



# qathet REGIONAL DISTRICT

## **NOOTKA STREET ZONING BYLAW NO. 321, 1999**

Adopted August 26, 1999

Consolidated for Convenience Only May 14, 2025

**This bylaw may not be current due to pending updates or revisions and SHOULD NOT BE RELIED UPON FOR LEGAL PURPOSES. Please contact the Manager of Administrative Services at the qathet Regional District for the most current version.**

**The following is a consolidated version of the Nootka Street Zoning Bylaw No. 321, 1999 and includes the following amendment bylaws:**

<b>Amendment Bylaw No.</b>	<b>Adoption Date</b>	<b>Type</b>	<b>Purpose</b>
321.1, 2013	March 27, 2014	Text + Map	To ensure consistency between the <i>Nootka Street Zoning Bylaw No. 321, 1999</i> and <i>Electoral Area B Bylaw No. 465, 2012</i> , as per Part 26, Division 2, Section 884 (2) of the <i>Local Government Act</i> .
321.2, 2025	May 13, 2025	Text	To rezone 7-3965 Yaroshuk Road, legally described as Strata Lot 7 District Lot 3692 Group 1 New Westminster District Strata Plan BCS3610, to permit one additional dwelling unit having a floor area no greater than 1,200 square feet (111.5 square metres).

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## **NOOTKA STREET ZONING BYLAW NO. 321, 1999**

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### **Being a Bylaw of the Powell River Regional District to establish land use regulations for the Nootka Street area.**

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**WHEREAS** the Regional Board has given due regard to:

- (a) the need to preserve the Nootka Street residents' rural lifestyle;
- (b) the need to ensure the level of development in the Nootka Street area is consistent with available services, including water, sewer, and fire protection; and
- (c) the importance of protecting the area's aquifer by restricting the density of residential development which generates wastes, increases the speed of runoff, and consumes large volumes of groundwater.

**NOW THEREFORE**, in open meeting assembled, the Board of the Powell River Regional District enacts pursuant to Section 903 of the *Local Government Act* as follows:

#### **SECTION 1 – TITLE**

- 1.1 This Bylaw shall be cited as the “**Nootka Street Zoning Bylaw, No. 321, 1999**”.

#### **SECTION 2 - APPLICATION**

- 2.1 This Bylaw applies to the area described in Schedule “A”.

#### **SECTION 3 - DEFINITIONS**

- 3.1 All words defined in this section appear throughout this document in capitals

- “DWELLING UNIT”** means a self-contained unit used as a residence for a single household and containing a single set of facilities for food preparation and eating, sleeping and living areas.
- “PARCEL”** means the smallest unit into which an area of land is held or divided, whether that unit be a lot, block or other division of land, but does not include a highway.

## **SECTION 4 – BASIC PROVISIONS**

### **GENERAL PROHIBITION**

- 4.1 No person shall develop, use or occupy any land, building or structure in contravention of the provisions of this Bylaw.

### **ENFORCEMENT AND INSPECTION**

- 4.2 The Manager of Planning, their designate, or another person designated by the Regional Board is authorized to enter at all reasonable times on any property subject to this Bylaw to ascertain whether the regulations of this Bylaw are being observed.

- 4.3 Every person who:

- (a) violates any of the provisions of this Bylaw;
- (b) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
- (c) neglects or omits to do anything required under this Bylaw;
- (d) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this Bylaw; or
- (e) fails to comply with an order, direction or notice given under this Bylaw;

is guilty of an offence under this Bylaw.

- 4.4 Each day that an offence exists or is permitted to exist shall constitute a separate offence.
- 4.5 A person who commits an offence under this Bylaw is liable on summary conviction to a fine not exceeding two thousand dollars.

## **SECTION 5 – LAND USE REGULATIONS**

### **PARCEL SIZE AND AREA**

- 5.1 The minimum PARCEL area of PARCELS created by subdivision shall be 1.0 hectare (2.47 acres).
- 5.2 Where a PARCEL on record in the Land Title Office prior to the enactment of this Bylaw is less than the minimum PARCEL area permitted, the PARCEL may be used provided that residential density does not exceed one DWELLING UNIT per PARCEL.

## **DENSITY**

5.3 The density of residential development shall not exceed:

- (a) one DWELLING UNIT per PARCEL 1.0 hectare in area or smaller; nor
- (b) one DWELLING UNIT per PARCEL up to 1.0 hectare in area plus one DWELLING UNIT for each additional 1.0 hectare of land .

5.3.1 Despite section 5.3(a), on the parcel of land legally described as Strata Lot 7 District Lot 3692 Group 1 New Westminster District Strata Plan BCS3610, one additional dwelling unit having a floor area no greater than 1,200 square feet (111.5 square metres) is permitted.

## **DWELLING CONFORMANCE**

5.4 Where two or more DWELLING UNITs have been lawfully constructed on a parcel at the time of adoption of this Bylaw, the DWELLING UNITs are deemed to conform to this bylaw despite any non-compliance under Section 5.3.

## **SECTION 6 - SEVERABILITY**

6.1 If any section, subsection, sentence, clause or phrase of this Bylaw 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 portions of this Bylaw.

## **SECTION 7 - ADOPTION**

READ A FIRST TIME the 27<sup>th</sup> day of May, 1999.

READ A SECOND TIME the 24<sup>th</sup> day of June, 1999.

PUBLIC HEARING HELD the 7<sup>th</sup> day of July, 1999.

READ A THIRD TIME the 22<sup>nd</sup> day of July, 1999.

RECONSIDERED AND ADOPTED the 26<sup>th</sup> day of August, 1999.

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S. Gisborne, Chair

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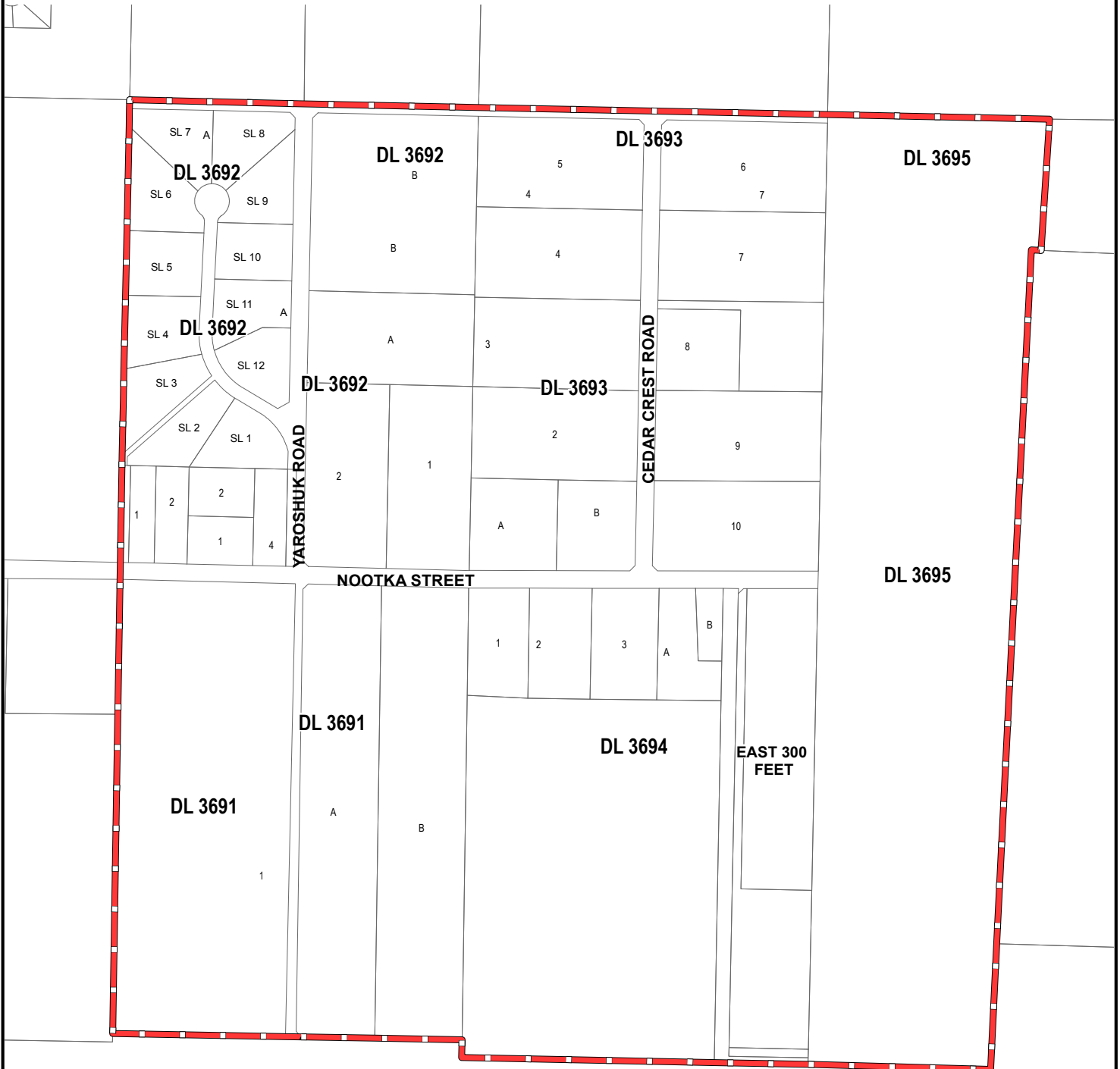
Frances Ladret, Secretary-Treasurer



# qathet REGIONAL DISTRICT

Nootka Street Zoning  
Bylaw No. 321, 1999  
Schedule A

Revisions:  
321.1, 2013



## Legend



Nootka Street Zoning Boundary

175 87.5 0 175 Meters

