

Section 3.4.107

**HORNE LAKE COMPREHENSIVE
DEVELOPMENT ZONE 9¹**

CD9

3.4.107.1 Permitted Uses

- a) Recreational Residence
 - b) Recreational Vehicle Storage Area
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3.4.107.2 Maximum Number and Size of Buildings Structures and Uses

- a) The maximum number of recreational residences permitted within the area as shown outlined on plan contained in Schedule CD9 'A', shall be:
 - i) 400, where the regional park amenity referred to in subsection (f)² is provided to the regional district; or
 - ii) 2, where the regional park amenity has not been provided.
- b) Number of recreational residences per bare land strata lot - 1
- c) Floor Area:
 - i) cabin – 70 m² subject to subsections 3.4.107.6 (a)(xi) and 3.4.107.6 (a)(xiii)
 - ii) visitor recreational vehicle – 37m²
 - iii) accessory buildings - one 10 m² and one 6 m² for each recreational residence
 - iv) accessory water storage structure – 6.0m² for each recreational residence³
 - v) accessory wood storage structure – 6.0m² for each recreational residence⁴
- d) Height (recreational residence):
 - i) cabin – 6.1 m
 - ii) accessory buildings and structures - 3.0m
 - iii) accessory water storage structure – 3.0m excluding water container⁵
 - iv) accessory wood storage structure – 3.0m⁶
- e) Storeys
 - i) The maximum number of storeys contained within a cabin must not exceed 2.
 - ii) Where 2 storeys are provided within a cabin either the floor area of the storey with the highest elevation does not exceed 50% of the floor area of the lower storey not including internal stairways or the floor area of the storey with the lower elevation must not exceed 50% of the floor area of the upper storey.⁷
- f) The Regional park amenity is the transfer to the Regional District of the lands legally described Block 40, Alberni District, Plan 691N, Except That Part Thereof Shown Outlined in Red on Plan 1339R and except That Part in Plan 46603 in substantially the same condition as such lands were as of May 31, 2001, to be operated and maintained by or on behalf of the Regional District as regional park.

¹ Bylaw No. 500.275, adopted October 9, 2001

² Bylaw No. 500.314, adopted January 10, 2006

³ Bylaw No. 500.314, adopted January 10, 2006

⁴ Bylaw No. 500.314, adopted January 10, 2006

⁵ Bylaw No. 500.314, adopted January 10, 2006

⁶ Bylaw No. 500.314, adopted January 10, 2006

⁷ Bylaw No. 500.314, adopted January 10, 2006

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3.4.107.3 Minimum Parcel Size

Despite Section 4.1 and 4.4.4 of this bylaw, the following subdivision regulations apply:

- a) Maximum number of bare land strata lots that may be subdivided within the CD9 zone – 400
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3.4.107.4 Minimum Setback Requirements

All watercourses, except Horne Lake	15.0 m from the natural boundary or where a bank is within 15 metres of the natural boundary, 15.0 m from the top of the bank, whichever is greater.
Horne Lake	8.0 m from the natural boundary as shown on the survey plan prepared by Bruce Lewis, BCLS and dated March 15, 2000.
Interior side lot line	1.5 m
Rear lot line	1.5 m
All other lot lines	5.0 m

3.4.107.5 Flood Control¹

- a) The following Lands are designated flood plain:
 - i) That part of Strata Lots 1 through 400, of District Lot 215, Alberni District, Plan VIS5160, Below 121.7 metres Geodetic Survey of Canada Datum.
- b) Despite the designation of the Horne Lake Lands as floodplain and the restrictions contained in subsection (a), a person may construct a permitted minor addition to a building in the Horne Lake Comprehensive Development Zone.
- c) Within the Horne Lake flood plain “a permitted minor addition” means one addition to a cabin located in the Horne Lake Comprehensive Development Zone having an area, which is the lesser of:
 - i) 25% of the floor area of the main floor of the cabin; or
 - ii) 10m²Provided the main floor area of the cabin does not exceed the maximum floor area of 70m² as specified in Section 3.4.107(b)(i) after the one addition.

¹ Bylaw No. 500.314, adopted January 10, 2006

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3.4.107.6 Other Regulations

- a) For the purposes of this zone:
- i) “*recreational residence*” means one cabin, or one cabin and one visitor recreational vehicle
 - ii) “*cabin*” means a building or recreational vehicle used for the temporary accommodation of one or more persons;
 - iii) “*visitor recreational vehicle*” means a tent or one recreational vehicle other than a mobile home located within 100 metres of a cabin, which provides for the accommodation of persons visiting the occupants of the cabin;
 - iv) a visitor recreational vehicle for a given cabin may be located on site for no more than 4 consecutive days within a week with the exception that one visit within a calendar year may extend up to 90 consecutive days;
 - v) “*temporary accommodation*” means the occupation of a cabin for fewer than 180 consecutive days in a calendar year and fewer than 240 days in total during the same calendar year;
 - vi) “*recreational vehicle storage*” means the storage of vehicles used for temporary seasonal accommodation during the periods of time when such vehicles are not in use.
 - vii) No more than 2.0235 hectares (5 acres) of land within the Horne Lake Comprehensive Development Zone 9 shall be used for recreational vehicle storage.
 - viii) The area of land used for recreational vehicle storage shall form one contiguous area and vehicle storage shall not take place in different locations within this zone.
 - ix) The area of land used for recreational vehicle storage shall not be closer than 30 metres from the natural boundary of Horne Lake, 30 metres from the top of a bank adjacent to a watercourse and 5 metres from any other lot line.
 - x) “*storey*” means that portion 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 the floor and the ceiling above.
 - xi) up to 35m² floor area that is located on a second storey is permitted in addition to the maximum floor area specified in 3.4.107.2(c)(i),¹ not including internal stairways;
 - xii) “*porch*” means a roofed open structure projecting from the exterior wall of a building and having at least 30% of the total areas of the vertical planes forming its perimeter, other than the exterior wall of the building, unobstructed in any manner except by insect screening;
 - xiii) up to 40 m² of floor area used for porches and decks² attached to a cabin is permitted in addition to the maximum floor area specified in 3.4.107.2c) i)³ provided the combined lot coverage “footprint” of the cabin, porch, deck or hard surfaced patio, other than a permitted minor addition of 10 m², does not exceed 93 m² within a setback of 15 metres from the natural boundary of Horne Lake;

¹ Bylaw No. 500.314, adopted January 10, 2006

² Bylaw No. 500.314, adopted January 10, 2006

³ Bylaw No. 500.314, adopted January 10, 2006

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- xiv) Despite section 3.4.107.2 d)¹ i)², a cabin may be up to 8.0 metres in height, where the difference in height between 8.0 metres and 6.1 metres arises from the construction of raised foundations or other construction which does not enclose habitable or occupiable storage space;
 - xv) The keeping of animals for agricultural purposes is not permitted in this zone.
 - xvi) The height of a raised foundation, as set out in subsection (xiv) shall be determined by average natural grade of the footprint of the recreational residence excluding decks and porches;³
 - xvii) The floor area of the storey with the loft (upper or lower), as set out in subsection 3.4.107.2(e)(ii), is calculated exclusive of the portion of the floor area where the height to ceiling is 1.0 metre or less;⁴
 - xviii) Where a lower loft is being constructed the maximum height of the recreational residence shall not exceed 6.1 metres as measured from the lowest point of natural grade;⁵
 - xix) *“accessory water storage structure”* means an unenclosed structure used exclusively for supporting or containing an individual private water supply and may include a container or tank;⁶
 - xx) *“accessory wood storage structure”* means a three sided structure used exclusively for the storage of wood.⁷
- b) In the event of inconsistency between any provision of Section 3.4.107 and any other provision of this Bylaw, the Section 3.4.107 provision will apply and the other provision will not apply to the extent of the inconsistency.

¹ Bylaw No. 500.314, adopted January 10, 2006

² Bylaw No. 500.281, adopted May 14, 2002

³ Bylaw No. 500.314, adopted January 10, 2006

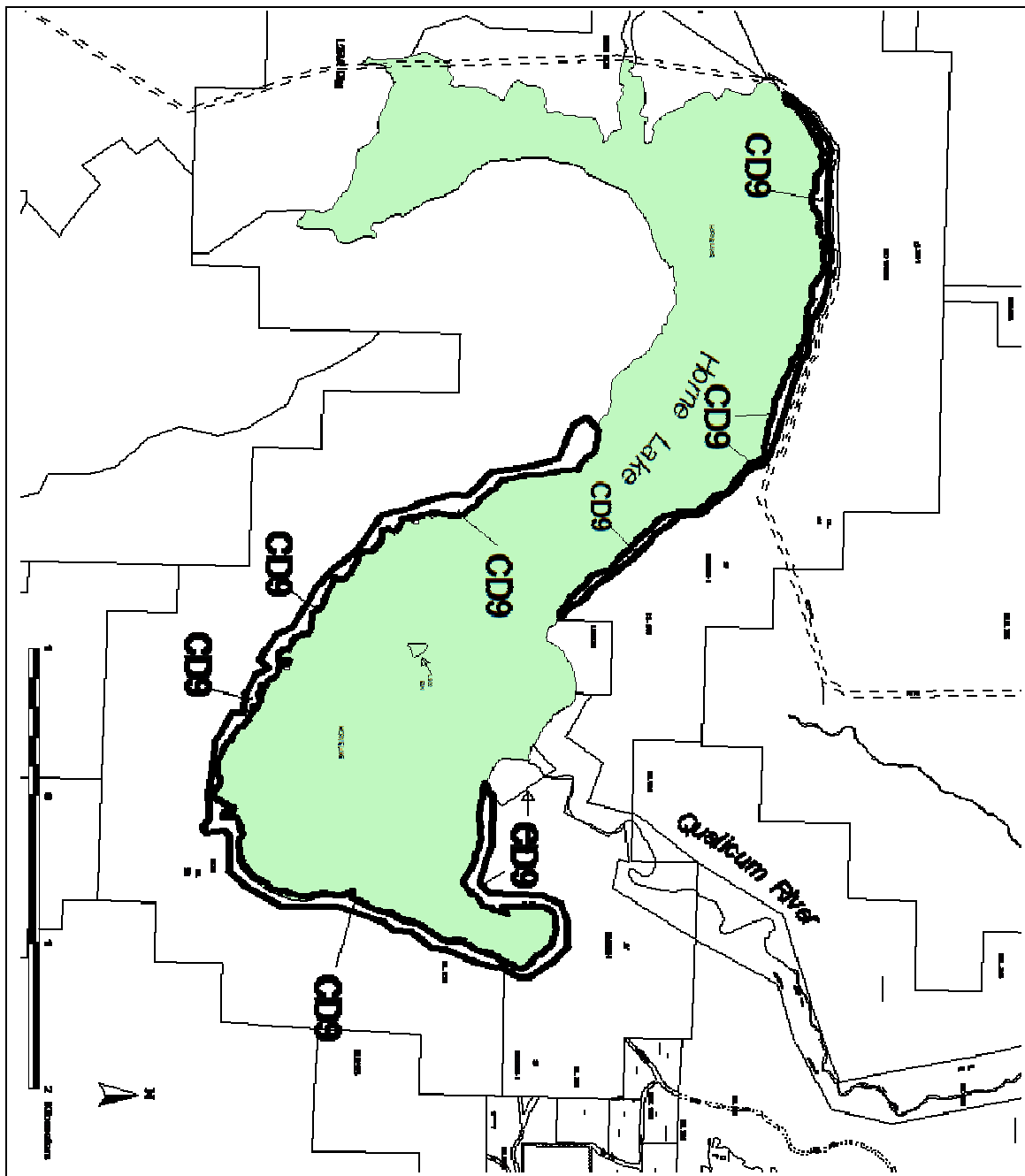
⁴ Bylaw No. 500.314, adopted January 10, 2006

⁵ Bylaw No. 500.314, adopted January 10, 2006

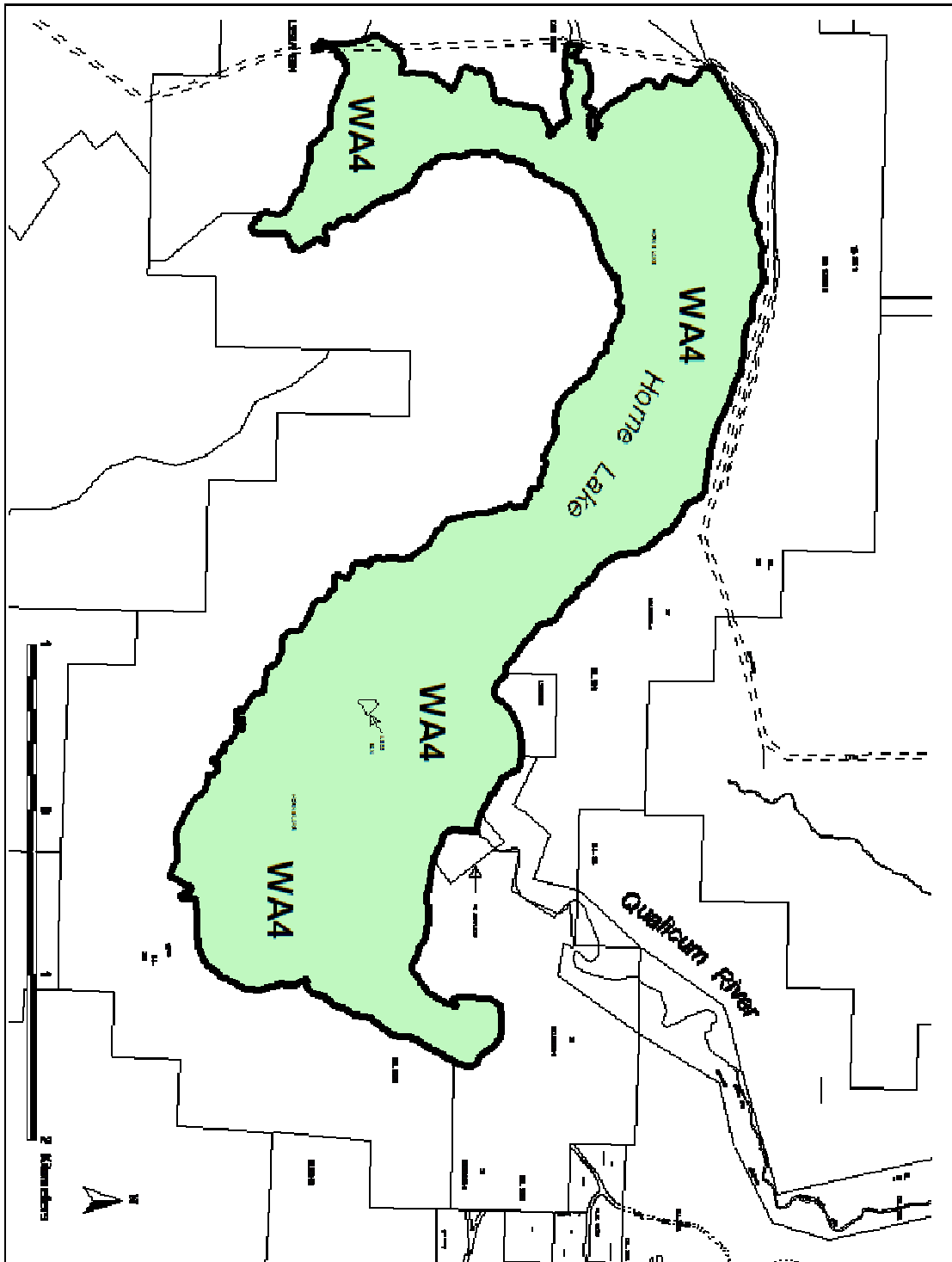
⁶ Bylaw No. 500.314, adopted January 10, 2006

⁷ Bylaw No. 500.314, adopted January 10, 2006

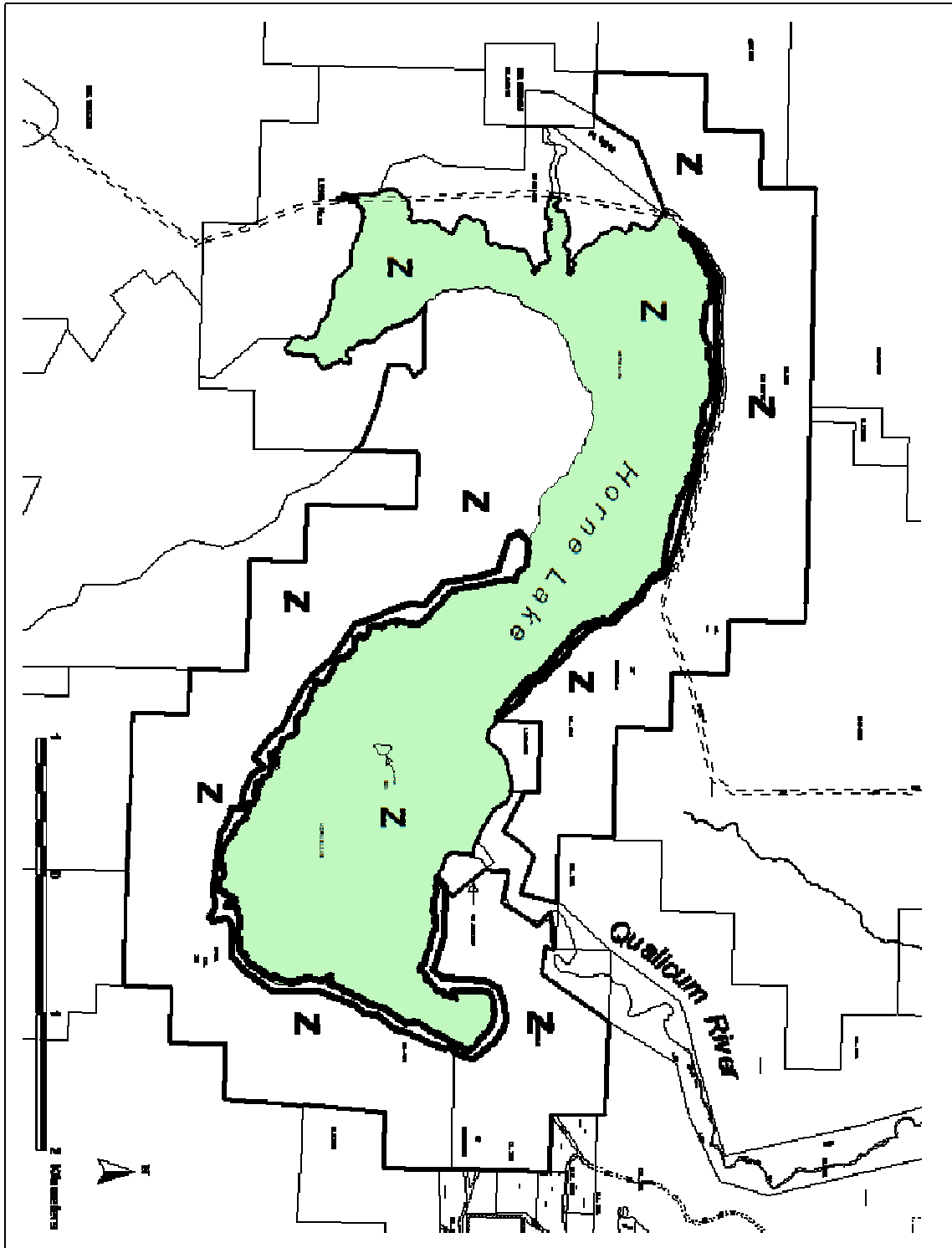
Comprehensive Development Zone CD9 Schedule 3



Comprehensive Development Zone CD9
Schedule 4



Comprehensive Development Zone CD9
Schedule 5



Comprehensive Development Zone CD9 Schedule 6

