

# VILLAGE OF PEMBERTON

## BYLAW No. 720, 2012

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### A bylaw to amend Village of Pemberton Zoning Bylaw No. 466, 2001

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**WHEREAS** pursuant to Section 903 of the *Local Government Act* a Council may amend its Zoning Bylaw from time to time;

**AND WHEREAS** the Council of the Village of Pemberton deems it desirable to regulate the use, placement and appearance of shipping containers in the municipality:

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

**1. CITATION**

This Bylaw may be cited as “Village of Pemberton Zoning (Storage Containers) Amendment Bylaw No. 720, 2012”.

**2. Village of Pemberton Zoning Bylaw No. 466, 2001 be amended as follows:**

- a) Section 104 (Definitions) is amended by adding the definition of the following:

“Storage Containers is a large portable metal container that is new or was formerly used to transport goods by means of rail, truck or sea and is placed on a parcel of land for auxiliary storage purposes only. Storage containers are either 3.05 or 6.1 metres in length and include the following: intermodal freight, ISO, shipping, cargo, and hi-cube containers; conex boxes and sea cans”.

- b) Division 200 – GENERAL REGULATIONS is amended by adding the following:

“224 – Storage Containers

A. Storage containers when a permitted use in a zoning district contained within this bylaw shall be in accordance with the following requirements:

- (1) be used for auxiliary storage purposes only;
- (2) not be reconstructed, altered or modified in any way to be used for living accommodation or human habitation for either personal or business purposes;

(3) not be:

- permitted in residential zones (RS, RT, RC, MHP and CD), except where an active or valid building permit has been issued for a principal building on a construction site whereby they may be used as temporary storage only. The terms and conditions of the temporary storage container during home construction shall be identified in the building permit and a condition of final occupancy;
- used to store animals, trash, refuse or contaminated or hazardous materials;
- stacked one upon another;
- permanently fixed to the ground.

(4) be placed on a hard (i.e. paved or compacted) dust free surface;

(5) not occupy with required parking and loading spaces or interfering with the circulation of vehicles or pedestrians;

(6) comply the setback requirements for accessory buildings in the applicable zone;

(7) comply all requirements for storage containers identified in each zoning district; and

(10) comply with all other applicable provisions contained within this bylaw.

B. In addition to Subsection A above, storage containers in Commercial (C) and Public and Parks and Recreation Zones (P and PR) shall also be subject to the following requirements:

(1) no more than one storage container shall be permitted per municipal address;

(2) not permitted within front yards but rather only in rear or side yards that do not project beyond the front face of the principle building(s);

C. In addition to Subsection A above, storage containers in the Airport Zone shall also be subject to the following requirements:

(1) No more than three storage containers shall be permitted per municipal address.

- c) Division 300 is amended by adding the following permitted land uses to Section 306.1, 307.1, 308.1, 309.1, 310.1, 311.1, 312.1, 313.1, 314.1, 315.1, 317.1 and 318.1:

<b>Permitted Land Uses</b>	<b>Minimum Lot Size</b>	<b>Minimum Lot Width</b>
Storage Container (subject to the requirements of Section 224 of this Zoning Bylaw)	n/a	n/a

**READ A FIRST TIME** this 4<sup>th</sup> day of December, 2012.

**READ A SECOND TIME** this 4<sup>th</sup> day of December, 2012.

**NOTICE OF INTENTION TO AMEND** Zoning Bylaw No. 466, 2001 **PUBLISHED IN THE Whistler Question**, January 24<sup>th</sup> 2013 and, January 31<sup>st</sup> 2013.

**PUBLIC HEARING HELD** this 5<sup>th</sup> day of February 2013.

**READ A THIRD TIME** this day 19<sup>th</sup> of, February, 2013.

**ADOPTED** this 5<sup>th</sup> day of, March, 2013.

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Mayor

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Corporate Officer