

NORTH COAST REGIONAL DISTRICT

SCHEDULE A-1 TO THE RURAL GRAHAM ISLAND  
INTERIM ZONING BYLAW 192, 1993

(ELECTORAL AREA D)

This is Schedule A-1 to Bylaw No. 192,1993.

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Corporate Officer

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Date



**NORTH COAST**  
REGIONAL DISTRICT



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# NORTH COAST

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## **SECTION 1.0 APPLICATION**

### **Short Title**

- 1.1 This is Schedule A-1 to the Graham Island Interim Zoning Bylaw No. 192, 1993.

### **Applicability**

- 1.2 This Bylaw shall be applicable to those parts of Electoral Area “D” of the North Coast Regional District, formerly the Skeena Queen Charlotte Regional District as outlined on Schedules A, A1 and B which are attached to and form part of this Bylaw.

### **Severability**

- 1.3 If any part of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction it shall not affect the validity of the remaining portions of this Bylaw.

### **Agricultural Land Reserve**

- 1.4 Where land is designated as Agricultural Land Reserve under the Agricultural Land Commission Act it is subject to that Act, its regulations, and relevant orders of the Provincial Land Commission.

### **Other Regulations**

- 1.5 Nothing contained in this bylaw shall relieve any person from the responsibility to seek out and comply with other legislation applicable to their undertaking.

### **Forestry Activities**

- 1.6 A local government must not do any of the following in respect of land that is private managed forest land if doing so would have the effect of restricting, directly or indirectly, a forest management activity:

- .1 adopt a bylaw under any enactment;



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- .2 issue a permit under section 8 (3) (l) [authority in relation to buildings and other structures] of the Community Charter or Division 1 [Building Regulation] of Part 9 [Regional Districts: Specific Service Powers] of the Local Government Act;
- .3 issue a permit under Part 14 [Planning and Land Use Management] of the Local Government Act.

For certainty, this section applies if the bylaw or permit would have the effect described in subsection even though the bylaw or permit does not directly apply to land referred to in that subsection.

### **Heritage Sites**

- 1.7 All known and potential heritage sites which are protected by the Heritage Conservation Act are subject to the provisions of that Act.

### **Mines and Petroleum, Natural Gas and Geothermal Resources**

- 1.8 This bylaw does not apply to:
  - .1 mineral or coal exploration and development as defined in the Mineral Tenure Act and mines as defined in the Mines Act;
  - .2 petroleum and natural gas exploration and production under the Petroleum and Natural Gas Act and facilities for the transportation of petroleum and natural gas;
  - .3 geothermal exploration and the extraction of geothermal resources under the Geothermal Resource Act.



## **SECTION 2.0 DEFINITIONS**

In this Bylaw, unless the context otherwise requires:

**"accessory building"** means a subordinate detached building, the use or intended use of which is accessory to that of a principal building situated on the same lot or site.

**"accessory"** Means a use which is subordinate to, customarily incidental to, and/or exclusively devoted to the principal use as defined by bylaw; and may only occur where the principal use, as defined by this bylaw, is occurring.

**"additional dwelling unit"** means a self-contained residential dwelling unit, such as a garden suite, laneway home, carriage house, tiny home, loft or garage suite, located on the same legal lot as a single-family dwelling, duplex, or another principal residential unit.

**"agricultural use"** means a use providing for the growth, rearing, producing, and the harvesting of agricultural products, including cannabis cultivation ; the keeping of livestock; includes the processing on an individual farm of the primary agricultural products harvested, reared or produced on that farm; the storage of farm, machinery, implements and agricultural supplies; repairs to farm machinery and implements used on that farm; and the retail sale of produce grown on that farm, and excluding all manufacturing, processing, storage and repairs not specifically included in this definition.

**"apartment building"** means any building divided into not less than three (3) dwelling units each of which is occupied or intended to be occupied as a permanent home of one (1) family, as shareholders, owners of a unit or as residential tenants under a tenancy agreement of no less than 90 days

**"aquaculture"** means the growing and cultivation of aquatic plants or fish for commercial purposes in any water environment or in man made containers of water and includes the growing and cultivation of shellfish on, in or under the foreshore or in water.

**"assembly use"** means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural or recreational purposes; includes places of worship, arenas, swimming pools, auditoriums, youth centres, social halls, group camps and community centres.



***“bed and breakfast”*** means a commercial short-term rental use occurring within a single-family dwelling, which may also supply limited retail, restaurant, or personal care services within the same building, and which has no more than four (4) bedrooms.

***“building”*** means any independent free-standing permanent structure comprising one (1) or more residential dwelling units, business units or other spaces. A building can be entered by persons or animals and is suitable or intended for protecting them and objects. A building is covered by a roof and is usually enclosed within external walls or dividing walls that extend from the foundations to the roof.

***“campground use”*** means the use of land, Building or other Structures for the Temporary Accommodation of persons in Cabins, Camping Vehicles, or tents, and may include one (1) or more of the following Accessory uses: common cooking facilities; restaurant; personal services; Convenience Retail Store; and the rental of non-motorized watercraft and other recreational equipment.

***“civic use”*** means a use providing for public function; includes schools, colleges, public hospital, libraries, museums, parks, public golf course, playgrounds, cemeteries, courts of law, fire halls, police stations, jail and detention centres, gravel extraction and uses ancillary to public functions, excludes public storage, work yards.

***“commercial use”*** means the use of land, Building or other Structures for commerce.

***“community sewer system”*** means a system of sewerage or sewage disposal which is owned, operated and maintained by an Improvement District under the Municipal Act, or by a State Corporation, or by a Regional District.

***“community water system”*** means a system of waterworks within the meaning of Section 21 of the Health Act, which is owned, operated maintained by an Improvement District under the Local Government Act or a former Act; or by a Strata Corporation, or by a Regional District, or which is regulated under the Water Utilities Act.

***“conference facility”*** means a building or portion of a building used for conference or assembly purposes, including the preparation and serving of food and beverages to delegates, but excluding overnight accommodation and a liquor outlet except where accessory to an additional use.



**"designated flood"** means an observed or calculated water level attained by a designated flood, which is used in the calculation of the flood construction level.

**"designated official"** means any official of British Columbia designated by the Minister of Environment where signing authority has been given.

**"duplex"** means a building used exclusively for residential purposes consisting of two (2) structurally connected dwelling units.

**"entertainment use"** means a use providing for the entertainment of the public, in theatres, restaurants, cafes, pubs, bowling alley, arcades, pool halls, and associated ancillary sales.

**"flood construction level"** means the designated flood level plus the allowance for freeboard or where a designated flood level cannot be determined, a height assessed above a natural boundary or natural ground elevation as approved by a Designated Official.

**"floodplain setback"** means a setback of a building or fill from the natural boundary, or other reference line (as approved by the designated official) to maintain a floodway and to allow for potential land erosion.

**"floor area"** means the total area of all the floors, measured to the extreme outer limits of the building, including all suites or dwelling units but excluding any part of the building used for parking, open verandas or balconies.

**"forestry use"** means a use providing for the extraction of primary forest resources on a lot, and included only the preliminary sorting, grading and/or cutting of such material for shipment or for consumption on the same lot but specifically excludes all milling, manufacturing and retail sales of products and any processing not specifically included in this definition.

**"forest products processing"** means the processing and manufacturing of wood and paper products, including sawmills, pulp and paper mills and the sale of products from these operations.

**"freeboard"** means a vertical distance of 0.6 metres added to a designated flood level and is used to establish a flood construction level.

**"front lot line"** means the lot line common to the lot and an abutting street. Where a lot has lot lines abutting two (2) or more streets the lot line with the shorter distance abutting a street is the front lot line.





**"habitable area"** means any space or room within a building or structure, including a Mobile Home or Unit and a modular home or unit, which is used or capable of being used for human occupancy, industrial, business, or commercial use, or storage of goods, including equipment, and furnaces which are susceptible to damage by floodwater.

**"height"** means the vertical distance from the average finished ground level at the perimeter of a building or structure to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, to the highest point of the structure.

**"heritage site"** means land of historic, archaeological, or architectural significance.

**"home occupation"** means any occupation, profession or business carried on for consideration which is clearly accessory to the residential use of the lot, and is carried out by the primary resident of that lot

**"hotel"** means a Building that provides rooms or suites for Temporary or short-term rental accommodation where each room or suite is accessed by an enclosed common interior corridor. A Hotel may include an Office for administration, and it may contain assembly spaces, indoor recreation, a Restaurant or Pub as Accessory uses.

**"industrial, heavy"** means basic processing or manufacturing of materials or products predominantly from extracted or raw materials; a use engaged in the storage or manufacturing of flammable or explosive material; and/or other manufacturing processes that potentially involve hazardous or commonly recognized offensive odours. Heavy Industrial lots may contain an Office as an Accessory use.

**"industrial, light"** means the manufacturing of goods, products, and materials carried on predominantly inside a Building which may create minor noise, smoke, dust, or other emissions and may include on-site storage of raw materials for its production; the repair of goods, products and materials that are produced on-site; clean/green technology, sustainable and renewable energy industries which may create minor noise, smoke, dust, or other emissions. Light Industrial lots may contain Office or employee facilities as Accessory uses.

**"kennel"** means the use of land, Building, or other Structure for keeping, breeding, or boarding of any combination of cats and dogs, under a maximum of 10 animals over the age of 5 months, plus 20 animals under the age of 5 months.



**"landlord"** in relation to a rental unit, means the owner of the rental unit, the owner's agent or another person who, on behalf of the landlord,

- (i)permits occupation of the rental unit under a tenancy agreement, or
- (ii)exercises powers and performs duties under this Act, the tenancy agreement or a service agreement;

**"livestock"** means cattle, goats, horses, sheep, swine, game, and similar farmed animals. Livestock does not include Poultry, or any domestic animal that normally resides in the living area of a Dwelling Unit, such as a cat or dog.

**"log booming and storage"** means the log handling activities required to sort and transport logs, and includes dryland sorts, log dumps, water-based log sorting and storage, and log booms.

**"lot"** means any parcel, block or other area in which land is held or into which it is divided including a strata lot under the Condominium Act.

**"lot coverage"** means the total horizontal area covered by all buildings and structures or projections thereof on a lot and is expressed as a percentage of the lot area.

**"mineral exploration"** means the activities specified and regulated through the provisions of the Mineral Tenure Act.

**"minor wood processing"** means the cutting of wood products as a home occupation without outside employees and includes Alaska mills and portable shakemills.

**"minor utility corridor"**- means rights-of-way not to exceed ten metres width; used for public utilities such as power transmission lines, telephone or other telecommunications lines, water lines or sewer lines

**"mobile home or unit"** means a structure, excluding recreation vehicles, designed and manufactured as a Habitable Area which is located on the ground surface, on a concrete or asphalt Pad, or a poured in place concrete perimeter foundation.

**"mobile home park"** means the use of a Parcel of land to accommodate three or more mobile homes located on individual manufactured home sites that are occupied exclusively for residential purposes on a rental basis. This use includes all Buildings and Structures used or intended to be used as part of such Manufactured Home Park.



**“motel”** means a Building that provides rooms or suites for Temporary Accommodation where each room or suite has individual exterior access. A Motel may include an Office for administration,

**“motor vehicle, derelict”** means any motor vehicle which is in an inoperable condition, and which is not contained within a Building.

**“natural boundary”** means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark on the soil of the beds of the lake, river, stream or other body of water a character distinct from that of its banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself, as defined in Section 1 of the Land Act, and lake, river, stream or other body of water, the high water mark of marsh areas, and for coastal area, the natural limit of permanent terrestrial vegetation.

**“natural ground elevation”** means the undisturbed ground elevation prior to site preparation.

**“nightclub”** means a place where food or drink may be served, and where the principal function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such music is provided for listening or dancing by the patrons, or any combination of the above functions, but does not include a restaurant.

**“occupancy”** means the use or intended use of a building or part thereof for the shelter or support of person, animals or property.

**“pad”** means a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a Mobile Home or Unit, a concrete perimeter foundation for the purpose of supporting a habitable area or mobile home.

**“principal use”** means the main purpose for which land, Building or other Structures is used.

**“public house or pub”** means a commercial establishment within which alcohol is served for consumption on-site together with snacks or light meals.

**“rear lot line”** means the lot line opposite to the front line.

**“residential camp”** means a use providing for the accommodation, in dormitory fashion of work crews only serving specific construction projects or resource extraction activities.



**“residential rental tenure”** means the use of a structure where the tenure is intended and used principally for residential rental tenure, wherein the property owner may, as a landlord, engage in a tenancy agreement with residential tenants. Such an agreement shall be governed and protected under the Residential Tenancy Act.

**“restaurant”** means a commercial establishment within which food and beverage services are served.

**“retail use”** the use of land, Building or other Structures for the retail sale of goods, wares, merchandise, substances, articles, or things. This use does not include a Motor Vehicle Dealer or Light or Heavy Equipment Repair and Sales

**“rural retreat”** means a facility maintained for non-commercial use and which is intended for educational or religious purposes and may provide accommodation, meeting, recreation and cooking facilities.

**“secondary suite”** means a complete living unit with its own kitchen, sleeping area, and washroom facilities contained within another dwelling. The two dwelling units (the principal residence and the secondary suite) and any common spaces make up a single real estate entity that cannot be stratified or otherwise legally separated from the other. Where the principal use is commercial in nature, secondary suites may be an accessory residential use.

**“setback”** means the required minimum distance between the building or use and each of the respective property lines.

**“short-term rental use”** means the service of accommodation in the property of a property host, in exchange for a fee, that is provided to members of the public for a period of time of less than 90 consecutive days or another prescribed period, if any, but does not include a prescribed accommodation service.

**“side lot line”** means a lot line intersecting with the front lot line and marking the boundary between two lots, or between a lot and lane or street in the case of a corner lot.

**“silviculture”** means a use providing for the cultivation of forest and forest stock.

**“single family dwelling”** means a residential detached building, consisting of one (1) dwelling unit, and used principally for residential purposes.



**"standard dykes"** means those dykes built to a minimum crest elevation equal to the flood construction level, which meet standards of design and construction approved by the Ministry of Environment, and are maintained by an ongoing authority such as a local government body.

**"structure"** means any construction fixed to, supported by, or sunk into land or water, but excludes fences.

**"temporary log storage"** means the incidental or temporary tie-up, booming or storage of logs for a period not exceeding 6 months.

**"townhomes"** means a block of at least 3 side by side dwelling units where each dwelling unit is separated from each other by a common wall.

**"transportation use"** means a use providing for the shipping and receiving of goods and people including airports, docks and truck terminals.

**"vehicle"** means automotive vehicles, motorized vehicles, and motorized marine vessels, but does not include mobility aids such as mobility scooters and non-motorized vehicles such as bicycles, kayaks, paddleboards.

**"veterinary clinic"** means the use of land, Building or other Structure for the medical, surgical, dental, diagnostic, and therapeutic treatment of non-human animals, and the overnight stay of animals receiving treatment.

**"watercourse"** is any natural or man-made depression with well-defined banks and a bed 0.6 metres or more below surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2 square kilometres or more upstream of the point of consideration, or as required by a designated official of the Ministry of Environment of the Province of British Columbia.

**"wrecking and salvage"** means the use of land, Building or other Structure for the collection, demolition, dismantling, storage, salvage, recycling, reclamation, reuse, remanufacture or sale of waste materials including one or more of the following: scrap metal; inoperable vehicles; vehicle parts; tires; building materials; machinery; appliances; worn out, used or discarded materials; the presence on any Lot of more than five (5) Derelict Vehicles.



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## **SECTION 3.0 ADMINISTRATION**

### **Administration**

- 3.1** .1 The North Coast Regional District Treasurer, Planning Officer, or such other person whose job description involves the administration and enforcement of this bylaw are authorized to ascertain whether this bylaw is being observed.
- .2 Persons appointed under subsection (1) may enter any land, building, or other structure or premises at a reasonable time, and with reasonable notice to the property owner for the purpose of ascertaining whether this bylaw is being observed.

### **Penalty**

- 3.2** .1 Every person who violates any of the provisions of this Bylaw, or who permits an act in contravention or violation of this Bylaw or who neglects or refrains to do anything required by provisions of this Bylaw shall be guilty of an offense under the Offense Act, and
- .2 Each day that the contravention occurs shall be deemed a separate offense, and,
- .3 Upon summary conviction, may be liable to a fine and penalty not exceeding \$10,000, to imprisonment under 6 months, or to both, as determined by the court.

### **Bylaw Amendments**

- 3.3** .1 Except for amendments initiated by the Regional District, any person applying to have this bylaw amended shall apply in writing to the Secretary-Treasurer or Planning Officer or designate and pay fees as set by the Regional District.



**SECTION 4.0 GENERAL PROVISIONS**

**Uses of Land Buildings and Structures**

- 4.1** .1 No land, Building or other Structure may be used, occupied, developed, constructed, erected, altered, modified, replaced, located, enlarged, or maintained except in strict conformity with this Bylaw.
- .2 Uses not expressly listed as permitted in this Bylaw are prohibited.
- .3 In each zone, no land, Building or other Structure may be used, occupied, developed, constructed, erected, altered, modified, replaced, located, enlarged, or maintained for a use that is not specifically listed in that zone unless that use is permitted under Section 4.
- .4 In each zone, no land, Building or other Structure may be used, occupied, developed, constructed, erected, altered, modified, replaced, located, enlarged, or maintained for an Accessory Use unless a Principal Use lawfully exists on the same Lot as the Accessory Use.
- .5 In each zone, no land, Building or other Structure may be used, occupied, developed, constructed, erected, altered, modified, replaced, located, enlarged, or maintained except in conformity with the provisions and regulations in that zone, and Section 4.

**Zoning Districts**

- 4.2** .1 For the purposes of this Bylaw the area of Electoral Area D, as shown on Schedules A and A which are attached to and form part of this bylaw, is hereby classified and divided into the following Zoning Districts:

<b>Name of Zoning District</b>	<b>Short Form Equivalent</b>
Agriculture Forestry District	A-1
Rural District	R-1
Small Holdings District	R-2
Residential District	R-3



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Cluster Housing District	R-4
Multiple Family Residential	RM-1
General Commercial District	C-1
Tourist Accommodation District	C-2
Marine Resort District	M-1
Heavy Industrial District	I-1
Light Industrial District	I-2
Public Use District	P-1
Resource Conservation District	RS-1

- .2 The appropriate short form equivalent is considered to be the name of the Zoning District.
- .3 The extent of each zone is shown on the Schedule A maps; as may be amended from time to time.
- .4 If a zone boundary is shown as following a Highway right-of-way, the centre line of that Highway right-of-way shall be considered the zone boundary. In cases where the Highway, or a portion of it, is consolidated with abutting land, it shall be construed to have the same zoning as that abutting land.
- .5 If a zone boundary is shown as following the edge of a body of water or a Watercourse, the Natural Boundary of the body of water or Watercourse is to be considered the zone boundary, and shall be construed to move along with the Natural Boundary in the case of change resulting from natural erosion or accretion of land.
- .6 Where a zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning maps referred to in Section 4.1.3.
- .7 Where more than one setback applies to the same Lot Line, the larger or more restrictive setback applies.



- .8 Where a Lot is located in more than one zone, the provisions of this bylaw shall apply as if the zone boundary was the Lot Line, except that:
- in the case of subdivision, a Lot to be created must meet the largest minimum area requirement that applies to any portion of that Lot;
  - the number of Dwelling Units permitted on a Lot must not exceed the maximum number of Dwelling Units permitted in any zone that applies to that Lot; and
  - the setback from Lot Lines identified in the Zones does not apply to the zone boundary that split zones the Lot.

### **Height of Buildings and Structures**

- 4.3** .1 The maximum height of all buildings shall be as specified for each zone, unless specifically permitted otherwise by these regulations.
- .2 The following uses are exempt from the height requirements of this Bylaw: church spires, chimneys, flagpoles, masts, aerials, water tanks, domes, belfry, monuments, observation towers, transmission towers, elevators and ventilation machinery, farm buildings including silos provided that such structures occupy no more than 20% of the lot area.

### **Location and Siting of Buildings**

- 4.4** .1 No principal building shall be located in any required front, side or rear setback.
- .2 Accessory buildings shall not be permitted in any required front setback. Accessory buildings may be permitted in a side or rear setback, provided the building is situated not less than 1.5 metres from a property line and no more than 10 m<sup>2</sup> in gross floor area in floor area.
- .3 The following are exempt from setback requirements: Steps, floats, wharves, piers, eaves, gutters, cornices, sills, bay windows, chimneys, open porches, canopies, sunshades, or similar features provided such projections do not exceed 0.6 metres.

### **Uses Permitted in All Zones**

- 4.5** .1 The following uses are permitted in any zone:



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- Accessory uses to a Principal permitted use, Building or Structure on the same Lot.
- Accessory Buildings to a Principal permitted use, Building or other Structure on the same Lot.
- Telephone exchange Buildings.
- Pipelines, telecommunication towers and wires, traffic control devices, electrical substations, and clock towers.
- Water supply facilities including reservoirs, treatment plants, pumping stations, intake Structures and supply lines.
- Sewage treatment and collection facilities including treatment plants, sewage pumping stations, and sewer service lines.
- Parks, open space, community gardens, playgrounds and playing fields, hiking and bicycling paths and ecological reserves.
- Public Works Yards.
- Transportation rights of way established by a government or Crown corporation; and
- Public Utility facilities for the transmission of water, sewage, electrical power, telephone, natural gas, cable television, fibre optic and other similar services
- Agriculture and Farm-based businesses

### **Visibility**

- 4.6** .1 To preserve visibility, lots abutting a road intersection shall be kept free from buildings and structures, in an area described as between 1 and 3 metres in height, and comprising a triangular area formed by measuring back 5 metres on each lot line abutting the road intersection and a line joining these two points.

### **Home Occupation**

- 4.7** Home occupations are permitted in any Residential or Agricultural zone provided that:

- .1 All activities including storage of goods pertaining to a Home Occupation:
- are except as otherwise provided for, to be conducted entirely within a dwelling unit or accessory buildings, except where it involves horticulture or minor wood processing.



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- may in an A-1, R-1 or R-2 zone be contained within an accessory building or structure provided the building or structure does not exceed 75 m<sup>2</sup> in gross floor area;
- shall not involve the exterior storage of any material used in the processing or resulting from the processing of any product except as permitted above;
- are not to exceed 20% of the gross floor area of the principal building or structure, or 50 m<sup>2</sup> in gross floor area whichever is greater.

.2 It is only conducted by a resident of the dwelling unit on the same lot, with a maximum of 2 outside employees permitted.

#### **4.8** Minor wood processing may be a permitted home occupation:

.1 Where permitted all Portable Sawmills are subject to the following restrictions (additional restrictions may be provided in the applicable zone).

.2 The Portable Sawmill shall not operate for a period of six consecutive months within a 12-month period.

.3 The Lot on which the Portable Sawmill is located shall not contain an accumulation of wood chips, sawdust, or wood products that exceeds a Height of 10 metres (32.8 feet).

.4 All debris, slash, wood chips and other mill waste, timbers and skids shall be removed upon cessation of the Portable Sawmill operation.

.5 No Structure or equipment, or portion thereof used for a Portable Sawmill shall be located within 30 metres (98.4 feet) of a Lot Line.

.6 A Portable Sawmill must be located at least 300 metres (984.25 feet) from an existing Dwelling Unit on an adjacent or nearby Lot.

#### **4.9** Short Term Rentals may be a permitted home occupation:

.1 A Short-Term Rental Accommodation must be operated by someone who uses the property as their Principal Residence.

- .2 A Short-Term Rental Accommodation must be Accessory to the use of the Dwelling for Residential purposes.
- .3 The maximum number of bedrooms available for Short-Term Rental Accommodation, on a Residential property shall be four (4).
- .4 A Short-Term Rental Accommodation will not result in any exterior alterations to a Principal or Accessory Building that are not consistent with the character of adjacent Residential Buildings and property.
- .5 Off-street parking shall be provided in accordance with Section 5 of this bylaw.

### **Derelict Motor Vehicles**

- 4.10**
- .1 The outdoor storage or parking of more than five (5) Derelict Motor Vehicles on a Lot is prohibited unless Wrecking and Salvage is a permitted use on that Lot.
  - .2 This section does not apply to any Derelict Motor Vehicles located on a property classified as a farm by the British Columbia Assessment Authority if those Derelict Motor Vehicles are part of the farming operation on that Lot.

### **Existing Lots and Undersized Lots**

- 4.11**
- .1 Any lot or lots that are shown on a plan deposited in the Land Title Office prior to the passing of this Bylaw, which has less than the minimum area required for the zone in which that lot is situated, may be used for any permitted use in that zone, subject to all of the other regulations for that zone.

### **Minimum Area For New Lots**

- 4.12**
- .1 Any new subdivisions or lots created after adoption of this bylaw must conform to the minimum lot area specified for the zone in which the lot is situated, and to the lot area requirements of the Local Services Act and Health Act, which may require a larger lot size than required in this bylaw.

### **Existing Uses**



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- 4.13** .1 The lawful use of any land, building or structure existing at the time of the adoption of this bylaw may be continued although such use does not conform with the provisions of this bylaw, subject to the provisions of the Local Government Act and Short-Term Rental Accommodations Act regarding non-conforming uses, and
- .2 For surety, under the Short Term Rental Accommodations Act, those operations may also be defined in this bylaw as tourism accommodation.
- 4.14** .1 Where structures which are not designated as Heritage structures are damaged to an extent that the structure requires more than 75% repair or replacement, the use shall become subject to this bylaw.

## **SECTION 5.0 PARKING AND LOADING PROVISIONS**

### **Parking Required**

- 5.1** Any use of land or erection of buildings or structures undertaken following the date of adoption of this Bylaw shall provide and maintain the off-street parking and off street loading in accordance with the provisions of this section.

### **Existing Uses**

- 5.2** The provisions of this section shall not apply to any existing building, structure or uses of land existing at the time of adoption of this bylaw, provided that:
- .1 The land, building or structure continues to be put to a use that does not require more parking or loading spaces than were required for the use existing at the time of adoption of this Bylaw.
  - .2 Where an existing use conforms to the permitted uses of the Bylaw but does not provide sufficient parking, it may be extended or altered, but only if it involves no further contravention of the parking requirements of the Bylaw.
  - .3 The provision of this section shall apply to any change in use or any addition to a building or structure which has greater parking requirements than the original use, building of structure.

### **Units of Measurement**

- 5.3**
- .1 Where gross floor area is used as a unit of measurement for the calculation of required parking spaces, it shall include the floor area of accessory buildings and basements, except where they are used for parking, heating and storage.
  - .2 Where the number of employees is used as a unit of measurement, it shall mean the greatest number of persons at work at any time, in a particular building or site for a particular use.



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- .3 Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths and the like, each one half (0.5) meter of width of such seating accommodation shall be counted as one (1) seat.
- .4 When the calculation of parking requirements results in a fractional requirement of 0.5 or more, one (1) parking space shall be provide to meet this fractional requirement.

## **Required Off Street Parking Spaces**

**5.4** Off street vehicular parking or garage spaces shall be provided in accordance with the standards in this Section. In the case of use not specifically mentioned, the required off street parking spaces shall be the same as for a similar use.

<b>Use</b>	<b>Parking Requirements</b>
Single or Two Family Dwelling	2 spaces per dwelling unit
Multiple Family Dwelling and Mobile Home Parks	1.5 spaces per dwelling unit
Dwelling Related to Commercial and other Premises	1 space per dwelling unit
Retail Stores and Personal Services	1 space per 20 m <sup>2</sup>
Restaurants, Pubs, Nightclubs, Conference Centres	1 space per 4 seats
Hotel	1 space per 2 sleeping rooms
Short Term Rentals	1.25 spaces per sleeping rooms
Campground	1 space per camping or RV site
Gasoline Service Stations,	1 space per 2 employees plus
Car Wash	1 space per service bay
Taxi Office operating from taxi office	1 space per vehicle
Airport and Bus Freight	1 space per 18 m <sup>2</sup> of waiting room plus 1 space per 2 employees



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Terminals	1 space per 18 m <sup>2</sup> of waiting room plus 1 space per 2 employees
Places of Worship	1 space per 10 seats plus 1 space per 18 m <sup>2</sup> gross floor area used for assembly
Hospitals	1 space per 2 staff doctors, plus 1 space per 4 employees plus 1 space per 5 beds
Kindergarten; Elementary and Junior High Schools	2 space per staff member
Senior High Schools	1 space per staff member plus 1 space per 10 students
Bed and Breakfast	1 space per rental room
Place of Public Assembly such as Community Halls, Clubs, Theatres, Arenas, Recreational Uses and Similar Uses	1 space per 20 m <sup>2</sup>
Manufacturing, Industrial Buildings, Wholesale Establishments and Similar Uses	1 space per 2 employees
Marina, Boat Launch, Public	0.5 space per each boat
Wharf	moorage or berth, plus 20 spaces for each boat launch, plus 1 space for each staff member



**Development Standards**

- 5.5** .1 Every off-street parking space shall have convenient and safe vehicle access to a public thoroughfare.
- .2 All off street parking spaces shall have a clear length of not less than 5.5 metres, a clear width of not less than 2.5 metres and a clear height of not less than 2.2 metres. When a parking space adjoins a fence or structure over .3 metres in height, the width of the parking space shall be increased by .3 metres on the side or sides which abut such fence of structure to enable the opening of vehicular doors.
- .3 Provision shall be always made for individual ingress or egress by vehicles to all parking spaces by means of unobstructed manoeuvring aisles. Manoeuvring aisles of not less than the following width shall be provided:

<b>Parking Angle in Degrees</b>	<b>Width of Aisle in Meters</b>
90	7.5
60	5.8
45 and less	3.7

**Design of Loading Spaces**

- 5.6** An off-site loading area shall have dimensions of not less than 3 metres in width, 9.0 metres in length and 4.0 metres in height.

**Required Off Street Loading Spaces**

- 5.7** For Commercial and Industrial Use: one (1) space per building with a gross floor area of 475 m<sup>2</sup> or greater.

## **SECTION 6.0 AGRICULTURE FORESTRY DISTRICT, A-1**

### **Uses Permitted**

**6.1** In the A-1 district the following uses are permitted and all others are prohibited:

**.1 Principal Uses:**

- agricultural use
- forestry use
- silviculture
- residential camp
- veterinary clinic, kennel
- detached single family dwelling under 500 m<sup>2</sup> in gross floor area
- gravel extraction, mineral activities and associated road construction, excluding processing and manufacturing activities
- recreation
- keeping and rearing of livestock

**.2 Accessory Uses:**

- additional dwelling units under 115 m<sup>2</sup> in gross floor area
- home occupation
- rural retreat

### **Lot Area**

**6.2** Each lot shall have an area of not less than 6 hectares.

### **Siting of Buildings and Structures**

**6.3** No building or structure shall be sited less than:

- 7 metres from a front lot line
- 7 metres from a rear lot line
- 5 metres from a side lot line

**Height of Buildings and Structures**

- 6.4** The height of buildings and structures shall not exceed 9 metres.

**Residential Density**

- 6.5** Subject to the regulations and policies of the Agricultural Land Commission within the Agricultural Land Reserve, the maximum residential density of a lot shall be three (3) dwelling units per lot.

## **SECTION 7.0 RURAL RESIDENTIAL DISTRICT, R-1**

### **Uses Permitted**

**7.1** In the R-1 district the following uses are permitted and all others are prohibited:

**.1 Principal Uses**

- agricultural use
- forestry use
- veterinary clinic, kennel
- single-family dwellings or duplexes

**.2 Accessory Uses**

- home occupation
- accessory buildings and uses
- additional dwelling unit under 115 m<sup>2</sup> in gross floor area
- secondary suites under 90 m<sup>2</sup> in gross floor area
- rural retreat

### **Lot Area**

**7.2** Each lot shall have an area of not less than 1.5 hectares.

### **Siting of Buildings and Structures**

**7.3** No building or structure shall be sited less than:

- 7 metres from a front lot line
- 5 metres from a rear lot line
- 5 metres from a side lot line

### **Height of Buildings and Structures**

**7.4** The height of buildings and structures shall not exceed 9 metres.



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## **Residential Density**

**7.5** The maximum residential density shall be 2 dwelling units per lot.

## **Lot Coverage**

**7.6** The maximum lot coverage shall be 35% of the lot area.

## **SECTION 8.0 SMALL HOLDINGS DISTRICT, R-2**

### **Uses Permitted**

**8.1** In the R-2 district the following uses are permitted and all others are prohibited:

**.1 Principal Uses**

- detached single family dwelling under 400 m<sup>2</sup> in gross floor area
- duplexes under 400 m<sup>2</sup> in gross floor area
- townhomes
- agriculture

**.2 Accessory Uses**

- secondary suites under 90 m<sup>2</sup> in gross floor area
- accessory residential buildings and uses
- home occupation

### **Lot Area**

**8.2** Each lot shall have an area of not less than 8000 m<sup>2</sup>.

### **Siting of Buildings and Structures**

**8.3** .1 No building or structure shall be sited less than:

- 7 metres from a front lot line
- 5 metres from a rear lot line
- 3.5 metres from a side lot line or 4.5 metres where the side lot line flanks a street

**Height of Buildings and Structures**

**8.4** The height of buildings and structures shall not exceed:

- .1 9 metres for residential use.
- .2 5 metres for accessory buildings

**Residential Density**

**8.5** The maximum residential density shall be 2 dwelling units per lot.

**Lot Coverage**

**8.6** The maximum lot coverage shall be 35% of the lot area.

**SECTION 9.0 RESIDENTIAL DISTRICT, R-3**

**Uses Permitted**

**9.1** In the R-3 district the following uses are permitted and all others are prohibited:

**.1 Principal Uses**

- detached single family dwelling under 400 m<sup>2</sup> in gross floor area
- duplexes under 400 m<sup>2</sup> in gross floor area
- agriculture

**.2 Accessory Uses**

- secondary suites under 90 m<sup>2</sup> in gross floor area
- accessory residential buildings and uses
- home occupation

**Lot Area**

**9.2** Each lot shall have an area of not less than

- .1 4000 m<sup>2</sup> for unserviced lots; or
- .2 2000 m<sup>2</sup> where a community water system is provided

**Siting of Buildings and Structures**

**9.3** .1 No building or structure shall be sited less than:

- 7 metres from a front lot line
- 5 metres from a rear lot line
- 3.5 metres from a side lot line or 4.5 metres where the side lot line flanks a street



### **Height of Buildings and Structures**

- 9.4** The height of buildings and structures shall not exceed:
- 9 metres for residential use.
  - 5 metres for accessory buildings

### **Residential Density**

- 9.5** The maximum residential density shall be 2 dwelling units per lot.

### **Lot Coverage**

- 9.6** The maximum lot coverage shall be 35% of the lot area.

**SECTION 10.0 CLUSTER HOUSING DISTRICT, R-4**

**Uses Permitted**

**10.1** In the R-4 district the following uses are permitted and all others are prohibited:

**.1 Principal Uses**

- detached single family dwelling under 80 m<sup>2</sup> in gross floor area, with or without a secondary suite.

**.2 Accessory Uses**

- accessory residential buildings and uses
- home occupation
- common meeting building (within the common property)

**Lot Area**

**10.2** Each lot shall have an area of not less than 800 m<sup>2</sup>.

**Siting of Buildings and Structures**

**10.3** No building or structure shall be sited less than:

- 7 metres from a front lot line
- 7 metres from a rear lot line
- 5 meters from a side lot line

### **Height of Buildings and Structures**

**10.4** The height of buildings and structures shall not exceed:

- 9 metres for residential use.
- 5 metres for accessory buildings

### **Residential Density**

**10.5** The maximum residential density shall be 2 dwelling units per lot.

### **Lot Coverage**

**10.6** The maximum lot coverage shall be 20% of the lot area.

#### Conditions of Use

**10.7** Within the Cluster Housing Zone, the following conditions shall apply:

- .1 Land within this zone may not be subdivided into more than 7 lots, not including the common area.
- .2 A common meeting building and common accessory structures may be installed in the common area.
- .3 No more than one (1) residential structure may be installed per lot, and
- .4 No residential or commercial structures may be installed in the common area.

**SECTION 11.0 MULTIPLE FAMILY RESIDENTIAL DISTRICT, RM-1**

**Uses Permitted**

**11.1** In the RM-1 district the following uses are permitted and all others are prohibited:

**.1 Principal Uses**

- apartment buildings and townhomes
- duplexes
- single family dwellings under 100 square meters
- single family dwellings with secondary suite

**.2 Accessory Uses**

- home occupation
- accessory buildings and uses

**Lot Area**

**11.2** Each lot shall have an area of not less than 8000 m<sup>2</sup>.

**Density**

**11.3** The maximum permitted density shall be 1 dwelling unit per 4000 m<sup>2</sup>

### **Siting of Buildings and Structures**

**11.4** No building or structure shall be sited less than:

- 7 metres from a front lot line
- 5 metres from a rear lot line
- 5 metres from a side lot line or 4.5 metres where the side lot line flanks a street

### **Height of Buildings and Structures**

**11.5** The height of buildings and structures shall not exceed:

- 12 metres for residential use
- 5 metres for accessory buildings

### **Lot Coverage**

**11.6** The maximum lot coverage shall be 40% of the lot area.

**SECTION 12.0 GENERAL COMMERCIAL DISTRICT, C-1**

**Uses Permitted**

**12.1** In the C-1 district the following uses are permitted and all others are prohibited:

**.1 Principal Uses:**

- retail and office use
- restaurants, bakeries and cafes
- assembly use
- entertainment use
- bed and breakfast
- motels, hotels, and conference facilities
- apartment buildings
- fitness and recreation facilities

**.2 Accessory Uses**

- secondary suites
- pubs
- accessory buildings and uses

**Conditions of Use**

**12.2** Every business or undertaking shall be conducted within a completely enclosed building or structure, except for parking loading facilities and screened storage for items which are to be sold within the business premises.

**Lot Area**

**12.3** Each lot shall have an area not less than 4000 m<sup>2</sup>.

### **Residential Density**

- 12.4** The maximum permitted density shall be 2 dwelling units.

### **Siting of Buildings and Structures**

- 12.5** No building or structure shall be sited less than:

- 4.5 metres from a front lot line
- 2 metres from a rear lot line
- 2 metres from a side lot line or 4.5 metres where the side lot line flanks a street

### **Height of Buildings and Structures**

- 12.6** The height of buildings and structures shall not exceed 11 metres.

### **Lot Coverage**

- 12.7** The maximum lot coverage shall be 60% of the lot area.



## **SECTION 13.0 TOURIST ACCOMMODATION DISTRICT, C-2**

### **Uses Permitted**

**13.1** In the C-2 district the following uses are permitted and all others are prohibited:

#### **.1 Principal Uses**

- campground use and bed and breakfast
- hotels, motels, and conference facilities
- restaurants, cafes, pubs, nightclubs, and other services and entertainment uses
- private recreation facilities including golf courses, lodges, swimming pools, boat rentals, and boat launching
- lodges, bunkhouses and other buildings associated with tour-guiding operations, including boat tours, hunting and/or fishing tours, horseback tours
- marinas, including wharves, docking facilities, and sale of fishing supplies, excluding fuel sales
- convenience retail store, not to exceed 50 m<sup>2</sup> in gross floor area

#### **.2 Accessory Uses**

- additional dwelling unit under 115 m<sup>2</sup> in gross floor area
- secondary suites under 90 m<sup>2</sup> in gross floor area
- accessory buildings and uses

### **Lot Area**

**13.2** Each lot shall have an area of not less than 2000 m<sup>2</sup> except for uses which include a water lease area, where aggregate site area shall be a minimum of 4000 m<sup>2</sup>, of which at least 2000 m<sup>2</sup> shall be adjacent upland to provide parking, loading and septic disposal.



### **Siting of Buildings and Structures**

**13.3** No building or structure shall be sited less than:

- 7 metres from a front lot line
- 3 metres from a rear lot line
- 3 metres from a side lot line or 4.5 metres where the side lot line flanks a street

### **Residential Density**

**13.4** The maximum permitted density shall be 2 dwelling units.

### **Height of Buildings and Structures**

**13.5** The height of buildings and structures shall not exceed 9 metres.

### **Lot Coverage**

**13.6** The maximum lot coverage shall be 50% of the lot area.

## **SECTION 14.0 MARINE DEVELOPMENT DISTRICT, M-1**

### **Uses Permitted**

**14.1** In the M-1 district the following uses are permitted and all other are prohibited:

**.1 Principal Use**

- wharves, piers, floats and docking facilities
- boat launching, water taxi and ferry terminal and seaplane base facilities
- sales or rental of boats, marine supplies and fishing supplies
- marinas
- marine and seaplane fuelling facilities
- aquaculture and mariculture facilities, but excluding any aquatic plant or seafood processing
- floating fishing lodges and camps for tourist use

**.2 Accessory Uses**

- boat repair facilities, including marine ways
- fish buying operations
- bed and breakfast
- rural retreat

### **Lot Area**

**14.2** Each lot including water lease area shall have a minimum 4000 m<sup>2</sup>

### **Density**

**14.3** Maximum number of sleeping units and boats per lease area shall not exceed those permitted by Ministry of Forests and Lands lease.



### **Conditions of Use**

**14.4** No uses within this District shall:

- .1 Be placed on permanent foundations or pilings.
- .2 Be located in areas with less than 1.0 m freeboard at lowest tide.
- .3 Be located within 30 m of any permanent navigation buoys.
- .4 Be located closer than 10 m to the natural boundary of the nearest shore.

## **SECTION 15.0 HEAVY INDUSTRIAL DISTRICT I-1**

### **Uses Permitted**

**15.1** In the I-1 district the following uses are permitted and all others are prohibited:

#### **.1 Principal Uses**

- gravel and sand extraction, rock crushing, washing, grading and storage
- log sorting and grading, log storage, log booming
- forest products processing
- seafood and aquatic plants processing
- storage uses
- forestry operations including offices, machinery and equipment repair
- fuel storage, depots and sales
- auto wreckers and junk yards
- publicly owned waste disposal
- manufacturing uses
- barge loading and unloading facilities associated with industrial uses
- aquaculture and mariculture facilities
- wharves, piers and docking facilities
- machine and equipment repair shops
- mining, placer mining, mineral processing and associated works

#### **.2 Accessory Uses**

- sani-dumps
- residential camp
- accessory residential use

### **Condition of Use**

**15.2** .1 An industrial use involving the wrecking, salvaging or storing of salvage, scrap of junk other than within a building shall be bounded on all sides by a solid, view-obscuring fence or landscape screening not less than 1.8 metres or more than 4 metres high and no stored material shall be piled higher than such fence. This is required only where the industrial use abuts residential or C-2 zones.

**Lot Area**

- 15.3** Each lot including water lease area, shall have a minimum site area of 8000 m<sup>2</sup>.

**Siting of Building and Structures**

- 15.4** .1 No building or structure shall be sited less than 15 metres from a front, side or rear lot line, except to provide accessory residential units.
- .2 In the case of residential camps and additional dwelling units, no building or structure may be sited less than 7 meters from any front lot line, and no less than 5 meters from a side or rear lot line.

**Lot Coverage**

- 15.5** The maximum lot coverage shall be 60% of the lot area.



## **SECTION 16.0 LIGHT INDUSTRIAL DISTRICT, I-2**

### **Uses Permitted**

**16.1** In the I-2 district the following uses are permitted and all others are prohibited:

#### **.1 Principal Uses**

- warehousing and wholesaling, including incidental retail sales
- automotive repair facilities, parts sales, and car washes
- sales, rental and service of equipment, farm machinery, buildings supplies and similar products
- light manufacturing involving pre-processed materials, sheet metal, woodworking , heating, plumbing, electrical, printing, boat building and similar establishments
- storage uses, including public works yards, but excluding auto wreckers and junk yards
- transportation use
- fish buying operations
- light industrial and manufacturing

#### **.2 Accessory Uses**

- accessory residential use

### **Conditions of Use**

- 16.2**
- .1 All businesses shall be conducted within a completely enclosed building except for open storage, parking and loading facilities.
  - .2 No storage areas shall be located in any required front setback.
  - .3 An industrial use involving open storage shall be screened on all sides by a solid, view obscuring fence or landscape screen not less than 2.4 metres or more than 4 metres high, where the industrial use abuts residential or C-2 zones.

**Lot Area**

- 16.3** Each lot shall have an area of not less than 4000 m<sup>2</sup>.

**Residential Density**

- 16.4** The maximum residential density shall be 2 dwelling units per lot.

**Siting of Buildings and Structures**

- 16.5** No building or structure shall be sited less than 7 metres from a front, side or rear lot line.

**Height of Buildings and Structures**

- 16.6** The height of buildings and structures shall not exceed 12 metres.

**Lot Coverage**

- 16.7** The maximum lot coverage shall be 60% of the lot area.

**SECTION 17.0 PUBLIC AND ASSEMBLY DISTRICT P-1**

**Uses Permitted**

**17.1** In the P-1 district the following uses are permitted and all others are prohibited:

**.1 Principal Uses**

- parks, playgrounds, and public recreation
- civic uses
- assembly uses
- places of worship and cultural amenities
- public utilities and associated structures
- campground
- cemetery
- rural retreat
- sani-dump

**.1 Accessory Uses**

- office uses and caretaker suites
- secondary suites under 90 m<sup>2</sup> in floor area
- additional dwelling unit under 115 m<sup>2</sup> in floor area

**Lot Area**

**17.2** Each lot shall have an area of not less than 4000 m<sup>2</sup>, except that no minimum lot size is required for park or civic use.

**Residential Density**

**17.3** The maximum residential density shall be 2 dwelling units per lot.



### **Siting of Buildings and Structures**

**17.4** No building or structure shall be sited less than:

- 7 metres from a front lot line
- 7 metres from a rear lot line
- 5 metres from a side lot line

### **Height of Buildings and Structures**

**17.5** The height of buildings and structures shall not exceed 9 metres.

## **SECTION 18.0 RESOURCE CONSERVATION DISTRICT RS-1**

### **Uses Permitted**

**18.1** In the RS-1 District, the following uses are permitted, and all others are prohibited:

**.1 Principal Uses**

- outdoor recreation and rural retreat
- cultural amenities and places of worship
- temporary log storage
- public park and campground facilities
- detached single family dwellings and duplexes under 300 m<sup>2</sup> in gross floor area

**.2 Accessory Uses**

- additional dwelling unit under 115 m<sup>2</sup> in gross floor area s and secondary suites
- bed and breakfast
- retail sales under 100 m<sup>2</sup> in gross floor area

### **Lot Area**

**18.2** Each lot shall have an area of not less than 6 hectares.

### **Siting of Buildings and Structures**

**18.3** No building or structure shall be sited less than 7 metres from a front, side or rear lot line.

### **Residential Density**

**18.4** A maximum of 2 dwelling units are permitted per lot.

### **Height of Buildings and Structures**

**18.5** The height of building and structures shall not exceed 9 metres.