

Tzeachten First Nation

LAW NO. 15-01

ZONING LAW, 2015



**TZEACHTEN FIRST NATION
ZONING LAW, 2015**



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WHEREAS the Tzeachten First Nation has an inherent right to self-government which emanates from our people, culture and land and which is recognized and affirmed by section 35 of the *Constitution Act, 1982*;

AND the Tzeachten First Nation has taken over control and management of Tzeachten Reserve lands and resources pursuant to the *Framework Agreement on First Nation Land Management* and has enacted the *Tzeachten Land Code* effective the 21st day of August, 2008;

AND under the *Tzeachten Land Code*, Tzeachten Council is authorized to pass various laws relating to lands including laws relating to zoning and land use under sections 3.1(a) and 3.3 of the Code;

AND Council wishes to implement a law to ensure that the use of land within Tzeachten Lands is regulated to protect the community, Tzeachten Lands and any person holding an interest in Tzeachten Lands from unsustainable or incompatible developments or land uses and to encourage developments and land uses that contribute to the well-being of the community and the environment;

NOW THEREFORE this *Tzeachten Zoning Law, 2015* is hereby enacted at a duly convened meeting as a Law of the Tzeachten First Nation.

PART 1. NAME

1.1 This Law may be cited as the *Tzeachten Zoning Law, 2015*.

PART 2. PURPOSE

2.1 The purpose of this Law is to promote good, healthy, sustainable and community-oriented land uses on Tzeachten Lands.

PART 3. WHERE THIS LAW APPLIES

3.1 The provisions of this Law apply to the whole area of the Reserve and Tzeachten Lands as defined in the *Tzeachten Land Code*.

PART 4. DEFINITIONS

4.1 For the purposes of this Law,

- (a) terms have the same definitions as in the Land Code;
- (b) “building height” is determined by measuring from the normal or average ground level and the highest point of the building; and
- (c) the following definitions apply:

“Accessory Dwelling Unit” means a dwelling unit, which is clearly accessory to another authorized Use on the lot permitted under the following conditions:

- (a) the lot is in a Zone permitting an Accessory Dwelling Unit;
- (b) only one (1) Accessory Dwelling Unit may be located on one lot;
- (c) the Accessory Dwelling Unit shall be one of the following types, as regulated herein and within the Permitted Uses Section of each Zone:
 - (i) single family detached dwelling;
 - (ii) manufactured home;
 - (iii) secondary suite; or
 - (iv) residential conversion structure;

“Accessory Uses” means uses clearly relating to but subordinate to residential uses in a rural or agricultural area which provide for activities customarily associated with the accommodation and home life of persons which are limited to:

- (a) gardening and recreational activities;
- (b) household storage and maintenance;
- (c) the keeping of pets in compliance with Laws;

- (d) the off-street parking of licensed motor vehicles in association with residential use and in compliance with Laws;
- (e) the parking of no more than one (1) unlicensed motor vehicle unless contained within an enclosed building with continuous view obstructing walls and doorways;
- (f) subject to (d) and (e) directly above, the repair or restoration of motor vehicles owned by a resident of the property;
- (g) the off-street parking of no more than one (1) vehicle having a gross vehicle weight in excess of 5000kg provided such vehicle is not a commercial trailer or vehicle used for the hauling of solid waste, sewage or hazardous materials; and
- (h) the storage of contractors equipment provided such equipment is contained within an enclosed building with continuous view obstructing walls and doorways;

“Agriculture” means farming, including the cultivation of the soil for growing crops and rearing animals to provide food, wool and other natural products but excludes commercial composting;

“Building Code” means the British Columbia Building Code;

“By-law 1991-03” means the Tzeachten Zoning By-law duly passed by Tzeachten Council and amended by By-law 1992-01 and sub-titled, “A By-law to designate the Tzeachten Indian Reserve as a Mixed Use Zone and to prohibit any use of land, or the carrying on of any class of business or trade within such Comprehensive Development Zones except to the extent that such use of land or the carrying on of any such class of business or trade conforms to the requirements of this By-law”,

“Dwelling Unit” means one or more habitable rooms intended or used for residential housing,

"General Manager" means any person who is appointed and employed by Band Council in the capacity of Administrative Manager of the Band,

“Home-Based Business” means a use of a commercial nature of a family residence that is clearly secondary in nature to the residential use and that complies with all applicable laws. Uses may include the following or activities of a similar nature and scale which are not otherwise prohibited or restricted by law:

- (a) the Business of renting apartment suites or units where not more than two (2) suites or units are made available for rent,
- (b) the door-to-door sale of newspapers published in Canada,
- (c) public schools,
- (d) the teaching of music, handicrafts or art as a home occupation where such teaching involves not more than one class of five (5) students at one time,
- (e) garage sales or yard sales held by Tzeachten Members or occupants of Tzeachten Lands where there are fewer than four (4) days per year of sales,
- (f) sales of baked goods cooked in the home of a Member or occupant of Tzeachten Lands,

- (g) small scale, non-commercial, periodic fund-raising events by Tzeachten Members or organizations or occupants of Tzeachten Lands,
- (h) creation and sale of carvings, crafts, and other art work and crafts by Members,
- (i) small-scale home-based activities by Tzeachten Members or occupants of Tzeachten Lands including Avon, Herbalife, Tupperware, locally made crafts, etc., or
- (j) small-scale home-based services such as hair cutting where there is no more than one chair or station;

“Mobile Home Park” means an area of land which contains mobile home pads rented out to residents on a short-term basis who live in mobile or manufactured homes that are not attached to a concrete foundation and have not had a building inspection, but does not include modular homes;

“Non-conforming” means a lawful building, structure or use of land that was in place prior to November 13, 1991 and that is conditionally grandfathered to allow its continued use in accordance with this Law”,

"Person" means any natural person, corporation, and, except where stated otherwise, any person who is a Member of Tzeachten,

"Reserve" means the whole of the Tzeachten Indian Reserve No.13, including, without limiting the generality of the foregoing, any conditionally surrendered lands, designated lands, and lands subject to any form of leasehold interest, allotment, certificate of possession or permit;

“Sign” means any visual representation or attention-drawing device which communicates information or advertising for any purpose;

“Utility” means:

- (a) the physical works of a public or private utility company including hydro power, oil and gas;
- (b) a structure required for the essential servicing of Tzeachten Lands or residents on Tzeachten Lands with water, sewer, electricity, telephone (excluding cellular telephone) and similar services; and
- (c) includes underground utilities, pipelines for the transportation of oil, other liquid and gaseous hydrocarbons, and products thereof, and appurtenances thereto, but
- (d) excludes electric power generation facilities and towers for cellular telephones.

PART 5. REPEAL AND REPLACEMENT

5.1 Tzeachten Law No. 10-01, *Zoning and Land Use Plan Law, 2010* is hereby repealed and replaced with this Law.

PART 6. GENERAL REGULATIONS

Prohibited Activities without Authorization

6.1 Within the Tzeachten Lands, none of the following are permitted except in strict conformity with the requirements of this Law and any other applicable Laws including

the Tzeachten *Subdivision, Development and Servicing Law*:

- (a) any activity, use or development on a parcel of land which is not in strict conformity with the activities, uses and developments permitted for that parcel of land in that zone,
- (b) commencement or continuance of any use of lands, buildings or structures, or activity, even if nominally permitted for a specific zone, without first demonstrating compliance with all applicable laws, authorizations and standards, including those relating to health, safety, environmental and all other requirements,
- (c) commencement of operations by a business or trade which involves a use of any lands, buildings or structures land use or any activity that is not in conformity with the requirements of this Law, and
- (d) re-zoning.

Uses Generally Prohibited in All Zones

6.2 The following uses of land, buildings and structures shall be generally prohibited within Tzeachten Lands and all zones unless specifically permitted:

- (a) the storage of fuel or other flammable liquids for commercial or industrial purposes in quantities greater than 50 litres in or adjacent to a Dwelling Unit or accessory buildings except:
 - (i) in compliance with all environmental and safety requirements which may include requirements for approved storage containers and concrete pads, and
 - (ii) in compliance with a permit obtained through Tzeachten Law in consultation with the Fire Chief;
- (b) use of any land as a garbage dump, waste facility or hazardous waste facility;
- (c) on-street parking or visible storage of:
 - (i) unlicensed, uninsured or inoperable heavy equipment;
 - (ii) more than one unlicensed, uninsured or inoperable motor vehicles for personal or family use unless specifically permitted;
- (d) Notwithstanding any other provisions of this Law, a use which results in any of the following impacts on neighbours or other owners or occupiers outside of the originating parcel of land:
 - (i) Unreasonable or objectionable levels of sound, noise, heat or glare;
 - (ii) Unsafe, unhealthful or objectionable levels of odour, vapour, dust, fumes, ash or any other potentially toxic or noxious substance or material;
 - (iii) Ground vibration;
 - (iv) Radiation or electromagnetic interference; or
 - (v) Any environmental, health or safety hazard to persons or property in areas surrounding the use;
- (e) the growing, propagation or harvesting of cannabis or controlled crops in any building or structure except in strict compliance a valid and subsisting license from the federal government or the medical health officer;
- (f) production or manufacture of a controlled substance in a laboratory in any building or structure, excluding a licensed compounding pharmacy;
- (g) structures or construction within watercourse or parcel setback areas; and
- (h) all uses not listed as “Uses Permitted in All Zones” or as “Permitted Uses” in a specific zone, or otherwise permitted by Law.

Uses Permitted in All Zones

- 6.3 Despite subsections 6.1 and 6.2, the following uses are generally permitted in all zones subject to compliance with all applicable laws:
- (a) community recreation playgrounds or fields;
 - (b) greenspace, parks and trails,
 - (c) construction of any structure which is not a Dwelling Unit and the footprint of which is less than 200 square feet,
 - (d) construction, maintenance or finishing of trails, driveways, and internal roads for single family residential sites on which the driveway is completely within a single parcel of land,
 - (e) underground works used for the conveyance, transmission or transportation of water, electricity, communications signals and services, sewage, oil, other liquid and gaseous hydrocarbons, and products thereof, and all other substances or physical phenomena which can be carried over by, or through pipes, wires or cables, and appurtenances thereto, subject to receiving development permits and meeting any other requirements under Tzeachten Laws and other laws;
 - (f) landscaping, and minor yard work which does not require an excavation deeper than 1.5 m or the removal or deposit of more than 10 m³ of soil, gravel or other material, and
 - (g) trailers and temporary structures with no hook-ups.
- 6.4 Any uses or activities permitted under this Law must still comply with all applicable Laws.

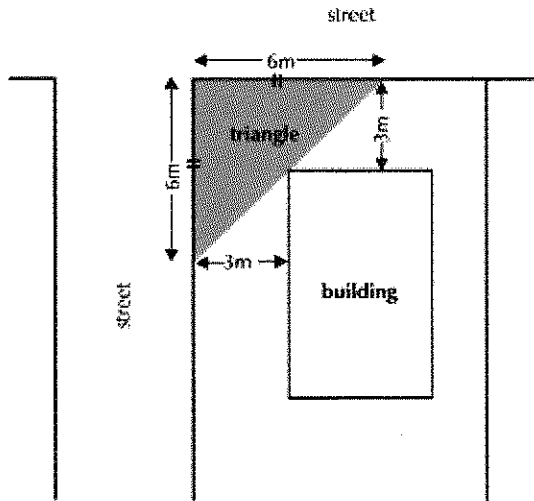
Setbacks from Waterbodies and Watercourses

- 6.5 Unless otherwise permitted in a specific zone or authorized by a law or permit, all buildings, structures and uses must comply with the following setbacks:
- (a) at least 15m from any waterbody or water course unless otherwise approved by Tzeachten based on written recommendations from a certified professional.

Corner Visibility and Site Triangles

- 6.6 To ensure safety along roads, intersections and exits from parking lots, a clear sight line must be maintained. The area formed by these sight lines is referred to as the "Sight Triangle" and must be kept clear of all sight-obstructing buildings, structures, fences, hedges or other barriers which obstruct vision at a level higher than 0.75 m and shall be determined as follows:
- (a) the triangle formed by the lot lines along each street to the intersection or street corner, or the projection of those lines, for the distance of at least 6 metres, and a line connecting those two lines to form a triangle as illustrated in the diagram below.

ILLUSTRATION OF CORNER SIGHT TRIANGLES



Servicing Requirements

- 6.7 In general, all new developments must have servicing (water, sewer, roads, sidewalks, lighting and parking):
- (a) in place, unless these requirements are waived by Law or in writing by an authorized Tzeachten representative; and
 - (b) approved by the Tzeachten Lands Department.

Non-conforming Uses Conditionally Continued

- 6.8 Despite subsections 6.1 and 6.2, the lawful use of land, or the lawful carrying on of any class of business or trade in a Zone, excluding Signs, that was in place at the time of the passage of Law 03-1991 on November 13, 1991 may be continued as a non-conforming use subject to section 6.9.
- 6.9 In the event that a non-conforming use is discontinued for a period of thirty (30) days or longer, such non-conforming use shall not be resumed except in compliance with the provisions of this Law.

Procedure if non-conforming structure significantly damaged

- 6.10 A building or structure which is non-conforming and sustains damage to sixty-six percent (66%) or more of its value cannot be repaired or replaced except in compliance with this Law.
- 6.11 Where any building or structure, the use of which is non-conforming, is significantly damaged, the owner or person lawfully in possession of the building or structure shall report the damage to Tzeachten and:

- (a) the General Manager or Lands Manager shall carry out an inspection or shall retain a qualified professional to carry out an inspection to assess that building or structure, and,
 - (b) if it is determined that the extent of the damage is sixty-six percent (66%) or more of its value, the General Manager or Lands Manager shall report the initial determination to Council for review.
- 6.12 After having reviewed the determination of the General Manager or Lands Manager, Council shall:
- (a) decide whether to confirm, reject or vary the initial determination; and
 - (b) give written notice of its decision to the person lawfully in possession of the building or structure.
- 6.13 The notice referred to in subsection 6.12 shall state:
- (a) the percentage of the value of the building or structure which has, in the opinion of Council, been damaged;
 - (b) that where any building or structure, the use of which is non-conforming, is damaged to the extent of 66% or more of its value, that building or structure shall not be repaired or reconstructed except in conformity with this Law; and
 - (c) that the person lawfully in possession of the building or structure may appeal the decision of Council within 15 days of his receipt of the notice by sending a Notice of Appeal to Council.
- 6.14 The Notice of Appeal referred to in subsection 6.13(c) shall:
- (a) be in writing and signed by the appellant;
 - (b) set out the name and address of the appellant; and
 - (c) state the percentage of the value of the building or structure which has, in the opinion of the appellant, been damaged; and
 - (d) include any supporting photos, documents, expert reports, or other relevant information.
- 6.15 Within 20 days of receipt of a Notice of Appeal under section 6.14, Council shall hold a public hearing respecting the appeal.
- 6.16 Council shall give at least 7 days' notice in writing of the public hearing to:
- (a) the appellant;
 - (b) those persons lawfully in possession of any lands adjacent to the land on which the building or structure is situated and any other person who, in the opinion of Council, may be affected by the decision; and
 - (c) such other person or persons specified by Council.
- 6.17 The General Manager or Lands Manager shall make available for public inspection before the commencement of the public hearing all photos, documents, reports and other material relevant to the determination of the extent of the damage to the building or structure.
- 6.18 At the public hearing, Council shall provide the following persons with an opportunity

to present evidence and to make oral and written submissions regarding the extent of the damage to the building or structure in question:

- (a) the appellant;
- (b) the General Manager or the Lands Manager;
- (c) any other person who was given notice in writing of the hearing and who wishes to be heard; and
- (d) any other person who, in the opinion of Council, is potentially affected or has information which could contribute to a fair determination.

6.19 Within 15 days after the public hearing, Council shall make a decision about the appeal by confirming, rejecting or varying the determination made by the General Manager, the Lands Manager, or a qualified professional regarding the extent of the damage to the building or structure.

6.20 If Council confirms that the building or structure has been damaged to the extent of sixty-six percent (66%) or more of its value, the building or structure shall not be repaired or reconstructed except in conformity with this Law.

6.21 Within 5 days after making a decision about the appeal Council shall:

- (a) give written notice of its decision to the appellant; and
- (b) post a notice of its decision in the Band office.

6.22 Any notice which Tzeachten is required to give may be served personally or sent by registered mail, provided that where the notice is sent by registered mail, it shall be deemed to be received by the addressee on the fifth day after it is mailed.

Signs

6.23 No Signs may be posted, constructed or shown except in compliance with Tzeachten Laws.

PART 7. GENERAL USE REGULATIONS

7.1 The following General Use Regulations apply to the following zones.

- (a) All developments shall comply with requirements set out in Tzeachten Laws to minimize flood risks.

PART 8. APPLICATIONS AND APPROVALS

Temporary Use Permit

8.1 An applicant may apply for a Temporary Use Permit to allow them to carry out for up to one year an activity or land use that would otherwise be prohibited by this Law.

8.2 The intent of Temporary Use Permits is to enable the applicant to carry on a use, which is not a major deviation from allowable uses in that zone, for a short period of time while they apply for a rezoning or land use text amendment.

8.3 An applicant for a Temporary Use Permit must pay the prescribed fee and complete the prescribed application form.

- 8.4 After circulating an application under section 8.3 internally for review and comment, the Lands Manager shall refer the application to Council along with any comments and recommendations from the Tzeachten Lands Management Advisory Committee.
- 8.5 Council shall decide whether or not to approve the application and, without limiting the generality of Council's authority, Council may by Resolution:
- (a) Request further information, review or analysis,
 - (b) Reject the application, or
 - (c) Approve the application with any reasonable terms or conditions.
- 8.6 A Temporary Use Permit approved by Council under subsection 8.5 expires upon the earlier of:
- (a) The date set for expiration by Council in the Resolution approving the Permit; or
 - (b) the first anniversary of the date of the Council Resolution approving the Permit.

Only one Renewal

- 8.7 A Person with a Temporary Use Permit may apply to renew the Permit only once for a period of up to one more year.
- 8.8 It is prohibited for a Person to apply for more than one renewal for a Temporary Use Permit for the same use on the same parcel of land.

Rezoning or Land Use Amendment Application

- 8.9 Every applicant applying for a re-zoning or change in land use to carry out a project, development, activity or procedure set out in section 6.1 or 6.3 shall pay the prescribed fee and submit an application to the Lands Manager in the prescribed form that meets the applicable requirements set out in the following:
- (a) Rezoning and Land Use Amendment Application and Checklist; and
 - (b) Any other relevant requirements.

Review and Processing of Applications

- 8.10 Within a reasonable time after receiving a complete application under subsection 8.9, the Lands Manager shall:
- (a) refer the application to a meeting of the Tzeachten Lands Management Advisory Committee along with all relevant information and documentation;
 - (b) circulate the application and all relevant information and documentation to relevant internal Tzeachten departments for comment;
 - (c) refer the application to all adjacent CP-holders on Tzeachten Lands;
 - (d) require the applicant, at their own expense, to post a sign board on the parcel of land summarizing the proposed re-zoning; and
 - (e) if appropriate, refer aspects of the application to the City of Chilliwack.
- 8.11 The Committee shall review the application and shall provide recommendations to Council about:
- (a) Whether the application should be approved or not; and
 - (b) Any suggested modifications, terms or conditions that should be set by Council.

- 8.12 For each application, the Committee shall consider the following general principles and factors:
- (a) The promotion of health, safety, convenience and welfare of Tzeachten members and of residents and occupants and other persons who have a lawful interest in Tzeachten Lands;
 - (b) Well planned and orderly development of Tzeachten Lands and the preservation of amenities and special features of Tzeachten Lands;
 - (c) Compliance with this Law, the Tzeachten Land Use Plan, Tzeachten Laws and with relevant federal, provincial and municipal laws and standards;
 - (d) Environmental protection and enhancement;
 - (e) Adherence to Tzeachten housing policies;
 - (f) Provision of community benefits including land and/or funds to Tzeachten for the development of community amenities;
 - (g) Protection and enhancement of cultural and heritage sites;
 - (h) Compatibility with Tzeachten and Sto:lo culture;
 - (i) Viewscapes, aesthetics and visual qualities;
 - (j) Ensuring adequate parking, access and emergency access;
 - (k) The character of the proposed activity or project in relation to the character of the zone, neighbourhood, and the buildings already erected;
 - (l) The conservation of property values;
 - (m) Potential impacts on adjacent uses, owners and occupants;
 - (n) The development of the zone, neighbourhood and Reserve in a manner that contributes to the economic, environmental, cultural and community health of Tzeachten and its Members and the occupants of Tzeachten Land; and
 - (o) Any other factors which may have an impact on the community or Tzeachten Lands.
- 8.13 In making recommendations to Council, the Advisory Committee may make any relevant recommendations including:
- (a) any recommendation relating to the general factors set out in subsection 8.12;
 - (b) dedication of up to 5% of the area of the land for parks, greenspace or community use or a cash donation in lieu;
 - (c) installation, upgrading, and/or enhancement of roads and sidewalks and/or dedication of roads and/or sidewalks to the First Nation;
 - (d) set-backs or buffers including set-backs or buffers from property lines and environmental features; and
 - (e) any other relevant terms or conditions.
- 8.14 The Lands Manager shall ensure that recommendations from the Committee are written up within 7 calendar days after the Committee meeting.
- 8.15 After reviewing the recommendations from the Committee and any comments from adjacent land-owners and from Tzeachten managers and departments, the Lands Manager may request further information, plans, reports, or other relevant material from the applicant which the applicant shall provide.
- 8.16 The Lands Manager shall as soon as practicable after having received the initial application or within 7 days of having received the additional information requested

under section 8.15, forward the application to Council along with:

- (a) All relevant documents, maps, plans, reports and other information;
- (b) Recommendations from the Committee;
- (c) Any comments received from adjacent land-owners or Members;
- (d) Any comments or recommendations from the Lands Manager and other Tzeachten managers or departments; and
- (e) Any comments from the City of Chilliwack.

8.17 Within a reasonable time of receiving the application and information set out in section 8.16 Council shall decide whether or not to approve the application and, without limiting the generality of Council's authority, Council may:

- (a) Reject the application,
- (b) Approve the application with any reasonable terms or conditions, including, but not limited to terms or conditions relating to the items set out in subsections 8.12 and 8.13.

PART 9. VARIANCES

9.1 A person who has a proposal to vary minor aspects of the requirements for their zone to ensure compliance, may apply to the Lands Manager for a variance if the person reasonably believes that compliance with any of the following would cause the person hardship:

- (a) A provision under this Law or another Tzeachten Law or regulation respecting the siting, dimensions, height or size of a building or structure, or the siting of a manufactured home in a manufactured home park;
- (b) the prohibition of a structural alteration, replacement or addition under subsection 6.10; or
- (c) a requirement or other restriction prescribed in a regulation as being a potential subject for a variance application.

9.2 All applications for a variance shall:

- (a) be accompanied by a completed application in a form approved by Council;
- (b) include sufficient surveys, plans or other documents to clearly identify the alleged hardship and the proposed variance;
- (c) be accompanied by any other information required in this Law or by regulation; and
- (d) include the application fee prescribed by Council.

Notice to potentially affected persons

9.3 If a person makes an application under subsection 9.1 that complies with subsection 9.2, the Lands Manager must notify all owners and tenants in occupation of

- (a) the land that is the subject of the application, and
- (b) the land that is adjacent to land that is the subject of the application; and the notice must include:
 - (c) a copy or summary of the application;
 - (d) a sketch, map or plan;
 - (e) details of how potentially affected persons may provide comments; and
 - (f) the deadline for such comments.

Factors for variances

- 9.4 Despite subsection 9.1, the following restrictions and prohibitions apply to all variance decisions. No variance shall:
- (a) be allowed to alter the use or density set out in this Law for the zone in which the parcel of land that is the subject of the variance application is located;
 - (b) be considered except for setbacks, Sign size and locations, building height, size, siting, and other matters specifically prescribed by regulation;
 - (c) be approved unless the applicant can demonstrate that it would be a hardship not to grant variance;
 - (d) vary the absolute minimum setbacks set out in this Law or by regulation;
 - (e) compromise fire safety;
 - (f) adversely affect the natural environment in a significant manner;
 - (g) create or contribute to significant new geotechnical risks;
 - (h) create or contribute to significant new flood or flooding risks;
 - (i) cause a major inconvenience to neighbours; nor
 - (j) compromise the basic livability and aesthetics for the project, development or neighbourhood.
- 9.5 The Lands Manager shall compile the information from the application and any comments from potentially affected persons received before the deadline, and bring it to the Lands Management Advisory Committee for a recommendation to Council.
- 9.6 On an application under subsection 9.1, Council, on recommendation from the Lands Management Advisory Committee, may order that a minor variance be permitted from the requirements of this Law in accordance with this Part.
- 9.7 A decision by Council under subsection 9.6 is final.

PART 10. ZONES

- 10.1 Tzeachten Lands are divided into the following Zones:
- (a) 'A' Agricultural;
 - (b) 'C' Commercial;
 - (c) 'LI' Light Industrial;
 - (d) 'I' Institutional;
 - (e) 'R1' Low Density and Multi-Family Residential;
 - (f) 'R2' Medium Density and Multi-Family Residential; and
 - (g) 'MU' Mixed Use; and
 - (h) 'REC' Recreation.
- 10.2 The boundary lines and areas of the Zones are set out in Schedule "A" which is derived from the Tzeachten Land Use Plan.

PART 11. 'A' AGRICULTURAL ZONE

No ALR

11.1 Provincial Agricultural Land Reserve designations and regulations do not apply to Tzeachten Lands.

Purpose

11.2 The 'A' Agricultural Zone is intended for uses which have Agriculture as the primary activity.

Uses

11.3 The following Uses shall be the only Uses permitted in this Zone unless specifically permitted elsewhere in this Law in provisions that apply to this Zone.

- (a) Accessory seasonal employee residential use;
- (b) Agriculture
- (c) Single Family Residential
 - (i) single family detached dwelling
 - (ii) manufactured home
- (d) Temporary accessory dwelling (subject to Use Regulations)
 - (i) secondary suite
 - (ii) manufactured home
 - (iii) park model trailer
 - (iv) residential conversion structure
- (e) Boarding and grooming services in compliance with Tzeachten Laws
- (f) Accessory Uses
- (g) Home-Based Business, and
- (h) Subject to licensing, permitting or other requirements, storage and sale of produce.

Lot Size

11.4 The minimum lot size is

- (a) 5 ha.

Lot Dimensions (Minimum)

11.5 Where a parcel being created by subdivision fronts on a road or highway, the minimum frontage on the road or highway shall be 10% of the perimeter of the lot or greater unless exempted by the Lands Manager or Council.

Density (Maximum)

11.6 The maximum density shall not exceed two homes per lot.

Lot Coverage

11.7 Where a parcel being created by subdivision fronts on a road or highway, the minimum frontage on the road or highway shall be 10% of the perimeter of the lot or greater unless exempted in writing by the Lands Manager or Council.

Floor Area Ratio

11.8 There is no fixed floor area ratio.

Setbacks (Minimum to Lot Lines)

11.9 The following minimum setbacks to lot lines apply:

Use	Front Lot Line	Rear Lot Line	Interior Side Lot Line	Exterior Side Lot Line
Residential	7.5m	7.5m	3.0m	7.5m
Sheds and Accessory	7.5m	3.0m	3.0m	7.5m
Animal enclosure	15m	15m	15m	15m
Roadside stands	3m	7.5m	3.0m	3.0m

Building Height (Maximum)

11.10 The maximum allowable building heights are:

- (a) 10m for residential home; and
- (b) 10m for accessory buildings.

Signs

11.11 All signs shall be located, constructed and permitted in accordance with Tzeachten Laws and may require a Development Permit.

PART 12. 'C' COMMERCIAL ZONE

Purpose

12.1 The 'C' Commercial Zone is intended for uses which are specifically commercial in nature.

Uses

- 12.2 The following Uses shall be the only Uses permitted in this Zone, and unless specifically permitted elsewhere in this Law in provisions that apply to this Zone.
- (a) in general, the sale of commodities or provision of services, where such commodities or services are not otherwise prohibited,
 - (b) tourist-based accommodation businesses such as a hotel or bed-and-breakfast,
 - (c) neighborhood convenience stores,
 - (d) grocery stores,
 - (e) malls,
 - (f) cafes, restaurants and fast food outlets
 - (g) gross floor area,
 - (h) barber shop or beauty salon,
 - (i) sale of items such as:
 - (i) hardware and sporting goods,
 - (ii) garden supplies,
 - (iii) antiques and second hand goods,
 - (iv) groceries and pharmacy items,
 - (v) jewelry,
 - (vi) shoes and clothing,
 - (vii) books and stationery,
 - (viii) gifts and souvenirs,

- (ix) art, craft and hobby items, and
- (x) DVDs, CDs, electronic media, music, tapes records and musical instruments.
- (j) Sale or service of:
 - (i) appliances and household furnishings, and
 - (ii) business and office equipment.
- (k) Dental or Medical clinic or laboratory;
- (l) Restaurant;
- (m) Neighbourhood pub or other beverage room (subject to the regulations made pursuant to the Liquor Control And Licensing Act);
- (n) Indoor recreation and fitness;
- (o) Printing and publishing;
- (p) Offices and financial institutions;
- (q) Theatre or Movie Theatre;
- (r) Indoor Amusement centre;
- (s) Child Care Facility;
- (t) Business services;
- (u) Beverage Container Return Depot;
- (v) U-Brew, self-brew and self-vinting
- (w) Liquor Store (subject to the regulations made pursuant to the Liquor Control And Licensing Act);
- (x) commercial centers;
- (y) shopping centre malls;
- (z) Mixed Residential and Commercial; and
- (aa) Accessory dwelling.

Lot Size

12.3 The minimum lot size is 7266 sq. ft. or approximately 675 m2.

Lot Dimensions (Minimum)

12.4 Where a parcel being created by subdivision fronts on a road or highway, the minimum frontage on the road or highway shall be 10% of the perimeter of the lot or greater unless exempted in writing by the Lands Manager or Council.

Density (Maximum)

12.5 N/A

Lot Coverage and Drainage

12.6 All developments must ensure no net increase in run-off from the development and that structures, works, pavement and drainage are designed in an environmentally sustainable manner to promote ground-water recharge and to avoid pollution.

Setbacks (Minimum distance to lot line)

12.7 The following minimum setbacks to lot lines apply:

Use	Front Lot Line	Rear Lot Line	Interior Side Lot Line	Exterior Side Lot Line
Commercial (excluding Signs and Residential)	1m	6.0m	6.0m	1m
Residential	6.0m	7.5m	1.2m	4.5m

Siting

12.8 Despite the setbacks in subsection 12.7, no structure shall be sited within the “Sight Triangle” as required in subsection 6.6 of this Law.

Building Height (Maximum)

12.9 The maximum allowable building heights are:

- (a) 10m for Commercial uses;
- (b) 10m for Residential; and
- (c) 6m for Accessory uses.

Off-Street Parking Spaces (Minimum)

12.10 The following minimum number of off-street parking spaces shall be provided:

- (a) 1 space per 40 m² (approximately 430.5 sq ft) of sales or office space (City requires 1 space per 40m²);
- (b) 1 space per 10m² (approximately 107.6 sq ft) of restaurant, assembly or gathering place;
- (c) 1 space per each Dwelling Unit; and
- (d) 1 bicycle parking space per every 30 m² of office or retail space.

12.11 Where appropriate, one or more parking spaces for electrical vehicles may be required, including charging facilities.

Servicing Requirements

12.12 For new commercial establishments and / or subdivisions, all developments must have servicing (water, sewer, roads, sidewalks, lighting and parking) in place and must be approved by the Tzeachten Lands Department.

Fencing, Screening and Landscaping

12.13 The following minimum standards apply:

- (a) Fencing, screening and landscaping shall be provided in accordance with Tzeachten Laws;
- (b) A landscape screen of not less than 1.5 m. high or a solid decorative fence at least 1.5 m. high shall be provided and maintained along rear and interior side lot lines adjacent to a zone which permits residential use;
- (c) Outdoor storage areas shall be screened from view from adjacent lots by a landscape screen or decorative fence or a combination thereof with minimum height of 1.8 m; and

- (d) Where more than three (3) parking spaces are provided, these spaces shall be separated from any street by a landscaped screen, not less than one (1) meter in width and not less than one (1) meter in height.

Signs

12.14 Signs shall be located, constructed and permitted in accordance with Tzeachten Laws.

PART 13. 'LI' LIGHT INDUSTRIAL ZONE

Purpose

13.1 The 'LI' Light Industrial Zone is intended for uses which are specifically light industrial in nature.

Uses

13.2 The following Uses shall be the only Uses permitted in this Zone, and unless specifically permitted elsewhere in this Law in provisions that apply to this Zone.

- (a) Warehousing of legal materials;
- (b) Storage and sale of legal materials excluding fuels, oil in tanks containing more than 3000 litres;
- (c) Storage of chemicals in tanks or containers capable of containing more than 200 litres;
- (d) Light manufacturing and assembly;
- (e) Food processing;
- (f) Industrial services;
- (g) Accessory office and sales;
- (h) Accessory Dwelling Unit;
- (i) Off-street parking; and
- (j) Off-street loading.

13.3 For greater certainty, the following Uses do not qualify as light manufacturing or light industry and are not permitted Uses within the Light Industrial Zone:

- (a) Processing or refining of steel, oil or gas or other minerals or petroleum products;
- (b) Industrial grinding or crushing operations; and
- (c) Painting, spray booths or other processes that involves atomizing or spraying potentially hazardous chemicals or substances on an industrial scale.

Lot Size

13.4 The minimum lot size is 7266 sq. ft. or approximately 675 m².

Lot Dimensions (Minimum)

13.5 Where a parcel being created by subdivision fronts on a road or highway, the minimum frontage on the road or highway shall be 10% of the perimeter of the lot or greater unless exempted in writing by the Lands Manager or Council.

Density (Maximum)

13.6 N/A

Lot Coverage and Drainage

13.7 All developments must ensure no net increase in run-off from the development and that structures, works, pavement and drainage are designed in an environmentally sustainable manner to promote ground-water recharge and to avoid pollution.

Setbacks (Minimum distance to lot line)

13.8 The following minimum setbacks to lot lines apply:

Use	Front Lot Line	Rear Lot Line	Interior Side Lot Line	Exterior Side Lot Line
Commercial (excluding Signs and Residential)	1m	6.0m	6.0m	1m

Perimeter Buffer

13.9 A landscaped buffer shall be provided of not less than 8.0m from the Front Lot Line and not less than 5.0m from any other Lot Line. Within this buffer area, no buildings or dwellings, parking or storage, nor roadways will be permitted other than a perpendicular access or crossing.

PART 14. 'I' INSTITUTIONAL ZONE

Purpose

14.1 The 'I' Institutional Zone is intended for uses which are specifically related to facilities which are 'institutional' in nature, such as medical and private care, schools, as well as general public use facilities, such as public service functions and utilities. The Institutional Zone also is also intended for uses that are suitable for the community's use, such as recreational areas, parks, tourist centers.

Uses for Institution

14.2 The following Uses shall be the only Uses permitted in this Zone, and unless specifically permitted elsewhere in this Law in provisions that apply to this Zone.

- (a) Administration relating to Tzeachten governance or community;
- (b) Public or private assembly;
- (c) Residential;
- (d) Community recreation facilities;
- (e) Cultural facilities including Big Houses and Smoke Houses;
- (f) Cemeteries and burial grounds;
- (g) Schools, education or training facilities;
- (h) Child care and family services;
- (i) Emergency planning and response facilities;
- (j) Dental, Medical or Health facilities, clinics or laboratories;
- (k) Tourism facilities; and
- (l) Parking, loading and storage facilities directly related to one of the above uses.

Lot Size

14.3 The minimum lot size is 7266 sq. ft. or approximately 675 m2.

Lot Dimensions (Minimum)

14.4 Where a parcel being created by subdivision fronts on a road or highway, the minimum frontage on the road or highway shall be 10% of the perimeter of the lot or greater unless exempted in writing by the Lands Manager or Council.

14.5 The minimum lot dimensions for any lot are 15m wide by 30m deep.

Density (Maximum)

14.6 N/A

Lot Coverage and Drainage

14.7 All developments must ensure no net increase in run-off from the development and that structures, works, pavement and drainage are designed in an environmentally sustainable manner to promote ground-water recharge and to avoid pollution.

Setbacks (Minimum distance to lot line)

14.8 The following minimum setbacks to lot lines apply:

Use	Front Lot Line	Rear Lot Line	Interior Side Lot Line	Exterior Side Lot Line
Accessory Dwelling Units	6.0m	6.0m	1.5m	4.5m
All other structures and buildings (excluding Signs)	6.0m	6.0m	6.0m	6.0m

Heights (Maximum)

14.9 The maximum allowable building heights are:

- (a) 10m for accessory buildings; and
- (b) 15m for all other buildings and structures excluding Signs.

Off-Street Parking (Minimum)

14.10 The minimum number of off-street parking spaces shall be:

- (a) one space per 30m² of recreation, indoor recreation or related structure; and
- (b) one bicycle parking space per fifteen car parking spaces.

14.11 The minimum size of each off-street parking lot shall be 3m x 7m.

Perimeter Buffer

14.12 A landscaped buffer, which is separate from the individual mobile home pads, shall be provided of not less than 8.0m from the Front Lot Line and not less than 5.0m from any other Lot Line. Within this buffer area, no buildings or dwellings, parking or storage, nor roadways will be permitted other than a perpendicular access or crossing.

Recreation Area or Green Space

- 14.13 In addition to any required perimeter area, a recreation area or green space of not less than 5% of the gross site area shall be established:
- (a) Where indoor recreation space is provided, it shall be counted as double its actual area.

Signs

- 14.14 All signs shall be located, constructed and permitted in accordance with Tzeachten Laws and may require a Development Permit.

PART 15. 'R1' LOW DENSITY AND MULTI-FAMILY RESIDENTIAL ZONE

Purpose

- 15.1 The 'R1' Residential Zone is intended for uses which are specifically residential in nature and which are not medium or high density.

Servicing

- 15.2 For new subdivisions, all residential units must have servicing (water, sewer, roads, sidewalks, lighting) in place and must be approved by the Tzeachten Lands Department, regardless of their intended density.

Uses

- 15.3 The following Uses shall be the only Uses permitted in this Zone unless specifically permitted elsewhere in this Law in provisions that apply to this Zone.
- (a) Single family residential units,
 - (b) two-family residential,
 - (c) duplexes and triplexes,
 - (d) townhouses with a maximum of four (4) units,
 - (e) Rental of residential units,
 - (f) Underground Utilities and appurtenances, subject to receiving development permits and meeting any other requirements and meeting requirements under Tzeachten and other laws;
 - (g) Cultural facilities including Big Houses and Smoke Houses;
 - (h) Cemeteries and burial grounds;
 - (i) Accessory Uses; and
 - (j) Uses that are legitimately and reasonably ancillary to residential use and are not otherwise prohibited by this Law or other laws.

Lot Size

- 15.4 The minimum lot size is:
- (a) For family use of a lot that is 10ha or bigger, 2 ha;
 - (b) For family use of a lot that is smaller than 10 ha, 9688 sq ft or approximately 900 m² and
 - (c) For market housing intended for rental, lease or purchase, 7000 sq ft or approximately 650.2 m², or 0.065 ha.

Lot Dimensions (Minimum)

15.5 Where a parcel being created by subdivision fronts on a road or highway, the minimum frontage on the road or highway shall be 10% of the perimeter of the lot or greater unless exempted in writing by the Lands Manager or Council.

Density (Maximum)

15.6 The maximum density shall not exceed two homes per lot.

Lot Coverage and Drainage

15.7 All developments must ensure no net increase in run-off from the development and that structures, works, pavement and drainage are designed in an environmentally sustainable manner to promote ground-water recharge and to avoid pollution.

Setbacks (Minimum distance to lot line)

15.8 The following minimum setbacks to lot lines apply:

Use	Front Lot Line	Rear Lot Line	Interior Side Lot Line	Exterior Side Lot Line
Residential	6.0m	7.5m	1.2m	4.5m
Sheds and Accessory	6.0m	1.0m	1.0m	4.5m

Building Height (Maximum)

15.9 The maximum allowable building heights are:

- (a) 10m or no more than 3 storeys for residential home; and
- (b) 10m for accessory buildings.

Off-Street Parking Spaces (Minimum)

15.10 The following minimum number of off-street parking spaces shall be provided:

- (a) two (2) spaces per Dwelling Unit.

Fencing, Screening and Landscaping

15.11 The following minimum standards apply:

- (a) Screening to maintain privacy and ensure visual buffers between different uses shall be provided between all new commercial, industrial, institutional and residential uses, and between multi-family residential development and single family detached/ duplex homes on adjacent properties.
- (b) Screening so required shall be installed by, and at the cost of, the interest-holder or developer carrying out the new development, along the common property line or within the required setback area (but not exposing any vehicle use area) and shall consist of one or a combination of the following:
 - (i) berm,
 - (ii) fence,
 - (iii) masonry wall, or
 - (iv) vegetation screen.
- (c) Despite subsection (a) above, screening shall not be required at entrances and exits or adjacent to structures which are sited within 0.3m of any property line.
- (d) The screening shall meet the following requirements:
 - (i) minimum height of 1.5m or as required within the zone;

- (ii) contribute to privacy and provide a visual buffer;
- (iii) vegetation screens may have a lower height at the time of first planting but must be maintained at the height required upon reaching maturity;
- (iv) Masonry or concrete walls exceeding 1.2m in height may require a Development Permit;
- (v) View-obstructing fences shall consist of structurally suitable new construction materials and may require a Development Permit; and
- (vi) Any barb wire or razor wire on top of a fence shall be at least 2.0m from ground level

Signs

15.12 All Signs shall be located, constructed and permitted in accordance with Tzeachten Laws and may require a Development Permit.

PART 16. 'R2' MEDIUM DENSITY AND MULTI-FAMILY RESIDENTIAL ZONE

Purpose

16.1 The 'R2' Residential Zone is intended for uses which are specifically residential in nature but with a higher allowable density than R1.

Servicing

16.2 For new subdivisions, all residential units must have servicing (water, sewer, roads, sidewalks, lighting) in place and must be approved by the Tzeachten Lands Department, regardless of their intended density.

Uses

16.3 The following Uses shall be the only Uses permitted in this Zone unless specifically permitted elsewhere in this Law in provisions that apply to this Zone.

- (a) Single family residential units,
- (b) two-family residential,
- (c) duplexes and triplexes,
- (d) townhouses with a maximum of 10 units,
- (e) apartments,
- (f) Rental of residential units,
- (g) Underground utilities and appurtenances, subject to receiving development permits and meeting any other requirements and meeting requirements under Tzeachten and other laws;
- (h) Accessory Uses;
- (i) Cultural facilities including Big Houses and Smoke Houses;
- (j) Cemeteries and burial grounds; and
- (k) Uses that are legitimately and reasonably ancillary to residential use and are not otherwise prohibited by this Law or other laws.

Lot Size

16.4 The minimum lot size is:

- (a) For family use of a lot that is 10ha or bigger, 2 ha;
- (b) For family use of a lot that is smaller than 10 ha, 9688 sq ft or approximately 900 m² and

- (c) For market housing intended for rental, lease or purchase, 7000 sq ft or approximately 650.2 m², or 0.065 ha.

Lot Dimensions (Minimum)

16.5 Where a parcel being created by subdivision fronts on a road or highway, the minimum frontage on the road or highway shall be 10% of the perimeter of the lot or greater unless exempted in writing by the Lands Manager or Council.

Density (Maximum)

16.6 The maximum density shall not exceed two homes per lot.

Lot Coverage and Drainage

16.7 All developments must ensure no net increase in run-off from the development and that structures, works, pavement and drainage are designed in an environmentally sustainable manner to promote ground-water recharge and to avoid pollution.

Setbacks (Minimum distance to lot line)

16.8 The following minimum setbacks to lot lines apply:

Use	Front Lot Line	Rear Lot Line	Interior Side Lot Line	Exterior Side Lot Line
Residential	6.0m	6.0m	1.2m	4.5m
Sheds and Accessory	6.0m	1.0m	1.0m	4.5m

Building Height (Maximum)

16.9 The maximum allowable building heights are:

- (a) 10m and no more than 3 storeys for a single family or multi-family home;
- (b) 15m and no more than 5 storeys for apartment or townhouse buildings; and
- (c) 10m for accessory buildings.

Off-Street Parking Spaces (Minimum)

16.10 The following minimum number of off-street parking spaces shall be provided:

- (a) two (2) spaces per Dwelling Unit; and
- (b) one (1) space per five (5) Dwelling Units (accessible to the public and designated as "visitor parking"), where an equivalent number of on-street parking spaces are unavailable on a road abutting the property.

Fencing, Screening and Landscaping

16.11 The following minimum standards apply:

- (a) Screening shall be provided at the expense of the land-holder or developer between commercial, industrial, institutional and residential uses, and between multi-family residential development and single family detached/ duplex homes on adjacent properties.
- (b) Screening so required shall be installed along the common property line or within the required setback area (but not exposing any vehicle use area) and shall consist of one or a combination of the following:
 - (i) landscaped berm,
 - (ii) fence,

- (iii) masonry wall, or
- (iv) vegetation screen.
- (c) Despite subsection (a) above, screening shall not be required at entrances and exits or adjacent to structures which are sited within 0.3m of any property line.
- (d) The screening shall meet the following requirements:
 - (i) minimum height of 1.5m or as required within the zone;
 - (ii) vegetation screens may have a lower height at the time of first planting but must be maintained at the height required upon reaching maturity;
 - (iii) Masonry or concrete walls exceeding 1.2m in height may require a Development Permit;
 - (iv) View-obstructing fences shall consist of structurally suitable new construction materials and may require a Development Permit; and
 - (v) Any barb wire or razor wire on top of a fence shall be at least 2.0m from ground level

Signs

16.12 All signs shall be located, constructed and permitted in accordance with this Law and any other applicable Tzeachten Laws.

PART 17. 'MU' MIXED USE ZONE

Purpose

17.1 The 'MU' Mixed Use Zone is intended for uses which do not necessarily fit into one single Zone. Comprehensive or mixed use developments, for example, would be included within the Mixed Use Zone. Mixed uses are encouraged, particularly if they promote safe, livable and walkable neighbourhoods with environmentally sustainable developments, and easy access to a range of facilities and services.

Uses

17.2 The Mixed Use Zone may potentially include uses from other Zones and a range of mixed uses subject to approval by Council for a specific development for specific lands.

Process

17.3 Any Interest-holder or developer wishing to propose specific uses or developments for specific lands or structures within the Mixed Use Zone, shall first provide a complete application package to the Lands Office setting out in detail the proposed uses and developments.

17.4 If Council approves a detailed plan submitted under subsection 17.1, after having reviewed advice and recommendations from the Lands Management Advisory Committee, that portion of land will be re-zoned as "MU-1", "MU-2", etc. as the case may be, and the re-zoning will set out the specific uses, activities and developments permitted in that Zone.

PART 18. 'REC' RECREATION ZONE

Purpose

18.1 The 'REC' Recreation Zone is intended for uses which are specifically related to facilities which and areas which are intended for community recreation including, recreational areas, community recreation facilities and structures, parks, sports fields, trails, tourism and greenspace.

Uses

18.2 The following Uses shall be the only Uses permitted in this Zone, and unless specifically permitted elsewhere in this Law in provisions that apply to this Zone.

- (a) Administration relating to recreation;
- (b) Public or private assembly;
- (c) Accessory Dwelling Units;
- (d) Community parks and recreation;
- (e) Community recreation facilities and structures;
- (f) Education or training facilities;
- (g) Community health, sports medicine, and fitness facilities;
- (h) Tourism facilities;
- (i) Cultural facilities including Big Houses and Smoke Houses;
- (j) Cemeteries and burial grounds;
- (k) Concession stands and food and beverage services, subject to compliance with Tzeachten Laws and permits;
- (l) Temporary uses and structures and temporary facilities for community and recreation or sports events, subject to compliance with Tzeachten Laws and permits; and
- (m) Parking, loading and storage facilities directly related to one of the above uses.

Lot Size

18.3 The minimum lot size is 7266 sq. ft. or approximately 675 m².

Lot Dimensions (Minimum)

18.4 Where a parcel being created by subdivision fronts on a road or highway, the minimum frontage on the road or highway shall be 10% of the perimeter of the lot or greater unless exempted in writing by the Lands Manager or Council.

18.5 The minimum lot dimensions for any lot are 15m wide by 30m deep.

Density (Maximum)

18.6 N/A

Lot Coverage and Drainage

18.7 All developments must ensure no net increase in run-off from the development and that structures, works, pavement and drainage are designed in an environmentally sustainable manner to promote ground-water recharge and to avoid pollution.

Setbacks (Minimum distance to lot line)

18.8 The following minimum setbacks to lot lines apply:

Use	Front Lot Line	Rear Lot Line	Interior Side Lot Line	Exterior Side Lot Line
Accessory Dwelling Units	6.0m	6.0m	1.5m	4.5m
All other structures and buildings (excluding signs)	6.0m	6.0m	6.0m	6.0m

Heights (Maximum)

18.9 The maximum allowable building heights are:

- (a) 10m for accessory buildings; and
- (b) 15m for all other buildings and structures excluding signs.

Off-Street Parking (Minimum)

18.10 The minimum number of off-street parking spaces shall be:

- (a) one space per 30m² of recreation, indoor recreation or related structure; and
- (b) one bicycle parking space per fifteen car parking spaces.

18.11 The minimum size of each off-street parking lot shall be 3m x 7m.

Perimeter Buffer

18.12 A landscaped buffer shall be provided of not less than 8.0m from the Front Lot Line and not less than 5.0m from any other Lot Line. Within this buffer area, no buildings or dwellings, parking or storage, nor roadways will be permitted other than a perpendicular access or crossing.

Signs

18.13 All signs shall be located, constructed and permitted in accordance with Tzeachten Laws and may require a Development Permit.

PART 19. 'RMH' RESIDENTIAL MANUFACTURED AND MOBILE HOME ZONE

Purpose

19.1 The 'RMH' Residential Manufactured and Mobile Home Zone is intended for uses which are specifically residential in nature, for Mobile Home Parks.

No New Mobile Home Parks

19.2 There shall be no new Mobile Home Parks.

Uses

19.3 The following Uses shall be the only Uses permitted in this Zone unless specifically permitted elsewhere in this Law in provisions that apply to this Zone, and all of these uses are subject to all Tzeachten Laws and policies that apply to mobile homes and mobile home parks:

- (a) mobile home park,
- (b) single family residential units,
- (c) two-family residential,

- (d) single family detached dwelling,
- (e) mobile home or manufactured home,
- (f) Cultural facilities including Big Houses and Smoke Houses;
- (g) Cemeteries and burial grounds;
- (h) Accessory Use, and
- (i) Home-Based Business.

Compliance

19.4 All lots and structures must comply with:

- (a) the Building Code;
- (b) all Tzeachten Laws; and
- (c) all fire and safety regulations from any applicable law or regulation.

Services

19.5 For new mobile home park subdivisions and for each new or replacement mobile home or residential unit in an existing mobile home park, all residential units must have servicing (water, sewer, roads, sidewalks, lighting) in place and must be approved by the Tzeachten Lands Department, regardless of their intended density.

Lot Size

19.6 N/A

Lot Dimensions (Minimum)

19.7 Where a parcel being created by subdivision fronts on a road or highway, the minimum frontage on the road or highway shall be 10% of the perimeter of the lot or greater unless exempted in writing by the Lands Manager or Council.

Density (Maximum)

19.8 The maximum density shall not exceed:

- (a) 20 units per hectare or 8 units per acre.

Minimum Yard

19.9 The minimum yard requirements for each unit or pad is:

- (a) Front yard: 1.8m,
- (b) Rear yard: 1.8m, and
- (c) Side yard: 1.5m.

Setbacks (Minimum distance to lot line)

19.10 The following minimum setbacks to lot lines apply:

Use	Front Lot Line	Rear Lot Line	Interior Side Lot Line	Exterior Side Lot Line
Residential	6.0m	6.0m	1.2m	4.5m
Sheds and Accessory	6.0m	1.0m	1.0m	4.5m

Heights (Maximum)

19.11 The maximum allowable building heights are:

- (a) 10m for residential home; and

- (b) 10m for accessory buildings.

Off-Street Parking (Minimum)

19.12 The minimum number of off-street parking spaces shall be:

- (a) (one) 1 parking space per mobile home or manufactured home unit; and
- (b) one (1) space per five (5) Dwelling Units (accessible to the public and designated as "visitor parking"), where an equivalent number of on-street parking spaces are unavailable on a road abutting the property.

19.13 The minimum size of each off-street parking lot shall be 3m x 7m.

Perimeter Buffer

19.14 A landscaped buffer, which is separate from the individual mobile home pads, shall be provided of not less than 8.0m from the Front Lot Line and not less than 5.0m from any other Lot Line. Within this buffer area, no buildings or dwellings, parking or storage, nor roadways will be permitted other than a perpendicular access or crossing.

Recreation Area or Green Space

19.15 In addition to any required perimeter area, a recreation area or green space of not less than 5% of the gross site area shall be established:

- (a) Where indoor recreation space is provided, it shall be counted as double its actual area.

Signs

19.16 All signs shall be located, constructed and permitted in accordance with Tzeachten Laws and may require a Development Permit.

PART 20. OFFENCES AND PENALTIES

Offences

20.1 It is an offence to contravene this Law.

20.2 Without limited the generality of subsection 20.1, it is an offence to:

- (a) provide any false or misleading information in an application under this Law;
- (b) obstruct, interfere with, or deny access to an Inspector, Law Enforcement Officer, or other individual who is designated to enforce this Law; or
- (c) carry on, or suffer or permit an activity or use or proceed with a development:
 - (i) without applying for and receiving any permits or authorizations required under this Law; or
 - (ii) in a Zone which does not expressly permit that activity or use.

20.3 Each day that any such contravention is caused to continue, or allowed to continue, constitutes a separate offence.

Penalties

- 20.4 A person who contravenes this Law or an order made by a Court pursuant to this Law is guilty of an offence and liable on summary conviction to a fine of not more than \$10,000 for each offence.
- 20.5 A fine payable under paragraph 20.4 shall be remitted to the Tzeachten First Nation by the Court, after reasonable Court costs have been deducted.

Enforcement and Cease and Desist Orders

- 20.6 In addition to any other applicable fine, penalty, or remedy under this Law, the Lands Manager or General Manager may, in writing, suspend for up to three years or cancel any permit or authorization issue under this law if the holder commits any violation or offence under this Law.
- 20.7 In addition to any other applicable fine, penalty or remedy, Council, the Lands Manager, or a Law Enforcement Officer may:
- (a) issue a Stop Work Order or a Cease and Desist Order to order any Person who requires a Permit, re-zoning or other authorization under this Law but who has not received it, to cease carrying out any use, activity or development until such time as that Person applies for and receives the required Permit, re-zoning or other authorization; and
 - (b) in addition to (a), order that a Premises, or a portion of a Premises, be closed, shut down, sealed off, or otherwise made unavailable for use until such time as there are required Permits, re-zonings or authorizations in place for that Premises.
- 20.8 An order imposed under subsection 20.7:
- (a) may be registered in Court and enforced as a court order; and
 - (b) continues in force until the condition that led to it is remedied or until the activity that is the subject of the order receives the required Permit, re-zoning or authorizations under this Law.

PART 21. GENERAL

- 21.1 The headings of parts and sections in this Law have been inserted as a matter of convenience and for reference only and in no way define or limit or any of its provisions.
- 21.2 In the event that all or any part of any section or sections of this Law are found by a court of competent jurisdiction to be invalid, such sections shall be severable, and the remaining portions or sections shall remain in full force and effect.
- 21.3 If any portion of this Law is held invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Law shall be deemed to have been adopted without the severed portion.

PART 22. COMING INTO FORCE

22.1 This Law shall come into force and effect on the date it is passed by Council Resolution after complying with the requirements of Part 3 of the Land Code.

BE IT KNOWN that this Law entitled the *Tzeachten First Nation Zoning Law, 2015* is hereby enacted by a quorum of Council at a duly convened Council of the Tzeachten First Nation held on September 22, 2015.


Chief Glenda Campbell

Councillor Lawrence Roberts



Councillor Cathy Hall



Councillor Melvin Williams Jr.



Councillor Leslie Joe

A quorum consists of 3
Council Members

SCHEDULE 'A'

MAP OF ZONES

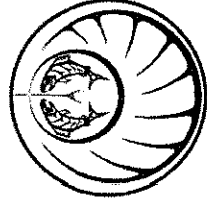
T'ZEACHTEN FIRST NATION

ZONING MAP



Legend

- Roads
 - Land Parcel Boundaries
 - Survey Lines
- LAND_USE**
- Agricultural
 - Commercial
 - Light Industrial
 - Mixed Use
 - Low Density Residential
 - Medium Density Residential
 - Recreational
 - Residential Mobile Home Park



Coordinate System: NAD83 UTM10N

1 cm = 124 metres 1:12,355
0 0.1 0.2 0.4 km

Date: 9/16/2015
Path: L:\GIS\Zoning_Map\03132015.mxd