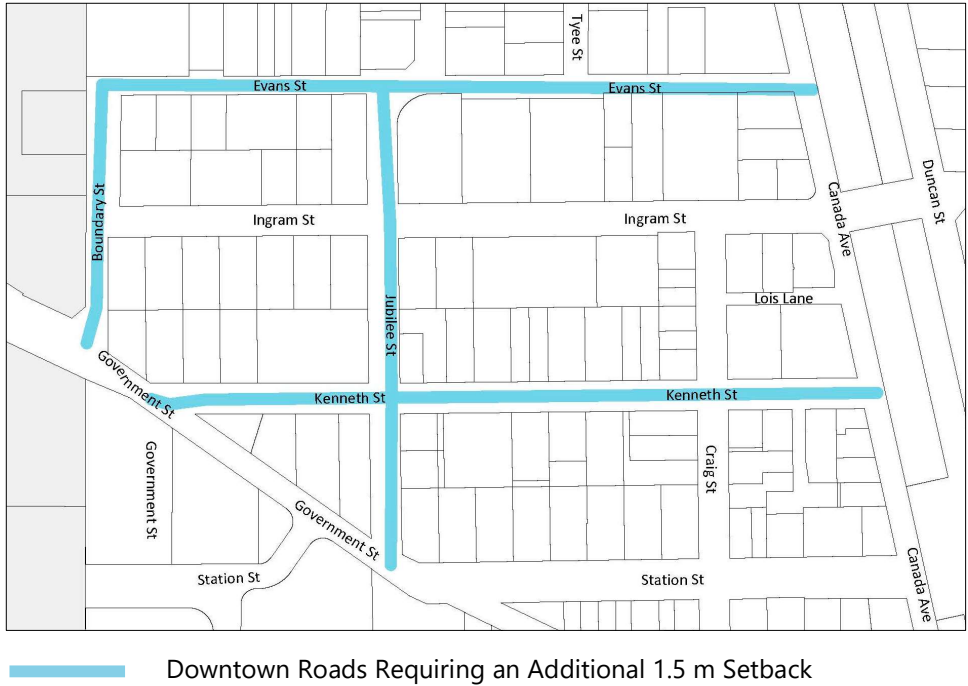
- 3.13.2 Rainwater harvesting *structures*, equipment and apparatus, including rain barrels and cisterns, that do not require a Building Permit may be sited within the required *parcel line setbacks*.
- 3.13.3 Wheelchair ramps, children’s play equipment, *landscape buffers*, *fences*, *retaining walls* or other landscape features, above-ground *swimming pools* and clothesline poles may be sited within the required *parcel line setbacks*.
- 3.13.4 In-ground *swimming pools* have a minimum parcel line setback of 1.5 m.

### 3.14 Mechanical Equipment

- 3.14.1 Ground or wall-affixed *mechanical equipment* may only be placed in the *interior side yard*, *exterior side yard*, or rear of a *building*.
- 3.14.2 Despite Subsection 3.14.1, *mechanical equipment* must be located a minimum of 4 m from an *interior side parcel line*, *exterior side parcel line* or *rear parcel line*.
- 3.14.3 Where *mechanical equipment* is located in the *exterior side yard*, it must be screened from view by *landscaping* or decorative *fence* enclosure not exceeding the maximum *fence height*.

### 3.15 Setbacks to Public Roads

3.15.1 Where a *parcel* abuts a *highway* with a dedicated width of less than 12 m, or a Downtown Road (as identified in Figure 3.15.1) an additional 1.5 m front *setback* or exterior side *setback* is required.



**Figure 3.15.1: Setbacks to Public Roads Map**

### 3.16 Visibility at Intersections

3.16.1 Despite any other regulation in this bylaw, where two *highways* intersect there must be no visual obstruction, either by *buildings*, *structures* or vegetation, to the line of vision between 1 m and 3 m above grade in the area of any *corner parcel* bounded by the intersecting *parcel lines* and a line joining each of the *parcel lines* 6 m from their point of intersection (as identified in Figure 3.16.1).

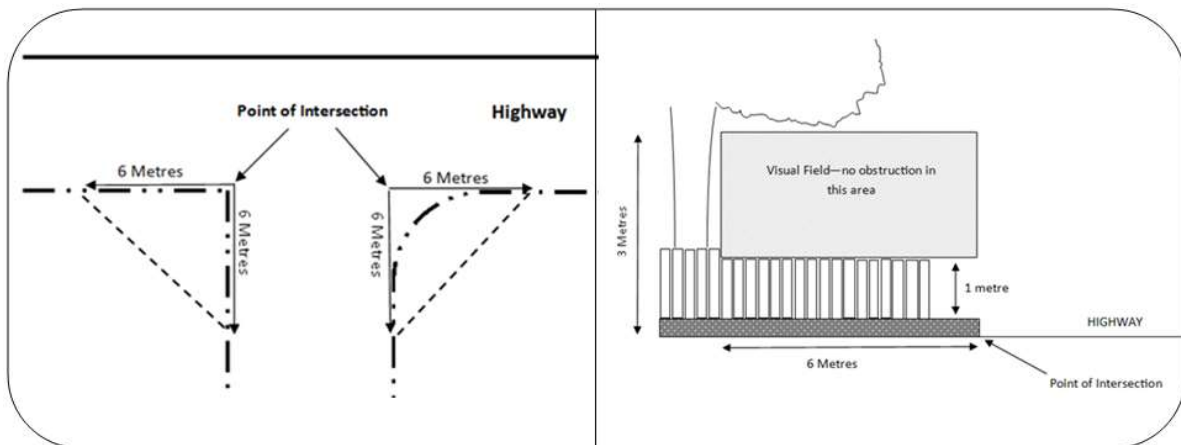


Figure 3.16.1: An illustration of the line of vision at the point of intersection

### 3.17 Riparian Area Protection

3.17.1 The minimum *setback* for all *buildings* and *structures* from the present *natural boundary* of the Cowichan River and its tributaries is 30 m.

### 3.18 Backyard Hens

- 3.18.1 A maximum of six (6) *hens* may be kept on a *parcel* within the Low Density Residential Zone where the lot is greater than 450 m<sup>2</sup>, provided that the *owner* or *occupier* of the *parcel* registers the *hens* with the *City* in accordance with the Animal Regulation and Impounding Bylaw;
- 3.18.2 A *backyard hen enclosure* consisting of a coop and pen must be provided and maintained in accordance with the Animal Regulation and Impounding Bylaw, and must be:
- located not less than 2.5 m from the *rear parcel line*, *exterior side parcel line* and *interior side parcel lines*;
  - located not less than 3 m from any door or window of a *dwelling unit*;
  - located within the *rear yard* of the *parcel*; and
  - not more than 3 m in *height*.

## Residential Accessory Businesses

### 3.19 Home-Based Business

- 3.19.1 No more than two (2) *home-based businesses* are permitted per *dwelling unit* or in the case of *single-unit dwelling* with an *attached secondary suite* or *detached secondary suite*, not more than two (2) *home-based businesses* per *parcel*.
- 3.19.2 A *home-based business* is limited as follows:

Regulations	Home-Based Business
Maximum number of non-resident employees	1
Maximum area of a <i>home-based business</i> (including storage) in <i>dwelling unit</i> or <i>accessory building</i>	40% of the <i>dwelling unit</i> up to 50 m <sup>2</sup> ; or 40% of an <i>accessory building</i> up to 50 m <sup>2</sup> . Where combined, not more than 70 m <sup>2</sup> total.
Maximum number of <i>motor vehicles</i> associated with the <i>home-based business</i>	1

3.19.3 A *home-based business* must not involve any of the following:

- (a) *Automobile Repair Service* or *autobody*;
- (b) *Retail* sale of goods that are not directly associated with the *home-based business* or that are not produced on the *parcel*;
- (c) Outdoor storage;
- (d) Marshaling or storage of *motor vehicles*; or
- (e) Odours, vapours, heat, glare, electrical interference, or recurring ground vibrations that cross a *parcel line*.

3.19.4 A *home-based business* in a *multi-unit dwelling* or *multi-unit rowhouse* must not involve the following:

- (a) the presence of clients, patrons, customers or employees on the premises as a function of its regular business activity, unless they are permanent residents of the premises; and
- (b) advertisement by means of a sign.

### 3.20 Bed and Breakfast

3.20.1 The operator of a *bed and breakfast* must be a resident of the principal *dwelling unit* containing the *bed and breakfast*.

3.20.2 The maximum number of guest rooms in a *bed and breakfast* is two (2) and the maximum number of guests is four (4), excluding children under the age of 16.

3.20.3 A *bed and breakfast* is not permitted on a *parcel* with a *secondary suite*.

### 3.21 Residential Daycare

3.21.1 No more than one (1) *residential daycare* is permitted on a *parcel*.

3.21.2 *Residential daycare* is only permitted in a *single-unit dwelling*, an *accessory building* and an outdoor play space.

3.21.3 A *residential daycare* is limited to:

- (a) 40% of the *gross floor area* of the *single-unit dwelling* or *accessory building* in which it is contained; and
- (b) 70 m<sup>2</sup> of floor area where a daycare is contained within both the *single-unit dwelling* and an *accessory building*.

3.21.4 A *residential daycare* may be operated only by a resident of the *parcel* containing the *residential daycare* and up to one (1) employee.

## Landscaping, Screening and Site Features

### 3.22 Landscaping

3.22.1 A *landscape area* must be provided and maintained along all *parcel frontages* of *parcels* zoned commercial, or zoned to permit *multi-unit dwellings* or *institutional use*, or for *parcels* with a *utility use* as follows:

Yard	Minimum Depth (measured from the property line) of Landscape Area	Minimum Percentage of Plant Cover in each Landscape Area
Front Yard or Exterior Side Yard	2 m	50%
Interior Side Yard	0.5 m	75%
Rear Yard	1 m	50%

3.22.2 Any portion of any *parcel* which is not used for *buildings*, *structures*, *storage yard*, required *off-street parking*, required *off-street loading*, roadways or walkways, shall also be fully landscaped.

3.22.3 The percentage of plant cover provided in a *landscape area* shall be calculated using the canopy cover of trees and ground cover of shrubs and grasses at maturity.

3.22.4 A continuous curb or similar barrier must be installed between a *landscape area* and an adjoining parking area on the same *parcel*, and interruptions in the curb or barrier may be provided to allow surface runoff water to enter rain gardens or bioswales.

3.22.5 At least 50% of all plant species in a *landscape area* must be drought-tolerant and all species must be non-invasive.

3.22.6 A security satisfactory to the *City* in an amount equal to 125% of the cost of hard *landscaping* materials (such as *fences*, screening, paving, pavers, bike racks) and soft *landscaping* materials (includes all plants and soils), irrigation, and labour, prepared by the professional Landscape Architect, is required to be submitted by the applicant at time of Building Permit application.

### 3.23 Screening

3.23.1 On all commercially-zoned *parcels*, a minimum 1 m wide *landscape buffer* comprised of both fencing and plants for the entire length of the buffer must be established adjacent to residentially-zoned *parcels* for screening.

3.23.2 All rooftop and grade-level *mechanical equipment* and electrical equipment must be fully screened (utilizing vegetation or decorative fencing) from view from any *highway* or adjacent multi-unit *residential use building*.

3.23.3 Despite Subsection 3.23.2, grade-level pad-mounted transformers that cannot be screened by plants or decorative fencing must be covered in a decorative wrap.



### 3.24 Procedure

- 3.24.1 The screening and *landscaping* requirements of the bylaw apply to a *parcel* when the *owner* of the *parcel* obtains a Development Permit or Building Permit for exterior improvements where the value of construction exceeds \$100,000.00.

### 3.25 Care and Maintenance

- 3.25.1 All *landscaping*, screening and buffering required under this bylaw on any *parcel* shall be adequately maintained by the *owners* or occupants of the *parcel*.

### 3.26 Recycling and Garbage Storage Facilities

- 3.26.1 All commercial, institutional, mixed use or multi-unit *residential use buildings* must provide a recycling and garbage collection facility that is either completely contained within the *principal building* or fully screened and accessible from a driveway or *lane* at an outdoor location on the *parcel*.

## Parking and Off-Street Loading

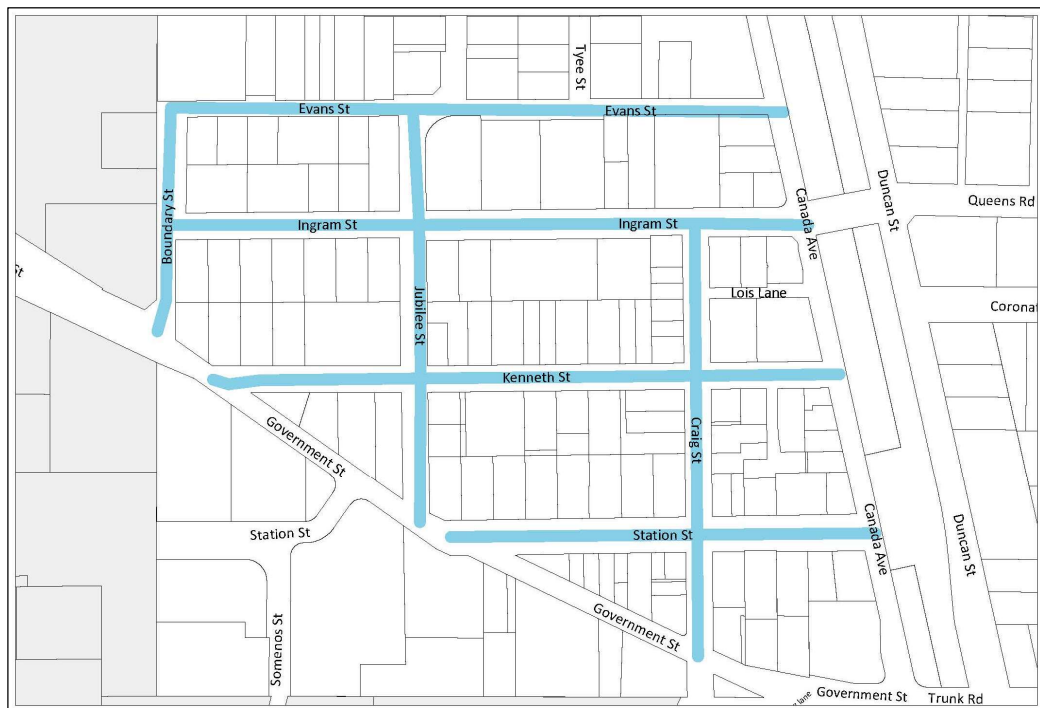
### 3.27 Parking and Off-Street Loading Areas

- 3.27.1 *Off-street parking spaces* required by this bylaw must not be obstructed in any way by garbage receptacles, *structures*, *derelict motor vehicles*, refuse, equipment, or materials which interfere with the ability of the parking space to serve its function.
- 3.27.2 *Off-street parking spaces*, *off-street loading spaces*, drive aisles and accesses for all *uses* except *single-unit dwellings* must be hard-surfaced.
- 3.27.3 *Off-street parking spaces* and *off-street loading spaces* must be provided on the same *parcel* as the *use* for which the spaces are required.
- 3.27.4 In all commercial *zones*, *off-street parking* is not permitted between the face of a street-oriented *principal building* and the *front parcel line* or *exterior side parcel line*.
- 3.27.5 Where the minimum number of *off-street parking spaces* required by this bylaw is based on the number of seats, each 0.6 m of pew, bench or other seating counts as one seat.
- 3.27.6 Where the minimum number of *off-street parking spaces* includes a fractional unit greater than 0.5, that fractional unit is considered one *off-street parking space*.
- 3.27.7 *Off-street parking spaces* must not be less than 1 m from any *highway*.
- 3.27.8 *Off-street parking spaces* must have a vehicle stop within each parking space not less than 0.3 m from the front end of the parking space, except where the front end of a parking space abuts the rear end of another parking space.

### 3.28 Access to Parking Areas

- 3.28.1 Driveway access or egress shall be not less than 15 m from the nearest point of intersection of two *highways*.

- 3.28.2 Unless otherwise specified within a *zone*, no parking space shall be accessed directly from a *highway*.
- 3.28.3 Parking spaces shall be laid out so as to permit unobstructed access to and egress from each parking space at all times.
- 3.28.4 Despite subsection 3.28.3, parking spaces for a *single-unit dwelling* containing an *attached* or *detached secondary suite* may be arranged such that one space is located behind the other space with a common or shared point of access to a *highway*.
- 3.28.5 Where a *parcel* abuts a downtown road (as identified in Figure 3.28.5) and has a frontage of less than 40 m, driveway access across a *front parcel line* shall not be permitted unless in conjunction with the provision of shared access to parking areas with neighbouring *parcels*, where the combined frontage is equal to or greater than 40 m.



— Downtown Roads Requiring Shared Access to Parking Areas

**Figure 3.28.5: Downtown Roads Access Map**

- 3.28.6 No driveway access shall be permitted for commercial *use* or *multi-unit dwellings* from Trunk Road, Coronation Avenue, Canada Avenue south of Beverly Street, Station Street or Government Street

**3.29 Surfacing and Construction Standards**

- 3.29.1 Where more than three (3) parking spaces are required by this bylaw, the parking area must be surfaced with asphalt, concrete, paving stones or bricks, or other dust-free material, and each space must be clearly demarcated by surface markings comprised of paint or alternate surface material.

- 3.29.2 Where more than ten (10) parking spaces are required by this bylaw, an oil/water separator or bioswale, or combination thereof, must be provided. Oil/water separators must be designed by a Professional Engineer and bioswales must be designed by a professional Landscape Architect or Professional Engineer.
- 3.29.3 Lighting must be provided to illuminate any parking area and be installed so that light is downcast and adequately covers the parking area and does not spill over onto adjacent properties.

**3.30 Visitor Parking**

- 3.30.1 Where a *parcel* contains *multi-unit dwellings*, one (1) space of every 20 required parking spaces or portion thereof, shall be identified and maintained as visitor parking.

**3.31 Minimum Off-Street Parking**

- 3.31.1 *Off-street parking* spaces for *motor vehicles* must be provided as follows:

Permitted Use	Minimum Number of Off-street Parking Spaces
<b>Residential</b>	
<i>Assisted Living Residential Facility</i>	0.35 per <i>dwelling unit</i> or <i>sleeping unit</i> , plus an additional 0.15 per <i>dwelling unit</i> or <i>sleeping unit</i> for staff and visitors.
<i>Bed and Breakfast</i>	1 per guest room
<i>Community Care</i>	<u>0.35 per <i>sleeping unit</i> or person in care, plus an additional 0.15 per unit for visitors and staff.</u>
<i>Dwelling, Multi-Unit (including Multi-Unit Rowhouse)</i>	<u>Within the Downtown Parking Area described in Section 3.36:</u> 0.5 per unit with 1 or fewer bedrooms 1 per unit with more than 1 bedroom <u>In all other areas:</u> 1 per unit with one or fewer bedrooms 1.2 per unit with two or more bedrooms <u>For a development for women who have experienced or are at risk of violence</u> 0.35 per unit, plus an additional 0.15 per unit for visitors and staff
<i>Dwelling, Single-Unit</i>	2 per unit
<i>Dwelling, Two-Unit (including Rowhouses)</i>	2 per unit
<i>Home-based business for Single-Unit Dwelling</i>	1 per business
<i>Secondary Suite, Attached or Detached</i>	1 per unit
<i>Transition House</i>	4

Permitted Use	Minimum Number of Off-street Parking Spaces
<b>Commercial</b>	
<i>Tourist Accommodation</i>	1 per sleeping unit
<i>Office</i>	1 per 30 m <sup>2</sup> gross floor area
<i>Repair Service, General</i>	1 per 30 m <sup>2</sup> gross floor area
<i>Repair Service, Automotive</i>	4 per service bay
<i>Restaurant</i>	1 per 4 seats
<i>Retail</i>	1 per 30 m <sup>2</sup> gross floor area
<i>Retail, Shopping Centre</i>	1 per 20 m <sup>2</sup> gross floor area
<b>Community Uses</b>	
<i>Community Use</i>	1 per 10 m <sup>2</sup> gross floor area
<i>Cultural Use</i>	1 per 30 m <sup>2</sup> gross floor area
<i>Cultural Use – Theatre</i>	1 per 4 seats
<i>Hospital</i>	1.5 per 3 beds
<i>Recreation, Indoor</i>	1 per 10 m <sup>2</sup> gross floor area
<i>School, Academic</i>	10, plus 1 per classroom (elementary) 10, plus 5 per classroom (secondary) 10, plus 10 per classroom (post-secondary)
<i>School, Commercial</i>	2, plus 2 spaces per classroom

3.31.2 Multi-unit residential, commercial, or community uses must install one (1) electric vehicle charging station, minimum Level-2, for every 20 required off-street parking spaces.

### 3.32 Dimensions of Parking Spaces

3.32.1 The minimum dimensions of the required off-street parking spaces for motor vehicles are as follows:

Dimension	Standard Vehicle Parking			
	Parking Angle			
	Parallel	45°	60°	90°
Space Width	2.8 m	2.6 m	2.6 m	2.6 m
Space Length	6.5 m	5.6 m	5.6 m	5.6 m
Aisle Width – One Way	4 m	4 m	5.2 m	6 m
Aisle Width – Two Way	6.5 m	6.5 m	6.5 m	6.5 m

3.32.2 Despite subsection 3.32.1, the minimum dimensions of the required off-street parking spaces for motor vehicles may be reduced as follows, as permitted by subsections 3.32.3 and 3.32.4.

Small Vehicle Parking				
Dimension	Parking Angle			
	Parallel	45°	60°	90°
Space Width	2.8 m	2.6 m	2.6 m	2.6 m
Space Length	5 m	4.4 m	4.4 m	4.4 m
Aisle Width – One Way	4 m	4 m	5.2 m	6 m
Aisle Width – Two Way	6.0 m	6.0 m	6.0 m	6.5 m

- 3.32.3 Where a parking area contains more than 12 spaces, up to 30% of the total parking spaces required by this bylaw may be designed to comply with the standards in subsection 3.32.2 and each such space must be clearly identified by surface marking as a small vehicle space only.
- 3.32.4 Where a parking area contains 12 or fewer spaces, up to 50% of the parking spaces required by this bylaw may be designed to comply with the standards in subsection 3.32.2 and each such space must be clearly identified by surface marking as a small vehicle space.
- 3.32.5 Despite subsections 3.32.3 and 3.32.4, where any parking space abuts, along its length, any portion of a *fence*, wall or support *structure*, the minimum stall width shall be increased by 0.3 m for that stall only and in the case of single parking space in a garage within a rowhouse an additional 0.6 m shall be provided.

### 3.33 Bicycle Parking

3.33.1 Bicycle parking must be provided as follows:

Use	Minimum Number of Bicycle Parking Spaces	
	Short Term Bicycle Parking (Visitor/Client/Customer)	Long Term Bicycle Parking (Residential/Employee)
<i>Dwelling, Multiple-Unit</i>	1 two-sided rack per 5 units	1 per unit
Commercial	1 two-sided rack per 200 m <sup>2</sup>	1 per 200 m <sup>2</sup>
Community Services	1 two-sided rack per 200 m <sup>2</sup>	1 per 200 m <sup>2</sup>

- 3.33.2 Short-term bicycle parking must:
  - (a) be less than 15 m from the main entrance to the *principal building*;
  - (b) be visible from the main entrance to the *principal building*;
  - (c) be provided in permanently anchored racks;
  - (d) be well-lit; and
  - (e) not obstruct pedestrian circulation.
- 3.33.3 Long-term bicycle parking must
  - (a) be provided in a dedicated and secure bicycle storage area with bicycle racks or lockers, which is independently accessible only to residents or employees of the *building*; and
  - (b) be located in close proximity and with access to *building* entrances.

### 3.34 Minimum Off-Street Loading

3.34.1 *Off-street loading* must be provided for commercial *buildings* as follows:

Gross Floor Area	Minimum Number of Off-Street Loading Spaces	Minimum Dimensions	
		Width	Length
Less than 1,000 m <sup>2</sup>	1 per commercial <i>building</i>	2.6 m	5.8 m
1,000 – 2,000 m <sup>2</sup>	1 per commercial <i>building</i>	3 m	12 m
Greater than 2,000 m <sup>2</sup>	2 per commercial <i>building</i>	3 m	12 m

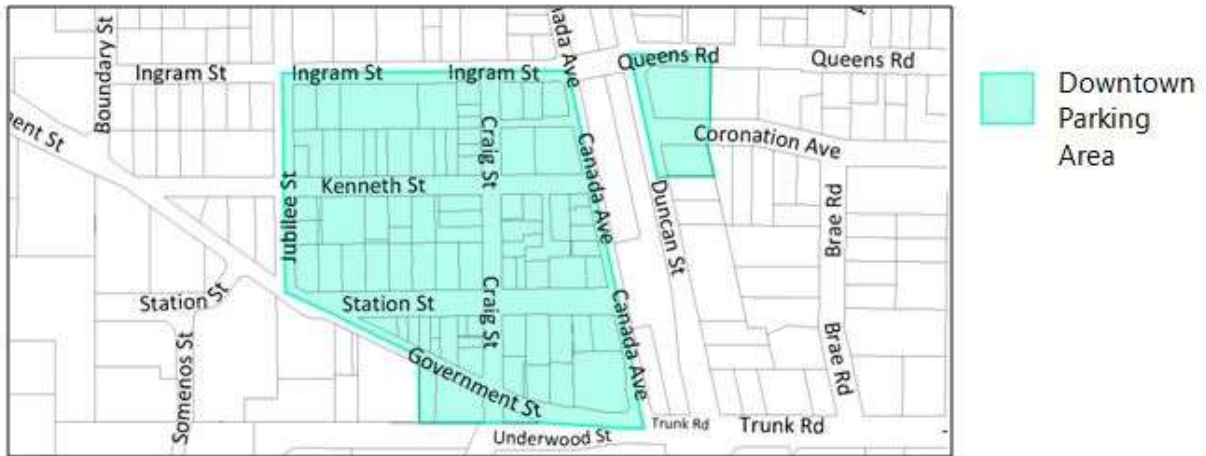
3.34.2 Despite subsection 3.34.1, if a *parcel* contains multiple commercial *buildings*, the minimum number of *off-street loading* spaces for all commercial *buildings* with a total *gross floor area* of less than 1,000 m<sup>2</sup> may be reduced to one (1) in total.

### 3.35 Commercial and Stored Vehicles

- 3.35.1 Residentially-zoned *parcels* must not be used for parking, storing or repairing a *commercial vehicle* which has, or at any time has had, a licensed gross vehicle weight greater than 5,000 kg, as indicated on a present or past *commercial vehicle* registration.
- 3.35.2 Residentially-zoned *parcels* must not be used for parking or storage of *recreational vehicles* exceeding 11 m in length;
- 3.35.3 Residentially-zoned *parcels* must not be used for parking or storage of *watercraft* exceeding 10 m in length;
- 3.35.4 Parking or storage of *motor vehicles* for a *single-unit dwelling* must not exceed a combined total of four (4) *motor vehicles*, *recreational vehicles*, or *watercraft*, and parking or storage of *motor vehicles* for a *two-unit dwelling* must not exceed a combined total of six (6) *motor vehicles*, *recreational vehicles*, or *watercraft*.
- 3.35.5 Residentially-zoned *parcels* must not be used for parking or storage of more than two *commercial vehicles*.

### 3.36 Downtown Parking Area

3.36.1 The area shaded in Figure 3.36.1 is the Downtown Parking Area referred to in subsection 3.31.1. Commercial *uses* on the first floor of a *building* in this area are wholly exempt from parking requirements:



**Figure 3.36.1: Downtown Parking Area Map**

### **3.37 Parking for Persons with Disabilities Requirements**

- 3.37.1 For any use required to be accessible to *persons* with disabilities by the British Columbia Building Code, a minimum of one (1) parking stall for *persons* with disabilities must be provided.
- 3.37.2 One (1) parking space for *persons* with disabilities must be provided for the first 20 required parking spaces and one (1) additional space for every 40 required spaces thereafter.
- 3.37.3 All parking spaces for *persons* with disabilities must be:
  - (a) a minimum of 3.7 m in width and a minimum depth of 5.8 m and a slope less than 2%;
  - (b) surfaced with concrete or asphalt to provide ease of access for wheelchairs;
  - (c) constructed and located to allow convenient access to the entrance of a *building* or *use* for which the spaces are provided; and
  - (d) marked by a painted wheelchair symbol on the pavement and signage in accordance with the *Motor Vehicle Act*.

## PART 4 – RESIDENTIAL ZONES

## Low Density Residential Zone

LDR

## 4.1 Intent

- 4.1.1 The intent of the Low Density Residential (LDR) zone is to permit *single-unit dwellings, two-unit dwellings, attached secondary suites and detached secondary suites* on a variety of *parcel sizes*.

## 4.2 Permitted Uses

- 4.2.1 Subject to the specified *conditions of use*, the *uses* permitted in the LDR zone are as follows:

Principal Uses	Accessory Uses
<i>Dwelling, Single-Unit</i>	<i>Bed and Breakfast</i>
<i>Dwelling, Two-Unit</i>	<i>Home-Based Business</i>
<i>Dwelling, Two-Unit Rowhouse</i>	<i>Residential Daycare</i>
	<i>Secondary Suite, Attached</i>
	<i>Secondary Suite, Detached</i>

## 4.3 Development Regulations

- 4.3.1 Development in the LDR zone is subject to the following:

Development Criteria		Regulations	
Maximum <i>Parcel Coverage</i>		35% for the <i>principal building</i> 40% for all <i>buildings</i> and <i>structures</i> combined	
Maximum <i>Floor Area Ratio</i>		0.5:1	
Driveway Access		Where a <i>parcel</i> abuts a dedicated <i>lane</i> intended for <i>motor vehicle</i> access to a <i>parcel</i> , access must only be from the <i>lane</i> .	
Principal Building		Regulations	
Maximum <i>Height</i>		7.5 m	For <i>buildings</i> with a roof pitch less than 6:12
		8.25 m	For <i>buildings</i> with a roof pitch 6:12 to 8:12
		9 m	For <i>buildings</i> with a roof pitch 8:12 or greater
Minimum <i>Parcel Line Setback</i>	Front	4 m	
	Rear	6 m	
	Side, Interior	1.5 m, except where the <i>dwelling units</i> in a <i>two-unit rowhouse</i> are separated by a <i>party wall</i> .	



	Side, Exterior	3 m
Minimum Garage Setback		6 m where the garage door attached to a <i>single-unit</i> or <i>two-unit dwelling</i> is facing a <i>highway</i> .
<b>Accessory Buildings and Structures</b>		<b>Regulations</b>
Maximum Height		5 m
		6 m for <i>buildings</i> with a flat roof where a <i>detached secondary suite</i> is located in the second storey.
		7.5 m for <i>buildings</i> with a roof pitch 8:12 or greater, if a <i>detached secondary suite</i> is located in the second storey.
Minimum Parcel Line Setback	Front	6 m
	Rear	1.5 m; 3 m for a second storey with a <i>detached secondary suite</i>
	Side, Interior	1.5 m; 3 m for a second storey with a <i>detached secondary suite</i>
	Side, Exterior	3 m

#### 4.4 Conditions of Use and Subdivision Regulations

4.4.1 Permitted uses within the LDR zone are subject to the following:

Parcel Area and Frontage by Use	Conditions
Minimum Parcel Area – <i>Single-Unit Dwelling</i>	400 m <sup>2</sup>
Minimum Parcel Frontage – <i>Single-Unit Dwelling</i>	15 m
Average Parcel Area – <i>Single-Unit Dwelling</i>	The minimum <i>parcel area</i> is reduced by 30% if the average <i>parcel area</i> in the <i>subdivision</i> is at least 400 m <sup>2</sup> .
Average Parcel Frontage – <i>Single Unit Dwelling</i>	The minimum <i>parcel frontage</i> is reduced by 30% if the average <i>parcel frontage</i> in the <i>subdivision</i> is at least 15 m.
Minimum Panhandle Parcel Frontage – <i>Single-Unit Dwelling</i>	4 m
Minimum Panhandle Parcel Area – <i>Single-Unit Dwelling</i>	Same as minimum area for <i>Single-Unit Dwelling</i> ; however, the area of the panhandle shall not be included within the calculation of lot area.
Minimum Parcel Area – <i>Two-Unit dwelling</i> or a <i>Single-Unit Dwelling</i> with a <i>Detached Secondary Suite</i>	600 m <sup>2</sup>
Minimum Parcel Area – <i>two Single-Unit Dwellings</i>	800 m <sup>2</sup>
Minimum Parcel Area – <i>Two-Unit Rowhouse Dwelling</i>	350 m <sup>2</sup> for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>exterior side yard</i> .

## RESIDENTIAL ZONES

	300 m <sup>2</sup>	for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>interior side yard</i> .
Minimum <i>Parcel Frontage – Two-Unit Rowhouse Dwelling</i>	9 m	for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>exterior side yard</i> .
	7.5m	for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>interior side yard</i> .
Minimum <i>Parcel Depth</i>	25 m	

- 4.4.2 Despite subsection 4.4.1, where a *two-unit dwelling* is proposed on a *corner parcel*, one entrance must face the *front parcel line* and the other must face the *exterior side parcel line*.
- 4.4.3 Where a *panhandle parcel* is created, a reciprocal access easement agreement is required over the panhandle for purposes of a shared driveway and one consolidated single access for the new *parcel* and the remainder *parcel*.
- 4.4.4 Not more than one *panhandle parcel subdivision* is permitted per *parcel*.
- 4.4.5 Where a *panhandle parcel* abuts another panhandle on an adjacent *parcel* the total width of both panhandles must not be less than 6 m and a reciprocal access agreement must be provided for all affected *parcels* for purposes of consolidating access to one (1) single driveway.

<b>Medium Density Residential Zone</b>	<b>MDR</b>
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**4.5 Intent**

4.5.1 The intent of the Medium Density Residential (MDR) zone is to permit a mix of housing types and provide for *multi-unit rowhouse dwellings* and *multi-unit dwellings* that accommodate a variety of *building forms* up to four (4) *storeys in height*.

**4.6 Permitted Uses**

4.6.1 The uses permitted in the MDR zone are as follows:

Principal Uses	Accessory Uses
Community Care Facility <i>Assisted Living Residential Facility</i> <i>Dwelling, Multi-Unit</i> <i>Dwelling, Multi-Unit Rowhouse</i>	<i>Home-Based Business</i>

**4.7 Development Regulations**

4.7.1 Development in the MDR zone is subject to the following:

Development Criteria	Regulations		
Maximum <i>Parcel Coverage</i>	50% for all <i>buildings and structures</i> combined		
Minimum <i>Floor Area Ratio</i>	0.5:1		
Maximum <i>Floor Area Ratio</i>	<b>Base Density</b> 1.2:1	<b>Bonus Density I</b> 1.4:1	<b>Bonus Density II</b> 1.6:1
Amenities Required for Bonus Density I	A density bonus of up to 0.2 above the base density is permitted if the developer enters a <i>housing agreement</i> with the <i>City</i> , to require that a minimum of 30% of the <i>dwelling units</i> in the entire development are rental or <i>affordable housing units</i> .		

Amenities Required for Bonus Density II	A density bonus of up to 0.4 above the base density is permitted if at least one of the following conditions are met: (i) The developer enters a <i>housing agreement</i> with the <i>City</i> to require that a minimum of 75% of the <i>dwelling units</i> in the entire development are rental units or <i>affordable housing</i> units; (ii) 100 % of the required parking spaces for the entire development are located underground or within a parking <i>structure</i> incorporated into the design of the <i>building</i> ; or (iii) The entire development achieves or exceeds British Columbia Energy Step Code Level 3 energy efficiency requirements.
Parcel Access	Where a <i>parcel</i> abuts a <i>lane</i> intended for <i>motor vehicle</i> access to a <i>parcel</i> , access must only be from the <i>lane</i> .

Principal Building		Regulations
Maximum Height		14 m (4 <i>habitable storeys</i> )
Minimum Height		2 <i>habitable storeys</i>
Minimum Parcel Line Setback	Front	3 m
	Rear	10 m where driveway access and parking is located behind the <i>principal building</i> . 4 m where 100% of parking is provided beneath a <i>principal building</i> .
	Side, Interior	1.5 m
	Side, Exterior	3 m
Maximum Parcel Line Setback	Front	6 m
	Side, Exterior	4 m
Minimum Garage Setback		6 m where the <i>garage door</i> is facing a <i>highway</i> .
Accessory Buildings and Structures		Regulations
Maximum Height		5 m
Minimum Parcel Line Setback	Front	4 m
	Rear	1.2 m
	Side, Interior	1.2 m
	Side, Exterior	4 m

4.7.2 A *single unit* or *two unit dwelling* to which this section applies may be rebuilt for a *residential use* if it is damaged to the extent of 75% or more of its value above the foundation, despite any rule in the *Local Government Act* that would limit the use of the building if rebuilt, provided that its *floor area* is not increased and the number of *dwelling units* in the building is not increased.

**4.8 Conditions of Use and Subdivision Regulations**

4.8.1 Permitted uses within the MDR zone are subject to the following conditions of use:

Parcel Area and Frontage by Use	Conditions	
Minimum Parcel Area for Multi-Unit Dwellings	600 m <sup>2</sup>	
Minimum Parcel Frontage for Multi-Unit Dwellings	15 m	
Minimum Parcel Area for Rowhouse Dwelling	250 m <sup>2</sup>	for a dwelling unit which shares a party wall with one (1) other dwelling unit and has one (1) exterior side yard.
	200 m <sup>2</sup>	for a dwelling unit which shares a party wall with one (1) other dwelling unit and has one (1) interior side yard.
	150 m <sup>2</sup>	for a dwelling unit which shares a party wall with two (2) other dwelling units.
Minimum Parcel Frontage for Rowhouse Dwelling	9 m	for a dwelling unit which shares a party wall with one (1) other dwelling unit and has one (1) exterior side yard.
	7.5 m	for a dwelling unit which shares a party wall with one (1) other dwelling unit and has one (1) Interior side yard.
	5 m	for a dwelling unit which shares a party wall with two (2) other dwelling units.

4.8.2 Despite Subsection 4.8.1, where the proposed use is a multi-unit rowhouse dwelling, subdivision shall only be permitted once the building is substantially commenced in accordance with an approved Development Permit and subsequent Building Permit.

<b>High Density Residential Zone</b>	<b>HDR</b>
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**4.9 Intent**

4.9.1 The intent of the High Density Residential (HDR) zone is to permit *multi-unit dwellings* that can accommodate a variety of *building* forms up to 5 *storeys* in *height*.

**4.10 Permitted Uses**

4.10.1 The *uses* permitted in the HDR zone are as follows:

Principal Uses	Accessory Uses
<i>Assisted Living Residential Facility</i> <i>Community Care Facility</i> <i>Dwelling, Multi-Unit</i> <i>Dwelling, Multi-Unit Rowhouse</i>	<i>Home-Based Business</i> <i>Offices</i> for the provision of support services for residents in a <i>Multi-Unit Dwelling</i> development for women who have experienced or are at risk of violence

**4.11 Development Regulations**

4.11.1 Development in the HDR zone is subject to the following:

Development Criteria	Regulations		
Maximum <i>Parcel Coverage</i>	70% for all <i>buildings</i> and <i>structures</i> combined		
Minimum <i>Floor Area Ratio</i>	0.75:1		
Maximum <i>Floor Area Ratio</i>	<b>Base Density</b>	<b>Bonus Density I</b>	<b>Bonus Density II</b>
	2.4:1	2.7:1	3:1
Amenities Required for Bonus Density I	A density bonus of up to 0.3 above the base density is permitted if the developer enters a <i>housing agreement</i> with the <i>City</i> , to require that a minimum of 30% of the <i>dwelling units</i> in the entire development are rental or <i>affordable housing</i> units.		

Amenities Required for Bonus Density II	<p>A density bonus of up to 0.6 above the base density is permitted if at least one of the following conditions are met:</p> <ul style="list-style-type: none"> <li>(i) The developer enters a <i>housing agreement</i> with the <i>City</i> to require that a minimum of 75% of the <i>dwelling units</i> in the entire development are rental units or <i>affordable housing</i> units;</li> <li>(ii) 100 % of the required parking spaces for the entire development are located underground or within a parking <i>structure</i> incorporated into the design of the <i>building</i>; or</li> <li>(iii) The entire development achieves or exceeds British Columbia Energy Step Code Level 3 energy efficiency requirements.</li> </ul>
Parcel Access	Where a <i>parcel</i> abuts a <i>lane</i> intended for <i>motor vehicle</i> access to a <i>parcel</i> , access must only be from the <i>lane</i> .

Principal Building		Regulations
Maximum <i>Height</i>		17 m (5 <i>habitable storeys</i> )
Minimum <i>Height</i>		3 <i>habitable storeys</i>
Minimum <i>Parcel Line Setback</i>	Front	3 m
	Rear	10 m where driveway access and parking is located behind the <i>principal building</i> . 4 m where 100% of parking is provided beneath a <i>principal building</i> .
	Side, Interior	1.5 m
	Side, Exterior	3 m
Maximum <i>Parcel Line Setback</i>	Front	6 m
	Side, Exterior	6 m
Minimum <i>Garage Setback</i>		6 m where the garage door is facing a <i>highway</i> .
Accessory Buildings and Structures		Regulations
Maximum <i>Height</i>		5 m
Minimum <i>Parcel Line Setback</i>	Front	4 m
	Rear	1.2 m
	Side, Interior	1.2 m
	Side, Exterior	4 m

4.11.2 A *single unit* or *two unit dwelling* to which this section applies may be rebuilt for a *residential use* if it is damaged to the extent of 75% or more of its value above the foundation, despite any rule in the *Local Government Act* that would limit the use of the building if rebuilt, provided that its *floor area* is not increased and the number of *dwelling units* in the building is not increased.

## 4.12 Conditions of Use and Subdivision Regulations

4.12.1 *Permitted Uses* within the HDR zone is subject to the following *conditions of use*:

Parcel Area and Frontage by Use	Conditions	
Minimum <i>Parcel Area</i> for <i>Multi-Unit Dwellings</i>	600 m <sup>2</sup>	
Minimum <i>Parcel Frontage</i> for <i>Multi-Unit Dwellings</i>	15 m	
Minimum <i>Parcel Area</i> for <i>Rowhouse Dwelling</i>	250 m <sup>2</sup>	for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>exterior side yard</i> .
	200 m <sup>2</sup>	for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>interior side yard</i> .
	150 m <sup>2</sup>	for a <i>dwelling unit</i> which shares a <i>party wall</i> with two (2) other <i>dwelling units</i> .
Minimum <i>Parcel Frontage</i> for <i>Rowhouse Dwelling</i>	9 m	for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has 1 <i>exterior side yard</i> .
	7.5 m	for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>interior side yard</i> .
	5 m	for a <i>dwelling unit</i> which shares a <i>party wall</i> with two (2) other <i>dwelling units</i> .

4.12.2 Despite Subsection 4.12.1, where the proposed *use* is a *Multi-Unit Rowhouse Dwelling, subdivision* shall only be permitted once the *building* is substantially commenced in accordance with an approved Development Permit and subsequent Building Permit.



**PART 5 – COMMERCIAL ZONES**

**Downtown Comprehensive Zone** DTC

**5.1 Intent**

3166.02 5.1.1 The intent of the Downtown Comprehensive (DTC) zone is to permit a broad range of residential and non-residential uses including mixed-use developments up to 6 storeys in height in the downtown area.

**5.2 Permitted Uses**

5.2.1 The uses permitted in the DTC zone are as follows:

Principal Uses	Accessory Uses	Conditions of Use
<p><b>Residential Uses:</b>                      Assisted Living Residential Facility*                      Community Care Facility*                      Dwelling, Multi Unit*</p> <p><b>Non-Residential Uses:</b>                      Commercial Daycare                      Community Use                      Craft Beverage Production                      Cultural Use                      Education Facility                      Financial Institution                      Funeral Service Facility                      Mobile Food Vending                      Hospital                      Office                      Parking Facility                      Public Market                      Recreation Facilities, Indoor                      Repair Service, General                      Retail &amp; Personal Service*                      Restaurant                      Social Service                      Tourist Accommodation</p>	<p><i>Home-Based Business in a Multi-Unit Dwelling</i></p>	<p>* Where the <i>Retail &amp; Personal Service</i> use is a store selling previously owned or used goods, outside display of goods is limited to a maximum of 3.7 m<sup>2</sup>.</p> <p>* <i>Dwelling units</i> or <i>sleeping units</i> are permitted above the <i>first storey</i> only</p> <p>* <i>Uses</i> on the <i>first storey</i> of a building with a <i>Residential Use</i> must provide service to persons off-site, not only to owners or occupiers of the building.</p> <p>* Off-street parking, access, and circulation (ex. entry, lobby, stairs, elevators, hallways, etc.), and other amenities and services associated with a <i>Residential Use</i> are permitted on the <i>first storey</i>, provided their combined area does not exceed 60% of the total <i>first storey</i> gross floor area.</p>

\*Conditions of use apply

### 5.3 Development Regulations

5.3.1 Development in the DTC zone is subject to the following:

Development Criteria		Regulations		
Maximum <i>Parcel Coverage</i>		95%		
Minimum <i>Floor Area Ratio</i>		1.0:1		
Maximum <i>Floor Area Ratio</i>		Base Density	Bonus Density I	Bonus Density II
		3:1	3.3:1	3.6:1
Development Criteria		Regulations		
Amenities Required for Bonus Density I		A density bonus of up to 0.3 above the base density is permitted if the developer enters a <i>housing agreement</i> with the <i>City</i> , to require that a minimum of 30% of the <i>dwelling units</i> in the entire development are rental or <i>affordable housing units</i> .		
Amenities Required for Bonus Density II		<p>A density bonus of up to 0.6 above the base density is permitted if at least one of the following conditions are met:</p> <ul style="list-style-type: none"> <li>(i) The developer enters a <i>housing agreement</i> with the <i>City</i> to require that a minimum of 75% of the <i>dwelling units</i> in the entire development are rental units or <i>affordable housing units</i>;</li> <li>(ii) 100 % of the required parking spaces for the entire development are located underground or within a parking <i>structure</i> incorporated into the design of the <i>building</i>; or</li> <li>(iii) The entire development achieves or exceeds British Columbia Energy Step Code Level 3 energy efficiency requirements.</li> </ul>		
Principal Building		Regulations		
Maximum <i>Height</i>		20 m (6 <i>habitable storeys</i> ) for <i>Mixed-Use Development</i> 14 m (4 <i>habitable storeys</i> ) for other uses		
Minimum <i>Height</i>		2 <i>storeys</i>		
Minimum <i>Parcel Line Setback</i>	<i>Front</i>	1 m; 0 m on Station Street and Craig Street		
	<i>Rear</i>	0 m		
	<i>Side, Interior</i>	0 m		
	<i>Side, Exterior</i>	1 m; 0 m on Station Street and Craig Street		
Maximum <i>Front or Exterior Side Parcel Line Setback</i>		<p>3 m No more than 25% of the front or exterior side of a <i>building</i> shall be set back further than the maximum <i>setback</i>.</p>		

Accessory Buildings and Structures		Regulations
Maximum <i>Height</i>		4 m
Minimum <i>Parcel Line Setback</i>	Front	15 m
	Rear	0 m
	Side, Interior	0 m
	Side, Exterior	5 m

- 5.3.2 A *multi-unit dwelling* strata development with more than 74% *parcel coverage*, to which this section applies, may be rebuilt in its existing location if it is damaged to the extent of 75% or more of its value above the foundation, provided that its *floor area* is not increased and the number of *dwelling units* in the building is not increased.
- 5.3.3 No more than 25% of the building frontage within the *first storey* of a *mixed-use development* shall be used for a *parking facility*.
- 5.3.4 The *first storey* of a building must have *non-residential uses*, not including required parking for those uses, totaling a minimum floor area of 200 m<sup>2</sup> OR 40% of the *building footprint area*, whichever is greater.
- 5.3.5 If all the required parking spaces for a building, excluding *off-street loading spaces*, are provided within the *building footprint* the minimum area for *non-residential uses* on the *first storey* under 5.3.4 is reduced to 25% of the *building footprint area*.

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### 5.4 Subdivision Regulations

5.4.1 *Subdivision* in the DTC zone is subject to the following:

Subdivision Criteria	Regulations
Minimum <i>Parcel Area</i>	700 m <sup>2</sup>
Minimum <i>Parcel Frontage</i>	20 m

### 5.5 Site Specific Uses

5.5.1 The following *uses* shall be permitted on a site-specific basis only:

Site-specific Uses	Location
<i>Automotive Repair Shop</i>	462 Duncan Street – Lot 3, Block 1, Section 17, Range 6, Quamichan District, Plan VIP 854
<i>Car Wash</i>	71 Trunk Road – Lot A, Block 2, Section 17, Range 6, Quamichan District, Plan VIP 2070
<i>Motorcycle Repair and Sales</i>	277 Government Street – Lot 7, Block 12, Section 17, Range 6, Quamichan District, Plan VIP 2070

Neighbourhood Commercial Zone

NC

5.6 Intent

3166.02

5.6.1 The intent of the Neighbourhood Commercial (NC) zone is to permit a range of residential and non-residential uses that are intended to contribute to a vibrant neighbourhood with street-oriented buildings, and infrastructure and facilities focused on active transportation.

5.7 Permitted Uses

5.7.1 The uses permitted in the NC zone are as follows:

3166.02

Principal Uses	Accessory Uses	Conditions of Use
<p><b>Residential Uses:</b>                      Assisted Living Residential Facility*                      Community Care Facility*                      Dwelling, Multi-Unit*</p>	<p>Home-Based Business in a Multi-Unit Dwelling, Accessory</p>	<p>* Dwelling units or sleeping units are permitted above the first storey.                      * Uses on the first storey of a building with a Residential Use must provide service to persons off-site, not only to owners or occupiers of the building.                      * Off-street parking, access, and circulation (ex. entry, lobby, stairs, elevators, hallways, etc.), and other amenities and services associated with a Residential Use are permitted on the first storey.</p>
<p><b>Non-Residential Uses:</b>                      Community Use                      Commercial Daycare                      Cultural Use                      Craft Beverage Production                      Dog Grooming                      Education Facility                      Financial Institution                      Funeral Service Facility                      Mobile Food Vending                      Indoor Recreation Facilities                      Office                      Parking Facility                      Public Market                      Repair Service, Automotive                      Repair Service, General                      Retail &amp; Personal Service                      Restaurant                      Social Service                      Tourist Accommodation</p>		

\*Conditions of use apply

5.8 Development Regulations

5.8.1 Development in the NC zone is subject to the following:

Development Criteria		Regulations		
Maximum <i>Parcel Coverage</i>		70%		
Minimum <i>Floor Area Ratio</i>		0.5:1		
Maximum <i>Floor Area Ratio</i>		Base Density	Bonus Density I	Bonus Density II
		1.9:1	2.1:1	2.4:1
Development Criteria		Regulations		
Amenities Required for Bonus Density I		A density bonus of up to 0.2 above the base density is permitted if the developer enters a <i>housing agreement</i> with the <i>City</i> , to require that a minimum of 30% of the <i>dwelling units</i> in the entire development are rental units or <i>affordable housing</i> units.		
Amenities Required for Bonus Density II		A density bonus of up to 0.5 above the base density is permitted if at least one of the following conditions are met: (i) The developer enters a <i>housing agreement</i> with the <i>City</i> to require that a minimum of 75% of the <i>dwelling units</i> in the entire development are rental units or <i>affordable housing</i> units; (ii) 100 percent of the required parking spaces for the entire development are located underground or within a parking <i>structure</i> incorporated into the design of the <i>building</i> ; or (iii) The entire development achieves or exceeds British Columbia Energy Step Code Level 3 energy efficiency requirements.		
Outdoor Storage		Outdoor storage areas must be screened from <i>highways</i> in accordance with section 3.23.		
Principal Building		Regulations		
Maximum <i>Height</i> :		14 m (4 <i>habitable storeys</i> )		
Minimum <i>Height</i> :		2 <i>habitable storeys</i>		
Minimum <i>Parcel Line Setback</i>	Front	4 m		
	Rear	0 m, except where a <i>parcel</i> abuts a residential zone, the minimum <i>rear parcel line setback</i> is 8 m.		
	Side, Interior	0 m on one side, 4 m on the other side, except where a <i>parcel</i> abuts land with residential zoning, the minimum <i>interior side parcel line setback</i> is 5 m.		
	Side, Exterior	4 m		
Maximum <i>Parcel Line Setback</i>	Front	6 m		
	Side, Exterior	6 m		
Accessory Buildings and Structures		Regulations		
Maximum <i>Height</i>		5 m		
	Front	8 m		

Minimum Parcel Line Setback	Rear	0 m, except where a <i>parcel</i> abuts land with residential zoning, the minimum <i>rear parcel line setback</i> is 8 m.
	Side, Interior	1.2 m, except where a <i>parcel</i> abuts land with residential zoning, the minimum <i>interior side parcel line setback</i> is 5 m.
	Side, Exterior	1.2 m

5.8.2 No more than 25% of the building frontage within the *first storey* of a *mixed-use development* shall be used for a *parking facility*.

5.8.3 The *first storey* of a building must have *non-residential uses*, not including required parking for those uses, totaling a minimum floor area of 150 m<sup>2</sup> OR 25% of the *building footprint area*, whichever is greater.

5.8.4 If all the required parking spaces for a building, excluding *off-street loading spaces*, are provided within the *building footprint*, the minimum area for *non-residential uses* on the *first storey* under 5.8.3 is reduced to 20% of the building footprint area.

### 5.9 Subdivision Regulations

5.9.1 *Subdivision* in the NC zone is subject to the following:

Subdivision Criteria	Regulations
Minimum <i>Parcel Area</i>	600 m <sup>2</sup>
Minimum <i>Parcel Frontage</i>	15 m

### 5.10 Site Specific Uses

5.10.1 The following *uses* shall be permitted on a site-specific basis only:

Site-specific Uses	Location
<i>Automotive Fueling Station</i>	1006 Government Street – Lot A, Section 19, Range 5, Quamichan District, Plan VIP 54586
<i>Automotive Fueling Station and Car Wash</i>	1007 Canada Avenue – Lot 2, Section 19, Range 6, Quamichan District, Plan VIP 6745 (except Plan 22556)

<b>Highway Corridor Commercial Zone</b>	<b>HCC</b>
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**5.11 Intent**

5.11.1 The intent of the Highway Corridor Commercial (HCC) zone is to permit a range of commercial uses that are automobile-oriented and require convenient access to the Trans-Canada Highway.

**5.12 Permitted Uses**

5.12.1 The uses permitted in the HCC zone are as follows:

Principal Uses	Accessory Uses	Conditions of Use
<i>Automotive Fueling Station Car Wash Cheque-Cashing* Community Use Craft Beverage Production Dog Grooming Drive Through Education Facility Financial Institution Mobile Food Vending Office Pawn Shop* Repair Service, Automotive Repair Service, General Retail &amp; Personal Service Restaurant Tourist Accommodation</i>	<i>Dwelling, Accessory Home-Based Business Parking Facility</i>	<p><i>*A Cheque-Cashing business must be at least 500 m from any other Cheque-Cashing business.</i></p> <p><i>*A Pawn Shop must be at least 500 m from any other Pawn Shop.</i></p>

\*Conditions of use apply.

**5.13 Development Regulations**

5.13.1 Development in the HCC zone is subject to the following:

Development Criteria	Regulations
<i>Maximum Parcel Coverage</i>	40%
<i>Minimum Floor Area Ratio</i>	0.3:1
<i>Maximum Floor Area Ratio</i>	1.5:1
<i>Maximum Residential Density</i>	1 accessory dwelling
Outdoor Storage (does not include retail display areas)	Outdoor storage areas must be screened from highways in accordance with section 3.23.

Principal Building		Regulations
Maximum Height:		14 m (4 habitable storeys)
Minimum Height:		2 habitable storeys
Minimum Parcel Line Setback	Front	4 m
	Rear	0 m, except where a <i>parcel</i> abuts land with residential zoning, the minimum <i>rear parcel line setback</i> is 8 m.
	Side, Interior	0 m on one side, 4 m on the other side, except where a <i>parcel</i> abuts land with residential zoning, the minimum <i>interior side parcel line setback</i> is 5 m.
	Side, Exterior	4 m
Maximum Front Parcel Line Setback		6 m
Accessory Buildings and Structures		Regulations
Maximum Height		5 m
Minimum Parcel Line Setback	Front	8 m
	Rear	0 m, except where a <i>parcel</i> abuts land with residential zoning, the minimum <i>rear parcel line setback</i> is 8 m.
	Side, Interior	1.2 m, except where a <i>parcel</i> abuts land with residential zoning, the minimum <i>interior side parcel line setback</i> is 8 m.
	Side, Exterior	1.2 m

### 5.14 Subdivision Regulations

5.14.1 *Subdivision* in the HCC zone is subject to the following:

Subdivision Criteria	Regulations
Minimum Parcel Area	600 m <sup>2</sup>
Minimum Parcel Frontage	15 m

### 5.15 Site Specific Uses and Development Regulations

5.15.1 The following *uses* shall be permitted on a site-specific basis only:

Site-specific Uses	Location
<i>Automotive Sales</i>	439 Trans Canada Highway – Lot A, Section 17, Range 6, Quamichan District, Plan VIP 44109
<i>Automotive Sales</i>	461 Trans Canada Highway – Lot 1, Section 17, Range 6, Quamichan District, Plan VIP 53706
<i>Automotive Sales</i>	467 Trans Canada Highway – the southern half of Lot 1, Section 17, Range 6, Quamichan District, Plan VIP 29603
<i>Automotive Sales</i>	466 St. Julien Street – Lot A, Section 17, Range 6, Quamichan District, Plan VIP 82436



## COMMERCIAL ZONES

5.15.2 Principal buildings used for *automotive sales* on the *parcels* in sub-section 5.15.1 are not subject to the *Minimum Floor Area Ratio*, *Minimum Height* or *Maximum Front Parcel Line Setback* regulations in section 5.13.

**PART 6 – COMMUNITY USE ZONES**

<b>Community Service Zone</b>	CS
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**6.1 Intent**

6.1.1 The intent of the Community Services (CS) zone is to permit a variety of *institutional uses* and *community-oriented uses*.

**6.2 Permitted Uses**

6.2.1 The *uses* permitted in the CS zone are as follows:

Principal Uses	Accessory Uses
<i>Assisted Living Residential Facility</i> <i>Community Use</i> <i>Cultural Use</i> <i>Commercial Daycare</i> <i>Community Care Facility</i> <i>Education Facility</i> <i>Fish Hatchery</i> <i>Hospital</i> <i>Institutional Use</i> <i>Indoor Recreation Facilities</i> <i>Outdoor Recreation</i> <i>Treatment Centre</i>	<i>Dwelling, Accessory</i> <i>Restaurant</i> <i>Retail</i> <i>Office</i> <i>Mobile Food Vending</i>

**6.3 Development Regulations**

6.3.1 Development in the CS zone is subject to the following:

Development Criteria		Regulations
Maximum <i>Parcel Coverage</i>		40%
Maximum <i>Density</i>		1 <i>accessory dwelling unit per parcel</i>
Principal Building		Regulations
Maximum <i>Height</i>		14 m (4 <i>storeys</i> ) for <i>Principal Buildings</i>
Minimum <i>Parcel Line Setback</i>	Front	5 m
	Rear	3 m
	Side, Interior	3 m
	Side, Exterior	5 m
Accessory Buildings and Structures		Regulations
Maximum <i>Height</i>		5 m
Minimum <i>Parcel Line Setback</i>	Front	5 m
	Rear	1.2 m
Side, Interior		1.2 m

	Side, Exterior	5 m
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**6.4 Subdivision Regulations**

6.4.1 *Subdivision* in the CS zone is subject to the following:

Subdivision Criteria	Regulations
Minimum <i>Parcel Area</i>	600 m <sup>2</sup>
Minimum <i>Parcel Frontage</i>	15 m

<b>Community Park Zone</b>	<b>CP</b>
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**6.5 Intent**

6.5.1 The intent of the *Community Park (CP) zone* is to permit the full range of park and protected area *uses*, including community and neighbourhood parks.

**6.6 Permitted Uses**

6.6.1 The *uses* permitted in the CP zone are as follows:

Principal Uses	Accessory Uses
<i>Community Use Park, Community Indoor Recreation Facilities Institutional Use Outdoor Recreation Parking Facility</i>	<i>Office Mobile Food Vending Commercial Daycare</i>

**6.7 Development Regulations**

6.7.1 Development in the CP zone is subject to the following:

Development Criteria	Regulations
Maximum <i>Parcel Coverage</i>	30%
Principal Building	Regulations
Maximum <i>Height</i>	14 m (4 storeys) for <i>principal buildings</i>
Minimum <i>Parcel Line Setback</i>	5 m
Accessory Buildings and Structures	Regulations
Maximum <i>Height</i>	5 m
Minimum <i>Parcel Line Setback</i>	5 m

## PART 7 – DEFINITIONS

Definitions found throughout this Bylaw are as follows:

### **A**

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<b><i>Accessory Building</i></b>	means a <i>building</i> used for a purpose that is accessory and subordinate to the <i>use</i> of the <i>principal building</i> or to a <i>principal use</i> of the <i>parcel</i> and located on the same <i>parcel</i> .
<b><i>Accessory Use</i></b>	means a <i>use</i> that is accessory and subordinate to and associated with a <i>principal use</i> or <i>building</i> located on the same <i>parcel</i> .
<b><i>Affordable</i></b>	means annual housing costs (rent or mortgage and taxes) do not exceed 30% of a household's gross annual income (assuming home ownership costs include a down payment of 10%, mortgage principal and interest amortized over 25 years and taxes).
<b><i>Affordable Housing</i></b>	means housing which, under the terms of a <i>Housing Agreement</i> with the <i>City</i> , has a market or rental price that is <i>affordable</i> or is for households that have a gross income that is 60% or less than the median gross household income in the City of Duncan as reported by Statistics Canada only.
<b><i>Assisted Living Residential Facility</i></b>	means a <i>residential use</i> which provides <i>sleeping units</i> or <i>dwelling units</i> for persons aged 55 or older, or for persons of any age with physical or mental health challenges; within which may be provided meal preparation and common dining areas, housekeeping and other support services, and may contain accessory <i>retail and personal service</i> uses.
<b><i>Automotive Fueling Station</i></b>	means the land, <i>buildings</i> or <i>structures</i> used for the retail sale of motor fuels and lubricants and the charging of electric vehicles, which may include an accessory retail store, <i>car wash</i> , service and minor repair of <i>motor vehicles</i> and the sale of automobile accessories.
<b><i>Automotive Sales</i></b>	means the <i>use</i> of a <i>building</i> , <i>structure</i> , or land for the sale, lease, or rental of <i>motor vehicles</i> and includes the subsidiary servicing and repair of <i>motor vehicles</i> .
<b><i>Auto Wrecking</i></b>	means a business that salvages, dismantles, or stores wrecked or decommissioned vehicles.

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**B**

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<b><i>Backyard Hen Enclosure</i></b>	means an area of land on a <i>parcel</i> used for the keeping of <i>hens</i> .
<b><i>Basement</i></b>	means a <i>storey</i> or <i>storeys</i> of a <i>building</i> located below the <i>first storey</i> .
<b><i>Bed and Breakfast</i></b>	means the <i>accessory use</i> of a <i>parcel</i> for <i>temporary accommodation</i> in <i>sleeping units</i> in a <i>single-unit dwelling</i> or in a <i>Detached Secondary Suite</i> , where guests are provided a breakfast meal, and no other meals, on the premises.
<b><i>Building</i></b>	means a <i>structure</i> which is used or intended to be used for the support, enclosure or shelter of <i>persons</i> , animals or <i>property</i> .
<b><i>Building Inspector</i></b>	means the <i>person(s)</i> appointed as such by the <i>City</i> and includes the authorized representatives of the <i>Building Inspector</i> .
<b><i>Bylaw Enforcement Officer</i></b>	means the <i>person(s)</i> appointed by the <i>City</i> to enforce regulatory bylaws of the <i>City</i> .

**C**

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<b><i>Car Wash</i></b>	means the <i>use</i> of land, <i>buildings</i> or <i>structures</i> for washing <i>motor vehicles</i> .
<b><i>Cheque-Cashing</i></b>	means the <i>use</i> of <i>buildings</i> or <i>structures</i> for exchanging cheques for cash as a <i>principal use</i> .
<b><i>City</i></b>	means City of Duncan.
<b><i>Commercial Vehicle</i></b>	means any self-propelled or towed vehicle used in commerce to transport cargo or passengers.
<b><i>Community Care</i></b>	means the <i>use</i> of land, <i>buildings</i> or <i>structures</i> for the provision of care to <i>persons</i> who require specialized care for any purpose, operated in accordance with the <i>Community Care and Assisting Living Act</i> and <i>Residential Care Regulation</i> .

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**Community Use** means the *use* of land, *buildings* or *structures* for the assembly, gathering, or meeting of *persons* for religious, charitable, philanthropic, cultural, educational or any similar non-commercial purpose.

**Condition of Use** means a condition that is required to be met in order to carry out a *use* in a *zone*.

**Craft Beverage Production** means the *use* of land, *buildings* or *structures* for production, storage and retail sales of beer, cider, spirits, mead or wine in a micro-brewery, cidery, distillery, meadery or winery.

**Cultural Use** means the *use* of land, *buildings* or *structures* for a museum, art or craft gallery, visitor centre, or theatre for the performing arts.

**D**

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**Daycare, Residential** (or *Residential Daycare*) means the *use* of land, *buildings* or *structures* for the care of eight (8) or fewer *persons* who require supervision during the day.

**Daycare, Commercial** (or *Commercial Daycare*) means the *use* of land, *buildings* or *structures* for the care of more than eight (8) *persons* who require supervision during the day.

**Density** means the quantity of *dwelling units* in a given area or space.

**Derelict Motor Vehicle** means all or part of any *motor vehicle*, other than a recreational trailer, which is not capable of operating under its own power and has not been insured for *use* on public *highways* within the previous 12 months.

**Dog Grooming** means an establishment for the hygienic care and cleaning of dogs and for enhancing their appearance, which may include dog daycare where dogs are kept indoors only and not overnight.

**Drive Through** means the *use* of land, *buildings* or *structures* for the provision of food, services or retail goods to customers in their *motor vehicles*, but excludes any *financial institution*, *car wash*, *automotive fueling station* or *automotive repair service* that provides such goods or services.

**Dwelling, Accessory**  
(or Accessory Dwelling) means a *dwelling unit* which is an *accessory use* to a principal non-residential use on the same *parcel*.

**Dwelling, Multi-Unit**  
(or Multi-Unit Dwelling) means a *building* containing three (3) or more *dwelling units*.

**Dwelling, Single-Unit**  
(or Single-Unit Dwelling) means a *building* containing only one (1) *dwelling unit* and, where permitted by this bylaw, an *attached secondary suite*, and includes a factory built *dwelling unit* constructed in accordance with the British Columbia Building Code and the CSA A-277 Modular Home Standard.

**Dwelling, Multi-Unit Rowhouse**  
(or Multi-Unit Rowhouse Dwelling) means a *building* comprised of at least three (3) *dwelling units* attached side by side and sharing common *party walls* by way of a legal agreement, where each *dwelling unit* has a separate ground-oriented entrance from the exterior of the *building*.

**Dwelling, Two-Unit Rowhouse**  
(or Two-Unit Rowhouse Dwelling) means a *building* comprised of two (2) *dwelling units* attached side by side and sharing a common *party wall* by way of a legal agreement, where each *dwelling unit* has a separate ground-oriented entrance from the exterior of the *building*.

**Dwelling, Two-Unit**  
(or Two-Unit Dwelling) means the *use* of land, *buildings* or *structures* for a dwelling comprised of two (2) *dwelling units*, where each *dwelling unit* has a separate ground-oriented entrance from the exterior of the *building*.

**Dwelling Unit** means a self-contained living unit for residential use with *sleeping units*, sanitary facilities, and only one (1) *kitchen*.

**E**

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**Education Facility** means land, *buildings*, or *structures* used for providing academic, commercial, or curriculum-based educational services.

**Electric Vehicle Charging Station** means a vehicle parking space that is served by battery charging equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric or hybrid vehicle.



**Emergency Preparedness Kiosk** means a container or other type of *structure* intended solely for use in response to natural disasters, diseases or other emergencies, and used for storage of emergency supplies such as bottled water, canned foods, clothing, bedding, and first aid supplies.

**F**

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**Fabric Covered Structure** means a manufactured *structure* consisting of a wood, metal, or plastic frame, covered on the roof and a maximum of three sides with fabric, polyethylene or soft vinyl, and intended for temporary storage purposes.

**Fence** means a *structure* used as an enclosure or screening.

**Financial Institution** means a bank, credit union, credit acceptance corporation, trust company, finance company or similar financial services establishment.

**First Storey** means the uppermost *storey* having its floor level not more than 2 m above *finished grade*.

**Fish Hatchery** means the land, *buildings*, or *structures* used for the purposes of artificial breeding, hatching and rearing through the early life stages of finfish or shellfish.

**Food Cart** means a non-motorized mobile cart with a maximum area of 4.65 m<sup>2</sup> from which food and beverages are carried, contained, and offered for sale to the public.

**Food Trailer** means a portable self-contained trailer that is equipped to cook, prepare, or serve and offer food or beverages for sale to the public, but does not include a food cart.

**Food Truck** means a motorized, mobile, self-contained vehicle that is equipped to cook, prepare, or serve, and offer for sale food or beverages to the public, but does not include a food trailer or food cart.

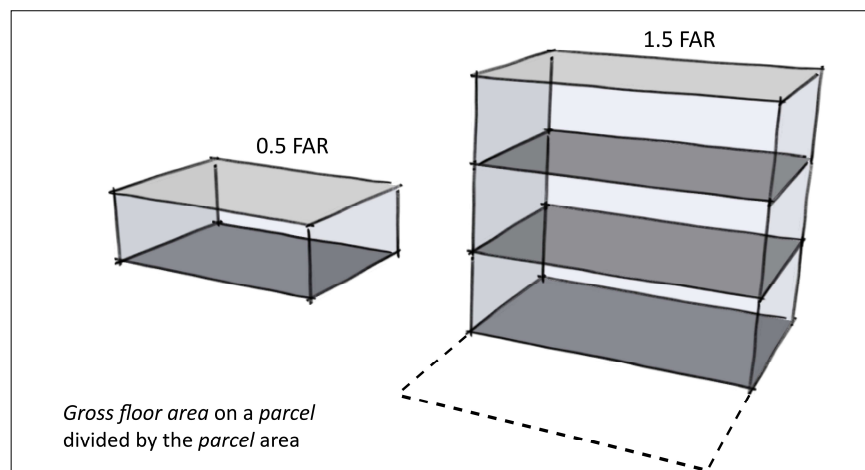
## DEFINITIONS

**Floor Area, Gross**  
(or *Gross Floor Area*)

means the sum of the total floor areas of all floors in all *buildings* on a *parcel* measured to the outer surfaces of exterior walls of the *building* and includes:

- (a) all *habitable* areas, including loft spaces, mezzanines, and spaces in *accessory buildings*;
- (b) garages and carports; and
- (c) enclosed *porches*; but excludes:
- (d) common or exit stairwells, elevator shafts and floor areas occupied by mechanical systems;
- (e) *open decks*;
- (f) outdoor unenclosed parking;
- (g) exterior wall thickness in excess of 152 mm;
- (h) floor areas with a ceiling *height* of less than 1.5 m; and
- (i) underground parking spaces located at least 2 m below *natural grade*.

**Floor Area Ratio** means the figure obtained when the total *gross floor area* of all *buildings* and *structures* on a *parcel*, is divided by the area of the *parcel*.



**An illustration of Floor Area Ratio**

**Funeral Service Facility**

means the use of a *building* for the storage of deceased human bodies prior to burial or cremation, or for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith, but in either case excluding the process of cremation.

**G**

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**Grade, Finished** (or *Finished Grade*) means the lowest of the average levels of finished ground adjoining each exterior wall of a *building*, except that localized depressions need not be considered in the determination of average levels of finished ground.

**Grade, Natural** (or *Natural Grade*) means the surface elevation of a *parcel* in its natural state, prior to any disturbance, alteration of land, excavation or filling, as determined by a *B.C. Land Surveyor*, or the elevations shown on a grading plan for the *parcel* approved by the *Building Inspector*.

**Green Building System** means:  
(a) equipment that converts, stores, or transfers energy from a renewable energy source, including equipment used to support *solar collectors*, *small wind energy systems*, heat pump systems, waste heat recovery systems, and biomass systems, and  
(b) equipment that collects, stores and treats rainwater, greywater or both, on the site on which it falls or is produced.

**Green Roof** means a roofing system that utilizes vegetation over a roof membrane to minimize storm water runoff and reduce heat absorption.

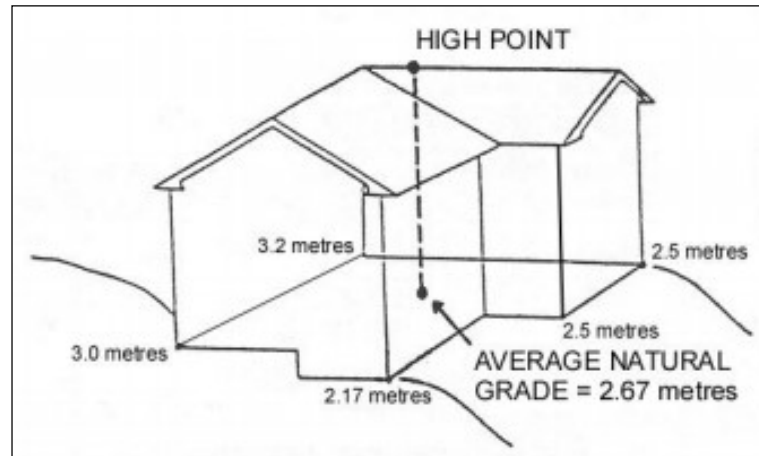
**Green Wall** means a *structure* affixed to a *building* wall used for growing edible or ornamental plants.

**H**

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**Habitable** means an area used or intended for cooking, eating, sleeping or other human *occupancy*.

**Height** means the distance measured vertically from *natural grade* or *finished grade*, whichever is lesser; in the case of a *building*, recorded at the outermost corners of the *building*, to the highest part of the *building* or *structure*.



**An illustration of height**

**Hen** means the female common domestic fowl kept for egg production, but does not include a turkey, goose, duck, artificially reared grouse, partridge, quail, pheasant or ptarmigan.

**Highway** means a public road and any other public way, but excludes a *lane* or *trail*.

**Home-Based Business** means an occupation, business or professional practice which is carried on for remuneration or financial gain on a residential *parcel* as an *accessory use*.

**Hospital** means the *use* of land, *buildings* or *structures* for a *hospital*, as defined in the *Hospital Act*, as amended or replaced, specifically includes *treatment centres*.

**Housing Agreement** means an agreement between a *property owner* and the *City* pursuant to the *Local Government Act*.

**I**

**Industrial Activity** means the manufacturing, processing, assembly, fabricating, testing, servicing, repair, storage, transporting, warehousing, wholesaling, distributing, wrecking, or salvaging of goods, products or materials from raw materials, and includes the sale of heavy industrial equipment or other industrial product.

***Institutional Use*** means the *use* of land, *buildings* or *structures* for police, ambulance, and fire stations; courts of law; legislative chambers or government administrative *offices*.

**K**

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***Kennel*** means a place where dogs or cats are bred, raised, or boarded overnight.

***Kitchen*** means a room designed or used for the operation of a stove, grill, oven, dishwashing equipment, or any other appliance or equipment used in the preparation of food.

**L**

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***Landlord*** means a *person* who is an *owner* of land, who, in an exchange for rent, leases it to another individual known as the *tenant*.

***Landscaping*** means the physical arrangement and maintenance of vegetation on a *parcel* for the purpose of enhancing the functional and aesthetic qualities of site development.

***Landscape Area*** means an area of land that is landscaped and maintained in accordance with this Bylaw.

***Landscape Buffer*** means a *Landscape Area* containing any combination of grass, trees, bushes, shrubs, vines, plants, flowers, or bark mulch and similar materials, provided and maintained to provide a buffer between *parcels*.

***Lane*** means a public way that provides access to the rear of a *parcel*.

***Loading, Off-Street*** means the *use* of an area of a *parcel* for the loading or unloading of *commercial vehicles* in connection with the *use* of that *parcel* or an adjacent *parcel*.  
(or *Off-Street Loading*)

**M**

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***Marijuana Operation*** means cultivating, growing, producing, packaging, storing, distributing, dispensing, trading or selling of marijuana (cannabis) or its derivatives.

<b><i>Mechanical equipment</i></b>	means heating, ventilation, air conditioning, or refrigeration units, or other noise-emitting equipment, such as stationary power generators.
<b><i>Mixed-use Development</i></b>	means the <i>use</i> of <i>buildings</i> or <i>structures</i> for a combination of commercial uses and multi-unit <i>residential uses</i> on the second floor and above.
<b><i>Mobile Food Vending</i></b>	means a <i>food truck</i> , <i>food trailer</i> , or <i>food cart</i> equipped with facilities for preparation and retail sale of food for immediate consumption.
<b><i>Mobile Home</i></b>	means a manufactured home constructed to the CAN/CSA Z240 standard.
<b><i>Motor Vehicle</i></b>	means a self-propelled vehicle in, on or by which a <i>person</i> or thing may be transported on a <i>highway</i> , but specifically excludes vehicles designed to be used exclusively on stationary rails or tracks, vehicles moved by human power, mobility scooters, or motor-assisted bicycles.
<b><i>Motorcycle Repair and Sales</i></b>	means the <i>use</i> of a <i>building</i> , <i>structure</i> , or land for the servicing, repair, sale, lease, or rental of two or three-wheeled <i>motor vehicles</i> .

**N**

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<b><i>Natural Boundary</i></b>	means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself.
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**O**

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<b><i>Occupancy</i></b>	means the <i>use</i> or intended <i>use</i> of a <i>building</i> or <i>structure</i> or part thereof for sheltering or supporting <i>persons</i> , animals, or <i>property</i> .
<b><i>Occupier</i></b>	has the same meaning as defined in the <i>Community Charter</i> .
<b><i>Office</i></b>	means the <i>use</i> of a <i>building</i> for conducting the affairs of a business, profession, service, or government, including health and veterinary services, <i>social services</i> , financial services, and research.
<b><i>Official Community Plan</i></b>	means the <i>City of Duncan Official Community Plan</i> and amendments thereto.

**Open Deck** means any unenclosed *structure* connected to a *principal building* which:

- a. is elevated a minimum of 0.6m from ground level;
- b. is structurally supported or cantilevered;
- c. may be covered by a canopy or trellis which is not structurally, nor in appearance, part of the roof system of the *principal use*;
- d. does not cover a carport or a garage; and
- e. may have a railing system, but no solid walls.

This includes any *structure* forming a border or walking area surrounding a hot tub, unless the rim of the hot tub is at ground level.

**Owner** has the same meaning as defined in the *Community Charter*.

**P**

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**Parcel** means any lot, block or other area in which land is held or into which it is subdivided under the *Land Title Act* or the *Strata Property Act*.

**Parcel, Corner**  
(or *Corner Parcel*) means a *parcel* with both a *front parcel line* and an *exterior side parcel line*.

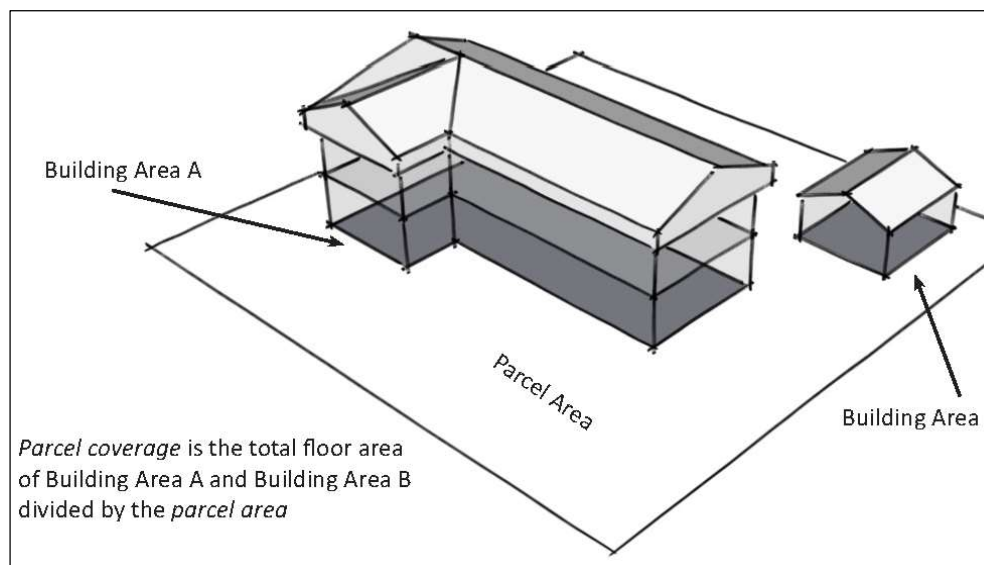
**Parcel, Panhandle**  
(or *Panhandle Parcel*) means a *parcel*, the majority of whose area is physically separated from the nearest *highway* by another *parcel*, and that is connected to the *highway* by a narrow strip of land forming part of the *parcel*.

**Parcel, Through**  
(or *Through Parcel*) means a *parcel* abutting 2 parallel or approximately parallel *highways*, or a *corner parcel* abutting 3 *highways*.

**Parcel Coverage**

means the percentage of the *parcel area* that is covered by *buildings* and *structures*, including carports, roofed entries, enclosed walkways and cantilevered areas, balconies and decks, but excludes the following:

- (a) eaves, exterior finishes, gutters and cornices;
- (b) unenclosed steps, landings and wheelchair ramps;
- (c) chimneys;
- (d) air conditioners and heat pumps;
- (e) awnings, trellises and unenclosed patio canopies;
- (f) underground *parking facilities*; and
- (g) uncovered in-ground *swimming pools* and hot tubs.



**An illustration of Parcel Coverage**

**Parcel Depth**

means the shortest distance between the centre of the *front parcel line* and the *rear parcel line* or, in the case of a triangular *parcel* or an irregular *parcel* with more than four (4) *parcel lines*, the shortest distance between the *front parcel line* and the point at which any two *side parcel lines* intersect, or in the case of a *through parcel*, the centres of the two (2) *front parcel lines*.

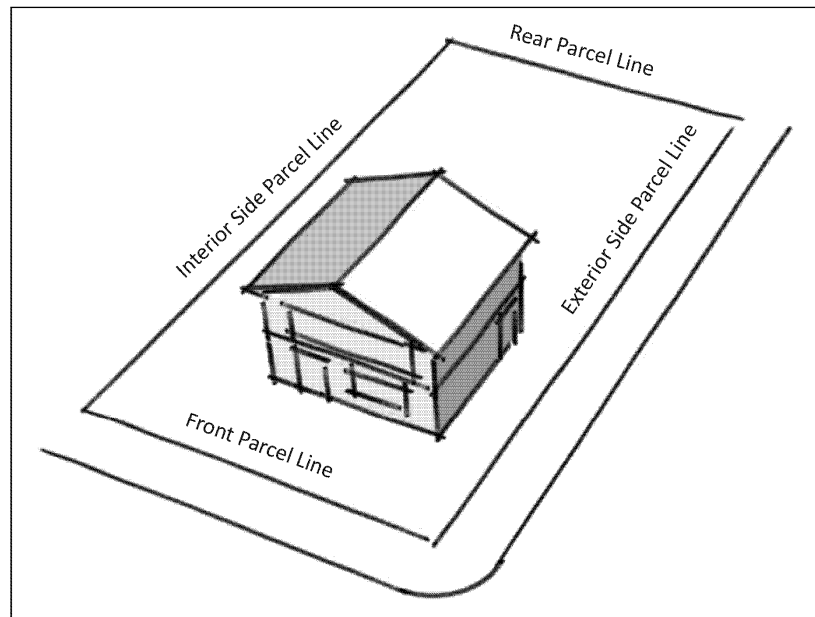
**Parcel Frontage**

means the length of the *parcel line* that directly abuts a *highway*, other than a path, walkway, *trail* or *lane*.

**Parcel Line**

means a line that forms the boundary of a *parcel*.





**An illustration of Parcel Line**

**Parcel Line, Exterior Side** (or Exterior Side Parcel Line) means the *parcel line* forming the boundary between a *parcel* and *highway* that has one or both ends intersecting a *front parcel line*.

**Parcel Line, Interior Side** (or Interior Side Parcel Line) means any *parcel line* other than the *front parcel line*, *rear parcel line*, and *exterior side parcel line*.

**Parcel Line, Front** (or Front Parcel Line) means the *parcel line* abutting the *highway*, and:

- (a) in the case of a *corner parcel*, either *parcel line* that abuts the *highway* may be considered the *front parcel line*, in which case the other *parcel line* abutting a *highway* is deemed to be an *exterior side parcel line*; or
- (b) in the case of a *through parcel*, all *parcel lines* abutting the *highway* are considered *front parcel lines*.

**Parcel Line, Rear** (or Rear Parcel Line) means the *parcel line* most opposite to and distant from the *front parcel line* as measured from the centre point of the *front parcel line* to the centre point of the *rear parcel line*, or where the rear portion of the *parcel* is bounded by intersecting *side parcel lines*, the point of intersection of the *side parcel lines*.

## DEFINITIONS

<b>Park, Community</b> (or <i>Community Park</i> )	means the land, water areas, <i>buildings</i> or <i>structures</i> used for recreational, archaeological, historical, educational or ecological purposes, which may also include <i>accessory buildings, structures</i> and infrastructure, including community water access, <i>cultural facilities, administrative offices, interpretative and directional signage, seating areas, viewing platforms and information kiosks.</i>
<b>Parking Facility</b>	means the <i>use</i> of land, <i>buildings</i> or <i>structures</i> for the parking of <i>motor vehicles</i> or bicycles, including parking lots and parkade <i>structures.</i>
<b>Parking, Off-Street</b> (or <i>Off-Street Parking</i> )	means the <i>use</i> of land for the parking of vehicles or bicycles accessory to the <i>use</i> of the land.
<b>Party Wall</b>	means a shared supporting wall that is in a <i>building</i> or between two adjoining <i>buildings</i> and is situated on any part of the common boundary shared by adjoining <i>parcels</i> as defined in the <i>Land Title Act.</i>
<b>Pawn Shop</b>	means <i>buildings</i> or <i>structures</i> used by an establishment that engages in the business of loaning money on the security of pledges of personal goods, and retail sale of pawned personal goods.
<b>Permitted Use</b>	means the principal, permissible purpose for which land, <i>buildings</i> or <i>structures</i> may be used.
<b>Person</b>	has the same meaning as defined in the <i>Community Charter.</i>
<b>Porch</b>	means an unenclosed covered deck or patio on the <i>front</i> or <i>exterior side yard</i> face of a <i>building</i> used to provide access to the primary entrance of a <i>dwelling unit.</i>
<b>Principal Building</b>	means a <i>building</i> in which the <i>principal use</i> of a <i>parcel</i> is conducted.
<b>Principal Use</b>	means the primary purpose for which land, <i>buildings</i> or <i>structures</i> are ordinarily used.
<b>Property</b>	means real property as defined in the <i>Community Charter.</i>

**Public Market** means the *use* of land, *buildings* or *structures* for the sale of food, beverages, arts and crafts by multiple vendors.

**Q**

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**R**

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**Recreation Facilities, Indoor**  
(or *Indoor Recreation Facilities*) means the *use* of gymnasiums, indoor racquet courts, curling rinks, skating rinks, *swimming pools*, dance studios, aerobic studios, yoga studios or weight rooms, billiard halls, and bowling alleys and accessory *restaurants*, administrative *offices*, and retail sales of sporting goods.

**Recreation, Outdoor**  
(or *Outdoor Recreation*) means the *use* of land, for outdoor fitness facilities, running tracks, ball courts, racquet courts, and canoe, kayak and rowing clubhouses, and includes accessory *restaurants*, administrative *offices* and retail sales.

**Recreational Vehicle** means a camper, travel trailer, fifth wheel trailer or motor home with a maximum width of 2.6 m in transit mode which can be used to provide sleeping accommodation and which is capable of being licensed for highway use pursuant to the *Motor Vehicle Act*.

**Repair Service, Automotive** means the *use* of land, *buildings* or *structures* for repair of automobiles and *recreational vehicles* and may include accessory retail sales of parts and accessories, but specifically excludes body repair and painting.

**Repair Service, General** means the *use* of land, *buildings* or *structures* for the repair of household items, small motors, electrical devices, and computers and may include accessory retail sales of parts and accessories.

**Residential Use** means a *use* providing for the accommodation of one or more persons, where the minimum rental or occupancy period is 30 consecutive days.

**Restaurant** means the *use* of *buildings* or *structures* for the preparation and serving of food or beverages, including cafes, pubs, and brew pubs, but specifically excludes *drive throughs*.

**Retail & Personal Service** means the *use* of land, *buildings* or *structures* for the retail sale or rental of goods, foods, or wares, the provision of services to the *person* or personal goods of a customer, but specifically excludes *Pawn Shops* and *Marijuana Operations*.

**Retaining Wall** means a *structure* intended to hold back, stabilize or support an earthen bank.

## S

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**School, Academic**  
(or *Academic School*) means land, *buildings* or *structures* used to provide academic instruction to students who have an opportunity to earn a certificate, diploma, or degree provided by the British Columbia Ministry of Education.

**School, Commercial**  
(or *Commercial School*) means land, *buildings* or *structures* other than an *academic school*, used to provide instruction of any kind and includes art schools, language schools, business schools, and commercial training schools.

**Secondary Suite, Attached**  
(or *Attached Secondary Suite*) means a secondary *dwelling unit* located in a *building* of residential occupancy containing only one other *dwelling unit*.

**Secondary Suite, Detached**  
(or *Detached Secondary Suite*) means a secondary *dwelling unit* located in an *accessory building* on the same *parcel* as a *single-unit dwelling*.

**Setback** means the distance between a *building* or *structure* and a *parcel line* or other feature.

**Shipping Container** means a metal container of standard dimensions, designed for transporting cargo by ship, rail, or truck.

**Small Wind Energy System** means the *use* of land, *buildings* or *structures* for a wind energy conversion system consisting of a wind turbine, associated *structures* and mechanical devices with a nameplate capacity of not more than five (5) Kilowatt hours.

<b><i>Sleeping Unit</i></b>	means one or more rooms used for sleeping and living purposes and in which there is no <i>kitchen</i> or cooking facilities.
<b><i>Social Service</i></b>	means the <i>use</i> of land, <i>buildings</i> or <i>structures</i> for the provision of information, referrals, counselling and advocacy services, aid in the nature of food or clothing or drop-in or activity space.
<b><i>Solar Collector</i></b>	means equipment designed to absorb solar radiation as a source of energy for generating electricity or heat.
<b><i>Storage Yard</i></b>	means the <i>use</i> of land, for the storage of equipment, goods and products, vehicles, machinery and materials, either inside or outside of a <i>building</i> , but does not include <i>auto wrecking</i> .
<b><i>Storey</i></b>	means that portion of a <i>building</i> that is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, between the top of a floor and the ceiling above it.
<b><i>Structure</i></b>	means anything constructed, placed, or erected on land, including <i>retaining walls</i> greater than 1.2 m in <i>height</i> .
<b><i>Subdivision</i></b>	means the division of land into two (2) or more <i>parcels</i> , whether by plan, descriptive words or otherwise.
<b><i>Surveyor, British Columbia Land</i></b> (or <i>B.C. Land Surveyor</i> )	means a land surveyor licensed and registered as a land surveyor with the Province of British Columbia.
<b><i>Swimming Pool</i></b>	means any <i>structure</i> or construction other than a hot tub, intended primarily for recreation that is, or is capable of, being filled with water to a depth of 0.6m or more.

**T**

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<b><i>Temporary Accommodation</i></b>	means accommodation for a period not greater than six (6) weeks.
<b><i>Tenant</i></b>	means a <i>person</i> who occupies land or <i>property</i> rented from a <i>landlord</i> .

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**Transition House** means a temporary accommodation use providing *sleeping units* or *dwelling units* for the provision of emergency and support services for women and children who have experienced or are at risk of violence but does not include the use of land for halfway house use in conjunction with the administration of justice for the purpose of shelter and support of persons serving or on any part of a sentence imposed by a court.

**Tourist Accommodation** means the use of land, *buildings* or *structures*, for *temporary accommodation*, of traveling lodgers which may include accessory facilities such as a *restaurant*, meeting rooms, convention facilities, retail sales and recreation facilities.

**Trail** means an unpaved pathway or walkway.

**Transportation Corridor** means a linear feature which facilitates one or more modes of transportation.

**Treatment Centre** means the use of land, *buildings* or *structures* to treat *persons* for substance abuse, and includes needle exchange facilities, safe injection sites, Methadone clinics, and harm reduction centres.

**U**

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**Urban Food Garden** means the use of land for growing and harvesting of fruits, vegetables, and other edible plants.

**Use** means the purpose or function for which land, *buildings* or *structures* are used or intended to be used or occupied.

**Utility** means the use of land, *buildings* or *structures* to facilitate the production, transmission, delivery or furnishing of water, gas, electricity or communication services to the public, or the collection and disposal of sewage, refuse or other waste.

**V**

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**W**

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**Watercraft** means a boat or vessel that travels on water.

**Y**

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**Yard, Front**  
(or Front Yard) means the area of a lot between the *front parcel line* and the *principal building*.

**Yard, Rear**  
(or Rear Yard) means the area of a lot between the *rear parcel line* and the *principal building*.

**Yard, Exterior Side**  
(or Exterior Side Yard) means the area of a lot between the *exterior side parcel line* and the *principal building*.

**Yard, Interior Side**  
(or Interior Side Yard) means the area of a lot between the *interior side parcel line* and the *principal building*.

**Z**

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**Zone** means any of the areas into which the *City* is divided in accordance with this Bylaw, and for which specific regulations are set out in this Bylaw.

**ADOPTION**

**PASSED FIRST READING** 20-NOVEMBER-2017.  
**PASSED SECOND READING** 20-NOVEMBER-2017.  
**PUBLIC NOTICE GIVEN** IN ACCORDANCE WITH THE *LOCAL GOVERNMENT ACT*  
15-NOVEMBER-2017 AND 22-NOVEMBER-2018.  
**PUBLIC HEARING** 27-NOVEMBER-2017.  
**PASSED SECOND READING AS AMENDED** 19-FEBRUARY-2018.  
**PUBLIC NOTICE GIVEN** IN ACCORDANCE WITH THE *LOCAL GOVERNMENT ACT*  
9-MARCH-2018 AND 14-MARCH-2018.  
**PUBLIC HEARING** 19-MARCH-2018.  
**PASSED THIRD READING** 19-MARCH-2018.  
**RECEIVED MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL** 10-APRIL-2018.

**ADOPTED** 22-MAY-2018

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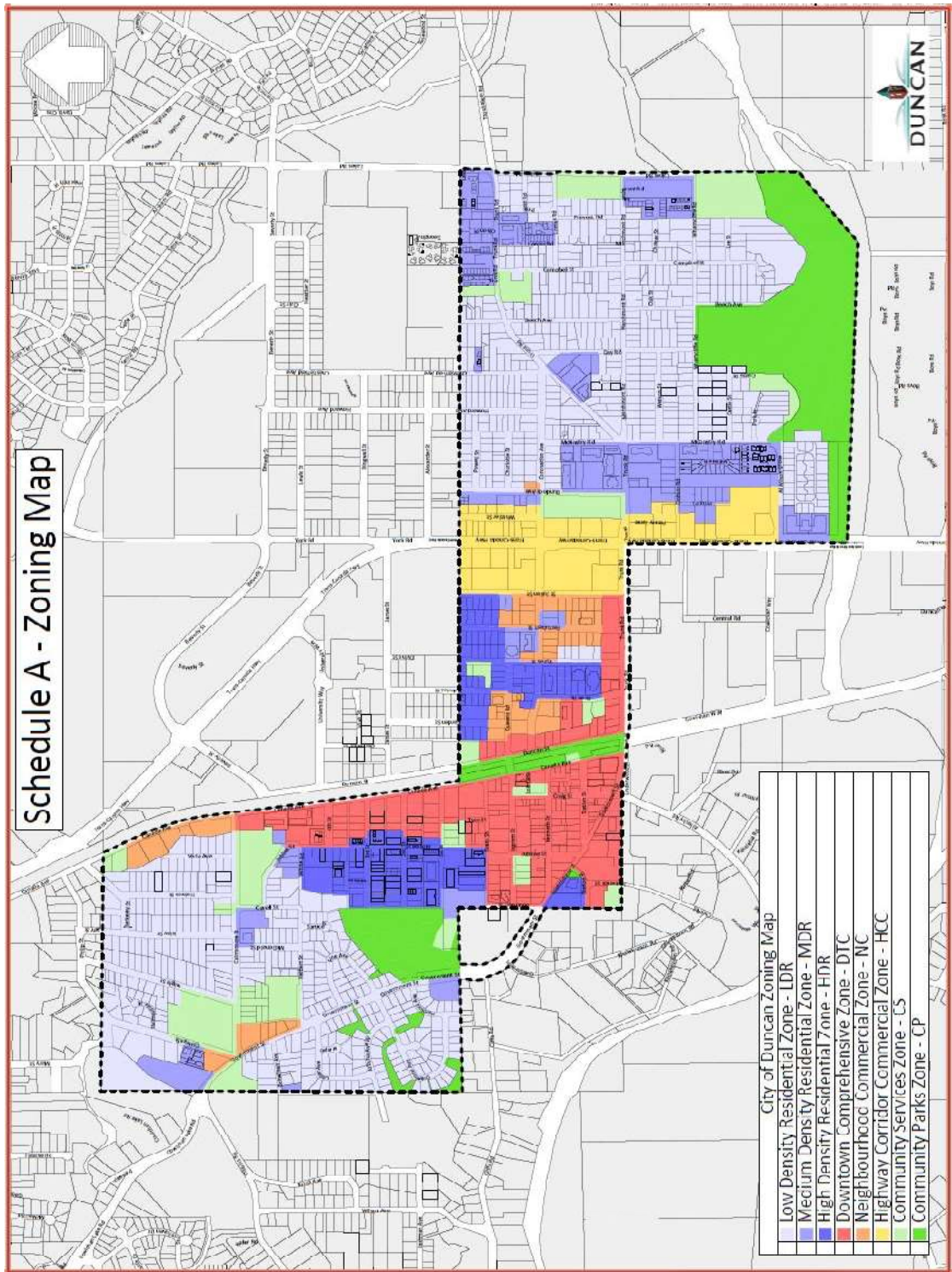
Phil Kent, Mayor

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Allison Boyd,  
A/Director of Corporate Services



# Schedule A - Zoning Map



## 5.4 Development Permit Area 1 – Design Standards

### PURPOSE

The purpose of DPA 1 – Design Standards is to...

- protect the natural environment, its ecosystems, and biological diversity;
- revitalize areas in which commercial uses are permitted;
- establish objectives for the form and character of intensive residential development;
- establish objectives for the form and character of commercial development;
- establish objectives for the form and character of multi-unit residential development;
- establish objectives for the form and character of industrial development;
- establish objectives to promote energy conservation;
- establish objectives to promote water conservation; and
- establish objectives to promote the reduction of greenhouse gas emissions.

### OBJECTIVES

The objectives of DPA 1 – Design Standards are to...

- enhance the visual and aesthetic qualities and character of Duncan;
- provide recreation, leisure, and natural amenities in development;
- improve the public realm adjacent to private development sites;
- support and prioritize active and sustainable transportation;
- reduce stormwater runoff and to recharge the underlying aquifers;
- facilitate the development of highly energy efficient buildings;
- facilitate development with low carbon heating and cooling;
- protect and enhance native biodiversity;
- support and enhance placemaking;
- ensure that development is safe and accessible;
- ensure that development responds and adapts to the impacts of climate change;
- ensure that development does not adversely impact the surrounding neighbourhood; and
- consideration given to culturally appropriate designs that embrace and recognize Quw'utsun history of the land and its built forms.

## APPLICATION

1. All land within the City of Duncan is designated DPA 1 – Design Standards.
2. A Development Permit application is required prior to development in this DPA in the following circumstances:
  - (a) construction, siting, or placement of a new building or a building addition greater than 10 m<sup>2</sup> GFA, including intensive residential development, multi-unit residential development, commercial development, community use development, light industrial development, and any mixed-use building;
  - (b) exterior renovation to an existing building, including painting or repainting;
  - (c) alteration of existing landscaping planted or installed as part of an issued Development Permit or otherwise approved or required by the City; or
  - (d) alteration of land, including (but not limited to) re-grading, hard-surfacing, placement of soils or fills, or construction of a retaining wall or stacked rock wall.
3. Where any proposed exterior renovation with a value of less \$100,000, alteration of existing landscaping, or alteration of land is consistent with the applicable design standards, as determined by the Director of Planning and Sustainability, a Development Permit application is not required. For the Director of Planning and Sustainability to determine if the proposed exterior renovations are consistent with the applicable design standards, the proponent must provide professionally prepared drawings, illustrations, and examples showing the proposed changes.
4. A development undertaken by the City or its authorized agents and contractors is exempt from the requirement for a Development Permit, provided that the development is consistent with the standards and objectives of this DPA.
5. All development design policies and guidelines contained in this OCP, the Cairnsmore Sustainable Neighbourhood Plan, the University Village Sustainable Local Area Plan, and other City plans and strategies form part of DPA 1 – Design Standards and all development permit proposals will be reviewed for consistency with those other City policies and guidelines.
6. The City or delegate may diverge from the standards where a compelling rationale that preserves the intent of the standards is supplied.

7. It is not the intent of these design standards that every development on every property meet all of the standards. The reason for this is that there may be circumstances where a particular design standard is not relevant or applicable to the proposal. For example, some design standards reference commercial uses or mixed use buildings; however, not all developments will include a commercial component.
8. Notwithstanding that a design standard may use words like “should” or “encourage”, the City or delegate is entitled to require that the design standard be adhered to and may refuse to issue a Development Permit for a development that does not meet the applicable design standards.
9. The City may require the registration of a section 219 *Land Title Act* covenant, at the applicant’s sole expense and to the satisfaction of the City, that identifies and secures the proposed design features in the development, including but not limited to, onsite energy generation, public art, and site and building amenities.

## SITE DESIGN

10. The onsite design should integrate seamlessly with the offsite design of the adjacent public realm (e.g. road right-of-way) and facilitate physical and social interaction between private and public space, where appropriate.
11. CPTED principles should be incorporated in all site planning, design, and redevelopment.
12. Mid-block crossings should be incorporated into the design and connect logically to nearby public areas and amenities, including transit stops, trails, sidewalks, parks, and open spaces.
13. Mid-block crossings should include landscaping, lighting, and signage consistent with the landscaping, lighting, and signage standards in this DPA.



14. Commercial uses should wrap around the building to connect to mid-block crossings.
15. Crosswalks at intersections and mid-block crossings should be designed with alternative materials and colours (e.g. coloured, imprinted asphalt, paving stones) that are different than the surrounding vehicle lanes to enhance pedestrian safety.

- 16. The onsite and offsite design should incorporate existing and planned transportation infrastructure and networks, including bike lanes, sidewalks, stormwater management, and transit shelters.
- 17. Where a transit shelter is independent from a building, a minimum clearance of 2 m from the building to the rear of the shelter should be provided for pedestrian movement.
- 18. All aspects of the site design should be safe, barrier-free, and universally accessible for all ages and abilities, including incorporating visual and auditory guides, where appropriate.



- 19. Pedestrian walkways should not be contained between high solid fences or blank walls. A low wall or fence may be appropriate.



- 20. Buildings should be sited to frame the edges of adjacent streets and open spaces, while minimizing the visual impact of parking, servicing, and loading areas.
- 21. Where a consistent pattern of building setbacks exists, and those setbacks generally conform to the zoning bylaw regulations, new buildings should be designed to align with adjacent buildings.
- 22. Where there is no consistent pattern of building setbacks, the building should be set back to create a boulevard that can accommodate wider sidewalks, street trees, landscaping, stormwater management, and active uses to establish a more pedestrian-oriented relationship between the building and the sidewalk.
- 23. Where a continuous streetwall is desirable, side yard setbacks are usually not required. Continuous streetwalls are generally desirable within areas designated for mixed use, except where special site or block conditions require breaks to access mid-block crossings, public courtyards, or other open spaces. However, there are some locations where this condition is not appropriate because adjacent existing buildings have windows and balconies on side walls or close to side parcel lines. It is important that new development on adjacent sites does not negatively impact these existing buildings, provided the existing building is intended to remain for an extended period.

24. Where adjacent sites have buildings with walls containing secondary windows, new buildings should provide a minimum separation of 5.5 m from the existing building wall.
25. Side walls of new buildings that are set back a minimum of 5.5 m from the property line should incorporate glazing, where possible.
26. Some conditions may require additional setbacks (e.g. where the existing building has habitable windows or balconies on the side wall). Setbacks in this case will be determined on a site-by-site basis.
27. The design should provide a minimum separation distance of 10 m between windows and balconies on facing buildings.
28. Where a building includes residential uses at grade, those residential uses and accesses should be differentiated from commercial or other non-residential uses through additional setbacks, landscaping, and privacy screening.
29. In general, where a site is adjacent to a property designated in this OCP for lower density and lower intensity land uses, taller building elements in new development design should be located further away and transition down in height closer to those properties.
30. Buildings should be designed to be stepped along street frontages to conform to the existing geography (and Quw'utsun cultural landscapes where possible) and avoid the need for retaining walls and significant land manipulation. Individual retaining walls, where required, should be limited in height.
31. Buildings, amenity spaces, and entrances should be oriented to maximize sun exposure and passive heating during cool months and to provide shaded areas during warm months. Deciduous trees and outdoor shade structures should be strategically placed to provide cool areas during the summer while maximizing sun exposure during the winter.
32. The extent of impermeable hard-surfaced areas not actively used should be minimized. The design should include paving materials that are permeable and other materials that reduce heat storage and assists with rainwater infiltration and stormwater management.
33. Parking should be enclosed, covered, or underground, unless the site or geography will not allow it, including a high water table that would require regular pumping of the parkade.
34. Surface parking, when permitted, should be designed and located to reduce its visual impact on the community. Surface parking should be well-landscaped with trees and other vegetation, screened (where appropriate), and located behind buildings away from streets and the public realm.





35. Surface parking, when permitted, should be integrated with the stormwater management design, including the use of permeable paving materials, landscaping, and swales, where suitable.
36. Parking areas should incorporate and prioritize a safe and universally accessible pedestrian circulation network by providing clearly marked crossings, raised and continuous or separated walkways, landscaping buffers, clear signage, and downcast pedestrian-scaled lighting.
37. Driver and pedestrian sightlines should be respected throughout the parking area, with special consideration given at access points, corners, and pedestrian crossings.
38. Preferential parking, including accessible parking stalls, car-share, EV charging, and bicycle racks, should be easily accessible and should be located close to building entrances.
39. A parking space should be provided for delivery and utility provider vehicles.

40. Where there is underground or structured parking, the sidewalk should be maintained at grade, with pavement markings to alert both drivers and pedestrians of the upcoming driveway crossing.
41. The design should ensure that where driveways cross into the public realm, the pedestrian and cycling facilities take precedence over vehicle access. Sidewalks and walkways should be continuous across all driveways. The apron should be on the boulevard and the sidewalk or walkway should not dip down to accommodate an apron.
42. In accordance with accessibility standards, a tactile walking surface indicator should be incorporated at driveway crossings to indicate entry into a vehicle route or area where no curbs or other elements separate the vehicle route from a pedestrian route.
43. In accordance with accessibility standards, a rumble strip of paving across the width of the driveway should be incorporated into the private property side of the sidewalk or walkway to warn drivers of the upcoming pedestrian crossing.
44. Pedestrian entrances to parking structures should be located adjacent to main building entrances, public streets, or other highly visible locations.
45. Underground parking should be designed to be fully below natural and finished grade. Where this is not feasible due to a high water table and underground parking must be partially above grade, it should not exceed 1 m above natural or finished grade. Exposed portions of a parking structure should be designed with attractive, high-quality materials and screened with landscaping.
46. Where trees and vegetation are planted above parking structures, a Landscape Architect should establish a minimum depth of soil above the structure to ensure a suitable growing environment.



47. Stand-alone parking structures should be wrapped with active, at-grade uses facing streets, public parks, and open spaces to provide attractive, animated façades that contribute to the streetscape and enhance pedestrian safety.
48. Where above-grade structured parking is provided next to streets, the structure should be attractive, with high quality design, articulation, fenestration, and appealing complementary materials.
49. Where there is no at-grade active use, the ground floor of the parking structure should include architectural and landscaped screens to hide cars from view and disguise the use.
50. Vehicle access to parking structures should be located at the rear or side of buildings away from main building frontages and major streets. Where access must be provided from the primary frontage, access to the parking structure should be integrated into the overall site and building design.
51. All above-grade parking structures should be designed to facilitate adaptability and reuse in the case of future land use conversions.

52. Bicycle parking should be secure, safe, illuminated, highly visible, accessible, covered and protected from the elements.
53. The design should include parking spaces for scooters and other mobility devices in developments where the anticipated occupants would require such devices.
54. Shared driveway access and parking between adjoining parcels may be required. Easements may be necessary to accommodate future access between adjacent parcels.
55. Vehicle access to a development should be from a laneway, where a laneway exist. Where there is no laneway, vehicle access to a development should be from a secondary, side street. Vehicle access to major streets is the last option where no other options exist.
56. Servicing, storage, and loading spaces are necessary components of all development sites. These areas should be functional and easily accessible, and their visual impact minimized through thoughtful location and screening.
57. Loading bays, storage areas, and other service areas should be coordinated, consolidated, and located together, where possible.
58. Loading, servicing, and storage areas, including garbage and recycling enclosures, should be integrated within the building envelope, where possible, and are not permitted outside of the building envelope between the building and the street. Where this is not possible, these areas should be located at the rear of the building and screened from the public realm, while maintaining functionality and access. Access to servicing and loading areas should be provided from secondary streets or rear laneways, where possible.
59. Access points on corner sites for loading bays, storage areas, and other service areas should be located as far from nearby intersections as possible.
60. Screening, fencing, low walls, and landscaping should be incorporated into the design to screen servicing areas, maintenance uses, and otherwise less attractive areas from the public realm.
61. Screening materials should be high quality and complement the design of the principal building. Chain link fencing is not permitted.
62. Fencing is not supported where it would create concealed areas that could promote criminal activity or unsafe conditions.

63. Special paving materials, lighting, seating, benches, bike racks, waste and recycling stations, public art, planters, landscaping, stormwater management, and other architectural and landscape features should be incorporated into the design to define and activate the public realm.



64. Street furnishings that support active transportation uses should be concentrated in spaces that are universally accessible and have a high amount of pedestrian activity. Raised planters should incorporate seating areas.



65. Street furnishings and lighting should be focused near building entrances, mid-block crossings, and other walkways.
66. Street furnishings should not obstruct circulation, sight lines, or hinder transportation facility maintenance.
67. Seating areas should be coordinated and planned around shade trees and landscaping and be designed to deter long-term loitering.



68. The visual impact of electrical transformers and hydro kiosks should be minimized through the use of decorative wraps, landscaping, and screening (where permitted and appropriate).
69. Utilities should be integrated into site and building design and placed in discreet locations away from the primary building entrances and amenity spaces and screened from public view.
70. Overhead wiring, including hydro and telecommunications utilities, should be placed underground or relocated away from the public realm.
71. Consideration must be given to sharing utilities (i.e., pad mounted transformer) with adjacent properties and developments, where feasible.

72. Courtyards should provide a combination of soft and hard landscaping to create spaces that are passively programmed for public and private uses. Courtyards should be framed by buildings on at least three sides and are located at the side or back of buildings.
73. Courtyards should be connected to active indoor uses, such as lobbies and indoor amenity spaces, with the intent of extending indoor spaces.
74. A clear delineation between public and private areas is encouraged when courtyards are adjacent to grade-level residential spaces. Private residential entrances should not open directly into public courtyards.
75. Courtyards should be designed to promote year-round activities, including the use of walkways, benches, tables, and formal and informal gathering and play spaces.
76. The design should ensure courtyards have sufficient access to sunlight while also providing shaded areas.
77. Courtyards should be designed to feel accessible to everyone. CPTED principles should be incorporated into all courtyard designs.





78. Open spaces should incorporate animated edges with active at-grade uses and be designed to be inviting, appear to be public spaces, and encourage year-round use.
79. The design of plazas should be consistent with the overall character and vision of the development as well as the streetscape design.
80. Plazas should be located at centers of activity, such as transit exchanges, intersections of important streets, building entrances, and retail streets, providing a focal point for these areas. Features within a plaza must not visually or physically obstruct the entrance to a building.
81. Urban squares should be designed to have unique character and distinct features including unique paving, landscaping, water features, seating, lighting, shade trees, and should include public art (including art that is representative of Quw'utsun culture and history).
82. Consideration should be given to co-locating outdoor amenity spaces with the building's indoor amenity spaces to establish larger community gathering spaces. Buildings should have active uses facing the plaza, such as shop entrances, food and beverage services, or recreation and community uses.
83. The location and orientation of urban squares should be designed to maximize sun exposure and mitigate environmental impacts such as wind exposure.
84. Urban squares should be constructed at grade, where possible, and have access to public sidewalks on at least one side.
85. Public art is encouraged in urban squares, including through integrated designs or as individual pieces to further humanize the built environment and animate the space.



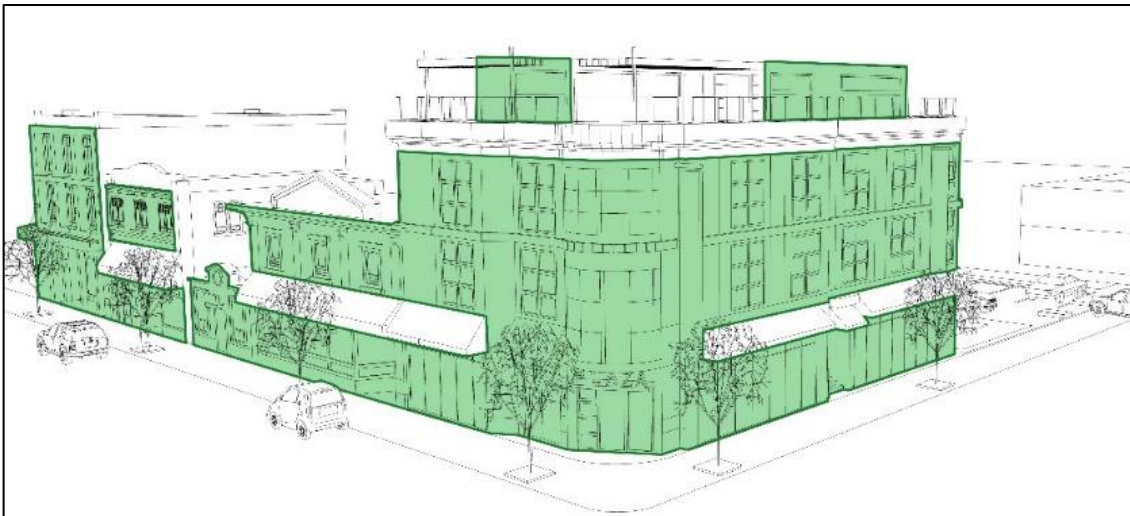
## BUILDING DESIGN

86. All aspects of the building design should be safe, barrier-free, and universally accessible for all ages and abilities, including incorporating visual and auditory guides, where appropriate.
87. Buildings should be designed to include significant vertical and horizontal articulation to create attractive, interesting buildings.
88. Buildings should be designed to include significant variation in colour, texture, and materials to create attractive, interesting buildings.



89. Designs should incorporate visual breaks in the façade through shifts in massing, articulation, colour and material variations, fenestration, recesses for patios, courtyards, entryways, or other features to help break up the expanse of the façade.
90. Buildings should be designed with articulation, stepping, canopies, arcades, and landscaping to reduce wind effects at the pedestrian level.

91. Commercial buildings and commercial components of mixed-use buildings should be designed to create or maintain a continuous street wall, where desired by the City, and frame the public realm.
92. The portions of new buildings over 3 storeys should be stepped back a minimum of 3 m above the streetwall along street frontages, where possible, to maintain human scale, minimize shadowing, and provide opportunities for balconies and rooftop terraces. Consideration should also be given to creation of well-lit alleys in order to avoid monolithic facades and maintenance of viewsheds.



93. Depending on the orientation of the building relative to the street and the width of the street right-of-way, alternatives to stepping may be considered where the design achieves the intent of maintaining human scale, minimizing shadowing, and providing opportunities for balconies and terraces.
94. The design should use building and roof materials that reduce heat island effect and glare.
95. The design should use solar shading devices, high-performance wall assemblies, and glazing products to reduce long-term building heating and cooling requirements.
96. Continuous weather protection should be provided, particularly at building entrances, along commercial façades, and at transit stops.
97. The design should give equal treatment to all street frontages and façades.
98. The design should stagger or offset windows and balconies from those on existing adjacent residential properties that share a side or rear property line to improve privacy and livability.

- 99. The design should include well-designed, attractive, private front entrances and front yards for residential uses, while also maintaining connections and visibility to the street.
- 100. The design should include separate entrances for the residential and commercial components of mixed-use developments.
- 101. The main entrance should be designed to be clearly distinguishable from other entrances through its architectural design and treatment, high visibility, wayfinding, and direct pedestrian access from the primary street frontage.



102. The design should transition from the public to private realm with architectural and landscape cues, such as subtle changes in grade, materials, decorative railings, and landscape plantings.
103. Ground floor residential units adjacent to a street should include individual entrances with direct connections to the public sidewalk. The design should include the use of raised terraces, patios, landscaping, screening, fences, and gates to enhance individual residential entrances and create a semi-private transition to the street.
104. On corner sites, the main entrance should be located at the corner. Where this is not possible, the design should still emphasize the street corner, both streets, and prioritize the primary street for the main pedestrian access.
105. The design should utilize high-quality materials selected for their permanence, durability, and energy efficiency.
106. Natural and locally inspired materials, such as locally produced or manufactured concrete, wood, brick, and stone are preferred while simulated or artificial materials, other than fibre cement siding, are avoided. Vinyl siding is not permitted. Where wood is used, it should be treated and stained to preserve its longevity.
107. Brick is the preferred siding material on the commercial component of mixed-use buildings.
108. The use of high intensity, black, and fluorescent colours as the primary colour is discouraged. Darker colours are supported provided they are used in conjunction with a variety lighter colours and tones.
109. The design should use architectural elements and features, such as balconies, windows, recesses, and projections to highlight individual units and reinforce a variety of scales and textures within each component of the building.
110. The exposed undersides of balconies and porches that are visible from a street or the public realm should be clad with exterior materials that result in a finished appearance which complements the palette of exterior materials used on the rest of the building.
111. The street wall of buildings in commercial land uses should be designed to create a comfortable, yet highly activated, pedestrian environment through a rhythm of multiple retail frontages, architectural articulation, numerous entrances, display windows, canopies, and signage.

112. Façades fronting streets and the public realm should have large, well-proportioned areas of glazing to enhance the streetscape and promote a sense of visual interaction between the building and public realm. Mirrored glass and other opaque materials at street level are generally not supported, unless required under provincial legislation.



113. Buildings with commercial uses at-grade should provide a range of unit sizes designed for active uses. Larger retail units should have their internal massing hidden behind small units with street frontages.

114. The minimum floor-to-floor height of the ground floor of commercial and mixed-use buildings should be 4 m to facilitate retail uses at grade. Where permitted, residential uses (e.g. live-work units) should front onto a primary street at grade level. In a mixed-use building, the vertical distance from grade to the top of the second storey floor level should also measure 4 m.

115. Primary doors, walls, and windows that slide, stack, fold, collapse, and retract are encouraged for active, at-grade uses, taking advantage of seasonal benefits and encouraging energetic streetscapes.

116. The design should be bird- and bat-friendly, including special consideration to the treatment of glazing, landscaping, and lighting to reduce the number of bird strikes and create an urban environment in which birds and bats can thrive.

117. Functional building elements, like vents and utilities, should be consolidated, integrated into the building design, and/or screened from view.
118. Blank walls should be designed as architecturally finished surfaces and large expanses of blank walls should be avoided. As redevelopment occurs, especially in the Core Commercial area, some buildings built with zero parcel line setbacks may be taller than the existing buildings that are not built to the maximum height limit and result in exposed blank walls. Blank walls are to be expected during times of transition, but to mitigate the appearance of blank walls they should be designed with material finishes that complement the architectural character of the main building façade.
119. Murals or climbing vines should be used to address the negative visual impacts of large blank walls.
120. The roof design should reduce the visual impact of mechanical equipment and provide usable amenity space on the roof, where appropriate.
121. Rooftop mechanical equipment should be screened from view from the public realm using complementary building materials, parapets, or other architectural devices. The equipment should be positioned away from the edge of the roof.
122. The design should include durable, thermally efficient roofs that reduce heating and cooling requirements and enhance thermal comfort.
123. Extensive (light) or intensive (deep) green roofs (i.e. planted rooftop space) should be incorporated into the design. Temporary irrigation systems to establish green roof plants are permitted, but once the planting has been established these systems should be disconnected. For clarity, "green roofs" are different from "rooftop amenity spaces"; however, green roofs and rooftop amenity spaces may be designed and integrated with one another.



- 124. Roofs should not be designed in such a manner that would prevent green roofs or rooftop amenity spaces.
- 125. For residential buildings, balconies should be integrated into the overall building design. Balconies should be designed to have a positive impact on building massing, the public realm, and the site’s micro-climate conditions.
- 126. Balconies should be designed to extend interior living space. They should be functional and sufficiently sized and shaped relative to the unit size.
- 127. Where glass balconies are used, they should be treated to be bird and bat friendly (e.g. frosted glass, visual markers).
- 128. The design of balconies should consider the building’s energy performance to reduce thermal bridging and manage solar gain.
- 129. Balconies should be inset or partially inset to offer greater privacy and shelter from the wind, reduce the building bulk, and minimize the impact of shadow on other amenity spaces below.

## LANDSCAPING DESIGN

130. A landscape plan developed by a Landscape Architect must be submitted as part of the Development Permit application to ensure appropriate, interesting, climate-change resilient, and sustainable landscaping is designed and installed.
131. The detailed design for planting and landscape typologies should consider all seasons and the micro-climate of the site, including shadows, sunlight, and wind.
132. Irrigation plans should avoid the use of potable water and rely on passive irrigation and drought-tolerant native vegetation, where appropriate.
133. Plant species selected should be low maintenance, drought-tolerant species.
134. Plant species selected should enhance and support biodiversity, including supporting pollinator species.
135. An abundance of native plant species should be included in the landscape plan.
136. Landscaping should provide buffers for wind, visual screening, and privacy.
137. Landscaping and screening should not limit the safety, visibility, sightlines, or sense of security of pedestrians, cyclists, or drivers.
138. Front and exterior side parcel line setbacks, especially in Commercial Core areas, should be used to create and connect green infrastructure, where appropriate.
139. Landscaped spaces should be of a sufficient size and shape to support the management of stormwater, absorption of noise, and the cooling of urban spaces.
140. Street landscaping should be strategically planted to help regulate climate, control stormwater, cleanse air and water, provide habitat, and protect existing trees, where possible.
141. At-grade green space should be maximized.
142. The landscape plan should include hard-landscaping features, including (but not limited to) decorative brick pavers, stamped and coloured hard-surfacing, seating areas, water features, play areas, outdoor dining areas, planters, walkways, lighting, signage, and gathering places.



143. Existing significant trees that are healthy and well-suited to their locations and other high value vegetated areas are a key City asset and should be retained wherever possible. This includes significant trees on and adjacent to the development site. Where this is not possible, re-planting should follow the guidelines and regulations in the City's Urban Forest Strategy, tree protection bylaw, and the standards in this DPA. Security may be required for the replacement value of existing significant trees in order to address situations where trees that are to be retained are damaged or removed during the course of construction.
144. Trees species selected should be drought-tolerant, low maintenance, disease-resistant, and well-adapted to urban environments. Native tree species may be used where appropriate.
145. Trees should be incorporated into the design of green space and open space.
146. Site planning should seek to maximize continuous soil areas for tree planting and vegetation. Soil cell technology may be necessary to achieve required soil volumes.
147. Street trees should establish a consistent streetscape pattern to minimize transitions between properties.
148. Street trees should be provided in both the private and public realm. Street trees on private property should be positioned to fill in the gaps in the street tree spacing in the public realm. The separation of the building from the street should be increased to accommodate larger tree canopies.
149. The landscape design should include the provision of soil volumes to support mature tree growth to help achieve the 2050 tree canopy goal of 40% set by the City's Urban Forest Strategy. Underground parkade encroachments into yard areas that would significantly limit soil volumes for trees and landscaping should be avoided, where possible.
150. In addition to providing aesthetic and environmental benefits, trees should also serve a function. Street trees and onsite trees in open areas should not be narrow, columnar varieties and species – these trees should provide canopy coverage at maturity.



151. Street trees on private and public land should include an exterior outlet at grade for future tree light installation.
152. Street trees should include a decorative tree grate.

## SIGNAGE DESIGN

153. A comprehensive signage plan for the site and buildings should be provided as part of the Development Permit application.
154. Ground level signage should not overwhelm the appearance of the streetscape, nor restrict the placement or growth of trees and landscaping.
155. Commercial signs should be pedestrian-scaled in areas with high pedestrian traffic. The visibility and design of signage should be complementary to the architectural form and character, constructed of durable materials, and fit within the surrounding context.
156. Signage on commercial and mixed-use buildings should clearly identify uses and business names.
157. Signage should identify building addresses at all entrances.
158. Lettering and logos for businesses should be individual channel lettering signage. Only the individual letters or logos may be illuminated. Box ('can') signage is prohibited.



159. Signage should be unique, visually interesting, and artistic.
160. Information or educational signage should be located in high traffic areas where there are unique site elements or characteristics to highlight, such as special landscapes, public art, cultural heritage features, etc.

161. The scale, visibility, and design of signage should respond to and fit within the surrounding context and long-term character of the urban area. Street signs, road signage, and advertising signs, for example, should be designed for optimal visibility by pedestrians to be viewed at the speed of pedestrian traffic. Signage that is optimized for pedestrians does not need to be as large as signage that is optimized for vehicle traffic.
162. For larger developments with multiple businesses, tenants, and occupants, a hierarchy of signage should be implemented to create a distinct identity for the property. A coordinated approach will reduce the amount of signage and encompass wayfinding and directional signage, information signage, and commercial signage, as required.
163. Down lighting should be incorporated to increase visibility of signage at night.

## LIGHTING DESIGN

164. The design and location of lighting should consider sustainability, safety, and the impacts of light pollution.
165. Onsite lighting should be sufficient to provide clear orientation, personal safety, and site security. Lighting should be provided for all walkways, driveways, parking areas, and loading areas.
166. Sustainability and the impacts of light pollution should be considered when determining the design and location of lighting. Consideration should be given to energy efficiency, induction lighting, solar power, sensors, timers, and other lighting features.
167. All pedestrian and streetscape lighting should be “dark sky” friendly. Light pollution should be minimized by implementing the use of full cut-off lighting, avoiding light reflectance, and directing lighting downwards. Exceptions may be considered for signage and architectural lighting.
168. In key areas, lighting can be used to accent special features, such as building features, heritage properties, landscaping, and signage.
169. Where possible, lighting should be integrated into the building design.
170. Human scale lighting guidelines (3-4 m above ground) that are of a consistent type, colour, and quality should be installed throughout the public realm.
171. Warm light sources (2000-3000k) should be used to avoid negative impacts to human health, wildlife, and the night sky.
172. Pedestrian-scaled lighting should be integrated into building entrances, public spaces, and in areas with high pedestrian traffic.
173. Lighting affixed to the building should only be located at ground level, as it is intended to provide lighting for pedestrian areas.
174. Developments should use energy efficient lighting design such as Light Emitting Diodes (LED) and motion or photo-sensitive lighting for all outdoor lighting.
175. All lamp standards should be equipped with brackets for hanging City banners.

## PUBLIC ART

- 176. Public art is a required component of development. If the City agrees, the developer may provide cash-in-lieu of public art, equivalent to 0.1% of the construction value of the development (determined by the City’s Building Official at the building permit stage).
- 177. Public art can enhance the unique culture and history of the City and the site. Its design should be place-specific and explore opportunities to celebrate historic and cultural events or to complement building and site design. Public art can be free-standing or integrated into the site or building architecture.
- 178. Special focus should be given to integrating public art into the urban design of the public realm on corner lots, courtyards, and plazas.
- 179. The design should incorporate public art that is interactive, accessible, and integrated into the property’s infrastructure or site furnishings.
- 180. Public art should be visually and physically accessible.



## SUSTAINABILITY

181. The intent of the sustainability design standards is to provide direction for green building, site, and sustainable infrastructure designs that support the City's sustainability objectives and help reduce energy and resource demands, while strengthening environmental resilience.
182. The following specific features in the development should be included to reduce GHG emissions, conserve water, and conserve energy:
- (a) shared amenity space;
  - (b) onsite energy generation or capture;
  - (c) energy efficient buildings;
  - (d) low carbon buildings;
  - (e) green roofs;
  - (f) active transportation infrastructure;
  - (g) electric vehicle and e-bike charging; and
  - (h) landscaping.
183. Shared amenity spaces are exterior open spaces or spaces within buildings that can be private, semi-private, or public. These spaces are designed to contribute to the quality of life for the building's residents and users and to reduce the need to travel offsite to meet specific amenity needs.
184. Shared amenity spaces, including indoor and outdoor spaces, should be included in the design of new developments. The amount and variety of shared amenity space provided may depend on a number of factors, including the type and scale of the development, the intended occupants, site characteristics, and proximity to parks and public green space and open space. For clarity, private balconies and patios for individual units do not constitute shared amenity spaces. Residential developments that have more than 10 units should provide a minimum of 10 m<sup>2</sup> of shared amenity space per unit that is not less than 3 m in width.
185. Shared amenity spaces should be designed to enhance residents' feeling of safety, comfort, and enjoyment of these spaces, with access to sunlight, shaded areas, landscaping, lighting, public art and weather protection.
186. Play areas and related amenities should be at grade rather than on rooftops.



187. Shared amenity spaces should be functional year-round and programmed to provide multiple active and passive functions and are designed for all ages and abilities, including (but not limited to):
- (a) gardens, habitat conservation, and connectivity;
  - (b) water features and water themed play areas;
  - (c) open lawn areas for unstructured play;
  - (d) seating or picnic areas to accommodate various group sizes;
  - (e) spaces for passive activities such as reading, socializing, relaxing, bird watching;
  - (f) children’s play areas;
  - (g) community gardens;
  - (h) indoor and outdoor kitchens and barbeques;
  - (i) exercise and fitness rooms;
  - (j) event and meeting spaces; and
  - (k) leisure spaces.



188. Pedestrian circulation is a priority for all open space design. Shared amenity spaces should be directly connected with the public street network, where appropriate, and facilitate connections to active transportation routes, transit facilities, and community amenities and destinations.
189. Shared amenity spaces should be conveniently located and accessible for all ages and abilities.
190. Shared amenity spaces should be accessible from private property and should have a clear demarcation between private and public spaces.
191. Shared amenity spaces on rooftops should be included in the building design. These spaces can help reduce heat island effect, provide unique urban experiences, and create public, semi-public, and/or private community gathering spaces. The design and character of a rooftop amenity space should be an extension of the building design and its interior.
192. Green roofs should be integrated with rooftop amenity space to provide naturalized, inviting, and attractive shared amenity spaces.
193. Exposure to the elements should be considered when designing and orienting rooftop amenity spaces. Wind screens, canopies, and shading should be used where required to mitigate wind and sun exposure.
194. Mechanical equipment on rooftops should be located away from amenity areas. Screening or buffering should be used to reduce noise and visibility.
195. Vegetation and physical screening should be used to create visual barriers between programmed areas and between private and public spaces.
196. The design should ensure that selected vegetation is suitable for rooftop areas. Durable, drought-resistant, and wind-resistant species are prioritized.
197. Urban food gardens and garden boxes for residents should be considered in the design.
198. Buildings and site infrastructure should be designed to use less potable water by considering the following:
  - (a) install plumbing fixtures that conserve water and that can provide grey water storage for landscaping;

- (b) utilize high efficiency irrigation systems, xeriscaping, and drought-tolerant plants for landscape areas to minimize the need for watering and maintenance; and
  - (c) specify water efficient HVAC, chillers, and other equipment and appliances.
199. The design should incorporate intensive and extensive blue/green roofs, bio-swales, infiltration, and other best management practices throughout the site to store rainwater, mitigate urban heat island effect, reduce heating and cooling requirements, and reduce the impact on City drainage systems.
200. The design should provide for the collection and re-use of rainwater to irrigate non-edible plants and landscaping, where feasible, by using the following strategies:
- (a) collect water from roof downspouts and direct it to planted areas or into rain barrels for irrigation and storage; and
  - (b) collect rainwater in above- or below-ground cisterns for irrigation or sub-surface infiltration systems that store runoff.
201. Site grading and stormwater design should manage rainwater and ground water to ensure that water will not discharge directly offsite into the surrounding streets, adjacent properties, or existing storm sewers.



202. Development designs should minimize impervious areas and incorporate onsite integrated stormwater management solutions (e.g. stormwater retention tanks, onsite dispersal systems, rain gardens, green roofs, and bioswales).
203. Permeable surfaces should be maximized to assist and enhance stormwater management solutions.
204. Deciduous trees should be used on the southern and western-facing sides of a building to maximize the warming effect of solar radiation in winter months and the cooling effect of shade in summer months.
205. Coniferous trees should be planted to block winter wind – especially on the north face of a building. Planting coniferous trees near southern façades should be avoided as they will block desired light and solar gain.
206. The design should use deep window overhangs and fixed, adjustable external shades on south-facing façades that can block out high-angle summer sun and allow entry of low-angle winter sun.
207. The roof shape and orientation should be designed to maximize passive solar gain and opportunities for solar energy collection, where such design would not conflict with other design standards (e.g. green roofs).
208. South facing façades should incorporate large windows to maximize solar gain and natural light, especially in winter months.
209. The design should use building shapes that minimize adverse wind effects and optimize conditions for passive ventilation and cooling.
210. Operable windows should be located to maximize natural ventilation, ideally on opposing or adjacent walls, to create cross-breezes.
211. Solar-powered lighting systems should be used, where feasible.
212. The design should use onsite renewable energy generation, such as solar panels, as the source for electric car charging stations, where viable.

213. The design should demonstrate that at least 10% of energy use in the proposed development will be generated onsite through the use of solar panels, solar hot water heating, geothermal, or other approach. As an alternative to this, the City may be willing to consider another approach to reducing GHG emissions associated with the building energy requirements, including designing to higher steps of the BC Energy Step Code than are required under these design standards or other City regulations or to higher steps of the BC Zero Carbon Step Code.
214. All buildings in the development should be highly energy efficient and include heating and cooling systems that use low-carbon fuels (e.g. electricity). As a feature in the development, the development must include buildings that are designed to the higher steps of the BC Energy Step Code.
215. As a feature in the development, all parking spaces for residents and employees should be equipped with an outlet for Level 1 EV charging (i.e. regular outlet). Level 2 EV charging capabilities are encouraged and must be provided in accordance with the requirements of the City's zoning bylaw.
216. The development should provide adequate accommodations for short- and long-term e-bike storage, including access to appropriate electrical outlets for e-bike charging. (i.e. adequate space to store a cargo style e-bike).