

**TOWN OF PORT MCNEILL  
BYLAW NO. 606, 2009**

A bylaw to amend the Town of Port McNeill Zoning Bylaw No. 11, 1969 and map attached and any amendments thereto.

WHEREAS the Council has given due regard to the requirements of the Local Government Act relating to zoning;

AND WHEREAS the Council deems it desirable to amend the zoning of the property described hereinafter and shown on Schedule "A" and Schedule "B" attached hereto and forming part of this Zoning Amendment Bylaw;

NOW THEREFORE the Council of the Town of Port McNeill in open meeting assembled enacts as follows:

1. That the zoning of Part of Fractional East ½ of Section 18, Township 1, Rupert District, except part in Plans 31167 and 36998 be changed from A-1 Rural to CD-1 Comprehensive Development 1 as describe in Schedule "B";
2. That the map attached to Zoning Bylaw No. 11, 1969 be amended accordingly;
3. That this Bylaw shall come into force and effect upon final adoption hereof;
4. That this Bylaw may be cited as the "Town of Port McNeill Zoning Amendment Bylaw No. 606, 2009.

Read a first time the 2<sup>nd</sup> of March, 2009.

Read a second time the 6<sup>th</sup> day of April, 2009.

Read a third time the 27<sup>th</sup> day of April, 2009.

Finally reconsidered and adopted on the 4<sup>th</sup> day of May, 2009.

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Mayor

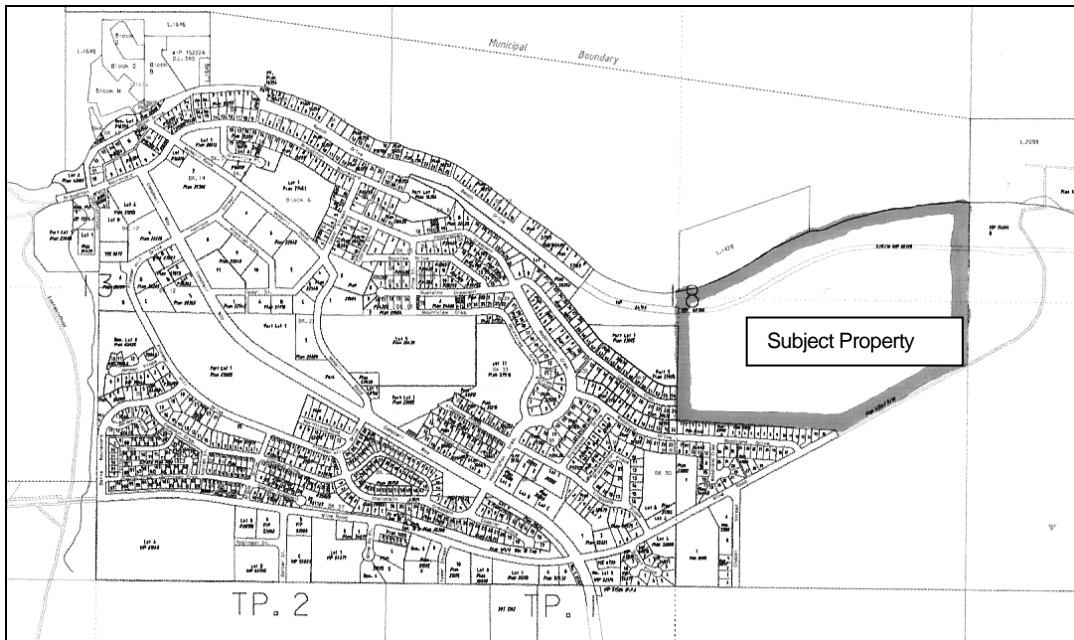
\_\_\_\_\_  
Corporate Administrator

Certified to be a true and correct copy of Bylaw No. 606, 2009 as adopted.

\_\_\_\_\_  
Corporate Administrator

**SCHEDULE A**

Sketch of property subject to re-zoning, Part of Fractional East ½ of Section 18, Township 1, Rupert District, except part in Plans 31167 and 36998



**SCHEDULE B**

1. Under 201 Definitions, add:

**COTTAGE** means a dwelling unit of not more than 70 m<sup>2</sup> (753.5 sq. ft.), ancillary to and separate from the principal dwelling, which may be used for residential purposes.

2. Under 502 Home Occupations:
  - delete “and” between R-3 and R-4,
  - insert comma between R-3 and R-4, and
  - add “and CD-1” after R-4.
3. Under 503 Off-Street Parking and Loading, 4. (b):
  - add “with a cottage or” between “single family house” and “containing a secondary dwelling unit”.
4. Add the following Part:

**PART 25 – COMPREHENSIVE DEVELOPMENT ZONE 1 (CD-1)**

2501 Application

Comprehensive Development Zone 1 (CD-1) designates land that, because of location, size and impending community water and sanitary sewer systems, is best suited to a phased, long-term, mixed-density residential development interspersed with a variety of green spaces.

2502 Lot Size

1. The minimum site area shall be as follows:

Single-family dwelling	371.6 m <sup>2</sup> (4,000 sq. ft.)
Two-family dwelling	606.8 m <sup>2</sup> (6,500 sq. ft.)
Single-family dwelling and cottage	2,000 m <sup>2</sup> (21,527.8 sq. ft.)

2. The maximum site area shall be 6,000 m<sup>2</sup> (64,583.5 sq. ft.).

3. The minimum frontage shall be as follows:

Lots up to 2,000 m <sup>2</sup> in area	12.19 m (40 ft.)
Lots up to 2,000 m <sup>2</sup> on curves or cul-de-sacs	12.19 m (40 ft.) measured at the front yard setback line
Lots greater than 2,000 m <sup>2</sup> in area	minimum of 10% of the perimeter of the lot
Lots greater than 2,000 m <sup>2</sup> on curves	minimum of 10% of the perimeter of or cul-de-sacs the lot, frontage to be measured at the front yard setback line

2503 Permitted Principal Uses

- a) single-family and two-family dwelling units, including factory-built homes but excluding mobile homes, that meet the requirements of section 2505 (2);
- b) parks, nature parks and playgrounds;
- c) trails, paths and greenways;

2504 Permitted Accessory Uses

- a) secondary dwelling units within principal dwelling units;
- b) buildings and structures ancillary to the principal use;
- c) bed and breakfast operations (see 502 (2) and 503 (4) g);
- d) home-based business;
- e) cottages on lots of 2,000 m<sup>2</sup> (21,527.8 sq. ft.) or greater.

2505 Conditions of Use

1. Buildings and structures shall not cover more than 35% of the site area on lots up to 2,000 m<sup>2</sup> and shall not cover more than 15% of the site on lots greater than 2,000 m<sup>2</sup>.
2. All conventional and factory-built homes shall be erected on permanent foundations conforming to the British Columbia Building Code.
3. Height Regulations:
  - a) The maximum permitted height of any principal dwelling unit shall be no more than 10 m (32.8 ft.);
  - b) The maximum permitted height of a cottage shall be no more than 5 m (16.4 ft.);
  - c) The maximum permitted height of an accessory building other than a cottage shall be no more than 4 m (13.12 ft.).
4. Secondary Dwelling Unit Regulations:
  - a) The secondary dwelling unit must be part of (included within) the principal building;
  - b) The building height restriction in Section 2505 (3) shall apply;
  - c) Only one secondary dwelling unit shall be permitted within a principal building;
  - d) A secondary dwelling unit shall not occupy more than 40% of the habitable floor area of the building in which it is located;
  - e) No more than 2 persons shall occupy a secondary dwelling unit;
  - f) A building in which a secondary dwelling unit is located shall be connected to municipal water and sewer systems and shall be subject to utility billings as if it were two dwelling units;
  - g) Parking requirements for a secondary dwelling unit shall be in compliance with the provisions of Section 503 (4) of this bylaw.
5. Cottage Regulations:
  - a) The total floor area of the cottage must be not more than 70 m<sup>2</sup> (753.5 sq. ft.);
  - b) The cottage must be separate from the principal dwelling;
  - c) The building height restriction in Section 2505 (3) shall apply;
  - d) A cottage shall be connected to municipal water and sewer systems and shall be subject to utility billings;

- e) Parking requirements for a property with a principal dwelling and a cottage shall be in compliance with the parking provisions of Section 503 (4) of this bylaw.

2506 Siting, Eaves and Porches

- 1. Siting – The minimum depth of yard for residential buildings shall be as follows:

	<u>Up to 2,000 m<sup>2</sup></u>	<u>Greater than 2,000 m<sup>2</sup></u>
a) front yard	4.57 m (15 ft.)	7.5 m (24.6 ft.)
b) rear yard	1.52 m ( 5 ft.)	5 m (16.4 ft.)
c) side yard	1.52 m ( 5 ft.)	5 m (16.4 ft.)
d) side yard on corner site	4.57 m (15 ft.)	7.5 m (24.6 ft.)

- 2. Eaves – shall not overhang the exposing building face of the building in excess of 75 cm (30 in.) unless the minimum side yard applicable is increased in width by the amount that the overhang exceeds 75 cm (30 in.).
- 3. Porches – Entrance porches and steps may project from the exposing building face into the front setback area for a maximum distance of 2 m (6.56 ft.) from the principal building provided that the extension does not add habitable floor space.

2507 Accessory Buildings

- 1. Accessory Buildings shall satisfy all the following provisions and:
  - a) shall not be closer to the front property line than the exposing building face of the principal building.
  - b) shall not be constructed upon statutory rights-of-way or easements;
  - c) shall not be closer than:
    - i. 3 m (10 ft.) from the principal building except for carports or garages sharing a common wall with the principal building;
    - ii. 1.52 m (5 ft.) from any rear lot line which abuts a lane in the event that the accessory building is to be constructed exiting directly onto this lane;
    - iii. 1 m (3.28 ft.) from any other rear lot line;
    - iv. 1 m (3.28 ft.) from any side lot line;
    - v. 3 m (10 ft.) to the side property line on a corner lot;
    - vi. 1.52 m (5 ft.) to a principal dwelling or a cottage.
  - d) other than cottages, shall not exceed in floor area eight percent (8%) of the area of the lot to a maximum of 55 m<sup>2</sup> (592 sq. ft.).
  - e) Notwithstanding subsection 1 c) above and except for corner lots, accessory buildings, other than cottages, shall be permitted in side and rear yards without any setback required from any property line subject to the following conditions:
    - i. maximum floor area shall not exceed 13 m<sup>2</sup> (140 sq. ft.); and
    - ii. building height shall not exceed 4 m (9.8 ft.).