



CORPORATION OF THE DISTRICT OF TOFINO

Zoning Bylaw No. 770, 1997

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Consolidated for Convenience Only

This is a consolidated version of the parent bylaw that incorporates changes made pursuant to the following amendment bylaws:

Amendment Bylaw	Effective Date
Bylaw #764, 1997	1997-12-22
Bylaw #766, 1997	1997-12-22
Bylaw #769, 1998	1998-03-23
Bylaw #773, 1998	1998-04-27
Bylaw #774, 1998	1998-09-17
Bylaw #779, 1998	1998-09-17
Bylaw #781, 1998	1998-10-14
Bylaw #786, 1998	1998-09-17
Bylaw #798, 1998	1998-12-14
Bylaw #802, 1998	1999-01-18
Bylaw #794, 1998	1999-03-22
Bylaw #800, 1998	1999-03-08
Bylaw #810, 1999	1999-05-25
Bylaw #811, 1999	1999-05-25
Bylaw #813, 1999	1999-07-12
Bylaw #818, 1999	1999-09-13
Bylaw #820, 1999	1999-10-12
Bylaw #821, 1999	2000-02-14
Bylaw #832, 1999	2000-02-14
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Bylaw #847, 2000	2000-07-17
Bylaw #853, 2000	2000-10-30
Bylaw #819, 1999	2000-06-12
Bylaw #854, 2000	2000-10-30
Bylaw #851, 2000	2001-01-15
Bylaw #862, 2000	2001-01-15
Bylaw #864, 2000	2001-01-15
Bylaw #885, 2001	2001-10-22
Bylaw #886, 2001	2001-10-22
Bylaw #894, 2002	2002-03-11
Bylaw #830, 1999	2002-04-15
Bylaw #898, 2002	2002-04-15
Bylaw #900, 2002	2002-06-10
Bylaw #901, 2002	2002-06-10
Bylaw #902, 2002	2002-06-24
Bylaw #903, 2002	2002-06-24
Bylaw #909, 2002	2002-06-24
Bylaw #912, 2002	2002-08-12
Bylaw #913, 2002	2002-09-16
Bylaw #914, 2002	2002-09-16
Bylaw #920, 2002	2002-10-21
Bylaw #921, 2002	2002-10-21
Bylaw #922, 2002	2002-10-21
Bylaw #919, 2002	2002-11-25
Bylaw #931, 2003	2003-02-10
Bylaw #917, 2002	2003-03-24
Bylaw #935, 2003	2003-03-24
Bylaw #938, 2003	2003-04-14
Bylaw #939, 2003	2003-04-14
Bylaw #944, 2003	2003-05-26
Bylaw #945, 2003	2003-06-23
Bylaw #925, 2002	2003-07-14
Bylaw #949, 2003	2003-07-14
Bylaw #951, 2003	2003-08-11
Bylaw #953, 2003	2003-08-11
Bylaw #957, 2003	2003-10-27
Bylaw #952, 2003	2004-01-19
Bylaw #884, 2001	2004-02-23
Bylaw #973, 2004	2004-10-25
Bylaw #976, 2004	2004-12-13
Bylaw #977, 2004	2004-12-13
Bylaw #975, 2004	2005-01-17
Bylaw #978, 2004	2005-01-17
Bylaw #981, 2005	2005-02-21
Bylaw #984, 2005	2005-04-12
Bylaw #990, 2005	2005-04-25
Bylaw #996, 2005	2005-06-13
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Bylaw #1002, 2005	2005-09-12
Bylaw #1003, 2005	2005-09-12
Bylaw #1015, 2005	2005-11-05
Bylaw #1016, 2005	2006-01-16
Bylaw #980, 2004	2006-02-13
Bylaw #1017, 2005	2006-03-13
Bylaw #1027, 2006	2006-06-26
Bylaw #1037, 2006	2006-12-11
Bylaw #1051, 2007	2007-08-20
Bylaw #1042, 2006	2007-11-13
Bylaw #1076, 2008	2008-10-14
Bylaw #1114, 2010	2010-06-08
Bylaw #1121, 2010	2010-06-22
Bylaw #1111, 2010	2010-07-20
Bylaw #1125, 2010	2010-10-26
Bylaw #1139, 2011	2011-02-11
Bylaw #1133, 2010	2011-02-22
Bylaw #1147, 2011	2011-04-12
Bylaw #1127, 2010	2011-06-28
Bylaw #1141, 2011	2011-06-28
Bylaw #1155, 2011	2011-06-28
Bylaw #1158, 2011	2011-08-16
Bylaw #1160, 2011	2011-09-13
Bylaw #1136, 2010	2011-10-11
Bylaw #1159, 2011	2012-06-26
Bylaw #1175, 2012	2013-03-26
Bylaw #1171, 2012	2013-04-09
Bylaw #1131, 2010	2015-06-23
Bylaw #1211, 2015	2015-10-13
Bylaw #1203, 2014	2016-03-15
Bylaw #1218, 2015	2016-12-06
Bylaw #1227, 2016	2017-01-24
Bylaw #1228, 2016	2017-04-25
Bylaw #1223, 2016	2017-10-10
Bylaw #1234, 2017	2018-05-22
Bylaw #1238, 2018	2018-06-26
Bylaw #1238.01, 2018	2018-08-28
Bylaw #1154, 2011	2018-08-28
Bylaw #1241, 2019	2019-02-12
Bylaw #1242, 2019	2019-02-26
Bylaw #1222, 2016	2019-04-09
Bylaw # 1258, 2019	2019-04-09
Bylaw # 1270, 2019	2019-11-12
Bylaw # 1278, 2020	2020-05-12
Bylaw # 1285, 2020	2020-06-15
Bylaw # 1279, 2020	2020-08-11
Bylaw # 1274, 2020	2020-08-11
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Bylaw # 1293, 2020	2021-04-13
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Bylaw # 1287, 2022	2022-03-22
Bylaw #1296, 2022	2022-03-22
Bylaw #1302, 2022	2022-04-12
Bylaw #1286, 2022	2022-05-10
Bylaw #1321, 2022	2022-08-23
Bylaw #1334, 2024	2024-03-12

This consolidation is for convenience and reference purposes only. Persons making use of this consolidated version of Bylaw No. 770 are advised that it is not a legal document. For the purposes of interpreting and applying the law, the original Bylaw No. 770 and all amending bylaws must be consulted.

Bylaw numbers appearing in the margin of this consolidated version refer to the applicable amendment bylaw.

TABLE		OF
	CONTENTS.....	iv
PART 1	INTRODUCTION	2
1.1	Title	2
1.2	Schedules.....	2
1.3	Bylaws Repealed	2
1.4	Measurements	2
1.5	Severability.....	2
PART 2	DEFINITIONS.....	3
PART 3	BASIC PROVISIONS	19
3.1	Official Zoning Map	19
3.2	Compliance with Other Legislation	19
3.3	Zoning Districts	19
3.4	Zoning Districts	21
3.5	Interpretation of Tables.....	21
PART 4	GENERAL PROVISIONS	22
4.1	Structures.....	22
4.2	Site Layout	25
4.3	Use	27
PART 5	ADMINISTRATION AND ENFORCEMENT.....	31
5.1	Administration	31
5.2	Permits and Licences.....	31
5.3	Violation.....	31
5.4	Inspection.....	31
5.5	Penalties	31
5.6	Bylaw Amendments	32
PART 6	OFF-STREET PARKING AND LOADING	33
6.1	General Requirements	33
6.2	Units of Measurement.....	33
6.3	Required Off-Street Parking Spaces	33
6.4	Use of Parking Facilities	35
6.5	Parking and Loading for Mixed Uses	35
6.6	Parking Spaces for Disabled.....	35

6.7	Location of Parking Areas	35
6.8	Design Criteria for Parking Spaces	36
6.9	Required Loading Spaces	37
6.10	Parking-in-lieu Provisions	37
6.11	38	
PART 7	LANDSCAPING	40
7.1	Landscaping and Screening Along Highway 4	40
7.2	Landscaping in Commercial Core	40
7.3	General Landscape Provisions	40
7.4	Fences	40
PART 8	SINGLE FAMILY RESIDENTIAL DISTRICT (R1)	42
8.1	Primary Use.....	42
8.2	Secondary Uses.....	42
8.3	Minimum Lot Area	42
8.4	Minimum Lot Width	42
8.5	Maximum Lot Coverage	42
8.6	Maximum Building Height	42
8.7	Minimum Yard Requirements.....	42
8.8	Other Provisions and Off-Street Parking	42
PART 9	TWO FAMILY RESIDENTIAL DISTRICT (R2)	43
9.1	Uses Permitted	43
9.2	Minimum Lot Area	43
9.3	Minimum Lot Width	43
9.4	Maximum Lot Coverage	43
9.5	Maximum Building Height	43
9.6	Minimum Yard Requirements.....	43
9.7	Other Provisions and Off-Street Parking	43
PART 10	MIXED USE, INTERMEDIATE DENSITY, COMPREHENSIVE RESIDENTIAL DISTRICT (R4)	44
10.1	Uses permitted.....	44
10.2	Applicability	44
10.3	Minimum Lot Area	44
10.4	Density of Dwelling Units	44
10.5	Comprehensive Plan Components	45
10.6	Density Bonus Criteria.....	45
10.7	Density of Dwelling Units	45
10.8	Minimum Lot Width	45
10.9	Maximum Lot Coverage	45
10.10	Maximum Building Height	46
10.11	Minimum Yard Requirements.....	46
10.12	Other Provisions and Off-Street Parking	46
PART 11	MEDIUM MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM2).....	47
11.1	Uses Permitted	48
11.2	Minimum Lot Area	48
11.3	Minimum Lot Width	48
11.4	Density	48
11.5	Maximum Lot Coverage	48
11.6	Maximum Building Height	48
11.7	Minimum Yard Requirements.....	48
11.8	Usable Open Space	48
11.9	Off-Street Parking, Landscaping and Other Provisions.....	49
PART 12	MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM3).....	50
12.1	Uses Permitted	50
12.2	Minimum Lot Area	50
12.3	Minimum Lot Width	50
12.4	Density	50
12.5	Maximum Lot Coverage	50

12.6	Maximum Building Height	50
12.7	Minimum Yard Requirements.....	50
12.8	Usable Open Space	50
12.9	Off-Street Parking, Landscaping and Other Provisions.....	51
PART 13	MOBILE HOME PARK DISTRICT (RMH)	52
13.1	Uses Permitted	52
13.2	Minimum Lot Area	52
13.3	Minimum Lot Width	52
13.4	Density.....	52
13.5	Maximum Lot Coverage	52
13.6	Maximum Building Height	52
13.7	Minimum Yard Requirements for Mobile Home Park	52
13.8	Minimum Yard Requirements for Mobile Home Site.....	53
13.9	Development Standards	53
13.10	Off-Street Parking, Landscaping and Other Provisions.....	53
PART 14	SMALL HOLDINGS DISTRICT (A1)	54
14.1	Primary Use.....	54
14.2	Secondary Uses.....	54
14.3	Minimum Lot Area	54
14.4	Minimum Lot Width	54
14.5	Maximum Lot Coverage	54
14.6	Maximum Building Height	54
14.7	Minimum Yard Requirements.....	54
14.8	Off-Street Parking and Other Provisions	54
PART 15	RURAL DISTRICT (A2).....	55
15.1	Primary Use.....	55
15.2	Secondary Uses.....	55
15.3	Minimum Lot Area	55
15.4	Minimum Lot Width	55
15.5	Maximum Lot Coverage	55
15.6	Maximum Building Height	55
15.7	Minimum Yard Requirements.....	55
15.8	Off-Street Parking and Other Provisions	55
PART 16	FOREST RURAL DISTRICT (A3)	56
16.1	Uses Permitted	56
16.2	Secondary Uses.....	56
16.3	Minimum Lot Area	56
16.4	Minimum Lot Width	56
16.5	Maximum Lot Coverage	56
16.6	Maximum Building Height	56
16.7	Minimum Yard Requirements.....	56
16.8	Off-Street Parking and Other Provisions	56
PART 17	FOREST RESERVE DISTRICT (A4).....	57
17.1	Uses Permitted	57
17.2	Secondary Uses.....	57
17.3	Minimum Lot Area	57
17.4	Minimum Lot Width	57
17.5	Maximum Lot Coverage	57
17.6	Maximum Building Height	57
17.7	Minimum Yard Requirements.....	57
17.8	Off-Street Parking and Other Provisions	57
PART 18	ACREAGE RESIDENTIAL DISTRICT (RA1)	58
18.1	Uses Permitted	58
18.2	Secondary Uses.....	58
18.3	Minimum Lot Area	58
18.5	Maximum Building Height	58
18.6	Minimum Yard Requirements.....	58

18.7	Maximum Lot Coverage	58
18.8	Off-Street Parking and Other Provisions	58
PART 19	ACREAGE RESIDENTIAL DISTRICT (RA2)	59
19.1	Uses Permitted	59
19.2	Secondary Uses.....	59
19.3	Minimum Lot Area	59
19.5	Maximum Building Height	59
19.6	Minimum Yard Requirements.....	59
19.7	Maximum Lot Coverage	59
19.8	Off-Street Parking and Other Provisions	59
PART 20	ACREAGE RESIDENTIAL DISTRICT (RA3)	60
20.1	Uses Permitted	60
20.2	Secondary Uses.....	60
20.3	Minimum Lot Area	60
20.5	Maximum Building Height	60
20.6	Minimum Yard Requirements.....	60
20.7	Maximum Lot Coverage	60
20.8	Off-Street Parking and Other Provisions	60
PART 21	GUEST-HOUSE (PENSION) ACCOMMODATION DISTRICT (CG1).....	61
21.1	Uses Permitted	61
21.2	Minimum Lot Area	61
21.3	Minimum Lot Width	61
21.4	Maximum Lot Coverage	61
21.5	Maximum Building Height	61
21.6	Minimum Yard Requirements.....	61
21.7	Other provisions and Off-Street Parking	61
21.8	Conditions of Use	61
PART 22	LOCAL COMMERCIAL DISTRICT (C1).....	63
22.1	Uses Permitted	63
22.2	Minimum Lot Area	63
22.4	Maximum Lot Coverage	63
22.5	Maximum Building Height	63
22.6	Minimum Yard Requirements.....	63
22.7	Maximum Retail Floor Area	63
PART 23	GENERAL COMMERCIAL DISTRICT (C2).....	65
23.1	Uses Permitted	65
23.2	Conditions of Use	65
23.3	Minimum Lot Area	65
23.4	Minimum Lot Width	65
23.5	Maximum Building Height	65
23.6	Minimum Yard Requirements.....	65
23.7	Maximum Lot Coverage	66
23.8	Prohibited Use of Space	66
23.9	Off-Street Parking and Loading, Landscaping and Other Provisions	66
23.10	Addition to Uses Permitted	66
PART 24	CORE COMMERCIAL DISTRICT (C2-A).....	67
24.1	Uses Permitted	67
24.2	Conditions of Use	67
24.3	Minimum Lot Area	67
24.4	Minimum Lot Width	67
24.5	Maximum Building Height	67
24.6	Minimum Yard Requirements.....	67
24.7	Maximum Lot Coverage	68
24.8	Prohibited Use of Space	68
24.9	Off-Street Parking and Loading, Landscaping and Other Provisions	68
24.10	Parking Lot.....	68
PART 25	SERVICE COMMERCIAL DISTRICT (C3)	69

25.1	Uses Permitted	69
25.2	Conditions of Use	69
25.3	Minimum Lot Area	69
25.4	Minimum Lot Width	69
25.5	Maximum Lot Coverage	69
25.6	Maximum Building Height	70
25.7	Minimum Yard Requirements.....	70
25.8	Off-Street Parking and Loading, Landscaping and Other Provisions	70
PART 26	HIGHWAY COMMERCIAL DISTRICT (C4).....	71
26.1	Uses Permitted	71
26.2	Minimum Lot Area	71
26.3	Minimum Lot Width	71
26.4	Maximum Building Height	71
26.5	Minimum Yard Requirements.....	71
26.6	Maximum Lot Coverage	71
PART 27	HIGHWAY COMMERCIAL RETAIL DISTRICT (C-4A)	72
27.1	Uses Permitted	72
27.2	Conditions of Use	72
27.3	Minimum Lot Area	73
27.4	Minimum Lot Width	73
27.5	Maximum Building Height	73
27.6	Minimum Yard Requirements.....	73
27.7	Maximum Lot Coverage	73
27.8	Off-Street Parking and Loading, Landscaping and Other Provisions	73
PART 28	TOURIST COMMERCIAL DISTRICT (C5)	74
28.1	Uses Permitted	74
28.2	Conditions of Use	74
28.3	Minimum Lot Area	75
28.4	Minimum Lot Width	75
28.5	Maximum Building Height	75
28.6	Minimum Yard Requirements.....	75
28.7	Maximum Lot Coverage	75
28.8	Off-Street Parking and Loading, Landscaping and Other Provisions	75
PART 29	CAMPGROUND COMMERCIAL DISTRICT (C6).....	76
29.1	Uses Permitted	76
29.2	Density.....	76
29.3	Maximum Lot Coverage	76
29.4	Minimum Lot Area	76
29.5	Minimum Lot Width	76
29.6	Maximum Building Height	76
29.7	Minimum Yard Requirements.....	76
29.8	Off-Street Parking and Loading and Other Provisions.....	76
29.9	Conditions of Use	77
PART 30	DESTINATION CAMPGROUND DISTRICT (C7)	78
30.1	Uses Permitted	78
30.3	Maximum Lot Coverage	78
30.4	Minimum Lot Area	78
30.5	Maximum Building Height	78
30.7	Minimum Yard Requirements.....	78
30.8	Off-Street Parking and Loading and Other Provisions.....	78
30.9	Conditions of Use	79
PART 31	HOSTEL ACCOMMODATION DISTRICT (H1)	80
31.1	Uses Permitted	80
31.2	Minimum Lot Area	80
31.4	Maximum Lot Coverage	80
31.5	Maximum Building Height	80
31.6	Minimum Yard Requirements.....	80

31.7	Off Street Parking and Other Requirements	80
31.8	Conditions of Use	80
PART 32	INDUSTRIAL PARK DISTRICT (M1)	82
32.1	Uses Permitted	82
32.2	Minimum Lot Area	82
32.3	Minimum Lot Width	82
32.4	Maximum Lot Coverage	82
32.5	Maximum Building Height	82
32.6	Minimum Yard Requirements.....	82
32.7	Off-Street Parking and Loading, Landscaping and Other Provisions	82
32.8	Addition to Uses Permitted	83
PART 33	LIGHT INDUSTRIAL DISTRICT (M2).....	84
33.1	Uses Permitted	84
33.2	Minimum Lot Area	84
33.3	Minimum Lot Width	84
33.4	Maximum Lot Coverage	84
33.5	Maximum Building Height	84
33.6	Minimum Yard Requirements.....	84
33.7	Off-Street Parking and Loading, Landscaping and Other Provisions	84
PART 34	HEAVY INDUSTRIAL DISTRICT (M3)	85
34.1	Uses Permitted	85
34.2	Minimum Lot Area	85
34.3	Minimum Lot Width	85
34.4	Maximum Lot Coverage	85
34.5	Maximum Building Height	85
34.6	Minimum Yard Requirements.....	85
34.7	Off-Street Parking and Loading, Landscaping and Other Provisions	85
34.8	Condition of Use	85
34.9	Heavy Industrial District (M3):.....	85
PART 35	PARKS AND INSTITUTIONS DISTRICT (P1).....	86
35.1	Uses Permitted	86
35.2	Minimum Lot Area	86
35.3	Minimum Lot Width	86
35.4	Maximum Lot Coverage	86
35.5	Maximum Building Height	86
35.6	Minimum Yard Requirements.....	86
35.7	Off-Street Parking and Loading, Landscaping and Other Provisions	86
PART 35A	COMPREHENSIVE COMMERCIAL INSTITUTIONAL (P1-A) DISTRICT	87
35A.1	Uses Permitted	87
35A.2	Conditions of Use	87
35A.3	Minimum Lot Area	89
35A.4	Minimum Lot Width	89
35A.5	Maximum Lot Coverage	89
35A.6	Maximum Building Height	89
35A.7	Minimum Yard Requirements.....	89
35A.8	Off-Street Parking, Loading, Landscaping and Other Provisions	89
PART 36	PARK AND PUBLIC USE DISTRICT (P2)	90
36.1	Uses Permitted	90
36.2	Minimum Lot Area	90
36.3	Minimum Lot Width	90
36.4	Maximum Lot Coverage	90
36.5	Maximum Building Height	90
36.7	Off-Street Parking and Loading, Landscaping and Other Provisions	90
PART 37	WATERFRONT COMMERCIAL DISTRICT (W1).....	91
37.1	Uses Permitted	91
37.2	Conditions of Use	91
37.3	Maximum Building Height	92

37.4	Off-Street Parking and Loading and Other Provisions.....	92
37.5	Minimum Yard Requirements.....	92
PART 38	WATERFRONT INDUSTRIAL DISTRICT (W2).....	93
38.1	Uses Permitted	93
38.2	Conditions of Use.....	93
38.3	Maximum Building Height	93
38.4	Off-Street Parking and Loading and Other Provisions.....	93
38.5	Minimum Yard Requirements.....	93
PART 39	BULK AND SITE REGULATIONS	94
PART 40	OCEAN PARKS COMPREHENSIVE DEVELOPMENT ZONE CD(OP).....	96
40.1	Uses Permitted	96
40.2	Minimum Lot Area	96
40.3	Maximum Density	96
40.4	Minimum Lot Width	96
40.5	Maximum Building Height of Principal Buildings	96
40.6	Maximum Building Height of Accessory Buildings	96
40.7	Minimum Yard Requirements.....	96
40.8	Maximum Lot Coverage.....	96
40.9	General Provisions.....	97
40.10	Off-Street Parking and Loading	97
40.11	Landscaping.....	97
PART 41A	1431 PACIFIC RIM HIGHWAY COMPREHENSIVE DEVELOPMENT DISTRICT CD(1431).....	98
41A.1	Uses Permitted	98
41A.2	Density of Tourist Accommodation Use	98
41A.3	Subdivision	99
41A.4	Maximum Gross Floor Area.....	99
41A.5	Maximum Building Height	99
41A.6	Minimum Yard Requirements.....	99
41A.7	Maximum Lot Coverage.....	99
41A.8	Off-Street Parking and Other Provisions	99
PART 41B	GRICE POINT COMPREHENSIVE DEVELOPMENT DISTRICT (CD-GP).....	103
41B.1	Uses Permitted	103
41B.2	Conditions of Use.....	103
41B.3	Minimum Lot Area	103
41B.4	Maximum Density	103
41B.5	Maximum Building Height of Principal Buildings	103
41B.6	Minimum Yard Requirements.....	103
41B.7	Maximum Lot Coverage.....	103
41B.8	General Provisions.....	103
41B.9	Off-Street Parking and Other Provisions	103
PART 41C	YEW WOOD COMPREHENSIVE DEVELOPMENT DISTRICT – (CD-YW)).....	105
41C.1	Permitted Land Uses.....	105
41C.2	Building and Structure Specifications	105
41C.3	Minimum Building Setbacks.....	105
41C.4	Off-Street Parking and Loading, Landscaping, and Other Provisions	105
41C.5	Yew Wood Subdivision Plan	107
PART 41D	THE SHORE COMPREHENSIVE DEVELOPMENT ZONE – CD(TS).....	108
41D.1	Uses Permitted	108
41D.2	Maximum Building Height	108
41D.3	Minimum Yard Requirements.....	109
41D.4	Maximum Lot Coverage.....	109
41D.5	Off-Street Parking and Loading	109
41D.6	Landscaping and Other Provisions.....	109
41D.7	Public Access Requirements	109
PART 41E	DOWNTOWN CORE 1 - COMPREHENSIVE DEVELOPMENT DISTRICT (CD-DC1)	

41E.1	Uses Permitted	110
41E.2	Conditions of Use	110
41E.3	Minimum Lot Area	110
41E.4	Minimum Lot Width	110
41E.5	Maximum Building Height	110
41E.6	Yard Requirements.....	110
41E.7	Maximum Lot Coverage	111
41E.8	Prohibited Use of Space	111
41E.9	Parking.....	111
41E.10	Landscaping and Other Provisions.....	111
PART 41F DOWNTOWN CORE 2 COMPREHENSIVE DEVELOPMENT DISTRICT (CD-DC2)		
112		
41F.1	Uses Permitted	113
41F.2	Conditions of Use	113
41F.3	Density.....	113
41F.4	Lot Coverage.....	115
41F.5	Building Height	115
41F.6	Yard Requirements.....	115
41F.7	Parking.....	115
41F.8	Landscaping.....	115
41F.9	Other Provisions.....	115
PART 41G THC LOW TO MEDIUM MULTIPLE FAMILY RESIDENTIAL DISTRICT (CD-THC1)		
119		
41G.1	Permitted Uses	119
41G.2	Prohibited Uses	119
41G.3	Density	119
41G.4	Lot Area	119
41G.5	Lot Width	119
41G.6	Lot Coverage.....	119
41G.7	Building Height	120
41G.8	Floor Area Ratio.....	120
41G.9	Setbacks	120
41G.10	Off-Street Parking	120
41G.11	Landscaping	120
41G.12	Other.....	121
PART 41H DOWNTOWN CORE 3 - COMPREHENSIVE DEVELOPMENT DISTRICT (CD-DC3)		
122		
41H.1	Uses Permitted	122
41H.2	Conditions of Use	122
41H.3	Minimum Lot Area	122
41H.4	Minimum Lot Width	122
41H.5	Maximum Building Height	123
41H.6	Yard Requirements.....	123
41H.7	Maximum Lot Coverage	123
41H.8	Maximum Floor Space Area	123
41H.9	Prohibited Use of Space	123
41H.10	Parking and Other Provisions	123
41H.11	Landscaping.....	123
41I.1	Uses Permitted	125
41I.2	Conditions of Use	125
41I.3	Minimum Lot Area	125
41I.4	Minimum Lot Width	125
41I.5	Maximum Building Height	125
41I.6	Yard Requirements.....	125
41I.7	Maximum Lot Coverage	126
41I.8	Maximum Floor Space Area	126
41I.9	Prohibited Use of Space	126

41I.10	Parking and Other Provisions	126
41I.11	Landscaping.....	126
41J.11	Other Provisions.....	130
PART 41K THE DEPARTMENT OF FISHERIES AND OCEANS COMPREHENSIVE DEVELOPMENT ZONE CD(DFO).....		131
41K.1	Uses Permitted	132
41K.2	Conditions of Use	132
41K.3	Minimum Lot Area	132
41K.4	Minimum Lot Width	132
41K.5	Maximum Building Height	132
41K.6	Yard Requirements.....	132
41K.7	Maximum Lot coverage.....	132
41K.8	Prohibited Use of Space	132
41K.9	Parking.....	133
41K.10	Landscaping and Other Provisions	133
PART 41L DOWNTOWN CORE 5 COMPREHENSIVE DEVELOPMENT ZONE (DC5)		134
41L.1	Uses Permitted	134
41L.2	Conditions of Use	134
41L.3	Maximum Building Height	134
41L.4	Minimum Yard Requirements.....	134
41L.5	Maximum Lot Coverage	134
41L.6	Maximum Floor Area Ratio	134
41L.7	Unit Density.....	134
41L.7	Off-Street Parking and Loading, Landscaping and Other Provisions	134
PART 41M THE TOFINO FISH COMPANY COMPREHENSIVE DEVELOPMENT ZONE CD(TFC).....		136
41M.1	Uses Permitted	136
41M.2	Minimum Lot Area	136
41M.3	Minimum Lot Width	136
41M.4	Maximum Building Height	136
41M.5	Maximum Lot Coverage	136
41M.6	Maximum Floor Area Ratio	136
41M.7	Prohibited Use of Space	136
41M.8	General Provisions	137
41M.9	Off-Street Parking and Other Provisions	137
41M.10	Landscaping.....	137
PART 41N DOWNTOWN CORE 6 COMPREHENSIVE DEVELOPMENT DISTRICT (CD-DC6)		139
41N.1	Uses Permitted	139
41N.2	Conditions of Use	139
41N.3	Floor Area Ratio.....	139
41N.4	Lot Coverage.....	139
41N.5	Building Height	139
41N.6	Yard Requirements.....	139
41N.7	Parking.....	140
41N.8	Landscaping.....	140
41N.9	Other	140
PART 41O THC SHARP ROAD RESIDENTIAL COMPREHENSIVE DEVELOPMENT ZONE (THC2).....		143
41O.1	Uses Permitted	143
41O.2	Minimum Lot Area	143
41O.3	Minimum Lot Width	143
41O.4	Maximum Building Height	143
41O.5	Minimum Yard Requirements.....	143
41O.6	Maximum Lot Coverage	143
41O.7	Maximum Floor Area Ratio	143
41O.8	Unit Density.....	143

41O.9	Off-Street Parking and Loading, Landscaping and Other Provisions	143
PART 41P	AFFORDABLE RESIDENTIAL 1 COMPREHENSIVE DEVELOPMENT ZONE (AR1)	144
41P.1	Uses Permitted	144
41P.2	Minimum Lot Size	144
41P.3	Maximum Density	144
41P.4	Building and Structure Specifications	144
41P.5	Minimum Yard Requirements	144
41P.6	Off-Street Parking and Loading, Landscaping and Other Provisions	144
PART 41Q	CBT INSTITUTIONAL COMPREHENSIVE DEVELOPMENT ZONE (CD-CBT)	146
41Q.1	Uses Permitted	146
1.	Assembly use;	146
41Q.2	Minimum Lot Area	146
41Q.3	Minimum Lot Width	146
41Q.4	Maximum Building Height	146
41Q.5	Minimum Yard Requirements	146
41Q.6	Maximum Lot Coverage	146
41Q.7	Maximum Floor Area Ratio	146
41Q.8	Accessory Residential Unit Density	146
41Q.9	Off-Street Parking and Loading	146
41Q.10	Landscaping and Other Provisions	146
All other landscaping and other provisions shall be required in accordance with Part 4 and Part 7 of this Zoning Bylaw.....		146
PART 42	EIK LANDING COMPREHENSIVE DEVELOPMENT ZONE CD(EL)	147
42.1	Uses Permitted	147
42.2	Temporary Accommodation.....	147
42.3	Minimum Lot Area	147
42.4	Maximum Density	147
42.5	Minimum Lot Width	147
42.6	Maximum Building Height of Principal Buildings	147
42.7	Minimum Yard Requirements.....	147
42.8	Maximum Lot Coverage	147
42.9	General Provisions	148
42.10	Off-Street Parking and Loading	148
42.11	Landscaping.....	148
PART 43	OLD TOFINO VILLAGE COMPREHENSIVE DEVELOPMENT ZONE CD(OTV) ..	149
43.1	Uses Permitted	149
43.2	Conditions of Use	149
43.3	Minimum Lot Area	149
43.4	Maximum Density	149
43.5	Maximum Building Height of Principal Buildings	149
43.6	Minimum Yard Requirements.....	149
43.7	Maximum Lot Coverage	150
43.8	General Provisions	150
43.9	Off-Street Parking and Loading	150
43.10	Landscaping.....	150
PART 44	ECOLOGICALLY SENSITIVE CONSERVATION DISTRICT (ES1)	151
44.1	Permitted Principal Uses	151
PART 45	ECOLOGICALLY SENSITIVE RECREATION DISTRICT (ES2)	152
45.1	Permitted Principal Uses	152
PART 46	ECOLOGICALLY SENSITIVE RESIDENTIAL DISTRICT (ES3)	153
46.1	Principal Permitted Uses	153
46.2	Maximum Building Height	153
46.3.	Other Regulations	153
PART 47	MARINE COMMUNITY DISTRICT (MC1)	154
47.1	Principal Permitted Uses	154
47.2	Maximum Building Height	154

47.3. Other Regulations	154
PART 60 (COVID-19).....	155
Part 70 Development Permit Area Guidelines.....	156
Part 70.1 - Downtown Main Street (DPA 1).....	156
Part 70.2 - Downtown Campbell Street (DPA 2).....	160
Part 70.3 - Gateway (DPA 3).....	164
Part 70.4 - Foreshore (DPA 4).....	174
Part 70.5 - Mudflats (DPA 5).....	177
Part 70.6 - Riparian (DPA 6).....	181
Part 70.7 - Tourism Focus (DPA 7).....	184
Part 70.8 - Wildlife Habitat (DPA 8).....	188
Part 70.9 - Cox Bay (DPA 9).....	192
Part 70.10 - Steep Slope (DPA 10).....	196
LIST OF AMENDMENTS.....	201

THE CORPORATION OF THE DISTRICT OF TOFINO

BYLAW NO. 770

ZONING BYLAW

A bylaw to divide the District into Zoning Districts and to provide for regulations governing the use of land, buildings, and structures, off-street parking and loading and landscape screening.

NOW THEREFORE The Council of the Corporation of the District of Tofino, in the Province of British Columbia, in Open Meeting Assembled, HEREBY ENACTS AS FOLLOWS:

PART 1 INTRODUCTION

1.1 Title

This bylaw may be cited as the "District of Tofino Zoning Bylaw No. 770, 1997."

1.2 Schedules

The Official Zoning Map is attached and forms Schedule "A" to this bylaw.

1.3 Bylaws Repealed

The Tofino Zoning Bylaw No. 213, 1975 and amendments thereto are hereby repealed.

1.4 Measurements

All dimensions and other measurements in this bylaw are expressed in the Standard International Units (Metric) system. Equivalents in the Imperial system shown in brackets are rounded and included for convenience only, and do not form part of this bylaw.

1.5 Severability

The provisions of this bylaw are severable. If any provision is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this bylaw.

PART 2 DEFINITIONS

In this bylaw all words or phrases have their normal or common meaning except where they are changed, modified or expanded by the following:

ACCESSORY BUILDING means a subordinate detached building, the use or intended use of which is incidental to and ancillary to that of a principal building situated on the same lot.

ACCESSORY GASOLINE SALES means the retail sale of motor fuels and lubricants, excluding propane, which is ancillary to the principal use situated on the same lot.

Bylaw 1223 ⇒ **ACCESSORY LOUNGE** means an indoor area attached to a brewery or distillery located on a licensed manufacturing site, with a maximum floor area of 68 m², and a maximum of 35 seats, where patrons may purchase and consume the manufacturer's liquor.

ACCESSORY RESIDENTIAL USE means a use accessory to a principal use other than a residential use, where a dwelling unit, located within the principal use building or in a separate building, is provided for the accommodation of an owner, operator, manager or employee on the same lot as that on which the use occurs.

ACCESSORY USE means a use incidental to and subordinate to the principal use or building which is located on the same site as the principal use or building.

Bylaw 1238 ⇒ **ACMPR** means the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230 under the *Controlled Drugs and Substances Act*, S.C. 1996, c. 19, or successor legislation.

Bylaw 981 ⇒ **ACCOMMODATION - TEMPORARY OR TRANSIENT** [repealed by Bylaw 1222]

Bylaw 981 ⇒ **ACCOMMODATION - RESIDENT OR PERMANENT** [repealed by Bylaw 1222]

ANIMAL HOSPITAL means any building, structure or premises in which animals are cared for, treated, maintained or hospitalized.

APARTMENT means a dwelling unit contained in an apartment building.

Bylaw 981 ⇒ **APARTMENT BUILDING** means a building used for residential use having three (3) or more dwelling units.

ASSEMBLY USE means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, private educational purposes and similar uses and includes but is not limited to auditoriums, youth centres, social halls and churches but excludes clubs.

ATTIC means any space under a roof having a minimum 2.1 metres (7 feet) head clearance and used only for storage purposes. For the purposes of this bylaw attic space is not habitable space.

AUCTION ROOM means a place of assembly where general retail or wholesale auctioning is carried on.

Bylaw 774 ⇒ **Bylaw 1222** ⇒ **BASEMENT** means a level or levels of a building located below the first storey and having a ceiling elevation of no more than 1 metre (3 feet) and no less than 0.6 metres (2 feet) above the adjacent finished grade.

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Bylaw 981 => **BED AND BREAKFAST** means the use of a single family dwelling by a permanent resident of the dwelling as tourist accommodation including breakfast, while the operator continues to reside in the dwelling.

Bylaw 1222 =>

BEDSPACE means a bed or portion of a bed on which one person may sleep.

Bylaw 1 => **BREWERY LOUNGE** means an indoor area attached to a brewery located on a licensed manufacturing site, with a maximum floor area of 111 m², and a maximum of 70 seats, where patrons may purchase and consume the manufacturer's liquor.

Bylaw 1287 => **BUILDING** means a structure other than a shipping container, used or intended for supporting any use or occupancy.

BUILDING AREA means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of firewalls; includes the entire building footprint but excludes non-habitable areas, garages, and carports.

BUILDING LINES means the extended line of the exterior wall of a building; and in particular:

- a) **FRONT BUILDING LINE** means the extended line of the exterior wall of a building which faces the front lot line;
- b) **REAR BUILDING LINE** means the extended line of the exterior wall of a building which faces the rear lot line;
- c) **SIDE BUILDING LINE** means the extended line of the exterior wall of a building which faces a side lot line.

BUILDING, TEMPORARY means a building which is not supported on permanent foundations and which is not or may not be connected to municipal services, but does not include a private garage or other accessory building. Temporary buildings shall also include boat shelters, bunkhouses, skid shacks, huts, tents, trailers, portable building or structure, whether or not the same be placed on a foundation or affixed to the land in any way.

CAFE means a restaurant facility which is limited to a maximum of 12 seats only.

Bylaw 1222 => **CAMPGROUND** means a site operated and occupied as tourist accommodation in tents, travel trailers and recreational vehicles, with accessory sanitary, laundry, stores and recreation facilities for the sole use of the occupants of the campground; but a campground is not a mobile-home park, motel, hotel, or auto court.

Bylaw 1238 => **CANNABIS** means any part of a cannabis plant including its preparations and derivatives but does not include: a non-viable seed of a cannabis plant; a mature stalk of a cannabis plant, without any leaf, flower, seed or branch, and fiber derived from such stalks; and the roots or any part of the root of a cannabis plant.

Bylaw 1238 => **CANNABIS PRODUCTION** means the use of any land, building or structure for purposes involving the growing, production, processing, destruction, storage or distribution of Cannabis but does not include:

- a) Cannabis Sales; or,
- b) Non-commercial production by a Registered Person or Designated Person as authorized under Part 2 of the ACMPR.

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Bylaw 1238 → **CANNABIS SALES** means the retail or wholesale sale of Cannabis and includes an operation which provides referrals or facilitates access to Cannabis not physically sold on the premises, but does not include distribution to a Registered Person by a Designated Person or Licenced Producer under the ACMPR.

CARTAGE, DELIVERY AND EXPRESS FACILITIES means establishments engaged in local trucking, parcel delivery, and similar operations but excludes the operation of freight trucking terminals.

CARPORT means a roofed structure, open on a minimum of 3 sides other than necessary supporting posts or columns attached to the primary building and used for the undercover parking of one vehicle. Such structure is limited to one storey and 5.5 metres (18 feet) in height maximum.

Bylaw 774 →
Bylaw 821 →
Bylaw 981 →
Bylaw 1141 → **CARETAKERS COTTAGE** means a secondary and totally separate dwelling ancillary to a principal dwelling located on a lot.

CHURCH means a non-residential use building wherein persons assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship and religious education. Churches may include ancillary activities for fund-raising or recreational purposes of the church.

CIVIC USE means a use providing for public function; includes schools, colleges, public hospitals, community centres, community care facilities, libraries, museums, parks, playgrounds, cemeteries, jails and prisons, courts of law, fire halls, and uses ancillary to public functions, but excluding public works yards.

CLUB means a building or establishment used by an association or organization for fraternal, social or recreational purposes.

COMMERCE means the selling, servicing and repair of goods, the provision of services and commercial office functions.

Bylaw 1288 → **COMMERCIAL CHILD CARE** means Group Child Care, Preschool, Occasional Child Care, and Multi-Age Child Care programs that are licensed under the Child Care Licensing Regulation.

Bylaw 1002 → **COMMERCIAL STORAGE FACILITY** – a building consisting of completely enclosed, individually controlled compartments available for public rent used for the storage of products, goods, personal articles and vehicles. External storage of boats and travel trailers is permitted if area is landscaped and screened.

COMMERCIAL USE means an activity carried out for financial gain.

COMMERCIAL USE, MARINE means a commercial use which is linked to the commercial fishing industry, water oriented recreation or similar purposes and are dependent on or related to a waterfront location; may include boat rentals, charters, equipment sales/rentals, gear storage and repair areas, ice-making facilities, marine fuel sales, marinas, accessory offices and small engine repair.

COMMERCIAL VEHICLE means a vehicle engaged in carrying or which is designed to carry goods, wares or merchandise and which is licensed as a commercial vehicle under the appropriate municipal or provincial laws or regulations.

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CONFORMING BUILDING OR USE means any building or use which conforms with all the regulations of the bylaw, or of any amendment thereto, for the zoning district in which such building or use is located.

Bylaw 1211 → **CONSERVATION PARK** means any area of land, including submerged lands, the water above them, and the species found there, which are used for the conservation of the natural environment, habitats, plants, wildlife, and/or species at risk.

CONTRACTOR SERVICES, LIMITED means providing for electrical plumbing, heating, painting, excavating and similar contractor services primarily to individual households and the accessory sales of goods normally required with the provision of such services where all materials are kept within an enclosed building, and there are not accessory manufacturing activities or storage of more than one commercial vehicle.

CONVENIENCE STORE means a retail store contained under one roof, having a floor area not exceeding 190 square metres (2000 square feet) and providing for the sale of items regularly used by households, including books, magazines or household accessories, video cassette and video cassette recorder rentals, and food and beverage takeout service.

CO-OPERATIVE HOUSING DEVELOPMENT means a multiple family dwelling or dwellings owned by a company, each of whose shareholders is a resident of one dwelling unit within the development.

COUNCIL means the Municipal Council of The Corporation of the District of Tofino.

Bylaw 1321 →

CURB LEVEL means the level of the elevation of the established curb fronting a site or a lot measured at the centre of the front lot line. When no curb has been established, the Building Inspector may determine such curb level as if a curb constructed to municipal standards had been built.

DERELICT VEHICLES means any vehicle incapable of being driven, including construction and farm machinery whether or not licenses are normally required, or vehicles not licensed for a period exceeding twelve months.

DEVELOPMENT means a change in the use of any land, building or structure for any purpose, and shall include the carrying out of any building, engineering, construction or other operation in, on, over or under land, or the construction, addition, or alteration of any building or structure.

DISPLAY YARD means an open area used for the display of new or used passenger automobiles, motor vehicles, trailers, trucks, truck trailers, equipment, machinery or boats in operable condition, which are continually available for sale or rental, and where no repair work is done except of a minor or incidental nature. A display yard shall also include an open area where samples of the finished projects can be assembled or constructed from the materials (new only) available for sale on the premises.

Bylaw 981 → **DWELLING** means a set of rooms in a building used for residential purposes occupied exclusively, unless other use expressly permitted in the designated zone, as a permanent domicile by one or more persons.

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DWELLING, APARTMENT BUILDING means a building containing not less than three apartments with shared entrances and other essential facilities and services and with shared exit facilities above the first storey. It is not a hotel or motel.

DWELLING, CLUSTERED means two or more single family dwellings on one lot with shared services, and a shared driveway or access.

Bylaw 981 → **DWELLING, SINGLE FAMILY** means any detached building consisting of only one dwelling
Bylaw 1321 → intended to be used as the residence for one family.

Bylaw 1125 → **DWELLING, SMALL SINGLE FAMILY** means a building containing one dwelling unit with a net
Bylaw 1222 → floor area of not more than 79 m² (850 ft²).

DWELLING, TWO FAMILY means a structure containing two independent dwelling units within one building with both units sharing a common wall or floor, and which are used individually or intended to be used as the residences for two families but excludes secondary suites.

DWELLING, MULTIPLE FAMILY means any building consisting of three or more independent dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence of one family and includes apartments, dwelling, clustered, and townhouses.

DWELLING, TOWNHOUSE means a block of at least three and not more than eight side-by-side dwelling units, with each dwelling unit having separate front and rear yard space and attached to its neighbour at its side, and in which each dwelling unit shall be separated from each other by a party wall.

Bylaw 981 → **DWELLING UNIT** means one or more habitable rooms which together constitute a self-contained living unit with a separate entrance providing cooking, sanitary and living and/or sleeping facilities to be used as a dwelling.

Bylaw 853 → **DWELLING, UPPER FLOOR** means a dwelling unit that is located above the ground floor of a
Bylaw 973 → commercial or industrial use, which is occupied or intended to be occupied as the permanent home or residence of one family, and contains a separate entrance.

ENTERTAINMENT USE means a commercial social use providing for the entertainment of the public in theatres, restaurants, cafes, licensed premises, bowling alleys, amusement arcades, and pool halls.

EQUIPMENT SALES/RENTALS means any use or building providing for the sale or lease of new or used tools, appliances, recreation craft, office machines, furniture, light construction equipment or similar items, excluding sales/rentals of vehicles or heavy equipment.

Bylaw 981 → **FAMILY** means one or more persons occupying a dwelling unit who are related through marriage or common law, blood relationship, legal adoption or legal guardianship, residents of a licensed community care facility, or a group of not more than five (5) unrelated persons, living together as a single household and including servants employed upon the premises.

FENCE means a structure used as an enclosure or screen around all or part of a lot or site.

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FINANCIAL INSTITUTION means a bank, credit union, acceptance corporation, trust company, finance company or similar establishments, but excludes a stand-alone bank machine.

FIRST STOREY see "**STOREY, FIRST**"

FLOAT HOME means a house-like structure built on a floatation system, intended for human residential accommodation and not primarily intended for, or used in, navigation.

FLOOR AREA, GROSS 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.

FLOOR AREA, NET means the total horizontal area of a room or group of rooms, and shall be measured between the interior finished surfaces of those walls forming the perimeter of the room or group of rooms.

FLOOR AREA, RESIDENTIAL means the sum of the internal private floor areas of all dwelling units in all buildings on a lot and includes basements located within a dwelling unit and areas occupied by internal walls and partitions but excludes balconies, common stairwells, corridors, recreational areas, cellars, concealed parking areas and service facilities.

FLOOR AREA RATIO means the figure obtained when the gross floor area of all the buildings on a lot, exclusive of parking areas, is divided by the area of the lot.

Bylaw 1141 → **FOOTPRINT** means the area of a building measured to the foundation.

GARAGE, PRIVATE means a detached accessory building or a portion of a principal building used solely for the parking or temporary storage of private motor vehicles and in which there are no facilities for repairing or servicing such vehicles.

Bylaw 1222 → **GRADE, AVERAGE FINISHED** means the average elevation of the Finished Grade, measured at each of the outermost exterior corners of the Building.

Bylaw 1222 → **GRADE, AVERAGE NATURAL**, means the average elevation of the Natural Grade, measured at each of the outermost exterior corners of the proposed Building.

Bylaw 1222 → **GRADE, FINISHED** means the elevation at any point on the surface of a lot after construction of a Building excluding localized depressions immediately adjacent to Building features such as basement window wells and entranceways.

Bylaw 1222 → **GRADE, NATURAL** means the surface elevation of a lot in its natural state, prior to any disturbance, alteration, excavation or filling, as determined by a registered land surveyor, or the elevations shown on a grading plan approved by the District.

GROUP HOME means a dwelling which provides care, food and lodging for children (under 19 years of age) living apart from their parents or guardians in a family type setting under the guidance and supervision of group home parents who are employed by an incorporated non-profit society which is in good standing or a government agency.

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Bylaw 774 → **GUEST-HOUSE** means a dwelling a dwelling in which tourist accommodation is provided in not more than five sleeping units to not more than ten persons other than members of the family of the operator”.

Bylaw 1222 →

HABITABLE ROOM means a room designed for living, sleeping, eating or food preparation, including a living room, dining room, bedroom, kitchen or room which has electrical or heating equipment.

HEALTH SERVICES means uses and buildings providing for physical and mental health services on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature; including medical and dental clinics and offices, health clinics and counselling services.

HEDGE means any tangible barrier planted of vegetation with the intent of preventing passage to or from one area to another.

HEIGHT OF BUILDINGS 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 roof. 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.

HIGH WATER MARK means the high water mark identified on the plan of subdivision or the plan accompanying the instrument conveying Crown land in fee simple, which plan was most recently filed in a Land Title Office before the adoption of this bylaw.

Bylaw 981 → **HOME OCCUPATION** means any home craft, professional practice, or other means of livelihood which is carried on within a dwelling unit by a permanent resident of the dwelling unit, and excludes Cannabis Retail and Cannabis Production.

Bylaw 1238.01 →

Bylaw 1258 →

HOSPITAL means a non-profit institution operated for the reception and treatment of persons suffering from illness or disability which has been designated as a hospital under the *Hospital Act*, but does not include private hospitals, nursing or convalescent homes.

HOSPITAL, PRIVATE means a building in which two or more patients, other than the spouse, parent or child of the owner or operator thereof, are living at the same time, and including a nursing home or convalescent home, but does not include a hospital as defined in this bylaw or a hospital licensed under the *Mental Health Act*.

Bylaw 981 → **HOSTEL** means a building used for tourist accommodation containing one or more dormitories and includes common areas for washing, cooking, dining and socializing, sanitary, kitchen, and social facilities.

Bylaw 1222 →

Bylaw 774 → **HOTEL** means a building containing six (6) or more sleeping units and/or housekeeping units, with separate entrances from a common hallway or walkway, which units are used for tourist accommodation. A hotel may include accessory facilities such as restaurant, meeting rooms, convention facilities, recreational facilities and/or pub.

Bylaw 981 →

Bylaw 1222 →

"HOTEL" includes motels and motor hotels.

HOTEL, MOTOR see "HOTEL".

Bylaw 1222 →

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HOUSEKEEPING UNIT means a habitable room that is used for temporary accommodation of tourist accommodation which may include a bathroom and a set of cooking facilities.

Bylaw 1238.01 ⇒ **INDUSTRIAL USE, GENERAL** means a use providing for the processing, fabricating, assembling, storing, transportation, distribution, wholesaling, testing, servicing, repairing, wrecking or salvaging of goods, materials, or things, and heavy equipment sales/rentals, and retail uses accessory to a principal industrial use; and includes the operation of truck terminals, docks, railways, including vehicle paint and body shops; and specifically excludes the burning of things salvageable, Cannabis Retail, and Cannabis Production.

Bylaw 1238.01 ⇒ **INDUSTRIAL USE, LIGHT** means a use of a structure for the warehousing, testing, service, repair or maintenance of an article, and substance, material, fabric or compound, and includes artisan and manufacturing shops and retail sales accessory to the principal use; excludes all uses that create dust, heat, odour, noise, gas, smoke, recurrent generated vibrations, fire hazard, electrical disturbance, particulate matter or radiation; specifically excludes all salvage yards, wrecking operation, manufacturing and industrial processing activities, trade contractors, refuse and garbage dumps, burning of motor vehicles and other things for salvage purposes, uses for which a permit is required under the *Waste Management Act* or regulations, Cannabis Retail and Cannabis Production.

INDUSTRIAL USE, MARINE means an industrial use which is marine oriented and dependent on a waterfront location; including boat building, repairs and storage.

INDUSTRY means a use providing for the manufacturing, processing, assembling, fabricating, testing, servicing, repair, storing, transporting or distributing of goods, materials, or things with or without an ancillary office to administer the industrial use on the site, and includes wholesaling provided that the merchandise being sold is distributed from the site, but excludes the processing of fish, live animals, live poultry or other fowl.

JUNK YARD means an area outside of an enclosed building where junk, waste, used, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled. A junk yard shall not be construed to include establishments for the sale, purchase or storage of used furniture, or of salvaged materials as a accessory part of manufacturing operations.

KENNEL means any use, building or structure where five or more dogs and/or cats which are more than four months of age are or are kept, trained, cared for, bred and/or boarded.

KINDERGARTEN means an establishment to which pre-school children are sent for educational experience but not for supplemental parental care.

KITCHEN means a room or part of a building equipped for preparing and cooking food.

LAND excludes the surface of the water.

LANDSCAPING means an area of cultivated vegetation, including trees, shrubs, grass, ground cover and flowers or natural vegetation, planted in a manner to enhance the appearance of a building or parcel.

LANDSCAPE SCREENING means natural vegetation retained or the planting of predominantly coniferous or deciduous shrubs/trees in such a manner as to visually seclude an area from its surroundings.

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LANE means a public thoroughfare or way which affords only a secondary means of access to a lot, at the side or rear.

Bylaw 1127 ⇒ **LIVE/WORK UNIT** means a **dwelling** that includes a commercial unit. Any commercial use must not be conducted by more than three people, of which at least one who resides in the accompanying **dwelling unit**. The permitted commercial use is limited to:

- a) Artist studio and gallery;
- b) **Cafe**;
- c) **Convenience Store**;
- d) Office;
- e) Personal and professional services;
- f) **Retail Commercial** uses; or
- g) Ticket agent.

LOADING SPACE means a space for the loading or unloading of a vehicle either outside or inside a building or structure but does not include manoeuvring aisles and other areas providing access to the space.

Bylaw 1222 ⇒ **LODGE** means a commercial use building containing between four and six sleeping units used or intended to be used for tourist accommodation.

LOT means the smallest unit into which land is subdivided as shown on records of the Land Titles Office.

LOT AREA means the total horizontal area within the lot lines of a lot.

LOT AREA, AVERAGE means the area calculation derived from dividing the gross area of the parent parcel (or the part subject to the Comprehensive Development Plan) by the total number of lots created or intended to be created. Such calculation is only permitted under R4 except where Bare Land Strata Regulations apply.

LOT DEPTH means the mean horizontal distance between the front and rear lot lines.

LOT WIDTH means the mean horizontal distance between side lot lines measured at right angles to the lot depth and 7.5 metres (25 feet) from the front lot line. For cul de sacs, lot width means the mean horizontal distance between side lot lines measured at right angles to the lot depth and 18 metres (60 feet) from the front lot line.

LOT, CORNER means a lot at the intersection or junction of two or more streets.

LOT, INTERIOR means a lot other than a corner lot.

LOT, THROUGH means a lot abutting two parallel or approximately parallel streets or abutting a street and navigable waters.

LOT LINE, FRONT means the lot line abutting the street:

1. In the case of a corner lot, either lot line abutting a street may be considered the front lot line, the rear lot line must be opposite to the front lot line.

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2. In the case of a corner lot only one front lot line need be provided.
In the case of a through lot, the lines abutting the streets or the street and waterway shall be considered as front lot lines.
3. Where the lot does not front on a public or private street, road, or way, the front line of the lot shall be as determined by the Building Inspector.
4. Where a lot is divided by a public way, whether dedicated or not, other than a lane or walkway, both sides of such public way shall be considered as front lot lines.

LOT LINE, REAR means the lot line furthest from and opposite to the front lot line, except that there shall not be more than one rear lot line.

LOT LINE, SIDE means a lot line marking the boundary between two lots, or between a lot and lane, or between a lot and a public street in the case of a corner lot; of which one or both ends intersect a front lot line.

MARINA means a site including the surface of water which is primarily used for the rental of berthing space and floats for boats, but may also include sale and/or rental of boats, marine equipment and supplies, marine fuel, fishing supplies and equipment, boat repair facilities, cafe or restaurant, or a caretaker's or manager's residence.

MOBILE HOME means a single family dwelling which is manufactured as a unit suitable for year-round occupancy, which is registered under the *Manufactured Home Act* of British Columbia, which is designed to be moved along the highway from time to time, and which arrives at the site complete and ready for occupancy except for placing on suitable foundations and connection to utilities. Notwithstanding, where such a structure is converted into a permanent dwelling by removing its undercarriage and installing it on a foundation of continuous concrete or masonry, it may cease to be defined as a mobile-home for the purposes of this bylaw.

MOBILE HOME PAD means the area of land which has been designated and prepared for the location of a mobile home and its permissible additions.

MOBILE HOME PARK means a site used or intended to be used for the purpose of providing pads for the accommodation of two or more mobile homes, upon which a rental charge is imposed for the use of such pads.

MOBILE HOME SITE means an area of land within a mobile home park designated for the location of one mobile home and its permissible additions, and includes yard areas and parking areas for the mobile home.

MOTOR VEHICLE REPAIR SHOP means a building used, or intended to be used, for major repairs to motor vehicles, trailers, and parts thereof but excludes a wrecking yard or a salvage yard.

MUNICIPAL SEWER SYSTEM means the system of sewage disposal which is owned, operated and maintained by the District of Tofino.

MUNICIPAL WATER SYSTEM means the system of waterworks which is owned, operated and maintained by the District of Tofino.

Bylaw 1222 → **NATURAL BOUNDARY** means the visible high-water mark of any ocean, lake, river, stream, or other body of fresh or brackish water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the

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lake, river, stream, ocean, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil or sand itself.

NON-CONFORMING BUILDING OR USE means any building or use which does not conform with all the regulations of this bylaw or any amendment thereto, for the zoning district in which such building or use is located.

NON-RESIDENTIAL [repealed by Bylaw 1222]

Bylaw 935 ⇒ **PARKING LOT** means a lot designated and used for the temporary parking of motor vehicles either as a principal use or as a secondary use to commercial, industrial, multi-family, public or institutional uses.

PARKING SPACE means any space within any building, premises or parking lot which is intended to be used as parking for one motor vehicle, but excludes driveways, ramps, columns, office and work areas.

Bylaw 1175 ⇒ **PARKLET** means a small urban park, often created by replacing several under-utilized parallel parking spots with a patio, planters, trees, benches, café tables with chairs, fountain(s), artwork, sculptures and/or bicycle parking.

Bylaw 1211 ⇒ **PASSIVE RECREATION ACTIVITIES** means recreation or educational activities, or temporary events that support the protection and conservation of sensitive ecosystems and not require any systems, permanent infrastructure or structures, including: kayaking, paddle-boarding, walking, hiking, bocce, wildlife viewing, weddings and similar activities.

Bylaw 1222 ⇒ **PERMANENT RESIDENT** in respect of any dwelling or lot means a person who normally resides in a dwelling on the lot and for these purposes a person cannot normally reside at more than one location within the District of Tofino.

Bylaw 1222 ⇒ **PERMEABLE** means a surface that rainwater can pass through, and includes permeable concrete, permeable asphalt and non-grouted paving stones.

PERSON includes a firm, association, organization, partnership, trust company or corporation as well as an individual.

PERSONAL SERVICE ESTABLISHMENT means a building wherein professional or personal services are provided including the sale of goods accessory to the provision of such services and without restricting the generality of this definition, includes personal grooming shops, medical or dental practice, dry cleaners, electrical appliance repairs, financial services, laundrettes, optical or watch repairs, photographers, shoe repairs, tailors, printing shops, dressmakers and similar services.

PRINCIPAL BUILDING OR USE means the main purpose for which land, buildings or structures are ordinarily used.

PUBLIC TRANSPORT means public bus terminals and depots, taxi cab stands and/or depots/dispatch centres or ferry boat terminals.

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PUBLIC UTILITY means a use providing for public utility facilities for electrical, telephone and similar services where such use is established by one of the levels of government, a Crown corporation or by a company regulated by a government commission.

RECYCLING DEPOT means a use providing for the depositing, buying and/or temporary storage of bottles, cans, newspapers, oils, or other petroleum products.

Bylaw 1288 → **RESIDENTIAL CHILD CARE** means Family Child Care and In-Home Multi-Age Child Care programs that are licensed under the Child Care Licensing Regulation.

Bylaw 981 → **RESIDENTIAL USE** means the use of a building or a part there of as a dwelling unit by persons as a fixed place of abode and as their primary residence from which they are absent only as a part of a domestic routine including, without limitation, work and vacations.

Bylaw 980 → **RESORT CONDOMINIUM** means a strata titled dwelling units providing tourist accommodation.
Bylaw 1222 →

REST HOME means a boarding home or other institution where food or lodging together with care or attention are furnished, with or without charge, for two or more persons who, on account of age, infirmity, physical or mental handicap, or other disability, require attention or care, excepting a home maintained by a person to whom the residents are related by blood or marriage.

RESTAURANT means a permanent and fixed premises in which food is prepared, cooked and served to the public in exchange for money for service or to which the public have access for the purpose of purchasing prepared food for human consumption on the premises.

Bylaw 774 → **RETAIL COMMERCIAL** means any establishment engaging in the direct retail sale of goods to customers; the repair of goods and the provision of services. For clarification, “retail commercial”
Bylaw 1238.01 →
(i) does not include the sale of mobile or modular homes, aircraft, heavy equipment or beer and wine sales; Cannabis Retail; and Cannabis Production;
(ii) does include limited accessory storage on-site of items/goods offered for retail sale.”

RETAIL STORE [repealed by Bylaw 774]

RIDING ACADEMY means a premises in which horses are kept or boarded or available for hire and may include a riding ring for training of horses and riders or a private riding club.

SCHOOL, PRIVATE means a school, other than a public school, where academic subjects are taught or which is maintained for philanthropic or religious purposes and may include a boarding school, but does not include any school or home otherwise classified or defined under this bylaw.

SCHOOL, PUBLIC means a place of instruction maintained at the public expense pursuant to the *School Act* of the Province of British Columbia.

SCREENING means a continuous tight board fence or wall uniformly painted or a compact evergreen hedge or combination thereof, supplemented with landscape planting, that would effectively screen the property which it encloses, and is broken only by access drives and walks.

Bylaw 821 → **SECONDARY SUITE** means a self-contained dwelling unit located within a building or portion of a building;
Bylaw 981 →
Bylaw 1286 →
• completely separated from other parts of the building by a vertical fire separation that has a fire-resistance rating of not less than 1 hour and extends from the ground or lowermost

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assembly continuously through or adjacent to all storeys and spaces including service spaces of the separated portions,

- of only residential occupancy that contains only one other dwelling unit and common spaces, and,
- where both dwelling units constitute a single real estate entity.

SERVICE INDUSTRY means the use of land and buildings for testing, assembling, cleaning, servicing, repair and maintenance of goods and materials except as otherwise provided herein, including the sale and rental of tools, lawnmowers, garden equipment and any similar commodities.

SERVICE STATION means any building or land used or intended to be used for the retail sale of motor fuels and lubricants and which may include the towing, servicing, and repairs of motor vehicles and the sale of automobile accessories.

SETBACK means the required minimum distance between a building or use and each of the respective property lines taken from the exterior wall of the building.

Bylaw 981 → **SHORT TERM RENTAL** means the use of a dwelling unit to provide tourist accommodation.

Bylaw 1141 →

Bylaw 1287 → **SHIPPING CONTAINER** means an enclosed unit used or intended to be used for storing and transporting goods via ship, rail or truck, whether or not it is actually being used for such a purpose

Bylaw 1222 → **SIGHT TRIANGLE** means the triangle formed by two intersecting road rights-of-way boundaries and two points on those boundaries 6 metres (20 feet) from the point of intersection.

Bylaw 1321 → **SITE COVERAGE OR LOT COVERAGE** means the ratio, expressed in percentage terms between the total horizontal area of all structures on site measured to the outside of the exterior walls of the structures in relation to the lot area, including all cantilevered projections, but excluding:

- Balconies
- Uncovered decks or patios that are no more than 0.61 metres (2 feet) above finished grade
- Bay Windows
- Cornices, eaves, gutters
- Fire escapes
- Exterior stairs
- Chimneys
- Heat pumps
- Awnings, trellises, and similar unenclosed structures
- Exterior insulation assemblies or similar, approved by either a qualified engineer or the District Building Inspector, to a maximum of 12 inches in thickness

In the case of a structure with no walls and a roof that does not meet the above exemptions, coverage shall be measured at the drip line of the roof.

Bylaw 981 → **SLEEPING UNIT** means a habitable room, equipped for and intended for sleeping, in which there are no kitchen or cooking facilities.

STAFF ACCOMMODATION means a building or portion thereof in which sleeping units are provided and/or rented by an institution, agency, or business as staff accommodation or, in the case of a school, student accommodation, and which is regulated and maintained by such body and may include commercial dining facilities.

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STORAGE YARD, ACCESSORY means an area outside of an enclosed building where materials are kept for commercial or industrial storage but shall not include a wrecking yard, a display yard or a junk yard.

STOREY means that part of a building situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it but does not include a basement or attic.

Bylaw 774 => **STOREY, FIRST** means the lowest floor other than a “basement” used for habitable or commercial purposes.

STREET means a public highway, road, thoroughfare or right-of-way which affords the principal means of access to abutting lots.

Bylaw 1287 => **STRUCTURE** means anything constructed, erected or placed, the use of which requires location on the ground or attachment to something having location on the ground, including shipping containers, satellite dish antennae and retaining walls and excludes concrete, asphalt or similar surfacing of a lot, fences and walls that are less than the maximum fence height permitted, and underground utility facilities.

Bylaw 900 => **TEMPORARY** means a total of less than four consecutive weeks in a calendar year.

THEATRE means a building or structure designed to stage live or recorded public performances.

Bylaw 902 => **Bylaw 1222** => **TOURIST ACCOMMODATION** means the commercial provision of temporary overnight accommodation to the travelling public in a campground, guest house, hostel, hotel, lodge, motel, resort condominium or, where permitted by this bylaw, in a dwelling unit as a bed and breakfast or short term rental home occupation, and for this purpose “temporary” means a period of less than one month.

TRANSPORTATION USE means a use providing for the shipping and receiving of goods and people including airports, helipads, truck terminals, wharves, delivery and express uses.

TRAVEL TRAILER means a recreational vehicle designed to be self-propelled or towed behind a vehicle and equipped to provide living or sleeping accommodation while travelling or vacationing.

TRAVELLER ACCOMMODATION USE [repealed by Bylaw 1222]

USABLE OPEN SPACE means a compact, level unobstructed area or areas, available for safe and convenient use by all the building's occupants, having no dimension of less than 6.2 metres (20 feet) and no slope greater than 10%, providing for greenery, recreational space and other leisure activities normally carried on outdoors. Usable open space shall exclude areas used for off-street parking, off-street loading, service driveways, public walkways, and required front yards. Not more than half the usable open space required for any dwelling unit may include private balconies, patios or roof areas.

USE means the purpose for which any lot, parcel, tract of land, building or structure or surface of water is designed, arranged or intended, or for which it is occupied or maintained.

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VEHICLE means a device in, on or by which a person or thing is or may be transported or drawn, except a device designed to be moved by human power or used exclusively on stationary rails or tracks.

VEHICLE AND/OR EQUIPMENT REPAIR means a use or building providing for the servicing and mechanical repair of vehicles, boats, farm, gardening or construction equipment, and recreational vehicles or the sale, installation or servicing of related accessories and parts. including transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, but specifically excludes wrecking yards and body and/or paint shops.

VEHICLE SALES/RENTALS means a use or building providing for the retail sale or rental of new or used automobiles, motorcycles, trucks, mobile homes, tent trailer, recreational vehicles, motor homes, boats, travel trailers or similar light recreational vehicles or craft, together with incidental maintenance services and sale of parts; including automobile dealerships, car rental agencies, and excluding heavy equipment sales/rentals.

VETERINARY CLINIC means a use which provides for the veterinary care of dogs, cats, and household pets principally on an outpatient basis, and which may provide accommodation for short term care incidental to the veterinary clinic use.

WAREHOUSE means the use or intended use of land, buildings or structures for the purpose of receiving and storage of goods for compensation, and includes the storage of goods by a distributor or supplier who markets goods for retail sale at other locations, but excludes retail sales from the site.

WATERCOURSE means any natural drainage course or source of water, whether usually containing water or not, and includes any lake, river, creek, spring, ravine, swamp, gulch or source of ground water whether enclosed or in a conduit, or as designated by the Minister of Environment, Lands and Parks.

WATERCOURSE, FISH BEARING means a watercourse designated as fish bearing by an official of the Ministry of Fisheries and Oceans, or by an official of the Ministry of Environment, Lands and Parks.

Bylaw 1211 → **WHARF, PIER, DOCK, FLOAT, RAMP, AND QUAY** means a marine-based structure used for mooring boats and other marine vessels and for providing pedestrian access to and from the moorage.

WRECKING YARD means a use providing for the towing, unenclosed storing and dismantling from time to time of more than one unlicensed vehicle and may include the sale of vehicle parts.

YARD means any part of a lot unoccupied and unobstructed by principal buildings or structures except as provided for elsewhere in this bylaw.

Bylaw 1222 → **YARD, FRONT** means the area of a lot lying between the front lot line and the nearer of the front wall of the existing principal building and a line corresponding to the minimum front lot line building setback required by this bylaw; and, in the case of a through lot means the area of the lot lying between any lot line abutting a street and the nearest wall of the existing principal building and a line corresponding to the minimum front lot line building setback required by this bylaw.

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YARD, REAR means a yard extending across the full width of the lot from the rear line of the lot to the rear exterior wall of the principal building.

YARD, REQUIRED means the minimum front, rear, or side yard specified by the provisions of the Zoning Districts of this bylaw.

YARD, SIDE means a yard extending from the front yard to the rear yard of a lot and measured between the side lot line and the side exterior wall of the principal building.

ZONE means the areas into which the District of Tofino is divided in accordance with this bylaw and schedules appended thereto; and for which specific regulations or provisions are hereinafter outlined.

ZONING BYLAW means The District of Tofino Zoning Bylaw No. 770, 1997.

PART 3 BASIC PROVISIONS

3.1 Official Zoning Map

1. The locations of zoning districts established by this bylaw are shown on the Official Zoning Map of the District accompanying and forming part of this bylaw as Schedule "A".
2. Where boundaries of the zoning district are shown along surveyed lot lines the boundaries shall be the lot lines.
3. When the zoning district boundary is shown following street, lane, or water body, the centre line of such street, lane, or water body shall be the zoning district boundary.
4. Where a zoning district boundary does not follow a legally defined line and where distances are not specifically indicated, the location of the boundary shall be determined by scaling from the Official Zoning Map.

3.2 Compliance with Other Legislation

Bylaw 984 ➤ Nothing in this bylaw shall be taken to relieve any person from complying with the provisions
Bylaw 1222 ➤ of any other bylaw of the District or applicable Provincial and Federal regulations.

3.3 Zoning Districts

For the purposes of this bylaw the District of Tofino is hereby divided into the following Zoning Districts.

**ZONING DISTRICT
ABBREVIATIONS**

Single Family Residential	R1
Two Family Residential	R2
Mixed Use, Intermediate Density, Residential District	R4
Medium Multiple Family Residential District	RM2
Multiple Family Residential	RM3
Mobile Home Park District	RMH
Small Holdings District	A1
Rural District	A2
Forest Rural District	A3
Forest Reserve District	A4
Acreage Residential District	RA1
Acreage Residential District	RA2
Acreage Residential District	RA3
Guest House Accommodation District	CG1
Local Commercial District	C1
General Commercial District	C2
Core Commercial District	C2A
Service Commercial District	C3
Highway Commercial District	C4
Highway Commercial (Retail) District	C4A
Tourist Commercial District	C5
Campground Commercial District	C6
Destination Commercial District	C7
Bylaw 862 => Ocean Parks Comprehensive Development Zone	CD(OP)
Bylaw 900 => Eik Landing Comprehensive Development Zone	CD(EL)
Bylaw 902 => Old Tofino Village Comprehensive Development Zone	CD(OTV)
Bylaw 1015 => 1431 Pacific Rim Highway Comprehensive Development Zone	CD(1431)
Bylaw 980 => Grice Point Comprehensive Development Zone	CD(GP)
Bylaw 1027 => Yew Wood Comprehensive Development District	CD(YW)
Bylaw 1037 => The Shore Comprehensive Development Zone	CD(TS)
Bylaw 1121 => Downtown Core 1 – Comprehensive Development District	CD(DC1)
Bylaw 1127 => Downtown Core 2 – Comprehensive Development District	CD(DC2)
Bylaw 1125 => THC Low to Medium Multiple Family Residential Comprehensive Development Zone	CD(THC1)
Bylaw 1133 => Downtown Core 3 – Comprehensive Development District	CD(DC3)
Bylaw 1136 => Downtown Core 4 – Comprehensive Development District	CD(DC4)
Bylaw 1131 => Helleson Drive – Comprehensive Development District	CD(HD)
Bylaw 1159 => The Department of Fisheries and Oceans Comprehensive Development Zone	CD(DFO)
Bylaw 1169 => Downtown Core 5 – Comprehensive Development Zone	(DC5)
Bylaw 1203 => Downtown Core 6 – Comprehensive Development District	CD(DC6)
Bylaw 1154 => The Tofino Fish Company Comprehensive Development Zone	CD(TFC)
Bylaw 1302 => CBT Institutional Comprehensive Development Zone	CD(CBT)
Hostel Accommodation District	H1
Industrial Park District	M1
Light Industrial District	M2

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	Heavy Industrial District-----	M3
	Parks and Industrial District-----	P1
	Comprehensive Commercial Institutional District-----	P1-A
	Park and Public Use District-----	P2
	Waterfront Commercial District-----	W1
	Waterfront Industrial District-----	W2
Bylaw 1211 =>	Ecologically Sensitive Conservation District-----	ES1
Bylaw 1211 =>	Ecologically Sensitive Recreation District-----	ES2
Bylaw 1211 =>	Ecologically Sensitive Residential District-----	
Bylaw 1211 =>	ES3	
	Marine Community District-----	
Bylaw 1270 =>	MC1	
	THC Sharp Road Residential Comprehensive Development Zone-----	THC2
Bylaw 1279 =>	Affordable Residential 1 Comprehensive Development Zone-----	AR1

Bylaw 1222 => **3.4 Zoning Districts**

1. No land, buildings, or structures within the District shall be used or occupied, and no buildings, structures or parts thereof shall be erected, moved, altered or enlarged except in conformity with this bylaw.
2. No person shall subdivide land in the District except in conformity with this bylaw.
3. Only uses permitted in zones established by this bylaw are those listed as permitted, primary or secondary uses, and all other uses are prohibited.

Bylaw 1222 => **3.5 Interpretation of Tables**

In tables included in this bylaw, “√” indicates that a use is permitted. Blank cells indicate that a use is not permitted. Numbers within closed brackets in a cell give reference to the bylaw section where specific conditions for the use permitted are found.

PART 4 GENERAL PROVISIONS**4.1 Structures**

1. General:

The following type of structures or structural parts shall not be subject to the building height requirements of this bylaw: Monuments, fire and hose towers, stadiums, transmission towers, silos, radio towers, masts, aerials, water tanks, cooling towers, emergency siren towers provided that no such structure shall cover more than 20% of the lot or, if located on a building, not more than 10% of the roof area of the principal building.

2. Accessory Buildings:

- a. No accessory building or structure shall be independently erected on any lot prior to a principal building or structure.
- b. Setbacks for accessory buildings shall be maintained in accordance with the provisions of principal buildings.
- c. Notwithstanding Part 4.1.2.b, accessory buildings may be located 1 metre (3.3 feet) from any rear and side lot line provided the accessory building is located in the rear yard of the principal building.
- d. Accessory buildings shall not be closer than 1.8 metres (6 feet) from the principal building.
- e. In the case of a corner lot, an accessory building shall not be located closer to the flanking street than the principal building on the same lot.
- f. The total combined gross floor area of accessory buildings shall not exceed 5% of the lot area or 62 square metres (665 square feet), whichever is the greater.
- g. An accessory building or structure shall not be used as a dwelling.
- h. One travel trailer or recreational vehicle may be utilized for accommodation while the principal building is being constructed during the time that work is being carried out in accordance with a valid building permit.
- i. Table of additional regulations for accessory buildings in residential zones:

Application of Regulations for Accessory Buildings in Residential Zones	A Zones	R Zones	RM Zones	RA Zones	CD Zones
Coverage: Not more than two-thirds of the width of the rear yard; or, one-third of the width of a front yard shall be occupied by accessory buildings.	✓	✓			

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Setbacks: An accessory building shall be located not closer than 2 metres (6.5 feet) to the rear and side lot line of an adjoining lot in an R1 and R2 District			✓		
Height: An accessory building shall not exceed 5.5 metres (18 feet) in height.		✓	✓	✓	✓
Height: An accessory building shall not exceed 8 metres (26 feet) in height.	✓				

j. Table of additional regulations for accessory buildings in non-residential zones:

Application of Regulations for Accessory Buildings in Non-Residential Zones	C Zones	M Zones	P Zones	H Zones	W Zones
Setbacks: An accessory building shall be located not closer than 3 metres (10 feet) to the rear lot line of an adjoining lot in an R, RA, or RM District.	✓	✓	✓	✓	✓
Height: An accessory building shall not exceed 5.5 metres (18 feet) in height.	✓			✓	
Height: An accessory building shall not exceed 8 metres (26 feet) in height.		✓	✓		✓

Bylaw 1278 → 3. Public Utility Structures:

The following public utility structures shall be permitted in any District zone: Pump stations, waste water treatment plants, water reservoirs, electrical, gas, telephone and similar distribution and communication facilities provided that adequate sight lines are accommodated for as per Part 7.4.3.

4. Ancillary Residential Dwellings:

Bylaw 1286 →

Ancillary residential dwellings are permitted as shown in the following table:

	Principal Use				
Ancillary Residential Dwellings	Single Family	Two-Family	Multi-Family	Commercial, Institutional, Parks, and Industrial	Comprehensive Development Zone (CDZ)
Accessory Single Family				✓ (see 4.1.5)	As per specific CDZ provisions

Dwelling or Dwelling Unit					
Caretaker Cottage	✓ (see 4.1.6)				As per specific CDZ provisions
Secondary Suite	✓	✓	✓	✓	As per specific CDZ provisions

5. Accessory Single Family Dwelling or Dwelling Unit:

A maximum of one single family dwelling or dwelling unit is permitted per lot in **C**, **M**, **P** or **W** Districts where permitted as a use in a Zoning District.

6. Caretaker Cottages:

- a. A maximum of one caretaker cottage is permitted per lot in **RA1**, **RA2**, **RA3**, **R4**, **A1**, **A2**, **A3**, and **A4** Districts;
- b. The maximum building footprint of a caretaker cottage is 70 m² (753 ft²)
 - i. A garage is permitted on the ground floor of a caretaker cottage;
 - ii. A basement is not permitted;
- c. The maximum height of a caretaker cottage is 8 metres (26.25 feet);
- d. A caretaker cottage not permitted where a Secondary Suite is permitted and exists within a Principal Dwelling.

Bylaw 1286 → 7. [Removed by Bylaw 1286]

Bylaw 1278 → 8. Minimum residential floor area and width for dwelling units table:

a.

Dwelling Unit Type	Minimum Residential Floor Area	Maximum Residential Floor Area
Caretaker Cottage	-	140 m ² (1507 ft ²)
Small Single Family Dwelling	-	79 m ² (850 ft ²)
Single Family Dwelling	-	-
Two Family Dwelling	-	-
Multi-Family Dwelling – Bachelor	-	-
Multi-Family Dwelling – One Bedroom	-	-
Multi-Family Dwelling – Two Bedroom	-	-
Multi-Family Dwelling – Two Bedrooms +	-	-
Staff Accommodation	13.9 m ² (149 ft ²)	-
Sleeping Units	18.6 m ² (200 ft ²)	-
Housekeeping Units	32.5 m ² (349 ft ²)	-

- b. Residential floor area for staff accommodation may be reduced by up to twenty percent where an equal or greater floor area is provided for recreational purposes or cooking facilities.

9. Height of structures:

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- a. Chimneys shall not project more than 1 metre (3 feet) above the highest point of the building.
 - b. Renewable energy apparatuses shall not project more than 1.5 metres (5 feet) above the highest point of a building.
 - c. Elevator shafts for direct elevator access to rooftop common areas shall not project more than 4 metres (13 feet) above the highest point of a building.
 - d. Elevator shafts that do not provide direct access to rooftop common areas, and all non-elevator rooftop access structures shall not project more than 3 metres (10 feet) above the highest point of a building.
 - e. Any rooftop access structure shall be set back a minimum distance equal to 25% of the corresponding horizontal dimension of the building from each building face of the storey below.
 - f. The combined area of all rooftop access structures shall not exceed 50 square metres (538 square feet).
 - g. Pergolas and arbours shall not exceed 3 metres in height (10 feet).
 - h. Flag poles shall not exceed 6 metres in height (20 feet).
 - i. Telecommunication apparatuses shall not project more than 1 metre (3 feet) above the highest point of a building.
 - j. Steeples and towers in conjunction with places of worship shall not exceed a height of 15 metres (50 feet).
10. Shipping containers:
- a. A shipping container may be used for storage purposes in all zones subject to the following limitations;
 - i. Setbacks for shipping containers shall be maintained in accordance with the provisions of principal buildings.
 - ii. Shipping containers shall not be closer than 1.8 metres (6 feet) from the principal building;
 - iii. In the case of a corner lot, a shipping container shall not be located closer to the flanking street than the principal building on the same lot.
 - iv. The combined gross floor area of shipping containers plus accessory buildings shall not exceed 5% of the lot area or 62 square metres (665 square feet), whichever is the greater.
 - v. A shipping container shall not exceed 4.5 metres in height.
 - b. The following goods shall not be stored in a shipping container:
 - c. Gasoline, propane, explosives, or any flammable, combustible liquid or compressed gas.

4.2 Site Layout

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1. No accessory building shall be located in any required front setback, except as specifically provided for in this bylaw.
2. Permitted projections into required front, side, and rear yard setback table:

Building Element	Maximum Projection into Required Setback	Exceptions and Conditions
Unenclosed Steps, Stairs and Landings	1.8 metres (6 feet)	
Eaves, Gutters, Cornices, Sills, Bay-Windows, and Chimneys	1.2 metres (4 feet)	No greater than 0.6 metres (2 feet) where a side yard is less than 1.5 metres (5 feet) wide.
Open Porches, and Canopies	1.8 metres (6 feet)	No greater than 50% of the width of a required side yard.
Balconies, Sun Shades and Awnings	1.2 metres (4 feet)	Elements may not be supported by columns.
Pergolas, Arbours, and Trellises	No nearer than 1.5 metres (5 feet) to any property line.	
Uncovered Swimming Pools and Hot Tubs	No nearer than 3 metres (10 feet) to any property line.	Not permitted in any required front yard. Pools and hot tubs must be located within a separate fenced enclosure fitted with a safety gate.
Flag Poles, Utility Poles, Light Standards and Children's Temporary Play Structures		Exempt from setback requirements.
Signs		May project into a required setback provided the requirements of the Sign Bylaw, as amended from time to time, are met.
Open and uncovered terraces, decks, and patios under 0.6 metres (2 feet)		No greater than 50% of the width of a required side yard.
Underground parking areas		Must be constructed entirely beneath the surface of the ground and covered by soil of sufficient depth to support landscaping.

3. Alternative Energy Installations:

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- a. Solar energy devices are permitted in all zones.
- b. Geothermal energy devices are permitted in all zones.
- c. Heat pumps shall be located in a Rear Yard only a minimum of 3 metres (10 feet) from a parcel line.
- d. Wind Energy Devices which generate not more than 10 kilowatts are permitted in all A and M zoning districts, subject to the following requirements:
 - i. No more than one Wind Energy Device is permitted on a parcel;
 - ii. The parcel must be a minimum of 2,023 square metres (0.5 acres) in area;
 - iii. The maximum height of a Wind Energy Device to the point of a blade in a vertical position, shall be 10.5 metres (35 feet) measured from the finished grade.
 - iv. The Wind Energy Device tower must be setback from any lot line a distance equal to 150 percent of the total height of the device, as measured to the highest point of a support Structure and the top of a vertical blade.

4.3 Use

1. General:

All permitted uses shall be conducted within a completely enclosed building except for open storage areas, seasonal uses such as patios, garden centres, markets, etc. and parking and loading facilities except as otherwise defined in specific zones.

2. Home Occupations:

- a. Home occupations are only permitted as an accessory use to an established residential use.
- b. The maximum number of home occupations on a lot that is zoned to permit only single family dwellings is 3.
- c. The maximum number of home occupations on a lot that is zoned to permit two-family dwellings or multi-family dwellings is 2 per dwelling unit.
- d. Home occupations may include the following:
 - i. The office of an accountant, architect, clergy, engineer, lawyer, physician, draftsperson, graphic designer, writer, information technologist, photographer or other professional person;
 - ii. The studio of an artist, picture-framer, dressmaker, music or dance teacher, masseuse, chiropractor, photographer, or persons engaged in home crafts or hobbies;
 - iii. The shop or structure of a woodworker, furniture maker, locksmith; persons engaged in urban agriculture or greenhouses, or garden produce or plant nurseries;
 - iv. Residential childcare;
 - v. Bed and Breakfast operations; and,
 - vi. Short Term Rental operations.

Bylaw 1288 →

- e. A Bed and Breakfast use and Short Term Rental use cannot be operated on the same lot at the same time.
- f. A home occupation:
 - i. Shall only be permitted when operated by a Permanent Resident residing in a dwelling unit on the lot while the home occupation use is occurring;
 - ii. Shall provide all off street parking necessary for the operation of the business; and,
 - iii. Shall be indicated externally only by a sign as permitted by the sign bylaw. No alterations shall be made to the principal building, that changes its character as a dwelling.
- g. A home occupation:
 - i. Shall not exceed, except in the case of a Short Term Rental use, an area of more than 40% of the principal dwelling unit on the lot;
 - ii. Shall not, except in the case of a Short Term Rental use, employ on the lot more than one non-Permanent Resident employee;
 - iii. Shall not be conducted in such a manner as to create noise, dust, vibration, smell, smoke, glare, electrical interference, electromagnetic radiation or fire hazard other than that normally associated with a dwelling; and,
 - iv. Shall not involve the sale or offering for sale, of any article which is not produced on the premises.

Bylaw 1278 ⇒ h. Home occupations are permitted in residential structures as shown in the following table:

	Residential structures					
Home Occupations	Single Family	Two Family	Multi Family	Accessory Buildings	Secondary Suite	Caretaker Cottage
Office of an accountant, architect, clergy, engineer, lawyer, physician, draftsman, graphic designer, writer, computer technologist; photographer or other professional person.	✓	✓	✓		✓	✓
Studio of an artist, picture-framer, dressmaker, masseuse, chiropractor, music or dance teacher, or persons engaged in home crafts or hobbies.	✓	✓		✓	✓	✓
The shop or structure of a woodworker, furniture				✓		

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maker, locksmith; persons engaged in urban agriculture or greenhouses, or garden produce or plant nurseries;						
Residential child care;	✓	✓			✓	✓
Bed and Breakfast	✓ (see 4.3.2.i)					
Short Term Rental	✓ (see 4.3.2.j)				✓ (see 4.3.2.j)	✓

- i. Regulations for Bed and Breakfast use:
 - i. The maximum number of guests in a Bed and Breakfast use at any one time is 6;
 - ii. The resident of the dwelling must be resident in the premises while the Bed and Breakfast use is operating;
 - iii. The maximum number of guests per sleeping unit (bedroom) is 2;
 - iv. No separate or additional facilities for the keeping or preparation of food is permitted within any sleeping unit (bedroom); and,
 - v. A Bed and Breakfast use is only permitted in a dwelling that contains no more than four sleeping units (bedrooms).

- j. Regulations for Short Term Rental use:
 - i. The maximum number of dwellings on a lot that may be occupied by a Short Term Rental use is 1;
 - ii. Short Term Rental use is only permitted in the following structures: Caretaker's Cottage, Single-Family Dwelling, or Secondary Suite located within a Single-Family Dwelling;
 - iii. A Short Term Rental use may not be located within any dwelling unit that has more than three sleeping units or bedrooms in total;
 - iv. The maximum number of guests in a Short Term Rental use at any one time is 6;
 - v. Short Term Rental use is permitted only where a Residential Use, occupied by a Permanent Resident, is occurring in a dwelling unit on the lot other than the dwelling unit in which the Short Term Rental use is occurring;
 - vi. Short Term Rental use is only permitted on a lot that contains two dwelling units; and,
 - vii. As a limited exception to the home occupation requirements set out in this bylaw and Part 4.3.2(f)(i), a property operated as a Short Term Rental by a licensed property management company can also be used as a home occupation provided that the Short Term Rental use complies with all other provisions of this bylaw, including the presence of a permanent resident on the lot.

Bylaw 1286 →

Bylaw 1286 →

- viii. In any calendar year a Short-Term Rental Use may only be operated in one dwelling unit; operators are not permitted to switch a short-term rental use between dwellings on a lot;

Bylaw 1321 →

- viii. At least one off-street parking stall shall be provided for each room rented as part of a Short Term Rental use.

3. Kitchens

- a. The maximum number of indoor kitchens per dwelling is 2.
- b. The maximum number of outdoor kitchens per lot is 1.

Bylaw 1238 →

4. Cannabis Sale and Production

- a. No person shall use any land, building, or structure for the sale, production, or distribution of cannabis.

PART 5 ADMINISTRATION AND ENFORCEMENT

5.1 Administration

- Bylaw 981** ⇒ 1. The Bylaw Enforcement Officer shall have the authority to administer this bylaw. For the purpose of this bylaw, the designated Bylaw Enforcement Officer means any of the following:
- Clerk Administrator of the District of Tofino;
 - Licence Inspector of the District of Tofino;
 - Bylaw Enforcement Officer of the District of Tofino;
 - Building Inspector for the District of Tofino;
 - RCMP Officers;
 - RCMP Auxiliary Officers.
 - Municipal Planner
2. No person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out duties prescribed by this bylaw.

5.2 Permits and Licences

No permit or licence shall be issued for a building, structure or use which violates any of the provisions of this bylaw.

5.3 Violation

Where a building, structure or use is in violation of any provisions of this bylaw, no permit for the erection or use of any building or structure, certificate of occupancy, or application for any Municipal licence, shall be issued or given in respect of the building, structure or use in or on which the violation is taking place.

5.4 Inspection

The Bylaw Enforcement Officer or any other official appointed for the purpose of inspection by Council, and their deputies, are authorized to enter at all reasonable times on any property subject to the regulations of this bylaw, to ascertain whether the provisions of this bylaw are being observed.

Bylaw 981 ⇒ **5.5 Penalties**

1. Any person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw or neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw, shall be deemed to be guilty of an infraction thereof, and liable to the penalty hereinafter provided. Each day that such violation is permitted to continue shall constitute a separate offence.
2. In addition to any other fines or penalties imposed under the provisions of this bylaw, any person violating any provision of this bylaw shall be deemed to have committed an offence; violations are punishable in accordance with the Offence Act and each violation shall be considered a separate offence.

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3. The penalties payable in respect of a breach of this bylaw are as follows:

OFFENCE	FINE
Contravention of USES PERMITTED in any ZONE	\$1,000.00

5.6 Bylaw Amendments

1. Any person applying to have this bylaw amended shall apply in writing to the District. No application which has been refused shall be considered within the six month period following the refusal of the amendment application unless by formal motion of Council.

PART 6 OFF-STREET PARKING AND LOADING

6.1 General Requirements

1. When development occurs on any lot, off-street parking and loading shall be provided and maintained in accordance with the requirements contained in this section.

Bylaw 1175 → 2. [removed]

3. The provisions of this section shall not apply to buildings, structures or uses existing on the effective date of this bylaw, except that:

1. off-street parking and loading facilities shall be provided and maintained in accordance with the provisions of this section for any addition to buildings or structures or any change or addition to such existing use;
2. off-street parking and loading existing on the effective date of this bylaw shall not be reduced below the applicable provisions of this section.

Bylaw 1175 → 4. [removed]

Bylaw 1175 → 5. [removed]

6.2 Units of Measurement

1. Where gross floor area is used as a unit of measurement for the calculation of required parking and loading spaces, it shall include the floor area of accessory buildings and basements, except where they are used for parking or heating.

Bylaw 1175 → 2. [removed]

Bylaw 1175 → 3. Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths and the like, each 0.8 metres (1.6 feet) of length of such seating accommodation shall be counted as one seat.

Bylaw 1175 → 4. When the calculation of parking and loading requirements results in a fractional parking or loading space of 0.6 or more, one parking or loading space shall be provided to meet this fractional requirement.

6.3 Required Off-Street Parking Spaces

Bylaw 1175 → 1. Off-street parking spaces shall be provided and maintained in conformance with the following minimum standards.

1 parking space per		DOWNTOWN (Main and Campbell Streets)			NEIGHBOURHOOD NODE			GATEWAY			ALL OTHER AREAS		
		Dwelling Unit	Seats	Area	Dwelling Unit	Seats	Area	Dwelling Unit	Seats	Area	Dwelling Unit	Seats	Area
RESIDENTIAL	Single Family	1	0	0	1.5	0	0	1	0	0	1.5	0	0
	Multi Family	1.2	0	0	1.2	0	0	1.2	0	0	1.2	0	0
		Sleeping Unit	Seats	Area	Sleeping Unit	Seats	Area	Sleeping Unit	Seats	Area	Sleeping Unit	Seats	Area
COMMERCIAL	Retail/Services	0	4	35 m ²	0	3	33 m ²	0	3	30 m ²	0	3	27 m ²
	Accommodation	1	0	200 m ²	1.1	0	175 m ²	1.2	0	150 m ²	1.3	0	125 m ²
	Restaurants/Cafes	0	5	35 m ²	0	4	33 m ²	0	4	30 m ²	0	4	27 m ²
	Tour Operators	0	5	35 m ²	0	4	33 m ²	0	4	30 m ²	0	4	27 m ²
		Dwelling Unit	Seats	Area	Dwelling Unit	Seats	Area	Dwelling Unit	Seats	Area	Dwelling Unit	Seats	Area
INDUSTRIAL	Water Based	1	0	150 m ²	1	0	200 m ²	1	0	150 m ²	1	0	200 m ²
	Land Based	1	0	200 m ²	1	0	200 m ²	1	0	200 m ²	1	0	200 m ²
		Dwelling Unit	Seats	Area	Dwelling Unit	Seats	Area	Dwelling Unit	Seats	Area	Dwelling Unit	Seats	Area
INSTITUTIONAL	Parks	As Required			As Required			As Required			As Required		
	Institutions	0	0.2	150 m ²	0	0.2	150 m ²	0	0.2	150 m ²	0	0.2	150 m ²
CD ZONE	Mixed Use	Based on the provisions above as appropriate			Based on the provisions above as appropriate			Based on the provisions above as appropriate			Based on the provisions above as appropriate		
OTHER	Marina	.25 spaces per berth			.25 spaces per berth			.25 spaces per berth			.25 spaces per berth		

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Bylaw 1175 → **6.3.2**

1. With respect to Commercial and Institutional zoned lots being developed in a Neighbourhood Node, Downtown (Main and Campbell Streets), Gateway, or Tourism Focus Development Permit Areas, the minimum number of required parking spaces to be provided shall be based on the total gross floor area of any proposed buildings as per Part 6.3.1.
2. With respect to Residential zoned lots being developed in the Neighbourhood Node, Downtown (Main and Campbell Streets), Gateway, or Tourism Focus Development Permit Areas, the minimum number of required parking spaces to be provided shall be based on the total dwelling units of any proposed buildings as per Part 6.3.1.
3. With respect to Commercial, and Institutional zoned lots being developed in the Neighbourhood Node, Downtown (Main and Campbell Streets), Gateway, or Tourism Focus Development Permit Areas, a minimum of 75% of the required parking spaces must be provided on site.
4. On Commercial, and Institutional zoned lots being developed in the Neighbourhood Node, Downtown (Main and Campbell Streets), Gateway, or Tourism Focus Development Permit Areas, a maximum of 25% of the required parking spaces may be purchased through the parking-in-lieu provisions of Part 6.10.1.

Bylaw 1175 → **6.4**

Use of Parking Facilities

All required off-street parking shall be used for the sole purpose of accommodating the vehicles of clients, customers, employees, members, residents or tenants who make use of the principal building or use for which it is provided. Such parking areas shall not be used for driveways, access or egress, commercial repair work, display or storage of goods of any kind. In addition, no such required spaces shall be leased or rented out.

6.5 Parking and Loading for Mixed Uses

Where a building contains uses which fall into more than one classification, the required number of parking and loading spaces shall be the sum of the spaces required for each use.

6.6 Parking Spaces for Disabled

Where ten or more parking spaces are required, at least one space or 1% (one percent), whichever is greater, of the required parking spaces in any parking area shall have a minimum width of 3.66 metres (12 ft) in order to allow sufficient access to vehicles by persons confined to wheelchairs. Such spaces shall be located as close as possible to the entrance of the use or structure and shall be reserved and designated for disabled persons and clearly marked for the sole use by disabled persons.

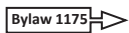
Bylaw 1175 → **6.7**

Location of Parking Areas

No required parking spaces shall be permitted in any front or required side yard setback area except as outlined below:

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1. In/on lands intended for residential use a parking space may be located within a side yard provided that no parking spaces are located in the required side yard setback; and a solid fence, or landscape screening of at least 1.5 metres in height, is provided between the adjacent lot line and the parking space;
2. In industrial zones, a parking space may be permitted in a front yard provided that no parking spaces are located in the required front yard and that the area between the front lot line and the parking area shall be landscaped and surrounded by a curb, except where crossed by driveways;
3. As defined within a Comprehensive Development Zone; and,
4. On lands intended for commercial, industrial or institutional use, all parking spaces must be clearly identified as pertaining to their use or user.



6.8 Design Criteria for Parking Spaces

1. Each off-street parking space shall contain a rectangle measuring a minimum of 6 metres (20 ft) long by 2.5 metres (8.2 ft) wide, and where applicable by 2.2 metres (7.2 ft) in height. For parallel parking the space shall be 7 metres (23 ft) long.
2. In any development proposal, up to 30% of the required parking spaces may be designed for compact cars. Such spaces shall be no smaller than 4.6 metres (15 ft) by 2.3 metres (7.5 ft) metres, and where applicable by 2.2 metres (7.2 ft) in height.
3. Where any parking space adjoins a wall or structure over 0.3 metres (1 ft) in height the width of the parking space shall be increased by 0.3 metres (1 ft) on each such adjoining side.
4. Every parking space shall have vehicular access to a street.
5. Unobstructed manoeuvring aisles shall be provided as follows:

Parking Angle	Direction of Travel	Aisle Width
90°	Two way	7.2 metres (23 ft)
75°	One way	6.1 metres (20 ft)
60°	One way	4.8 metres (15 ft)
45°	One way	4.0 metres (13 ft)
30°	One way	3.7 metres (12ft)
Parallel Parking	One way	3.4 metres (11 ft)

6. All parking areas shall be so graded and drained as to properly dispose of all surface water in an environmentally responsible manner based on the site specific circumstances; and in conformance with the appropriate District of Tofino Bylaws.
7. Any illumination of a parking lot shall be developed in accordance with the District of Tofino Dark Sky Policy and at the minimum provide shielding so as to divert the light from adjacent premises and the night sky.

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Bylaw 1175 → **6.9 Required Loading Spaces**

1. In addition to off-street parking, a building for commercial, industrial, institutional or other similar uses involving the movement of goods and materials by truck shall provide on the same lot as the building a minimum of one off-street loading space.
2. No loading area shall be permitted in a required front yard or required side yard setback.
3. Any part of a lot used or intended to be used as an loading space shall be enclosed by a view obscuring fence or hedge with a minimum height of 2 metres (6.5 ft) on any side not facing directly upon the principal building on the lot and no material shall be piled to extend above such screening.
4. Each off-street loading space shall have dimensions of not less than 3 metres (9.8 feet) in width, 9.25 metres (30.3 feet) in length and 4.25 metres (13.9 feet) in height.
5. Each loading space shall have vehicular access to a street.
6. All loading areas shall be surfaced with asphalt, concrete or similar finish so as to provide a surface that is durable and dust-free; shall be so graded and drained as to properly dispose of all surface water; and shall be clearly delineated.
7. Any illumination of a loading area shall be developed in accordance with the District of Tofino Dark Sky Policy and at the minimum provide shielding so as to divert the light from adjacent premises and the night sky.

Bylaw 1175 → **6.10 Parking-in-lieu Provisions**

6.10.1

1. In accordance with Part 6.3.2 and at the option of the owner or occupier; where a required parking space is not available on a property being developed, a payment, calculated at \$3,500.00 per required parking space, may be paid to the District of Tofino in lieu of each space.
2. The payment referred to in 6.10.1.1 is payable when the building permit is issued for the building or structure that is being put to the use that requires the parking provision; or where no building permit is issued, the commencement of the use that requires the parking provision.
3. The payment referred to in 6.10.1.1 shall be placed in a Parking Reserve Fund for the development of new and existing off-street parking spaces, or transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation.
4. Part 6.10.1 will only apply to those properties located within Neighbourhood Nodes, and the Main and Campbell Street Downtown, Gateway, and Tourism Focus Development Permit Areas.

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6.10.2

1. Where the owner or operator of a business is required to provide offsite parking through the business licensing process and cannot provide such parking, an owner or operator may be exempted from the requirement to provide parking spaces, provided;
 - The subject property is zoned for a primary commercial, industrial or institutional use;
 - That the owner or operator of the business requires no greater than 5 spaces;
 - The owner or occupier of the business has paid the required annual additional parking space fee associated with the subject location for each space/spaces; and,
 - The owner or operator of the business holds a valid District of Tofino business license with respect to the subject property.
2. The payment referred to in 6.10.2 shall be placed in a Parking Reserve Fund for the development of new and existing off-street parking spaces, or transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation.
3. Part 6.10.2 will only apply to those properties located within the District of Tofino Neighbourhood Nodes, Main and Campbell Streets Downtown, Gateway, and Tourism Focus Development Permit Areas.
4. Owners or operators who have not paid their additional parking space fee are not in compliance with the parking regulations of this Part.

6.10.3

The parking-in-lieu fees described in Part 6.10.1 and 6.10.2 shall be placed in a Parking Reserve Fund for the development of:

- new and existing off-street parking spaces, or
- transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation.

6.11

6.11.1

An approved bicycle rack may be installed on a subject property in lieu of providing 1 parking space under the following conditions;

- Part 6.11.1 only applies to Multi-Family, Commercial, Institutional and Industrial Uses located in the Neighbourhood Node, the Main and Campbell Streets Downtown, Gateway, and Tourism Focus Development Permit Areas;
- At a ratio of at least 6 bicycle parking spaces to 1 parking space; and,
- Only 1 parking space per subject property is eligible for the bike rack in lieu of provisions of 6.11.1.

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6.11.2

Any property owner who has purchased 3 or more parking-in-lieu spaces may be eligible to develop a parklet within a District of Tofino on-street parking space subject to meeting the requirements of District of Tofino parklet policy. All such parklets must be adjacent to the subject property

PART 7 LANDSCAPING

7.1 Landscaping and Screening Along Highway 4

1. All uses, except commercial uses, fronting Highway 4, shall be landscaped and screened to a minimum depth of 5 metres (16.4 feet)
2. Commercial areas fronting Highway 4 shall be landscaped along the Highway frontage portion of the lot (i.e. that part of the parcel abutting the highway).
3. Landscape screening is required between different uses along Highway 4.

7.2 Landscaping in Commercial Core

A minimum of 5% natural vegetation retention or landscaping shall be required.

7.3 General Landscape Provisions

1. Where a residential use parcel is contiguous to an industrial or commercial use parcel, any required yards along the common property lines, other than areas used for permitted parking and driveways, shall, on the industrial or commercial use parcel, be provided and maintained with landscaping screening. Such screening shall be to a minimum height of 1.5 metres (4.9 feet).
2. Where a residential lot is contiguous to an industrial use lot devoted primarily to storage yards, any required yards along common property lines shall include, on the industrial use parcel, screening to a minimum height of 2.0 metres (6.5 feet).
3. Where a lot abuts or is separated by a street or lane from an R or an RM District, all those portions of the required side yard not used for permitted parking or display areas shall be fully and suitably landscaped and properly maintained.
4. All those portions of a required front yard not used for permitted parking or display areas shall be fully and suitably landscaped and properly maintained.
5. In M3 Districts where a wrecking or scrap yard is located within 30.5 metres (100 feet) of an R or RM District, it shall be completely enclosed by a solid, view-obscuring fence at least 2.5 metres (8 feet) in height. No materials shall be piled in excess of 2.5 metres (8 feet) in the said yard.
6. Landscape screening shall be provided between different uses.

7.4 Fences

1. Height limitations table for fences and walls:

Zoning District Category	Maximum Height		
	Front Yard	Side Yard	Rear Yard
Residential	1 metre (3.3 feet)	1.8 metres (6 feet)	1.8 metres (6 feet)

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Commercial	1 metre (3.3 feet)	1.8 metres (6 feet)	1.8 metres (6 feet)
Industrial	1 metre (3.3 feet)	2.4 metres (8 feet)	2.4 metres (8 feet)
Parks and Institutional	1 metre (3.3 feet)	1.8 metres (6 feet)	1.8 metres (6 feet)

2. The maximum height limitations in 7.4.1 do not apply in A districts and in the areas of corner setbacks at intersections as set out in 7.4.3.
3. On corner lots, fencing shall be 1.2 metres (4 feet) or less in height, and no building, structure, or fence, shall be constructed or erected within a triangular area bounded by:
 - a) A diagonal line connecting points along a road on the lot lines 9 metres (30 feet) from their point of intersection at the street corner.
 - b) A diagonal line joining points along a lane on the lot lines 6 metres (20 feet) from their point of intersection at the lane corner. A lane intersection shall include the intersection of a lane with any other lane or with a road or street.
4. Notwithstanding 7.4.1, open mesh or chain link type fences erected on cemetery, public playground, park, playing-field, elementary or high school areas, and on the site of uses permitted in M districts may reach a maximum height of 3.7 metres (12 feet).
5. The height of a fence or wall is determined by measurement from the ground level at the average finished grade level within 1 metre (3 feet) of both sides of such fence, wall or hedge.
6. That portion of a retaining wall that projects above the surface of the ground it supports is considered a fence and subject to the height limitations set out in 7.4.1.
7. Retaining Walls: A retaining wall may not exceed 1.2 metres (4 feet) in height.
8. Where a retaining wall is situated on a property line, the height of the wall or any fence placed on the wall is determined by measurement from the surface of the ground supported by the retaining wall, at the average grade level within 1 metre (3 feet) of the retaining wall.

This District provides for single family residential development of urban character.

8.1 Primary Use

1. One single family dwelling;

8.2 Secondary Uses

1. Home Occupations;
2. Accessory buildings and uses. For clarity, in the R1 zone “accessory” also includes dock, wharf or berth facilities on residential use lots fronting the ocean;
3. Secondary Suite.
4. [deleted by Bylaw 1222]

8.3 Minimum Lot Area

Each lot shall have a minimum area of 668 square metres (7,200 feet).

8.4 Minimum Lot Width

Each lot shall have a minimum lot width of 18.3 metres (60 feet).

8.5 Maximum Lot Coverage

The maximum lot coverage shall be 25% of the lot area.

8.6 Maximum Building Height

The height of a principal building shall not exceed 10.4 metres (34 feet), nor two stories.

8.7 Minimum Yard Requirements

1. A front yard of not less than 7.5 metres (25 feet) in depth shall be provided.
2. Side yards of not less than 1.5 metres (5 feet) in width shall be provided on each side of a building. In the case of a corner lot the side yard adjoining the flanking street shall not be less than 3.7 metres (12 feet) in width.
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

8.8 Other Provisions and Off-Street Parking

In accordance with the provisions of Part 4 and Section 6.3.

PART 9 TWO FAMILY RESIDENTIAL DISTRICT (R2)

This District provides for the use and development of two family residential dwellings.

Bylaw1222 → 9.1 **Uses Permitted**

- Bylaw 774** → 1. One two family dwelling or one single family dwelling;
- 2. Home occupations in accordance with Part 4.3.2; and,
- 3. Accessory buildings and uses in accordance with Section 4.1.2;
- Bylaw1286** → 4. One Secondary Suite in a single family dwelling or Secondary Suites in a two family dwelling.

9.2 Minimum Lot Area

Each lot shall have a minimum area of 668 square metres (7,200 square feet).

9.3 Minimum Lot Width

Each lot for a two family dwelling shall have a minimum lot width of 18.3 metres (60 feet).

9.4 Maximum Lot Coverage

The maximum lot coverage shall be 30% of the lot area.

9.5 Maximum Building Height

The height of a principal building shall not exceed 10.4 metres (34 feet), nor two storeys.

9.6 Minimum Yard Requirements

- 1. A front yard of not less than 7.5 metres (25 feet) in depth shall be provided.
- 2. Side yards of not less than 1.5 metres (5 feet) shall be provided on each side of a building. In the case of a corner lot the side yard adjoining the flanking street shall be not less than 3.6 metres (12 feet) in width.
- 3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

9.7 Other Provisions and Off-Street Parking

In accordance with the provisions of Part 4 and Part 6.

PART 10 MIXED USE, INTERMEDIATE DENSITY, COMPREHENSIVE RESIDENTIAL DISTRICT (R4)

This District provides for a mix of single family, two family, townhouse dwellings, and clustered dwelling developments, supported by a Comprehensive Plan for subdivision of parent lands of 1 hectare (2.47 acres) or greater. Where a satisfactory Comprehensive Plan is prepared for development that provides for significant amounts of green space and numbers of multi-family dwellings, the intent is to permit a density bonus and flexibility in layout based on natural vegetation and topography.

Bylaw 886 ➤ **10.1 Uses permitted** **Bylaw 1141** ➤

1. Single family dwellings;
2. Two family dwellings;
3. Townhouse dwellings;
4. Dwellings, clustered;
5. Home occupations;
6. [deleted by Bylaw 1222]
7. Accessory buildings and uses; and
8. One Caretakers Cottage or One Secondary Suite; and,
9. [deleted by Bylaw 1222]

Bylaw 885 ➤ **10.2 Applicability**

Where a Comprehensive Plan is prepared to the satisfaction of the District of Tofino (as outlined in Section 10.5) and the development does not meet the density bonus criteria of Section 10.6; the density provisions listed in Section 10.4 will apply.

Alternatively, where a Comprehensive Plan is prepared to the satisfaction of the District of Tofino (as outlined in Section 10.5) and the development does meet the density bonus criteria of Section 10.6; the density provisions listed in Section 10.7 will apply.

10.3 Minimum Lot Area

When the Comprehensive Plan is prepared to the satisfaction of the District of Tofino (as outlined in Section 10.5) and submitted at the time of subdivision the average lot size shall be 1170 square metres (12,600 square ft) or greater. No lot shall be permitted with an area of less than 668 square metres (7,200 square ft). Bare land strata lots, under the Condominium Act, shall be subject to the density provisions in Section 10.4 or Section 10.7.

10.4 Density of Dwelling Units

Where a Comprehensive Plan is prepared to the satisfaction of the District of Tofino (as outlined in Section 10.5) and the development does not meet the density bonus criteria of Section 10.6; each dwelling unit shall have an average of 930 square metres (10,000 square feet), or greater, of lot area per unit; except that each dwelling unit may have a minimum of 668 square metres (7,200 square feet) of lot area per unit.

10.5 Comprehensive Plan Components

Bylaw 885 ➡

A Comprehensive Plan shall be appended to this Bylaw as Appendix 1. The Comprehensive Plan may be reinforced through the use of the Development Permit guideline process, under Section 945 of the *Municipal Act*.

The Comprehensive Plan shall consist of the following components:

1. The minimum area of land subject to the Comprehensive Plan shall be 1 hectare (2.47 acres).
2. A topographic plan, at a scale acceptable to the subdivision officer, outlining the lands designated for each of the permitted uses, the lands dedicated as public natural green space, and any lands or natural features that are designated for protection through covenants, Development Permits, or other mechanisms.
3. A description of the means by which the Comprehensive Plan will assist in achieving the planning and land use objectives of the Official Community Plan (i.e. clustering for the preservation of natural features, alternative road standards for reduced pavement coverage, use of Development Permits for the maintenance of residential character and form).
4. Where applicable, a draft version of the Development Permit Guidelines.

10.6 Density Bonus Criteria

Where a Comprehensive Plan for development satisfies the following criteria, the density provisions listed in Part 10.7 will apply.

1. A minimum of 40% of the dwelling units designated in the Comprehensive Plan and subdivision plan are in townhouse or clustered dwelling development, and;
2. A minimum of 30% of the developable area of the parent parcel is protected, by covenant or dedication in favor of the District of Tofino, as undisturbed green space.

10.7 Density of Dwelling Units

Where a Comprehensive Plan is prepared to the satisfaction of the District of Tofino (as outlined in Section 10.5) and the development does meet the density bonus criteria of Section 10.6 each dwelling unit within the development shall have an average of 668 square metres (7,200 square feet), or greater, of lot area per unit.

10.8 Minimum Lot Width

Each lot may have a minimum width of 18 metres (60 feet); however, the average lot width shall be 23 metres (75 feet) or greater.

10.9 Maximum Lot Coverage

The maximum lot coverage on lots designated for single family and two family dwellings shall be 33% of the lot area. The maximum lot coverage on lots designated for townhouse

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and clustered dwellings shall be 40% of the lot area.

10.10 Maximum Building Height

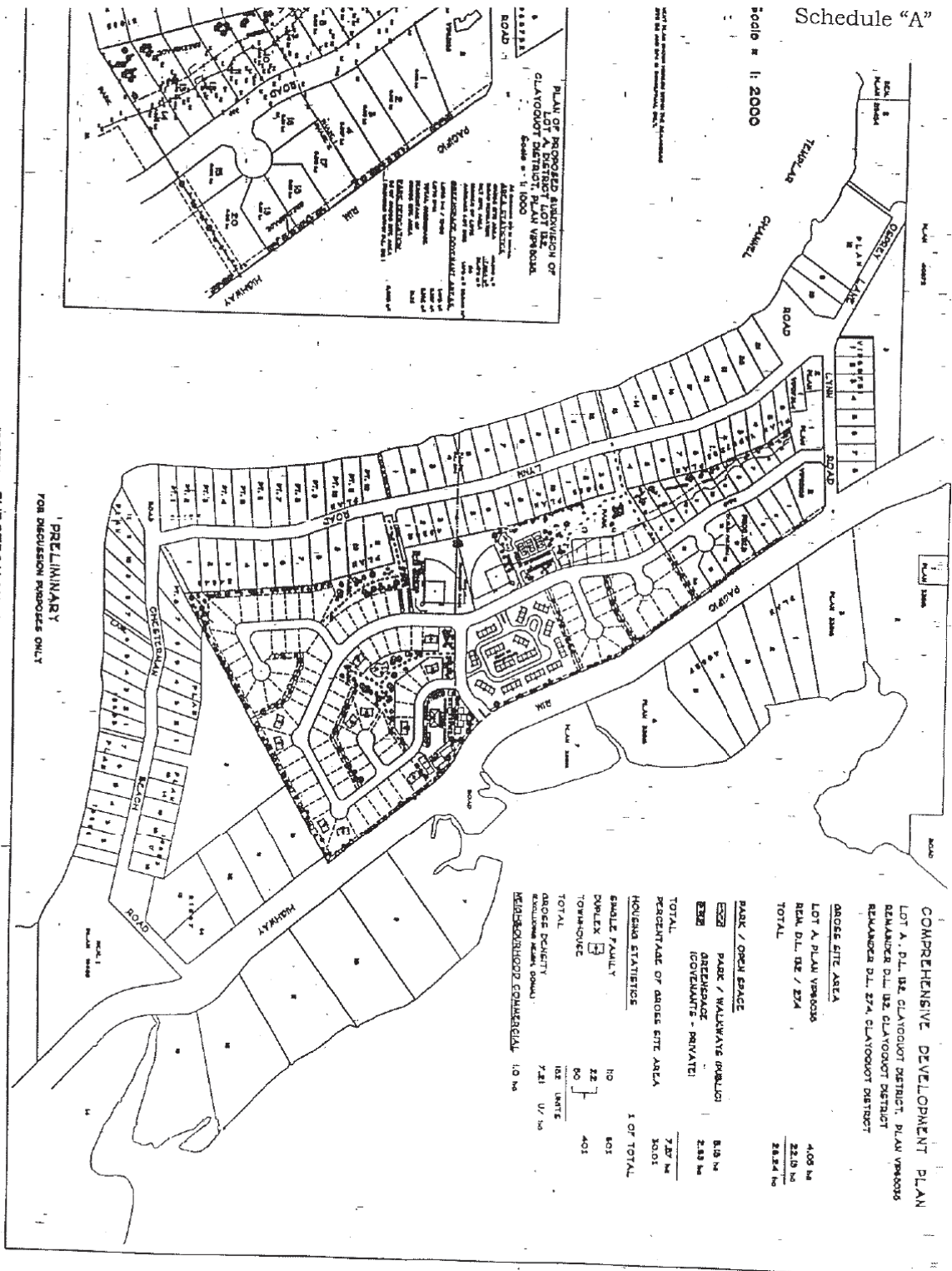
The maximum height of a principal building shall be 10.4 metres (34 feet) or two storeys.

10.11 Minimum Yard Requirements

1. A front yard of not less than 7.5 metres (25 feet) in depth shall be provided.
2. Side yards of not less 1.5 metres (5 feet) in width shall be provided on each side of a single family or two family dwelling. Side yards of not less than 3 metres (10 feet) shall be provided on each side of a townhouse or clustered dwelling development.
3. Rear yards of not less than 9 metres (30 feet) in depth shall be provided.

10.12 Other Provisions and Off-Street Parking

In accordance with the provisions of Part 4 and Section 6.3.



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Bylaw 774 ➔ **PART 11 MEDIUM MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM2)**

Bylaw 774 ➔ This District provides for medium density townhouse, row or cluster development designated primarily for family accommodation.

11.1 Uses Permitted

1. Townhouse dwellings or groups of townhouse dwellings;
2. Cluster housing dwellings or groups of cluster housing dwellings;
3. Duplex;
4. Garden Apartments; and,
- Bylaw 1222 ➔ 5. Accessory buildings and uses in accordance with Part 4.
- Bylaw 1278 ➔ 6. Home Occupations in accordance with Part 4.
- Bylaw 1286 ➔ 7. Secondary Suites.

11.2 Minimum Lot Area

Each lot shall have a minimum area of 1336 square metres (14,400 square feet).

11.3 Minimum Lot Width

Each lot shall have a minimum lot width of 36.6 metres (120 feet).

Bylaw 769 ➔ **11.4 Density**

Each dwelling shall have a minimum of 255.4 square metres (2750 ft²) of lot area per unit.

11.5 Maximum Lot Coverage

The maximum lot coverage shall be 40% of the lot area.

11.6 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4m (34 ft) nor two storeys.

11.7 Minimum Yard Requirements

1. A front yard of not less than 7.5 metres (25 feet) in depth shall be provided.
2. Side yards shall be provided on each side of a building of not less than 3 metres (10 ft) in width. In the case of a corner lot the side yard adjoining the flanking street shall be not less than 4.5 metres (15 feet) in width.
3. A rear yard shall be provided of not less than 10.6 metres (35 feet) in depth.

11.8 Usable Open Space

For multiple family developments with 12 units or more where at least 30% of units have 2 bedrooms or more, an equipped playground shall be provided on the lot having minimum dimensions of 7.5 metres x 7.5 metres (25 ft x 25 ft).

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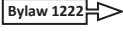
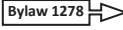
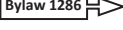
11.9 Off-Street Parking, Landscaping and Other Provisions

In accordance with the requirements of Part 4, Section 6.3 and Part 7 of this bylaw.

PART 12 MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM3)

This District provides for medium density apartment development catering primarily to the full range of family situations.

12.1 Uses Permitted

1. Apartment buildings and cluster housing dwellings;
-  2. Accessory buildings and uses in accordance with Part 4.
-  3. Home Occupations in accordance with Part 4.
-  4. Secondary Suites.

12.2 Minimum Lot Area

Each lot shall have a minimum area of 1,149 square metres (12,360 ft²).

12.3 Minimum Lot Width

Each lot shall have a minimum width of 22.9 metres (75 feet).

12.4 Density

1. Each apartment building dwelling shall have:
 - a) maximum of three apartments for the first 1,149 m² (12,360 ft²) of lot area; and
 - b) one additional apartment for each additional 70 m² (750 ft²) of lot area.

12.5 Maximum Lot Coverage

The maximum lot coverage shall be 50% of the lot area.

12.6 Maximum Building Height

The maximum height of an apartment building shall not exceed 12.2 metres (40 ft) nor three storeys.

12.7 Minimum Yard Requirements

1. A front yard of not less than 6.1 metres (20 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard shall be provided of not less than 9 metres (30 feet) in depth.

12.8 Usable Open Space

For multiple family developments with 12 units or more where at least 30% of units have three bedrooms or more, an equipped playground shall be provided on the lot having minimum dimensions of 7.5 metres x 7.5 metres (25 feet x 25 feet).

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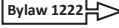
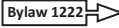
12.9 Off-Street Parking, Landscaping and Other Provisions

In accordance with the provisions of Section 4, Section 6.3, Part 7 and of this bylaw.

PART 13 MOBILE HOME PARK DISTRICT (RMH)

This District allows for the development of land for mobile home parks.

13.1 Uses Permitted

1. Mobile home park;
2. Mobile homes;
3. One single-family dwelling for the owner, caretaker or manager of the mobile home park in which it is situated;
4. Common storage areas for the storage of recreational vehicles, boats, etc.;
5. Common recreational facilities and the like as accessory buildings and uses;
-  6. Home occupations excluding Bed and Breakfast and Short Term Rental Uses; and,
-  7. Accessory buildings and uses in accordance with Part 4.

13.2 Minimum Lot Area

Each lot shall have a minimum area of 1 hectare (2.47 acres).

13.3 Minimum Lot Width

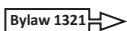
Each lot shall have a minimum width of 61 metres (200 feet).

13.4 Density

1. Each mobile home park shall have a maximum density of 20 mobile home sites per gross hectare.
2. Notwithstanding Section 13.4.1, each mobile home lot shall have a minimum of 325 square metres (3,500 square feet) of lot area per unit for a mobile home 4.5 metres (15 feet) in width and not less than 399.5 square metres (4,300 square feet) for a mobile home greater than 4.5 metres (15 feet) in width.

13.5 Maximum Lot Coverage

1. The maximum lot coverage shall be 35% of the mobile home site.

 Bylaw 1321 →

13.6 Maximum Building Height

The height of a single family dwelling unit shall not exceed 10.4 metres (34 feet) nor two storeys.

13.7 Minimum Yard Requirements for Mobile Home Park

1. A front yard of not less than 7.5 metres (25 feet) in depth shall be provided.
2. Side yards of not less than 7.5 metres (25 feet) in width shall be provided on each side.

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3. A rear yard shall be provided of not less than 7.5 metres (25 feet) in depth.

13.8 Minimum Yard Requirements for Mobile Home Site

1. A front yard of not less than 3 metres (10 feet) shall be provided.

Bylaw 774 →

2. Side yards of not less than 3 metres (10 feet) shall be provided on each side.
3. A rear yard shall be provided of not less than 2.25 metres (7.5 feet) in depth.

13.9 Development Standards

Mobile home parks shall be developed in accordance with the requirements of this bylaw and the standards set out in District of Tofino Mobile Home Parks Bylaw 1985, No. 381 and amendments thereto.

13.10 Off-Street Parking, Landscaping and Other Provisions

In accordance with the provisions of Section 4, Section 6.3, and Part 7 of this bylaw.

This District provides for the holding of rural residential land.

14.1 Primary Use

1. Single family dwelling.

14.2 Secondary Uses

1. Small scale agricultural uses, but excluding intensive livestock feeding operations;
2. Animal Hospital;
3. Home Occupations;
4. [deleted by Bylaw 1222]
5. One Caretakers Cottage or One Secondary Suite; and,
6. Accessory buildings and uses.

14.3 Minimum Lot Area

Each lot shall have a minimum area of 8094 square metres (2 acres).

14.4 Minimum Lot Width

Each lot shall have a minimum width of 50.3 metres (165 feet).

14.5 Maximum Lot Coverage

The maximum lot coverage shall be 30% of the lot area.

14.6 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

14.7 Minimum Yard Requirements

1. A front yard of not less than 7.5 metres (25 feet) in depth shall be provided.
2. Side yards on each side of a building of not less than 4.5 metres (15 feet) in width shall be provided.
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

14.8 Off-Street Parking and Other Provisions

In accordance with the provisions of Part 4 and Part 6.

This District provides for large lot development in non-urban situations.

15.1 Primary Use

1. Single family dwelling.

15.2 Secondary Uses

1. Small scale agricultural operation, but excluding intensive agricultural operations;
2. Home Occupations;
3. [deleted by Bylaw 1222]
4. One Caretakers Cottage or One Secondary Suite; and,
5. Accessory buildings and uses.

15.3 Minimum Lot Area

Each lot shall have a minimum area of 2 hectares (4.9 acres).

15.4 Minimum Lot Width

Each lot shall have a minimum width of 100.6 metres (330 feet).

15.5 Maximum Lot Coverage

The maximum lot coverage shall be 30% of the lot area.

15.6 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

15.7 Minimum Yard Requirements

1. A front yard of not less than 15.2 metres (50 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

15.8 Off-Street Parking and Other Provisions

In accordance with the provisions of Part 4 and Section 6.3.

This District provides for the retention of undeveloped forest lands as rural holdings.

16.1 Uses Permitted

1. Single family dwellings, provided that where the area of a lot is twenty acres or greater, not more than two such dwellings may be located on one lot.

16.2 Secondary Uses

1. Arboreta, botanical gardens, wildlife refuges and similar uses;
2. Harvesting of wild crops;
3. Forestry activity including primary processing of trees harvested from the property; and
4. Farming;
5. Home Occupations;
6. [deleted by Bylaw 1222]
7. One Caretakers Cottage or One Secondary Suite; and,
8. Accessory buildings and uses.

16.3 Minimum Lot Area

Each lot shall have a minimum area of 4 hectares (9.9 acres).

16.4 Minimum Lot Width

Each lot shall have a minimum width of 100.6 metres (330 feet).

16.5 Maximum Lot Coverage

The maximum lot coverage shall be 20% of lot area.

16.6 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

16.7 Minimum Yard Requirements

1. A front yard of not less than 7.5 metres (25 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

16.8 Off-Street Parking and Other Provisions

1. In accordance with the provisions of Part 4 and Section 6.3.

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This District provides for the retention of undeveloped forest lands and wild lands.

17.1 Uses Permitted

1. Single family dwelling;

17.2 Secondary Uses

1. Harvesting of wild crops;
2. Forestry activity including primary processing of trees harvested from the property;
3. Arboreta, botanical gardens, wildlife refuges and similar uses;
4. Home Occupations;
5. [deleted by Bylaw 1222]
6. One Caretakers Cottage or One Secondary Suite; and,
7. Accessory buildings and uses

17.3 Minimum Lot Area

Each lot shall have a minimum area of 4 hectares (9.9 acres).

17.4 Minimum Lot Width

Each lot shall have a minimum width of 100.6 metres (330 feet).

17.5 Maximum Lot Coverage

The maximum lot coverage shall be 10% of the lot area.

17.6 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

17.7 Minimum Yard Requirements

1. A front yard of not less than 15.2 metres (50 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

17.8 Off-Street Parking and Other Provisions

In accordance with the provisions of Part 4 and Section 6.3.

This District provides for residential development on large lots.

18.1 Uses Permitted

1. One single family dwelling;

18.2 Secondary Uses

1. Home Occupations;
2. [deleted by Bylaw 1222]
3. One Caretakers Cottage or One Secondary Suite; and,
4. Accessory buildings and uses.

18.3 Minimum Lot Area

Each lot shall have a minimum area of 1670 square metres (18,000 square feet).

18.4 Minimum Lot Width

Each lot shall have a minimum width of 27.4 metres (90 feet).

18.5 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet), nor two storeys.

18.6 Minimum Yard Requirements

1. A front yard of not less than 12.2 metres (40 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

18.7 Maximum Lot Coverage

The maximum lot coverage shall be 15%.

18.8 Off-Street Parking and Other Provisions

In accordance with the provisions of Part 4 and Section 6.3.

This District provides for the holding of rural residential land in medium sized parcels.

19.1 Uses Permitted

1. One single family dwelling;

19.2 Secondary Uses

1. Home Occupations;
2. [deleted by Bylaw 1222]
3. One Caretakers Cottage or One Secondary Suite; and,
4. Accessory buildings and uses.

19.3 Minimum Lot Area

Each lot shall have a minimum area of 4047 square metres (1 acre).

19.4 Minimum Lot Width

Each lot shall have a minimum width of 36.6 metres (120 feet).

19.5 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

19.6 Minimum Yard Requirements

1. A front yard of not less than 12.2 metres (40 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

19.7 Maximum Lot Coverage

The maximum lot coverage shall be 15%.

19.8 Off-Street Parking and Other Provisions

In accordance with the provisions of Part 4 and Section 6.3.

This District provides for single family residential development on medium parcels intended for future suburban development.

20.1 Uses Permitted

1. One single family dwelling;

20.2 Secondary Uses

1. Home Occupations;
2. [deleted by Bylaw 1222]
3. One Caretakers Cottage or One Secondary Suite; and,
4. Accessory buildings and uses.

20.3 Minimum Lot Area

Each lot shall have a minimum area of 2970 square metres (32,000 square feet [0.75 acre]).

20.4 Minimum Lot Width

Each lot shall have a minimum width of 32 metres (105 feet).

20.5 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

20.6 Minimum Yard Requirements

1. A front yard of not less than 12.2 metres (40 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

20.7 Maximum Lot Coverage

The maximum lot coverage shall be 15%.

20.8 Off-Street Parking and Other Provisions

In accordance with the provisions of Part 4 and Section 6.3.

PART 21 GUEST-HOUSE (PENSION) ACCOMMODATION DISTRICT (CG1)

This District provides for commercial tourist accommodation on a small scale.

21.1 Uses Permitted

1. Single family dwelling unit;
2. Guest house; and
3. Accessory buildings or uses in accordance with Part 4.

Bylaw 1222 →

21.2 Minimum Lot Area

Each lot shall have a minimum lot area of 668 square metres (7,200 square feet) with up to two sleeping units to let. Each of the third, fourth, and fifth permitted sleeping units to let shall have an additional minimum of 334 square metres (3,600 square feet) of lot area for each additional unit. e.g. Five bedrooms to let would require a minimum lot area of 1672.2 square metres (18,000 square feet). Four bedrooms to let would require a minimum of 1337.7 square metres (14,400 square feet) of lot area.

21.3 Minimum Lot Width

Each lot shall have a minimum width of 18.3 metres (60 feet).

21.4 Maximum Lot Coverage

The maximum lot coverage shall be 25% of the lot area.

21.5 Maximum Building Height

The height of a building shall not exceed 10.4 metres (34 feet), nor two storeys.

21.6 Minimum Yard Requirements

1. A front yard of not less than 7.5 metres (25 feet) in depth shall be provided.
2. Side yards of not less than 1.5 metres (5 feet) in width shall be provided on each side of the principal building. In the case of a corner lot the side yard adjoining the flanking street shall be not less than 3.7 metres (12 feet) in width.
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

21.7 Other provisions and Off-Street Parking

In accordance with the provisions of Part 4 and Section 6.3 and Landscaping requirements of Part 7.

21.8 Conditions of Use

1. The operation of a guest-house on any site/lot shall take place within and under a single roof structure only. Such operation shall contain and be ancillary to a single family dwelling unit component. The guest-house portion shall not exceed 50% of

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the gross floor area of the principal building.

2. Notwithstanding any other provision of this bylaw, no guest-house shall:
 - a) consist of more than five sleeping units for let;
 - b) permit or cater to more than ten guests maximum;
 - c) exceed a ratio of two bed spaces per sleeping unit for let;
 - d) permit or allow cooking or food preparation in any sleeping unit for let;
 - e) offer for let any room with a floor area less than 12 square metres (130 square feet) exclusive of washroom facilities or common (shared) areas;
 - f) operate or offer to operate without a valid business license issued by the District of Tofino; and,
 - g) for the purpose of this Part only a "sleeping unit" means a habitable room with minimum floor area of 11.14 square metres (120 square feet), exclusive of kitchen/cooking, dining, washing, bathing, or recreation facilities.

3. No guest-house shall be established, constructed, altered, maintained, or operated except in accordance with the following standards:
 - a) the plumbing, building, and electrical installations in a guest-house shall comply with the bylaws and regulations in force for commercial applications;
 - b) the guest-house shall comply with all regulations made pursuant to the Fire Services Act; and,
 - c) the Business License bylaws of the District of Tofino.

PART 22 LOCAL COMMERCIAL DISTRICT (C1)

This District provides for convenience shopping and local services customarily provided in a neighbourhood.

22.1 Uses Permitted

- Bylaw 774 → 1. Retail commercial, excluding lumber and building supply yards, and sale and servicing of automobiles, trucks, trailers, mobile homes, recreational vehicles, boats, farm and industrial equipment and machinery;
- 2. Personal service establishments;
- 3. Business, commercial and professional offices;
- 4. Medical and dental offices;
- 5. Financial institutions;
- Bylaw 1222 → 6. Lodge;
- 7. An accessory residential use located within a commercial building;
- Bylaw 1222 → 8. Accessory buildings and uses, in accordance with Part 4; and
- Bylaw 1288 → 9. Commercial Child Care

22.2 Minimum Lot Area

Each lot shall have a minimum area of 668 square metres (7200 square feet).

22.3 Minimum Lot Width

Each lot shall have a minimum width of 18.3 metres (60 feet) and a lot depth of not less than 30 metres (99 feet).

22.4 Maximum Lot Coverage

The maximum lot coverage shall be 50% of the lot area.

22.5 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 m (34 ft) nor two storeys.

22.6 Minimum Yard Requirements

- 1. A front yard of not less than 6 metres (20 feet) in depth shall be provided.
- 2. Minimum side yards of not less than 1.5 metres (5 feet) in width shall be provided on each side of a building, however the total of both side yards shall not be less than 6 metres (20 feet).
- 3. A rear yard of not less than 6 metres (20 feet) in depth shall be provided.

22.7 Maximum Retail Floor Area

Retail stores shall have a maximum of total retail floor space of 162 square metres (1750 square feet) for all uses.

22.8 Off-Street Parking and Loading, Landscaping and Other Provisions

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In accordance with the provisions of Part 4, Section 6.3 and Part 7.

PART 23 GENERAL COMMERCIAL DISTRICT (C2)

This District provides for commercial development serving the community-at-large.

Bylaw 1051 → 23.1 Uses Permitted

1. Personal service establishments;
2. Retail commercial;
3. Restaurant;
4. Residential above ground floor; and
- Bylaw 1222 →** 5. Accessory buildings and uses in accordance with Part 4
6. Art Galleries and Studios
- Bylaw 1288 →** 7. Commercial Child Care

23.2 Conditions of Use

1. Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities and accessory seasonal outdoor sales.
2. Light manufacturing and assembly, ancillary to a retail store shall satisfy all the following provisions:
 - a) Every business shall be conducted within a completely enclosed building with no areas used for outside storage;
 - b) Processing of raw materials is prohibited. Manufacturing and assembly shall be of pre-processed or previously finished materials; and
 - c) All goods produced on the premises shall be sold at retail on the same premises.

23.3 Minimum Lot Area

Each lot shall have a minimum area of 668 square metres (7,200 square feet).

23.4 Minimum Lot Width

Each lot shall have a minimum width of 18.3 metres (60 feet).

23.5 Maximum Building Height

The maximum height of a principal building shall not exceed 12.2 metres (40 feet) nor three storeys.

23.6 Minimum Yard Requirements

1. Where a lot zoned C-2 abuts a lot in any Residential or A zone without an intervening street or lane, a side yard of not less than 1.8 metres (6 feet) in width shall be provided. In all other cases, the combined side yard setback (i.e., the sum of both sideyard setbacks) shall not be less than 3.0 metres (10 feet).

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2. A rear yard of not less than 3 metres (10 feet) in depth shall be provided.

23.7 Maximum Lot Coverage

The maximum lot coverage shall be 70% of the lot area.

23.8 Prohibited Use of Space

The use of commercial space as a dwelling unit or units shall be prohibited. All dwelling units in a commercial building shall be located above, beside or behind commercial uses as separate residential space.

23.9 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Part 6 and Part 7.



Bylaw 1158 → 23.10 Addition to Uses Permitted

In addition to the uses permitted by Section 23.1, on the land legally described as Plan VIS 4427, District Lot 114, Clayoquot District, dwelling units may be used for the temporary accommodation of not more than 4 (four) guests during periods when such dwellings are not occupied for residential use.

PART 24 CORE COMMERCIAL DISTRICT (C2-A)

This District provides for commercial development in the commercial core oriented to the hospitality industry/tourism.

24.1 Uses Permitted

1. Retail commercial;
2. Artists studios and galleries;
3. Assembly uses;
4. Charter operators;
5. Cabarets and night clubs;
6. Wine and beer stores;
7. Lodges;
8. Entertainment uses;
9. Hotels and motels;
10. Live theatres;
11. Restaurants and cafes, excluding drive-in restaurants;
12. Housekeeping unit;
13. Residential above ground floor;
-  14. Accessory buildings and uses, in accordance with Part 4; and
-  15. Commercial Child Care

24.2 Conditions of Use

Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities and accessory seasonal outdoor sales.

24.3 Minimum Lot Area

Each lot shall have a minimum area of 668 square metres (7,200 square feet).

24.4 Minimum Lot Width

Each lot shall have a minimum width of 18.3 metres (60 feet).

24.5 Maximum Building Height

The maximum height of a principal building shall not exceed 12.2 metres (40 feet) nor three storeys.

24.6 Minimum Yard Requirements

1. Where a lot zoned C2-A abuts a lot in any Residential or A zone without an intervening street or lane, a side yard of not less than 1.8 metres (6 feet) in width shall be provided. In all other cases, the combined side yard setback (i.e., the sum of both sideyard setbacks) shall not be less than 3 metres (10 feet);
2. A rear yard of not less than 3 metres (10 feet) in depth shall be provided.

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24.7 Maximum Lot Coverage

The maximum lot coverage shall be 70% of the lot area.

24.8 Prohibited Use of Space

The use of commercial space as a dwelling unit or units shall be prohibited. All dwelling units in a commercial building shall be located above, beside or behind commercial use as separate residential space.

24.9 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Part 6 and Part 7.

Bylaw 935 → 24.10 Parking Lot

In addition to the uses permitted by Section 24.1, “parking lot” is a permitted use of land legally described as Lot 3, District Lot 114, Clayoquot District, Plan 23391.

PART 25 SERVICE COMMERCIAL DISTRICT (C3)

This District provides for commercial uses requiring large area for storing and handling materials, goods and equipment and for low intensity commercial use.

25.1 Uses Permitted

1. Retail sales limited to hardware stores, household furniture and appliance stores, second hand stores, pre-fabricated house and building dealers, service or rental of garden and building equipment, hardware, motor vehicles, trucks, boats, recreation vehicles, small equipment, and automotive parts;
2. Construction and contractors offices and operations;
3. Accessory offices;
4. Bowling alleys and billiard parlours;
5. General merchandise stores excluding department store type merchandise and grocery stores;
6. Bakeries, custom woodworking, household furniture manufacturing and sign and display uses;
7. Veterinary clinics;
8. Printing shops;
9. Motion picture and distribution uses;
10. Accessory dwelling units located within a commercial or other principal use building;
11. Auction rooms;
12. Commercial nurseries and greenhouses;
13. Transportation uses;
- Bylaw 1222 → 14. Accessory buildings and uses in accordance with Part 4; and
- Bylaw 1288 → 15. Commercial Child Care

25.2 Conditions of Use

1. No storage yard or area shall be permitted in a required front yard. No display yard located in a required front yard shall be situated closer than 2 metres (6.5 feet) to a front lot line. The area between the front lot line and the display yard shall be landscaped and surrounded by a curb, except where crossed by driveways.
2. Any part of a lot used or intended to be used as an outside storage area shall be fully enclosed by view obscuring fence with a minimum height of 2 metres (6.5 feet) on any side not facing directly upon the principal building and no material shall be piled higher than 3 metres (10 feet).

25.3 Minimum Lot Area

Each lot shall have a minimum area of 929 square metres (10,000 square feet).

25.4 Minimum Lot Width

Each lot shall have a minimum width of 30.5 metres (100 feet).

25.5 Maximum Lot Coverage

The maximum lot coverage shall be 60% of the lot area.

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25.6 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys

25.7 Minimum Yard Requirements

1. Where a lot zoned C3 abuts a lot in any Residential or A zone without an intervening street or lane, a side yard shall be provided of not less than 3 metres (10 feet) in width.
2. A rear yard shall be provided of not less than 3.0 metres (10 feet) in depth.



25.8 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Section 6.3 and Part 7.

PART 26 HIGHWAY COMMERCIAL DISTRICT (C4)

This District provides for commercial uses catering to vehicular-oriented uses that require direct access to Highway.

26.1 Uses Permitted

1. Service stations;
2. Retail uses, up to a maximum of 93 square metres (1,000 square feet) as accessory use only;
3. Self-service laundries (as an accessory use only);
4. Cafés (as an accessory use only);
5. Car wash (as an accessory use only);
6. One single-family dwelling ancillary to the principal use as a residence for an owner, manager or caretaker;
-  7. Accessory buildings and uses in accordance with Part 4; and,
-  8. Radio broadcasting.

26.2 Minimum Lot Area

Each lot shall have a minimum area of 1394 square metres (15,000 square feet).

26.3 Minimum Lot Width

Each lot shall have a minimum width of 36.6 metres (120 feet).

26.4 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) or two storeys.

26.5 Minimum Yard Requirements

1. A front yard of not less than 6.0 metres (20 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 6.0 metres (20 feet) in depth shall be provided.

26.6 Maximum Lot Coverage

The maximum lot coverage shall be 40% of the lot area.


26.7 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Section 6.3 and Part 7.

PART 27 HIGHWAY COMMERCIAL RETAIL DISTRICT (C-4A)

This District provides for the accommodation of vehicular-oriented commercial uses of low intensity and for services essential to, or dependent upon highway traffic.

27.1 Uses Permitted

1. The following retail outlets, provided that the retail floor area shall not exceed 186 square metres (2000 square feet): food stores, general merchandise stores, other enterprises oriented to highway traffic such as garden supplies or gift shops, marine supply and motor maintenance shop excluding hull and superstructure repair, and car vehicle rental equipment rental facilities;
2. The following personal services including barber and beauty shops, self-service laundries and dry cleaners, tourist guide service;
3. Restaurants;
4. One dwelling on the same lot as a permitted business or undertaking, for accommodation of the immediate family of the caretaker, manager, or proprietor of the particular premises or centre, provided that:
 - (a) Such dwelling may be contained in the same building as uses listed under clauses (2) and (3) above, where such uses are conducted within a completely closed building, in which case the permitted dwelling unit shall be located behind the commercial use and not closer than 6.1 metres (20 feet) to the front of the building, and shall be fully separated from the commercial use with the principal access to the dwelling unit being entirely separate from the related commercial uses;
 - (b) In the case of other types of business or undertaking, a permitted dwelling unit shall be located in a structure clearly separated from the related commercial use; and,
 - (c) Not less than 46.5 square metres (500 square feet) of usable open space shall be provided in conjunction with the dwelling unit.
5. Accessory buildings and uses; and
-  6. Commercial Child Care

27.2 Conditions of Use

1. Every business or undertaking shall be conducted within a completely enclosed building except for drive-in businesses, fruit and vegetable markets, ice dispensaries, vending machines, outdoor garden shops, parking and loading facilities;
2. All goods produced on the premises shall be sold at retail on the same premises; and,
3. Automobiles being repaired or stored for service shall be screened from adjacent properties or highway by landscaping or fence not less than 1.5 metres (5 feet) high.

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27.3 Minimum Lot Area

Each lot shall have a minimum area of 929 square metres (10,000 square feet).

27.4 Minimum Lot Width

Each lot shall have a minimum width of 30.5 metres (100 feet).

27.5 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) or two storeys.

27.6 Minimum Yard Requirements

1. A front yard of not less than 6 metres (20 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 6 metres (20 feet) in depth shall be provided.

27.7 Maximum Lot Coverage

The maximum lot coverage shall be 40% of the lot area.

27.8 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Section 6.3 and Part 7.

PART 28 TOURIST COMMERCIAL DISTRICT (C5)

This District provides for the development of a mixture of uses primarily catering to the travelling public.

28.1 Uses Permitted

1. Hotels, resorts and motels;
2. Restaurants (may be licensed);
3. Conference rooms/facilities as secondary use only;
4. Gift stores and/or licensed premises and/or charter operators as secondary uses only;
5. Recreational facilities and/or swimming pools and/or tennis courts as secondary uses only;
6. One single-family dwelling ancillary to the principal use as a residence for an owner, manager or caretaker;
7. Staff accommodation for seasonal employees;
- Bylaw 1222 → 8. Accessory buildings and uses in accordance with Part 4; and
- Bylaw 1288 → 9. Commercial Child Care

28.2 Conditions of Use

- Bylaw 1222 → 1. All Tourist Accommodation uses, hotels and resorts shall have an administration building or an office which may be located within or attached to a permitted single-family dwelling provided it has a separate, entrance.
2. Where a café or restaurant is included in a motel, resort or hotel facility, not more than three seats shall be provided for each sleeping unit located on the lot, without providing additional parking. Where the restaurant or public dining room exceeds three seats for each sleeping unit, parking shall be provided in a convenient location on the lot for the additional dining space, calculated at one space per three seats.
3. Staff accommodation for seasonal employees shall be required under the following circumstances and conditions:
 - a) such accommodation will be supplied at a ratio of one staff unit per first eight sleeping units and one further unit for each five further sleeping units;
 - b) staff units shall NOT be used as tourist accommodations;
 - c) such accommodations may be located off-site;
 - d) the requirement applies only to tourist commercial facilities having greater than six sleeping units.
- Bylaw 952 → 4. Despite any other provision of this bylaw, on land legally described as Lot A, District Lot 131, Clayoquot District, Plan 32709 the maximum number of sleeping units that may be developed is six, unless the Owner provides a recreational amenity to the District of Tofino in the form of a cash payment of \$25,000 prior to the issuance of any building permit by which the construction of more than six sleeping units is authorized on the land, such funds to be placed in a reserve fund and used only to provide recreational facilities within the District of Tofino, in which case the land may

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be developed to the maximum density specified in Section 28.7 without regard to the number of sleeping units being developed.”

28.3 Minimum Lot Area

Each lot shall have a minimum area of 8100 square metres (2 acres).

28.4 Minimum Lot Width

Each lot shall have a minimum width of 61 metres (200 feet).

28.5 Maximum Building Height

The maximum height of a principal building shall not exceed 12.2 metres (40 feet) nor three storeys.

28.6 Minimum Yard Requirements

1. A front yard of not less than 6 metres (20 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 6 metres (20 feet) in depth shall be provided.

28.7 Maximum Lot Coverage

The maximum lot coverage shall be 33% of the lot area.



28.8 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Section 6.3 and Part 7.

PART 29 CAMPGROUND COMMERCIAL DISTRICT (C6)

This District permits for the development of commercial campgrounds.

29.1 Uses Permitted

1. Campground;
-  2. Accessory buildings and uses in accordance with Part 4; and
-  3. Commercial Child Care

29.2 Density

1. The maximum density permitted in the zone shall be 45 units per hectare (18 units per acre).
2. A “unit” shall be considered to be a recreational vehicle campsite including its associated outdoor camping area; a campsite for tents or trailers including one vehicle parking space and its associated outdoor recreation area; the residence of the owner or manager, a retail or rental store; and staff accommodation building.

29.3 Maximum Lot Coverage

The maximum lot coverage shall not exceed 50%.

29.4 Minimum Lot Area

The minimum lot area shall be 8100 square metres (2 acres).

29.5 Minimum Lot Width

Each lot shall have a minimum width of 61 metres (200 feet).

29.6 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

29.7 Minimum Yard Requirements

1. A front yard of not less than 7.5 metres (25 feet) in depth shall be provided.
2. Side yards of not less than 7.5 metres (25 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 7.5 metres (25 feet) in depth shall be provided.

29.8 Off-Street Parking and Loading and Other Provisions

In accordance with the provisions of Part 4 and Section 6.3.

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29.9 Conditions of Use

1. Campgrounds shall comply with the provisions of other regulatory bylaw of the District of Tofino, in force.
2. In any campground facility, staff accommodation (either in the form of housekeeping units or sleeping units) shall be provided at a ratio of one staff unit per 25 sites or portion thereof.

PART 30 DESTINATION CAMPGROUND DISTRICT (C7)

This District provides for the development of campgrounds at lower densities.

30.1 Uses Permitted

1. All uses permitted in the C-6 zone;
-  2. Accessory buildings and uses in accordance with Part 4; and
-  3. Commercial Child Care

30.2 Density

1. The maximum density permitted in the zone shall be 24 units per hectare (10 units per acre).
2. A unit shall be considered to be a recreational vehicle campsite including its associated outdoor camping area; a campsite for tents or trailers including one vehicle parking space and its associated outdoor recreation area; the residence of the owner or manager, a restaurant, a retail or rental store; and staff accommodation facility.

30.3 Maximum Lot Coverage

The maximum lot coverage shall not exceed 25%.

30.4 Minimum Lot Area

The minimum lot area shall be 2 hectares (4.9 acres).

30.5 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

30.6 Minimum Lot Width

Each lot shall have a minimum width of 61 metres (200 feet).

30.7 Minimum Yard Requirements

1. A front yard of not less than 7.5 metres (25 feet) in depth shall be provided.
2. Side yards of not less than 7.5 metres (25 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 7.5 metres (25 feet) in depth shall be provided.

30.8 Off-Street Parking and Loading and Other Provisions

In accordance with the provisions of Part 4 and Section 6.3.

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30.9 Conditions of Use

1. Campgrounds shall comply with the provisions of other regulatory bylaw of the District of Tofino, in force.
2. In any campground facility, staff accommodation (either in the form of housekeeping units or sleeping units) shall be provided at a ratio of one staff unit per 25 sites or portion thereof.

PART 31 HOSTEL ACCOMMODATION DISTRICT (H1)

This District provides for hostel type of accommodation subject to the conditions noted.

31.1 Uses Permitted

1. One hostel;
2. One accessory single family dwelling unit for the owner/manager of the hostel; and,
3. Accessory buildings or uses in accordance with Part 4.

Bylaw 1222 →

31.2 Minimum Lot Area

Each lot shall have a minimum area of 1672 square metres (18,000 square feet).

31.3 Minimum Lot Width

Each lot shall have a minimum width of 30.5 metres (100 feet).

31.4 Maximum Lot Coverage

The maximum lot coverage shall be 25% of the lot area.

31.5 Maximum Building Height

The maximum height of a principal building shall be 10.4 metres (34 feet) or two storeys.

31.6 Minimum Yard Requirements

1. A front yard of not less than 7.5 metres (25 feet) shall be provided;
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of the principal building;
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

31.7 Off Street Parking and Other Requirements

In accordance with the provision of Part 4 and Section 6.3 and landscaping requirements of Part 7.

31.8 Conditions of Use

1. The operation of a hostel on any site/lot shall take place within and under a single roof structure only. Such operation shall contain a single family dwelling unit component as an integral part of the operation.
2. Notwithstanding any other provision of this bylaw, a hostel shall:
 - a) permit or cater to no more than 60 guests in one or more sleeping units;

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- b) every guest shall be provided exclusive use of a suitable bed space in a sleeping unit;
- c) every sleeping unit shall have a minimum of 3.7 square metres (40 square feet) of floor area per bed provided (bunk or stacked beds shall have 2.8 square metres (30 square feet) of floor area per bed space;
- d) for the purpose of this Part only a "sleeping unit" means a habitable room with minimum floor area of 11.2 square metres (120 square feet), exclusive of kitchen/cooking, dining, washing, bathing, or recreation facilities;
- e) facilities for preparation and consumption of food, by guests, shall be provided; and
- f) provide washroom facilities as outlined in Table H1:

TABLE H1						
<u>WASHROOM FACILITIES</u>						
Number of Bed Spaces	<u>Toilets</u>		<u>Washbasins</u>		<u>Shower</u>	
	Guest Use/(Handicapped)		Guest Use/(Handicapped)		Guest Use/(Handicapped)	
1-12	2	(1)	2	(1)	2	(1)
13-25	3	(1)	3	(1)	3	(1)
26-48	4*	(1)	4	(1)	3	(1)
49-60	4*	(2)	6	(2)	4	(1)

(Separate handicapped facilities required when accessibility is not built into the minimum required facilities)




*One of the required number of toilets may be replaced by one or more urinals.

- 3. No hostel shall be established, constructed, altered, maintained, or operated except in accordance with the following standards:
 - a) the plumbing, building, and electrical installations in the hostel shall comply with the by-laws and regulations in force for commercial applications;
 - b) the hostel shall comply with all regulations made pursuant to the *Fire Services Act*; and
 - c) the Business License bylaws of the District of Tofino.

PART 32 INDUSTRIAL PARK DISTRICT (M1)

This District provides for the development of light industrial uses in the District industrial park.

32.1 Uses Permitted

1. Cartage, delivery, and express facilities;
2. Manufacturing, processing, assembly, repair and finishing of products but excluding tanneries or rendering plants;
3. Motor vehicle, boat, marine, truck, trailer, mobile home, tools and equipment and/or parts sales and service, but excluding motor fuel sales;
4. Offices accessory to a permitted use;
5. Printing establishments;
6. Retail sales ancillary to a warehousing, wholesaling or manufacturing function;
7. Trade contractor workshops;
8. Transportation uses;
-  9. One single-family dwelling or secondary suite for caretaker use only;
-  10. Mini Storage Facilities, provided such storage is internal and also external storage of boats and travel trailers provided the area is landscaped and screened;
-  11. Accessory buildings and uses in accordance with Part 4.

32.2 Minimum Lot Area

Each lot shall have a minimum area of 929 square metres (10,000 square feet).

32.3 Minimum Lot Width

Each lot shall have a minimum width of 30.5 metres (100 feet).

32.4 Maximum Lot Coverage

The maximum lot coverage shall be 50% of the lot area.

32.5 Maximum Building Height

The maximum height of a principal building shall be 12.2 metres (40 feet) or three storeys.

32.6 Minimum Yard Requirements

1. A minimum front yard of 6 metres (20 feet) in depth shall be provided.
2. Minimum rear yards of 3 metres (10 feet) in width shall be provided.
3. Minimum side yards shall be 3 metres (10 feet).

32.7 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Section 6.3 and Part 7.

32.8 Addition to Uses Permitted

1. In addition to the uses permitted by Section 32.1, on the land legally described as Lot 4, District Lot 122, Clayoquot District, Plan VIP71743, an “upper floor dwelling unit” is a permitted accessory use, when each unit is associated with a ground floor unit containing a permitted industrial use, up to a maximum total density of eight (8) units.”
2. In addition to the uses permitted by Section 32.1, on the land legally described as Lot 3, District Lot 122, Clayoquot District, Plan VIP71743, recreational uses which require tall indoor spaces including climbing gyms, skateboard parks, racket sports, gymnastics, acrobatics and ball sports are permitted uses.

3. In addition to the uses permitted by Section 32.1, on the land legally described as Lot 2, District Lot 122, Clayoquot District, Plan VIP71743 a “Brewery Lounge” is a permitted use.

PART 33 LIGHT INDUSTRIAL DISTRICT (M2)

This District provides for general industrial development but excludes heavy industrial uses.

33.1 Uses Permitted

1. All uses permitted in the M-1 District;
2. Wholesale of construction materials including screening and crushing of sand and gravel;
3. Recycling depot;
- Bylaw 1286 → 4. [Removed by Bylaw 1286]
- Bylaw 1222 → 5. [Removed by Bylaw 1286]

33.2 Minimum Lot Area

Each lot shall have a minimum area of 929 square metres (10,000 square feet).

33.3 Minimum Lot Width

Each lot shall have a minimum width of 30.5 metres (100 feet).

33.4 Maximum Lot Coverage

The maximum lot coverage shall be 75% of the lot area.

33.5 Maximum Building Height

The maximum height of a principal building shall not exceed 12.2 metres (40 feet) nor three storeys.

33.6 Minimum Yard Requirements

1. A minimum front yard of not less than 3 metres (10 feet) in depth shall be provided.
2. Minimum rear yards of 3 metres (10 feet) in width shall be provided;
3. Minimum side yards shall be 3 metres (10 feet).

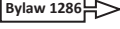
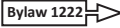
33.7 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Section 6.3 and Part 7.

PART 34 HEAVY INDUSTRIAL DISTRICT (M3)

This District provides for the development of heavy industrial uses.

34.1 Uses Permitted

1. Fish, meat and poultry processing;
2. Wood manufacturing industries;
3. Processing, fabricating and assembly uses;
4. Bulk petroleum products storage and sales;
5. Wrecking, salvage and scrap yards and accessory sales;
6. Wholesale of construction materials including screening and crushing of sand and gravel;
-  7. One single-family dwelling or secondary suite for caretaker use only;
-  8. Accessory buildings and uses in accordance with Part 4.

34.2 Minimum Lot Area

Each lot shall have a minimum area of 929 square metres (10,000 square feet).

34.3 Minimum Lot Width

Each lot shall have a minimum width of 30.5 metres (100 feet).

34.4 Maximum Lot Coverage

The maximum lot coverage shall be 60% of lot area.

34.5 Maximum Building Height

The maximum height of a principal building shall not exceed 12.2m (40ft) nor three storeys.

34.6 Minimum Yard Requirements

1. A minimum front yard of 3 metres (10 feet) in depth shall be provided.
2. Minimum rear yards of 3 metres (10 feet) in width shall be provided;
3. Side yards shall be 3 metres (10 feet) minimum

34.7 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Section 6.3, and Part 7.

34.8 Condition of Use

Accessory residential use for caretaker only.

34.9 Heavy Industrial District (M3):




In addition to the uses permitted by Section 34.1 on the land legally described as Lot A, D.L. 116, Clayoquot District, Plan VIP62267, "Commercial Storage Facilities" is a permitted accessory use."

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PART 35 PARKS AND INSTITUTIONS DISTRICT (P1)

This District provides for the development of community oriented institutional-type uses.

35.1 Uses Permitted

1. Civic uses;
2. Assembly use;
-  → 3. Accessory Residential Use shall be permitted;
-  → 4. Accessory buildings and uses in accordance with Part 4; and
-  → 5. Commercial Child Care

35.2 Minimum Lot Area

Each lot except for a park dedicated as such by subdivision plan shall have a minimum area of 668 square metres (7,200 square feet).

35.3 Minimum Lot Width

Each lot shall have a minimum width of 18.3 metres (60 feet).

35.4 Maximum Lot Coverage

The maximum lot coverage shall be 40%.

35.5 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

35.6 Minimum Yard Requirements

1. A minimum front yard of 7.5 metres (25 feet) in depth shall be provided.
2. A minimum side yard of 1.5 metres (5 feet) in width shall be provided.
3. A minimum rear yard of 9 metres (30 feet) in depth shall be provided.

35.7 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Section 6.3 and Part 7.

This District provides for the development of primarily institutional and educational type uses with limited ancillary commercial and residential elements.

35A.1 Uses Permitted

1. Civic Uses;
2. Assembly Uses;
3. Educational Use (e.g. private schools);
4. Arboreta, botanical gardens, wildlife refuges;
5. The following ancillary commercial elements:
 - one restaurant/teahouse - limited to a maximum floor area of 69.7 square metres (750 square feet);
 - gift shop/retail sales - limited to a combined maximum floor area of 92.9 square metres (1,000 square feet);
 - gallery or other facility for the display or performance in natural science and cultural interest; not including retail sales or food service except as provided elsewhere in this section (5);
 - nursery and greenhouse facility - limited to a maximum internal floor area of 464.5 square metres (5,000 square feet);
 - one restaurant/cafeteria - providing food service for the students, staff, guests and visitors - limited to a maximum service floor area of 69.7 square metres (750 square feet) excluding kitchen space shared with the dormitory (provided in 6 below);
6. Accessory student dormitory facility:
 - limited to one building only;
 - limited to a maximum total of 32 bed spaces in one or more sleeping units with ancillary common living/kitchen/study facilities;
7. Accessory Residential Use under Section 4.10(2) shall be permitted;
- Bylaw 1222 ➔ 8. Accessory buildings and uses in accordance with Part 4; and
- Bylaw 1288 ➔ 9. Commercial Child Care

35A.2 Conditions of Use

1. Accessory Uses in this zone include:
 - i) administrative functions directly associated with the use elements on site;
 - ii) display functions;
 - iii) classroom and lecture facilities;
 - iv) labs, workshops, library and resource and study areas;
 - v) greenhouses, storage sheds and public washroom facilities;
 - vi) observations platforms and towers limited to 15.2 metres (50 feet) maximum height and;
 - vii) garden/arboretum plots.
2. Student accommodation under Section 35A.1.6 above shall not be used for tourist commercial accommodation and no other residential components permitted shall be used for tourist commercial accommodation.
- Bylaw 1222 ➔ 3. Residential units shall comply with minimum floor areas as set out in Part 4.

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4. In the interests of clarity, the following conditions shall apply:
- 1) The operation of a dormitory on any site shall take place within and under a single roof structure only;
 - 2) Notwithstanding any other provision of this by-law, dormitory units permitted within this zone shall:
 - a) permit or cater to no more than 32 guests/students in one or more sleeping units;
 - b) every guest/student shall be provided exclusive use of a suitable bed space in a sleeping unit;
 - c) for the purpose of this part only a “sleeping unit” means a habitable room with minimum floor area of 11.2 square metres (120 square feet), exclusive of kitchen/cooking, dining, washing, bathing, or recreation facilities;
 - d) every sleeping unit shall have a minimum of 5.6 square metres (60 square feet) of floor area per bed space provided;
 - e) facilities for preparation and consumption of food, by guests, shall be provided; and
 - f) washroom facilities to the degree outlined in Table 1 shall be provided:

TABLE 1						
WASHROOM FACILITIES						
Number of Bed Spaces	<u>Toilets</u>		<u>Washbasins</u>		<u>Shower</u>	
	Guest Use	Handicapped	Guest Use	Handicapped	Guest Use	Handicapped
1 - 12	2	1	2	1	2	1
13-25	3	1	3	1	3	1
26-32	4*	1	4	1	3	1

* One of the required number of toilets may be replaced by one or more urinals.

- 3) No dormitory units shall be established, constructed, altered, maintained, or operated except in accordance with the following standards:
 - a) the plumbing, building and electrical installations in the dormitory shall comply with the by-laws and regulations in force for commercial applications;
 - b) the dormitory shall comply with all regulations made pursuant to the *Fire Services Act*; and
 - c) the Business License by-laws of the District of Tofino

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35A.3 Minimum Lot Area

Each lot shall have a minimum area of 2 hectares (4.9 acres).

35A.4 Minimum Lot Width

Each lot shall have a minimum width of 36 metres (120 feet)

35A.5 Maximum Lot Coverage

The maximum lot coverage shall be 10%.

35A.6 Maximum Building Height

The maximum building height of a principal building shall not exceed 10.4 metres (34 feet) nor 2 storeys except for elements in Section 35A.2 1(vi) above.

35A.7 Minimum Yard Requirements

1. A minimum front yard of 12.2 metres (40 feet) in depth shall be provided.
2. A minimum side yard of 4.5 meters (15 feet) in width shall be provided.
3. A minimum rear yard of 9 metres (30 feet) in depth shall be provided.

35A.8 Off-Street Parking, Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Section 6.3 and Part 7.

PART 36 PARK AND PUBLIC USE DISTRICT (P2)

This District provides for the development of public uses and parks.

36.1 Uses Permitted

1. Cultural and recreational facilities;
2. Public fairground, exhibition hall;
3. Public parking and boat mooring areas and facility, but excluding marinas;
4. Private dock/boat house facility and moorage associated with and adjacent to residential uses and zones;
5. Public park, playground, and campground;
6. Accessory residential use or dwelling unit;
7. Navigational aid; and,
8. Accessory building and uses in accordance with Part 4.

Bylaw 1222 →

36.2 Minimum Lot Area

Each lot except for a park dedicated as such by subdivision plan shall have a minimum area of 668 square metres (7,200 square feet).

36.3 Minimum Lot Width

Each lot not used for park purposes shall have a minimum width of 15 metres (50 feet).

36.4 Maximum Lot Coverage

The maximum lot coverage shall be 40%.

36.5 Maximum Building Height

The maximum height of a principal building shall not exceed 12.2 metres (40 feet) nor two storeys.

36.6 Minimum Yard Requirements

1. A minimum front yard of 6 metres (20 feet) in depth shall be provided.
2. A minimum side yard of 1.5 metres (5 feet) in width shall be provided.
3. A minimum rear yard of 9 metres (31 feet) in depth shall be provided.

36.7 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Section 6.3 and Part 7.

PART 37 WATERFRONT COMMERCIAL DISTRICT (W1)

This District provides for the accommodation of a broad range of commercial enterprises primarily oriented to water users and water traffic.

37.1 Uses Permitted

1. Boat rental operation including temporary boat storage;
2. Restaurant (excluding drive-in business);
3. Commercial mooring facility or marina;
4. Docks, wharves, and floats for the use of water taxis, ferries, float planes and amphibious vessels;
5. Marine fuelling operation but not within 60 metres (200 ft) of any residence or R District;
6. Marine oriented club such as yacht club;
7. Retail sale of live or fresh fish including shellfish;
8. Retail sale of fishing supplies, live or fresh bait, and other marine equipment;
9. Retail uses, up to 93 square metres (1,000 square feet) as accessory uses only;
10. Private floats and wharves necessary for practical access by boats to commercial enterprises primarily oriented to water uses and water traffic.
11. Permanent residence on one boat or vessel by one member or employee of a yacht club, or a proprietor or employee of any other use permitted within this District for purposes of security and fire protection;
12. Temporary or seasonal residence on a boat or vessel for commercial fishing purposes, provided that the vessel is docked at a location where the following on-shore facilities are provided as a minimum in separate rooms: one urinal, one water-closet, two wash-basins and one bathtub or shower;
13. Hotel; and,
14. Accessory buildings and uses in accordance with Part 4 (including manager's accommodation).

Bylaw 1222 →

37.2 Conditions of Use

1. Retail activities permitted in this District shall take place primarily within a building or structure.
2. No boat building or commercial repair business shall be conducted in this District.
3. Boat houses or boat shelters shall be permitted in this zoning District only under the following conditions:
 - (i) undercover, on land, in connection with kayak, canoe, or small boat rental operation;
 - (ii) on water, no floating boat shelter shall exceed a maximum height of 4.9 metres (16 feet) above the surface of the water nor a maximum length of 13.7 metres (45 feet).
4. Usable open space shall be provided ancillary to any motel or motor hotel use within this zoning District in accordance with the following criteria:
 - a) 9.3 metres (100 square feet) per individual motel unit;

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37.3 Maximum Building Height

The maximum building height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

37.4 Off-Street Parking and Loading and Other Provisions

In accordance with the provisions of Part 6.3 and Part 4.

37.5 Minimum Yard Requirements

1. A minimum front yard of 7.5 metres (25 feet) in depth shall be provided.
2. A minimum side yard of 3 metres (10 feet) in width shall be provided.
3. A minimum rear yard of 7.5 metres (25 feet) in depth shall be provided.
4. Subsection 2 above relates to upland situations only. This requirement is reduced to a 1.5 metre (5 feet) side yard setback for water elements and situations.

PART 38 WATERFRONT INDUSTRIAL DISTRICT (W2)

This District provides for the accommodation of industries that are related to the fishing industry, marine transportation, shipbuilding and maintenance.

38.1 Uses Permitted

1. Marine fuelling;
2. Mooring or wharfing of commercial vessels;
3. Repair and maintenance shops oriented to marine use and water traffic;
4. Shipbuilding, boat building and repair;
5. Warehouses, works yards, storage and loading facilities oriented to marine use and water traffic;
6. Fish products industry; and
7. Retail uses, up to a maximum of 93 square metres (1,000 square feet) as accessory use only.

38.2 Conditions of Use

Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, dust, liquid effluent, fumes, smoke, vibration, noise or glare, nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.

38.3 Maximum Building Height

The maximum building height of a principal building shall not exceed 12.2 metres (40 feet) nor three storeys.

38.4 Off-Street Parking and Loading and Other Provisions

In accordance with the provisions of Part 4 and Section 6.3.

38.5 Minimum Yard Requirements

1. A minimum front yard of 7.5 metres (25 feet) in depth shall be provided.
2. A minimum side yard of 3 metres (10 feet) in width shall be provided.
3. A minimum rear yard of 7.5 metres (25 feet) in depth shall be provided.

PART 39 BULK AND SITE REGULATIONS

ZONING DISTRICT OR USE	MIN. LOT WIDTH (m)	MINIMUM LOT AREA M ²	MAXIMUM LOT COVERAG E	MINIMUM YARDS (m)			MAXIMUM HEIGHT	
				FRONT	REAR	SIDE	STOREYS	METRES
R1	18.3	668	25%	7.5	9.0	1.5	2	10.4
R2	18.3	668	30%	7.5	9.0	1.5	2	10.4
R4	*	*	33%-40%	7.5	9.0	1.5	2	10.4
RM2	36.6	1336	40%	7.5	10.6	3.0	2	10.4
RM3	22.9	1149	50%	6.1	9.0	4.5	3	12.2
RMH	61.0	1.0 ha	35%	7.5	7.5	7.5	2	10.4
A1	50.3	8094	30%	7.5	9.0	4.6	2	10.4
A2	100.6	2.0 ha	30%	15.2	9.0	4.5	2	10.4
A3	100.6	4.0 ha	20%	7.5	9.0	4.5	2	10.4
A4	100.6	4.0 ha	10%	15.2	9.0	4.5	2	10.4
RA1	27.4	1670	15%	12.2	9.0	4.5	2	10.4
RA2	36.6	4047	15%	12.2	9.0	4.5	2	10.4
RA3	32.0	2970	15%	12.2	9.0	4.5	2	10.4
CG1	18.3	668*	25%	7.5	9.0	1.5	2	10.4
C1	18.3	668	50%	6.0	6.0	1.5	2	10.4
C2	18.3	668	70%	*	3.0	3.0*	3	12.2
C2A	18.3	668	70%	*	3.0	3.0*	3	12.2
C3	30.5	929	60%	*	3.0	3.0*	2	10.4
C4	36.6	1394	40%	6.0	6.0	4.5	2	10.4
C4-A	30.5	929	40%	6.0	6.0	4.5	2	10.4
C5	61.0	8100	33%	6.0	4.5	6.0	3	12.2
C6	61.0	8100	50%	7.5	7.5	7.5	2	10.4
C7	61.0	2.0 ha	25%	7.5	7.5	7.5	2	10.4
Bylaw 862 → CD(OP)	10.4	344	45%	3.0	2.28	1.52	-	8.25
Bylaw 900 → CD(EL)	75.0	3623.1	25%	3.048	9.14	4.11/4.57	4	14.75
Bylaw 902 → CD(OTV)	-	2698.0	25%	6.0	3.0	7.5/13.7	2	5.8
Bylaw 1015 → CD(1431)	-	-	33%	15	15	4.5	2 + loft	11.6
Bylaw 980 → CD(GP)	-	3106	40%	0	3.0	3.0	-	10.57
Bylaw 1027 → CD(YW)	See Part 41C							
Bylaw 1037 → CD(TS)	-	2160	60%	2.0	2.0	2.0		14.0

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	ZONING DISTRICT OR USE	MIN. LOT WIDTH (m)	MINIMUM LOT AREA M ²	MAXIMUM LOT COVERAG E	MINIMUM YARDS (m)			MAXIMUM HEIGHT	
					FRONT	REAR	SIDE	STOREYS	METRES
Bylaw 1121 →	CD-DC1	18.26	667.0378	18%	4.25	16.57	1.07E 1.01W	1	5.18
Bylaw 1127 →	CD-DC2	-	-	-	4.5	3	3	2	8.0
Bylaw 1125 →	CD(THC1)	See Part 41G							
Bylaw 1133 →	CD-DC3	15.3	771.9	40%	See Part 41H	See Part 41H	See Part 41H	2.5	10.36
Bylaw 1136 →	CD-DC4	45.68	1151	40%	See Part 41I	See Part 41I	See Part 41I	2.5	10.36
	CD-HD	-	7891.37	SeePart 41J	SeePart 41J	SeePart 41J	SeePart 41J	2	10.4
	CD(DFO)	15.0	840	15%	4.0	6.0	3.0W / 1.5E	2	10.0
	CD-DC6	-	-	34%	See Part 41M	SeePart41M	SeePart41M	2	8.6
Bylaw 1131 →	CD(TFC)	30.0	2500	13%	-	-	-	-	10.0
Bylaw 1159 →	H1	30.5	1672	25%	7.5	9.0	4.5	2	10.4
Bylaw 1203 →	M1	30.5	929	50%	6.0	3.0	3.0	3	12.2
Bylaw 1154 →	M2	30.5	929	75%	3.0	3.0	3.0	3	12.2
	M3	30.5	929	60%	3.0	3.0	3.0	3	12.2
	P1	18.3	668	40%	7.5	9.0	1.5	2	10.4
	P1-A	36.0	2.0 ha	10%	12.2	9.0	4.5	2	10.4
	P2	15.0	668	40%	6.0	9.0	1.5	2	12.2
	W1	-	-	-	7.5	7.5	3.0	2	10.4
	W2	-	-	-	7.5	7.5	3.0	3	12.2
	ES1	-	-	-	-	-	-	-	-
	ES2	-	-	-	-	-	-	-	-
Bylaw 1211 →	ES3	-	-	-	-	-	-	-	2.0
Bylaw 1211 →		15.0	872	60%	6.5	0.75	2.5 E 1.5 W	-	-
Bylaw 1302 →	CD-CBT								
Bylaw 1211 →	MC1	-	-	-	-	-	-	-	2.0
Bylaw 1211 →	THC2	45	2000	27%	See Part 41N	SeePart41N	SeePart41N	2	10.4
Bylaw 1270 →	AR1	See Part 41O							

***SEE SPECIFIC ZONING DISTRICT FOR ANY FURTHER RESTRICTIONS.**

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The CD(OP) Zone is intended to accommodate and regulate the development of a high density, small lot, detached dwelling residential development based on a comprehensive development plan, specific to the subject property

40.1 Uses Permitted

1. One single family dwelling;
- Bylaw 1222 → 2. Home occupations excluding a Bed & Breakfast and Short Term Rental uses;
- Bylaw 1222 → 3. Accessory buildings and uses in accordance with Part 4; and
4. Common storage areas for the storage of recreational vehicles, boats, etc.
- Bylaw 1286 → 5. Secondary Suite.

40.2 Minimum Lot Area

1. The minimum lot area shall be 344.00 m² (3702.90 ft²).
2. Notwithstanding Section 39.2.1, the minimum lot area for a corner lot shall be 475.00 m² (5,113.02 ft²).

40.3 Maximum Density

The maximum residential density shall be a total of 30 dwelling units per hectare (12 dwelling units per acre).

40.4 Minimum Lot Width

The minimum lot width shall be 10.4 m (34.12 ft).

40.5 Maximum Building Height of Principal Buildings

The maximum height of a principal building shall not exceed 8.25 m (27.07 ft)

40.6 Maximum Building Height of Accessory Buildings

The maximum height of an accessory building shall not exceed 4.5 m (14.76 ft)

40.7 Minimum Yard Requirements

The minimum setback of the principal and accessory buildings from the:

- | | | |
|----|------------------------------------|------------------|
| 1. | Front parcel line shall be | 3.00 m (9.84 ft) |
| 2. | Exterior side parcel line shall be | 2.30 m (7.54 ft) |
| 3. | Interior side parcel line shall be | 1.52 m (5.0 ft) |
| 4. | Rear parcel line shall be | 2.28 m (7.5 ft) |

40.8 Maximum Lot Coverage

The maximum lot coverage shall be 45% of the lot area.

40.9 General Provisions

General Provisions apply in accordance with Part 4.

40.10 Off-Street Parking and Loading

1. Off-Street Parking and Loading shall be required in accordance with Part 6.
2. [Removed by Bylaw 1286]

40.11 Landscaping

Bylaw 1222 ➔ Landscaping shall be required in accordance with the provisions of Part 7.

PART 41A 1431 PACIFIC RIM HIGHWAY COMPREHENSIVE DEVELOPMENT DISTRICT CD(1431)

Bylaw 1015 →

Bylaw 1222 → This District permits the development of tourist accommodation, including higher densities of such accommodation where the owner provides amenities to the District in accordance with Section 904 of the *Local Government Act*.

41A.1 Uses Permitted

- Bylaw 1222 → 1. Tourist Accommodation in a housekeeping unit, excluding retail sales and food and beverage service uses;
- 2. Accessory staff and guest motor vehicle parking, resort administration, guest lounge, library, fitness facility, recreational equipment storage, and staff accommodation for a minimum of 6 and a maximum of 10 employees;
- 3. Public parking lot, pedestrian trail, and washroom facilities; and
- Bylaw 1288 → 4. Commercial Child Care

41A.2 Density of Tourist Accommodation Use

<i>Tourist Accommodation Units Per Ha</i>	<i>Parkland</i>
0-3	0%
4-9	10%
10-14	15%
15-19	25%
20-22	35%

- 1. The number of tourist accommodation units per hectare of land area that are permitted in the CD(1431) Zone is the number in the left hand column of the foregoing table that corresponds to the percentage of the area of the land indicated in the corresponding row of the table that the owner has dedicated as parkland, or in respect of which the owner has made a payment in lieu of dedicating parkland in accordance with Section 2.
- 2. The District may require, by resolution of Council, that the owner provide, for deposit into a reserve fund established for the provision of community amenities listed in District of Tofino Bylaw No. 1007, monies in lieu of the dedication of any portion of the parkland referred to in Section 1, but no payment in lieu may be required in respect of the minimum area of land required to reasonably accommodate the amenities described in Section 3(b), and the amount provided in lieu of the dedication of parkland shall be \$250,000.00.
- 3. If the owner provides any amount of parkland for the purposes of Section 1, the parkland must provide a site for the motor vehicle parking area and washrooms described in this Section and the Owner must also:
 - a) construct on the parkland, to the satisfaction of the District, a motor vehicle parking area for 30 vehicles public and washroom facilities adjacent to the parking area generally in the location indicated in Map 1;
 - b) dedicate as parkland, or grant to the District a statutory right of way, for a pedestrian access purposes at all times of the day over an access corridor connecting the Pacific Rim Highway and Cox Bay, generally in the location

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indicated in Map 2, with a minimum legal width of 3 metres, and construct in the access corridor to the satisfaction of the District a trail and boardwalk (boardwalks may only be constructed in environmentally sensitive areas) having an improved width of 2.4 metres; and

- c) grant to the District a statutory Right-of-Way for public vehicular access at all times of the day from the Pacific Rim Highway to the motor vehicle parking area, generally in the location indicated in Map 1.

For certainty, areas of land dedicated as highway or subject to a grant of statutory Right-of-Way do not constitute “parkland” for the purposes of Section 1.

4. Amenities described in this Section 41A.2 and monies provided in lieu of parkland must be provided at the time the owner is issued a Development Permit that would be issuable only if the amenity has been provided and the density of development related to the amenity is accordingly permitted on the land under this Section unless, in the case of works described in Section 3, the owner enters into an agreement with the District of Tofino to construct the works by a date specified in the agreement and provides security to the District in the form of cash or an unconditional, irrevocable, automatically renewing letter of credit in the amount of 110% of the amounts set out in Section 4.

41A.3 Subdivision

Land in the CD(1431) Zone shall not be subdivided by bare land strata plan or under the *Land Title Act*, except so as to provide the amenities described in section 41A.2.

41A.4 Maximum Gross Floor Area

The gross floor area of all buildings and structures shall not exceed 3,251.5 square metres (35,000 square feet).

41A.5 Maximum Building Height

The height of a principal building shall not exceed 11.6 metres (38 feet) nor two storeys plus loft.

41A.6 Minimum Yard Requirements

1. No building shall be sited within 15 metres (50 feet) of a highway or the natural boundary of the sea.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.

41A.7 Maximum Lot Coverage

The maximum lot coverage shall be 33% of the lot area.

41A.8 Off-Street Parking and Other Provisions

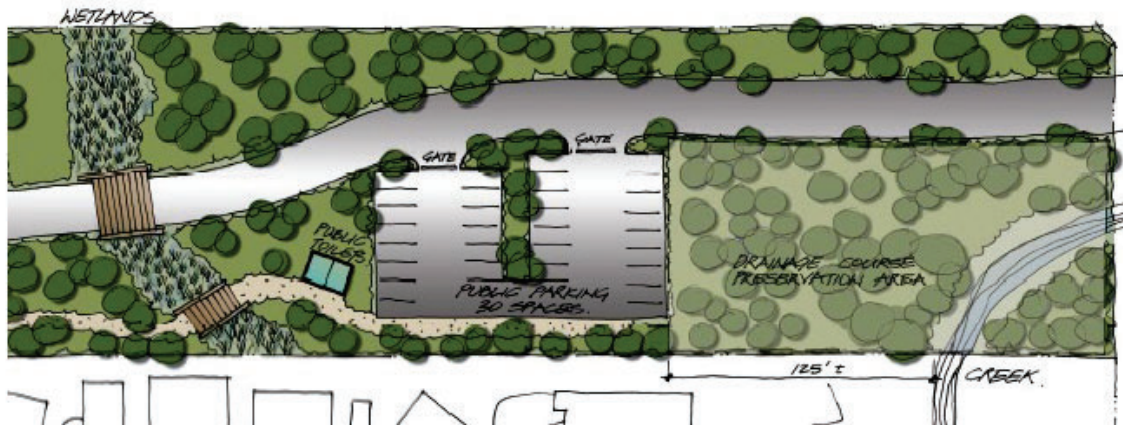
Despite Section 6.3, the number of parking spaces required in respect of the tourist accommodation and accessory uses in this zone is 56.

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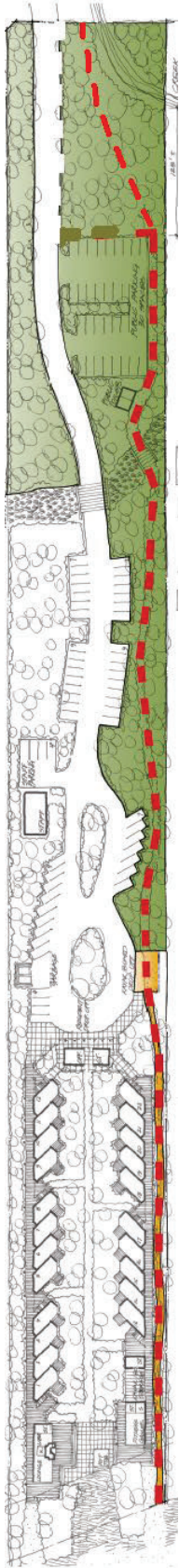
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Map 1

Below generally describes the parking area and washroom facility in amenity provisions.



Map 2



Linear Parkland Pedestrian Access Trail

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The Grice Point Comprehensive Development Zone (CD-GP) is intended to accommodate and regulate a comprehensive tourist accommodation tourism development on a waterfront property located adjacent to a downtown commercial area.

41B.1 Uses Permitted

1. Resort Condominiums
2. Marina
3. Accessory Buildings
4. Commercial Child Care

Bylaw 1288 →

41B.2 Conditions of Use

Staff accommodation for two employees be provided in the form of a two bedroom dwelling unit. The staff accommodation unit shall not be used as tourist accommodation.

41B.3 Minimum Lot Area

The minimum lot size shall be 0.31 Hectares (3,106 m²)

41B.4 Maximum Density

The maximum number of tourism accommodation units shall not exceed 25 units, leaving one unit for staff accommodation.

41B.5 Maximum Building Height of Principal Buildings

The maximum height of principal structure shall not exceed 10.57 m (34.7 ft).

41B.6 Minimum Yard Requirements

The minimum setback for all structures from all property lines shall be zero.

Rear (south) parcel line shall be	3.0m (9.8ft)
Exterior (west) side parcel line shall be	3.0m (9.8ft)
Exterior (east) side parcel line shall be	3.0m (9.8ft)
Front (north)	0m

41B.7 Maximum Lot Coverage

Maximum lot coverage shall be 40% of the lot area.

41B.8 General Provisions

General provisions apply in accordance with Part 4 of this Zoning Bylaw.

41B.9 Off-Street Parking and Other Provisions

Off street parking and loading shall be in accordance with Part 6 of this Zoning Bylaw.

41B.10 Landscaping

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Landscaping shall be required in accordance with the provisions of Part 7 of this Zoning Bylaw.

This zone is intended to provide for a single family, two family (duplex), and multiple family residential development located on Lot 2, District Lot 116, Plan 28277, 941 Campbell Street, Tofino, British Columbia.

41C.1 Permitted Land Uses

Permitted Uses	Maximum Density	Minimum Lot Size
Single Family Dwelling	17 Lots	620 m ²
Two Family Dwelling (Duplex) †	6 Lots (12 Units)	620 m ²
Multiple Family Dwelling*	24 Units*	4200 m ²
Parkland		
Home Occupations excluding Short Term Rentals		
Accessory Buildings and Uses		
Secondary Suites		

Bylaw 1222 →

Bylaw 1286 →

*20% of the multiple family units shall have a maximum unit area of 75 m² (800 ft²) and an additional 20% of the multiple family units shall have a maximum unit area of 93 m² (1000 ft²).

† Proposed Lots 1 to 6 as shown in Section 41C.5 Yew Wood Subdivision Plan.

41C.2 Building and Structure Specifications

	Single Family	Duplex	Multiple Family
Maximum Height of Principal Building	9.4 m / 2.5 Storeys	10.4 m / 2.5 Storeys	11.4 m / 2.5 Storeys
Maximum Height of Accessory Buildings and Structures	5.5 m	5.5 m	5.5 m
Minimum Width * See Attached Plan	N/A	N/A	50 m
Minimum Lot Frontage * See Attached Plan	N/A	N/A	50 m
Maximum Lot Coverage	35%	35%	40%
Maximum Floor Area Ratio	.45	.60	.70
Total Floor Area For Accessory Buildings	60 m ²	70 m ²	80 m ²

41C.3 Minimum Building Setbacks

Permitted Use	Front Yard	Rear Yard	Side Yards
Single Family	6 m	6 m	* 1.5 m
Duplex	6 m	6 m	* 1.5 m
Multiple Family	6 m	6 m	6 m
Accessory Buildings	7.5 m	3 m	1.5 m

* Minimum combined side yard setback shall not be less than 4.5 metres.

41C.4 Off-Street Parking and Loading, Landscaping, and Other Provisions

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In accordance with the provisions of Part 4, Section 6.3 and Part 7.

Bylaw 1037 → **PART 41D THE SHORE COMPREHENSIVE DEVELOPMENT ZONE – CD(TS)**

The Shore CD Zone is intended to accommodate and regulate a comprehensive retail/multi-family residential development with associated marine on a waterfront property in the Downtown Commercial Core Area.

41D.1 Uses Permitted

Bylaw 1296 →

Permitted Uses	Maximum Density	Minimum Lot Size
Multi-Family Residential ① ③	31 Units	620 m ²
Commercial ②	2,400 m ²	
Dock		
Offices		
Café		
Convenience Store		
Entertainment		
Equipment Sales/Rentals		
Financial Institution		
Health Services		
Personal Service Establishment		
Restaurant		
Retail Commercial		
Wine and Beer Store		
Marina		
Float Plane Operation		
Public Parkland		
Public Pedestrian Pathway (Waterfront Promenade)		
Public Market		
Temporary Public Use Structures		
Public Seating		
Public Washrooms		
Light Industrial		
Accessory Parking		
Commercial Child Care		

Bylaw 1288 →

① Multi-family is permitted on the upper levels or floors as well as on the ground level facing north towards the harbour only.

② Commercial is permitted at the finished grade level only.

Bylaw 1321 →

③ Including Home Occupations but excluding accessory buildings and uses, secondary suites, bed and breakfast use, and vacation rental use.

41D.2 Maximum Building Height

The maximum building height shall not exceed 14 m (46 feet).

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41D.3 Minimum Yard Requirements

The minimum setback of all buildings shall be 2.0 m from all lot lines.

41D.4 Maximum Lot Coverage

The maximum lot coverage shall not exceed 60% of the site area.

41D.5 Off-Street Parking and Loading

Off street Parking and Loading shall be required in accordance with Part 4, and Part 6 of this bylaw.

41D.6 Landscaping and Other Provisions

In accordance with the provisions of Part 7.

41D.7 Public Access Requirements

1. A public use marina shall be built and completed, at the sole expense of the developer, in 2007, which allows public access.
2. A public access lane to the foreshore shall be built and completed, at the sole expense of the developer, prior to occupancy of any multi-family residential units.
3. The connection to the waterfront promenade shall be built and completed, at the sole expense of the developer, prior to the occupancy of any multi-family residential unit.

The CD-DC1 zone is intended to accommodate a precisely defined mixed-use (commercial/retail) development in the Downtown Commercial Core.

41E.1 Uses Permitted

1. Personal service establishments;
2. Retail commercial;
3. Cafe;
4. Residential below ground floor (basement) only;
- Bylaw 1222 → 5. Accessory buildings and uses in accordance with Part 4;
6. Art Galleries and Studios; and
- Bylaw 1288 → 7. Commercial Child Care

41E.2 Conditions of Use

1. Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities and accessory seasonal outdoor sales.
2. Light manufacturing and assembly, ancillary to a retail store shall satisfy all the following provisions:
 - a) Every business shall be conducted within a completely enclosed building with no areas used for outside storage;
 - b) Processing of raw materials is prohibited. Manufacturing and assembly shall be of pre-processed or previously finished materials; and
 - c) All goods produced on the premises shall be sold at retail on the same premises.
3. A maximum of four (4) commercial rental units are permitted.
4. A maximum of two (2) residential dwelling units are permitted.
5. All commercial units must have a commercial occupancy permit.

41E.3 Minimum Lot Area

The lot shall have a minimum area of 667.0378 square metres (7,200 square feet).

41E.4 Minimum Lot Width

The lot shall have a minimum width of 18.26 metres (60 feet).

41E.5 Maximum Building Height

The maximum height of the principal building shall not exceed 5.18 metres (17 feet) nor one storey.

41E.6 Yard Requirements

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1. The front yard setback shall be 4.25 metres (14 feet).
2. The rear yard setback shall be 16.57 metres (54 feet).
3. The east side yard setback shall be 1.07 metres (3.5 feet).
4. The west side yard setback shall be 1.01 metres (3 feet).

41E.7 Maximum Lot Coverage

The maximum lot coverage shall be 18% of the lot area.

41E.8 Prohibited Use of Space

1. The use of commercial space as a **dwelling unit** shall be prohibited.
2. No **commercial use** shall be permitted in a basement.
3. No **Home Occupation use** is permitted.
4. [deleted by Bylaw 1222]

41E.9 Parking

A minimum of nine (9) on-site parking spaces which meet the specifications outlined in Part 6.8 of this Bylaw and in accordance with the CD-DC1 Zoning Site Plan are required.

41E.10 Landscaping and Other Provisions

In accordance with the provisions of Part 4 of this Bylaw.

In accordance with the provisions of Part 7 of this Bylaw and as indicated on the CD-DC1 Zoning Site Plan.

The Downtown Core 2 Comprehensive Zone is intended to accommodate and regulate an affordable multi-family residential townhouse and live/work development, within the OCP designated Gateway area.

41F.1 Uses Permitted

1. Townhouse dwellings or groups of townhouse dwellings;
2. Apartments; and,
3. Live/work units.

41F.2 Conditions of Use

1. Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities and accessory seasonal outdoor sales;
2. Light manufacturing and assembly, ancillary to a retail store shall satisfy all the following provisions:
 - a) Every business shall be conducted within a completely enclosed building with no areas used for outside storage;
 - b) Processing of raw materials is prohibited. Manufacturing and assembly shall be of pre-processed or previously finished materials; and
 - c) All goods produced on the premises shall be sold at retail on the same premises.
3. No activity which generates noise levels, dust, odors or emissions incompatible with adjacent uses shall be permitted;
4. Live/work units shall only be permitted in the locations outlined in bold red line as indicated on Schedule 1;
5. Commercial uses shall only be permitted on the ground floor; and,
6. The hours of operation of any commercial or retail enterprise shall be limited to the hours between 6:00 AM and 9:00 PM each day;

- Bylaw 1321 → 7. Home Occupations are permitted in solely residential units in accordance with Part 4.3.

41F.3 Density

1. The maximum permitted density shall be twenty-six (26) **dwelling units**;
 - a) There shall be 8 **live/work units** on the subject property;
 - b) There shall be 14 **townhouse dwellings** on the subject property; and
 - c) There shall be 4 **apartments** on the subject property.

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2. Notwithstanding other sections of this Bylaw, the minimum **residential floor area** per **dwelling unit** shall be 44.5 m² (479 ft²).

41F.4 Lot Coverage

The maximum **lot coverage** shall be 30%.

41F.5 Building Height

1. The maximum **height** of a principal building shall not exceed 8 metres (26 feet); and,
2. The maximum number of **stories** permitted is two (2).

41F.6 Yard Requirements

1. The **front yard setback** (Campbell Street) shall be 4.5 metres (14.7 feet); and,
2. The **side** and **rear yard setbacks** shall be 3 metres (9.8 feet).

41F.7 Parking

A minimum of 35 on-site parking spaces which meet the specifications outlined in Part 6.8 of this Bylaw and in accordance with Schedule 1 (CD-DC2 Zoning Site Plan) are required.

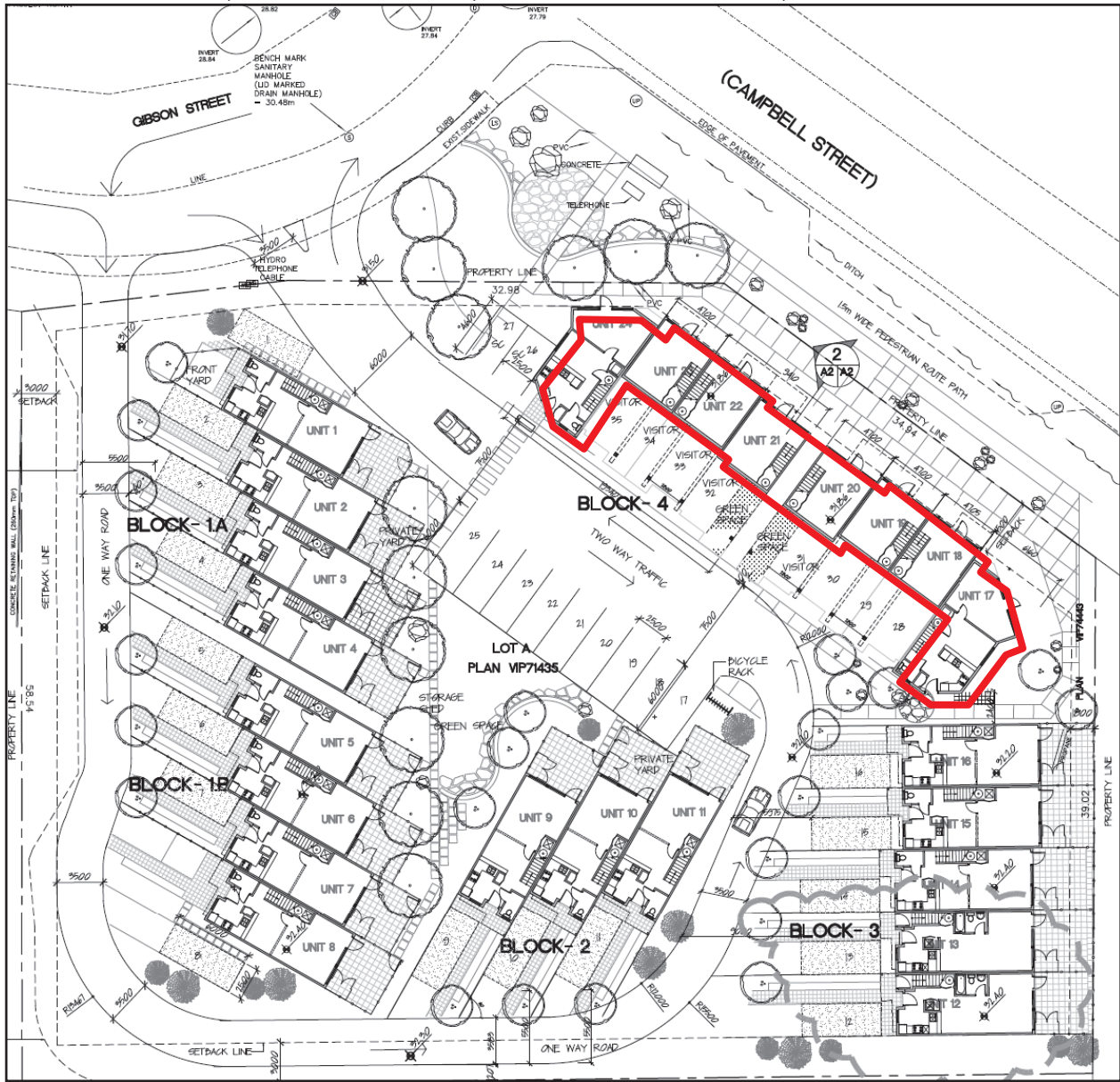
41F.8 Landscaping

1. The landscaping of the property shall reflect the plans included as Schedule 2; and,
2. In accordance with Part 7 of the Zoning Bylaw.

41F.9 Other Provisions

In accordance with the requirements of Part 4 of this Bylaw.

Schedule 1
CD-DC2 ZONING SITE PLAN
LOT A, DISTRICT LOT 115, CLAYOQUOT DISTRICT, PLAN VIP71435



➤ **Live/work units outlined in bold red line.**



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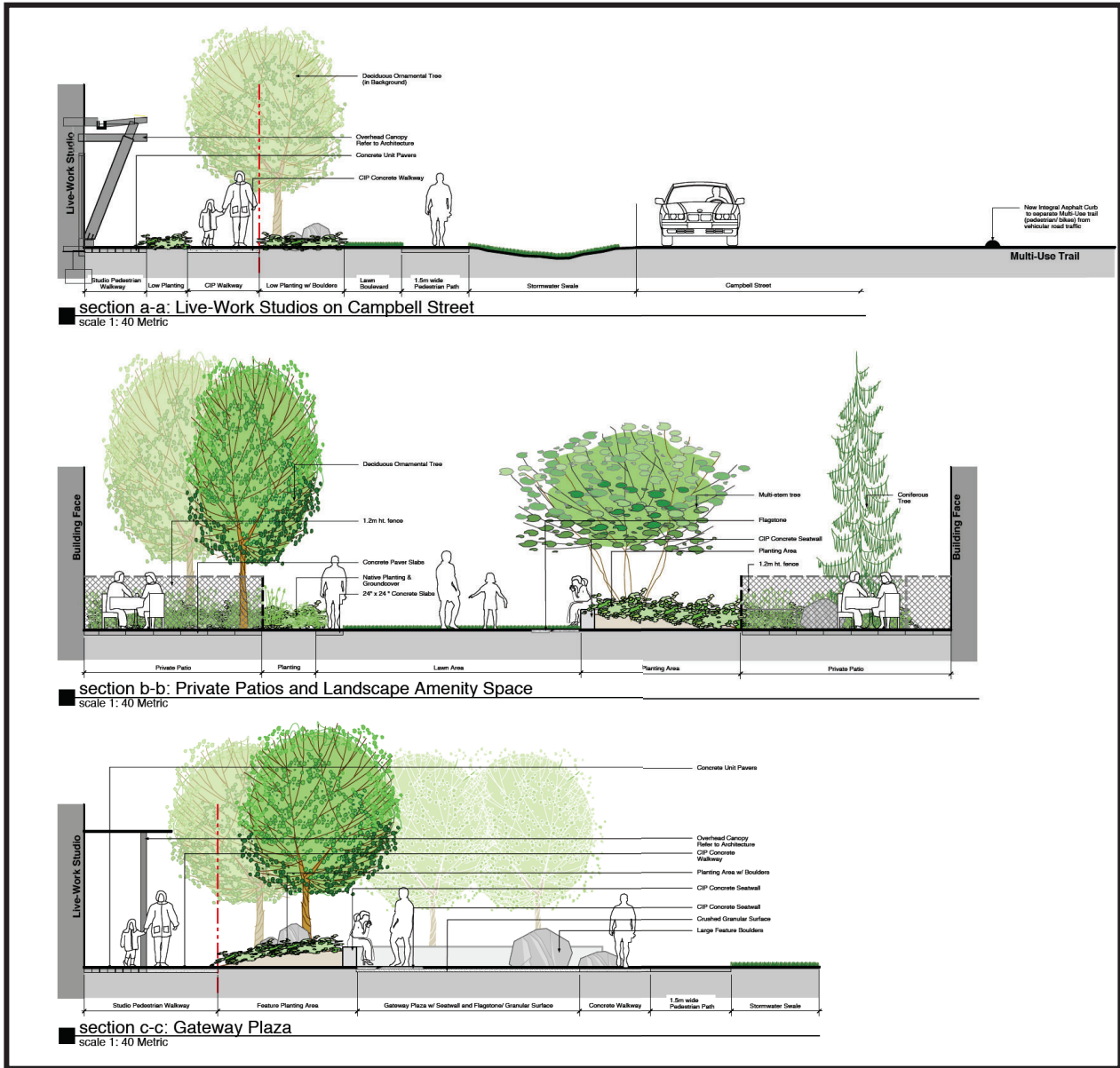
Schedule 2 CD-DC2 LANDSCAPING SITE PLAN LOT A, DISTRICT LOT 115, CLAYOQUOT DISTRICT, PLAN VIP71435



LEGEND	
	CIP CONCRETE
	UNIT CONCRETE PAVERS
	2 SOFT HYDRAPRESSED SLABS IN LAWN/PLANTING
	FLAGSTONE SURFACE
	CRUSHED GRAVEL
	BOULDERS, VARIOUS SIZES
	NATIVE PLANTING
	LAWN AREAS
	FENCE
	GATE

SUGGESTED PLANT LIST		
TREES		
<i>Acer circinatum</i>	Vine Maple	1.8m ht, B&B
<i>Amelanchier alnifolia</i>	Pacific Serviceberry	1.2m ht, B&B, Multi-stem
<i>Corylus cornuta</i>	Beaked Hazelnut	1.5m ht, B&B
<i>Crataegus douglasii</i>	Black Hawthorn	1.5m ht, B&B
<i>Pinus contorta</i>	Lodgepole Pine	1.2m ht, B&B
<i>Thuja plicata</i>	Western Red Cedar	2.4m ht, B&B
SHURBS		
<i>Cornus atonifera</i>	Red Twig dogwood	#2 Cont. 90 cm o.c.
<i>Holodiscus discolor</i>	Oceanspray	#2 Cont. 90 cm o.c.
<i>Mahonia aquifolium</i>	Oregon Grape	#3 Cont. 90 cm o.c.
<i>Philadelphus lewisii</i>	Mock Orange	#2 Cont. 75 cm o.c.
<i>Physocarpus capitatus</i>	Pacific Ninebark	#2 Cont. 90 cm o.c.
<i>Rhododendron macrophylla</i>	Rhododendron	#3 Cont. 90 cm o.c.
<i>Ribes sanguineum</i>	Red Flowering Currant	#2 Cont. 75 cm o.c.
<i>Rosa nutkana</i>	Rosa	#2 Cont. 90 cm o.c.
<i>Rubus spectabilis</i>	Thimble Berry	#2 Cont. 90 cm o.c.
<i>Spiraea douglasii</i>	Pacific Hardhack	#2 Cont. 90cm o.c.
<i>Symphoricarpos albus</i>	Common snowberry	#2 Cont. 90 cm o.c.
<i>Vaccinium ovatum</i>	Evergreen blueberry	#3 Cont. 90 cm o.c.
<i>Vaccinium membranaceum</i>	Thinleaf Huckleberry	#2 Cont. 75 cm o.c.
GROUNDCOVERS		
<i>Arctostaphylos u. 'Van. Jade'</i>	Kinnikinnick	10cm pot 45cm o.c.
<i>Gaultheria Shallon</i>	Salal	#1 Cont. 45cm o.c.
<i>Mahonia nervosa</i>	Dwarf oregon grape	#1 Cont. 45cm o.c.
<i>Mahonia repens</i>	Creeping Barberry	#1 Cont. 45cm o.c.
<i>Polytichum munitum</i>	Western Sword Fern	#1 Cont. 45cm o.c.

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PART 41G THC LOW TO MEDIUM MULTIPLE FAMILY RESIDENTIAL DISTRICT (CD-THC1)

This low to medium density multiple family residential district is intended to accommodate and regulate the development of an affordable neighbourhood consisting of narrow single family lots, semi-detached duplexes, and quattroplex housing units in accordance with the Local Area Plan for District Lot 114.

41G.1 Permitted Uses

1. Small Single Family Dwelling;
2. Single Family Dwelling;
- Bylaw 1222 → 3. Secondary suite in accordance with Part 4;
4. Two Family Dwelling;
- Bylaw 1222 → 5. Multiple Family Dwellings and,
- Bylaw 1222 → 6. Accessory Buildings in accordance with Part 4.

41G.2 Prohibited Uses

1. [deleted by Bylaw 1222]
2. No buildings with greater than four dwelling units shall be permitted; and,
3. No clustered dwelling units shall be permitted.
4. Secondary suites shall not be permitted in small single family dwellings.

41G.3 Density

The overall net density for the CD-THC1 zone shall be 22 dwelling units/ha (7 dwellings/acre).

41G.4 Lot Area

1. The minimum lot area for small single family dwellings shall be 334.00m² (3595 ft²);
2. The minimum lot area for single family dwellings shall be 490.00 m² (5274 ft²);
3. The minimum lot area for two family dwellings shall be 735.00 m² (7911 ft²); and,
4. The minimum lot area for multiple family dwellings shall be 1002 m² (10785 ft²).

41G.5 Lot Width

1. The minimum lot width for single family dwellings and small single family dwellings shall be 13.4 m (44 feet);
2. The minimum lot width for two family dwellings shall be 20.1 m (66 feet); and,
3. The minimum lot width for multiple family dwellings shall be 27.4 m (90 feet).

41G.6 Lot Coverage

1. The maximum lot coverage on small single family lots shall be 47% for all buildings only; 72% for buildings and any non-porous surfaces or structures inclusive; and the remainder of the lot area restricted to landscaping with live plant material;

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2. The maximum lot coverage on single family lots shall be 50% for all buildings only; 85% for buildings and any non-porous surfaces or structures inclusive; and the remainder of the lot area restricted to landscaping with live plant material;
3. The maximum lot coverage on two family lots shall be 35% only; 70% for buildings and any non-porous surfaces or structures inclusive; and the remainder of the lot area restricted to landscaping with live plant material; and,
4. The maximum lot coverage on multiple family lots shall be 50% for all buildings only; 85% for buildings and any non-porous surfaces or structures inclusive; and the remainder of the lot area restricted to landscaping with live plant material.

41G.7 Building Height

1. The maximum height of *small single family dwellings* and *single family dwellings* shall not exceed 9.4 metres (30 feet);
2. The maximum height of a *two family dwellings* and *multiple family dwellings* shall not exceed 10.4 metres (34 feet);
3. The maximum number of *stories* permitted is two (2).

41G.8 Floor Area Ratio

1. Notwithstanding other sections of this Bylaw, the minimum *residential floor area* per *dwelling unit* shall be 47 m² (505 ft²);
2. The maximum *floor area ratio* shall be:
 - a) 0.33 for *small single family dwellings*;
 - b) 0.60 for *single family dwellings*;
 - c) 0.40 for *two family dwellings*; and,
 - d) 0.60 for *multiple family dwellings*.
3. For the purposes of this subsection, *floor area ratio* shall be deemed to exclude the floor area of those parts of the *building* used for off-street parking purposes, unenclosed balconies or decks.

41G.9 Setbacks

1. The maximum front yard setback shall be two (2) metres (6.5 feet);
2. The minimum side yard setback shall be one (1) metres (3.2 feet); except that,
3. The minimum southerly yard setback shall be four(4) metres (13.1 feet); and,
4. The minimum rear yard setback shall be three (3) metres (9.8 feet).

41G.10 Off-Street Parking

For each *dwelling unit*, 1 parking space shall be provided.

41G.11 Landscaping

1. The landscaping of the property shall be in accordance with Part 7; and,

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2. In addition all landscaping shall incorporate native plant species to mitigate outdoor water usage (i.e. xeriscaping).

41G.12 Other

1. In accordance with the requirements of Part 4 of this Bylaw.
2. Notwithstanding Part 4 of this Bylaw, Accessory Buildings within the CD-THC1 Zone shall conform to the following provisions;
 - a) The maximum height of *Accessory Buildings* shall not exceed 5.5 metres (18 feet); nor one story; and,
 - b) No *Accessory Buildings* shall be located in a required front yard.

The CD-DC3 zone is intended to accommodate a mixed-use (commercial/retail) development in the Downtown Commercial Core and Gateway Area.

41H.1 Uses Permitted

1. Personal service establishments;
2. Retail commercial;
- Bylaw 1228 → 3. Restaurant;
4. Residential above ground floor;
- Bylaw 1222 → 5. Accessory buildings and uses in accordance with Part 4
6. Art Galleries and Studios; and
- Bylaw 1288 → 7. Commercial Child Care

41H.2 Conditions of Use

1. Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities and accessory seasonal outdoor sales.
2. Light manufacturing and assembly, ancillary to a retail store shall satisfy all the following provisions:
 - a) Every business shall be conducted within a completely enclosed building with no areas used for outside storage;
 - b) Processing of raw materials is prohibited. Manufacturing and assembly shall be of pre-processed or previously finished materials; and
 - c) All goods produced on the premises shall be sold at retail on the same premises.
3. All commercial units must have a commercial occupancy permit.
4. Commercial units shall be permitted on the first story only.
- Bylaw 1228 → 5. A restaurant is limited to a maximum 20 seats.
- Bylaw 1228 → 6. A maximum of one restaurant is permitted per lot.
- Bylaw 1228 → 7. 1 Dwelling Unit is required on the Lot for every 92.9 square metres (1000 square feet) of Gross Floor Area for commercial uses on the Lot. When the calculation of Dwelling Units results in a fraction of a dwelling, the next positive integer shall be used.

41H.3 Minimum Lot Area

The lot shall have a minimum area of 771.9 square metres (8,308 square feet).

41H.4 Minimum Lot Width

The lot shall have a minimum width of 15.3 metres (50 feet).

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41H.5 Maximum Building Height

The maximum height of the principal building shall not exceed 10.36 metres (34 feet) or 2.5 stories.

41H.6 Yard Requirements

1. The north yard setback shall be 3.0 metres (9.8 feet).
2. The south side yard setback shall be 3.0 metres (9.8 feet).
3. The combined east and west yard setbacks (i.e., the sum of both east and west yard setbacks) shall not be less than 3.0 metres (10 feet).
4. Where the lot zoned CD-DC3 abuts any lot zoned Residential (R, RA, A) without an intervening street or lane, an east or west yard of not less than 1.8 metres (6 feet) in width shall be provided.

41H.7 Maximum Lot Coverage

The maximum lot coverage shall be 40% of the lot area.

41H.8 Maximum Floor Space Area

The maximum floor area space shall be 0.72.

41H.9 Prohibited Use of Space

1. The use of commercial space as a dwelling unit shall be prohibited.
2. No commercial use shall be permitted in a basement.
3. No Home Occupation use is permitted.
4. [deleted by Bylaw 1222]

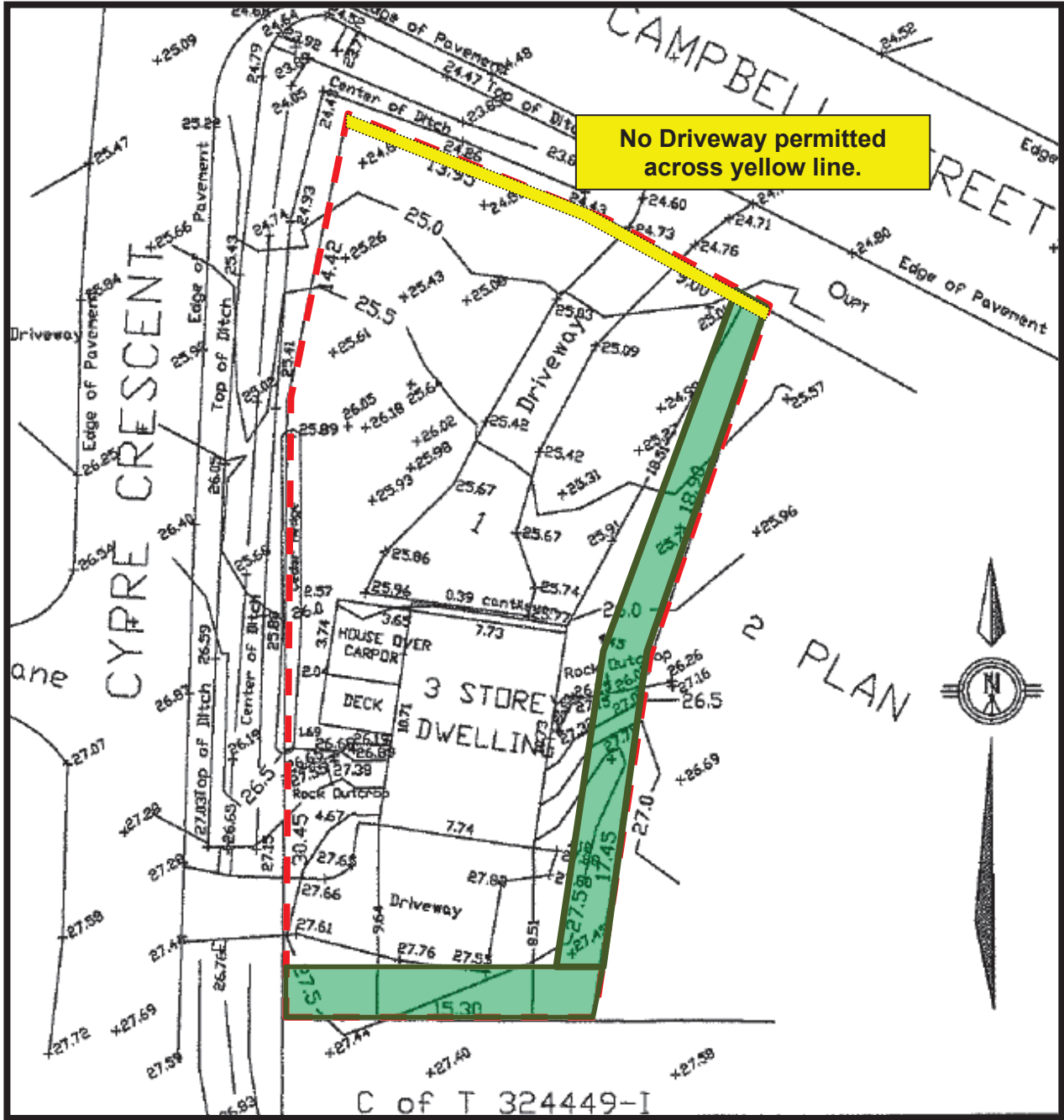
41H.10 Parking and Other Provisions


In accordance with the provisions of Part 4, Part 6

41H.11 Landscaping

1. In accordance with the provisions of Part 7 of this Bylaw and as indicated on the CD-DC3 Zoning Site Plan.
 - a) In the event that the adjacent lot to the east of the subject property is commercially zoned, no landscaping will be required along the eastern property line (as indicated in the CD-DC3 Zoning Site Plan)

CD-DC3 ZONING SITE PLAN
Lot 1, District Lot 115, Clayoquot District, Plan 47039



Lot 1, District Lot 115, Clayoquot District, Plan 47039	---
Landscaping – Minimum height of 2.0 m	

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Bylaw 1136 → **PART 411 DOWNTOWN CORE 4 - COMPREHENSIVE DEVELOPMENT DISTRICT (CD-DC4)**

The CD-DC4 zone is intended to accommodate mixed-use commercial/retail development in the Downtown Commercial Core and Gateway Area.

411.1 Uses Permitted

1. Charter operator;
2. Personal service establishments;
3. Retail commercial;
4. Cafe;
5. Residential above ground floor;
- Bylaw 1222 → 6. Accessory buildings and uses in accordance with Part 4;
7. Art Galleries and Studios; and
- Bylaw 1288 → 8. Commercial Child Care

411.2 Conditions of Use

1. Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities and accessory seasonal outdoor sales.
2. Light manufacturing and assembly, ancillary to a retail store shall satisfy all the following provisions:
 - a) Every business shall be conducted within a completely enclosed building with no areas used for outside storage;
 - b) Processing of raw materials is prohibited. Manufacturing and assembly shall be of pre-processed or previously finished materials; and
 - c) All goods produced on the premises shall be sold at retail on the same premises.
3. All commercial units must have a commercial occupancy permit.
4. Commercial uses shall be permitted on the first story only.

411.3 Minimum Lot Area

The lot shall have a minimum area of 1151 square metres (12,389 square feet).

411.4 Minimum Lot Width

The lot shall have a minimum width of 45.68 metres (149 feet).

411.5 Maximum Building Height

The maximum height of the principal building shall not exceed 10.36 metres (34 feet) or 2.5 stories.

411.6 Yard Requirements

1. The north yard setback shall be 4.5 metres (14.7 feet).

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2. The east yard setback shall be 1.0 metres (3.2 feet).
3. The south side yard setback shall be 3.0 metres (9.8 feet).
4. The west side yard setback shall be 0 metres unless the adjacent property is zoned residential (R, RA, A) in which case a setback of 1.8 metres (6 feet) shall be provided.

411.7 Maximum Lot Coverage

The maximum lot coverage shall be 40% of the lot area.

411.8 Maximum Floor Space Area

The maximum lot coverage shall be 0.72.

411.9 Prohibited Use of Space

1. The use of commercial space as a **dwelling unit** shall be prohibited.
2. No **commercial** use shall be permitted in a basement.
3. No **Home Occupation** use is permitted.
4. No **Short Term Rental** use is permitted.
5. No **Bed and Breakfast Operations** are permitted.

411.10 Parking and Other Provisions

In accordance with the provisions of Part 4, Part 6.

411.11 Landscaping

In accordance with the provisions of Part 7 of this Bylaw and as indicated on the CD-DC4 Zoning Site Plan.

The Hellesen Drive Comprehensive Zone is intended to accommodate and regulate a multi-family residential development while protecting an important riparian area. This zone is not intended to permit the use of the parcel for construction or occupancy of only one dwelling.

41J.1 Uses Permitted

1. Townhouse dwellings or groups of such dwellings;
2. Cluster housing dwellings or groups of such dwellings;
3. Two Family Dwellings or groups of such dwellings;
4. Multiple Family Dwellings or groups of such dwellings; and,
5. Accessory buildings and uses in accordance with Section 4.6 of this Bylaw;
6. Home Occupations

Bylaw 1321 →

41J.2 Minimum Lot Area

1. The lot shall have a minimum area of 325 m².

41J.3 Minimum Lot Width

1. The minimum lot width is 10 metres (33 feet).

41J.4 Density

1. The maximum number of dwelling units permitted is twenty-two (22); and,
2. Notwithstanding other sections of this Bylaw, the minimum residential floor area per dwelling unit shall be 55.75 m² (600 ft²); and,
3. The maximum residential floor area per dwelling unit shall be 325 m² (2498 ft²).

41J.5 Lot Coverage

1. The maximum lot coverage for all buildings is 35%;
2. The maximum lot coverage for buildings and any non-porous surfaces or structures inclusive is 65%; and,
3. The remainder of the lot area is restricted to landscaping with live plant material.

41J.6 Building Height

1. The maximum height of a principal building shall not exceed 10.4 metres (34 feet);
2. The maximum number of storey's permitted is two and a half (2.5);
3. The maximum height of an Accessory Building is 5.5 metres (18 feet); and,
4. Notwithstanding other sections of this Bylaw, basements shall not be permitted in this zone.

41J.7 Yard Requirements

1. The minimum front yard setback shall be 2.0 metres (6.5 feet);
2. The minimum exterior side yard setback shall be 4.5 metres (14 feet);
3. The minimum interior side yard setback shall be 2.25 metres (7.3 feet);
4. The minimum rear yard setback shall be 4.5 metres (14 feet).

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41J.7 Parking

1. For each dwelling unit 1.6 parking spaces shall be provided.

41J.9 Landscaping

1. In accordance with Part 7 of the Zoning Bylaw.

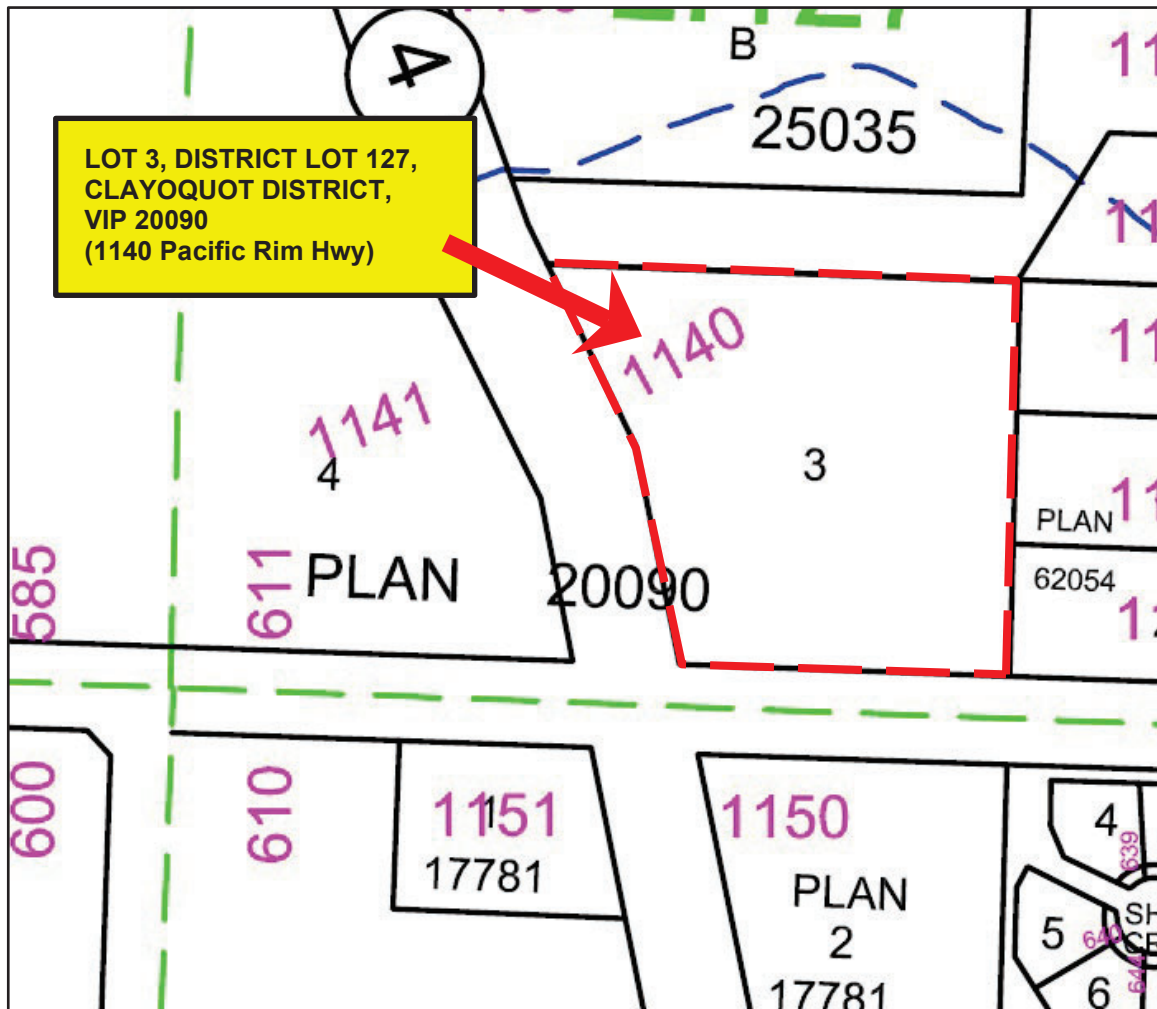
41J.10 Permeability

1. All private internal roads, paths, sidewalks, alleys and other ROW's shall be constructed of cobble, absorbent concrete or other permeable material; and,
2. All ditches shall be shall be designed and developed as vegetated swales and make use of French drains.

41J.11 Other Provisions

1. In accordance with the requirements of Part 4 of this Bylaw.
2. With respect to clustered dwellings permitted in this zone, the permitted use includes construction of 2 or more dwellings simultaneously on a parcel and occupancy of 2 or more dwellings simultaneously on a parcel. For certainty, this use does not include construction or occupancy of 1 dwelling on a parcel.

Appendix B



CONSOLIDATED FOR CONVENIENCE PURPOSES ONLY. Should be read in conjunction with the complete document

The CD(DFO) zone is intended to accommodate and regulate the institutional use of a downtown/waterfront property.

41K.1 Uses Permitted

1. Temporary dormitory accommodation not exceeding 14 (fourteen) beds;
2. Institutional office space;
3. Accessory buildings and uses in accordance with Part 4.

Bylaw 1222 →

41K.2 Conditions of Use

1. Dormitory accommodation shall not be used as tourist accommodation.
2. Office space shall not be used as dormitory or tourist accommodation.

41K.3 Minimum Lot Area

The lot shall have a minimum area of 840 square meters (9150 square feet).

41K.4 Minimum Lot Width

The lot shall have a minimum width of 15 meters (50 feet).

41K.5 Maximum Building Height

The maximum height of the principle dwelling should not exceed 10 meters (33 feet) nor two stories.

41K.6 Yard Requirements

1. A front yard of not less than 4 meters (13 feet in depth) from Main Street shall be provided.
2. Minimum side yard of not less than 3 metres (10 feet) in width shall be provided on the west side of the building.
3. Minimum side yard of not less than 1.5 metres (5 feet) in width shall be provided on the east side of the building.
4. A rear yard of not less than 6 metres (20 feet) in depth shall be provided.

41K.7 Maximum Lot coverage

The maximum lot coverage shall be 15% of the lot area.

41K.8 Prohibited Use of Space

The use of residential or institutional space as a commercial use shall be prohibited.

41K.9 Parking

A minimum of 8(eight) off-street parking spaces shall be provided.

41K.10 Landscaping and Other Provisions

1. A minimum landscaped area of 1 meter (3.3 feet) and 1.5 (5 feet) in height shall be provided on the east side of the property between parking and the adjacent property.
2. All other landscaping shall be required in accordance with the provisions of Part 7 of this Zoning Bylaw.

This District provides for the development of a mixture of uses primarily catering to the travelling public.

41L.1 Uses Permitted

1. Hotels, Resort Condominiums and Multiple Family Dwellings;
2. Conference rooms/facilities as secondary use only;
3. Recreational facilities and/or swimming pools and/or tennis courts as secondary uses only;
4. Staff accommodation for seasonal employees; and,
5. Accessory buildings and uses in accordance with Part 4 - General Provisions

Bylaw 1288 →

6. Commercial Child Care

41L.2 Conditions of Use

1. All traveller accommodation uses, hotels and resorts shall have an administration office.
2. Staff accommodation for seasonal employees shall be required under the following circumstances and conditions:
 - a) At least one (1) dwelling unit with a minimum of (2) staff sleeping units shall be supplied on the subject property; and,
 - b) Staff dwelling units shall not be used as tourist accommodations.

41L.3 Maximum Building Height

1. The maximum height of a principal building shall not exceed 10.8 meters (35.5 feet).
2. Notwithstanding Part 41L.3.1, the maximum height of a principal building with a peaked roof with a pitch of at least 5/12 shall not exceed 12 meters (40 feet).

41L.4 Minimum Yard Requirements

1. The minimum north side yard setback shall not be less than 3 metres. However this setback may be reduced to 1.5 m (5 ft.) where a fence and landscape screening of 2 metres in height is provided between the adjacent lot and the parking area;
2. The minimum east side yard setback shall not be less than 1 metre;
3. The minimum south side yard setback shall not be less than 0 metres; and,
4. The minimum west side yard setback shall not be less than 10 metres.

41L.5 Maximum Lot Coverage

1. The maximum lot coverage shall be 25.15% of the lot area.

41L.6 Maximum Floor Area Ratio

1. The maximum floor area ratio shall be 0.65.

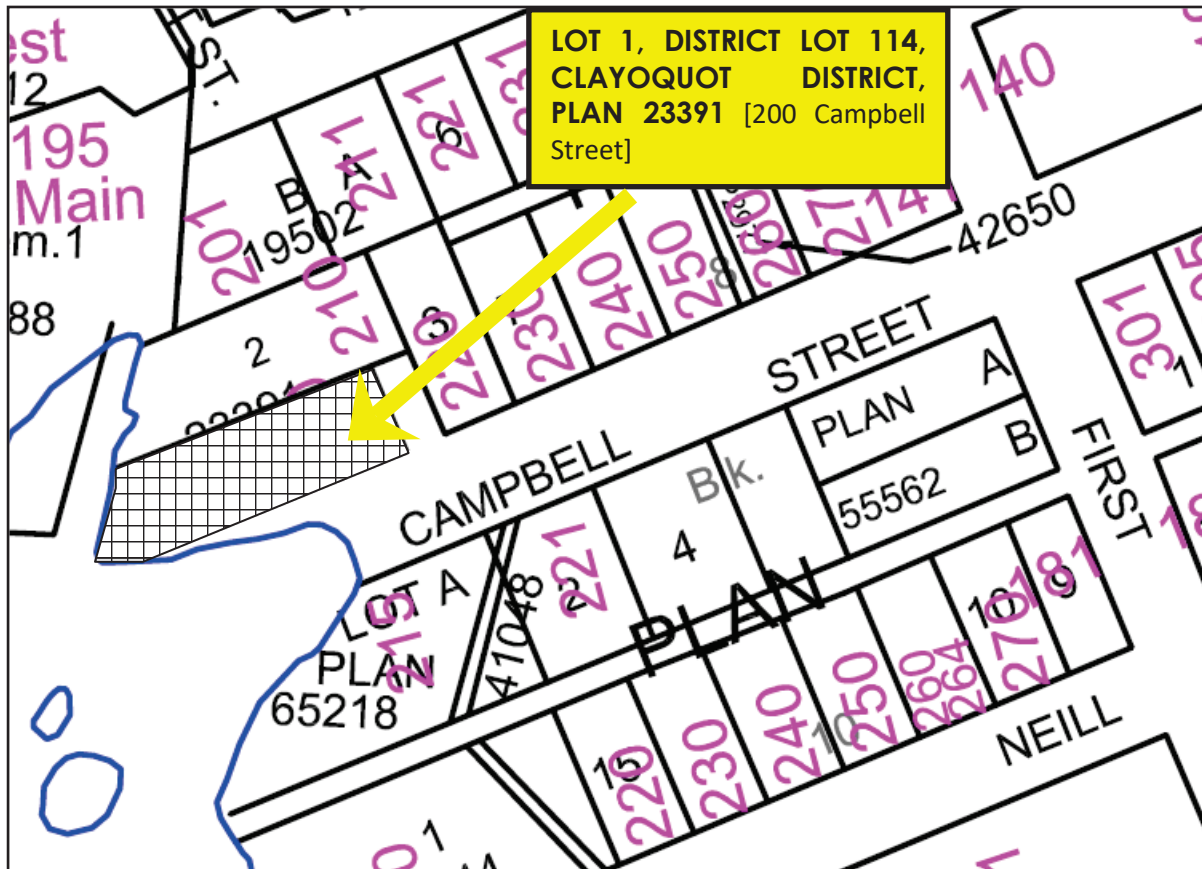
41L.7 Unit Density

1. The maximum number of resort accommodation units is ten (10); and,
2. The minimum number of staff sleeping units is two (2).

41L.7 Off-Street Parking and Loading, Landscaping and Other Provisions

1. In accordance with the provisions of Part 4, Part 6, and Part 7.

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The CD-TFC zone is intended to accommodate and regulate a mixed use waterfront wharf development.

41M.1 Uses Permitted

1. Marine fueling;
2. Marina;
3. Mooring or wharfing of commercial vessels;
4. Repair and maintenance shops oriented to marine use and water traffic;
5. Warehouses, works yards, storage and loading facilities oriented to marine use and water traffic;
6. Fish products industry;
7. Retail uses related to the marine sector, up to a maximum of 93 square metres (1,000 square feet) as accessory use only;
8. One (1) Restaurant;
9. One 1-bedroom Resident Accommodation Upper Floor Dwelling Unit (located on Schedule B); and
10. Two 1-bedroom Resident Accommodation Dwelling Units (located on Schedule B)

41M.2 Minimum Lot Area

The lot shall have a minimum area of 2500 square meters (26,910 square feet).

41M.3 Minimum Lot Width

The lot shall have a minimum width of 30 meters (98.4 feet).

41M.4 Maximum Building Height

The maximum height of the principal building shall not exceed 10 meters (32.8 feet).

41M.5 Maximum Lot Coverage

The maximum lot coverage shall be 13% of the lot area.

41M.6 Maximum Floor Area Ratio

The maximum floor area ratio shall be 0.26

41M.7 Prohibited Use of Space

The use of commercial space as a dwelling unit shall be prohibited.

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41M.8 General Provisions

General provisions apply in accordance with Part 4 of this Zoning Bylaw.

41M.9 Off-Street Parking and Other Provisions

Notwithstanding Part 6 of this Zoning Bylaw, parking for the CD-THC zone requires 28 parking spaces which shall be provided as follows;

1. Eight (8) parking spaces shall be provided on the adjacent upland lot 200 Grice Road (Lot 1, District Lot 114, Clayoquot District, Plan 12627) and secured by a covenant on title.
2. Eleven (11) parking spaces shall be provided on the foreshore lot (Folio #42600.130 Block B, District Lot 2126 & DL 745, Lease/Permit/License #V916611, LBF 0240426 [lease issued for the purpose of a commercial wharf ice plant & fish buying station] and Folio #42600.118 – District Lot 2003, Lease/Permit/License #917150, LBF 1406120(for commercial moorage purposes] - 205 Grice Road).
3. Nine (9) purchased parking-in-lieu spaces.

41M.10 Landscaping

Landscaping shall be required in accordance with the provisions of Part 7 of this Zoning Bylaw.

PART 41N DOWNTOWN CORE 6 COMPREHENSIVE DEVELOPMENT DISTRICT (CD-DC6)

Bylaw 1159

Bylaw 1169

The Downtown Core 6 Comprehensive Zone is intended to accommodate and regulate a mixed use development within the OCP designated Gateway Development Permit Area.

41N.1 Uses Permitted

1. Personal Service Establishment;
2. Retail Commercial;
3. Café;
4. 5 Dwelling units;
5. Accessory buildings and uses; and
6. Commercial Child Care

Bylaw 1288

41N.2 Conditions of Use

1. Every business or undertaking shall be conducted within a completely enclosed building except for parking and loading facilities and accessory seasonal outdoor sales;
2. No activity which generates noise levels, dust, odors or emissions incompatible with adjacent uses shall be permitted;
3. The only permissible use of the areas outlined in bold red line on Schedule 1 are dwellings;
4. Retail Commercial, Café and Personal Service Establishments uses shall be permitted on the ground floor only;
5. There shall be no more and no less than 5 dwellings on the subject property;
6. The hours of operation of any commercial or retail enterprise shall be limited to the hours between 6:00 AM and 9:00 PM each day; and,
7. No Short Term Rental or Bed and Breakfast use is permitted.

41N.3 Floor Area Ratio

1. The maximum total floor area ratio shall be 0.6; and,
2. The maximum floor area of the second floor shall be 0.25.

41N.4 Lot Coverage

1. The maximum lot coverage shall be 34% of the lot area.

41N.5 Building Height

1. The maximum height of a principal building shall not exceed 8.6 metres (28 feet); and,
2. The maximum number of stories permitted is two (2).

41N.6 Yard Requirements

1. The north side (Campbell Street) yard setback shall be 1.5 metres;
2. The east side yard setback shall be 1.5 metres;
3. The south side (Mallon Lane) yard setback shall not be less than 9.1 metres; and,
4. The west side yard setback shall be 1.5 metres.

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41N.7 Parking

1. Eleven (11) regular stalls shall be provided (2.5m X 6m);
2. One (1) disabled stall shall be provided (3.7m X 5.8m);
3. One (1) six stall bike rack shall be provided; and,
4. One (1) cash-in-lieu parking space shall be purchased.

41N.8 Landscaping

1. In accordance with Part 7 of the Zoning Bylaw or as indicated in a Development Permit for the subject property.

41N.9 Other

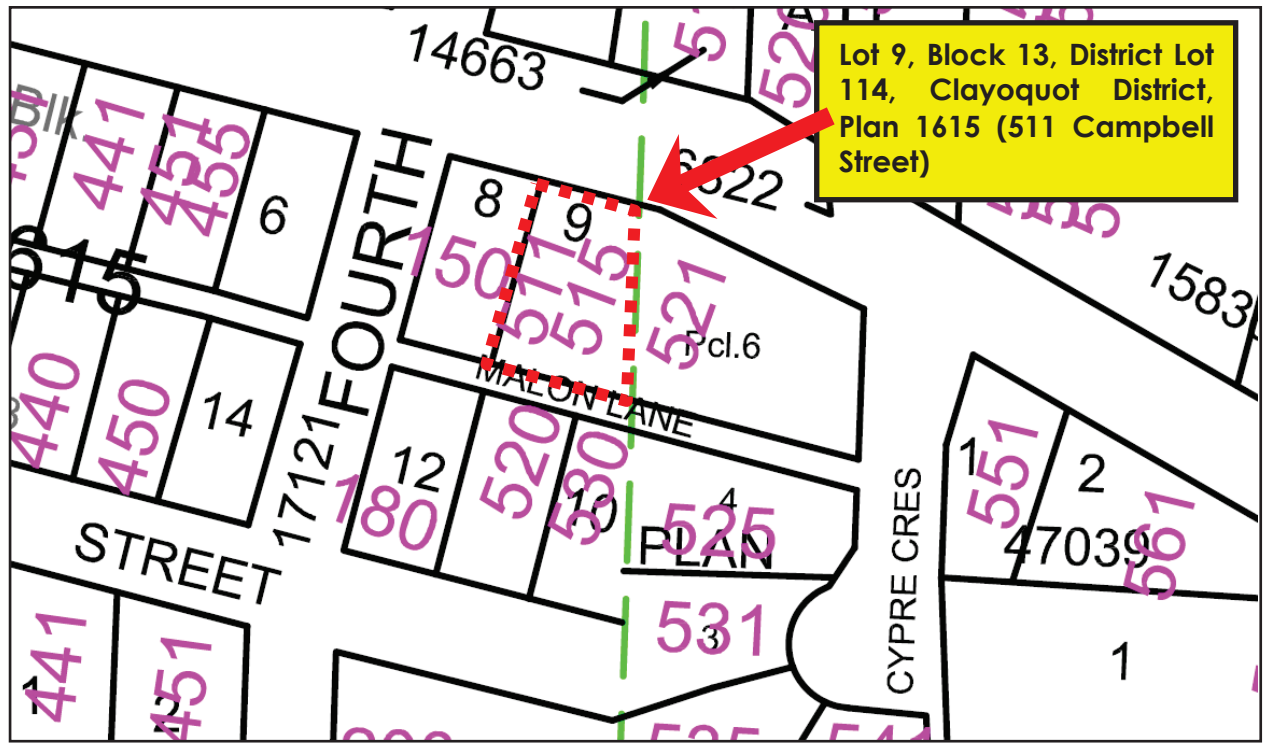
1. In accordance with the requirements of Part 4 of this Bylaw.

Schedule 1



Appendix B

CONSOLIDATED FOR CONVENIENCE PURPOSES ONLY. Should be read in conjunction with the complete document



CONSOLIDATED FOR CONVENIENCE PURPOSES ONLY. Should be read in conjunction with the complete document

PART 410 THC SHARP ROAD RESIDENTIAL COMPREHENSIVE DEVELOPMENT ZONE (THC2)

This District is intended to accommodate and regulate a multiple family affordable housing development and protect an important riparian area.

410.1 Uses Permitted

1. Townhouse dwellings or groups of such dwellings;
2. Multiple family dwellings or groups of such dwellings; and
3. Accessory buildings and uses in accordance with Section 4.6 of this Bylaw.

410.2 Minimum Lot Area

1. The lot shall have a minimum area of 2000 square metres.

410.3 Minimum Lot Width

1. The minimum lot width is 45m.

410.4 Maximum Building Height

1. The height of a principal building shall not exceed 10.4 metres, nor two storeys.

410.5 Minimum Yard Requirements

1. The minimum north front yard setback shall not be less than 3.3 metres;
2. The minimum east side yard setback shall not be less than 1.5 metres;
3. The minimum south rear yard setback shall not be less than 3.0 metres; and
4. The minimum west side yard setback shall not be less than 5.0 metres.

410.6 Maximum Lot Coverage

1. The maximum lot coverage shall be 27% of the lot area.

410.7 Maximum Floor Area Ratio

The maximum floor area ratio shall be 0.55.

410.8 Unit Density

1. The maximum number of dwelling units is 14.

410.9 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Part 6, and Part 7

Bylaw 1279 →
Bylaw 1169 →

PART 41P AFFORDABLE RESIDENTIAL 1 COMPREHENSIVE DEVELOPMENT ZONE (AR1)

This District is intended to accommodate and regulate multiple two-family dwellings, a multiple family affordable housing development and protect surrounding environmentally sensitive areas.

41P.1 Uses Permitted

Bylaw 1286 →
Bylaw 1334 →

1. Single Family Dwelling
2. Two Family Dwelling
3. Townhouse Dwelling
4. Multiple Family Dwelling
5. Secondary Suites
6. Accessory Buildings and Use in accordance with Section 4.
7. Home Occupations, excluding Short Term Rentals and Bed and Breakfasts

41P.2 Minimum Lot Size

1. Single Family Dwelling – 290 m²
2. Two Family Dwelling – 580 m²
3. Townhouse Dwelling – 290 m² per Dwelling Unit
4. Multiple Family Dwelling – 3000 m²

41P.3 Maximum Density

1. 72 Dwelling Units in Multiple Family Dwellings
2. 6 total Dwelling Units in Single Family Dwellings, Two Family Dwellings and Townhouse Dwellings that are not Secondary Suites
3. 6 Secondary Suites in Single Family Dwellings, Two Family Dwellings and Townhouse Dwellings provided there is no more than 1 Secondary Suite per principle Dwelling Unit.

41P.4 Building and Structure Specifications

	Two Family Dwelling	Multiple Family Dwelling Lot 1	Multiple Family Dwelling Lot 2
Maximum Height of Principal Building	12 metres (39.4 feet)	12 metres (39.4 feet)	14 metres (46 feet)
Maximum Lot Coverage	25%	28%	28%
Maximum Floor Area Ratio	0.75	1	1

41P.5 Minimum Yard Requirements

	Front	Rear	Side
Multiple Family Dwelling Lot 1	1 metre	9 metres	14 metres
Multiple Family Dwelling Lot 2	0.5 metres	18 metres	3.5 metres
Single Family Dwelling, Two Family Dwelling, Townhouse	2.5 metres	4 metres	3 metres

41P.6 Off-Street Parking and Loading, Landscaping and Other Provisions

In accordance with the provisions of Part 4, Part 6, and Part 7

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This District is intended to accommodate a multi-use institutional facility with accessory residential units.

41Q.1 Uses Permitted

1. Assembly use;
2. Professional offices;
3. Museum or similar facility for the display of scientific, cultural, or artistic exhibitions;
4. Accessory residential use; and
5. Accessory buildings and uses in accordance with Section 4.6 of this Bylaw.

41Q.2 Minimum Lot Area

1. The lot shall have a minimum area of 872 square metres.

41Q.3 Minimum Lot Width

1. The minimum lot width is 15m.

41Q.4 Maximum Building Height

2. The height of a principal building shall not exceed 12 metres, nor three storeys.

41Q.5 Minimum Yard Requirements

1. The minimum north front yard setback shall not be less than 6.5 metres;
2. The minimum east side yard setback shall not be less than 2.5 metres;
3. The minimum south rear yard setback shall not be less than 0.75 metres;
4. The minimum west side yard setback shall not be less than 1.5 metres.

41Q.6 Maximum Lot Coverage

1. The maximum lot coverage shall be 60% of the lot area.

41Q.7 Maximum Floor Area Ratio

2. The maximum floor area ratio shall be 1.05.

41Q.8 Accessory Residential Unit Density

1. The maximum number of accessory residential units is 2.

41Q.9 Off-Street Parking and Loading

1. A minimum of eight (8) off-street parking spaces shall be provided.
2. A minimum of one (1) dedicated loading space shall be provided.
3. A minimum of six (6) bicycle parking stalls shall be provided.

All other requirements and standards to be in accordance with the provisions of Part 6.

41Q.10 Landscaping and Other Provisions

1. Areas fronting Highway 4 shall be landscaped along the Highway frontage portion of the lot.
2. A minimum landscaped area of 1 metre (3.3 feet) in width and 1.5 metres (5 feet) in height shall be provided on the north side of the property between drive aisle and the adjacent property.

All other landscaping and other provisions shall be required in accordance with Part 4 and Part 7 of this Zoning Bylaw.

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The CD(EL) Zone is intended to accommodate and regulate a high density residential development in which units are also available for tourist accommodation, within the Downtown Gateway, based on a comprehensive development plan. New developments zoned CD(EL) shall be required to obtain a Development Permit in accordance with the requirements of the Official Community Plan.

42.1 Uses Permitted

1. Townhouse Dwellings;
2. Home Occupation;
- Bylaw 1222 → 3. Accessory uses and buildings in accordance with Part 4; and
- Bylaw 1288 → 4. Commercial Child Care

Bylaw 1222 → **42.2 Temporary Accommodation**

Notwithstanding the requirement for a resident on the premises where a Short Term Rental use is occurring, in the CD(EL) Zone a Short Term Rental use of a Townhouse Dwelling is permitted for a maximum of 5 guests despite the absence of a resident.

42.3 Minimum Lot Area

The minimum lot area shall be 3,623.1 m² (39,000 ft²).

42.4 Maximum Density

The maximum number of townhouse dwelling units shall not exceed 16 units.

42.5 Minimum Lot Width

The minimum lot width shall be 75.0 m (246.06 ft)

42.6 Maximum Building Height of Principal Buildings

The maximum height of a principal building shall not exceed 14.75 m (48.4 ft) nor four storeys.

42.7 Minimum Yard Requirements

The minimum setback of the principal and accessory buildings from the:

- | | |
|--|-------------------|
| 1. Rear (north) parcel line shall be | 9.14 m (30.0 ft) |
| 2. Interior (west) side parcel line shall be | 4.11 m (13.5 ft) |
| 3. Exterior (east) side parcel line shall be | 4.57 m (15.0 ft) |
| 4. Front (south) parcel line | 3.048 m (10.0 ft) |

42.8 Maximum Lot Coverage

The maximum lot coverage shall be 25% of the lot area.

42.9 General Provisions

General Provisions apply in accordance with Part 4.

42.10 Off-Street Parking and Loading

1. Off-Street Parking and Loading shall be required in accordance with Part 6.
2. Notwithstanding the provisions of Part 6, the number of off-street parking stalls required is calculated according to the following:

USE	PARKING REQUIREMENTS
Townhouse Dwelling Unit	1.5 spaces per dwelling unit

42.11 Landscaping

Landscaping shall be required in accordance with the provisions of Part 7.

The CD(OTV) Zone is intended to accommodate and regulate a comprehensive tourist accommodation development on a waterfront property with unique topography, located adjacent to the Downtown Commercial Core Area, adjacent to the Waterfront Working. New developments zoned CD(OTV) shall be required to obtain a Development Permit in accordance with the requirements of the Official Community Plan.

43.1 Uses Permitted

1. Tourist Accommodation;
2. Administration Office building, which includes two upper floor dwelling units for staff accommodation;
- Bylaw 1222 → 3. Accessory uses and buildings in accordance with Part 4.

43.2 Conditions of Use

1. Staff accommodation for seasonal employees shall be required at a ratio of one staff unit per eight tourist accommodation units.
2. Staff accommodation units shall not be used as tourist accommodation.

43.3 Minimum Lot Area

The minimum lot area shall be 2,698.0 m² (29,041.98 ft²).

43.4 Maximum Density

The maximum number of tourist accommodation units shall not exceed 16 units.

43.5 Maximum Building Height of Principal Buildings

1. The maximum height of a building accommodating a tourist accommodation unit shall not exceed 5.8 m (19.03 feet) nor two storeys.
2. The maximum height of a building accommodating an administration office and staff accommodation units shall not exceed 6.7 m (21.98 feet) nor two stories.

43.6 Minimum Yard Requirements

The minimum setback of the principal and accessory buildings from the:

1. Rear (south) parcel line shall be 3.0 m (9.84 ft)
2. Exterior (west) side parcel line shall be 7.5 m (24.6 ft)
3. Exterior (east) side parcel line shall be 13.7 m (45.0 ft)
4. Front (north) parcel line 6.0 m (19.68 ft)
5. Notwithstanding the above provisions, the Administration Office Building and other non-habitable structures may be constructed within the foreshore lease area of District Lot 1987 subject to the approval of the appropriate agencies.

43.7 Maximum Lot Coverage

The maximum lot coverage shall be 25% of the lot area.

43.8 General Provisions

General Provisions apply in accordance with Part 4.

43.9 Off-Street Parking and Loading

1. Off-Street Parking and Loading shall be required in accordance with Part 6.
2. Notwithstanding the provisions of Part 6, the number of off-street parking stalls required is calculated according to the following:

USE	PARKING REQUIREMENTS
Tourist Accommodation Unit	1.0 space per unit
Staff Accommodation Unit	1.0 space per unit

43.10 Landscaping

Landscaping shall be required in accordance with the provisions of Part 7.

PART 44 ECOLOGICALLY SENSITIVE CONSERVATION DISTRICT (ES1)

This District provides for the conservation of sensitive ecological areas towards the preservation of the natural setting.

44.1 Permitted Principal Uses

1. Conservation Park; and
2. Navigational Aid.

PART 45 ECOLOGICALLY SENSITIVE RECREATION DISTRICT (ES2)

This District provides for the conservation of sensitive ecological areas and the accommodation of appropriate low-impact, passive recreation activities.

45.1 Permitted Principal Uses

1. Passive Recreational Activities; and
2. Navigational aid.

PART 46 ECOLOGICALLY SENSITIVE RESIDENTIAL DISTRICT (ES3)

This District provides for limited access appropriate for the conservation of sensitive ecological areas and to accommodate moorage for upland residential uses.

46.1 Principal Permitted Uses

1. Wharf, Pier, Dock, Float, Ramp, and Quay and other similar structures; and,
2. Navigational aid.

46.2 Maximum Building Height

1. The maximum height of any Wharf, Pier, Dock, Float, Ramp, Quay and other similar structures shall not exceed 2 metres measured from the floating underside of the structure.

46.3. Other Regulations

1. All Wharfs, Piers, Docks, Floats, Ramps, Quays and other similar structures must be associated with an established and permitted upland residential use.
2. Any moorage shall be limited to one berth per upland dwelling unit.
3. For purposes of measuring the height of a Wharf, Pier, Dock, Float, Ramp, Quays and other similar structures, it shall be measured from the surface of the water to the highest point of the structure.

PART 47 MARINE COMMUNITY DISTRICT (MC1)

This District provides for marine based commercial, industrial and residential uses in a manner that recognizes and balances ecological, economic, social and historical qualities of the harbour.

47.1 Principal Permitted Uses

1. Civic Use;
2. Transportation Use;
3. Municipal Sewer System;
4. Wharf, Pire, Dock, Float, Ramp, and Quay and other similar structures; and,
5. Navigational aid.

47.2 Maximum Building Height

1. The maximum height of any Wharf, Pier, Dock, Float, Ramp, Quay and other similar structures shall not exceed 2 metres measured from the floating underside of the structure.

47.3. Other Regulations

1. All Wharfs, Piers, Docks, Floats, Ramps, Quays and other similar structures must be associated with an established and permitted upland residential use.
2. Any moorage shall be limited to one berth per upland dwelling unit.
3. For purposes of measuring the height of a Wharf, Pier, Dock, Float, Ramp, Quays and other similar structures, it shall be measured from the surface of the water to the highest point of the structure.

PART 60 (COVID-19)

1. Accessory outdoor seasonal sales is a permitted use until December 31st, 2021 in the following zones: C1, C4, C-4A, C5, C6, C7, M1, P1-A, W1, CD(TS), and CD(TFC).
2. Use of a patio may include tents, seating and tables, heaters, food preparation, and other similar items.
3. Notwithstanding Part 4.2.2, open and uncovered terraces, decks, and patios under 0.6 metres (2 feet) are temporarily permitted to occupy 100% of the width of a required side yard until December 31st, 2021 in the following zones: C1, C2, C2-A, C3, C4, C-4A, C5, C6, C7, M1, P1-A, W1, CD(TS), CD-DC1, CD-DC2, CD-DC3, CD-DC4, CD(TFC), and CD-DC6.
4. Notwithstanding Part 6.4, where otherwise permitted, open and uncovered terraces, decks, and patios under 0.6 metres (2 feet) are temporarily permitted in parking facilities (off-street parking spaces) until December 31st, 2021 in the following zones: C1, C2, C2-A, C3, C4, C-4A, C5, C6, C7, M1, P1-A, W1, CD(TS), CD-DC1, CD-DC2, CD-DC3, CD-DC4, CD(TFC) and, CD-DC6.

Part 70 Development Permit Area Guidelines

Part 70.1 - Downtown Main Street (DPA 1)

Exemptions

Despite the following exemption provisions, owners must meet all applicable local, provincial or federal requirements.

A Downtown Main Street Development Permit shall not be required in the following instances:

1. For the construction of, or addition to, or alteration of a single family dwelling, two family dwelling, or a dwelling unit that is accessory to a single family dwelling.
2. For the repair, maintenance, or renovation of a building or structure that does not require a building permit.
3. For the repair, maintenance, or renovation of an existing building or structure where the value of the work is less than \$10,000.
4. For internal alterations that do not affect the outer appearance of a building or structure.
5. A development permit may not be required for subdivision of land involving minor boundary adjustments, lot consolidations or road dedication.
6. For the maintenance of existing permanent infrastructure within its established footprint including existing paved surfaces, gravel parking and driveways, dikes, drainage facilities, service buildings and other utilities;
7. For the construction of an accessory building or a structure provided that the proposed construction is located within a rear yard;
8. For the construction, repair or maintenance of public services by the District of Tofino and its authorized agents and contractors, provided these meet or exceed the conditions of the DPA Guidelines; and
9. For the construction of a sign.
10. For the construction of, or addition to, or alteration to an industrial building or structure on a industrial zoned lot.

Guidelines

When is a Main Street Development Permit required?

A Development Permit is required before land is subdivided; and prior to the construction of, addition to or alteration of a building or other structure within the Main Street DPA as illustrated on Schedule B2 of the 2021 Official Community Plan. Activities listed under the exemption section do not require a Development Permit.

Main Street Development Permits shall be issued in accordance with the following:

Issuance of a Development Permit is subject to an applicant's consideration of, and response to, all applicable form and character guidelines. Applicant's should strive to achieve as many of the Guidelines as practicably possible, and be prepared to provide written explanation as to why certain Guidelines may, or may not have been addressed. A Design Review Panel appointed by the District of Tofino Council will support the design

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review process by providing recommendations to Council, or staff (if authority has been delegated).

Prior to any site development or disturbance, the District of Tofino may require the applicant to submit:

- A site plan conducted by a British Columbia Land Surveyor showing;
 - a. Lot lines, scale, date, and direction;
 - b. Adjacent streets, sidewalks, and lanes;
 - c. Zoning setbacks;
 - d. Covenants, easements and right of ways;
 - e. Topographic plan (0.5 metre contours);
 - f. Significant trees and other vegetation; and,
 - g. Existing structures;
- Access location and design;
- Parking spaces;
- Sun shading plan; and,
- Conceptual site, elevation and building design drawings

BUILDING FORM

Buildings shall be designed for west coast weather and reflect coastal building traditions. Building forms should promote a pedestrian oriented, compact, intense, liveable and mixed-use downtown, while maintaining a scale that protects and frames public views and blends with existing building forms.

1. New development shall strive to maintain the small town, rural, coastal character of Tofino by blending in with, or complementing existing building forms and scale.
2. Building design should consider the human scale, particularly at the level of the street, which involves ensuring a high articulation of buildings to avoid significant massing, and ensuring a frequent rhythm of entrances and windows to increase permeability.
3. Building design should take architectural cues from vernacular buildings, which involve pitched or gabled roofs, cheerful colours, covered entrances, attention to overhangs, covered porches, and other architectural features.
4. Building heights should reflect the character of adjacent existing buildings with a maximum height of 2.5 stories on the north side of Main Street.
5. Buildings on the south side of Main Street should have a maximum height of two (2) storeys.
6. Buildings should not be any wider than 13 metres.
7. Roof gable forms and patterns should be oriented to the north and south to emulate historic building form.
8. Architectural elements should be used to provide overhead outdoor weather protection and
9. The reuse of heritage structures is encouraged where feasible.
10. Canopies and awnings must be a meaningful size and project at least a minimum of two (2) metres from the building.
11. Public views through to the water shall be incorporated into any new development by limiting width and height of buildings and ensuring that roof design respects existing community views and adjacent building forms.

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12. Shipping containers or similar forms of structures of any type of occupancy will not be permitted in any front yard or front yard setback along the frontage of Main Street.

SITING

Siting should be sensitive to on-site and off-site features such as existing land uses, public view corridors, natural vegetation, hydrology and solar exposure.

13. Buildings shall be sited to reflect the historic north-south building orientation on the North side of Main Street (Tofino Vitalization Plan and Main Street Concept Plan).
14. The interface between public and private spaces should be carefully designed by promoting courtyards, stoops, meeting places, contemplative spaces and similar spaces.
15. Applicants are encouraged to consider siting related variances to support the protection of view corridors to the water.
16. Siting should be responsive to circulation plans and plans for continuous public frontages.
17. Design should account for solar exposure to public and private spaces.
18. Shared driveway access between adjacent lots is encouraged.

EXTERIOR DESIGN AND FINISH OF BUILDINGS

It is expected that the exterior design and finish of buildings incorporate colors and materials appropriate to Tofino's coastal climate while exhibiting quality construction and a small town character. Servicing and related structures should be situated so that their visual and physical impact on the public realm is minimized.

19. Strong, saturated and rich colours appropriate to coastal small town character are encouraged. Heritage building colour references can be found in "Historic Tofino: a walking tour (Mason)" pamphlet.
20. Consider brighter (red and yellow) or more saturated colours (dark blue and green) in determining the final finishes to buildings.
21. The use of natural environmentally sustainable siding material such as cedar is encouraged.
22. Utilize quality and durable materials for all new structures and hard landscape areas including the use of stone, wood siding, wood shingles or vertical board and batten, standing seam, corrugated steel, and board formed concrete.
23. Servicing kiosks must be screened, hidden in underground vaults or incorporated into the architecture of the building itself, and electrical services to buildings should be located underground.
24. All outdoor lighting fixtures (luminaries) should conform to with the District's Dark Sky Policy.
25. The following materials are not permitted in building and site design: chain link fencing, vinyl siding, metallic or florescent colours, smooth faced concrete block building exteriors, or smooth faced tilt up concrete panels, or smooth concrete.
26. Ornamental, decorative and sculptural elements are encouraged in building design.

CONSOLIDATED FOR CONVENIENCE PURPOSES ONLY. Should be read in conjunction with the complete document

27. Utilize cladding to express the levels of the building through horizontal trim pieces or a change in style of cladding.
28. Waste and recycling facilities must be animal proof and screened to reduce negative visual impacts.

LANDSCAPING AND STREETScape

Utilize native plants in landscaping, safeguard significant trees, protect views, and incorporate local art installations to create an authentic sense of place. Provide options for safe non-motorized and pedestrian traffic while ensuring efficient vehicular circulation and parking.

29. Streetscape design and private site areas adjacent to public rights-of-way shall promote a safe and comfortable environment for non-motorized users including cyclists and pedestrians including bike parking, seating, garbage cans, and barrier free pedestrian trails.
30. Plant material selected should provide visual interest and variety throughout the year using native plants where feasible.
31. Existing vegetation and mature stands of trees should be preserved where possible and special consideration shall be given to the preservation of wildlife habitat and significant or landmark trees.
32. Streetscape elements, such as planting or decorative fencing should be used to screen adjacent less desirable views, such as expansive parking lots, commercial waste containers, servicing kiosks and retaining walls.
33. Identify and incorporate areas for art installations to showcase local First Nations history and heritage.
34. All streetscape design and private site areas adjacent to public rights-of-way shall contribute to a safe and continuous network for non-motorized transportation.
35. Consider landscaping and storm water treatments that include native plant species to help draw visual connections or cues about the local climate and bioregion, emphasizing and even celebrating the uniqueness of place - including all of its rain.

SIGNAGE

Support signage that does not dominate the streetscape while still allowing personal expression and the identification of local businesses.

36. Building signage shall be limited in scale and integrated with the design of the building facades.
37. Freestanding signs are encouraged to incorporate ornamental, decorative or sculptural elements.

Part 70.2 - Downtown Campbell Street (DPA 2)

Exemptions

Despite the following exemption provisions, owners must meet all applicable local, provincial or federal requirements.

A Downtown Campbell Street Development Permit shall not be required in the following instances:

1. For the construction of, or addition to, or alteration of a single family dwelling, two family dwelling, or a dwelling unit that is accessory to a single family dwelling.
2. For the repair, maintenance, or renovation of a building or structure that does not require a building permit.
3. For the repair, maintenance, or renovation of an existing building or structure where the value of the work is less than \$10,000.
4. For internal alterations that do not affect the outer appearance of a building or structure.
5. A development permit may not be required for subdivision of land involving minor boundary adjustments, lot consolidations or road dedication.
6. For the maintenance of existing permanent infrastructure within its established footprint including existing paved surfaces, gravel parking and driveways, dikes, drainage facilities, service buildings and other utilities;
7. For the construction of an accessory building or a structure provided that the proposed construction is located within a rear yard;
8. For the construction, repair or maintenance of public services by the District of Tofino and its authorized agents and contractors, provided these meet or exceed the conditions of the DPA Guidelines; and
9. For the construction of a sign.

Guidelines

When is a Campbell Street Development Permit required?

A Development Permit is required before land is subdivided; and prior to the construction of, addition to or alteration of a building or other structure within the Campbell Street DPA as illustrated on Schedule B2 of the 2021 Official Community Plan. Activities listed under the exemption section do not require a Development Permit.

Campbell Street Development Permits issued in this area shall be in accordance with the following:

Issuance of a Development Permit is subject to an applicant's consideration of, and response to, all applicable form and character guidelines. Applicant's should strive to achieve as many of the Guidelines as practicably possible, and be prepared to provide written explanation as to why certain Guidelines may, or may not have been addressed. A Design Review Panel appointed by the District of Tofino Council will support the design review process by providing recommendations to Council, or staff (if authority has been delegated).

Prior to any site development or disturbance, the District of Tofino may require the applicant to submit:

- A site plan conducted by a British Columbia Land Surveyor showing;
 - a. Lot lines, scale, date, and direction;
 - b. Adjacent streets, sidewalks, and lanes;
 - c. Zoning setbacks;
 - d. Covenants, easements and right of ways;
 - e. Topographic plan (0.5 metre contours);
 - f. Significant trees and other vegetation; and,
 - g. Existing structures;
- Access location and design;
- Parking spaces;
- Sun shading plan; and,
- Conceptual site, elevation and building design drawings

BUILDING FORM

Development form shall be weather appropriate and should recognize coastal building traditions. Development form shall promote a pedestrian oriented, compact, intense, livable and mixed use downtown while maintaining a scale that protects and frames public views and blends with existing building forms.

1. New development shall strive to maintain the small town, rural, coastal character of Tofino by blending in with, or complementing existing building forms and scale.
2. Architectural elements should be used to provide overhead outdoor weather protection and create interesting building focal points.
3. Canopies and awnings must be a meaningful size and project at least a minimum of two (2) metres from the building.
4. Modulation of building façades at the ground level should be used to enable various alternative street activities, including browsing, outdoor cafes, rest areas and street entertainment.
5. Natural light penetration under overhangs or eaves should enhance private and public outdoor experience.
6. Public views through to the water shall be carefully incorporated into any new development by limiting width and height of buildings, and ensuring that roof design respects existing community views and adjacent building forms.
7. The reuse of heritage structures is encouraged where feasible.
8. Building heights should reflect the character of adjacent existing buildings with a maximum height of three (3) stories.
9. Shipping containers or similar forms of structures of any type of occupancy will not be permitted in any front yard or front yard setback along the frontage of Campbell Street.

SITING

Siting should be sensitive to on-site and off-site features such as: existing land uses, public view corridors, natural vegetation, hydrology, and solar exposure.

CONSOLIDATED FOR CONVENIENCE PURPOSES ONLY. Should be read in conjunction with the complete document

10. Building location should promote a continuous public frontages along Campbell Street.
11. Public views through to islands and water shall be carefully incorporated into siting any new development.
12. Applicants are encouraged to consider siting related variances to support the protection of view corridors to the water.
13. Design should account for solar exposure to public and private spaces.
14. Shared driveway access between adjacent lots is encouraged.
15. Preserve and enhance community views along Campbell Street, views from Campbell Street north to the water, and from Campbell Street down First Street to the water.
16. Spaces between buildings should provide connection to other spaces supporting pedestrian vitality.
17. Off-street parking areas should be located behind buildings in the rear yard and accessed from a lane or side street toward the rear of the property.
18. The interface between public and private spaces should be carefully designed by promoting courtyards, stoops, meeting places, contemplative spaces and similar spaces.

EXTERIOR DESIGN AND FINISH OF BUILDINGS

It is expected that the exterior design and finish of buildings incorporate colors and materials appropriate to Tofino's coastal climate while exhibiting quality construction and a small town character. Servicing and related structures should be situated so that their visual and physical impact on the public realm is minimized.

19. Strong, saturated and rich colours appropriate to coastal small town character are encouraged. Heritage building colour references can be found in "Historic Tofino: a walking tour (Mason)" pamphlet.
20. Consider brighter (red and yellow) or more saturated colours (dark blue and green) in determining the final finishes to buildings.
21. The use of natural environmentally sustainable siding material such as cedar is encouraged.
22. Utilize quality and durable materials for all new structures and hard landscape areas including the use of stone, wood siding, wood shingles or vertical board and batten, standing seam, corrugated steel, and board formed concrete.
23. Servicing kiosks must be screened, hidden in underground vaults or incorporated into the architecture of the building itself, and electrical services to buildings should be located underground.
24. All outdoor lighting fixtures (luminaries) should conform to with the District's Dark Sky Policy.
25. The following materials are not permitted in building and site design: chain link fencing, vinyl siding, metallic or florescent colours, smooth faced concrete block building exteriors, or smooth faced tilt up concrete panels, or smooth concrete.
26. Utilize cladding to express the levels of the building through horizontal trim pieces or a change in style of cladding.
27. Ornamental, decorative and sculptural elements are encouraged in building design.

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LANDSCAPING AND STREETSCAPE

Utilize native plants in landscaping, safeguard significant trees, protect views, and incorporate local art installations to create an authentic sense of place. Provide options for safe non-motorized and pedestrian traffic while ensuring efficient vehicular circulation and parking.

28. Streetscape design and private site areas adjacent to public rights-of-way shall promote a safe and comfortable environment for non-motorized users including cyclists and pedestrians including bike parking, seating, garbage cans, and barrier free pedestrian trails.
29. Plant material selected should provide visual interest and variety throughout the year using native plants where feasible.
30. Existing vegetation and mature stands of trees should be preserved where possible and special consideration shall be given to the preservation of wildlife habitat and significant or landmark trees.
31. Streetscape elements, such as planting or decorative fencing should be used to screen adjacent less desirable views, such as expansive parking lots, commercial waste containers, servicing kiosks and retaining walls.
32. Identify and incorporate areas for art installations to showcase local First Nations history and heritage.
33. All streetscape design and private site areas adjacent to public rights-of-way shall contribute to a safe and continuous network for non-motorized transportation.
34. Consider landscaping and storm water treatments that include native plant species to help draw visual connections or cues about the local climate and bioregion, emphasizing and even celebrating the uniqueness of place - including all of its rain.
35. Perches” and seating along Campbell Street is encouraged.

SIGNAGE

Provide signage that does not dominate the streetscape while allowing personal expression and the identification of local businesses.

36. Murals may be permitted on building walls if they reflect an appropriate character and image compatible with downtown, and they are not considered to be billboards.
37. Building signage shall be limited in scale and integrated with the design of the building facades.
38. Freestanding signs are encouraged to incorporate ornamental, decorative or sculptural elements.

Part 70.3 - Gateway (DPA 3)

Exemptions

Despite the following exemption provisions, owners must meet all applicable local, provincial, or federal requirements.

A Gateway Development Permit shall not be required in the following instances:

1. For the construction of, or addition to, or alteration of a single family dwelling, two family dwelling, or a dwelling unit that is accessory to a single family dwelling.
2. Results in either no substantial change to the external appearance of the premises, and is in accordance with an existing building permit issued by the municipality;
3. For the repair, maintenance, or renovation of a building or structure that does not require a building permit.
4. For the repair, maintenance, or renovation of an existing building or structure where the value of the work is less than \$10,000.
5. For internal alterations that do not affect the outer appearance of a building or structure.
6. A development permit may not be required for subdivision of land involving minor boundary adjustments, lot consolidations or road dedication.
7. For the maintenance of existing permanent infrastructure within its established footprint including existing paved surfaces, gravel parking and driveways, dikes, drainage facilities, service buildings and other utilities;
8. For the construction of an accessory building or a structure provided that the proposed construction is located within a rear yard;
9. For the construction, repair or maintenance of public services by the District of Tofino and its authorized agents and contractors, provided these meet or exceed the conditions of the DPA Guidelines; and
10. For the construction of a sign.
11. For the construction of, or addition to, or alteration to an industrial building or structure on an industrial zoned lot.

Guidelines

When is a Gateway DPA Required?

A Development Permit is required before land is subdivided; and prior to the construction of, addition to or alteration of a building or other structure within the Gateway DPA as illustrated on Schedule B2 of the 2021 Official Community Plan. Activities listed under the exemption section do not require a Development Permit.

Gateway Development Permits issued in this area shall be in accordance with the following: Issuance of a Development Permit is subject to an applicant's consideration of, and response to, all applicable form and character guidelines. Applicant's should strive to achieve as many of the Guidelines as practicably possible, and be prepared to provide written explanation as to why certain Guidelines may, or may not have been addressed. A

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Design Review Panel appointed by the District of Tofino Council will support the design review process by providing recommendations to Council, or staff (if authority has been delegated).

Prior to any site development or disturbance, the District of Tofino may require the applicant to submit:

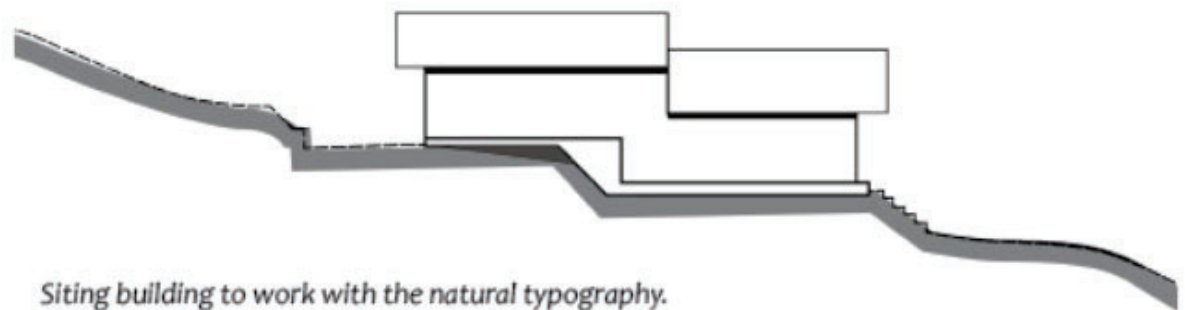
- A site plan conducted by a British Columbia Land Surveyor showing;
 - a. Lot lines, scale, date, and direction;
 - b. Adjacent streets, sidewalks, and lanes;
 - c. Zoning setbacks;
 - d. Covenants, easements and right of ways;
 - e. Topographic plan (0.5 metre contours);
 - f. Significant trees and other vegetation; and

Siting building to work with the natural topography.
- Access location and design;
- Parking spaces;
- Sun shading plan; and,
- Conceptual site, elevation and building design drawings

CONTEXT + SITE DESIGN

How buildings and structures are sited relative to the road is a defining Gateway characteristic. Most existing buildings are neither parallel nor perpendicular to the road, the waterfront or the side property lines. This pattern of irregular building locations can be acceptable when other parameters like siting or developing a cohesive streetscape are met. To successfully improve the overall layout, buildings should be sited as defined below.

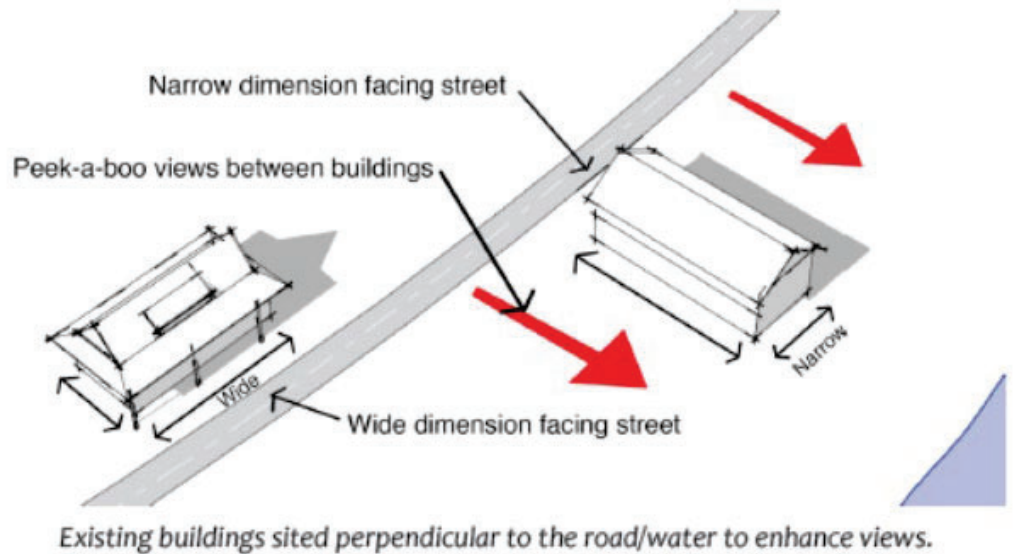
1. Site buildings to work with the natural topography, stepping with the grade, to minimize earthworks and respect the natural contours of the land.



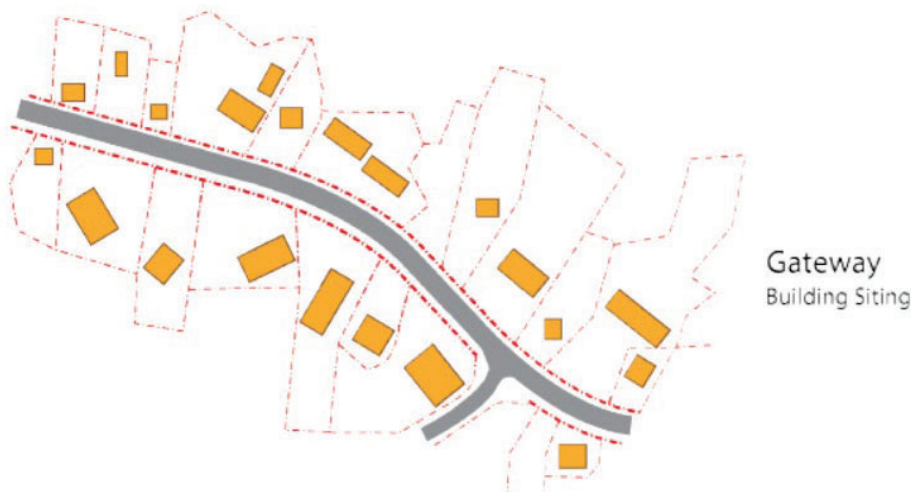
2. Provide, where feasible, a generous landscape buffer between the street and the building face.
3. Site buildings and ground floors of buildings, on the west side of the street (uphill side), when immediately adjacent to the road, to be no more than 24" above the crown of the road.
4. Retain views out and over Clayoquot Sound by encouraging overall building heights on the downhill/ waterside sites to remain at or below the level the Campbell Street. As part of the development permit area review, view studies, both to the water and from the water, should be undertaken to retain or improve views and appearances.

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5. Site and orient buildings on the downhill/waterside to be perpendicular to the water and the road to accommodate peek-a-boo views between buildings i.e. long side of the building is perpendicular to the water or road.



6. Site buildings to accommodate persons of varying ability levels, including the physically challenged.
7. Mitigate conflicts between adjacent uses including respecting the residential scale and character both within the area and adjacent to it through appropriate siting and design of buildings.
8. Ensure buildings are sited to provide sufficient sight lines when exiting to the street and to differentiate between the tighter setbacks in the core.



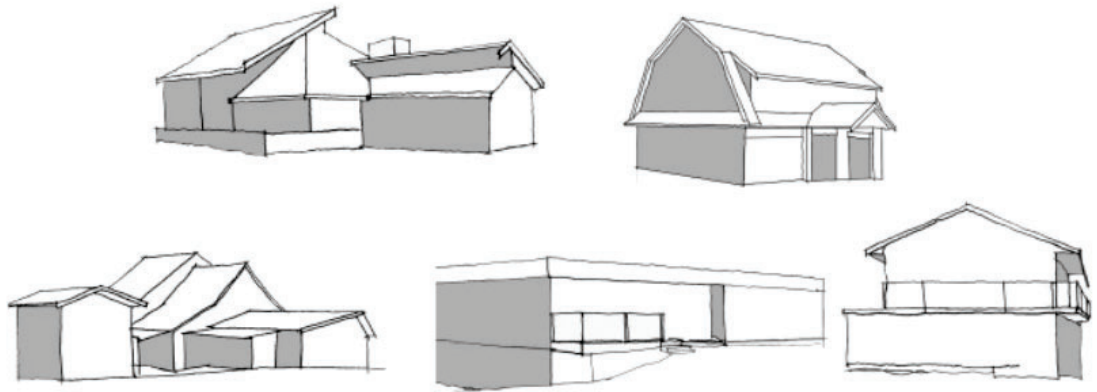
BUILT FORM: SCALE, MASSING, CHARACTER

Buildings in the Gateway area are encouraged to creatively contribute to the arrival experience for people coming to downtown Tofino by all modes of transportation, including walking, skateboarding, cycling, driving, and boating. Currently, and in the foreseeable

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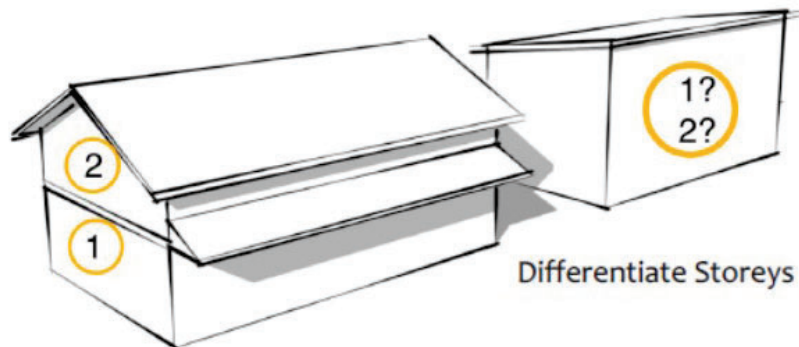
future, there is a residential scale, massing and character to many of the buildings immediately adjacent to Campbell Street. This less built up residential character is intended to act as a transition to the more built up commercial character of the Downtown that will evolve over time. The following should be considered in addressing for new construction or renovations.

9. Design buildings to provide a harmonious interface and transition between new and existing structures.
10. Design buildings and structures at street level to have a low, unobtrusive scale consistent with the existing residential scale of the area.



Low, unobtrusive, and residential scale desired at street level.

11. Design building massing, especially when directly adjacent to the street, to conform to a two, to two and a half storey massing with articulation, relative proportions, composition, shape and size consistent with the residential scale of the area.



2 to 2.5-storey massing desired adjacent to street level.

12. Establish a building character reflective of West Coast buildings with wood frame construction, pitched roofs, simple forms and a natural raw appearance.



West Coast building character

13. Detail buildings with large overhangs for weather protection, fascia, heavy timbers, and substantial door and window trim.
14. Provide generous setbacks off the street, while maintaining a pedestrian connection between buildings and footpaths, with sufficient landscape treatment.
15. Face any ground floor commercial space toward the street and provide high pedestrian accessibility.
16. Provide weather protection to primary common entries.
17. Incorporate visible green design strategies and building details, such as use of durable materials and orientation of buildings to benefit from passive solar gain or cross ventilation, to create sustainable buildings that reduce energy and water consumption.
18. Discourage the use of unarticulated blank walls.
19. Shipping containers or similar forms of structures of any type of occupancy will not be permitted in any front yard or front yard setback along the frontage of Campbell Street.

RESTORATION, RENOVATION & ADDITIONS

20. Where renovation of a building with heritage character is proposed, the architectural lines, rhythms and detailing of the original building should be maintained, extended and enhanced including spacing of entrances, windows bays, roof or cornice heights, window opening proportions, operating type signage etc. where appropriate and feasible.

MATERIALS (EXTERIOR FINISHES)

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21. Utilize quality and durable materials for all new structures and hard landscape areas including the use of stone, wood siding, wood shingles or vertical board and batten, standing seam, corrugated steel, and board formed concrete.
22. Support local building traditions with the use of wood frame construction and finishes.
23. Treat exterior surfaces to address the weather.
24. Utilize cladding to express the levels of the building through horizontal trim pieces or a change in style of cladding.
25. Clad side and rear wall surfaces in the same material as the front.
26. Discourage the use of vinyl or metal soffits.
27. Consider brighter (red and yellow) or more saturated colours (dark blue and green) in determining the final finishes to buildings.



Incorporate colour into building finishes.

LANDSCAPE CHARACTER & TREATMENT

The Gateway area has stretches of verdant landscape and vegetation that give it a green feel. While some of this vegetation is overgrown, there is an opportunity to enhance the entrance to downtown Tofino by providing a legible landscape treatment as part of new building construction, renovations or streetscape improvements.

28. Existing vegetation and mature stands of trees should be preserved where possible and special consideration shall be given to the preservation of wildlife habitat and significant or landmark trees.
29. Design landscaping to be consistent with the site context, to complement the character and design of buildings and to minimize potential view impacts and overlook of adjacent properties.
30. Utilize the natural attributes of the site in designing the landscape treatment.
31. Maintain and account for solar exposure for public and private outdoor spaces.
32. Construct or face retaining walls with natural materials such as stone, where they are visible from publicly accessible areas.
33. Design retaining walls or low structures to provide the opportunity to sit or “perch”, particularly when adjacent to the public footpath or to accentuate a view.
34. Screen larger parking areas (more than 6 cars) from adjacent streets and residential properties. Use landscaping to visually break up parking, improve natural drainage, and highlight pedestrian routes.
35. Clearly differentiate public from private spaces.

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36. Encourage the use of landscape features that reduce the visual scale of the building.
37. Provide private outdoor open spaces for developments with a residential component.
38. Utilize plant materials and species that are native to the area.
39. Use perennial or seasonal colour to highlight special locations, such as building entrances or access drives.
40. Encourage the use of public art on both public and private property.



Public art

41. Maximize permeable surfaces in all paving areas.
42. Utilize innovative, on-site water management techniques, such as rainwater reuse and landscape-based filtration and conveyance.
43. All exterior lights shall be directed and/or shielded to illuminate the ground only, and not contribute to light pollution or shine into neighbouring buildings.



Project lighting downwards.

FENCING & SCREENING

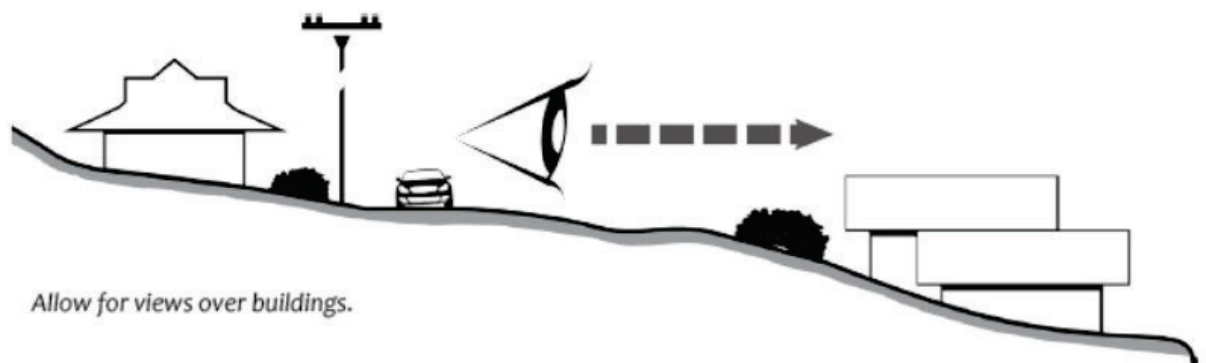
44. Minimize the impact of on-site services, including loading areas, mechanical equipment and garbage bins on adjacent properties and the streetscape, by their location within a building or, where not feasible, provide visual and acoustical screening.
45. Rooftop mechanical equipment, hydro utility boxes and similar equipment should be located or screened to minimize visual, odour and acoustical impacts on adjacent properties or other users in the building and the streetscape.
46. Ensure screening and fencing is consistent with the architectural character, detailing and materials used in the primary structure.
47. Discourage fencing or screening along Campbell Street.

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VIEW CORRIDORS

The approach to Tofino through the Gateway area provides a unique and introductory view to the islands and the inlet. Maintaining, enhancing, and maximizing these views is a priority for the gateway on both public and private land. To do this:

48. Maximize, enhance and maintain view corridors and views through to the inlet on the water-side of the street by siting buildings perpendicular to the waterfront and the street.
49. Locate buildings on the east/water side of the street to accommodate site lines over buildings, where applicable.

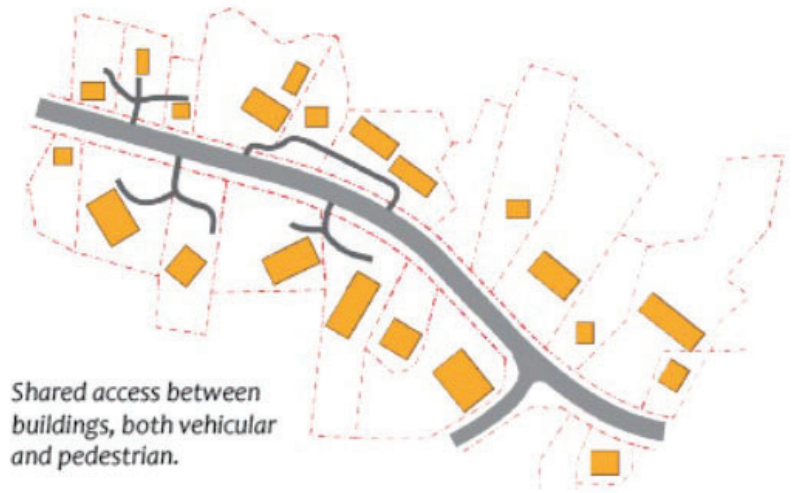


50. Encourage opportunities to provide or enhance public access between buildings to the water.
51. Encourage views at regular intervals along the gateway corridor.
52. Highlight through signage, lighting etc. public access ways to the water. Paths and trail routes should lead to special lookout features and have infrastructure (benches, interpretive signage, lighting) to accommodate pauses out of the way of travel.
53. Utilize strategic placement of trees and landscaping to define and enhance views.

CIRCULATION & LEGIBILITY

In conjunction with safety considerations, form and character guidelines are aimed at improving the ability of users, regardless of mode of travel, to easily navigate the gateway corridor. To do this:

54. Minimize and reduce access drives off of Campbell Street, when possible, by sharing accesses between adjacent parcels. Minimizing access points will assist in reducing the conflicts with vehicles and cyclists and pedestrians in this highly utilized section of the corridor.

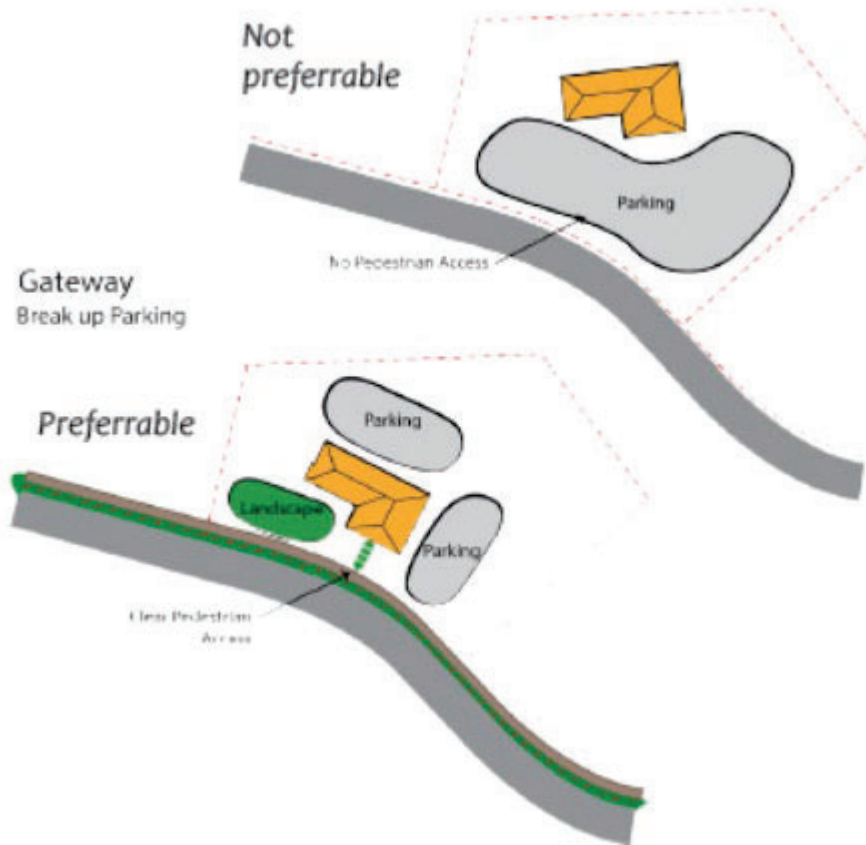


55. Reduce driveway throats, where feasible, to define access points, to reduce the amount of asphalt and to reduce conflicts with pedestrians and bicycles.
56. Encourage differentiated surface treatments to highlight zones for walking, cycling and driving.
57. Consider physical separations between modes of travel and opportunities for contiguous public paths on both private and public property.
58. Utilize signage and landscape treatment to provide visual cues to drivers that this area is highly utilized by pedestrians and cyclists.
59. Identify and clearly sign directions to parking areas off Campbell Street.

PARKING, ACCESS & INTERSECTIONS

Parking is limited along the gateway corridor, and will be promoted in shared areas away from the confluence of the multiple travel modes that utilize the corridor. The visual impact of car parking should also be minimized, and not be a dominant visual element of any site. To do this:

60. Consider the sharing of driveways onto and off of Campbell Street to minimize the amount of asphalt, reduce the number of crossings, and improve streetscape and landscape character.
61. Discourage large expanses of ground level paved parking on private property, particularly when visible from or directly adjacent to a street.
62. Locate parking at the rear of buildings, where feasible.
63. Access parking from side streets or side driveways.
64. Screen parking areas with landscape treatment.
65. Accommodate parking off the street in multiple, smaller parking areas between and behind buildings.
66. Discourage parking located between the building's main entrance and the road (at a width equal to the main entrance or greater than 2m, whichever is wider).



- 67. Provide un-obstructive and safe ingress and egress routes to properties.
- 68. Permit appropriate loading areas and emergency access.

SAFETY: PEDESTRIANS, BICYCLES, VEHICLES

The gateway area represents a transition from the long drive into Tofino along a nonstop highway. As such, form and character considerations should encourage and signify a distinctive change in environment to help drivers make the transition from a highway character to a residential character to the downtown character. Similarly, the gateway area aims to safely accommodate and direct the confluence and different modes of travel that utilize the corridor. Both local and visiting pedestrians, cyclists, and vehicles all converge through the gateway on their approach to Tofino's core. Safety, form and character aspects are aimed at directing these modes of travel.

- 69. Define pedestrian and cycling paths separate from driving and parking areas.
- 70. Consider universal accessibility and other strategies, such as sensory cues, to support people with wayfinding or mobility challenges.

SIGNAGE

- 71. Design signage to be compatible with the building design and the residential setting.
- 72. Encourage signage to be directly integrated into building facades and/or hung perpendicular to building facades.

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73. Utilize natural materials like wood in development of signage design.
74. Avoid signage illumination spillage to adjacent properties.
75. Discourage backlit signage.
76. Consider the use of interpretive signage for publicly accessible paths on private lands. These might include First Nations, the working waterfront, the geography of the area, and the living inlet.

Part 70.4 - Foreshore (DPA 4)

Exemptions

Despite the following municipal exemptions, owners must meet all applicable local, provincial or federal requirements with respect to the development of environmentally sensitive areas.

A Foreshore Development Permit shall not be required in the following instances:

1. Emergency procedures to prevent, control or reduce immediate threats to life or property, including:
 - a. Emergency actions for flood protection, erosion protection, and clearing of obstructions from watercourses;
 - b. Emergency works to protect, repair or replace public utilities;
 - c. Clearing of an obstruction from a bridge, culvert or drainage flow;
 - d. Repairs to bridges or safety fences; and
 - e. Removal of a tree when there is an imminent danger of the tree falling and causing an injury to persons or property, or when a tree failure has already occurred as a result of a natural cause and presents an immediate hazard.

All actions used to resolve emergency situations must be reported to The District of Tofino Engineering and Public Works Department, and the appropriate federal and provincial authorities immediately. Any emergency works are to be undertaken in accordance with the Provincial Water and Wildlife Acts and the Federal Fisheries Act.

2. The planting of native species trees, shrubs or ground covers for the purpose of enhancing the habitat values and/or soil stability within the development permit area, provided the planting is carried out in accordance with best practices.
3. In-stream works conducted or authorized by the District of Tofino under the guidance of a Qualified Environmental Professional, and which have been approved by the appropriate provincial and federal bodies with respect to installation of public utilities and emergency infrastructure, sewer and water lines, stream enhancement, pipeline crossings, roads and road crossings, foot bridges, bank repairs, stormwater outfalls, and fish and wildlife habitat restoration.
4. Renovations to existing buildings and structures that are situated within the Development Permit Area provided the footprint of the building is not expanded and that no development of the land apart from such renovations is occurring.
5. Maintenance of existing permanent infrastructure within its established footprint including existing paved surfaces, trails, parking areas, driveways, and utilities where no further impacts to the natural environment or drainage will be affected;
6. Yard or garden work within an existing landscaped area.

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7. Development situated on natural, unaltered bedrock formations.

Guidelines

When is a Foreshore Development Permit required?

A Development Permit is required before land is subdivided; prior to the construction of, addition to or alteration of a building or other structure; and prior to the alteration of land (removal of vegetation or soil) within the Foreshore DPA as illustrated on Schedule B3 of the 2021 Official Community Plan. Activities listed under the exemption section do not require a Development Permit.

Foreshore Development Permits issued in this area shall be in accordance with the following:

1. An assessment report prepared by an appropriate qualified professional shall be required for all development activities within the Foreshore DPA. The assessment report will include:
 - a. Evidence of the professional's qualifications and good standing within his or her professional association including experience in shoreline restoration;
 - b. Existing shoreline processes, including erosion and deposition of land and beach materials;
 - c. Existing and anticipated shoreline processes, including erosion and deposition of land and beach materials, given projected environmental trends including climate change and sea level rise;
 - d. The long-term safety of existing and proposed shoreline protection works, dwellings and other buildings on the subject parcel from natural hazards including shoreline erosion, landslip and flooding;
 - e. A site plan conducted by a British Columbia Land Surveyor including:
 - i. Lot lines, scale, date, and direction;
 - ii. Adjacent streets and lanes;
 - iii. Setbacks;
 - iv. Covenants, easements and right of ways;
 - v. Topographic plan showing existing contours at intervals of 0.5 metres;
 - vi. Significant trees and other vegetation;
 - vii. Structures; and
 - viii. Wildlife activity & corridor maps;
2. An environmental impact assessment report prepared by a Qualified Environmental Professional may be required including:
 - a. Information regarding fish habitat, shoreline vegetation and other ecosystem conditions; and,
 - b. Identification of the potential impacts of the proposed development on the shoreline abutting and within the vicinity of the subject parcel, and mitigation options and design alternatives.
3. All areas in the Foreshore DPA located 20 metres landward and 15 metres seaward of the natural boundary of the sea are to remain free of development, buildings, and structures.

4. A qualified professional shall recommend the sequence and timing of any construction or development to minimize negative impacts on the foreshore area including consideration for bird nesting and wildlife denning seasons.
5. Restoration of foreshore areas that have been previously damaged may be required as indicated in an Environmental Impact Assessment report.

DRAINAGE & LANDSCAPING

6. A Storm water Management Plan may be required, complete with recommendations for implementation that address water quality, water quantity, storm water discharge rate and erosion control, to minimize impacts on the natural shoreline ecology and beach processes.
7. A Construction Environmental Management Plan may be required that outlines the sequence and process of any construction or development to minimize negative impacts on the foreshore.
8. A Vegetation and Landscape Plan may be required, outlining access points, and what vegetation species are to be used in replanting, restoration and enhancement. All vegetation must be native to the west coast eco-climatic region, and be selected for erosion control and preservation of the shoreline ecology.
 - a. Existing tree, native vegetation and natural features (such as Krummholz) within the Foreshore DPA are to be retained, restored and enhanced so as to minimize habitat disturbance and guard against erosion and slope failure. Existing trees and shrubs shall be clearly marked prior to any development, and temporary fencing installed at the drip line to protect them during any development processes.
 - b. Where no trees or vegetation exist, new trees and vegetation shall be planted to control erosion and protect banks to an average of 15 metre wide (with a five metre minimum) wide shoreline zone over a minimum 50 percent of shore length.
 - c. All replanting shall be maintained by the property owner for at least five (2) years from the date of completion of the replanting.

SHORELINE PROTECTION

Shoreline protection is the range of potential modification actions that can be taken to develop the shoreline for the purpose of protection against erosion. Structural protection methods are often referred to as “hard” and “soft.” The range of actions from softer to harder include Vegetation enhancement, Upland drainage control, Biotechnical measures, Beach enhancement, Anchor trees, Gravel placement, Rock (rip rap) revetments, Gabions, Concrete groins, Retaining walls or bulkheads, and Seawalls. In general, the harder the construction measure, the greater the impact on the shoreline ecosystem and processes.

9. Where shore protection measures are necessary, development proponents should make use of soft structural methods and beach nourishment designs which add appropriately sized material to the upper beach, creating a natural beach slope and beach protection;
10. Consideration of Green Shore principles;
11. Shore protection measures such as gravel placement, rock (rip rap) revetments, gabions, concrete groins, retaining walls or bulkheads, and seawalls are generally not acceptable;
12. Where “hard” structural shore protection measures are proposed, a geotechnical and biophysical report must be provided including conclusive evidence that:

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- a. The erosion is not being caused by upland conditions, such as the loss of vegetation and drainage associated with the proposed or existing development;
 - b. All possible on-site drainage solutions away from the shoreline edge have been exhausted;
 - c. Non-structural measures, planting vegetation, or installing on-site drainage improvements, are not feasible or not sufficient to address the stabilization issues; and,
 - d. The shore protection measure will not result in a net loss of shoreline ecological functions (i.e. any unavoidable damage to shoreline habitat will be more than off-set by habitat compensation works).
13. Materials used for shoreline stabilization should consist of inert materials. Stabilization materials should not consist of debris or contaminated material that could result in pollution of tidal waters. The size and quantity of materials used should be limited to that necessary to withstand the estimated energy of the location's hydraulic action and prevent collapse;
14. Filter cloth should be used to aid drainage;
15. The structures should be located parallel to and landward of the natural boundary of the sea, as close to any natural bank as possible;
16. The structures should allow the passage of surface or groundwater without causing ponding or saturation; and
17. The structures should be constructed of stable, non-erodible materials that preserve natural shoreline characteristics. Adequate toe protection including proper footings and retention mesh should be included. Beach materials should not be used for fill behind bulkheads.

SECURITY

18. Security may be taken as a condition of the issuance of a development permit to ensure that the conditions of the Foreshore DPA are met and to correct any damage to the environment that may result as a consequence of a contravention of a permit condition. For example, security may be required and applied against but not limited to, erosion control works, site grading, phased clearing, barrier fence installation, restoration works, post-development success of re-vegetation and restoration works or any other requirements of a development permit.
19. As a condition for the return of the permit security, the District of Tofino will require a report by the qualified professional that confirms in writing that all conditions and requirements of the development permit have been met and:
- a. that no damage to the environment has occurred as a consequence of a contravention of a permit condition;
 - b. that all required landscaping or re-vegetation is completed; and,
 - c. that no unsafe condition has resulted as a consequence of contravention of a condition in a permit.
 - d. Upon satisfactory completion of the Foreshore DP conditions, the security shall be returned. Twenty-five (25%) percent of the security amount may be held-back for two years (two growing seasons) to ensure the satisfactory health and maintenance of any revegetation or restoration works.

Part 70.5 - Mudflats (DPA 5)

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Exemptions

Despite the following municipal exemptions, owners must meet all applicable local, provincial or federal requirements with respect to the development of environmentally sensitive areas.

A Mudflats Development Permit shall not be required in the following instances:

1. Emergency procedures to prevent, control or reduce immediate threats to life or property, including:
 - a. Emergency actions for flood protection, erosion protection, and clearing of obstructions from watercourses;
 - b. Emergency works to protect, repair or replace public utilities;
 - c. Clearing of an obstruction from a bridge, culvert or drainage flow;
 - d. Repairs to bridges or safety fences; and
 - e. Removal of a tree when there is an imminent danger of the tree falling and causing an injury to persons or property, or when a tree failure has already occurred as a result of a natural cause and presents an immediate hazard.

All actions used to resolve emergency situations must be reported to The District of Tofino Engineering and Public Works Department, and the appropriate federal and provincial authorities immediately. Any emergency works are to be undertaken in accordance with the Provincial Water and Wildlife Acts and the Federal Fisheries Act.

2. The planting of native species trees, shrubs or ground covers for the purpose of enhancing the habitat values and/or soil stability within the development permit area, provided the planting is carried out in accordance with best practices.
3. In-stream works conducted or authorized by the District of Tofino under the guidance of a Qualified Environmental Professional, and which have been approved by the appropriate provincial and federal bodies with respect to installation of public utilities and emergency infrastructure, sewer and water lines, stream enhancement, pipeline crossings, roads and road crossings, foot bridges, bank repairs, stormwater outfalls, and fish and wildlife habitat restoration.
4. Renovations to existing buildings and structures that are situated within the Development Permit Area provided the footprint of the building is not expanded and that no development of the land apart from such renovations is occurring.
5. Maintenance of existing permanent infrastructure within its established footprint including existing paved surfaces, trails, parking areas, driveways, and utilities where no further impacts to the natural environment or drainage will be affected;
6. Yard or garden work within an existing landscaped area.

Guidelines

When is a Mudflats Development Permit required?

A Development Permit is required before land is subdivided; prior to the construction of, addition to or alteration of a building or other structure; and prior to the alteration of land (removal of vegetation or soil) within the Mudflats Area DPA as illustrated on Schedule B4 of the 2021 Official Community Plan. Activities listed under the exemption section do not require a Development Permit.

Mudflats Development Permits issued in this area shall be in accordance with the following:

1. An environmental impact assessment (EIA) report prepared by a Qualified Environmental Professional (QEP) shall be required for all development activities within the Mudflats DPA. The assessment report will include:
 - a. Evidence of the professional's qualifications and good standing within his or her professional association and related experience;
 - b. A site plan conducted by a British Columbia Land Surveyor including:
 - i. Lot lines, scale, date, and direction;
 - ii. Adjacent streets and lanes;
 - iii. Setbacks;
 - iv. Covenants, easements and right of ways;
 - v. Topographic plan showing existing contours at intervals of 0.5 metres;
 - vi. Significant trees and other vegetation;
 - vii. Structures;
 - viii. Location of the Mudflats DPA boundaries;
 - ix. Location of the proposed development relative to the Mudflats DPA; and,
 - x. Wildlife activity & corridor maps.
2. The EIA report will be used to determine development permit conditions to protect, preserve, and/or restore environmentally sensitive areas. The assessment report shall provide at a minimum:
 - i. Existing ecosystem conditions including information on wildlife habitat (including bear, wolf and cougar habitat), vegetation, forest, and riparian areas;
 - ii. Survey of survey large trees and large downed wood, root boles and stumps within development areas and map all structures that could be used for denning for all large carnivores;
 - iii. The impacts of the proposed development activities on the shoreline ecology abutting and within the vicinity of the subject parcel;
 - iv. Identification of the potential impacts of the proposed development, mitigation options and design alternatives;
 - v. Recommendations on the sequence and timing of any construction or development to minimize negative impacts on sensitive natural features; and,
 - vi. Site drainage recommendations to minimize impact to the foreshore including infiltration, detention, permeability, and routing options.
3. Construction activities such as land clearing, hammering, use of power tools and

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large machinery may impact resting shorebirds or wintering waterfowl if close to critical resting and feeding areas. Seasonal and spatial use by shorebirds and waterfowl should be considered when construction occurs along the Wildlife Management Area boundary.

4. Existing tree, native vegetation and natural features within this DPA are to be retained, restored and enhanced so as to minimize habitat disturbance and guard against erosion and slope failure. Existing trees and shrubs shall be clearly marked prior to any development, and temporary fencing installed at the drip line to protect them during any development processes.
5. The QEP shall consider natural methods of managing coastal erosion where appropriate.
6. Where no trees or vegetation exist, new trees and vegetation shall be planted to control erosion and protect banks to an average of 30 metres (with a five metre minimum) wide shoreline zone over a minimum 50 percent of shore length.
7. In order to ensure that no encroachment occurs into the Mudflats DPA at the time of construction, permanent or temporary fencing or marking measures will be required to be installed at the applicant's expense along the boundaries of the Mudflats DPA prior to any development activities.
8. Vegetation species used in replanting, restoration and enhancement will be selected to suit the soil, light and groundwater conditions of the site, must be native to the surrounding eco-climatic region, and be selected for erosion control and preservation of the shoreline ecology. All replanting shall be maintained by the property owner for at least three (3) years from the date of completion of the replanting. This may include removal of invasive, non-native weeds and irrigation. At the owners expense unhealthy, dying or dead vegetation will be replaced with healthy vegetation within that time and during the next planting season.

SECURITY

9. Security in the form of cash, a letter of credit from a Canadian chartered bank or payment in the form of a certified cheque may be taken as a condition of issuance of a development permit to ensure that the conditions of the DPA are met and to correct any damage to the environment that may result as a consequence of a contravention of a permit condition. For example, security may be required, and applied against, but not limited to erosion control works, site grading, phased clearing, barrier fence installation, restoration works, post-development success of re-vegetation and restoration works, or any other requirements of a development permit.
10. As a condition for the return of the permit security, the District of Tofino will require a report by a QEP that confirms in writing that all conditions and requirements of the development permit have been met and;
 - a. That no damage to the environment has occurred as a consequence of a contravention of a permit condition;
 - b. That all required landscaping or re-vegetation is completed; and,
 - c. That no unsafe condition has resulted as a consequence of contravention of a condition in a permit.

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- d. Upon satisfactory completion of the DP conditions, the security shall be returned. Twenty-five (25%) percent of the security amount may be held-back for two years (two growing seasons) to ensure the satisfactory health and maintenance of any revegetation or restoration works.

Part 70.6 - Riparian (DPA 6)

Exemptions

Despite the following municipal exemptions, owners must meet all applicable local, provincial or federal requirements with respect to the development of environmentally sensitive areas.

A Development Permit shall not be required in the following instances:

1. Emergency procedures to prevent, control or reduce immediate threats to life or property, including:
 - a. Emergency actions for flood protection, erosion protection, and clearing of obstructions from watercourses;
 - b. Emergency works to protect, repair or replace public utilities;
 - c. Clearing of an obstruction from a bridge, culvert or drainage flow;
 - d. Repairs to bridges or safety fences; and
 - e. Removal of a tree when there is an imminent danger of the tree falling and causing an injury to persons or property, or when a tree failure has already occurred as a result of a natural cause and presents an immediate hazard.

All actions used to resolve emergency situations must be reported to The District of Tofino Engineering and Public Works Department, and the appropriate federal and provincial authorities immediately. Any emergency works are to be undertaken in accordance with the Provincial Water and Wildlife Acts and the Federal Fisheries Act.

2. The planting of native species trees, shrubs or ground covers for the purpose of enhancing the habitat values and/or soil stability within the development permit area, provided the planting is carried out in accordance with best practices.
3. In-stream works conducted or authorized by the District of Tofino under the guidance of a Qualified Environmental Professional, and which have been approved by the appropriate provincial and federal bodies with respect to installation of public utilities and emergency infrastructure, sewer and water lines, stream enhancement, pipeline crossings, roads and road crossings, foot bridges, bank repairs, stormwater outfalls, and fish and wildlife habitat restoration.
4. Renovations to existing buildings and structures that are situated within the Development Permit Area provided the footprint of the building is not expanded and that no development of the land apart from such renovations is occurring.
5. Maintenance of existing permanent infrastructure within its established footprint including existing paved surfaces, trails, parking areas, driveways, and utilities where no further impacts to the natural environment or drainage will be affected;
6. Yard or garden work within an existing landscaped area.

Guidelines

When is a Riparian Development Permit required?

A Riparian Development Permit is required before land is subdivided; prior to the construction of, addition to or alteration of a building or other structure; and prior to the alteration of land (removal of vegetation or soil) within the Riparian DPA as illustrated on Schedule B5 of the 2021 Official Community Plan. This applies to all areas that are partly or entirely located within thirty (30) metres from the top of bank of a stream or the high water mark of a wetland. Activities listed under the exemption section do not require a Development Permit.

Riparian Development Permits issued in this area shall be in accordance with the following:

1. An environmental impact assessment (EIA) report prepared by a Qualified Environmental Professional (QEP) shall be required for all development activities within the Riparian DPA. The assessment report will include:
 - a. Evidence of the professional's qualifications and good standing within his or her professional association and related experience;
 - b. A site plan conducted by a British Columbia Land Surveyor including:
 - i. Lot lines, scale, date, and direction;
 - ii. Adjacent streets and lanes;
 - iii. Setbacks;
 - iv. Covenants, easements and right of ways;
 - v. Topographic plan showing existing contours at intervals of 0.5 metres;
 - vi. Significant trees and other vegetation;
 - vii. Structures;
 - viii. Wildlife activity & corridor maps;
 - ix. Location of the Riparian DPA boundaries; and,
 - x. Location of the proposed development relative to the Riparian DPA.
2. The EIA report will be used to determine development permit conditions to protect, preserve, and/or restore environmentally sensitive areas. The assessment report shall provide at a minimum:
 - a. Existing ecosystem conditions including information on wildlife habitat (including bear, wolf and cougar habitat), vegetation, forest, and riparian areas;
 - b. Survey of survey large trees and large downed wood, root boles and stumps within development areas and map all structures that could be used for denning for all large carnivores;
 - c. The impacts of the proposed development activities on the shoreline ecology abutting and within the vicinity of the subject parcel;
 - d. Identification of the potential impacts of the proposed development, mitigation options and design alternatives;
 - e. Recommendations on the sequence and timing of any construction or development to minimize negative impacts on sensitive natural features;
 - f. Site drainage recommendations to minimize impact to the foreshore including infiltration, detention, permeability, and routing options;

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- g. The streamside protection and enhancement area (SPEA) for the proposed development;
 - h. Identification of the natural features, functions and conditions that support fish life processes, along with potential impacts of the proposed development, mitigation options and design alternatives;
 - i. The appropriate setback distance for buildings, structures and uses. The applicant will be required to confirm, through survey by a certified BC Land Surveyor, the top of the stream bank in relation to the property lines and existing and proposed development; and
 - j. The report must be to a standard of quality that is acceptable to the District of Tofino. The Riparian Area Regulations Assessment Methods, as defined by the Riparian Areas Regulation under the Fish Protection Act S.B.C. 1997, are to be followed as a minimum.
3. Buildings and structures must be located outside of the SPEA.
 4. Plans for subdivision and development shall identify SPEAs as “no build and/or no disturbance” areas.
 5. Streams, wetlands and SPEAs may be protected through dedication to the crown, land dedication (park or open space), covenant, easement, statutory right of way, or other means satisfactory to the District.
 6. In order to ensure that no encroachment occurs into the SPEA at the time of construction, permanent or temporary fencing measures will be required to be installed at the applicant’s expense along the boundaries of the SPEA prior to any development activities.
 7. In order to ensure that no encroachment occurs into the SPEA post development permanent wood picket fencing that allows for the movement of animals will be required to be installed at the applicant’s expense along the boundaries of the SPEA. The applicant shall also be required to install District approved signage along the fence line to educate and minimize intrusion into the SPEA.
 8. A QEP shall recommend the sequence and timing of any construction or development to minimize negative impacts on the SPEA including consideration for bird nesting and wildlife denning seasons.
 9. The report by a QEP must provide a plan for the management of sediment during construction. This sediment management plan must show how the methods identified will protect stream, wetland, and any associated drainages from sediment, erosion and runoff impacts that may result from construction or land clearing activities.
 10. The report by the QEP must provide a drainage plan, complete with recommendations for implementation that address water quality, water quantity, stormwater discharge (impervious surfaces), and erosion control, so as to minimize impacts on fish and amphibians, fish and wildlife habitat, and physical riparian functions.
 11. Existing trees and native vegetation within the SPEA are to be retained so as to minimize habitat disturbance and guard against erosion and slope failure. Existing trees and shrubs shall be clearly marked prior to any development, and temporary fencing shall be installed at the drip line to protect them during any development processes.
 12. Restoration of SPEA’s that have been previously damaged may be required as indicated in an EIA report.

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13. Vegetation species used in replanting, restoration and enhancement will be selected to suit the soil, light and groundwater conditions of the site, must be native to the District of Tofino, and must be selected for erosion control and/or fish and habitat wildlife habitat values as needed. All replanting shall be maintained by the property owner for at least three (3) years from the date of completion of the replanting.

SECURITY

14. Security in the form of cash, a letter of credit from a Canadian chartered bank or payment in the form of cheque may be taken as a condition of issuance of a development permit to ensure that the conditions are met and to correct any damage to the environment that may result as a consequence of a contravention of a permit condition. For example, security may be required and applied against but not limited to, erosion control works, site grading, phased clearing, barrier fence installation, habitat restoration works, post-development success of re-vegetation and restoration works, or any other requirements of a development permit.
15. As a condition for the return of the permit security, the District of Tofino will require a report by a QEP that confirms in writing that all conditions and requirements of the development permit have been met and;
 - a. That no damage to the environment has occurred as a consequence of a contravention of a permit condition;
 - b. That all required landscaping, restoration, or re-vegetation is completed; and,
 - c. That no unsafe condition has resulted as a consequence of contravention of a condition in a permit.
 - d. Upon satisfactory completion of the Riparian DP conditions, the security shall be returned. Twenty-five (25%) percent of the security amount may be held-back for two years (two growing seasons) to ensure the satisfactory health and maintenance of any revegetation or restoration works.

Part 70.7 - Tourism Focus (DPA 7)

Exemptions

Despite the following municipal exemptions, owners must meet all applicable local, provincial or federal requirements with respect to the development of environmentally sensitive areas.

A Tourism Focus Development Permit shall not be required in the following instances:

1. Emergency procedures to prevent, control or reduce immediate threats to life or property, including:
 - a. Emergency actions for flood protection, erosion protection, and clearing of obstructions from watercourses;
 - b. Emergency works to protect, repair or replace public utilities;

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- c. Clearing of an obstruction from a bridge, culvert or drainage flow;
- d. Repairs to bridges or safety fences; and
- e. Removal of a tree when there is an imminent danger of the tree falling and causing an injury to persons or property, or when a tree failure has already occurred as a result of a natural cause and presents an immediate hazard.

All actions used to resolve emergency situations must be reported to The District of Tofino Engineering and Public Works Department, and the appropriate federal and provincial authorities immediately. Any emergency works are to be undertaken in accordance with the Provincial Water and Wildlife Acts and the Federal Fisheries Act.

- 2. The planting of native species trees, shrubs or ground covers for the purpose of enhancing the habitat values and/or soil stability within the development permit area, provided the planting is carried out in accordance with best practices.
- 3. In-stream works conducted or authorized by the District of Tofino under the guidance of a Qualified Environmental Professional, and which have been approved by the appropriate provincial and federal bodies with respect to installation of public utilities and emergency infrastructure, sewer and water lines, stream enhancement, pipeline crossings, roads and road crossings, foot bridges, bank repairs, stormwater outfalls, and fish and wildlife habitat restoration.
- 4. Renovations to existing buildings and structures that are situated within the Development Permit Area provided the footprint of the building is not expanded and that no development of the land apart from such renovations is occurring.
- 5. Maintenance of existing permanent infrastructure within its established footprint including existing paved surfaces, trails, parking areas, driveways, and utilities where no further impacts to the natural environment or drainage will be affected;
- 6. Yard or garden work within an existing landscaped area.
- 7. For the construction or renovation of accessory buildings, servicing structures, staff housing, or temporary buildings that are not publically visible from the ocean/beach or public road.

Guidelines

When is a Tourism Focus Development Permit required?

A Development Permit is required before land is subdivided; prior to the construction of, addition to or alteration of a building or other structure; and prior to the alteration of land (removal of vegetation or soil) within the Tourism Focus DPA as illustrated on Schedule B6 of the 2021 Official Community Plan. Activities listed under the exemption section do not require a Development Permit.

Tourism Focus Development Permits issued in this area shall be in accordance with the following:

NATURAL ENVIRONMENT

- 1. An environmental impact assessment report prepared by a Qualified Environmental Professional shall be required for all development activities within the Tourism Focus DPA. The assessment report will include:

- a. Evidence of the professional's qualifications and good standing within his or her professional association and related experience;
 - b. A site plan conducted by a British Columbia Land Surveyor;
 - c. Lot lines, scale, date, and direction;
 - d. Adjacent streets and lanes;
 - e. Setbacks;
 - f. Covenants, easements and right of ways;
 - g. Topographic plan showing existing contours at intervals of 0.5 metres;
 - h. Significant trees and other vegetation;
 - i. Structures;
2. The EIA report will be used to determine development permit conditions to protect, preserve, and/or restore riparian areas. The assessment report shall provide at a minimum:
 - j. Existing ecosystem conditions including information on wildlife habitat, vegetation, forest, and riparian areas;
 - k. The impacts of the proposed development activities on the shoreline ecology abutting and within the vicinity of the subject parcel;
 - l. Identification of the potential impacts of the proposed development, mitigation options and design alternatives;
 - m. Recommendations on the sequence and timing of any construction or development to minimize negative impacts on sensitive natural features; and,
 - n. Site drainage recommendations to minimize impact to the foreshore including infiltration, detention, permeability, and routing options.
 3. Development in the Tourism Focus Development Permit Area shall be setback from the foreshore and ensure that buildings are sited in areas that minimize disturbance of the natural environment, beach/foreshore areas, and the removal of old growth forest.
 4. Existing tree, native vegetation and natural features within the Tourism Focus DPA are to be retained, restored and enhanced so as to minimize habitat disturbance and guard against erosion and slope failure. Existing trees and shrubs shall be clearly marked prior to any development, and temporary fencing installed at the drip line to protect them during any development processes.
 5. A QEP shall recommend the sequence and timing of any construction or development to minimize negative impacts on the environment including consideration for bird nesting and wildlife denning seasons.
 6. The report by a QEP must provide a plan for the management of sediment during construction. This sediment management plan must show how the methods identified will protect stream, wetland, and any associated drainages from sediment, erosion and runoff impacts that may result from construction or land clearing activities.
 7. The report by the QEP must provide a drainage plan, complete with recommendations for implementation that address water quality, water quantity, stormwater discharge (impervious surfaces), and erosion control, so as to minimize impacts on fish and amphibians, fish and wildlife habitat, and physical riparian functions.
 8. Existing trees and native vegetation are to be retained so as to minimize habitat disturbance and guard against erosion and slope failure. Existing trees and shrubs shall be clearly marked prior to any development, and temporary fencing shall be installed at the drip line to protect them during any development processes.
 9. Restoration of previously disturbed areas may be required as indicated in the EIA report.

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10. Vegetation species used in replanting, restoration and enhancement will be selected to suit the soil, light and groundwater conditions of the site, must be native to the District of Tofino, and must be selected for erosion control and/or fish and habitat wildlife habitat values as needed. All replanting shall be maintained by the property owner for at least three (3) years from the date of completion of the replanting.

BUILDING FORM

11. Landscaping, site and building drawings shall be submitted to District staff for review and recommendations by the Design Review Panel and District staff to address the building form, siting, exterior design, landscaping, and signage requirements of the following guidelines.
12. Building design shall be unobtrusive reflecting the form of natural features such dunes, swept back Krummholz forest that complements or enhance the aesthetic qualities of the natural landscape.
13. Buildings shall be sited, scaled and designed so as not to dominate the foreshore and the viewscape from the ocean.
14. Views through to the water shall be limited and carefully incorporated into new development by limiting width and height of buildings and ensuring that roof design respects existing community views.

SITING

15. Buildings shall be sited so as to minimize the visual impact and massing of developments when viewed from the perspective of the beach or ocean with the intent to maintain the natural landscape character of the Esowista Peninsula.
16. Views to the ocean shall strive for peek-a-boo rather than expansive views to support a feeling of discovery for residents and guests.
17. Shared driveway access between adjacent lots is encouraged.

EXTERIOR DESIGN & FINISH OF BUILDINGS

18. The use of natural and environmentally sustainable materials for the finish of buildings is encouraged.
19. Servicing kiosks must be screened, hidden in underground vaults or incorporated into the architecture of the building itself, and electrical services to buildings should be located underground.
20. All exterior building and parking area lighting shall be downcast, low level and ground oriented, in conformance with the Dark Sky best practices.
21. The brightness and impact of interior lighting shall be minimized.
22. The following materials are not appropriate in the Tourism Focus Development Permit Area;
 - o. chain link fencing;
 - p. vinyl siding;
 - q. smooth faced concrete block or tilt up concrete panels; and,

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23. Ornamental, decorative and sculptural elements are encouraged in building design or free standing on the site;

LANDSCAPING

24. Streetscape design adjacent to public rights-of-way shall promote a safe and comfortable environment for non-motorized users including cyclists and pedestrians.
25. Planting or fencing should be used to screen less desirable views such as parking lots, commercial waste containers, servicing kiosks and retaining walls.
26. Public access to beaches shall be designed to promote environmentally sensitive, barrier free safe access.

SIGNAGE

27. Building signage shall be limited in scale and integrated with the design of the building facades.
28. Freestanding signs are encouraged to incorporate ornamental decorative or sculptural elements.

SECURITY

29. Security in the form of cash, a letter of credit from a Canadian chartered bank or payment in the form of cheque may be taken as a condition of issuance of a development permit to ensure that the conditions are met and to correct any damage to the environment that may result as a consequence of a contravention of a permit condition. For example, security may be required and applied against but not limited to, erosion control works, site grading, phased clearing, barrier fence installation, habitat restoration works, post-development success of re-vegetation and restoration works, or any other requirements of a development permit.
30. As a condition for the return of the permit security, the District of Tofino will require a report by a QEP that confirms in writing that all conditions and requirements of the development permit have been met and;
 - a. That no damage to the environment has occurred as a consequence of a contravention of a permit condition;
 - b. That all required landscaping, restoration, or re-vegetation is completed; and,
 - c. That no unsafe condition has resulted as a consequence of contravention of a condition in a permit.
 - d. Upon satisfactory completion of the DP conditions, the security shall be returned. Twenty-five (25%) percent of the security amount may be held-back for two years (two growing seasons) to ensure the satisfactory health and maintenance of any revegetation or restoration works.

Part 70.8 - Wildlife Habitat (DPA 8)

Exemptions

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Despite the following municipal exemptions, owners must meet all applicable local, provincial or federal requirements with respect to the development of environmentally sensitive areas.

A Wildlife Habitat Development Permit shall not be required in the following instances:

1. Emergency procedures to prevent, control or reduce immediate threats to life or property, including:
 - a. Emergency actions for flood protection, erosion protection, and clearing of obstructions from watercourses;
 - b. Emergency works to protect, repair or replace public utilities;
 - c. Clearing of an obstruction from a bridge, culvert or drainage flow;
 - d. Repairs to bridges or safety fences; and
 - e. Removal of a tree when there is an imminent danger of the tree falling and causing an injury to persons or property, or when a tree failure has already occurred as a result of a natural cause and presents an immediate hazard.

All actions used to resolve emergency situations must be reported to The District of Tofino Engineering and Public Works Department, and the appropriate federal and provincial authorities immediately. Any emergency works are to be undertaken in accordance with the Provincial Water and Wildlife Acts and the Federal Fisheries Act.

2. The planting of native species trees, shrubs or ground covers for the purpose of enhancing the habitat values and/or soil stability within the development permit area, provided the planting is carried out in accordance with best practices.
3. In-stream works conducted or authorized by the District of Tofino under the guidance of a Qualified Environmental Professional, and which have been approved by the appropriate provincial and federal bodies with respect to installation of public utilities and emergency infrastructure, sewer and water lines, stream enhancement, pipeline crossings, roads and road crossings, foot bridges, bank repairs, stormwater outfalls, and fish and wildlife habitat restoration.
4. Renovations to existing buildings and structures that are situated within the Development Permit Area provided the footprint of the building is not expanded and that no development of the land apart from such renovations is occurring.
5. Maintenance of existing permanent infrastructure within its established footprint including existing paved surfaces, trails, parking areas, driveways, and utilities where no further impacts to the natural environment or drainage will be affected;
6. Yard or garden work within an existing landscaped area.

Guidelines

When is a Wildlife Habitat Development Permit required?

A Development Permit is required before land is subdivided; prior to the construction of, addition to or alteration of a building or other structure; and prior to the alteration of land (removal of vegetation or soil) within the Wildlife Habitat DPA as illustrated on Schedule B7 of the 2021 Official Community Plan. Activities listed under the exemption section do not require a Development Permit.

Wildlife Habitat Development Permits issued in this area shall be in accordance with the following:

NATURAL ENVIRONMENT

1. An environmental impact assessment (EIA) report prepared by a Qualified Environmental Professional (QEP) shall be required for all development activities within the Wildlife Habitat DPA. The assessment report will include:
 - a. Evidence of the professional's qualifications and good standing within his or her professional association and related experience;
 - b. A site plan conducted by a British Columbia Land Surveyor including:
 - i. Lot lines, scale, date, and direction;
 - ii. Adjacent streets and lanes;
 - iii. Setbacks;
 - iv. Covenants, easements and right of ways;
 - v. Topographic plan showing existing contours at intervals of 0.5 metres;
 - vi. Significant trees and other vegetation;
 - vii. Structures; and,
 - viii. Wildlife activity & corridor maps.
2. The EIA report will be used to determine development permit conditions to protect, preserve, and/or restore environmentally sensitive areas. The assessment report shall provide at a minimum:
 - a. Existing ecosystem conditions including information on wildlife habitat (including bear, wolf and cougar habitat), vegetation, forest, and riparian areas;
 - b. Survey of survey large trees and large downed wood, root boles and stumps within development areas and map all structures that could be used for denning for all large carnivores;
 - c. The impacts of the proposed development activities on the shoreline ecology abutting and within the vicinity of the subject parcel;
 - d. Identification of the potential impacts of the proposed development, mitigation options and design alternatives;
 - e. Recommendations on the sequence and timing of any construction or development to minimize negative impacts on sensitive natural features; and,
 - f. Site drainage recommendations to minimize impact to the foreshore including infiltration, detention, permeability, and routeing options.
3. Development in the Wildlife Habitat Development Permit Area shall minimize the disturbance of the natural environment, beach/foreshore areas, and the removal of old growth forest.
4. Site planning shall incorporate designs that reflect the importance of contiguous forest and intact environmentally sensitive areas.
5. Existing tree, native vegetation and natural features within the Wildlife Habitat DPA are to be retained, restored and enhanced so as to minimize habitat disturbance and guard against erosion and slope failure. Existing trees and shrubs shall be clearly marked prior to any development, and temporary fencing installed at the drip line to protect them during any development processes.

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6. A QEP shall recommend the sequence and timing of any construction or development to minimize negative impacts on the environment including consideration for bird nesting and wildlife denning seasons.
7. The report by a QEP must provide a plan for the management of sediment during construction. This sediment management plan must show how the methods identified will protect stream, wetland, and any associated drainages from sediment, erosion and runoff impacts that may result from construction or land clearing activities.
8. The report by the QEP must provide a drainage plan, complete with recommendations for implementation that address water quality, water quantity, stormwater discharge (impervious surfaces), and erosion control, so as to minimize impacts on fish and amphibians, fish and wildlife habitat, and physical riparian functions.
9. Restoration of previously disturbed areas may be required as indicated in the EIA report.
10. Vegetation species used in replanting, restoration and enhancement will be selected to suit the soil, light and groundwater conditions of the site, must be native to the District of Tofino, and must be selected for erosion control and/or fish and habitat wildlife habitat values as needed. All replanting shall be maintained by the property owner for at least three (3) years from the date of completion of the replanting.

SECURITY

11. Security in the form of cash, a letter of credit from a Canadian chartered bank or payment in the form of cheque may be taken as a condition of issuance of a development permit to ensure that the conditions are met and to correct any damage to the environment that may result as a consequence of a contravention of a permit condition. For example, security may be required and applied against but not limited to, erosion control works, site grading, phased clearing, barrier fence installation, habitat restoration works, post-development success of re-vegetation and restoration works, or any other requirements of a development permit.
12. As a condition for the return of the permit security, the District of Tofino will require a report by a QEP that confirms in writing that all conditions and requirements of the development permit have been met and;
 - a. That no damage to the environment has occurred as a consequence of a contravention of a permit condition;
 - b. That all required landscaping, restoration, or re-vegetation is completed; and,
 - c. That no unsafe condition has resulted as a consequence of contravention of a condition in a permit.
 - d. Upon satisfactory completion of the DP conditions, the security shall be returned. Twenty-five (25%) percent of the security amount may be held-back for two years (two growing seasons) to ensure the satisfactory health and maintenance of any revegetation or restoration works.

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Part 70.9 - Cox Bay (DPA 9)

Exemptions

Despite the following municipal exemptions, owners must meet all applicable local, provincial or federal requirements with respect to the development of environmentally sensitive areas.

A Cox Bay Development Permit shall not be required in the following instances:

1. Emergency procedures to prevent, control or reduce immediate threats to life or property, including:
 - a. Emergency actions for flood protection, erosion protection, and clearing of obstructions from watercourses;
 - b. Emergency works to protect, repair or replace public utilities;
 - c. Clearing of an obstruction from a bridge, culvert or drainage flow;
 - d. Repairs to bridges or safety fences; and
 - e. Removal of a tree when there is an imminent danger of the tree falling and causing an injury to persons or property, or when a tree failure has already occurred as a result of a natural cause and presents an immediate hazard.

All actions used to resolve emergency situations must be reported to The District of Tofino Engineering and Public Works Department, and the appropriate federal and provincial authorities immediately. Any emergency works are to be undertaken in accordance with the Provincial Water and Wildlife Acts and the Federal Fisheries Act.

2. The planting of native species trees, shrubs or ground covers for the purpose of enhancing the habitat values and/or soil stability within the development permit area, provided the planting is carried out in accordance with best practices.
3. In-stream works conducted or authorized by the District of Tofino under the guidance of a Qualified Environmental Professional, and which have been approved by the appropriate provincial and federal bodies with respect to installation of public utilities and emergency infrastructure, sewer and water lines, stream enhancement, pipeline crossings, roads and road crossings, foot bridges, bank repairs, stormwater outfalls, and fish and wildlife habitat restoration.
4. Renovations to existing buildings and structures that are situated within the Development Permit Area provided the footprint of the building is not expanded and that no development of the land apart from such renovations is occurring.
5. Maintenance of existing permanent infrastructure within its established footprint including existing paved surfaces, trails, parking areas, driveways, and utilities where no further impacts to the natural environment or drainage will be affected;
6. Yard or garden work within an existing landscaped area.
7. For the construction or renovation of accessory buildings, servicing structures, staff housing, or temporary buildings that are not publically visible from the ocean/beach or public road.

Guidelines

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When is a Cox Bay Development Permit required?

A Development Permit is required before land is subdivided; prior to the construction of, addition to or alteration of a building or other structure; and prior to the alteration of land (removal of vegetation or soil) within the Cox Bay DPA as illustrated on Schedule B8 of the 2021 Official Community Plan. Activities listed under the exemption section do not require a Development Permit.

Cox Bay Development Permits issued in this area shall be in accordance with the following:

NATURAL ENVIRONMENT

1. An environmental impact assessment report prepared by a Qualified Environmental Professional shall be required for all development activities within the Cox Bay DPA. The assessment report will include:
 - a. Evidence of the professional's qualifications and good standing within his or her professional association and related experience;
 - b. A site plan conducted by a British Columbia Land Surveyor;
 - c. Lot lines, scale, date, and direction;
 - d. Adjacent streets and lanes;
 - e. Setbacks;
 - f. Covenants, easements and right of ways;
 - g. Topographic plan showing existing contours at intervals of 0.5 metres;
 - h. Significant trees and other vegetation;
 - i. Structures;
 - j. Wildlife activity & corridor maps;
2. The EIA report will be used to determine development permit conditions to protect, preserve, and/or restore riparian areas. The assessment report shall provide at a minimum:
 - a. Existing ecosystem conditions including information on wildlife habitat, vegetation, forest, and riparian areas;
 - b. Identification and protection of streams and stream side setbacks; areas of mature forest; significantly sized and culturally modified trees; beach edge; spruce forest fringe buffer in the beach/forest interface zone; topographical features; buffer zones from Highway 4; and, habitat connectivity.
 - c. Survey of survey large trees and large downed wood, root boles and stumps within development areas and map all structures that could be used for denning for all large carnivores;
 - d. The impacts of the proposed development activities on the shoreline ecology abutting and within the vicinity of the subject parcel;
 - e. Recommendations on the sequence and timing of any construction or development to minimize negative impacts on sensitive natural features; and,
 - f. Site drainage recommendations to minimize impact to the foreshore including infiltration, detention, permeability, and routeing options.
3. Development in the Cox Bay Development Permit Area shall maintain, protect, and

- enhance the natural environment and features of the Cox Bay area including forested areas; culturally modified trees; the spruce forest fringe; beach edge topographical features like sand dunes; wetlands and streams.
4. Applicants may be required to submit the following documents in support of an application;
 - a. Vegetation and Landscape Management Plans (V/LMP);
 - b. Streamside Protection Enhancement Area Plan (SPEA);
 - c. Stormwater Management Plan (SMP) and/or,
 - d. Construction Environmental Management Plans (CEMP).
 5. Existing tree, native vegetation and natural features within the Cox Bay DPA are to be retained, restored and enhanced so as to minimize habitat disturbance and guard against erosion and slope failure. Existing trees and shrubs shall be clearly marked prior to any development, and temporary fencing installed at the drip line to protect them during any development processes.
 6. A QEP shall recommend the sequence and timing of any construction or development to minimize negative impacts on the environment including consideration for bird nesting and wildlife denning seasons.
 7. The report by a QEP must provide a plan for the management of sediment during construction. This sediment management plan must show how the methods identified will protect stream, wetland, and any associated drainages from sediment, erosion and runoff impacts that may result from construction or land clearing activities.
 8. The report by the QEP must provide a drainage plan, complete with recommendations for implementation that address water quality, water quantity, stormwater discharge (impervious surfaces), and erosion control, so as to minimize impacts on fish and amphibians, fish and wildlife habitat, and physical riparian functions.
 9. Restoration of previously disturbed areas may be required as indicated in the EIA report.
 10. Vegetation species used in replanting, restoration and enhancement will be selected to suit the soil, light and groundwater conditions of the site, must be native to the District of Tofino, and must be selected for erosion control and/or fish and habitat wildlife habitat values as needed. All replanting shall be maintained by the property owner for at least three (3) years from the date of completion of the replanting.
 11. On parcels where development is proposed for an area with a slope of thirty percent (30%) or greater, the applicant must provide a report by a qualified registered engineer, indicating that slope stability will not be jeopardized and soil erosion and site mitigation measures can be implemented.
 12. Development should be located in previously disturbed areas (previously cleared and graded RV campground pads, gravel areas, laneways and cleared, commercially used areas).

FORM & CHARACTER

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13. Landscaping, site and building drawings shall be submitted to District staff for review and recommendations by the Design Review Panel and District staff to address the building form, siting, exterior design, landscaping, and signage requirements of the following guidelines.
14. Building design shall be unobtrusive reflecting the form of natural features such as dunes, swept back Krummholz forest that complements or enhance the aesthetic qualities of the natural landscape.
15. Buildings shall be sited, scaled and designed so as not to dominate the foreshore and the viewscape from the ocean.
16. Views through to the water shall be limited and carefully incorporated into new development by limiting width and height of buildings and ensuring that roof design respects existing community views.

SITING

17. Buildings shall be sited so as to minimize the visual impact and massing of developments when viewed from the perspective of the beach or ocean with the intent to maintain the natural landscape character of the Esowista Peninsula.
18. Views to the ocean shall strive for peek-a-boo rather than expansive views to support a feeling of discovery for residents and guests.
19. Shared driveway access between adjacent lots is encouraged.

EXTERIOR DESIGN & FINISH OF BUILDINGS

20. The use of natural and environmentally sustainable materials for the finish of buildings is encouraged.
21. Servicing kiosks must be screened, hidden in underground vaults or incorporated into the architecture of the building itself, and electrical services to buildings should be located underground.
22. All exterior building and parking area lighting shall be downcast, low level and ground oriented, in conformance with the Dark Sky best practices.
23. The brightness and impact of interior lighting shall be minimized.
24. The following materials are not appropriate in the Cox Bay Development Permit Area;
 - e. chain link fencing;
 - f. vinyl siding;
 - g. smooth faced concrete block or tilt up concrete panels; and,
25. Ornamental, decorative and sculptural elements are encouraged in building design or free standing on the site;

LANDSCAPING

26. Streetscape design adjacent to public rights-of-way shall promote a safe and comfortable environment for non-motorized users including cyclists and pedestrians.
27. Planting or fencing should be used to screen less desirable views such as parking lots, commercial waste containers, servicing kiosks and retaining walls.
28. Public access to beaches shall be designed to promote environmentally sensitive,

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barrier free safe access.

SIGNAGE

29. Building signage shall be limited in scale and integrated with the design of the building facades.
30. Freestanding signs are encouraged to incorporate ornamental decorative or sculptural elements.

SECURITY

31. Security in the form of cash, a letter of credit from a Canadian chartered bank or payment in the form of cheque may be taken as a condition of issuance of a development permit to ensure that the conditions are met and to correct any damage to the environment that may result as a consequence of a contravention of a permit condition. For example, security may be required and applied against but not limited to, erosion control works, site grading, phased clearing, barrier fence installation, habitat restoration works, post-development success of re-vegetation and restoration works, or any other requirements of a development permit.
32. As a condition for the return of the permit security, the District of Tofino will require a report by a QEP that confirms in writing that all conditions and requirements of the development permit have been met and;
 - a. That no damage to the environment has occurred as a consequence of a contravention of a permit condition;
 - b. That all required landscaping, restoration, or re-vegetation is completed; and,
 - c. That no unsafe condition has resulted as a consequence of contravention of a condition in a permit.
 - d. Upon satisfactory completion of the DP conditions, the security shall be returned. Twenty-five (25%) percent of the security amount may be held-back for two years (two growing seasons) to ensure the satisfactory health and maintenance of any revegetation or restoration works.

Part 70.10 - Steep Slope (DPA 10)

Exemptions

Despite the following municipal exemptions, owners must meet all applicable local, provincial or federal requirements with respect to the development of environmentally sensitive areas.

A Steep Slope Hazard Development Permit shall not be required in the following instances:

1. Emergency procedures to prevent, control or reduce immediate threats to life or property, including:
 - a. Emergency actions for flood protection, erosion protection, and clearing of obstructions from watercourses;

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- b. Emergency works to protect, repair or replace public utilities;
 - c. Clearing of an obstruction from a bridge, culvert or drainage flow;
 - d. Repairs to bridges or safety fences; and
 - e. Removal of a tree when there is an imminent danger of the tree falling and causing an injury to persons or property, or when a tree failure has already occurred as a result of a natural cause and presents an immediate hazard.
2. Construction of, addition to or alteration of a building or other structure; and prior to the alteration of land (removal of vegetation or soil);
 3. Renovations to existing buildings and structures that are situated within the Development Permit Area provided the footprint of the building is not expanded and that no development of the land apart from such renovations is occurring;
 4. Maintenance of existing permanent infrastructure within its established footprint including existing paved surfaces, trails, parking areas, driveways, and utilities where no further impacts to the natural environment or drainage will be affected; and,
 5. Yard or garden work within an existing landscaped area.

Guidelines

When is a Steep Slope Hazard Development Permit required?

A Development Permit is required for lands identified as containing a steep slope prior to subdivision as illustrated on Schedule B9 of the 2021 Official Community Plan. Activities listed under the exemption section do not require a Development Permit.

Steep Slope Hazard Development Permits issued in this area shall be in accordance with the following:

1. A preliminary assessment report and detailed assessment report prepared by a Qualified Environmental Professional shall be required for all development activities within the Steep Slope Hazard DPA. The assessment report will include:
 - a. Evidence of the professional's qualifications and good standing within his or her professional association and related experience;
 - b. A site plan conducted by a British Columbia Land Surveyor;
 - c. Lot lines, scale, date, and direction;
 - d. Adjacent streets and lanes;
 - e. Setbacks;
 - f. Covenants, easements and right of ways;
 - g. Topographic plan showing existing contours at intervals of 0.5 metres;
 - h. Significant trees and other vegetation;
 - i. Structures;
2. Applicants should consider all alternatives to developing on, or directly adjacent steep slopes and when that is not possible, minimize any alterations to steep slopes;
 - a. mitigation should be undertaken to reduce risk to an acceptable level (risk for both the subject property and any adjacent or nearby lands should be addressed); and
 - b. conditions (for example conditions relating to the permitted uses, density or scale of building) should be imposed as necessary to reduce potential

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hazard to acceptable levels, both as determined by a qualified professional in a preliminary assessment or detailed assessment report.

3. Terracing of land should be avoided or minimized and landscaping should follow the natural contours of the land.
4. Buildings and structures and landscaping should be located as far as reasonably possible from steep slopes or channel discharge/runoff points at the base of slopes.
5. The construction of structures, pathways/trails, driveways, utilities, drainage facilities, septic fields, swimming pools, hot tubs, ponds, landscaping or other uses at or near the top or base of steep slopes should be avoided. A minimum ten metre buffer area from the top or base of any steep slope should be maintained free of development except as otherwise recommended by a qualified professional. On very steep slopes, this buffer area should be increased.
6. Vegetation should be maintained and/or reinstated on the slopes and within any buffer zone above the slopes in order to filter and absorb water and minimize erosion.
7. No fill, including yard clippings, excavated material, sand or soil, should be placed within ten metres of the top of slopes or along pre-existing drainage channels.
8. The base of slopes should not be undercut for building, landscaping or other purposes except in accordance with the recommendations of a qualified professional and a permit issued under this section.
9. Designs should avoid the need for retaining walls, particularly to minimize cutting of the uphill slope.
10. Large single plane retaining walls should be avoided. Where retaining walls are necessary, smaller sections of retaining wall should be used. Any retaining structures in steeply sloped areas must be designed by a qualified professional.
11. Disturbed slopes should be reinforced and revegetated, especially where gullied or where bare soil is exposed. Planting should be done in accordance with the recommendations of a Landscape Architect or Registered Professional Forester, and a permit issued by the District.
12. Any structural mitigation measures must be designed by a qualified professional.
13. Water should be diverted away from slopes, yards and structures in a controlled manner and ponding should be avoided near slopes.
14. Flow should be contained by capturing roof and pavement drainage.
15. Property, roof drainage and landscaping should be designed and maintained to shed water away from slopes (especially steep slopes).
16. Buildings should be connected to the storm drainage system or alternative methods approved by the District.
17. Concentrated water (such as roof drainage) should be discharged toward storm drains or street gutters and not over sloped lands.
18. The extent of paved or hard-surfaced areas should be limited, and absorbent or permeable surfaces should be used instead to encourage infiltration where appropriate and reduce runoff.
19. Lots should be graded so water is directed toward the street and away from slopes.
20. Existing tree, native vegetation and natural features within the Steep Slope Hazard DPA are to be retained, restored and enhanced so as to minimize habitat disturbance and guard against erosion and slope failure. Existing trees and shrubs

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shall be clearly marked prior to any development, and temporary fencing installed at the drip line to protect them during any development processes.

21. An Environmental Impact Assessment (EIA) Report produced by a Qualified Environmental Professional (QEP) must provide a plan for the management of sediment during construction activities. This sediment management plan must show how the methods identified will protect downstream riparian areas, wetland, and any associated drainages from sediment, erosion and runoff impacts that may result from construction or land clearing activities.
22. The report by the QEP must provide a drainage plan, complete with recommendations for implementation that address water quality, water quantity, stormwater discharge (impervious surfaces), and erosion control, so as to minimize impacts on fish and amphibians, fish and wildlife habitat, and physical riparian functions.
23. Restoration of previously disturbed areas may be required as indicated in the EIA report.
24. Vegetation species used in replanting, restoration and enhancement will be selected to suit the soil, light and groundwater conditions of the site, must be native to the District of Tofino, and must be selected for erosion control and/or fish and habitat wildlife habitat values as needed. All replanting shall be maintained by the property owner for at least three (3) years from the date of completion of the replanting.

SECURITY

25. Security in the form of cash, a letter of credit from a Canadian chartered bank or payment in the form of cheque may be taken as a condition of issuance of a development permit to ensure that the conditions are met and to correct any damage to the environment that may result as a consequence of a contravention of a permit condition. For example, security may be required and applied against but not limited to, erosion control works, site grading, phased clearing, barrier fence installation, habitat restoration works, post-development success of re-vegetation and restoration works, or any other requirements of a development permit.
26. As a condition for the return of the permit security, the District of Tofino will require a report by a qualified professional that confirms in writing that all conditions and requirements of the development permit have been met and;
 - a. That no damage to the environment has occurred as a consequence of a contravention of a permit condition;
 - b. That all required landscaping, restoration, or re-vegetation is completed; and,
 - c. That no unsafe condition has resulted as a consequence of contravention of a condition in a permit.
 - d. Upon satisfactory completion of the DP conditions, the security shall be returned. Twenty-five (25%) percent of the security amount may be held-back for two years (two growing seasons) to ensure the satisfactory health and maintenance of any revegetation or restoration works.

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LIST OF AMENDMENTS

Bylaw #	Description	Adoption Date
764	Zoning Map amendment (Part of DL 262 from A-2 to RA-2)	1997-12-22
766	Zoning Map amendment (Part of DL 122 from A-3 to M-1, M-2 and M-3)	1997-12-22
769	Amend Section 11.4 and Zoning Map amendment (Lots E, F, G & H, Plan VIP63638, DL 115 from R-2 to RM-2)	1998-03-23
773	Zoning Map amendment (Lot 5, Block 5, Plan 1615, DL 114 from R-2 to C-2)	1998-04-27
774	Amend Parts 2, 4, 6, 9, 11, 13, 22 and 26	1998-09-17
779	Zoning Map amendment (Lots 1, 2 & 3, Plan VIP66236, DL 115 from R-1 to R-2)	1998-09-17
781	Zoning Map amendment (Lot 3, Plan VIP56839, DL 132&274 from RA2 to CTG1)	1998-10-14
786	Zoning Map amendment (Lot B, Plan VIP55562, DL 114 from P-1 to R-2)	1998-09-17
794	Zoning Map amendment (Lot A, Plan 45912, DL 114 from R-1 to H-1)	1999-03-22
798	Zoning Map amendment (Lot 20, Plan VIP59031, DL 115 from R-1 to C4-A)	1998-12-14
800	ADD Part 35A and Zoning Map amendment (Part of Lot 123, Plans 20646 & 28696 from RA-3 to P1-A)	1999-03-08
802	Zoning Map amendment (Lot B, Plan 32709, DL 131 from C-6 to C-5)	1999-01-18
810	Zoning Map amendment (Lot 8, Block 6, Plan 717, DL 114 from R-2 to P-1)	1999-05-25
811	Zoning Map amendment (Lot 4, Plan VIP67442, DL 273 from A-1 to RA-2)	1999-05-25
813	Zoning Map amendment (Lots 1 & 2A, Plan 15520, DL 115, and Lots 1, 2, 3 & 4. Plan 44314, DL 115, and DL 2126 and Part of DL 1999 from C2, C4, W1. W2 and M3 to C5 and DL 2138, DL 8362 and Part of DL 1999 from A4, W2 & M3 to W1)	1999-07-12
818	Zoning Map amendment (Lot B, Plan 32709, DL 131 from C-6 to C-5)	1999-09-13
819	Zoning Map amendment (Lot A, Plan VIP68035, DL 132 from A-3 to R-4)	2000-06-12
820	Zoning Map amendment (Lot 6, Plan VIP66236, DL 115 from R-1 to R-2)	1999-10-12
821	Parts 2 & 32 and Zoning Map amendment (multiple lots from various designations to various new designations)	2000-02-14
830	Zoning Map amendment (Lot 6, Block 5, Plan 1615, DL 114 from R2 to C2A)	2002-04-15
832	Zoning Map amendment (Lot 2, Plan VIP63109, DL 132 from RA2 to RA1)	2000-02-14
834	Zoning Map amendment (Lot 19, Plan VIP66236, DL 115 from R1 to R2)	2000-04-25
841	Zoning Map amendment (Parts of Lots C & D, Plan 3512, DL 114 from RA2 to W1 and W1 to RA2)	2000-05-23
843	Zoning Map amendment (Lot 11, DL 123, Plan 20646 from A1 to RA1)	2000-04-25
847	Zoning Map amendment (Lot 11, Block 8, DL 114, Plan 717 from R2 to C2)	2000-07-17
851	Zoning Map amendment (Lot 3, Plan 9850, DL 114, Except Plan 14663, Amended (DD299424I) from C2 to C2A)	2001-01-15

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Bylaw #	Description	Adoption Date
853	ADD Part 39 (Gibson Landing) Part 2 and Zoning Map amendment (Lot 1, DL 115, Plan 28296, Except Part of Plan VIP63638 from R1 to CD(GL) and Lots A & B, DL 115, Plan VIP63638 from R2 to CD(GL)) [REPEALED by Bylaw 919]	2000-10-30
854	Zoning Map amendment (Lot 1, Plan 17287, DL 261 from A3 to C5)	2000-10-30
862	ADD Part 40 (Ocean Parks) and Zoning Map and amendment (Lot A, Plan VIP61993, DL 130, and Strata Plan VIS3805, DL 130 from RMH to CD(OP))	2001-01-15
864	Zoning Map amendment (Part of DL 122, Except Plan VIP68981 and Except 1 Chain Measured from High Water Mark from M1 to P1)	2001-01-15
884	Zoning Map amendment (Lot 30, Plan VIP59630, DL 115 from RA1 to RM3)	2004-02-23
885	Amend Section 10 and adding Surf Shore Estates CD Plan as Appendix 1	2001-10-22
886	Amend Part 10.1.7 secondary suite	2001-10-22
894	Zoning Map amendment (Lot 8, Block 13, Plan 1615, DL114 from R2 to C2)	2002-03-11
898	Zoning Map amendment (portion of Lot A, DL 114, Plan 32751, except those parts in Plans 34031, 34040, 35014, VIP53861, VIP56340 and VIP57131 from A2 to P1)	2002-04-15
900	ADD Part 42 (EIK Landing CD Zone) and amend Part 2	2002-06-10
901	Zoning Map amendment (Lot A, Plan VIP72298, DL 115 from R2 to CD(EL))	2002-06-10
902	ADD Part 43 (Old Tofino Village) and amend Part 2	2002-06-24
903	Zoning Map amendments (Lot 2 of the Proposed Subdivision Plan of Lots C and D, Plan 3512, DL 114; and DL 1987 from W1 to CD(OTV) and Lot 1 of the Proposed Subdivision Plan of Lots C and D, Plan 3512, DL 114 from W1 to RA2)	2002-06-24
909	Zoning Map amendment (Lot 2, Plan VIP56839, DL 274 from RA1 to RA2)	2002-06-24
912	Zoning Map amendment (Part of Parcel G (DD 129089I), DL 115, Except Parts in Plans 15811, 21215, 23016, 27716, 28643, 28665, 45949, 49067, 50272, VIP59030, VIP60345, VIP63913 and VIP66236 from A1 to R1)	2002-08-12
913	Zoning Map amendments (portion of Lot B, Plan 32709, DL 131 from C5 to C6 and Remainder of Lot B, Plan 32709, DL 131 from C6 to C5)	2002-09-16
914	Zoning Map amendment (Lot 3, Plan 33517, DL 116 from A2 to M2)	2002-09-16
917	Zoning Map amendment (DL 2159, License No. 107710 (replaced No. 106480) from A4 to P2)	2003-03-24
919	Zoning Map and Text amendment (Lot A, DL 115, Plan VIP71435 from CD(GL) to C2A; DELETE Part 39 and renumber)	2002-11-25
920	Zoning Map amendment (Lot 2, DL 114, , Plan VIP57131 - R1 to R2)	2002-10-21
921	Zoning Map amendment (Lot 4, Block 7, DL 114, Plan 717 – R2 to C2A)	2002-10-21
922	Zoning Map amendment (Lots 1, 2, 3 and 4 of the Proposed Subdivision Plan of Lot A, DL 261, Plan VIP53757 – A3 to R2A and portion of Lot 5 of the Proposed Subdivision Plan of Lot A, DL 261, Plan VIP53757 from A3 to P1)	2002-10-21
925	Zoning Map amendment (Portion of Lot A, DL 261, Plan VIP53757 from A3 to C5)	2003-07-14
931	Zoning Map amendment (Lot 5, DL 273, Plan VIP67442 from A1 to RA2)	2003-02-10
935	Amend Parts 2 and Section 24.10: Zoning Map and Text amendment (Lot 3, DL 114, Plan 23391 from R2 to C2A)	2003-03-24

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Bylaw #	Description	Adoption Date
938	Zoning Map amendment (Strata Lot 1 of the Sketch Plan Showing Proposed Bare Land Strata over Lot 3, DL 262, Plan VIP67484 – A2 to RA2 and Strata Lot 2 of the Sketch Plan Showing Proposed Bare Land Strata over Lot 3, DL 262, Plan VIP67484 from A2 to A1)	2003-04-14
939	Zoning Map amendment (Lot 2, DL 114, Plan 40919 from R1 to C2)	2003-04-14
944	Zoning Map amendment (Lot 6, Block 6, Section 114, Plan 717 from R2 to C2A)	2003-05-26
945	Zoning Map amendment (Lot 10, DL 274, Plan 33516 from A1 to RA1)	2003-06-23
949	Zoning Map amendment (Lot 1, DL 132, Plan VIP63109 from RA2 to RA1)	2003-07-14
951	Zoning Map amendment (Lot B, DL 114, Plan VIP60918 – C1 to C2)	2003-08-11
952	Amend Section 28.2 and Zoning Map amendment (Lot A, DL 131, Plan 32709 from A3 to C5)	2004-01-19
953	Amend Section 8.8	2003-08-11
957	Zoning Map amendment (Part of Block 1, Section 115, CD, Plan 948 from C2 to C2A)	2003-10-27
973	Amend Part 2 and Section 32.8	2004-10-25
975	Zoning Map amendment (Parcel C (DD978431I), of DL 115, except in plans 8485 and 3590 from A2 to RA1)	2005-01-17
976	Zoning Map amendment (Lot 6, of DL 122, Plan VIP68981 from A1 to RA2)	2004-12-13
977	Zoning Map amendment (Lot 4, DL 123, VIP20646 from RA1 to RA2)	2004-12-13
978	Zoning Map amendment (Lot 2, DL 273, VIP67442 from A1 to RA2)	2005-01-17
980	ADD CD(GP) Zone (Grice Point) and amend Sections 2 & 6.3 and Zoning Map amendment (Lot 2, DL 114, Clayoquot District, VIP73847 from CD-OTV to CD-GP and)	2006-02-13
981	Amend Part 2, 4, 5 and 6	2005-02-21
984	Amend Section 3.2	2005-04-12
990	Zoning Map amendment (Lot 12, DL 274, Plan VIP33516 from A1 to RA1)	2005-04-25
995	Zoning Map amendment (Lot 1, DL 123, Plan 20646 from A1 to RA1)	2005-07-18
996	Zoning Map amendment (Lots 12-18, Block 7, Plan 717, DL 114 from C2 & R2 to C2A)	2005-06-13
999	Zoning Map amendment (Lot 2, DL 132, Plan 40527 from A1 to RA1)	2005-07-18
1001	Zoning Map amendment (Lot 15, Block 6, DL 114, Plan 717 from R2 to C2)	2005-07-18
1002	Amend Parts 2 and Section 34.9	2005-09-12
1003	Zoning Map amendment (Lot 8, D.L. 273, Plan VIP67442 from A1 to RA2)	2005-09-12
1015	ADD Part 41A (1431 Pacific Rim) and Zoning Map amendment (Lot 2, DL 261, Plan 17287 from A1 and A3 to CD(1431))	2005-11-05
1016	Zoning Map amendment (Lot 6, DL 132, Plan 33516, except that part in Plan VIP53629 from A1 to RA1)	2006-01-16

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Bylaw #	Description	Adoption Date
1017	Zoning Map amendment (Lot 5, D.L. 122, VIP 68981 from A1 to RA2)	2006-03-13
1027	ADD Part 41C (Yew Wood) and Zoning Map amendment (Lot 2, DL 116, Plan 28277 from A2 to CD(YW))	2006-06-26
1037	ADD Part 41D (The Shore) and Zoning Map amendment (Lots 6, 7, 8, and the east ½ of Lot 5, Block 3, DL 114, Plan 717, Lot A, DL 1933 and DL 1550 from M3 to CD(TS))	2006-12-11
1042	Amend Section 4.9.1	2007-11-13
1051	Amend Section 23.1	2007-08-20
1076	Zoning Map amendment (Lot 7, DL 273, Plan VIP67442 from A1 to RA2)	2010-10-14
1111	Zoning Map amendment (Lot 1, DL 122, Plan VIP 71743 from P1 to M1)	2010-07-20
1114	Amend Section 4.12.1.e	2010-06-08
1121	ADD Part 41E (Dntn Core 1) and Zoning Map amendment (Lot B DI 114, Plan 41714 – R2 to CD-DC1)	2010-06-22
1125	ADD Part 41G (THC), amend Part 2 and Zoning Map amendment (Lot A, DL 114, Plan 32751, except those parts in Plans 34031, 34040, 35014, VIP53861, VIP56340 and VIP57131 from A2 to CD-THC1)	2010-10-26
1127	ADD Part 41F (Dntn Core 2), amend Part 2: and Zoning Map amendment (Lot A, DL 115, Plan VIP71435 – C2A to CD-DC2)	2011-06-28
1131	ADD Part 41J (Helleson Drive) and Zoning Map amendment (Lot 3, DL 127, Plan 20090 from A1 to CD-HD)	2015-06-23
1133	ADD Part 41H (Dntn Core 3) and Zoning Map amendment (Lot 1, DL 115, Plan 47039 from R1 to CD-DC3)	2011-02-22
1136	ADD Part 41I (Dntn Core 4) and Zoning Map and Text amendment (Lot 2, DL 115, Plan 47039 from R1 to CD-DC4)	2011-10-11
1139	Zoning Map amendment (boundary realignment - Section 122, Except thereout a strip of land 1 chain in width measured from high water mark and Except Part in Plan VIP68981 and VIP71743)	2011-02-11
1141	Amend Parts 2, 4, 8, 10, 14-20	2011-06-28
1147	Amend Part 6	2011-04-12
1154	ADD Part 41J(Tofino Fish Company Development Zone) and Zoning Map amendment (Block B, District Lot 2126 & DL 745, Lease/Permit/License #V916611, LBF 0240426 from W2 to CD-TFC)	2018-08-28
1155	Amend Section 32.8	2011-06-28
1158	Add Section 23.10	2011-08-16
1159	ADD Part 41K (DFO) and Zoning Map amendment (Lot 7, DL 114, Plan 717 from R2 to CD-DFO)	2012-06-26
1160	Amend Sections 4.9.2 and 4.10.2	2011-09-13
1171	Zoning Map amendment (Lot 4, DL 274, Plan VIP56839 from RA2 to RA1)	2013-04-09
1175	Amend Part 6 – parking regulations	2013-03-26
1203	ADD Part 41M (Dntn Core 6) and Zoning Map amendment (Lot 9, Blk 13, DL 114, Plan 1615)	2016-03-15
1211	ADD to Part 2; REMOVE Part 4.7 (b); ADD Part 44; ADD Part 45; ADD Part 46; ADD Part 47; Zoning Map amendment – Marine zones	2015-10-13

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Bylaw #	Description	Adoption Date
1218	Zoning Map amendment (Lot 1, DL 258, Plan 13173 from RA2 and A3 to RA2, A3 and A1)	2016-12-06
1222	AMEND Part 4 and associated amendments	2019-04-09
1223	ADD to Part 2; ADD to Part 32.8 – Accessory Lounge	2017-10-10
1227	Zoning Map amendment (Lot 1, DL 130, Plan 54348 from RA2 and R2 to, RA2 and R2) – Boundary Change	2017-01-24
1228	REPLACE Part 41H.1.3; ADD Section 41H2.5; ADD Section 41H2.6; ADD Section 41H2.7;	2017-04-25
1234	Zoning Map amendment (Lot 2, DL 115, Plan 6377 from A1 to RA3)	2018-05-22
1238	ADD Part 2; AMMEND Part 2; and ADD Part 4.3.4 Cannabis Sale and Production	2018-06-26
1238.01	AMEND Part 2 – Definitions regarding Cannabis Sale and Production	2018-08-28
1241	Zoning Map amendment (Lot 2, District Lot 122, See Crown Grant 1907111 – Imaged Under FA98277, Clayoquot Land District, Plan VIP68981 from A1 to RA2)	2019-02-12
1242	Zoning Map amendment (Lot 1, District Lot 122, See Crown Grant 1907111 – Imaged Under FA98277, Clayoquot Land District, Plan VIP68981 from A1 to RA2)	2019-02-26
1258	Amend: Renumber 41J (Tofino Fish Company Development Zone) to 41(L) and ensure amendments from 1238 and 1238.01 were not erased by Bylaw 1222	2019-04-09
1270	ADD Part 41N; AMEND Zoning Map (Lot 1, DL 132 Clayoquot Land District, Plan 33516 from (P2) to (THC2); and associated changes to the Table of Contents, Part 3.3, and Part 39 as required to reflect the addition of the THC2 Zone and rezoning.	2019-11-12
1274	AMEND Part 2 – Definitions regarding Brewery Lounge; REMOVE from Part 32.8 – Accessory Lounge; ADD 32.8 – Brewery Lounge.	2020-08-11
1278	ADD Part 11.1.6; ADD Part 12.1.3; REPLACE Part 4.1.3; REPLACE Part 4.3.2.h; REPLACE Part 4.1.8.a.	2020-05-12
1279	ADD Part 41O; AMEND Zoning Map (Lot A, Plan VIP32751, District Lot 114, Clayoquot Land District, Except Plan 34040 34031 35014 VIP53861 VIP56340 VIP57131 indicated in Schedule B of this amendment bylaw from (CD-THC1) and (A2) to (AR1); and associated changes to the Tables of Contents, Part 3.3, and Part 39 as required to reflect the addition of the AR1 Zone and rezoning.	2020-08-11
1285	ADD Part 60.	2020-06-15
1288	AMEND Definitions, REPLACE 4.3.2 d. iv., REPLACE Part 4.3.2 h., ADD Commercial Child Care to specified zones	2021-01-26
1169	ADD Part 41L as Schedule A, Zoning Map amendment (LOT 1, DL114 23391) from R2 to CD(DC5), UPDATED Table of Contents	2021-02-09
1299	ADD Part 70	2021-03-09
1293	Zoning Map amendment (DL 2273 Foreshore Lease No. V933917) from MC1 to W1	2021-04-13
1307	Amend: Part 60 (COVID 19) Temporary Patios	2021-05-11

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