

**VILLAGE OF PEMBERTON  
BYLAW No. 841, 2018**

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**Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 832, 2018**

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**WHEREAS** the Council may amend its Zoning Bylaw from time to time;

**AND WHEREAS** the Council of the Village of Pemberton deems it necessary to amend the Zoning Bylaw to modify the community amenity requirements related to the density bonusing provisions;

**NOW THEREFORE** the Council of the Village of Pemberton in open meeting assembled **ENACTS AS FOLLOWS:**

**CITATION**

This Bylaw may be cited for all purposes as “Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA and CD-5 Zones) Bylaw No. 841, 2018”.

**1. VILLAGE OF PEMBERTON ZONING BYLAW NO. 832, 2018 IS AMENDED AS FOLLOWS:**

That Section 13.1. be deleted in its entirety and replaced with the following:

***13.1. Residential Amenity 1, Sunstone (RSA-1)***

The Residential Amenity 1, Sunstone (RSA-1) Zone is to accommodate *Detached Dwellings* on lots within the Sunstone Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

***13.1.1 Permitted Principal Uses***

- (a) *Dwelling, Detached*

***13.1.2 Permitted Accessory Uses***

- (a) *Accessory Suite*  
(b) *Bed and Breakfast*  
(c) *Carriage House*  
(d) *Home Occupation*  
(e) *Secondary Suite*  
(f) *Short-Term Vacation Rental*

***13.1.3 Conditions of Use***

- (a) A secondary suite use, an accessory suite, or a *carriage house use* is *permitted* as an *accessory residential use* on a *lot*, but not two (2) *accessory dwelling units* on the same *lot*.
- (b) No more than two (2) dwelling units (which includes an *accessory dwelling unit*) may be located on the same *lot*.
- (c) No more than two (2) *accessory buildings* or *structures* are permitted on a *lot*.
- (d) The maximum size of an accessory dwelling unit (*secondary suite*, accessory

suite, or *carriage house*) is 90 m<sup>2</sup>.

(e) The minimum lot sizes as a base density are as follows:

i)	Single Residential Dwelling	20,000 m <sup>2</sup>
ii)	Bed and Breakfast	20,000 m <sup>2</sup>

(f) The minimum lot size where the requirements identified in Section 13.1.3 (g) have been fulfilled are as follows:

i)	Single Residential Dwelling	930 m <sup>2</sup>
ii)	Bed and Breakfast	930 m <sup>2</sup>

(g) The densities may be increased from the requirements identified in Section 13.1.3 (e) to the requirements identified in Section 13.1.3 (f) providing contributions toward community amenities have been provided through a payment of \$9,165 per single detached or *bed and breakfast* lot, payable either:

- i. in cash prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and accessory uses; and/or
- ii. in-kind works and services provided that they are approved by the Village in writing prior to the registration of a plan of subdivision for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and accessory uses.

#### 13.1.4 Lot Regulations

a) Minimum <i>Lot Size</i> :	930 m <sup>2</sup>
b) Minimum <i>Lot Width</i> :	18 m

#### 13.1.5 Building Regulations

a) <i>Maximum Lot Coverage</i> :	40%
b) <i>Minimum Front Setback</i> :	5 m
c) <i>Minimum Rear Setback</i> :	5 m
d) <i>Minimum Interior Side Setback</i> :	1.5 m
e) <i>Minimum Exterior Side Setback</i> :	3 m
f) Maximum Number of <i>Principal Buildings</i>	1
g) Maximum Number of <i>Accessory Buildings</i>	2
h) Maximum <i>Building Height, Principal</i> :	10.5 m
i) Maximum <i>Building Height, Carriage House</i> :	Two (2) Storeys
j) Maximum <i>Building Height, Accessory</i> :	4.6 m

### **13.1.6. Off-Street Parking**

- (a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

### **13.1.7. Screening and Landscaping**

- (a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

### **13.1.8. Signage**

- (a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

### **13.1.9. Watercourse Setbacks**

- (a) Setbacks from any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans.

That Section 13.2. be deleted in its entirety and replaced with the following:

## **13.2. Residential Townhouse Amenity 1, Sunstone (RTA-1)**

The Residential Townhouse Amenity 1, Sunstone (RTA-1) Zone is to provide for *Small Lot Residential Detached Dwellings* and *Residential Townhouse* development on *lots* within the Sunstone Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

### **13.2.1 Permitted Principal Uses**

- (a) *Dwelling, Detached*
- (b) *Dwelling, Townhouse*

### **13.2.2 Permitted Accessory Uses**

- (a) *Home Occupation*
- (b) *Secondary Suite*

### **13.2.3 Conditions of Use**

- (a) *Secondary Suites* are permitted only on *lots* created and developed as *Single Detached Dwelling units*.
- (b) A maximum of one (1) *secondary suite* is permitted on a lot.
- (c) A maximum of one (1) *accessory building or structure* is permitted on a *lot* up to a maximum size of 10 m<sup>2</sup>.
- (d) The minimum lot sizes as a base density are as follows:
  - i) *Detached Dwelling*                      20,000 m<sup>2</sup>
  - ii) *Townhouse*                                      20,000 m<sup>2</sup> per unit

- (e) Where the requirements identified in Section 13.2.3(g) are fulfilled, the permitted density of a Detached Dwelling use may be increased to the following:
- i) Minimum *Lot Size*: 350 m<sup>2</sup>
  - ii) Minimum *Lot Width*: 12 m
- (f) Where the requirements identified in Section 13.2.3(g) are fulfilled, the permitted density of a Townhouse use may be increased in accordance with the regulations contained within the RM-1 Zone to the following:
- i) Minimum *Lot Size*: 700 m<sup>2</sup>
  - ii) Maximum *Floor Area Ratio*: 0.50
- (g) The densities may be increased from the requirements identified in Section 13.2.3(d) to the requirements identified in Sections 13.2.3(e) and (f) by providing contributions toward community amenities through a payment of \$9,165 per detached dwelling lot or \$6,110 per townhouse unit, payable either:
- i) in cash at the earlier of building permit issuance or registration of a plan of subdivision, to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and accessory uses; and/or
  - ii) in-kind works and services provided that they are approved by the Village in writing at the earlier of building permit issuance or registration of a plan of subdivision, for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and accessory uses.

#### **13.2.4. Density Regulations**

a) Maximum <i>Density, Small House</i>	n/a
b) Maximum <i>Density, Townhouse</i>	25 units per Ha

#### **13.2.5 Lot Regulations**

a) <i>Minimum Lot Size, Small Lot</i> :	350 m <sup>2</sup>
b) <i>Minimum Lot Size, Townhouse</i> :	700 m <sup>2</sup>
c) <i>Minimum Lot Width, Small Lot</i> :	12 m
d) <i>Minimum Lot Width, Townhouse</i> :	n/a

#### **13.2.6 Building Regulations**

<i>Maximum Lot Coverage: Small Lot</i>	50%
<i>Maximum Lot Coverage: Townhouse</i>	40%

e) <i>Minimum Front Setback: Small Lot</i>	6 m
f) <i>Minimum Front Setback: Townhouse</i>	7.5m
g) <i>Minimum Rear Setback: Small Lot</i>	7.5 m
h) <i>Minimum Rear Setback: Townhouse</i>	5 m
i) <i>Minimum Interior Side Setback: Small Lot</i>	1.2 m <sup>(i)</sup>
j) <i>Minimum Interior Side Setback: Townhouse</i>	3 m
k) <i>Minimum Exterior Side Setback: Small Lot</i>	1.2 m <sup>(i)(ii)</sup>
l) <i>Minimum Exterior Side Setback: Townhouse</i>	3 m
m) <i>Maximum Building Height, Principal, Small Lot</i>	Two (2) storeys
n) <i>Maximum Building Height, Townhouse</i>	10.5 m
o) <i>Maximum Building Height, Accessory Building, Small Lot</i>	3 m
p) <i>Maximum Building Height, Accessory Building, Townhouse</i>	4.6 m

### Conditions of Use

- i. In the case where a side lot line flanks a street a minimum side setback is 2.4 m.
- ii. One side setback may be reduced to 0.6 meters for **garage area only**; however, 0.6 m setbacks may not abut each other on adjacent lots.

#### **13.2.7. Off-Street Parking**

- (a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

#### **13.2.8. Screening and Landscaping**

- (a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

#### **13.2.9. Signage**

- (a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

#### **13.2.10. Watercourse Setbacks**

- (a) Setbacks from any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans.

That Section 14.1 be deleted in its entirety and replaced with the following:

### **14.1 Residential Amenity 2, The Ridge (RSA-2)**

The Residential Amenity 2, The Ridge (RSA-2) Zone is to accommodate *Detached Dwellings* on *lots* within The Ridge Neighbourhood.

#### **14.1.1 Permitted Principal Uses**

- (a) *Dwelling, Detached*

#### **14.1.2 Permitted Accessory Uses**

- (a) *Accessory Suite*
- (b) *Bed and Breakfast*
- (c) *Carriage House*
- (d) *Home Occupation*
- (e) *Secondary Suite*
- (f) *Short-Term Vacation Rental*

#### **14.1.3 Conditions of Use:**

- (a) *A secondary suite use, an accessory suite or a carriage house use, is permitted as an accessory use on a lot, but not two (2) accessory dwelling units on the same lot.*
- (b) *No more than two (2) dwellings (which includes an accessory dwelling unit) may be located on a lot.*
- (c) *A maximum of two (2) accessory buildings or structures are permitted on a lot.*
- (d) *The maximum size of an Accessory Dwelling unit (secondary suite, accessory suite, or carriage house) is 90 m<sup>2</sup>.*
- (e) *The minimum lot sizes as a base density are as follows:*
  - i) *Detached Dwelling* 20,000 m<sup>2</sup>
  - ii) *Bed and Breakfast* 20,000 m<sup>2</sup>
- (f) *The minimum lot sizes where the requirements identified in Section 14.1.3(g) have been fulfilled are as follows:*
  - i) *Detached Dwelling* 1,400 m<sup>2</sup>
  - ii) *Bed and Breakfast* 1,400 m<sup>2</sup>
- (g) *The densities may be increased from the requirements identified in Section 14.1.3(e) to the requirements identified in Sections 14.1.3(f) by providing contributions toward community amenities through a payment of \$9,165 per detached dwelling lot or bed and breakfast lot, payable either:*
  - i) *in cash prior to the registration of a plan of subdivision and to be held in a reserve fund by the Village for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and accessory uses; and/or*
  - ii) *in-kind works and services provided that they are approved by the Village in writing prior to the registration of a plan of subdivision for the purpose of future recreational capital costs on sports fields,*

a multi-sports facility, an ice arena or aquatic centre and accessory uses.

#### **14.1.4. Lot Regulations**

a) Minimum <i>Lot Size</i> :	1,400 m <sup>2</sup>
b) Minimum <i>Lot Width</i> :	18 m

#### **14.1.5 Building Regulations**

a) Maximum <i>Lot Coverage</i> :	40%
b) <i>Minimum Front Setback</i> :	5 m
c) <i>Minimum Rear Setback</i> :	5 m
d) <i>Minimum Interior Side Setback</i> :	1.5 m
e) <i>Minimum Exterior Side Setback</i> :	3 m
f) Maximum Number of <i>Principal Buildings</i>	1
g) Maximum Number of <i>Accessory Buildings</i>	2
h) <i>Maximum Building Height, Principal</i> :	10.5 m
i) <i>Maximum Building Height, Carriage House</i> :	Two (2) Storeys
j) <i>Maximum Building Height, Accessory</i> :	4.6 m

#### **14.1.6. Off-Street Parking**

(a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

#### **14.1.7. Screening and Landscaping**

(a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

#### **14.1.8. Signage**

(a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

#### **14.1.9. Watercourse Setbacks**

(a) Setbacks from any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans.

That Section 14.2 be deleted in its entirety and replaced with the following:

**14.2. Residential Townhouse Amenity 2, The Ridge (RTA-2)**

The Residential Townhouse Amenity 2, The Ridge (RTA-2) Zone is to provide for *Detached Dwellings* and *Townhouse* development on *lots* within The Ridge Neighbourhood, and to provide density incentives earned by the provision of certain amenities.

**14.2.1 Permitted Principal Uses:**

- (a) *Dwelling, Detached*
- (b) *Dwelling, Townhouse*

**14.2.2 Permitted Accessory Uses:**

- (a) *Secondary Suite*
- (b) *Home Occupation*

**14.2.3 Conditions of Use:**

- (a) *Secondary Suites* are permitted only on *lots* created and developed as *Single Detached Dwelling units*.
- (b) A maximum of one (1) *Accessory Suite* is permitted on a *lot*.
- (c) A maximum of two (2) *Accessory Buildings or Structures* are permitted on a *lot*.
- (d) The minimum size for a townhouse is 300 m<sup>2</sup>.
- (e) The minimum lot sizes as a base density are as follows:
  - i) *Detached Dwelling* 20,000 m<sup>2</sup>
  - ii) *Townhouse* 20,000 m<sup>2</sup> per unit
- (f) Where the requirements identified in Section 14.2.3(h) are fulfilled, the permitted density of a *Detached Dwelling* use may be increased to the following:
  - i) Minimum *Lot Size*: 700 m<sup>2</sup>
  - ii) Minimum *Lot Width*: 18 m
  - iii) Maximum *Floor Area Ratio* 0.50
- (g) Where the requirements identified in Section 14.2.3(h) are fulfilled, the permitted density of a *Townhouse* use may be increased in accordance with the regulations contained within the RM-1 Zone.
- (h) The densities may be increased from the requirements identified in Section 13.2.3(e) to the requirements identified in Sections 13.2.3(f) and (g) by providing contributions toward community amenities through a payment of \$9,165 per detached dwelling lot or \$6,110 per townhouse unit, payable either:
  - i. in cash at the earlier of building permit issuance or registration of a plan of subdivision, to be held in a reserve fund by the Village for the



purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and accessory uses; and/or

- ii. in-kind works and services provided that they are approved by the Village in writing at the earlier of building permit issuance or registration of a plan of subdivision, for the purpose of future recreational capital costs on sports fields, a multi-sports facility, an ice arena or aquatic centre and accessory uses.

**14.2.4. Density Regulations**

(a) Maximum Density, <i>Detached</i> :	0.50 FAR
(b) Maximum Density, <i>Townhouse</i> :	25 units per Ha

**14.2.5 Lot Regulations**

(a) Minimum <i>Lot Size, Small Lot</i> :	700 m <sup>2</sup>
(b) Minimum <i>Lot Size, Townhouse</i> :	700 m <sup>2</sup>
(c) Minimum <i>Lot Width, Small Lot</i> :	18 m
(d) Minimum <i>Lot Width, Townhouse</i> :	n/a

**14.2.6 Building Regulations**

Maximum <i>Lot Coverage</i> :	40%
<i>Minimum Front Setback, Detached</i> :	5 m
<i>Minimum Front Setback, Townhouse</i> :	7.5m
<i>Minimum Rear Setback, Detached</i> :	5 m
<i>Minimum Rear Setback, Townhouse</i> :	5 m
<i>Minimum Interior Side Setback, Detached</i> :	1.5 m
<i>Minimum Interior Side Setback, Townhouse</i> :	3 m
<i>Minimum Exterior Side Setback, Detached</i> :	3 m
<i>Minimum Exterior Side Setback, Townhouse</i> :	3 m
Maximum <i>Building Height</i> :	10.5 m
Maximum <i>Building Height, Accessory</i> :	4.6 m

**14.2.7. Off-Street Parking**

- (a) Off-street parking spaces shall be provided in accordance with the requirements of this Bylaw.

**14.2.8. Screening and Landscaping**

- (a) Screening and landscaping shall be provided in accordance with the regulations in this Bylaw.

#### **14.2.9. Signage**

- (a) Signage should be limited to that permitted pursuant to the requirements of this Bylaw and the Village of Pemberton Sign Bylaw.

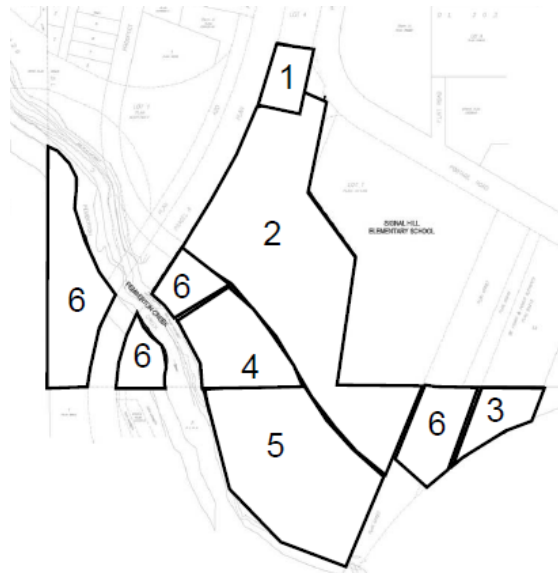
#### **14.2.10 Watercourse Setbacks**

- (a) Setbacks from any watercourses on the property must be in accordance with the requirements of the Village of Pemberton, Ministry of Environment and the Department of Fisheries and Oceans.

That Section 18.5. **CD-5: Comprehensive Development Zone 5 (Tiyata at Pemberton)** be deleted in its entirety and replaced with the following:

The intent of the CD-5 Zone is to recognize a comprehensively planned area called Tiyata at Pemberton which includes a variety of types of housing, a limited amount of commercial and office floor space, active and passive park land, and a trail network. Covenants have been registered on the lands to further guide the development of the area.

The regulations in the tables in this section apply to land in the Comprehensive Development 5 (Tiyata at Pemberton) Zone, as indicated by the column headings. For purposes of regulation, the area within the boundary of the CD-5 Zone is divided into six (6) separate areas labelled as Area 1 through Area 6 inclusive while the location of each separate area is identified below. Each area boundary within the CD-5 Zone shall be considered a *zone* boundary for the purposes of this Bylaw and separate regulations shall apply to each area as contained in this section. Minor adjustments to the establishment of the area boundaries will be permitted based upon more detailed site investigations that will be undertaken during the subdivision approval stage.



**18.5.1 Permitted Uses of Land, Buildings and Structures**

(a) The following *uses, buildings and structures* and no others shall be permitted within the CD-5 (Tiyata at Pemberton) Zone:

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
<b><i>Principal Uses of Land, Buildings and Structures</i></b>						
Single Family Dwelling		•		•	•	
Duplex Residential Dwelling		•		•	•	
Townhouse / Stacked Townhouse			•			
Apartment <small>(subject to Conditions of Use)</small>	•		•			
Business and Professional Office	•					
Personal Service Establishment	•					
Park	•	•	•	•	•	•
Assembly	•					
<b><i>Accessory Uses of Land, Buildings and Structures</i></b>						
<i>Uses accessory to Principal Uses</i>	•	•	•	•	•	•
Home Occupation Use		•	•	•	•	

### 18.5.2 Density of Permitted Uses, Buildings and Structures

(a) All uses, buildings and structures in the CD-5 (Tiyata at Pemberton) Zone shall comply with the following regulations regarding size, siting, density and lot size.

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
<b>Maximum Lot Coverage</b>						
Single Family Dwelling		50%		50%	50%	
Duplex Residential		50%		50%	50%	
Townhouse			40%			
Apartment	50%		50%			
Commercial	50%					
Assembly	50%					
<b>Maximum Floor Area Ratio (FAR)</b>						
Single Family Dwelling		GFA of 238 m <sup>2</sup> or FAR of 0.5 whichever is less		GFA of 238 m <sup>2</sup> or FAR of 0.5 whichever is less	GFA of 238 m <sup>2</sup> or FAR of 0.5 whichever is less	
Duplex Residential		GFA of 280 m <sup>2</sup> or FAR of 0.5 whichever is less		GFA of 280 m <sup>2</sup> or FAR of 0.5 whichever is less	GFA of 280 m <sup>2</sup> or FAR of 0.5 whichever is less	
Townhouse / Stacked Townhouse			0.75			
Apartment Dwelling			1.5			
Commercial	1.5					
Assembly	1.5					
<b>Maximum Unit Size (m<sup>2</sup>)</b>						
Single Family Dwelling		GFA of 275 m <sup>2</sup> or FAR of 0.5 whichever is less		GFA of 275 m <sup>2</sup> or FAR of 0.5 whichever is less	GFA of 275 m <sup>2</sup> or FAR of 0.5 whichever is less	
Duplex Residential (Total both units)		GFA of 325 m <sup>2</sup> or FAR of 0.5 whichever is less		GFA of 375 m <sup>2</sup> or FAR of 0.5 whichever is less	GFA of 375 m <sup>2</sup> or FAR of 0.5 whichever is less	
Townhouse / Stacked Townhouse			150			
Apartment	95		95			

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
<b>Maximum Number of Dwelling Units</b>	12	80	60	20	50	
<b>Maximum Amount of Commercial Floor Area</b>	2,230 m <sup>2</sup>		5% GFA			
<b>Maximum Building Height (meters / storeys)</b>						
<i>Single Family Dwelling</i>		9 m		9 m	9 m	
Duplex Residential		9 m		9 m	9 m	
<i>Townhouse / Stacked Townhouse</i>			12 m / 3 storeys			
<i>Apartment</i>	17 m / 4 storeys		17 m / 4 storeys			
Commercial, See 18.5.3. (b) ii.	17 m / 4 storeys					
<i>Assembly</i>	17 m / 4 storeys					
<b>Minimum Building Setbacks (m)</b>						
Front	6	6	6	6	6	
Rear	7.5	7.5	7.5	7.5	7.5	
Side, See 18.5.2. (b) v. & vi.	3.0	1.6	3.0	1.6	1.6	
<b>Minimum Lot Size (m<sup>2</sup>)</b>						
<i>Single Family Dwelling</i>		350		350	350	
Corner Lot		375		375	375	
Duplex Residential		465		465	465	
<b>Maximum Lot Size (m<sup>2</sup>)</b>						
<i>Single Family Dwelling</i>		465		465	465	
Duplex Residential		558		558	558	
<b>Accessory Buildings</b>						
<i>Maximum Floor Area</i>	10 m <sup>2</sup>	10 m <sup>2</sup>	10 m <sup>2</sup>	10 m <sup>2</sup>	10 m <sup>2</sup>	10 m <sup>2</sup>
<i>Maximum Height</i>	2.7 m	2.7 m	2.7 m	2.7 m	2.7 m	2.7 m
<i>Minimum Front Yard Setbacks</i>	6 m	6 m	6 m	6 m	6 m	6 m
<i>Minimum Rear Yard Setbacks</i>	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m
<i>Minimum Side Yard Setbacks</i>	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m

(b) **Conditions of Use:** All uses, buildings and structures in the CD-5 (Tiyata at Pemberton) Zone must comply with the following additional Conditions of Use:

- i. An *apartment* use shall be located above a ground storey commercial or assembly use and shall comply with the regulations contained within this Bylaw.

- ii. For the purpose of this section, a commercial use includes a building that is occupied with a business and professional office or personal service establishment and may contain residential uses above the ground storey subject to the provisions of this Zone.
- iii. any portion of the garage for a single family dwelling and townhouse/stacked townhouse that exceeds thirty-seven (37) square meters shall be included in the calculation of floor area, in addition to the maximum area permitted for accessory buildings.
- iv. any portion of the garage for a duplex residential dwelling that exceeds forty-five (45) square meters shall be included in the calculation of floor area, in addition to the maximum area permitted for accessory buildings.
- v. The side yard setback of a single family dwelling may be reduced to 1.2 m whereby a certified professional confirms that snow will not shed from the roof of the dwelling onto adjacent properties.
- vi. The side yard setback of the garage may be reduced to 0.6 m whereby a certified professional confirms that snow will not shed from the garage roof onto adjacent properties.

### **18.5.3 Off-Street Parking and Loading**

- (a) Off-street parking and loading shall be provided in accordance with the requirements of this Bylaw.
- (b) Notwithstanding Section 18.5.4(a) the off-street parking requirements for the following uses shall be as follows:
  - i. *Townhouse / Stacked Townhouse*: two (2) spaces per unit, plus an additional 0.25 space per unit for Visitor Parking
  - ii. *Apartment*: 1.25 space per unit plus an additional 0.25 space per unit for Visitor Parking
  - iii. *Commercial Use*: One (1) space per 37 square meters of gross floor area
  - iv. *Business and Professional Office Use*: One (1) space per 37 square meters of gross floor area

### **18.5.4 Definitions**

- (a) For the purpose of the CD-5 zone, the following definitions shall apply:
  - i. *Apartment* shall mean three or more individual dwelling units on a lot where each dwelling unit has its principal access from an entrance or hallway common to at least two other dwelling units on the same storey.

**READ A FIRST TIME** this 4<sup>th</sup> day of September, 2018.

**READ A SECOND TIME** this 4<sup>th</sup> day of September, 2018.

**NOTICE OF INTENT TO WAIVE THE PUBLIC HEARING TO AMEND** the Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (RSA, RTA and CD-5 Zones) Bylaw No. 841, 2018 was **PUBLISHED IN THE** Pique Newsmagazine on October 4, 2018 and on October 12, 2018.

**READ A THIRD TIME** this 16<sup>th</sup> day of October, 2018.

**ADOPTED** this 16<sup>th</sup> day of October, 2018.

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Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer