

YUULU?IL?ATH GOVERNMENT

ZONING AND STRUCTURES ACT
AMENDMENT ACT NO. 2

YFNS 74/2021



This law enacted on December 6, 2021

Signed

A handwritten signature in blue ink, appearing to read "Charles McCarthy", written over a horizontal line.

Charles McCarthy, President of the
Yuulu?il?ath First Nation

DEPOSITED IN THE
REGISTRY OF LAWS

ON 08 / DEC / 21

A handwritten signature in blue ink, appearing to read "Paul...", written over a horizontal line.
Signature of Law Clerk

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PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This Act may be cited as the Zoning and Structures Act Amendment Act No. 2.

Executive oversight

1.2 The member of the Executive holding the lands and resources portfolio is responsible for the executive oversight of this Act.

Definitions

1.3 In this Act,

“Act” means the Zoning and Structures Act.

PART 2 - AMENDMENTS

Zoning district CD2

2.1 The following Part 28.1 is inserted immediately after Part 28 of the Act:

PART 28.1 - COMPREHENSIVE DEVELOPMENT AREA 2 (CD2)

Purpose of zoning district

- 28.1.1 (a) Zoning district CD2 is established to assist Yuulu?il?ath government to achieve certain goals and objectives identified for:
- (i) home and community lands under section 4.1 of Schedule 1 to the Official Community Plan Act, and
 - (ii) economic development under section 4.4 of Schedule 1 to the Official Community Plan Act.
- (b) The Legislature's intent in establishing zoning district CD2 is to provide a zoning district where specialized mixed-use development is permitted.
- (c) A lot in zoning district CD2 may be occupied for a primary use referred to in section 28.1.2 and a permitted secondary use referred to in section 28.1.3 in accordance with the requirements of this Part.

Primary use

- 28.1.2 (a) The primary use of a lot in zoning district CD2 must be residential use listed in subsection (b), commercial use listed in subsection (c), government use listed in subsection (d), or mixed use.
- (b) The following residential uses are permitted in zoning district CD2:
- (i) a single unit dwelling with secondary suites;
 - (ii) a two unit dwelling;
 - (iii) multiple dwelling unit;
 - (iv) a townhouse;
 - (v) an apartment building;
 - (vi) clustered dwellings; or

- (vii) dwelling units located above a business referred to in subsection (c) with a storefront on the first floor of that building.
- (c) The following commercial uses are permitted in zoning district CD2:
- (i) hotel;
 - (ii) hostel;
 - (iii) lodge
 - (iv) campground;
 - (v) bed and breakfast;
 - (vi) staff accommodation;
 - (vii) a grocery store or public market;
 - (viii) convenience store;
 - (ix) a café;
 - (x) a restaurant;
 - (xi) a bar, lounge or pub;
 - (xii) a cannabis dispensary;
 - (xiii) retail business;
 - (xiv) personal services business;
 - (xv) mobile vending business, including food trucks and equipment sales, service and rental businesses;
 - (xvi) artistic gallery or studio;
 - (xvii) a business providing commercial recreation, such as a charter tour business;
 - (xviii) commercial entertainment, such as a theater;

- (xix) general office;
 - (xx) service station; and
 - (xxi) wine and beer store.
- (d) The following government uses are permitted in zoning district CD2:
- (i) museum; or
 - (ii) library.

Secondary uses

28.1.3 Accessory uses as required may be permitted in CD2.

Maximum lot coverage

28.1.4 The maximum lot coverage in zoning district CD2 is 90% of the lot area.

Maximum building height

28.1.5 The building height of a primary building in zoning district CD2 must be no more than 20 meters or three floors, whichever is less.

Definitions

- 2.2** (a) The following definition is inserted in section 1.4 of the Act immediately after the definition of “campground”:
- ““cannabis dispensary” means a business that offers and sells to customers cannabis and cannabis related items form medical and recreational use in accordance with applicable laws;”.
- (b) The definition of “bed and breakfast” is deleted and the following substituted:
- ““bed and breakfast” means a business operated in a single unit dwelling, a secondary unit, multiple dwelling unit or clustered dwellings that provides temporary accommodation to a paying guest;”.
- (c) The definition of “guest house” is deleted and sections 15.3(d), 16.3(d) 19.3(d) are repealed.

- (d) The words “or cannabis or cannabis related products;” are included at the end of the definition of “retail”.

Bed and breakfast operations amendment

2.3 Section 2.13 of the Act is repealed and the following substituted:

Bed and breakfast operations

- 2.13** (a) If a bed and breakfast is listed as a primary or secondary use in a zoning district, a bed and breakfast is permitted on a lot in that zoning district subject to the following conditions:
- (i) no more than six guests may be accommodated at one time per unit; and
 - (ii) no more than three sleeping units may be used to accommodate guests at one time.
- (b) For certainty, a bed and breakfast is not permitted
- (i) in any single unit dwelling used as staff accommodation in conjunction with a commercial operation, or
 - (ii) in a caretaker dwelling.

CDI Amendment

2.4 Section 28.2(b) of the Act is amended by

- (a) removing “and” at the end of section 28.2(b)(vi);
- (b) replacing the “.” at the end of section 28.2(b)(vii) with a “; and”; and
- (c) adding a new section 28.2(b)(viii) to include “bed and breakfast”.

Parking Requirements

2.5 With respect to the table set out in section 30.4,

- (a) the words “or guest house” in line item (m) are deleted, and
- (b) line item (dd) is repealed.

Schedule 1

- 2.6** Schedule 1 of the Act is repealed and the pages attached to this Act as Schedule 1 are substituted.

Schedule 2

- 2.7** The zoning maps in Schedule 2 of the Act are repealed and the pages attached to this Act as Schedule 2 are substituted.

PART 3 - GENERAL PROVISIONS

Commencement

3.1 This Act comes into force on the date it is enacted.

SCHEDULE 1

Zoning districts

Zoning district	Abbreviation
Commercial Zones	
Community Commercial 1	CC1
Community Commercial 2	CC2
Community Commercial 3	CC3
Community Commercial 4	CC4
Community Commercial 5	CC5
Community Commercial 6	CC6
Community Commercial 7	CC7
Industrial Zones	
Light Industrial	IN1
Heavy Industrial	IN2
Institutional Zones	
Homelands Institutional 1	HI1
Homelands Institutional 2	HI2
Homelands Institutional 3	H3
Residential Zones	
Homelands 1	HL1
Homelands 2	HL2
Homelands 3	HL3
Homelands 4	HL4
Rural Zones	
Woodlands Housing	WH1
Woodlands Agricultural	WA1

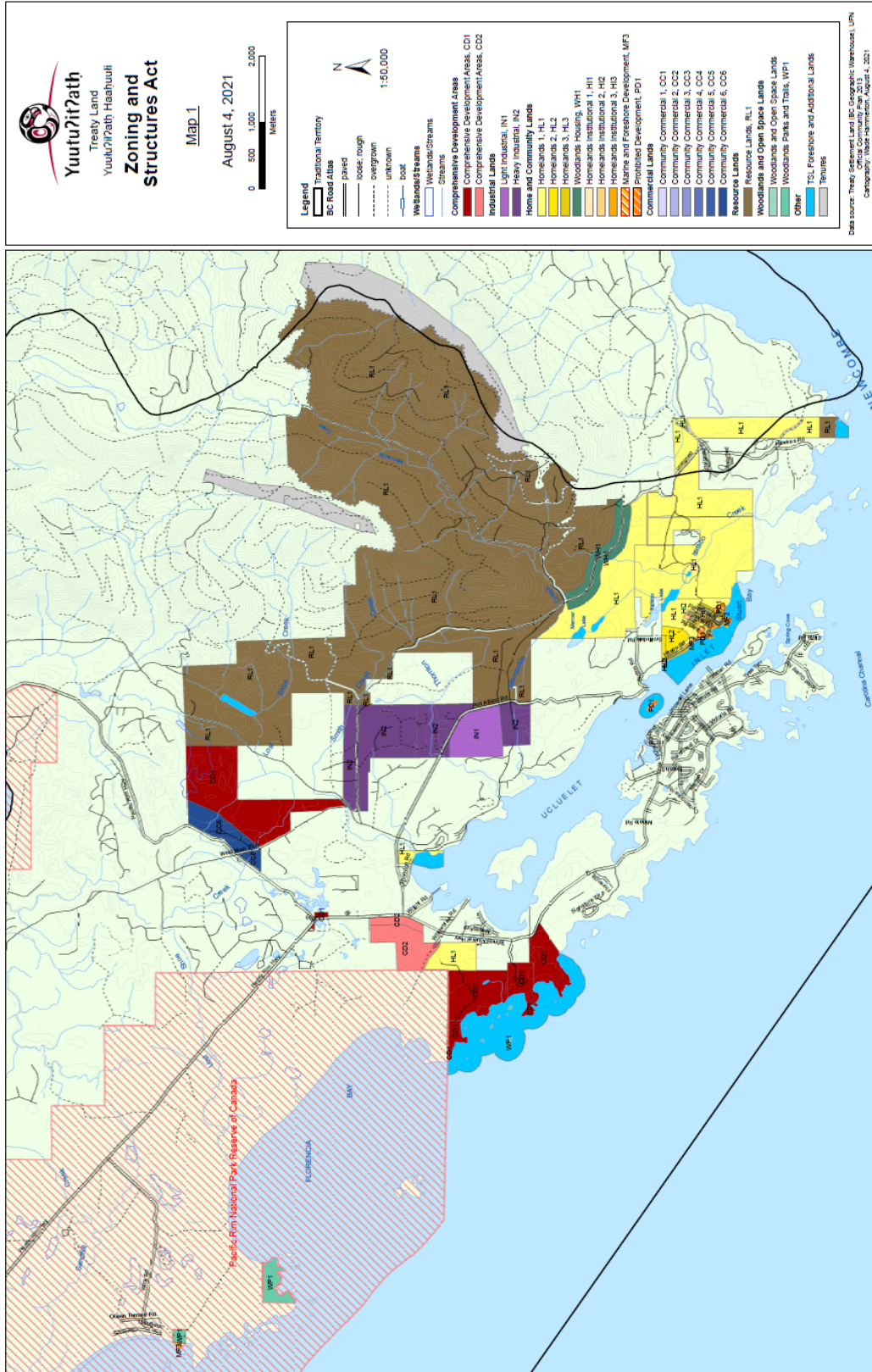
Woodlands Parks and Trails	WP1
Resource Lands	RL1
Limited Development	LD1
Prohibited Development	PD1
Marine and Foreshore Development 1	MF1
Marine and Foreshore Development 2	MF2
Marine and Foreshore Development 3	MF3
Comprehensive Development Zones	
Comprehensive Development Area 1	CD1
Comprehensive Development Area 2	CD2

SCHEDULE 2

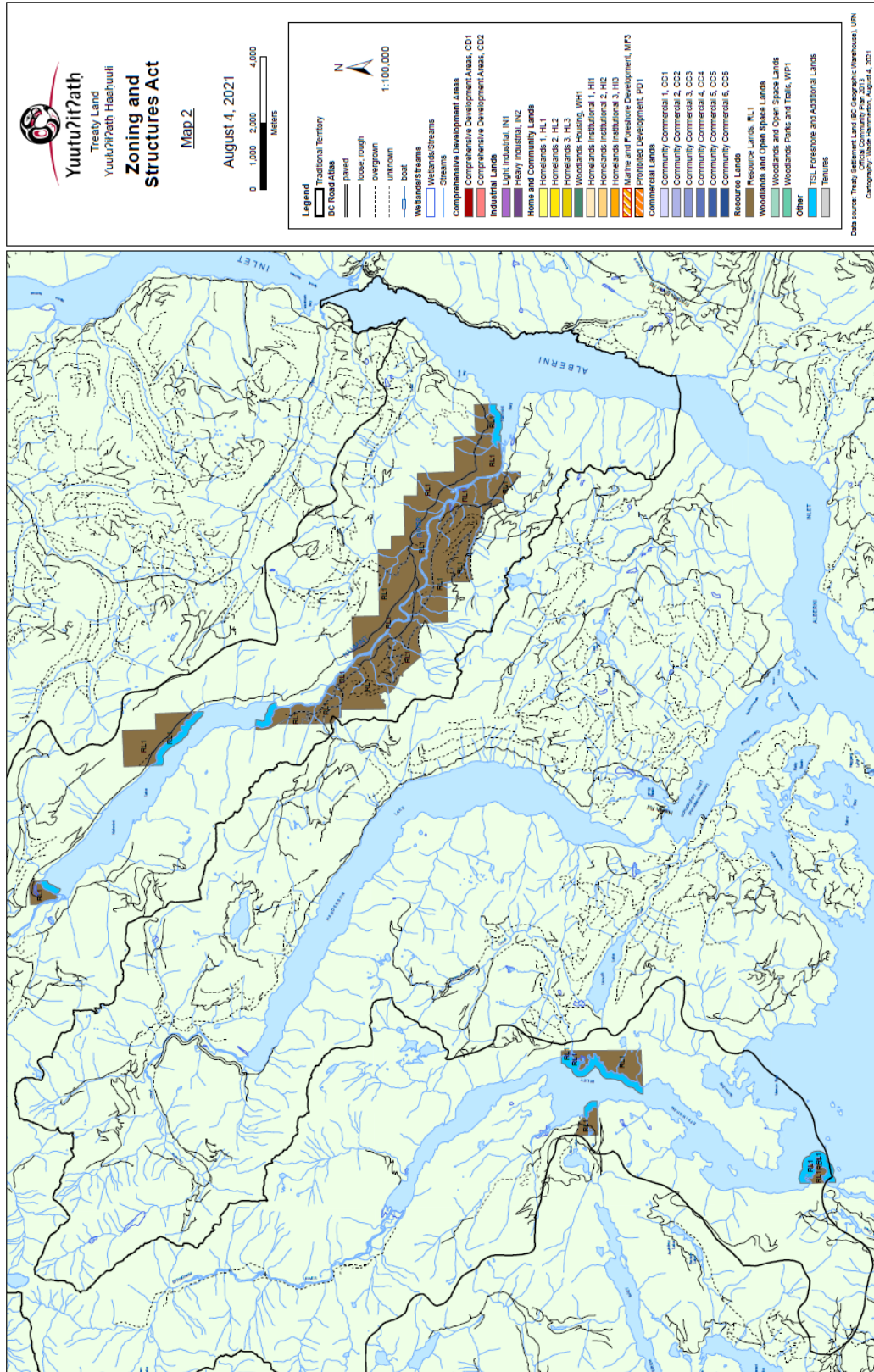
Zoning maps – official versions

The zoning maps as shown in this Schedule 2 are presented at reduced scale for ease of reference only. The authoritative version of the zoning maps shown in this Schedule 2 are set out at the official scale in the records of the Department of Lands and Resources, which form part of this Act, and are dated for reference August 4, 2021, and are signed by the President on the date this Act is enacted.

Zoning map 1 – southern



Zoning map 2 – northern



Zoning map 3 – Hitacu

