

**Section 16 Lands North Zones (Bylaw No. 708)**

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**General Provisions**

- 1.1 A use which is not specifically permitted in a Lands North zone by the provisions of this Bylaw is prohibited in that zone and no building or structure shall hereinafter be constructed, erected, placed, added to, enlarged, moved, modified or otherwise altered and no land, building or structure shall be used except in compliance with all the provisions of this Bylaw.
- 1.2 For the purpose of calculating density in any Lands North zone, the gross floor areas of uses situated in or forming part of a hotel, inn or lodge including lounges licensed for sale and consumption of alcoholic beverages, restaurants, kitchens, food preparation areas, clubs, cabarets, personal services, child care facilities, meeting rooms, recreation facilities, retail and offices, whether or not permitted or customarily incidental to a hotel, inn or lodge, shall be calculated as non-residential floor area.
- 1.3 Where any parcel into which Lands North is subdivided pursuant to Section 18 and Schedule "C" hereof (the "parent parcel") is further subdivided or proposed to be subdivided under the Condominium Act, R.S.B.C. 1979, c. 61, or under part 9 of the Land Title Act, R.S.B.C. 1979, c. 219, the density permitted within the applicable zone where expressed in maximum gross floor area per parcel shall not run with or attach to each parcel so created (the "after created parcels") but shall be proportioned between the after created parcels in such a manner as is determined by the owner of the parent parcel being subdivided. For the purposes of calculation of density by gross floor area permitted per parcel all after created parcels shall be deemed to be one and the same parcel and the total gross floor area to be built on all after created parcels shall not in the aggregate exceed that permitted on the parent parcel.
- 1.4 Wherever density in a Lands North zone is regulated by maximum gross floor area per parcel and provides that such maximum gross floor area may consist of both a maximum residential and maximum non-residential gross floor area then in all such cases the maximum non-residential gross floor area may be increased up to 10 per cent of that permitted provided that the maximum residential gross floor area is similarly reduced and provided that the total maximum gross floor area of all uses shall not be increased.
- 1.5 In all zones of Lands North:

- (a) **“ground floor”** means the lower most storey of a building, the lower floor surface of which is closer to grade than the floor of any other storey in the building;
- (b) **“half storey”** for the purpose of calculation of height wherever height is regulated by number and fractions of storeys, means the uppermost storey of a building where the floor area existing or as may be extended over open to below space having a ceiling height in excess of 1.5 metres, does not exceed 50 per cent of the floor area of the storey next below;
- (c) **“personal services”** shall include child care facilities;
- (d) **“recreational facility”** shall include both indoor and outdoor facilities for sport, recreation and physical fitness;
- (e) **“restaurant”** shall exclude a drive-in and drive-through restaurant, and shall include cabarets and neighbourhood public houses licensed for the sale of alcohol for on premises consumption;
- (f) **“storey”** means that portion of a building which is situated between the surface of any floor and the surface of the floor next above it, and if there is no floor above it then the ceiling surface above it, but does not include any floor area all or a portion of which is below grade and which is used exclusively for parking of vehicles;
- (g) **“theatre”** shall exclude a drive-in theatre.