



BYLAW NO. 181

A BYLAW TO AMEND THE MENZIES BAY AREA ZONING BYLAW

WHEREAS the former Comox-Strathcona Regional District has, by Bylaw No. 1794, adopted zoning regulations for the Menzies Bay area pursuant to Part 26 of the *Local Government Act*;

AND WHEREAS a bylaw of the former Comox-Strathcona Regional District that regulates the use or development of land within the area comprising the Strathcona Regional District remains in force until amended or repealed;

AND WHEREAS the Regional Board wishes to amend the aforesaid Bylaw No. 1794 having due regard to the requirements of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Amendments

1. Bylaw No. 1794, being the 'Menzies Bay Area Zoning Bylaw, 1996' is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

Citation

2. This bylaw may be cited for all purposes as Bylaw No. 181, being the Menzies Bay Area Zoning Bylaw, 1996, Amendment No. 11.

READ A FIRST TIME ON THE 28TH DAY OF NOVEMBER, 2013

READ A SECOND TIME ON THE 28TH DAY OF NOVEMBER, 2013

PUBLIC HEARING HELD ON THE 8TH DAY OF JANUARY, 2014

READ A THIRD TIME ON THE 23RD DAY OF JANUARY, 2014

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE 26TH DAY OF JUNE, 2014

Chair



Corporate Officer

SCHEDULE 'A'

SECTION ONE TEXT AMENDMENT

- 1) The Table of Contents is hereby amended by adding the following:

602 Mixed Use Five 'A' (MU-5A)

- 2) Part 200 'Interpretation' is amended by including the following:

CABIN See" tourist commercial accommodation"

OUTDOOR STORAGE means the keeping, in an unroofed or roofed area with unenclosed sides, of any goods, material, merchandise or vehicles associated with a permitted principal use, in the same place for more than 24 hours.

TOURIST COMMERCIAL ACCOMMODATION means a building or buildings providing temporary accommodation for the traveling public which may include cabins, lodges, motels, hotels, inns, or resorts, but shall not include recreational vehicles, park model trailers, mobile homes or apartments.

- 3) Part 403 is hereby amended by adding the following information into each of the existing tables in a new column identified as MU-5A as follows:

2) MINIMUM SETBACKS FOR PRINCIPAL BUILDINGS FROM:

Mixed Use 5A
Front Lot Line: 4.5 m
Rear Lot Line: 4.5 m
Side Lot Line abutting another Lot: 1.5m

3) MINIMUM SETBACKS FOR ACCESSORY BUILDINGS 6.0 metres or less IN HEIGHT FROM:

Mixed Use 5A
Front Lot Line: 4.5 m
Rear Lot Line: 1.0 m
Side Lot Line abutting another Lot: 1.0m

4) MINIMUM SETBACKS FOR ACCESSORY BUILDINGS 6.1 metres or greater in HEIGHT FROM:

Mixed Use 5A
Front Lot Line: 4.5 m
Rear Lot Line: 1.0 m
Side Lot Line abutting another Lot: 1.0m

5) MINIMUM PUBLIC ROAD SETBACKS FOR ALL BUILDINGS AND STRUCTURES FROM:

Centre Line of Island Highway Right-of-Way:	22.5m
Other Public Road Right-of-ways:	4.5m
Sight Triangles:	4.5m

6) MINIMUM SETBACK FROMS FOR BUILDINGS USED FOR INTENSIVE AGRICULTURE FROM:

Existing Dwellings on Adjacent Parcels	75.0 m
Any Lake, Sea or Watercourse	75.0 m

7) MAXIMUM HEIGHTS FOR BUILDINGS, STRUCTURES AND FENCES:

At the required setback:	11.0 metres
Setback plus 2.0m:	12.0 metres
Setback plus 2.0m:	13.0 metres
Fences:	2.0 metres

4) Part 600 is hereby amended by adding a new Part 602 as follows:**602****MIXED USE FIVE A (MU-5A)**

This Mixed Use Five A (MU-5A) zone is intended to permit a variety of land uses including residential, commercial, industrial and resource uses in close proximity and is divided into the following subzones: 'Resort Waterfront', 'Resort Residential', 'Resort Industrial/Resource' and 'Resort Open Space' as shown on Appendix 3.

1) PERMITTED PRINCIPAL USES**a) Within any MU-5A Subzone:**

- i) Agricultural use;
- ii) Low impact recreation;
- iii) Park use;
- iv) Public assembly use; and
- v) Utility use.

b) Within Subzone RW 'Resort Waterfront':

- i) Licensed establishment pursuant to the Liquor Control and Licensing Act and amendments thereto;
- ii) Marinas, moorage, boat ramps, wharves or floats;
- iii) Marine craft sales/service;
- iv) Offices;
- v) Retail and wholesale sales;
- vi) Residential use;
- vii) Restaurant;
- viii) Service establishment; and
- ix) Tourist commercial accommodation.

c) Within Subzone RR 'Resort Residential':

- i) Residential use.

d) Within Subzone RIR 'Resort Industrial/Resource':

- i) Industrial use;
- ii) Marine craft sales/service;
- iii) Retail and wholesale sales;
- iv) Offices; and
- v) Outdoor storage.

e) Within Subzone ROS 'Resort Open Space':

- i) Low impact recreation; and
- ii) Park Use.

2) PERMITTED ACCESSORY USES

a) Within any MU-5A Subzone:

- i) Accessory buildings and structures.

b) Within Subzone RR 'Resort Residential':

- i) Home occupation; and
- ii) Bed and breakfast.

3) CONDITIONS OF USE

a) Subzone RW 'Resort Waterfront' and Subzone 'RIR' 'Resort Industrial/Resource shall be subject to the following conditions:

i) Screening and Landscaping:

- a. Loading, public parking, storage areas or supply yards shall be screened from adjacent or adjoining dwelling units and located a minimum of 7.5 metres (24.6 feet) of any dwelling and where the adjacent or abutting lot is zoned primarily for residential use, 3.5 metres (11.5 feet) of any lot line. Parking for dwelling units is excluded from this requirement.
- b. Any nuisance associated with industrial, commercial and utility uses such as noise, glare, odours, dust, unsightliness or vibrations shall be screened and buffered from adjacent uses by means of the following: landscaped berm; dense combination of vegetation; painted fence; wall or any combination thereof which creates a solid 2.0 metre (6.6 foot) screen.

ii) Signage:

- a. Signs shall not exceed 8.0 square metres (86.0 square feet) in size.
- b. Only one fascia sign per building face is permitted.

4) DENSITY

a) In Subzone RR 'Resort Residential':

- i) Residential use shall be limited to one single family dwelling per lot and is limited to an overall density of 120 dwelling units.

b) In Subzone RW 'Resort Waterfront':

- i) Tourist commercial accommodation units shall be limited to a maximum of 100 units.
- ii) Residential use shall be limited to dwelling units contained within mixed use buildings and is limited to an overall density of 10 dwelling units per 1.0 hectare (2.5 acres) to a maximum of 20 dwelling units.

5) PUBLIC AND OPEN SPACE

- a) The MU-5A zone requires that a minimum of 40% of the lot area of the parent parcel be retained as open space.

6) SERVICING REQUIREMENTS

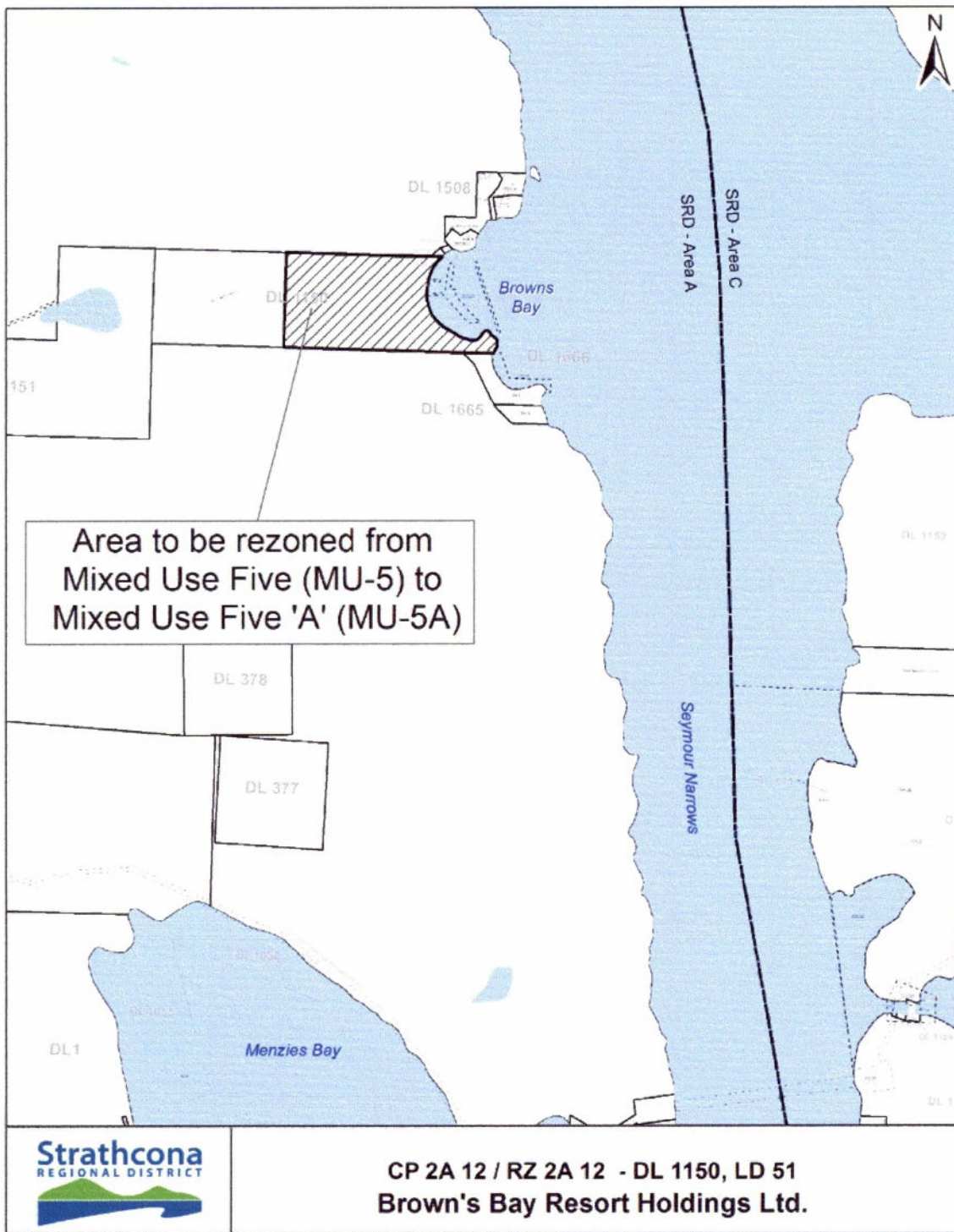
- a) All residential and public buildings within the MU-5A zone must be connected to a community sewer and water system approved by the appropriate government agency.

End • MU-5A

SECTION TWO **MAP AMENDMENT**

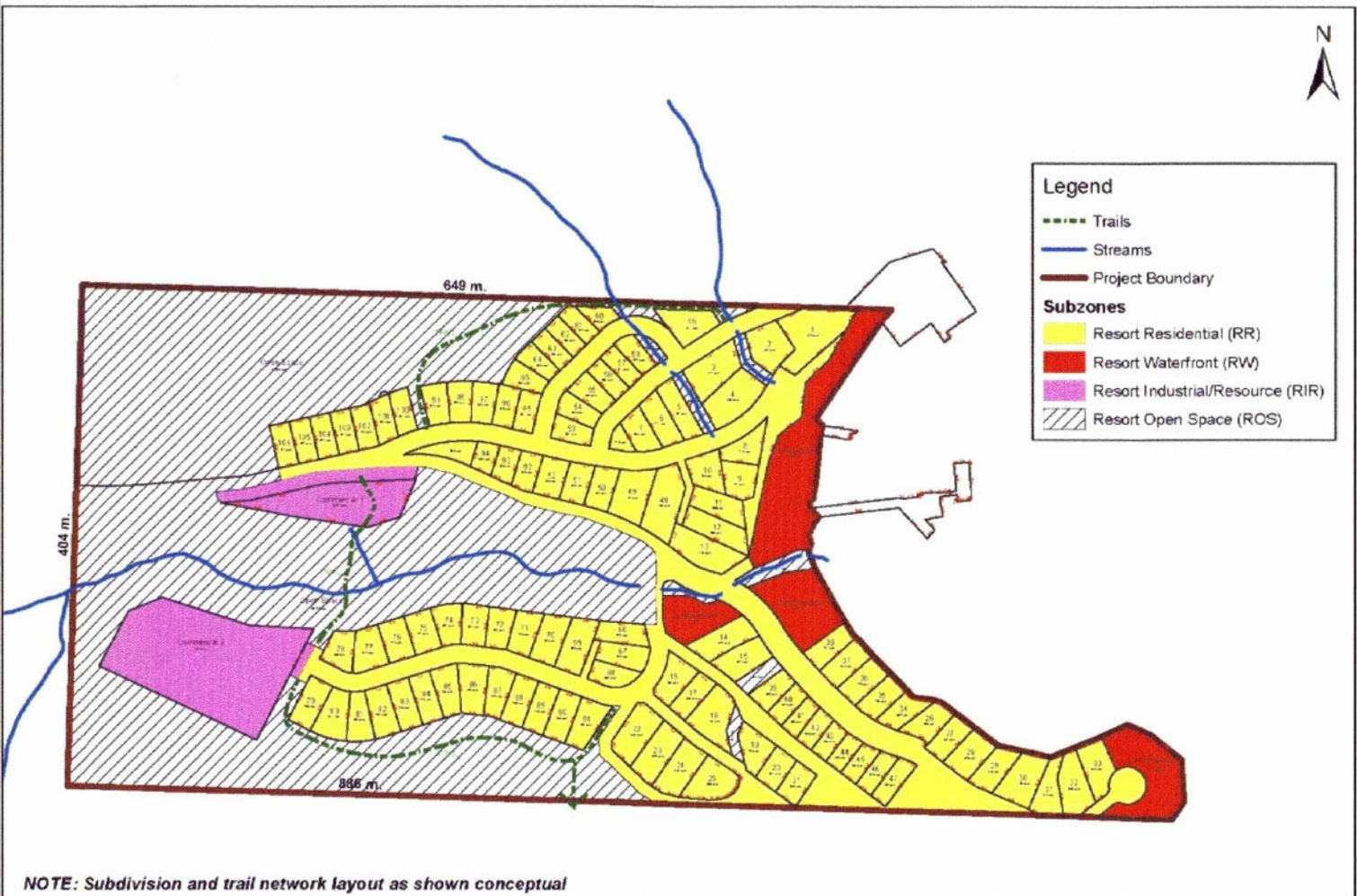
- 1) Zoning Map to Bylaw No. 1794, being the 'Menzies Bay Area Zoning Bylaw, 1996' is hereby amended by rezoning a +/- 26.69 hectare (65.96 acre) portion of land legally described as DL 1150, Sayward District, from Mixed Use Five (MU-5) to a newly created Mixed Use Five A (MU-5A), as shown on Appendix "1", attached to and forming part of this bylaw.

- 2) Bylaw No. 1794, being the 'Menzies Bay Area Zoning Bylaw, 1996' is hereby amended by including a new Appendix 3 'MU-5A Subzone Map', as shown on Appendix "2", attached to and forming part of this bylaw.



Appendix "1"

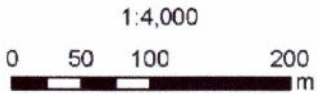
Part of Schedule "A" to Bylaw No. 181, being the 'Menzies Bay Area Zoning Bylaw, 1996, Amendment No. 11'. Amends "Zoning Map" of Bylaw No. 1794, being the 'Menzies Bay Area Zoning Bylaw, 1996'.



NOTE: Subdivision and trail network layout as shown conceptual



APPENDIX 3
 'MU-5A Subzone Map'
 to Bylaw No. 1794, being the
 'Menzies Bay Area Zoning Bylaw, 1996.'



File: S:\SPC\Projects\Knox\GIS\Projects\2012\Urban\City\Borough\Knox\Frame\Appendix 3.dwg Date Plotted: 10/16/2013

Appendix "2"
 Part of Schedule "A" to Bylaw No. 181, being the 'Menzies Bay Area Zoning Bylaw, 1996, Amendment No. 11',
 Bylaw No. 1794, being the 'Menzies Bay Area Zoning Bylaw, 1996' is amended to include a new Appendix 3
 'MU-5A Subzone Map'.