



Corporation of the Village of Pouce Coupe

PO Box 190, Pouce Coupe, B.C. V0C 2C0
Telephone: (250) 786-5794 Fax: (250) 786-5257
www.poucecoupe.ca

Zoning Bylaw

BYLAW # 931, 2010

A Bylaw to regulate the use of lands and premises within the Corporate Boundaries of the Village of Pouce Coupe in accordance with the provisions of the *Local Government Act*.



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Whereas the Local Government Act authorizes Council to prepare and adopt a zoning bylaw;

And Whereas the Municipal Council of the Village of Pouce Coupe deems it appropriate to adopt a zoning bylaw respecting buildings, lands, parking, landscaping and screening and floodplain regulations within the Village of Pouce Coupe;

Now Therefore, the Municipal Council of the Village of Pouce Coupe in open meeting assembled hereby enacts as follows:

This bylaw may be cited for all purposes as the "VILLAGE OF POUCE COUPE ZONING BYLAW, NO. 931, 2010."

The Map Entitled 'Zoning' is an integral part of, and forms Schedule 'A' of, this Bylaw.

READ A FIRST TIME this 22nd day of March, 2010.

PUBLIC HEARING THIS 3rd day of May, 2010.

READ A SECOND TIME this 3rd day of May, 2010.

READ A THIRD TIME this 17th day of May, 2010.

Ministry of Transportation and Infrastructure approval this 27th day of May, 2010.

Provincial Approving Officer

RECONSIDERED AND FINALLY ADOPTED this 7th day of June, 2010.

Mayor Lyman Clark

Chief Administrative Officer Peter Thomas

Certified a true copy of "The Corporation of the Village of Pouce Coupe Zoning Bylaw No. 931, 2010".

Chief Administrative Officer, Peter Thomas



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Acknowledgements

Staff and council worked diligently with a consultant towards the preparation of the 2010 zoning bylaw and official community plan. Several members of the community also contributed significantly and their efforts have ensured a document that best reflects the vision of the community.

The wording for zoning bylaws in many other communities contributed to the development of this zoning bylaw. Graphics from the new zoning bylaw from the City of Dawson Creek were used, with some modification, where it was felt that the image would provide a valuable contribution to the meaning and intent of more complex sections of this document.

Purpose

The principal purpose of this bylaw is to regulate development within the Village of Pouce Coupe for the benefit of the community as a whole by:

- a. Promoting health, safety, convenience, and welfare of the public;
- b. Preventing the overcrowding of land;
- c. Preserving the amenities peculiar to any zone;
- d. Securing adequate light, air, and access;
- e. Recognizing the value of the land and the nature of its present and prospective use and occupancy;
- f. Recognizing the character of each zone, the character of the buildings already erected, the peculiar suitability of the zone for particular uses and the particular densities for particular zones; and
- g. Conserving property values.

Administration and Enforcement

1.1. Application

No land, water surface, building or structure shall be used or occupied, and no building, structure, or part thereof shall be erected, constructed, moved, altered or enlarged, unless in conformity with this Bylaw, except as otherwise provided for in this Bylaw or in the Local Government Act.

1.2. Measurements

All measurements in the by-law are expressed in the Standard International Units (SI) system. Where imperial measurements are presented, they are included for convenience only.

1.3. Basic Provisions

- a) Subject to Section 903 of the Local Government Act no person shall erect, construct, locate, alter, reconstruct, or maintain any building or locate or carry on any industry, business, trade or calling, or use any land, building, structure, or water surface contrary to the provision of this bylaw.
- b) Subject to Section 903 of the Local Government Act no land, water surface, building or structure in any zone shall be used for any purpose except as specifically permitted in the zone in which the land, water, building, or structure is located as set out in Schedule 'A' of this bylaw.
- c) Nothing contained in this bylaw shall relieve any person from the responsibility to seek and comply with other legislation applicable to their undertaking.
- d) Every use of land, building and structure permitted in each zone shall conform to all of the regulations of the applicable zone and all other regulations in the bylaw.



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1.4. Inspection

The Chief Administrative Officer, the Building inspector, or other officer of the municipality who may be appointed by Council, is hereby authorized to enter, at all reasonable times, with a minimum of 24 hours advance written notice, any day of the week, on any property that is subject to regulations under this bylaw to ascertain whether the provisions of this bylaw are being adhered to.

1.5. Violation

Every person who:

- a) violates any of the provisions of this bylaw;
- b) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this bylaw;
- c) neglects or omits to do anything required under this bylaw;
- d) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this bylaw;
- e) fails to comply with an order, direction or notice given under this bylaw; or
- f) prevents or obstructs, or attempts to prevent or obstruct, the authorized entry of an officer onto property shall be deemed to be guilty upon summary conviction of an offence under this bylaw.

1.6. Offence

Each day's continuance of an offence under Section 3.5 constitutes a new and distinct offence.

1.7. Penalty

Every person who commits an offence under this bylaw is liable on summary conviction to a fine of not less than \$100 and not more than \$10,000 plus the costs of prosecution. More detailed prescriptions for penalties are listed under some sub-sections.

1.8. Severability

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.



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Definitions

In this Bylaw, the Official Community Plan, and all bylaws dealing with land use and regulations, the meaning of the following terms is as follows:

Accessory Building:

Means a detached building, the use or intended use of which is ancillary to that of the principle building on the same lot. It will be adjacent to the primary structure, and must have the same architectural theme as the main building. For clarity, accessory buildings include sheds, garages, and greenhouses. Any building higher than 1 metre shall be considered an accessory building.

Agriculture:

Means growing, rearing, producing or harvesting agricultural crops and livestock and includes processing the primary agricultural products harvested, reared, or produced on that parcel, but excludes commercially operated: kennels, feedlots, stables, piggeries, mink and other fur farms, and poultry farms.

Bachelor Home:

See Guest Cottage.

Bed And Breakfast:

Means temporary tourist accommodation, which is incidental and subordinate to a single-family dwelling or duplex and may include the service of breakfast to guests utilizing the accommodation.

Building Width:

Means the lesser of the two horizontal dimensions of a building or structure. In the case of a mobile home, this means the width of the mobile home exclusive of any structural additions attached thereto which were not a section or intended to be a section of the mobile home at the time of its Manufacture.

Building Setbacks:

Means the closest distance that any exterior portion of a building or structure can be to a designated lot line.

Business Services:

Means businesses, which produce or service specialized goods or provide specialized services to commercial or industrial customers, but not to the general public.

Child Care Program:

Means family day care, group day care, specialized day care, nursery school, child-minding and out of school care, established pursuant to the *Community Care Facility Act* and having a capacity of (8) children, and which uses do not indicate from the exterior that the building is being utilized for any purpose other than residential.

Community Care Facility

Means a facility licensed pursuant to the Community Care and Assisted Living Act.

Comprehensive Development Plan:

Means:

- (a) Site plan(s), including the legal description of the area to be developed, showing the location of all existing and proposed buildings, streets, lanes, highways, driveways, parking and loading areas, sidewalks, street lighting, utilities and utility easements, streams and other geographical feature of the site.
- (b) Architectural plans, including information on exterior finished for any proposed buildings or structures;
- (c) Landscaping plans, including plant specifications for all portions of the site not covered by buildings, structures and circulation spaces;
- (d) The location, size, height, colour, lighting and orientation of all signs, if applicable;
- (e) Maximum density, floor area ratio, lot coverage, size and height of buildings; and
- (f) A statement of uses.



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Condominium:

Means a multiple family residential strata title development consisting of individual dwelling units.

“Corridor”:

Defines that section of the Village that runs along Highway 2 (50th Ave), between 50th St and 52nd St. on the Corridor are located most of the town’s businesses.

Council:

Means the Council of the Village of Pouce Coupe.

Drive-Through Use:

Means a land use configured to accommodate users remaining in their automobiles.

Duplex:

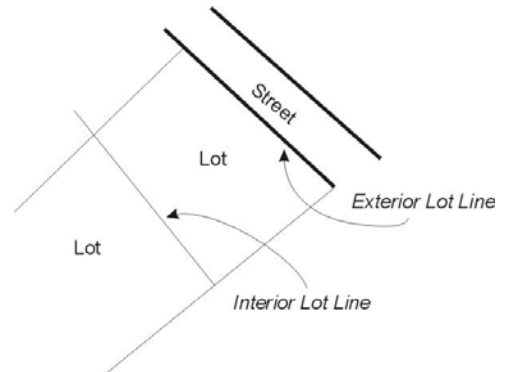
Means a building that contains two dwelling units.

Dwelling Unit

Means a self-contained set of rooms capable of occupancy by one or more persons, including provisions for living, sleeping, cooking and sanitation; containing not more than one kitchen, with a direct entrance to the open air or to a common hallway or corridor, without passing through any other dwelling unit, and used or capable of being occupied as a permanent residence for one family; includes mobile homes, and modular homes or prefabricated dwellings meeting CSA-A277 or CSA-Z240 standards or equivalent, but not recreational vehicles, tents, buses, travel trailers, or other vehicles.

Exterior Lot Line:

Means the lot line or lines common to the parcel and an abutting roadway, other than the front line.



Finished Grade:

Means the elevation of the surface of the ground at any point on the site of a completed development.

Floor Area Ratio:

Means the figure obtained when the gross floor area of all buildings on a parcel is divided by the area of the parcel. See also "Gross Floor Area".

Front Lot Line:

Means the boundary line of the lot and the street on which the lot abuts. In the case of a corner lot, a lot line abutting a street shall be considered a front lot line if the adjacent lots front on the same street. In the case of a through lot, the lot lines abutting two parallel or approximately parallel streets or the street and the waterway shall both be considered as front lot lines.

Front Yard:

Means the area between the primary structure and the front lot line.

Frontage:

Means that length of a parcel boundary, which abuts a highway along the front property line.

Gross Floor Area:



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Means the total area of all floors of all the buildings on a lot, measured to the exterior walls of the building, including dwelling units, all areas giving access thereto, enclosed balconies, enclosed porches, elevator shafts, and accessory buildings, except those used for parking.

Garage:

Means a detached accessory building or a portion of a principle building used solely for the parking or temporary storage of private motor vehicles and where there are no facilities for repairing or servicing of such vehicles.

Guest Cottage, Guest House, Bachelor Home, or Laneway Home:

Means a secondary and totally separate dwelling located on a lot as the long-term residence for the land owner, which may be used for guest accommodation or a bed & breakfast. Such a cottage must be built on a full and continuous foundation and must comply with all relevant requirements and standards of the British Columbia Building Code. A cottage may contain cooking facilities and may only exist as an accessory building to principle dwelling.

Height of Building:

Means the vertical distance from the curb level to the highest point of the roof surface if a flat gable, hip or gambrel roof; and, the deck-line of a mansard-roofed building. When a building is situated on ground, above or below the curb level, such height shall be measured from the average elevation of the natural grade of the lot along the perimeter of the building.

Health Services Facility:

Means any facility intended to provide medical or dental services, including dental offices and doctor's clinics. For this zoning bylaw, tanning salons are included, and fitness centres are excluded.

Home Based Business:

Means an occupation, business, craft, or profession conducted for revenue generation, which is carried on as an accessory use in a dwelling unit or accessory building to the dwelling unit and which generates little or no traffic, noise or impact upon the nature of a residential dwelling.

Hotel:

Means a building or group of buildings providing three or more separate sleeping units with separate entrances to a common hallway or walkway. A hotel is intended to be occupied primarily by the traveling public, and may include cooking facilities, indoor and outdoor recreation facilities, restaurants and a pub/lounge.

Indoor Recreation Space:

Means an area of a building that is located on the site of a multiple family residential development and is typically used by the residents of the development for recreational, cultural, social, and leisure activities.

Interior Lot Line:

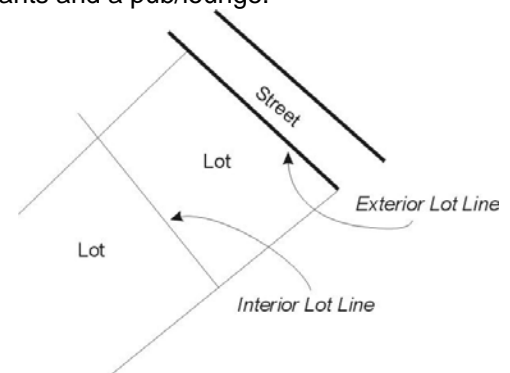
Means the lot or lines common to the parcel and another parcel or lane, provided that such a line is not already designated as a rear lot line.

Internal Access Road:

Means a private internal access allowance within a campground, manufactured home park, or medium density housing development, which is suitable for vehicular use.

Landscaping:

Means any combination of trees, bushes, plants, flowers, lawns, bark mulch, decorative boulders and gravel, decorative paving, planters, foundations, sculptures, fences, and the like arranged and maintained so as to enhance the appearance of a property, or where necessary, to effectively screen a lot, site or storage yard. Landscaping does not include parking areas, sidewalks, and uncleared undergrowth or weed growth.





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Lane:

Means a road, which affords only a secondary means of access to a parcel of land.

Laneway Home:

See Guest Cottage.

Legal Non-Conforming:

Means a lawful use of premises existing prior to the adoption of this Bylaw, although such use does not conform to the provisions of the Bylaw. Should the primary structure on a legal non-conforming lot be destroyed, demolished, and/or require repairs and/or renovations equal to or greater than 50% of the tax assessed value of the property, the use of the property must be changed to conform with the bylaw.

Light Industry:

Means the use of land, buildings or structures for manufacturing, wholesale trade, warehousing, servicing and maintenance of an article, substance, material, fabric or compound, and includes artisan and manufacturing shops and retail sales accessory to the principle use. For clarity, this land use is not closely associated with oil & gas logistics, and is associated with the construction of significant factory and warehouse buildings.

Loading Space:

Means a space for the loading and unloading of a vehicle, either outside or inside a building or structure, but specifically excludes maneuvering isles and other areas providing access for the space.

Lot:

Means the same as a parcel. The words 'lot' and 'parcel', in the context of this bylaw, are used interchangeably.

Lot Line:

Means the legally defined line or lines bounding any parcel.

"Main Street":

Describes that portion of the Village which runs along 49th Ave. between 50th St and 51st St.

Mini-Storage:

Means a building divided into a number of separate components, each providing storage space.

Minimum Lot Size:

Means the smallest area into which a parcel may be subdivided. Except where already existing, or except as otherwise stated in this bylaw, the minimum parcel size in all zones is eighteen point three (18.3) meters by thirty-six point five (36.5) meters.

Mixed Commercial/Residential:

Means a combination of commercial and residential uses within the same building that are otherwise permitted within the zoning.

Manufactured Home

Means a factory-built, single detached dwelling unit conforming to CSA Z-240 standards. They are built on a non-removable steel chassis and are designed to be complete when they leave the factory, except for incidental assembly on site. Manufactured homes are not to exceed 5 years of age at the time of permit application.

Manufactured Home Park:

Means the residential use of a lot on which two or more manufactured homes are located.

Minimum Lot Size:

Means the minimum size or parcel that may be permitted during a subdivision.



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Modular Home:

Means a dwelling unit built in sections at a factory. The sections are transported to the building site to be joined together. They must conform to the BC Building code and have a CSA A277 label to show they were built in a certified factory. Modular homes are not to exceed 5 years of age at the time of permit application.

Motel:

Means sleeping units within one or more connected or detached buildings, in which the transient public is provided with lodging and parking, the entrance to each unit being to the outside of the building.

Multiple Family Dwelling:

Means a building or buildings containing three or more dwelling units on a parcel and includes row housing, townhouses, and apartment uses.

Municipality:

Means the Village of Pouce Coupe.

Office:

Means the occupancy or use of a *building* for the purpose of carrying out business, financial or professional activities, and includes accessory retail;

Oil & Gas Support Services:

Means activities related to preparations for work in the oil & gas resource extraction sector. Such activities normally include materiel storage; vehicle maintenance, storage, and refueling; and outdoor warehousing of industrial equipment. For clarity, this land use is not associated with significant construction, but is associated with threat of ground and water contamination. Also for clarity, this activity is viewed as semi-permanent, as being dependent on the close availability of a non-renewable resource.

Off-Site Parking:

Occurs when parking for a place occurs off of the parcel on which that place is located. Usually, this means street side parking or parking in an allocated parking lot.

Off-Street or On-Site Parking:

Occurs when parking for a place occurs on of the parcel on which that place is located. Usually, this means parking on the lot, immediately adjacent to the building, or underneath the building.

Parcel:

Means the smallest area of land, which is registered or shown on record in the Land Title Office.

Parcel Depth:

Means the distance between the front lot line and the most distant part of the rear lot line of a parcel.

Place of Worship:

Means a building, including a church, used by any religious organization for worship or other ecclesiastical functions and may include accessory or ancillary uses which shall include, but not be limited to, an assembly hall, auditorium, rectory, day nursery and educational or recreational uses.

Primary Structure:

Means the structure on a property that is both the largest structure on the lot and fulfils the primary use or uses of the lot.



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Public Assembly Use:

Means the use of land, buildings or structures to accommodate exhibits, special events, or meetings and includes an auditorium, church, museum, community hall, fraternal lodge, youth centre, theatre, and senior citizens complex.

Rear Lot Line:

Means the lot line furthest from, and opposite to, the front lot line.

Rear Yard:

Means the area between the primary structure and the rear lot line.

Residential:

Means the occupancy or use of a building or part thereof as a dwelling unit, as a residence of a person or family who intend to return when absent, and excludes vacation rental and other temporary accommodation uses.

Retail Store:

Means a premise used for the purposes of selling commodities to the general public for personal or household consumption.

Row House:

Means a building comprised of three or more dwelling units, each having an entrance from the exterior, with no dwelling unit sharing an exterior entrance corridor or stair with more than one other dwelling unit, where none of the dwelling units are rented or available for rent or occupation for periods of less than 30 days.

Screening:

Means a continuous fencing, wall, compact hedge or combination thereof, supplemented with landscape plantings that effectively provides a visual separation or enclosure for the site, and is broken only by access drives and walks.

Secondary Suite

Means an *accessory dwelling unit* not exceeding 90 m² in floor area, capable of being occupied year round with living facilities, including provision for sleeping, cooking, sanitation, food storage and preparation, contained within a *single family dwelling*;

Senior Citizen Housing:

Means housing units providing for the accommodation of persons 55 years of age or over, as stipulated under the terms of a Housing Agreement with the Village, and can be in the form of duplexes, apartments, condominiums or townhouses.

Setback:

Means the required minimum distance between a building, use or natural boundary and each of the respective property lines taken from the exterior wall of a building.

Side Yard:

Means the area between the primary structure and the interior or exterior lot line.

Single family Dwelling:

Means a detached residential building consisting of one dwelling, which is occupied or intended to be occupied as a residence of one family. It may contain a bed and breakfast accommodation.

Storage or Wrecking Yard:

Means land or buildings used for an automobile wrecking yard or premises, the keeping and/or storing, of used building products, waste paper, rags, bottles, bicycles, automobile tires, old metal, other scrap material or salvage and where such materials are bought, sold, exchanged, baled, packed, or handled for further use.



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Strata Lot:

Has the same meaning as in the Strata Property Act;

Temporary:

Means less than 4 consecutive weeks.

Townhouse:

Means the residential use of a building or buildings, which contains three or more dwelling units, with each dwelling unit having its principle access from a separate ground oriented access.

Urban Agriculture:

Means growing, rearing, producing or harvesting agricultural crops in urbanized areas in a manner that in no way detracts from the use and enjoyment of residents in neighbouring properties. For clarity, it does not include any form of livestock rearing.

Variance:

Means a legal process whereby Council may permit a development or activity not permitted in this Zoning Bylaw.

Village:

Means the Village of Pouce Coupe.

Wholesale Trade:

Means establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for or selling merchandise to such individuals or companies.

Yard:

Means that portion of a lot that is defined by the minimum setback requirements.

Zone:

Means an area established by the current Zoning and Development Bylaw of the Village of Pouce Coupe and amendments thereto.



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General Regulations

1.9. Applicability

Except as otherwise specified in this bylaw, this section applies to all zones established under this bylaw.

1.10. Location and Siting of Buildings

- a) No principal building shall be located in any required front, side or rear yard.
- b) No accessory building shall be located in any required front, side or rear yard, except as provided in the "Setback Exceptions" of this bylaw.

1.10.1. Setback Exceptions

- a) No features shall project into the setback required by this bylaw, except the following:
 - i. Steps;
 - ii. Eaves and gutters, cornices, sills, belt courses, bay windows, pop outs, chimneys, or other similar features may project no more than:
 - o 1.5m (4.5') into a side yard where the minimum side yard is 3.0 m;
 - o 0.7 m into a side yard where the minimum side yard is 1.5m (4.5');
 - o 1.5m (4.5') into a front yard or rear yard.

Provided that

- i. The foundations or supports do not project into the required side yard, front yard or rear yard;
 - ii. The bay window, pop out, chimney or other feature does not comprise more than 20% of the area of the exterior wall in which it is located; and
 - iii. The projection does not result in more than 7.5m² (506 sq ft) of building floor area extending into the required side yard, front yard or rear yard.
- b) Accessory buildings, limited in gross floor area as per zone-specific regulations in Sections 8-18.
 - c) Open porches, decks and canopies, provided that such projections do not exceed 50% of the width of a required side yard or rear yard.
 - d) Balconies and sun shades, provided that such projections do not exceed 1.5m (4.5') or 50% of the width of a required side yard.
 - e) A patio that may be open or enclosed, in any yard in an R zone subject to the limitation for fence height as specified in this bylaw.
 - f) Arbors and trellises, fishponds, ornaments, flagpoles or similar landscape features.
 - g) An uncovered swimming pool, provided that such pool must not be constructed within any required front yard or nearer than 3m (6') to any parcel line. Such pools must be located within a fenced yard or be surrounded by a fence.
 - h) A covered or roofed swimming pool, subject to the provision of Clause (g) and to the regulations regarding accessory buildings in this bylaw.
 - i) Underground structures may be sited in any portion of a lot provided that the top surface of such structure shall at no point extend above the average finished ground elevation.
 - j) Where a common wall shared by two or more dwelling within a building for residential use, commercial use, or industrial use coincides with an interior side parcel line of a parcel or of a strata parcel shown on a registered strata plan, the setbacks for the principal building specified in this bylaw with respect to the side parcel line shall not apply.



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- k) No building or structures or part thereof except a fence will be located within the setback requirement from Highway 2.
- l) On a corner lot in an residential zone, the minimum setback from the front lot line may be exchanged with the minimum setback from the exterior side parcel line.

1.11. Height Exceptions

The maximum height regulations of this bylaw do not apply to the following, provided that no such structure covers more than 20% of the parcel, or if located on a building, not more than 10% of the roof area of the principal building:

- a) chimney, smoke stack;
- b) dome, cupola;
- c) hose and fire alarm tower;
- d) industrial cranes;
- e) mechanical appurtenance on rooftops, including satellite dishes or other telecommunications apparatus used for domestic or commercial purposes;
- f) monument, sculpture;
- g) pole, flood light;
- h) radio and television tower or antenna;
- i) silo;
- j) spire, steeple, belfry;
- k) transmission tower; and
- l) water tanks.

In residential zones, the maximum permitted height of an apartment building which conforms with all the regulations of this bylaw may be increased to permit the location of a penthouse on the roof of such building provided that:

- a) The height of the penthouse does not exceed 3.5m (10.5');
- b) It occupies not more than 12.5% of the roof area; and
- c) The outer walls of the penthouse are located not closer than 3m (6') to the outer edge of the roof of the building on which it is situated.

1.12. Parcel Area and Width

The parcel area and parcel width requirements of this bylaw will not apply to any parcel which has an area or width less than that required by this bylaw if such a parcel was described on the official records on file in the Land Registry Office on or before the effective date of this bylaw.

Except as permitted in the regulations below, no parcel will be reduced in area, either by the conveyance or alienation of any portion thereof or otherwise, so that any of the provisions and regulations of this bylaw are not complied with.

Minimum parcel size regulations do not apply where lot lines are relocated to facilitate an existing development provided that:

- a) no additional parcels are created;
- b) all parcels are contiguous; and
- c) no parcel shall be enlarged to a size permitting further subdivision.



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The minimum parcel size required by this bylaw is reduced by a maximum of ten percent (10%) if part of the proposed parcel is required for the purpose of widening an existing highway or right of way.

The minimum parcel size required by this bylaw is reduced by a maximum of ten percent (10%) under the following conditions:

- a) the minimum parcel width set out in this bylaw, or set by the Approving Officer, is attained;
- b) the minimum parcel area needs to be reduced in order to allow the length of the parcel to be reduced; and
- c) the reduction in minimum parcel size (and resulting reduction in required length) is required in order to allow a subdivision to fit within an extension of the standard grid of streets, avenues and lanes in the Village of Pouce Coupe.

1.13. Air Quality

No outdoor wood burning boilers will be allowed within the Village boundaries.

1.14. Public Utilities

Public utility facilities for transmission of water, sewage, electrical power, telephone, natural gas, cable television and other similar services (but not including sewage treatment plants or electrical substations) are permitted in all zones and individual parcels for the facilities are exempt from minimum parcel area requirements.

1.15. Accessory Buildings

No accessory building, structure or use shall be permitted on any parcel unless the principal building to which the building, structure or use is an accessory has been erected or will be erected simultaneously with the accessory building, structure or use.

On a corner parcel in a commercial, institutional, or industrial zones, a accessory building must be located not closer to the exterior side parcel line than the principal buildings on the lot.

Two (2) parcels may not be joined together at rear parcel lines in an R zone for the purpose of using one parcel for an accessory building.

Accessory buildings must be constructed of similar exterior materials and colours as the principal building.

Other regulations on accessory buildings are located in the sections relating to particular zone types.

1.16. Home Based Business

A home based business is subject to the following regulations:

- 1) A home based business must be licensed by the Village for the dwellings where they are carried on.
- 2) A home based business is an accessory use that must only be conducted within the principal single-detached dwelling and within up to one accessory building.
- 3) A home based business must not occupy more than 25% of the floor area of the principal building or 75 m², whichever is less, and in no case will the combined area of the principal building used for the business and an accessory building used for the business exceed 75 m².
- 4) The home based business must not be operated in a manner that routinely generates more than three client visits at any one time.



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- 5) No more than one person in addition to the residents of the principal residence where the standard home based business is being operated must work on the parcel in which the stand home based business is located.
- 6) A home based business:
 - a) Must not create a hazardous or dangerous condition for the neighbourhood or the environment;
 - b) Must not generate sound from machinery at the parcel line of the parcel on which the home based business is located;
 - c) Must not produce odour, smoke or dust;
 - d) Must not produce interference with radio, television, telephone or other electronic or communications device, where the interference is detectable on such an electronic or communications device located beyond the parcel line of the parcel on which the home occupation is located; and
 - e) Must not be permitted to have a commercial vehicle exceeding 5 tonnes (11,000 lbs) gross vehicle weight, located outside of an unenclosed building.
 - f) A home-based business is not permitted to utilize materials or processes that produce flammable explosive vapours or gases under ordinary temperatures.
 - g) A home-based business that requires delivery of materials or commodities in bulk quantity to and from the residence by commercial vehicles or trailers shall not be permitted.
 - h) No home-based business shall be conducted between the hours of 9:00 pm and 8:00 am.
- 7) Subject to Item 13) below, a home-based business includes the following:
 - a) The office of an accountant, architect, clergy, dentist, tax consultant, engineer, financial advisory, lawyer, physician, real estate agent or other professional person;
 - b) the office or studio of an artist, draftsman, barber, beautician, naturopath, massage therapist, chiropractor, picture framer, tailor, dressmaker, music or dance teacher, photographer, writer, or of persons engaged in home crafts or hobbies;
 - c) locksmiths and electronic instrument repair;
 - d) the keeping of not more than 2 boarders;
 - e) the operation of a daycare or pre-school for not more than 8 preschool or school-aged children;
 - f) welding shop;
 - g) carpentry shop;
 - h) metal working shop; and,
 - i) small-scale automotive repair.
- 8) A home-based business is permitted to have a sign in accordance with Pouce Coupe Sign Regulation Bylaw No. 885, 2006.
- 9) No exterior storage of materials associated with the standard home-based business will be permitted.
- 10) No exterior evidence of the home-based business will be visible from outside the parcel on which the home-based business is located, except if the sign is permitted in Sign Regulation Bylaw No. 885, 2006. For clarity, a home-based business shall not result in any exterior alterations that are not consistent with the residential character of the buildings and property.
- 11) Retail sales must not be permitted in a standard home based business except for:
 - a) Products incidental to a service being provided;
 - b) Mail order sales;
 - c) Telephone sales or sales where the customer does not enter the premises to inspect or pick-up goods;



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- d) Direct distributorships where customers do not enter the premises to inspect, purchase or pick-up goods;
 - e) Products produced on site; and
 - f) A Bed and Breakfast
- 12) A home based business use must not include:
- a) The repair and painting of larger vehicles, trailers, boats, commercial equipment and industrial equipment; and
 - b) Spray painting or spray coating operations.
- 13) For the R3 Zone (Multi-Family Dwellings), ONLY item a) from point 7 is permissible.

1.17. Bed and Breakfast

A bed and breakfast accommodation is subject to the following regulations:

- 1) A bed and breakfast accommodation must only be conducted within a principal single detached dwelling;
- 2) A bed and breakfast accommodation must be an accessory use;
- 3) No more than 2 guest rooms are permitted in a bed and breakfast accommodation;
- 4) No guest room in the bed and breakfast accommodation must have an area of more than 30m²; a separate or ensuite washroom are not included as part of the area of the guest room;
- 5) No exterior evidence of the bed and breakfast accommodation must be visible from outside the parcel on which the bed and breakfast accommodation is located, except for a permitted sign and the required parking;
- 6) Signs for a bed and breakfast must adhere to Sign Regulation Bylaw No. 885, 2006.
- 7) One parking space per guest room is required in addition to those required for the principal dwelling; and
- 8) The owner of the bed and breakfast accommodation is required to hold a valid business license with the Village of Pouce Coupe.

1.18. Secondary Suites

Secondary suites must comply with the following regulations:

- 1) No more than one secondary suite is permitted per principal single-detached dwelling. The secondary suite is permitted within the single detached dwelling or within an accessory building on the same parcel as a single-detached dwelling.
- 2) A secondary suite is not permitted within a duplex, on a parcel containing a duplex, or within an accessory building on the same parcel as a duplex.
- 3) A secondary suite is not permitted in conjunction with the keeping of boarders or the operation of a bed and breakfast.
- 4) The maximum floor area of a secondary suite must not exceed the lesser of 90m² (969 ft²), or 40% of the gross floor area of the principal building.
- 5) The secondary suite must meet BC Building Code requirements for secondary suites.
- 6) If running as a business, the owner of the secondary suite is required to hold a valid business license with the Village of Pouce Coupe.
- 7) One parking space must be provided on the parcel for the secondary suite.
- 8) A secondary dwelling unit shall be located in buildings and on a parcel which forms a single real estate entity. No strata titling is permitted.
- 9) The principal single-detached dwelling on the parcel containing the secondary suite must be occupied by the owner of the principal single detached dwelling.



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1.19. Garages

In a residential zone, the following regulations apply to attached garages:

- The attached garage must not exceed the height of the dwelling to which it is attached.
- The parcel coverage of the attached garage must not exceed the parcel coverage of the dwelling to which it is attached.
- The parcel coverage of the dwelling and the attached garage combined with any other forms of parcel coverage must not exceed the maximum parcel coverage for the zone in which they are located.
- The attached garage must meet the setback requirements for the principal building.

1.20. Service Stations

In the commercial zones, service stations use will require that:

- Gasoline service pumps or pump islands must be located not closer than 4.5m (13.5') to any property line.
- All servicing and servicing equipment, other than that normally carried out on a pump island, must be entirely enclosed within a building.
- Canopies over gasoline pumps and pump islands may extend to within not less than 1.5m (4.5') from any property line, exclusive of canopy supports which must be located not less than 4.5m (13.5') from any property line.
- The entire service area must be separated from the paved area by a curb or other barrier.
- All exterior lighting will deflect away from adjacent lots.
- All tires, automobile accessories and related goods must be located on pump islands or contained within a booth, rack or stand. A maximum of 2 such outdoor merchandise display booths, racks or stands will be permitted on each service station lot and must be located not less than 4.5m (13.5') from any street line.
- Outdoor storage of machinery, equipment or vehicles in state of disrepair is not permitted.
- Any part of a lot not used for storage, building, parking or loading facilities or outdoor recreation shall be landscaped and properly maintained, subject to approval by the Municipality.

1.21. Signs

All signs must conform to the Village of Pouce Coupe Sign Regulation Bylaw No. 885, 2006.

1.22. Highway Setback

In accordance with Highway Act Regulations (BC Reg. 174/70, Sec. 4.01), no building shall, without the consent of the Minister, be placed within a distance of 4.5 meters from the property line fronting on Highway 2, except that where a public lane or alley provides secondary access to the property, the distance is reduced to 3m (9').

All proposals adjacent to the Highway 2 right of way must favour access through back roads and laneways, and must be referred to the BC Ministry of Transportation and Infrastructure for approval. All future rezoning within 800m of Highway 2 (this includes most of Pouce Coupe) must be referred to the Ministry for approval as well.

1.23. Accessibility

All developments larger than 500m² in the commercial and residential zones, shall make provision for access and mobility by the elderly, the disabled, and the handicapped.



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1.24. Screening and Landscaping Requirements for Existing Development

- a) For the C1, C2, M1 and R3 zones, outdoor garbage bins and outdoor storage must be maintained in a tidy order, and locked during off hours.
- b) All screens shall be cared for and maintained in good condition at all times.

All landscaping and fencing should be maintained in good condition; the landscaping plants should be live and growing, grass should be mowed and the landscaped area should be free of weeds and litter; and fencing should be maintained in a uniform, intact, and upright condition with no gaps caused due to deterioration or disrepair. In the event of failure to comply, the Village may enter upon the site and maintain the landscaping at the expense of the property owner, the cost of which will be added to the owner's current year's taxes.

1.25. Vision Clearance Requirements at Intersections

- a) No fence, wall, structure, hedge, bush, shrub, tree or other growth shall be maintained or allowed to grow so as to obstruct vision clearance at intersections within the Village.
- b) This regulation applies also to the bends in Highway 2, within Village boundaries.

1.26. Regulations Concerning Fences

- a) The height of a fence or wall shall be determined by a measurement from the grade level.
- b) Subject to the vision clearance provisions of these regulations, the following height limitations shall apply to fences, walls, or hedges:
 - i. in Industrial zones, fences or hedges no greater than 2.4m (12') in height may be located on any lot to the rear of a required front yard;
 - ii. in Residential zones, fences or walls not greater than 2m in height may be located on the rear or sides of any lot, while fences not greater than 1m (non-visible material or 1.5m (4.5') for see-through materials, may be located in a front yard;
 - iii. in Residential zones, where the rear line of a lot abuts the side line of an adjoining lot, the height of fences or walls on such rear lot lines shall not be greater than the height permitted on the side line of an adjoining lot at the point of abutment.
 - iv. Shall not apply to open mesh or chain-link fences erected on cemetery, public playground, park and open space, playfield, or elementary, and in Industrial zones. In these cases, no such fence shall exceed the height of 4.0 m.

Barbed wire shall not be used in any fencing in any zone except agricultural, or where security concerns make such fencing a necessity.

1.27. Regulations Concerning Retaining Walls

1. That portion of a retaining wall which projects above the surface of the ground that it supports shall be considered as a fence and subject to the regulations of this bylaw relating to fences.
2. Notwithstanding (b), in cases where a retaining wall has been constructed along a property line, the height of a fence, wall, or hedge shall be determined by the measurement from the surface of the ground that the retaining wall supports at the average grade level.
3. Any retaining wall over 1.3m (4') in height is a support structure, and therefore it must be certified by a licensed engineer.

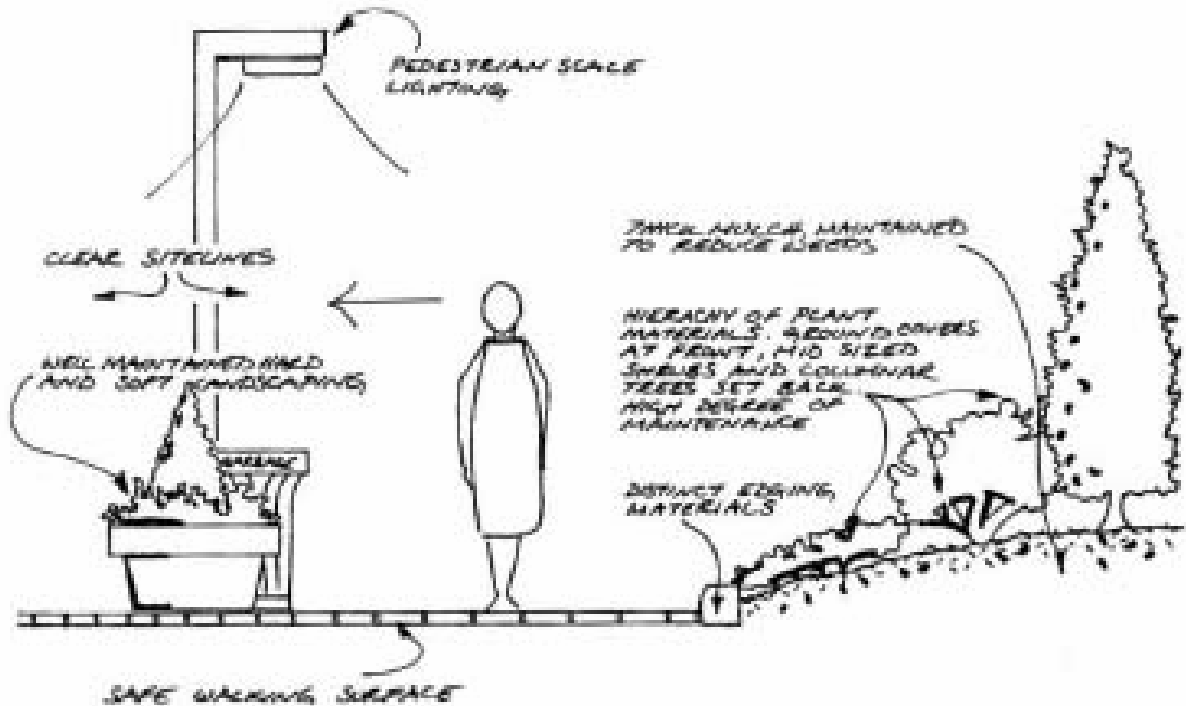
Aesthetics and Design

Components of this section are not legally required but are strongly encouraged by Council.

1.28. *Crime Prevention through Environmental Design*

Consideration should be given to:

- Sight lines: surveillance into and out of buildings;
- Street Furniture: furnishings to encourage street activity, livability, vitality, etc.;
- Parking Lots: circulation, sight lines, lighting, access, etc.;
- Loading Bays: overlooked, well lit, clean, etc.;
- Laneways: well maintained;
- Maintenance: high standard of maintenance gives a safer feeling and are places that are less likely to attract crime. Areas left uncared for encourage disrespectful behaviour (i.e. graffiti and vandalism). Offenders feel uncomfortable in settings that are clearly protected, maintained and obviously a high level of ownership (territoriality); and
- Landscaping: soft landscaping plays an important role in interpretation of an environment and impacts on how one feels in a particular setting. These impacts can be either positive or negative depending on the treatment and level of maintenance.



1.29. *Accessibility*

Use of elements that accommodate those residents and visitors with visual impairments or those who use mobility aides is strongly encouraged.

1.30. Sustainable Design

- 1) Where possible and within the existing block pattern, new buildings should be designed (oriented and sited) to take maximum advantage of passive solar energy.
- 2) Where possible, provide landscaping that protects from direct sunlight in the afternoon hours or during the summer and to permit sunlight penetration in the winter.
- 3) Where feasible, reuse of local materials or environmentally sourced materials is encouraged both inside and outside of the building.
- 4) Natural ventilation for buildings should be utilized as much as possible and energy efficient windows should be installed.
- 5) Irrigation of landscaped areas should utilize building run-off where possible (downspouts connected to the irrigation system).
- 6) Rooflines and water systems in all new buildings should be built ready to accept photovoltaic water heating and electric power systems.
- 7) These factors should be considered in all new development plans:
 - a. Composting toilets.
 - b. Brownwater re-use systems
 - c. LEED or R2000 certification
 - d. A requirement for work-live spaces
 - e. Water conservation features
 - f. Energy conservation features

1.31. Storm Water Management

- 1) As much as possible, storm water should be infiltrated or detained on-site (with slow release), as a means to stagger storm water run off, particularly from parking lots and large flat roof structures.
- 2) The use of bioswales as linear retention basins that move run-off as slowly as possible along a surface incline to raised drain inlets and utilizing native wetland plants further slowing this water while helping to biologically break down pollutants is strongly encouraged.

1.32. Additional Landscaping and Design Elements Encouraged for New Development in C1, C2, R3, and CD Zones

An attractive, vibrant, and safe public realm is a requirement for creating a livable centre to the community. Streets and open space should be visually pleasing, comfortable, and safe. New or renovated buildings should incorporate exterior architectural design features, which are either characteristic of, or consistent with, those of the village's existing historic buildings. Architectural features to be considered include:

- roofline design, materials, and colour;
- exterior finishing materials and colour; and
- window size, design, and materials.





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The overall development should strive to create a complex and vibrant architectural addition to the community, and evoke a Sense of Place, with connection to the heritage of the community.

1.33. Façade Treatment

- 1) All new development in the C1, C2, R3, and CD zones are encouraged to have an architectural theme reminiscent and conscious of the history and sense of place of Pouce Coupe.
- 2) New developments are encouraged to mix colours, textures and materials on blank walls, and produce human scale vertical breaks in lines.
- 3) The display of murals on blank walls is encouraged, particularly if they are regionally representative with a rural, heritage or agricultural theme.
- 4) Active, permeable, ground-oriented facades are encouraged in all mixed use, commercial and multifamily residential buildings that face the street.

1.34. Materials

- 1) A materials selection palette should be submitted with the development permit application as direct samples of those products intended to be used with appropriate finish and colour achieved. Materials¹ proposed should respect the quality and character of the particular area, while promoting a vibrant quality and adding to the neighbouring businesses by being a visual asset to the streetscape as a whole².
- 2) The combination of materials is encouraged whereby a primary facing has a secondary material used to accentuate windows, doors, cornice line, signage, lighting, doorways, etc. The accent material(s) used should highlight the feature it is addressing while complimenting, promoting and enhancing the primary finish.

1.35. Signage

All commercial and light industrial development is required to abide by the Village's Sign Regulation Bylaw No. 885, 2006 in addition to those in this section.

1.36. Screening

- 1) All building roof mounted services should be visually screened in such a way that this screening acts as a coordinated and integral part of the building's architecture.
- 2) Screening of other elements directly or indirectly associated with a building such as hydro transformer boxes, dumpsters, ground mounted façade lighting, gas meters, ventilation intakes, etc. should be in a style fitting to the materials and colours used in the building, or using shrub and low evergreen tree plant material as a screen.

1.37. Lighting

Encourage minimal over-spill illumination of any adjacent residential properties or green spaces. All lighting should be designed to minimize the effect of lighting the night sky as light pollution.

¹ Materials should be preferably natural products in as much as they are recognizable as requiring a skilled crafts person for their installation. Materials will radiate a sense of strength, permanence, warmth and craftsmanship through their use.

² With the choice of materials as structure and façade treatment, often it is not the nature of the material which determines its suitability but rather the manner in which it is used (i.e. large stretches of corrugated metal siding on the primary façade of the building is not generally acceptable, yet using it as a colour/texture accent or stamped metal as decorative flashing is encouraged).



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1.38. Amenities

- 1) Public amenities (such as landscaping, public art, or material treatments) at the street level may be required in commercial, mixed use, and multi-family developments.
- 2) Every opportunity for inclusion of soft landscaping should be explored as options for softening building facades, framing doorways, parking lot islands, berming, hedging, floral display plantings, etc. seen as trees, shrubs and ground covers.
- 3) Inclusion of child-friendly areas in new developments is encouraged.
- 4) The use of large concrete or wooden planters that could accommodate seasonal plantings as display in commercial areas is strongly encouraged.

Parking

- a) No person shall park or store a commercial vehicle or truck, construction equipment or dismantled or wrecked vehicle in the out of doors in any residential or comprehensive development zone.
- b) Notwithstanding point a) above, a person may store the following on an individual parcel in a residential zone:
 - One truck or commercial vehicle not exceeding four (4) tones (8,800 lbs.) rater capacity;
 - Trucks, commercial vehicles, or equipment required for the construction, repair, and servicing or maintenance of the premises;
 - Any dismantled or wrecked vehicle for a period of not more than fifteen (15) consecutive days; and
 - One vacation trailer or camper.
- c) Vehicles, trucks, trailers, or equipment permitted under Clause b) above shall not be stored in any setback area other than a rear parcel line setback in the residential zones.
- d) No parcel shall be used for the wrecking or storage of derelict vehicles or as a junkyard, and any vehicle which has not been licensed for a period of one (1) year and which is not housed in a garage or carport is deemed to be a derelict vehicle.
- e) The following table describes the on-site parking requirements for different types of facilities. Where disagreement arises as to the interpretation of these regulations, the interpretation that result in the fewer on-site parking requirements shall be regarded as correct.

Table: On-Site Parking Requirements

Use and/or Zone	On-Site Parking Requirements
Single-Family Dwelling or Duplex (R1 and R2 Zones)	A minimum of two (2) parking stalls per dwelling, plus one (1) parking stall per accessory dwelling or secondary suite.
Multi-Family Dwelling (R3 Zone)	Two (2) spaces per dwelling.
Light Industry (M1 Zone)	One (1) space per every ninety (90) square meters floor area plus one (1) space per eighteen point five (18.5) square meters floor area used for display or retail sales purposes.
Laundry and Dry Cleaning Establishments (C1 Zone)	One (1) space per every five (5) washing machines.
Motels	One (1) space per every motel room, plus one (1) space per every eight (8) restaurant, bar, or café seats.
Offices	One (1) space per every seventy (70) square meters floor



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	area
Recreation places of amusement, including billiard parlours	One (1) space per every twenty (20) square meters floor area.
Vehicle Sales and Automotive Services	One (1) space per every two (2) employees plus One (1) space per every ninety (90) square meters floor area.
Retail Stores	One (1) space per every fifty (50) square meters
Restaurant	One (1) space per five (5) seats
Storage Facilities, Lumber Yards	One (1) space per every ninety (90) square meters floor area
Places of worship, theatres, and cinemas	One (1) space for every eight (8) seats.
49 th Ave. Between 50 th St and 51 st	For all zones on this block, on-site parking requirements are reduced 50% from those requirements listed above.

Alternate Hours of Use

Where a building or structure contains more than one use whose business hours of operation do not overlap, the required number of off street parking spaces shall be the maximum number required for any of those individual uses.

1.39. Location

On-site loading spaces must be located on the same parcel as they serve.

1.40. Parking Dimensions

Dimensions of Parking Spaces

- o Each off-street parking space required by this bylaw shall not be less than 2.7m (8.3') wide or 5.5 m long or have a vertical clearance less than 2.2m (6.6').

Access to Parking Spaces

- o Adequate provision shall be made for individual ingress or egress by vehicles to all parking spaces at all times by means of unobstructed maneuvering aisles, having widths not less than:
 - o 7m (21') where parking space lengths are situated at an angle between 61° and 90° to the maneuvering aisle;
 - o 5m where parking space lengths are stipulated at an angle between 46° and 60° to the maneuvering aisle; or
 - o 3.5m (10.5') where the parking space lengths are situated at an angle 45° or less to the maneuvering aisle.

Dimensions of Loading Spaces

- o Each off-street loading space required by this bylaw shall not be less than 9m (27') long, 3.7m (11') wide or have a vertical clearance of less than 3.7m (11').

Surfacing and Grading of Off-Street parking and Loading Spaces

- o All off-street parking and loading spaces and access aisles shall be surfaced with an asphalt, concrete or similar pavement so as to provide a surface that is durable and dust free and shall be so graded and drained as to properly dispose of all water in accordance with the standards of the Village. In no case shall drainage be allowed to cross sidewalks or public rights-of-way including streets and lanes and shall be connected to municipal storm drainage system if adjacent to the subject site. All parking spaces that abut a landscaped area shall be bordered by a curb or wheel stop. Surfacing with geopermeable systems is encouraged. Following completion of new developments, these surfacing requirements shall come into effect twelve (12) months following occupation of the new structure.



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- Notwithstanding Section 5.11.1, in all commercial zones and the M-1 zone, a parking area with four or more parking spaces shall be surfaced with asphalt, concrete, or brick pavers.

Handicapped Parking Spaces

- For all parking areas with more than 25 parking spaces, at least one point four percent (1.4%) of the required parking spaces shall be provided for the physically handicapped. For clarity, all parking areas with more than 25 parking spaces must have at least one handicapped parking stall.
- Handicapped stalls must be at least 4m (12') in width and at least 6m (18') in length; located as close as possible to a main handicapped-accessible building entrance; and clearly identified for the exclusive use of physically challenged persons.

1.41. Parking Lighting and Layout

Lighting

- Covered parking areas must have a minimum maintained lighting of at least zero point five (0.5) foot candles.

Lighting Direction

- All lighting used to illuminate the parking areas shall be certified "Dark Sky Friendly" so arranged as to prevent direct rays of light from shining onto adjacent parcel or street.

Layout

- Where parking spaces are provided, whether covered or uncovered, they must be so designed that vehicles are not required to back onto a street.

1.42. Landscaping, Fencing and Curbing

In addition to applicable regulations in Sections 4 and 5,

- 1) Where a parking lot abuts a highway or a sidewalk adjacent to a highway, curbs must be placed at the end of each parking stall at a distance of not less than 0.75 m from the sidewalk or highway so as to prevent vehicles from encroaching into pedestrian areas.
- 2) New developments must provide safe and efficient vehicle access to entrances, exits and site circulation that comply with the Ministry of Transportation and Infrastructure guidelines and ICBC Safety Design Guidelines for Parking Facilities. Parking access and exit design must not encourage left turns into or from the site.
- 3) Site should be designed in a way that accommodates and encourages alternate modes of transportation with provisions made for pedestrian sidewalks, bicycle and walking paths, bicycle racks and disabled access as a cohesive safe and linking network.
- 4) Parking lots should be located at the side or rear of buildings rather than the front. Parking areas should be well identified from the road.
- 5) Visual impact of parking areas from the street may be softened through judicious use of berming, planting and mulches.
- 6) All parking areas should be hard surfaced and curbed. In low use or overflow areas, permeable or grass parking is encouraged.
- 7) Parking stalls adjacent to pedestrian, bicycle or wheelchair paths should have at least an extra 0.5m boulevard to allow for vehicle overhang.



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1.43. Off-Street Loading

No use may be undertaken in any zone unless the off-street loading requirements in this bylaw have been met for that use.

Each offstreet loading space shall be no smaller than three (3) metres in width by eight (8) in length with three point five (3.5) metres of vertical clearance.

The number of off-street loading spaces required for any use is calculated according to the following table, in which Column I classifies the type of use and Column II sets out the off-street loading requirements for each use in Column I:

COLUMN I	COLUMN II
Institutional and Public Uses	1 per 2,790 m ² of gross floor area or fraction thereof
Commercial and Institutional Uses	1 per 2,790 m ² of gross floor area or fraction thereof, in addition to the number required for ambulances
Industrial Uses	1 per 1,860 m ² of gross storage area or fraction thereof

- a) In cases of mixed use, the requirements for off-street loading must be the sum of requirements for the various uses computed separately. Required loading spaces for one use must not be considered as required loading spaces for any other use.
- b) Off-street parking spaces shall not be credited as off-street loading spaces.
- c) Each off-street loading space must not be less than 3m (6') in length, 7.5m (22.5') in width and provide no less than 4m (12') of vertical clearance.
- d) Off-street loading facilities must be located on the same lot as the use served, but not within the required front or side yard or closer than 7.5m (22.5') to the nearest intersection of any two highway allowances
- e) In no case shall the length of a loading space be such that a vehicle in the process of loading or unloading projects into any highway.
- f) Each off-street loading space must have vehicular access to a street.
- g) Off-street loading space must have a surface which is asphalt, concrete or similar pavement so as to provide a surface that is durable and dust free, and must be graded and drained to properly dispose of all surface water.
- h) Any lighting used to illuminate an off-street loading area must be so arranged as to reflect the light away from any adjoining premises.
- i) Off-street loading space must be sited at an elevation convenient to a floor level in the building.
- j) Off-street loading existing on the effective date of this bylaw must not be reduced below the applicable requirement for off-street loading of this bylaw.



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ESTABLISHMENT OF ZONES

1.44. Zoning Map

1. The area within the boundaries of the Village of Pouce Coupe is hereby divided into the following zones:

Zone	Description
A1	Agricultural 1
R1	Residential 1
R2	Residential 2
R3	Residential 3
C1	Commercial 1
C2	Commercial 2
M1	Industrial 1
P1	Public Institutional
P2	Recreation/Open Space
T1	Transportation 1
CD1	Comprehensive Development 1

2. The boundaries of those zones are shown on the Zoning Map, which is attached as Schedule B to this Bylaw.

1.45. Zoning Boundaries

The zone boundaries on the Zoning Map shall be interpreted as follows:

- 1) Where a zone boundary follows a street, lane, railway, pipeline, power line, utility right-of-way, or easement, it follows the centerline, unless otherwise clearly indicated on the Zoning Map;
- 2) Where a zone boundary is shown as approximately following the Village boundary, it follows the Village boundary;
- 3) Where a zone boundary is shown as approximately following the edge, shoreline, or high water mark of a river, lake or other water body, it follows that line. In the event of change, it moves with the edge or shoreline;
- 4) Where a zone boundary is shown as approximately following a property line, it follows the property line;
- 5) Where a zone boundary is shown as approximately following a topographic contour line or a top-of-bank line, it follows that line;
- 6) Where a zone boundary is shown as being generally parallel to or as an extension of any of the features listed above, it shall be so; and,
- 7) In circumstances not covered above, the zone boundary shall be determined by the scale of the Zoning Map.

Where any street is closed, the roadway lands have the same zoning as the abutting land. When abutting lands are governed by different zones, the center of the roadway is the zone boundary unless the zone boundary is shown clearly following the edge of the roadway. If the roadway is consolidated with an adjoining parcel, the parcel's zoning designation applies to affected portions of the roadway.



Village of Pouce Coupe
ZONING BYLAW
 Bylaw No. 931, 2010

ZONE A1 – AGRICULTURAL

Permitted Uses

The following uses and no others are permitted on each parcel in an A1 zone:

- | | |
|--------------------------------------|---------------------------------------|
| i. Single family dwelling or Duplex; | v. Accessory building and structures; |
| ii. Guest House; | vi. Accessory use; |
| iii. Home-Based business | vii. Agriculture; and |
| iv. Daycare; | viii. Public utility |

Regulations

On a parcel located in an area zoned as A1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.

Maximum number of single-detached dwellings	1 per parcel
Maximum number of accessory dwellings	1 per parcel
Minimum parcel size	4 ha
Maximum Parcel Coverage	The gross floor area of all buildings on a parcel shall not exceed five (5%) of the parcel area.
Maximum building height	15m (45')
Minimum setback of principal building from:	
front parcel line	7.5m (22.5')
interior side parcel line	7.5m (22.5')
exterior side parcel line	7.5m (22.5')
rear parcel line	7.5m (22.5')
Minimum setback of accessory building from:	
front parcel line	7.5m (22.5')
interior side parcel line	7.5m (22.5')
exterior side parcel line	7.5m (22.5')
rear parcel line	7.5m (22.5')



Village of Pouce Coupe
ZONING BYLAW
 Bylaw No. 931, 2010

ZONE R1 –RESIDENTIAL 1

Permitted Uses

The following uses and no others are permitted on each parcel in an R1 zone:

- | | |
|---|--|
| i. Single family dwelling or Duplex | vi. Modular Home |
| ii. Bed and Breakfast | vii. Urban Agriculture (See General Regulations) |
| iii. One (1) home-based business per dwelling (see Sec. 1.16) | viii. Accessory building and structures |
| iv. Daycare | ix. Guest House |
| v. Secondary Suites | |

For clarity, a manufactured or mobile home is not permitted in R1. Also, any modular or other home to be placed on a R1 zone must be less than five years old from the date of manufacture.

If a duplex is built on an R1 lot, both units shall have an entrance facing the front lot line. Where a guest house is built in addition to a single family home, it shall be permitted only where the rear lot line faces an alleyway, the guest house shall have an entrance facing the rear lot line, and there shall be a straight path at least 1.5m wide from the front lot line to the guest house.

Regulations

On a parcel located in an area zoned as R1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.

Maximum number of dwellings per lot	2 per parcel
Minimum parcel size	15m (45') road frontage by 25m depth. Where oddly-shaped lots must be created, no parcel shall be less than 500m ² .
Maximum Parcel Coverage	The gross floor area of all buildings on a parcel shall not exceed thirty-three percent (33%) of the parcel area.
On any parcel in an "R" Zone, the total combined gross floor area of accessory buildings and access structures shall not exceed 70m ² (753.5 sq ft) per dwelling.	
Maximum <i>primary</i> building height	11m (33 ft) <u>or</u> 3 storeys
Maximum <i>accessory</i> building height	5 m
Width of primary building	Minimum width of 7.32m (24 ft) and all buildings must be on a foundation designed by an engineer.
Minimum setback of principal building from:	
front parcel line	7m (21')
interior side parcel line	1.5m (4.5')
exterior side parcel line	2m (6')
rear parcel line	7m (21')
Minimum setback of accessory building from:	
front parcel line	7m (21')
interior side parcel line	1.6m (5')
exterior side parcel line	2m (6')
rear parcel line	1.6m (5')
Offstreet parking shall be provided in accordance with the regulations of the Parking Section of this by-law. Screening and Landscaping shall be provided in accordance with the regulations of the General Regulations of this by-law.	



Village of Pouce Coupe
ZONING BYLAW
 Bylaw No. 931, 2010

ZONE R2 –RESIDENTIAL 2

Permitted Uses

The following uses and no others are permitted on each parcel in an R2 zone:

- i. Single family dwelling or Duplex
- ii. Manufactured or Mobile Home, Single or Double-Wide
- iii. Modular Home
- iv. One (1) home-based business per dwelling (see Sec. 1.16)
- v. Urban Agriculture (See General Regulations)
- vi. Accessory building and structures

For clarity, any manufactured, modular or other home to be placed on a R2 zone must be no older than 5 years from the date of manufacture.

Regulations

On a parcel located in an area zoned as R2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.

Maximum number of single-detached <u>or</u> duplex dwellings	1 per parcel
Maximum number of accessory dwellings	No restriction
Minimum parcel size	12m by 20m. Where oddly-shaped lots must be created, no parcel shall be less than 300m ² .
Maximum Parcel Coverage	The gross floor area of all buildings on a parcel shall not exceed thirty-three percent (33%) of the parcel area.
On any parcel in an “R” Zone, the total combined gross floor area of accessory buildings and access structures shall not exceed 70m ² (753.5 ft ²) per dwelling.	
Maximum <i>primary</i> building height	11 m <u>or</u> 3 storeys
Maximum <i>accessory</i> building height	5m (16ft)
Width of primary building	Minimum width of 4.7m (14 ft), and all buildings must be on an engineered foundation.
Minimum setback of principal building from:	
front parcel line	7m (21')
interior side parcel line	1.5m (4.5')
exterior side parcel line	2m (6')
rear parcel line	7m (21')
Minimum setback of accessory building from:	
front parcel line	7m (21')
interior side parcel line	1.5m (4.5')
exterior side parcel line	2m (6')
rear parcel line	1.5m (4.5')
Offstreet parking shall be provided in accordance with the regulations of the Parking Section of this by-law.	
Screening and Landscaping shall be provided in accordance with the regulations of the General Regulations of this by-law.	



Village of Pouce Coupe
ZONING BYLAW
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ZONE R3 –RESIDENTIAL 3

Permitted Uses

The following uses and no others are permitted on each parcel in an R3 zone:

- i. Multi family dwelling;
- ii. Single family dwelling or Duplex
- iii. Guest House
- iv. One (1) Home –based business per dwelling (special restrictions – see Section 1.16)
- v. Accessory building and structures

Council will consider variance permits to allow limited retail and restaurant activities on the ground level of R3 lots located adjacent to Highway 2.

Where a guest house is built on an R3 lot in a addition to another dwelling structure, it shall be permitted only where the rear lot line faces an alleyway, the guest house shall have an entrance facing the rear lot line, and there shall be a straight path at least 1.5m wide from the front lot line to the guest house.

Regulations

On a parcel located in an area zoned as R3, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.

Minimum number of dwellings per parcel	1
Minimum parcel size	20m width by 35m depth
Maximum Parcel Coverage	The gross floor area of all buildings on a parcel shall not exceed forty percent (40%) of the parcel area.
On any parcel in an “R” Zone, the total combined gross floor area of accessory buildings and access structures shall not exceed 70m ² (753.5 ft ²) per dwelling.	
Maximum <i>primary</i> building height	12m (36') <u>or</u> 3 storeys
Maximum <i>accessory</i> building height	5m
Width of any dwelling	Minimum width of 7.32m (24 ft)
Minimum setback of principal building from:	
front parcel line	7m (21')
interior side parcel line	1.5m (4.5')
exterior side parcel line	2m (6')
rear parcel line	9m (27')
Minimum setback of accessory building from:	
front parcel line	7m (21')
interior side parcel line	1.5m (4.5')
exterior side parcel line	2m (6')
rear parcel line	5 m
Offstreet parking shall be provided in accordance with the regulations of the Parking Section of this by-law. Screening shall be provided in accordance with the regulations of the Screening Section of this by-law.	



Village of Pouce Coupe
ZONING BYLAW
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ZONE C1 – COMMERCIAL 1

Permitted Uses

The following uses and no others are permitted on each parcel in a C1 zone:

On the FIRST storey:

- | | |
|-----------------------------------|-------------------------------|
| i. Amusement Arcade or Games Room | xii. Food Catering Facility |
| ii. Automobile Services | xiii. Grocery Store |
| iii. Bus Depot/Terminal | xiv. Health Services Facility |
| iv. Funeral Home | xv. Hotel |
| v. Car Wash | xvi. Restaurant |
| vi. Coffee Shop | xvii. Produce Market |
| vii. Convenience Store | xviii. Retail Store |
| viii. Commercial Entertainment | xix. Service Station |
| ix. Drive-Through Use | xx. Taxidermy Shop |
| x. Food Catering Facility | xxi. Fitness Centre |
| xi. Financial Institution | |

On the SECOND or THIRD storey (if applicable)

- | | |
|------------------------------|---------------------------|
| i. Business Services | viii. Public Assembly Use |
| ii. Health Services Facility | ix. Private School |
| iii. Theatre | x. Motel |
| iv. Service Industry | xi. Office |
| v. Hotel | xii. Staff Housing |
| vi. Restaurant | xiii. Fitness Centre |
| vii. Place of Worship | |

Accessory Buildings are permitted.

Council will consider variance permits to allow some residential use on the above-ground levels of C1 lots located on 49th Ave.

Regulations (C1 Continued)

On a parcel located in an area zoned as C1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.



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Minimum number of dwellings per parcel	0
Minimum parcel size	No subdivision (breaking into smaller pieces) of existing commercial lots is permitted, but merging existing commercial lots is permitted.
Maximum Parcel Coverage	The gross floor area of all buildings on a parcel shall not exceed fifty percent (50%) of the parcel area.
Maximum <i>primary</i> building height	20m or 4 storeys
Maximum <i>accessory</i> building height	8.5m (25.5')
Minimum setback of principal building from:	
interior side parcel line	3m (6')
exterior side parcel line	3m (6')
rear parcel line <u>OR</u> where there is a rear lane, minimum distance from the middle of the lane	3m (6')
Minimum setback of accessory building from:	
front parcel line	3m (6')
interior side parcel line	3m (6')
exterior side parcel line	3m (6')
rear parcel line	1.5m (4.5')
Offstreet parking and maneuvering of trucks shall be provided in accordance with the regulations of the Parking Section of this by-law.	
Screening and Landscaping shall be provided in accordance with the regulations of the General Regulations of this by-law.	



Village of Pouce Coupe
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ZONE C2 – COMMERCIAL (NEIGHBOURHOOD COMMERCIAL)

Permitted Uses

The following uses and no others are permitted on each parcel in a C2 zone:

On the FIRST storey:

- | | |
|-----------------------------------|-------------------------------|
| i. Amusement Arcade or Games Room | viii. Hotel |
| ii. Bake Shop | ix. Neighbourhood Pub |
| iii. Bakery | x. Personal Services |
| iv. Car Wash | xi. Restaurant |
| v. Coffee Shop | xii. Congregate Care Facility |
| vi. Food Catering Facility | xiii. Private School |
| vii. Health Services Facility | xiv. Retail Liquor Store |

On the SECOND or THIRD storey (if applicable)

- | | |
|-------------------------------|-------------------------|
| i. Business Services | viii. Hotel |
| ii. Hostel | ix. Restaurant |
| iii. Congregate Care Facility | x. Place of Worship |
| iv. Food Catering Facility | xi. Public Assembly Use |
| v. Health Services Facility | xii. Private School |
| vi. Theatre | xiii. Motel |
| vii. Service Industry | xiv. Office |

Accessory buildings and structures are permitted.

Regulations

On a parcel located in an area zoned as C2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.

Minimum number of dwellings per parcel	0
Minimum parcel size	No subdivision (breaking into smaller pieces) of existing commercial lots is permitted, but merging existing commercial lots is permitted.
Maximum Parcel Coverage	The gross floor area of all buildings on a parcel shall not exceed fifty percent (50%) of the parcel area.
Maximum <i>primary</i> building height	20 m <u>or</u> 3 storeys
Maximum <i>accessory</i> building height	8.5m (25.5')
Minimum setback of principal building from:	
interior side parcel line	3m (6')
exterior side parcel line	3m (6')
rear parcel line <u>OR</u> where there is a rear lane, minimum distance from the middle of the lane	4.5m (13.5')
Minimum setback of accessory building from:	
interior side parcel line	3m (6')
exterior side parcel line	3m (6')
rear parcel line	1.5m (4.5')
Offstreet parking and maneuvering of trucks shall be provided in accordance with the regulations of the Parking Section of this by-law; Screening and Landscaping shall be provided in accordance with the regulations of the General regulations of this by-law.	



Village of Pouce Coupe
ZONING BYLAW
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ZONE M1 –INDUSTRIAL 1

Permitted Uses

The following uses and no others are permitted on each parcel in an M1 zone:

- i. Animal Hospital or Kennel
- ii. Automobile services
- iii. Building supply and lumber yard
- iv. Car wash
- v. Highways Maintenance yard
- vi. Primary Processing
- vii. Ambulance Station
- viii. Heavy Equipment Display
- ix. Light Industry, including plumbing, sheet metal workshop, welding shop, electronic equipment manufacturing and assembly shop, furniture manufacturing, storage and repair, automotive sales centre, and woodworking shop.
- x. Retail ONLY where the area used for retail sales is 20% or less of the total building area and/or lot area, whichever is less, AND where 60% or more of the retail area is used to sell products created on the same lot.
- xi. Parking facilities
- xii. Housing for a singular security personnel
- xiii. Storage Yard
- xiv. Oil and Gas Support Services
- xv. Outdoor Sales
- xvi. Mini-Storage, including frozen food locker
- xvii. Tire shop, retreading and rebuilding
- xviii. Warehouse and wholesale establishment

Accessory buildings and structures are permitted.

Regulations

For all contiguous areas of M1 zoning, any parcel line that sits at the outer edge of a contiguous area must be planted with a both a screen consistent with that described in the General Regulations, and a row of trees that will grow to at least 10 metres upon maturity.

All areas of fuel transfer or storage, including fueling of large machines or vehicles, must have a buried impervious liner placed under the area, and be bermed in such a way that normal fuel spills will be contained. "Normal" is defined as a spill that would be equal in volume to the size of fuel tanks that are normally used on-site. The owner of M1 lots must place a bond of no more than \$15,000, as determined by the bylaw enforcement officer, for removal and disposal of contaminated soils upon termination of fuel-related activities. For presently used (grandfathered) M1 lots, this regulation comes into effect 36 months after adoption of this bylaw.

On a parcel located in an area zoned as M1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.



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Minimum parcel size	900m ²
Maximum Parcel Coverage	The gross floor area of all buildings on a parcel shall not exceed ninety percent (90%) of the parcel area.
Maximum <i>primary</i> building height	15m (45')
Maximum <i>accessory</i> building height	8.5m (25.5')
Minimum setback of principal building from:	
front parcel line	3m (6')
interior side parcel line	3m (6')
exterior side parcel line	3m (6')
rear parcel line <u>OR</u> where there is a rear lane, minimum distance from the middle of the lane	3m (6')
rear parcel line, where a rear property line adjoins a residential zone	3m (6')
Minimum setback of accessory building from:	
front parcel line	3m (6')
interior side parcel line	3m (6')
exterior side parcel line	3m (6')
rear parcel line	3m (6')
Offstreet parking and maneuvering of trucks shall be provided in accordance with the regulations of the Parking Section of this by-law.	
Screening and Landscaping shall be provided in accordance with the regulations of the General Regulations of this by-law.	



Village of Pouce Coupe
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ZONE P1 – PUBLIC INSTITUTIONAL

Permitted Uses

The following uses and no others are permitted on each parcel in a P1 zone:

- | | |
|--------------------------------------|----------------------------------|
| i. Church and other place of worship | ix. Post Office |
| ii. Library | x. Public Utility Use |
| iii. Village Office | xi. Tourist Information Centre |
| iv. Museum | xii. Hospital |
| v. Fire Hall | xiii. School |
| vi. Ambulance Station | xiv. Water Tower |
| vii. Daycare | xv. Recreation or Fitness Centre |
| viii. Police Station | |

Regulations

All developments in the P1 zone shall strive to achieve universal accessibility.

On a parcel located in an area zoned as P1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.

Minimum parcel size	835m ²
Maximum Parcel Coverage	The gross floor area of all buildings on a parcel shall not exceed fifty percent (50%) of the parcel area.
Maximum building height	18 metres <u>m</u> or 3 storeys
Minimum setback of principal building from:	
front parcel line	7m (21')
interior side parcel line	1.5m (4.5')
exterior side parcel line	1.5m (4.5')
rear parcel line <u>OR</u> where there is a rear lane, minimum distance from the middle of the lane	9m (27')
Minimum setback of accessory building from:	
front parcel line	7m (21')
interior side parcel line	1.5m (4.5')
exterior side parcel line	1.5m (4.5')
rear parcel line	1.5m (4.5')
The P1 Zone is exempt from the parking requirements in this bylaw. Screening and Landscaping shall be provided in accordance with the regulations of the General Regulations of this by-law.	



Village of Pouce Coupe
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ZONE P2 – RECREATION/OPEN SPACE

Permitted Uses

The following uses and no others are permitted on each parcel in a P2 zone:

- | | |
|--|--|
| i. Gazebo | vii. Cemeteries |
| ii. Campground | viii. Conservation Areas |
| iii. Picnic Area | ix. Cultural and Recreational Facilities |
| iv. Exterior Sports Field | x. Parks |
| v. Recreation Trail | xi. Playgrounds |
| vi. Carnivals or Fairs Sponsored by non-profit community organizations | xii. Tourist Vehicle Parking |

Accessory buildings and structures are permitted. Discretionary uses are permitted, if the use is deemed by Council to be consistent with the form and character of the area.

Regulations

All developments in the P2 zone shall strive to achieve universal accessibility.

On a parcel located in an area zoned as P2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.

Minimum parcel size	n/a
Maximum Parcel Coverage	The gross floor area of all buildings on a parcel shall not exceed fifty percent (50%) of the parcel area.
Maximum accessory building height	6m (18')
Minimum setback of accessory building from:	
front parcel line	7m (21')
interior side parcel line	1.5m (4.5')
exterior side parcel line	1.5m (4.5')
rear parcel line	9m (27')
Minimum setback of accessory building from:	
front parcel line	7m (21')
interior side parcel line	1.5m (4.5')
exterior side parcel line	1.5m (4.5')
rear parcel line	1.5m (4.5')
The P2 Zone is exempt from the parking and screening requirements in this bylaw.	



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ZONE T1 – TRANSPORTATION

The only T1 property is owned by CN Rail Corporation

Permitted Uses

The following uses and no others are permitted on each parcel in a T1 zone:

- i. Railway Tracks and Switching Facilities
- ii. Accessory buildings and structures

Regulations

On a parcel located in an area zoned as T1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.

Maximum building height	5 m
Maximum Parcel Coverage	The floor area of all buildings on a parcel shall not exceed fifty percent (60%) of the parcel area.
Minimum setback of building from:	
front parcel line	3m (6')
interior side parcel line	6m (18')
exterior side parcel line	6m (18')
rear parcel line	3m (6')
Minimum setback of accessory building from:	
front parcel line	3m (6')
interior side parcel line	6m (18')
exterior side parcel line	6m (18')
rear parcel line	3m (6')
The T1 Zone is exempt from the parking requirements in this bylaw. Screening shall be provided in accordance with the regulations of the Screening Section of this by-law.	



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ZONE CD1 – COMPREHENSIVE DEVELOPMENT 1

Permitted Uses

The following uses and no others are permitted on each parcel in a CD1 zone:

- | | |
|------------------------------|--|
| i. Health Services Facility | xviii. Office |
| ii. Hotel | xix. Mixed Commercial/Residential |
| iii. Personal Services | xx. Multi family dwelling |
| iv. Congregate Care Facility | vi. Indoor Recreation Space |
| v. Private School | vii. One (1) home-based business per dwelling (see Sec. 4.7) |
| xv. Business Services | viii. Senior Citizen Housing |
| xvi. Place of Worship | ix. Staff Housing |
| xvii. Public Assembly Use | |

Accessory buildings and structures are permitted.

Regulations On a parcel located in an area zoned as CD1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which the left column sets out the matter to be regulated and the right column sets out the regulations.

Council reserves the right to request or require a comprehensive development plan as part of a development permit application.

Minimum parcel size	No subdivision (breaking into smaller pieces) of existing CD1 lots is permitted.
Maximum Parcel Coverage	The gross floor area of all buildings on a parcel shall not exceed fifty percent (50%) of the parcel area.
Maximum <i>primary</i> building height	15m (45') <u>or</u> 3 storeys
Maximum <i>accessory</i> building height	7.5m (22.5')
Minimum setback of principal building from:	
front parcel line	7.5m (22.5')
interior side parcel line	3.5m (10.5')
exterior side parcel line	4.5m (13.5')
rear parcel line <u>OR</u> where there is a rear lane, minimum distance from the middle of the lane	9m (27')
Minimum setback of accessory building from:	
front parcel line	7.5m (22.5')
interior side parcel line	3.5m (10.5')
exterior side parcel line	4.5m (13.5')
rear parcel line	3.5m (10.5')
Offstreet parking and maneuvering of trucks shall be provided in accordance with the regulations of the Parking Section of this by-law.	
Screening and Landscaping shall be provided in accordance with the regulations of the General Regulations of this by-law.	