



ELECTORAL AREA 'I' (CORTES ISLAND) ZONING BYLAW, 2002

The following is a consolidated version of Bylaw No. 2455 being Electoral Area 'I' (Cortes Island) Zoning Bylaw, 2002 and includes the following amendment bylaws:

BYLAW No.	AMENDMENT #	ADOPTED	PURPOSE
RDCS 2647	#1	November 29, 2004	To amend Part 300, General Regulations and Part 600, Zones and to rezone the subject property from Forestry One to Forest Land Stewardship One.
RDCS 2649	#2	November 29, 2004	To amend Part 300, General Regulations and Part 600, Zones. To rezone subject properties from Forestry One to Forest Land Stewardship One and Forestry One to Residential One
RDCS 2650	#3	June 28, 2004	To rezone the subject property from Forestry One to Community Land Stewardship One.
RDCS 2653	#4	August 30, 2004	To rezone the subject property from Aquaculture One to Aquaculture Two.
RDCS 2711	#7	May 30, 2005	To rezone the subject property from Access Two to Aquaculture One.
RDCS 2745	#9	April 25, 2005	Text amendment to Part 200, Interpretation, Part 300, General Regulations and Part 600, Zones. To rezone the subject properties from Aquaculture One to Access One and Access One and Aquaculture One to Aquaculture Two A.
RDCS 2746	#10	April 25, 2005	Text amendment to Part 200, Interpretation, Part 300, General Regulations and Part 600, Zones. To rezone the subject property from Access One to Aquaculture Two A.
RDCS 2806	#11	November 28, 2005	To rezone the subject property from Access One to Aquaculture One
RDCS 2860	#14	June 26, 2006	To rezone the subject property from Rural One to Rural Residential One.
CSRD 2983	#18	March 1, 2007	To rezone the subject property from Aquaculture One to Marine Commercial One.
CSRD 2996	#19	March 1, 2007	To rezone the subject property from Tourist Recreation Commercial Two to Rural One.

SRD 14	#20	October 30, 2008	To amend Part 502, Subdivision Standards – Lot Size Exceptions.
SRD 18	#21	November 27, 2008	To rezone the subject properties from Access One to Marine Commercial Two and from Marine Commercial Two to Access One.
SRD 49	#22	October 29, 2009	Top rezone the subject properties from Tourist Recreational Commercial One to Rural One and from Marine Commercial One to Access One.
SRD 106	#25	June 23, 2011	To amend Part 600 Zones by inserting a new zone 622.1 Aquaculture Four.
SRD 121	#26	January 19, 2012	To rezone the subject property from Access One to Aquaculture Two.
SRD 86	#24	April 26, 2012	To amend Part 200 Interpretation, 401 Development Adjacent to Streams and 402 Siting of Buildings and Structures Adjacent to Streams.
SRD 164	#27	April 10, 2013	To amend the Permitted Principal Uses in Subsection 605 1 to include Public library.
SRD 171	#28	Defeated	To facilitate a marina, commercial moorage facility and relocation of an aquaculture operation (Klahoose Resort Limited Partnership)
SRD 312	#29	August 15, 2018	To allow the development of additional seniors housing at 951 Beasley Road, Manson's Landing (Cortes Seniors Society)

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

REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 2455

**A Bylaw to regulate land use and subdivision
within Electoral Area 'I' (Cortes Island) of the
Regional District of Comox-Strathcona**

The Board of the Regional District of Comox-Strathcona in open meeting assembled, enacts the following:

PART A TITLE

- 1) This Bylaw may be cited for all purposes as Bylaw No. 2455, being the "**ELECTORAL AREA 'I' (CORTES ISLAND) ZONING BYLAW, 2002**".

PART B APPLICATION

- 1) This Bylaw shall be applicable to Electoral Area 'I' (Cortes Island) of the Regional District of Comox-Strathcona.
- 2) Schedules 'A' and 'A-1' attached to this Bylaw form part of this Bylaw.

PART C ENACTMENT AND REPEAL

- 1) Bylaw No. 41, being the "Electoral Area 'I' (Cortes Island) Zoning Bylaw, 1970" and all amendments thereto, is hereby repealed.



Comox-Strathcona

Bylaw No. 2455

Electoral Area 'I' (Cortes Island) Zoning Bylaw, 2002

October 27, 2003

SCHEDULE "A"

Part of Bylaw No. 2455 being the "Electoral
Area 'I' (Cortes Island) Zoning Bylaw, 2002"

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INTRODUCTION

It is the intention of the Cortes Island Zoning Bylaw to reflect in simple day-to-day rules, the character of the Cortes Official Community Plan, 1995 and in so doing, provide for a fair, spacious and comfortable life in a rural environment. To be successful in this task it is necessary to marry the internal logic of Cortes – the people, community and environment - with that of the Regional District, the British Columbia Legislative Assembly, and the national fabric. Adoption of the Cortes Island Zoning Bylaw, 2002 will reconcile a twenty-five year gap between the previous zoning bylaw and the current OCP.

Central to any successful regulatory framework for Cortes is an understanding of relationships: the relationship between neighbours, between co-workers, between family members, and most critically, between Islanders and the natural environment that they operate within. Cortes is ever more connected to lands beyond; it is a community within a community. Land use regulations must reflect this reality, providing assurances for the continuance of the rural lifestyle desired by Islanders while at the same time allowing for the successful arrival of new inhabitants and visitors in a consistent and equitable manner.

Cortes is an island of spontaneity and natural organization. Land use policy must logically follow suit. The Cortes Zoning Bylaw 2002 is a relatively non-regulatory document, one that is consistent with strong property values and personal expression while remaining legally and procedurally defensible. This approach to local regulation assumes that the community is socio-economically self-aware and internally regulating. Central to this approach is the notion of responsibility: in establishing a simple, less regulatory zoning bylaw, residents of Cortes choose to bear responsibility for the challenges that more rigorous regulations are designed to mitigate.

The objectives of the Cortes Official Community Plan, 1995 include protection of the natural environment, maintenance of the rural character of the Island, and a balance between regulations and lifestyle. Regulation is intended to support the health, safety and welfare of Island residents, while allowing for a broad range of activities on private properties. The Cortes Island Zoning Bylaw 2000 provides a greater range of economic activities on residential properties than in the previous bylaw and a greater flexibility with regard to density of dwellings and subdivision options.

The zoning bylaw process for Electoral Area '1' has been both extensive and unique in character in comparison to its fellow electoral areas. From a master bylaw template, the bylaw was reviewed through the Advisory Planning Commission, a Zoning Bylaw Committee made up of a cross-section of Islanders and, of course, due public process. The result is a document that attempts to honour the OCP and the unique character of Cortes Island but that also can function effectively within the Regional District of Comox-Strathcona.

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PART 100

ADMINISTRATION

101 Application

- 1) The areas described in Part 101, "Application", are hereby divided into zones contained in this bylaw. The extent of each zone is shown on Schedule A-1 (refer to attached map) which is attached to and forms part of this bylaw.
- 2) Where a zone boundary is designated as following a road allowance or watercourse, the centre line of such road allowance or watercourse shall be the zone boundary.
- 3) 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 schedules referred to in Section 101(1).
- 4) Where a lot is divided by a zone boundary, the areas created by such division shall be deemed to be separate lot areas for the purpose of determining the requirements of this bylaw.
- 5) Where a zone boundary has frontage on the sea, such zoning discontinues at the natural boundary and the foreshore zone for the adjacent area commences.
- 6) Where two or more regulations within this bylaw conflict, the more restrictive regulation shall apply.

102 Permitted Uses

- 1) Any use not expressly permitted in this bylaw is prohibited in every zone and where a particular use is expressly permitted in one zone, such use is prohibited in every zone where it is not also expressly permitted.
- 2) Existing lots below the minimum lot area and frontage for subdivision may be used for the permitted uses as specified in the site-specific zone, subject to compliance with other provisions identified in this bylaw.
- 3) Any forestry management activity relating to the production and harvesting of timber on any land that is classified as tree farm pursuant to the Assessment Act, or any land within a license area under the Forest Act, shall not be restricted by any terms or conditions of the bylaw so long as the land continues only to be used for that purpose.
- 4) Lots in the Agricultural Land Reserve (ALR) are subject to the Agricultural Land Reserve Act and orders of the Land Reserve Commission. Approval from the Land Reserve Commission may be required to use or subdivide ALR parcels as permitted in this bylaw.
- 5) Lots in the Forest Land Reserve (FLR) are subject to the Forest Land Reserve Act and orders of the Land Reserve Commission. Approval from the Land Reserve Commission may be required to use or subdivide FLR parcels as permitted in this bylaw.
- 6) The permitted uses in any zone may be subject to the approval of federal and provincial agencies as required.

103 Subdivision

- 1) No land shall be subdivided in contravention of this bylaw.

104 Enforcement

- 1) The Administration Officer, General Manager–Community Planning Services, Supervisor–Land Use Planning, Supervisor–Environmental Planning & Parks, Planner, Planning Technician, Manager–Corporate Administration, and the Administration Officer are hereby appointed by the Regional Board pursuant to Sections 794(5) and 268 of the Local Government Act to administer this bylaw.
- 2) Persons referred to under Subsection (1) may enter at all times reasonable to the Regional District and the owners/occupiers onto any property that is subject to this bylaw to ascertain whether the requirements of the bylaw are being met or the regulations are being observed.

105 Violation

- 1) A person who is an owner or occupier of land commits an offense under this bylaw if the person does any of the following:
 - a) uses land or a building or structure other than for a purpose specified for the zone in which the land, building or structure is located;
 - b) constructs, reconstructs, alters, moves, or extends a building or structure so that the building or structure contravenes the provisions of this bylaw;
 - c) constructs or places on a parcel buildings or structures which exceed the density permitted by the zone in which the parcel is located;
 - d) causes or permits any act or thing to be done in contravention of any provision of this bylaw;
 - e) fails to comply with an order, direction or notice given under this bylaw or prevents or obstructs a person authorized under Section 104(1) from entering onto the property.
- 2) Nothing in this bylaw shall exempt any person from complying with the applicable requirements of any other bylaws of the Regional District, or any enactment of the federal or provincial government.

106 Penalty

- 1) Any person who violates the provisions of this bylaw commits an offense and is liable on conviction to a fine not exceeding \$2,000.00 and not less than \$200.00.
- 2) Each day during which such violation is continued may be deemed to constitute a new and separate offense.
- 3) Upon conviction, the presiding authority may direct that no prosecution under Subsection (2) may be made, with respect to the continuance of the violation, for such period of time as they direct.

107 Appeals, Amendments and Permits

- 1) Exemptions, variances, permits and amendments may be approved pursuant to this bylaw or to "Bylaw Amendment, Permit Procedures and Fees Bylaw, 1997", and amendments thereto, being Bylaw No. 1931 of the Regional District.

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PART 200

INTERPRETATION

The following definitions shall be used to interpret the regulations of this bylaw.

ACCESSORY BUILDING	see "BUILDING, Accessory".
ACCESSORY TO	means customarily incidental to a permitted use of land, a building or structure permitted on the same lot.
AGRICULTURAL LAND RESERVE	means a reserve of land established under the <u>Agricultural Land Reserve Act</u> .
AGRICULTURAL PRODUCTS	means commodities or goods derived from the cultivation and husbandry of land, plants, and animals.
AGRICULTURAL USE	means the growing, rearing, producing, harvesting and processing of agricultural products, including livestock, and can also include the marketing of products grown, reared, produced, harvested or processed on the farm and the storage and repair of implements and machinery used for farming purposes.
ANIMAL HOSPITAL	means the use of land, buildings or structures for medical and surgical treatment of animals including the housing, grooming and incidental care and boarding of the treated animals or the selling of animal medicines.
ANIMAL KENNEL	means any structure or premise in which animals are kept, boarded, bred or trained for commercial gain.
APPLICANT	means the owner of the property, or an agent of the owner, who has made an application under Bylaw No. 1931, and amendments thereto, being the "Bylaw Amendment, Permit Procedure and Fee Bylaw, 1997" of the Regional District.
APPROVAL	means approval in writing from the authority having jurisdiction.
APPROVING OFFICER	means approving officer designated as such pursuant to the <u>Land Title Act</u> or the <u>Strata Property Act</u> and or other such regulations or legislation as may from time to time be adopted by the provincial government.
AQUACULTURE, ACTIVE	means an aquaculture activity on the sea or foreshore where any or all of the following are used: <ul style="list-style-type: none">• Active feeding including the introduction of natural or man-made feeds;• The administration and introduction of toxicants, hormones, antibiotics, or pigments;• The use of generators;• The use of pens, net cages, or floats for net cages.
AQUACULTURE, DEEPWATER SHELLFISH	means the growing and harvesting of shellfish or marine plants in the water, attached to artificial supports or on the bottom of the sea, from the natural low watermark on the foreshore into deeper water.

AQUACULTURE, PASSIVE	means the controlled rearing, cultivation and harvesting of molluscs, crustaceans or marine plants in a specific location on the sea or foreshore where there is no administration of feed or chemical products.
AUTO COURT	means a building on lands used and operated commercially for gain to provide temporary accommodation to the travelling public, but shall not include campsites or campgrounds, and excludes the use or the occupancy of units for permanent residential use. See also "HOSTEL, HOTEL, INN, LODGE, MOTEL, RESORT, and TOURIST ACCOMMODATION".
AUTOMOBILE BODY SHOP	means a premise used or intended to be used for the repair and replacement of body parts, and painting of automobiles.
AUTOMOBILE SERVICE STATION	means a premise used or intended to be used for the selling and dispensing of vehicular fuels or automotive parts and accessories, as well as the washing or servicing and repair of vehicles excluding body repairs.
AUTOMOBILE WRECKING YARD	means a place where 3 or more derelict vehicles are stored, kept, disassembled or repaired and where parts from derelict vehicles may be salvaged, purchased, or reused.
BED AND BREAKFAST	means the use of a dwelling unit to provide temporary accommodation for the travelling public as specifically permitted in Section 304 (1) only.
BUFFER	means an area within a lot, generally adjacent to and parallel with a property line, consisting of either existing vegetation or created by use of trees, shrubs, berms and fencing, and designed to effectively screen views from adjacent lots or public roads.
BUILDING	means a structure used or intended for supporting or sheltering any use or occupancy.
BUILDING, ACCESSORY	means a building or structure, the use of which is ancillary to the principal permitted use of the lands, buildings or structures located on the same parcel, but specifically excludes farm buildings where agricultural use is a permitted principal use.
BUILDING, FARM	means a building or part thereof which is associated with and located on land which agricultural use is permitted and used primarily for the housing of equipment or livestock, or the production, storage, processing, marketing and selling of agricultural and horticultural produce or feeds where such retail sales comply with the Agricultural Land Commission regulations for retail farm sales for lands within the Agricultural Land Reserve.
BUILDING, PRINCIPAL	means the buildings and structures on a parcel which reflect the principal permitted uses of that parcel.
BULK STORAGE	means the storage of chemicals, petroleum products, and other materials in above-ground or below-ground containers, or buildings for subsequent resale to distributors, retail dealers or outlets.

CAMPGROUND	means a parcel of land occupied and maintained for temporary accommodation of the travelling public in tents, trailers or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler.
CAMPSITE	means a parcel of land, or portion of a parcel, occupied and maintained for temporary accommodation of the travelling public in tents.
COMMERCIAL	means any activity in which goods or services are exchanged for monetary gain.
COMMON FACILITY	means buildings, structures, equipment, recreational facilities or other physical improvements provided as an amenity for the common use and benefit of the residents, or guests, in a particular development and can exclude public use.
COMMUNITY CARE FACILITY	means a facility that is licensed or is under permit by the Provincial Government pursuant to the <u>Community Care Facilities Act</u> .
COMMUNITY HEALTH FACILITY	Includes buildings specifically designed to serve senior residents or handicapped residents, such as a seniors activity centre, as well as clinical facilities for medical treatment, i.e. a medical clinic
COMMUNITY SEWERAGE SYSTEM	means a system of waste collection, treatment and disposal serving two or more dwelling units which has been approved and permitted by the agency having jurisdiction.
COMMUNITY WATER SYSTEM	means a system for the carriage or supply of water to two or more dwelling units which has been approved or permitted by the agency having jurisdiction.
COOKING FACILITY	means a food preparation area which has a sink and an appliance for the heating or cooking of food.
CROWN LAND	means land, whether or not it is covered by water, or an interest in land, vested in the Crown, or an agent of the Crown.
DENSITY AVERAGING	means a form of subdivision which allows for the creation of parcels of varying sizes, some of which may be smaller than the specified minimum parcel size for the zone. Where density averaging is applied the total number of parcels created by subdivision may not exceed the number permitted by dividing the net area of the parent parcel by the minimum parcel size for the zone.
DEPTH	means the distance between the front lot line and the rear lot line.
DERELICT VEHICLE	means the storage, collection or accumulation of all or part of any wrecked vehicle or all or part of any motor vehicle which is not validly registered and licensed in accordance with the <u>Motor Vehicle Act</u> , RSBC 1979 and amendments thereto, and which is not housed in an enclosed building or structure.

DEVELOPMENT

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Means any of the following associated with or resulting from the local government regulation or approval of residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 26 of the *Local Government Act*.

- (a) removal, alteration, disruption or destruction of vegetation;
- (b) disturbance of soils;
- (c) construction or erection of buildings and structures;
- (d) creation of non-structural impervious or semi-impervious surfaces;
- (e) flood protection works
- (f) construction of roads, trails, docks, wharves and bridges;
- (g) provision and maintenance of sewer and water services;
- (h) development of drainage systems;
- (i) development of utility corridors;
- (j) subdivision as defined in section 872 of the *Local Government Act*.

DWELLING,
SINGLE FAMILY

means a detached building or mobile home used for residential use for one family and consisting of one dwelling unit.

DWELLING UNIT

means a self-contained unit consisting of one or more rooms designed, occupied, or intended for occupancy as a separate household for one family containing not more than one set of kitchen and cooking facilities, sleeping facilities, and/or sanitary facilities. Sanitary facilities may also include outhouse facilities where permitted by Ministry of Health or Waste Management Branch.

A second set of kitchen and cooking facilities may be permitted where required by a provincial health agency to operate a home occupation, or bed and breakfast involving food products.

FABRICATING

means assembling from parts.

FAMILY

means one or more persons related by blood, marriage, common law, adoption or foster parenthood; or not more than five unrelated persons sharing a dwelling unit.

FARM BUILDING

see "BUILDING Farm".

FENCING,
APPROPRIATE

fencing of wood, or other material that may be enhanced by vegetation, sufficient to screen materials or products, equipment or containers from public view.

FISH HATCHERY

means a use providing for the incubation, hatching or rearing of fish.

FISH HATCHERY,
COMMUNITY BASED

means a salmonid enhancement project providing for the incubation, hatching or rearing of fish, involving non-profit societies, members of the public or community groups and typically located on private lands.

FLOAT HOME	means a structure built on a floatation system, which is used for permanent residential use and is not intended for navigation, or useable as a navigable craft.
FLOOR AREA	means the space on all storeys of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits and vertical service spaces that pierce the storey.
FORESHORE	means that land in tidal areas lying between the high tide and the mean low tide.
FOREST LAND RESERVE	means land designated as forest reserve land under the <u>Forest Land Reserve Act</u> .
FORESTRY	means the science, art and practice of managing and using the natural resources that occur on and in association with forest lands including the conservation and management of sustainable forests and forest lands for the continuing use and enjoyment of their forests elements and resources guided by, but not necessarily limited to, the rules, regulations and policies of federal and provincial agencies.
FRONT LOT LINE	see "LOT LINE".
FRONT YARD	see "YARD, Front".
FRONTAGE	means the total length of all lot lines which adjoin a highway, public or common property, serving as a roadway in a strata subdivision and in the case of a water access only lot means that part of the lot fronting on the water.
GALLERY	means a room, or a series of rooms, in a building in which works of art are exhibited.
GARDEN CENTRE	means the use of land, buildings or structures for growing, displaying or selling of plants, nursery stock, Christmas trees, and gardening and horticultural accessories and supplies.
GRADE LEVEL	see "NATURAL GRADE LEVEL".
HEIGHT OF BUILDING	means the vertical distance from the average natural grade level of the building footprint to the highest part of the roof surface. See Figure 1.
HEIGHT OF STRUCTURE	means the vertical distance from the average natural grade level of a structure's footprint to the highest part of the structure.
HIGH WATER MARK	see "NATURAL BOUNDARY".
HIGHWAY	includes a public street, road, lane, bridge, viaduct, and any other way open to public use, but does not include a private right-of-way on private property.
HOME OCCUPATION	means any trade, occupation, profession or craft for economic gain or support, which is clearly incidental to the principal residential use of a parcel and which satisfies the requirements of Section 304(1) of this Bylaw.

HOSTEL	means a building providing dormitory-style temporary accommodation for the travelling public and can include common cooking facilities, but shall not include campsite or campgrounds, and excludes the use or occupancy of units for permanent residential use. See also "AUTO COURT, HOTEL, INN, LODGE, MOTEL, RESORT, and TOURIST ACCOMMODATION".
HOTEL	means a building providing temporary accommodation for the travelling public and providing associated accessory uses such as meeting rooms, restaurants, gift shops and recreational facilities, but shall not include campsites or campgrounds, and excludes the use or the occupancy of units for permanent residential use. See also "AUTO COURT, HOSTEL, INN, LODGE, MOTEL, RESORT, and TOURIST ACCOMMODATION".
INDUSTRIAL USE	means a use providing for retailing, wholesaling, processing, fabricating, warehousing, testing, assembling, service, repairs, manufacturing, distribution or maintenance of goods or materials and can include activities such as bulk storage, junkyards, sawmills, resource and gravel processing.
INN	means a building providing temporary accommodation for the travelling public with, or without, the provision of meals, but shall not include campsites or campgrounds, and excludes the use or the occupancy of units for permanent residential use. See also "AUTO COURT, HOSTEL, LODGE, MOTEL, RESORT, and TOURIST ACCOMMODATION".
JUNKYARD	a place where old articles, waste or discarded material including but not limited to rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage including 3 or more derelict vehicles per lot, are stored or kept, for private or commercial purposes, or as part of a trade or calling, including automobile wrecking yards.
LAND	includes any interest in land, which includes the surface of the water, including any right, title or estate in it of any tenure, with all buildings and houses, unless there are words to exclude building and houses, or to restrict the meaning.
LIVESTOCK	means any vertebrate animals used for agricultural purposes, which are used or the products of which are used for eventual consumption and in addition includes animals for work or that are capable of work such as horses, donkeys or mules.
LOCAL ROAD	see "HIGHWAY".

LODGE	means a building under single management, containing both rooms available for temporary accommodation to the travelling public, and providing associated accessory uses such as meeting rooms, restaurants, gift shops and recreational facilities, but shall not include campsites or campgrounds, and excludes the use or the occupancy of units for permanent residential use. See also "AUTO COURT, HOSTEL, HOTEL, INN, MOTEL, RESORT, and TOURIST ACCOMMODATION".
LOG HANDLING	means the industrial activities of log dumping, storage, sorting, booming, barging and all related industrial activities.
LOT	means any parcel, block or other area in which land is held or into which it is subdivided whether under the <u>Land Title Act</u> or the Bare Land Strata Regulations under the <u>Strata Property Act</u> , or a legally recorded lease or license of occupation issued by the Province of British Columbia.
LOT AREA	means the area of land within the boundaries of the lot.
LOT COVERAGE	means the total horizontal area of buildings and structures expressed as a percentage of the lot area. The horizontal area of buildings shall be determined by measuring to the outside of the exterior walls and for structures with no defined exterior wall measured to the drip line of the roof or in the case of decks and porches, includes the horizontal flooring area.
LOT LINE	means a line which marks the boundary of a lot as shown in Figure 2 and in particular: <ol style="list-style-type: none">a) Front Lot Line means the lot line which immediately adjoins a highway, or in the case of a strata lot can mean that lot line which immediately adjoins common property serving as roadway. Where two or more lot lines adjoin a highway, or common property serving as roadway, the shortest lot line along the highway, or common property serving as roadway, shall be deemed to be the front lot line.b) Rear Lot Line means the lot line opposite to and most distant from the front line and where the rear portion of a lot is bounded by intersecting lot lines, the point of intersection is deemed to be the rear lot line.c) Side Lot Line means a lot line other than a front or rear lot line.<ol style="list-style-type: none">1. In the case of a corner lot, the base of the sight triangle shall not be considered to be, or be part of, the front lot line.2. In the case of "water access only" lots, the lot line adjoining the natural boundary shall be considered the front lot line.
LOW IMPACT RECREATION	see "RECREATION, LOW IMPACT".

MANUFACTURING	means mechanical or chemical transformation of materials or substances into new products and can also mean processing.
MARINA	means a facility for berthing, fueling, launching, mooring, securing, servicing and storing boats, seaplanes and other vessels, and may include as accessory uses on the upland, if the upland is zoned accordingly, administrative offices, public facilities for showering and laundry, restaurants, retail and rental shops, and tourist kiosks. Marina use excludes permanent or indefinite moorage or berthing of houseboats or any other vessel occupied as a residence, or for tourist accommodation.
MEDICAL CLINIC	a diagnostic and treatment center, with office, examination and treatment space for medical practitioners and auxiliary health services, such as a dispensary for prescription drugs.
MOBILE HOME	means a transportable dwelling unit, which arrives at the site where it is to be occupied, complete and ready for occupancy except for placing on foundation supports, connections of utilities, and some incidental assembly, and conforms to the Canadian Standards Association's Z240 MH Series 96 and Z241 Series 92 standards, but specifically excludes recreational vehicles.
MOORAGE	means a place where vessels including all manner of marine vessels, amphibian aircraft, and other such craft can be anchored, tied up or otherwise secured and can include ramps, wharves or floats, and unless expressly permitted in a zone, excludes buildings such as boathouses, boat shelters, and storage and maintenance sheds. Moorage use excludes permanent or indefinite moorage or berthing of vessels occupied as a dwelling unit or as visitor accommodation.
MOORAGE, COMMERCIAL	means moorage which is used as the principal location for the operation of a business or commercial service, or where a fee is charged or collected to moor or berth, and unless expressly permitted in a zone, excludes buildings such as boathouses, boat shelters, and storage and maintenance sheds. Commercial moorage use excludes permanent or indefinite moorage or berthing of houseboats or any other vessel occupied as a dwelling unit or as visitor accommodation.
MOORAGE, INDUSTRIAL	means moorage which is used as the principal location for the operation of an industrial business or service and unless expressly permitted in a zone, excludes buildings such as boathouses, boat shelters, and storage and maintenance sheds.. Industrial moorage use excludes permanent or indefinite moorage or berthing of houseboats or any other vessel occupied as a dwelling unit or as visitor accommodation.

MOORAGE, PRIVATE	means non-commercial moorage associated with the private use of an adjacent upland parcel and unless expressly permitted in a zone, excludes buildings such as boathouses, boat shelters, storage and maintenance sheds. Private moorage use excludes permanent or indefinite moorage or berthing of houseboats or any other vessel occupied as a dwelling unit or as visitor accommodation.
MOORAGE, PUBLIC	means non-commercial moorage for use by the general public and unless expressly permitted in a zone, excludes buildings such as boathouses, boat shelters, storage and maintenance sheds. Public moorage use excludes permanent or indefinite moorage or berthing of houseboats or any other vessel occupied as a dwelling unit or as visitor accommodation.
MOTEL	means a building on lands used and operated commercially for gain to provide temporary accommodation to the travelling public and may include associated accessory uses such as meeting rooms, restaurants, gift shops and recreational facilities, but shall not include campsites or campgrounds, and excludes the use or the occupancy of units for permanent residential use. See also "AUTO COURT, HOSTEL, HOTEL, INN, LODGE, RESORT, and TOURIST ACCOMMODATION".
NATURAL BOUNDARY	means the visible high watermark 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 upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks, in vegetation, as well as in the nature of the soil and also includes the edge of dormant side channels of any lake, river, stream, or other body of water.
NATURAL GRADE LEVEL	means the average level of the natural ground elevation adjoining each exterior wall of a building.
NATURAL GROUND ELEVATION	means the undisturbed ground elevation prior to site preparation. Site preparation includes the placement of fill and excavation activities.
NON-CONFORMING SITING OR USE	means any siting or use which does not conform with all the regulations of this bylaw or any amendments thereto, for the zoning designation in which such building or use is located.
OUTDOOR STORAGE	the keeping, in an unroofed area or a roofed area with unenclosed sides, of any goods, material, merchandise or vehicles associated with a permitted use.
PANHANDLE LOT	means a lot serviced or accessed by a panhandle which extends along a side of an adjoining lot, as illustrated in Figure 2.
PANHANDLE	means a strip of land not less than 6.0 metres (19.69 feet) in width and not exceeding 20.0 metres (65.62 feet) in width which provides the access and highway frontage to a parcel, and which forms part of that parcel as illustrated in Figure 2.

PARCEL	see "LOT".
PARCEL AREA	see "LOT AREA".
PARK	means any area of land or water which is officially designated, or recognized, as an ecological reserve, conservation area, or as an area intended to be used by the public for recreational purposes, all of which are administered by a government agency.
PARKING SPACE	means an open area of land used for the parking of one vehicle but does not include streets or driveways or areas providing access to a parking space.
PERMANENT	refers to length of stay in any accommodation exceeding 6 months per person for any 12 month period.
PERMITTED ACCESSORY USE	means a use that is ancillary to the permitted principal use of the land, building or structure located on the same parcel, or on a parcel contiguous to a parcel on which the principal use is situated when both parcels are owned by the same person and both parcels have the same zoning.
PERMITTED PRINCIPAL USE	means the principal permitted purpose for which land, buildings or structures may be used.
POTABLE WATER	means water which is approved for drinking purposes by the agency having jurisdiction.
PRINCIPAL BUILDING	see "BUILDING, Principal".
PRINCIPAL USE	means the main purpose for which a lot, principal building or structure is used.
PRIVATE	means a use, structure, or facility that is available to a particular person or organization and is not available to the general public for public or commercial use.
PUBLIC	means a use, structure, or facility that is available for the use and benefit of all people but is not offered for commercial gain.
PUBLIC ASSEMBLY USE	means the use of land, buildings or structures for religious institutions, cemeteries, clubs, hospitals, health care and emergency services, community care facilities, libraries, government offices, daycare centres, schools, museums, community halls, auditoriums, and public recreation facilities.
PUBLIC ROAD RIGHT-OF-WAY	see "HIGHWAY".
QUALIFIED ENVIRONMENT PROFESSIONAL	means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if: <ol style="list-style-type: none">(a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,

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- (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise.
- REAR LOT LINE see "LOT LINE, Rear Lot Line".
- REAR YARD see "YARD, REAR".
- RECREATION FACILITIES means a facility used and equipped for the conduct of sports, leisure and entertainment activities which may include instructional courses, equipment rentals, showers and storage but specifically excludes golf courses.
- RECREATION LOW IMPACT means activities of sport or leisure such as camping, hiking, hunting, fishing, canoeing, kayaking and windsurfing, which do not require the construction of buildings or structures or use of powered watercraft or motorized vehicles and which cause minimal impact to the natural environment.
- RECREATION VEHICLE means any structure, trailer, or vehicle used or designed to be used for temporary living or sleeping purposes and which is designed or intended to be mobile on land, whether or not self-propelled, but specifically excludes mobile homes and park model trailers.
- REGIONAL DISTRICT means the Regional District of Comox-Strathcona and shall also include the Regional Board as the governing and executive body.
- RESIDENTIAL USE means the occupancy and use of a dwelling unit.
- RESORT means a commercially operated facility providing temporary accommodation for transient guests where the primary attraction is generally recreational feature(s) or activities and accommodation is in a lodge, separate units or a combination of both. Resort use can include associated accessory uses such as meeting rooms, restaurants, gift shops and recreational facilities, but shall not include campsites or campgrounds and excludes the use or the occupancy of units for permanent residential use. See also "AUTO COURT, HOSTEL, HOTEL, INN, LODGE, MOTEL, and TOURIST ACCOMMODATION".
- RESOURCE PROCESSING means the use of land, buildings and structures for the storage, processing, retailing and wholesaling of forest and marine resources such as trees, salal, mushrooms, molluscs, crustaceans, marine plants and organisms. Resource processing can include wood and seafood processing, but specifically excludes gravel processing.
- RESTAURANT means an eating establishment or take-out facility providing for the sale of prepared foods and beverages but specifically excludes neighbourhood pubs.

RETAIL	means the sale of goods to the general public and the accessory maintenance and repair of goods sold, but specifically excludes gasoline service stations and the sale of fuel.
RIGHT-OF-WAY	means a legal right of passage over another's land for a variety of reasons. Rights-of-way may be registered as a charge against a title so as to run with the land.
RIPARIAN AREA	means a Streamside Protection and Enhancement Area (SPEA).
RIPARIAN ASSESSMENT AREA	means: (a) for a stream, the 30.0 metre strip on both sides of the stream, measured from the high water mark, (b) for a ravine less than 60.0 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30.0 metres beyond the top of the ravine bank, and (c) for a ravine 60.0 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10.0 metres beyond the top of the ravine bank.
ROAD ALLOWANCE	means lands dedicated for use as highways, roads, streets, lanes, squares, thoroughfares and any other public way. See "HIGHWAY".
ROADWAY	see "ROAD ALLOWANCE" and "HIGHWAY".
SAWMILL	means a permanent facility in which logs are sawn into dimensional sizes. Unless expressly prohibited elsewhere in this bylaw, a sawmill may include a planer mill and other equipment normally associated with the production of finished lumber products including a wood drying kiln as accessory uses.
SAWMILL PORTABLE	means a wood sawing equipment mounted on tires and designed to be pulled or towed from site to site.
SCREENED OR SCREENING	means a fence, wall, berm, compact evergreen hedge, or other densely planted vegetation of sufficient height to visually shield or obscure one abutting structure, building or lot from another. See also "BUFFER".
SEAFOOD PROCESSING	means the gutting of finfish, the shucking of molluscs or crustaceans, the freezing, salting, drying, smoking or packaging of aquatic organisms, or the mechanical or chemical transformation of any aquatic organism after it is harvested.
SECONDARY SUITE	means a separate dwelling unit located within a building which is a single real estate entity used for residential use and which contains only one other dwelling unit.

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SERVICE ESTABLISHMENT	means an establishment where professional or personal services are provided and goods, wares, merchandise, articles or things accessory to the provision of such services are sold. Without restricting the generality of this definition, service establishments may include barber shops, beauty salons, catering, dry cleaning, engineering, health care, animal care, launderette, legal offices, photographic studios, and shoe repair, but specifically excludes automobile repair.
SETBACK	means the required minimum horizontal distance measured from the respective lot line or other feature as may be identified to any building or structure or part thereof.
SEWERAGE SYSTEM, COMMUNITY	see "COMMUNITY SEWERAGE SYSTEM".
SHELLFISH	means molluscs, crustaceans, echinoderms and other aquatic invertebrates.
SHELLFISH AND MARINE PLANT HANDLING	means the growing and harvesting of shellfish or marine plants in the water, attached to artificial supports or on the bottom of the sea, from the natural low watermark on the foreshore into deeper water.
SHORELINE PROTECTION DEVICE	means breakwaters, seawalls, bulkheads, riprap, deposition of materials such as stone and concrete rubble, bluff stabilization projects, and similar measures employed to protect property from the sea and watercourses.
SIDE LOT LINE	see "LOT LINE".
SIDE YARD	see "YARD, SIDE".
SIGN	means any object, device, display, structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to an object, service, event or location by any means including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images. See Section 309 (SIGNS).
SIGN, REAL ESTATE	means a sign indicating the parcel or structure where the sign is located is for lease, rent or sale.
SIGN, THIRD PARTY	means a sign which directs attention to a business, product, service or entertainment which is conducted, sold or offered at a location other than the parcel on which the sign is located.
SILVICULTURE	means all activities related to the development and care of forests, including forestry field training and the removal of harvestable timber stocks, but does not include the processing of wood or wood products.
STORAGE, OUTDOOR	the keeping, in an unroofed area or a roofed area with unenclosed sides, of any goods, material, merchandise or vehicles associated with a permitted principal use, in the same place for more than twenty four hours.

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STRATA LOT	means a strata lot as defined by the <u>Strata Property Act</u> and amendments thereto, of the Province of British Columbia.
STREAM	includes any of the following that provides fish habitat: (a) a watercourse, whether it usually contains water or not; (b) a pond, lake, river, creek or brook; (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).
STREAMSIDE PROTECTION AND ENHANCEMENT AREA (SPEA)	means an area: (a) adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream, and (b) the size of which is determined according to this regulation on the basis of an assessment report provided by a qualified environmental professional in respect of a development proposal.
STRUCTURE	means any combination of materials that are constructed and/or erected, fixed to, supported by, or sunk into land or water and includes camping spaces, mobile home spaces, but specifically excludes retaining walls, fences, shoreline protection devices, landscaping, paving improvements and signs unless otherwise noted in this bylaw.
SUBDIVISION	means any change in existing size, shape, number or arrangement of a lot registered in the Land Title Office so as to require that a new Certificate of Indefeasible Title be issued and includes a subdivision under the <u>Strata Property Act</u> .
SUBDIVISION APPROVING AUTHORITY	means the agency or officer appointed as such under the <u>Land Title Act</u> .
TEMPORARY	refers to length of stay in any accommodation and must not exceed 6 months per person for any 12 month period.
TOURIST ACCOMMODATION	means the provision of temporary accommodation for the travelling public which may include a hostel, hotel, lodge, motel, inn, or resort, and associated accessory uses such as meeting rooms, restaurants, gift shops and recreational facilities, but shall not include campsite or campground and excludes the use or the occupancy of units for permanent residential use. See also "AUTO COURT, HOSTEL, HOTEL, INN, LODGE, MOTEL, and RESORT".
TRAVELLING PUBLIC	means any person or persons staying at a location other than their permanent home or address.

UTILITY USE	means water, sewer, fire protection, electrical, recycling and transfer station services, natural gas, ferry services, telephone transmission lines, and similar services where such use is established by government, a Crown corporation, or an individual or company regulated by a government commission. Utility use specifically excludes transmission towers.
UTILITY SERVICE BUILDING	means a building or structure providing for utility facilities for water, sewer, fire protection, electrical, recycling services, natural gas, ferry services, telephone transmission lines, and similar services.
VETERINARY CLINIC	means a business operated by a professional person licensed by, and in good standing with the B.C. Veterinary Medical Association, to perform the profession of caring for the health and welfare of animals of all species.
WAREHOUSE	means a building used for the receiving and storage of commercial, industrial or household goods and freight, or private goods and personal property.
WAREHOUSING	means terminal facilities operated for the storage of commercial, industrial, household, or private goods and freight and includes the storage of goods by a distributor or supplier who markets goods for retail sale at other locations.
WATERCOURSE	means any natural or man-made depression with well-defined banks and a bed 0.6 metres (2.0 feet) or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2.0 square kilometres (0.8 square miles) or more upstream of the point of consideration, or as required by a designated official of the appropriate provincial agency.
WATER SYSTEM, COMMUNITY	see "COMMUNITY WATER SYSTEM".
WETLAND	includes land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries and similar areas that are not part of the active floodplain of a stream.
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WHOLESALE	means establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers and includes the maintenance and repair of such goods that are sold.
WOOD PROCESSING	means the production of value added wood items such as moldings, shakes, fencing, furniture, doors, windows and other wood products.

YACHT CLUB, OUTSTATION	means the use of land, buildings and structures for the establishment of shore-based facilities for use by yacht club members and guests for recreational purposes. Buildings and structures may include a clubhouse, accommodation units and common amenities, or facilities, such as a kitchen, laundry room and showers. Use of the accommodation units shall be restricted to temporary occupancy by yacht club members and their guests and shall exclude the use or occupancy of units for permanent residential use.
YARD, FRONT	means the area from the front lot line to a line drawn parallel to the front lot line equal to the minimum required building setback from the front lot line as illustrated in Figure 2. See "SETBACK".
YARD, REAR	means the area from the rear lot line to a line drawn parallel to the rear lot line equal to the minimum required building setback from the rear lot line as illustrated in Figure 2. See "SETBACK".
YARD, SIDE	means the area from the side lot line to a line drawn parallel to the side lot line equal to the minimum required building setback from the side lot line as illustrated in Figure 2. See "SETBACK".

Figure 1 – Height of Building

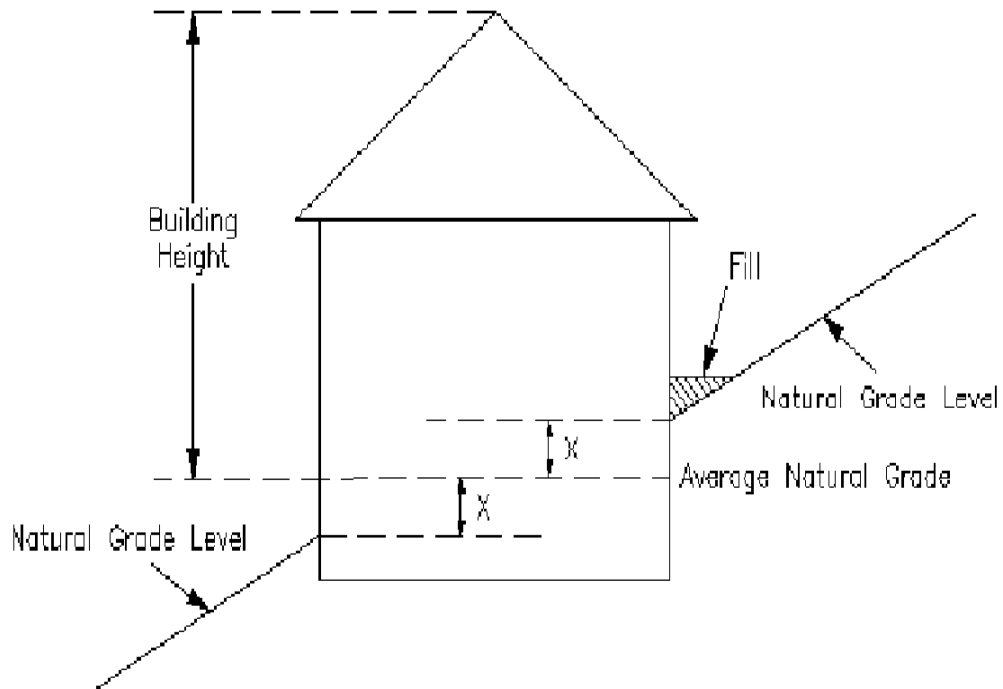
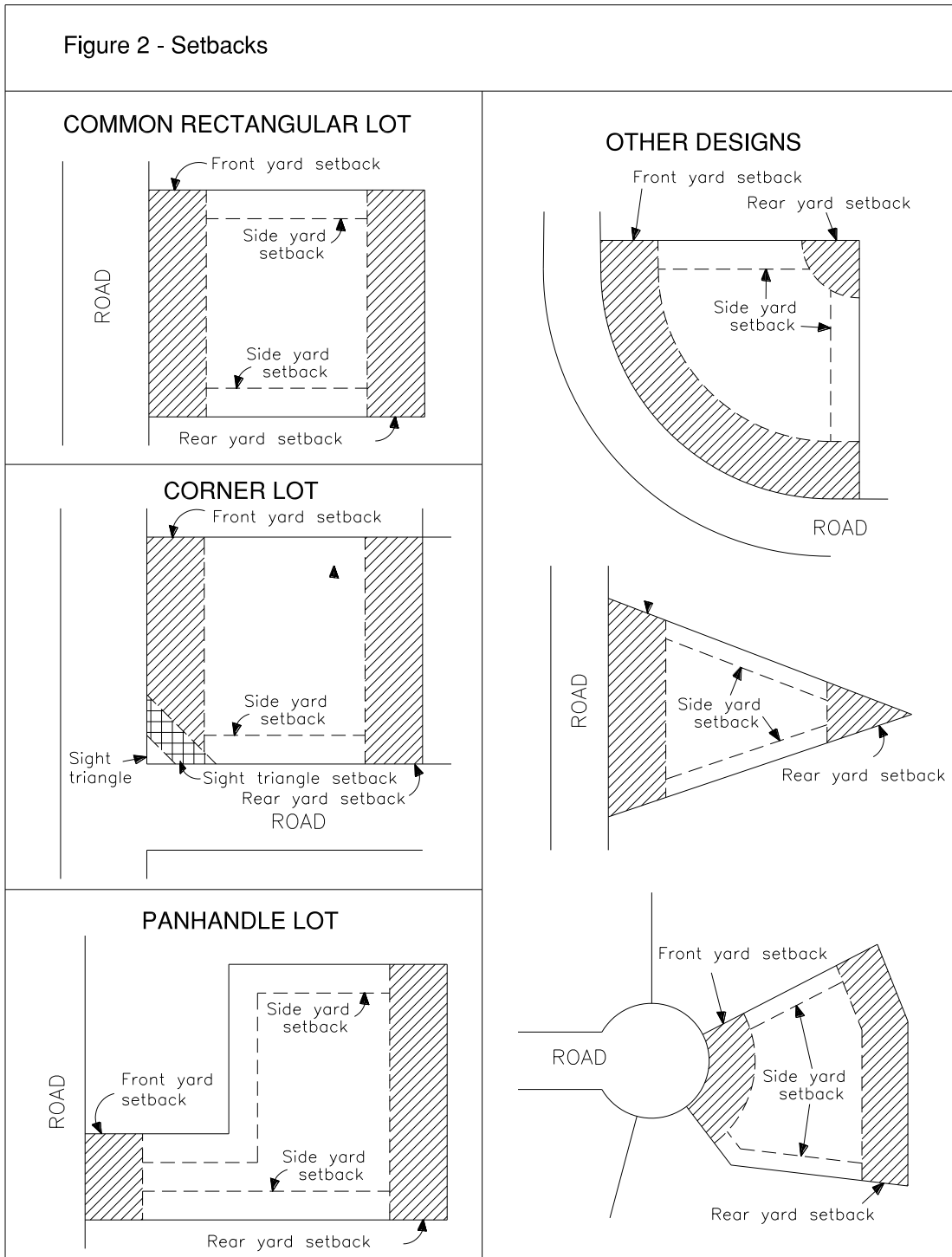


Figure 2 - Setbacks



PART 300

GENERAL REGULATIONS

301 Uses Permitted In All Upland Zones

- 1) In addition to the uses permitted in a particular zone, the following uses are permitted in all upland zones. Upland zones are considered to be those zones which extend over the surface of the land but exclude the surface of the water, unless specifically permitted elsewhere in this bylaw:
 - a) Agriculture use;
 - b) Forestry / Silviculture use;
 - c) Utility use;
 - d) Park use;
 - e) Community-based fish hatcheries;
 - f) Home Occupation use accessory to residential use.

- 2) The following zones, as outlined in Part 600 of this bylaw, are considered to be upland zones:

601	Residential One	(R-1)
602	Rural Residential One	(RR-1)
603	Rural One	(RU-1)
604	Community Land Stewardship One	(CLS-1)
604.1	Forest Land Stewardship One	(FLS-1)
605	Agriculture Land Stewardship One	(ALS-1)
606	Residential Multiple One	(RM-1)
607	Community Services One	(CS-1)
608	Firearms Range One	(FR-1)
609	Public Assembly	(PA-1)
610	Forestry One	(F-1)
611	Forestry Two	(F-2)
612	Service Commercial One	(SC-1)
613	Resource Commercial One	(RC-1)
614	Tourist Recreational Commercial One	(TRC-1)
615	Tourist Recreational Commercial One A	(TRC-1A)
616	Tourist Recreational Commercial Two	(TRC-2)
617	Tourist Recreational Commercial Three	(TRC-3)
618	Park One	(P-1)
619	Industrial One	(I-1)

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302 Uses Permitted In All Water Zones

- 1) In addition to the uses permitted in a particular zone, the following uses are permitted in all zones which extend over the surface of the water:
 - a) Utility use;
 - b) Navigational Aids;
 - c) Park use.

- 2) The following zones, as outlined in Part 600 of this bylaw, are considered to be water zones:

RDCA 2745	620	Aquaculture One	(AQ-1)
	621	Aquaculture Two	(AQ-2)
	621.1	Aquaculture Two A	(AQ-2A)
	622	Aquaculture Three	(AQ-3)
	623	Access One	(AC-1)
	624	Access Two	(AC-2)
	625	Marine Commercial One	(MC-1)
	626	Marine Commercial Two	(MC-2)
	627	Marine Industrial One	(MI-1)
	628	Recreational Moorage One	(RecM-1)
	629	Water Conservancy One	(WC-1)

303 Prohibited Uses

- a) Any use not expressly permitted in this bylaw is prohibited in every zone and where a particular use is expressly permitted in one zone, such use is prohibited in every zone where it is not expressly permitted.
- b) Without limiting the generality of 303(a) above, the following uses are specifically prohibited:
- i) The use of an accessory building or structure for human habitation;
 - ii) Mobile home parks;
 - iii) Houseboats;
 - iv) Helipads, except where accessory to a permitted police, fire fighting or ambulance facility or hospital;
 - v) The wrecking or storage of more than 3 derelict vehicles;
 - vi) Private airport;
 - vii) The disposal of toxic wastes, except where authorized by the provincial authority having jurisdiction.

304 Residential Scale Business Opportunities

The following sections outline provisions for the establishment of business opportunities accessory to a permitted residential use. For any proposed business venture that falls beyond the scope of operations described below, additional bylaw requirements apply and landowners should consult directly with Regional District staff.

1) Home Occupations

All home occupations shall be subject to the following requirements:

- a) No external indication shall exist that any lot is utilized for any purpose other than normally associated with residential use of a property except for a single sign not exceeding 1.0 square metre (10.76 square feet) in total area and located on the lot where the home occupation is operated shall be permitted. Signage shall not be internally illuminated, but may be accented by subdued, exterior lighting. (See Section 309 – Signs).

- b) Notwithstanding the above, where more than one home occupation is carried out on a lot, one additional sign only, not exceeding 1.0 square metre (10.76 square feet) in total area, shall be permitted on each lot.
- c) No use shall create any off-site parking, nor shall it become or create a nuisance to the surrounding residents or general public by reasons of unsightliness, odour emission, liquid effluent, dust, vibration, noise, electrical interference, fumes, smoke or glare.
- d) Any home occupation which is not housed within a building and which creates external noise shall be restricted to the following hours and days of operation: 9:00 a.m. to 5:00 p.m. Monday through Friday, excluding statutory holidays.
- e) External storage of materials, equipment, containers of finished products and designated work areas must be screened from public roads, adjacent parcels or the waterfront by vegetation or by appropriate fencing.
- f) More than one home occupation may operate from any lot, subject to compliance with all other conditions of this section.
- g) A maximum of 5 persons, including at least one person who resides on the lot on which the home occupation is carried out, may be employed in connection with a home occupation.
- h) Daycare operations shall be operated in accordance with the Community Care Facility Act.
- i) Any person intending to operate a home occupation shall obtain any required approvals from the Ministry of Health prior to commencing a home occupation on any lot.
- j) Motor vehicle salvage, scrap salvage, wrecking yards, bulk storage, and a planer mill are not permitted as home occupations.
- k) A permitted home occupation is a mail order business.
- l) Home occupation uses relating to sawmills (excluding planer mills), outdoor auto body services and repairs, animal clinics, kennels, and/or veterinary services, other than mobile services, shall only be permitted on lots 4.0 ha (9.88 acres), or larger, and all buildings and structures, including storage, parking and outdoor work areas shall be subject to a setback of 30 metres (98.4 feet) from all property lines.
 - i) **In addition to the above, the following requirement shall also apply to home occupations carried out on lots less than 1.0 ha (2.47 acres):**
 - a) The maximum area per lot that can be used for home occupation uses, including storage, processing or sale, shall not exceed 90 square metres (968.8 square feet). Bed and Breakfast home occupations shall be exempted from the lot area restriction. (See also (iii) (a).

- ii) **In addition to the above, the following requirements shall also apply to home occupations carried out on lots greater than 1.0 ha (2.47 acres):**
 - b) The maximum area per lot which can be used for home occupation uses, including internal and external storage, sales and work areas, shall not exceed 1% of the lot area, and in any case shall not exceed 464.5 square metres (5000 square feet). Bed and breakfast home occupations shall be exempted from the lot area restriction. See also iii) a) & b).
 - c) Work areas are not permitted in any required front, rear, or side yard setback areas.
- iii) **In addition to the above, the following requirements shall also apply to home occupations relating to bed and breakfast use:**
 - a) For a bed and breakfast home occupation, no more than 3 bedrooms per dwelling unit may be used and meals may be provided to the customers of the bed and breakfast operation only. All bedrooms used for bed and breakfast must be located in a permitted dwelling unit.

NOTE: Some home occupations may have the potential to result in a "contaminated site". Care should be taken in handling, storing and disposing of substances such as fuels and oils. Specific information can be obtained by contacting Waste Management Branch and the Fire Commissioner's Office regarding permit, storage and handling and/or approval requirements.

305 Height Exceptions

The maximum height of all buildings and structures shall be as specified in each zone except for the exemptions listed below.

- 1) Unless otherwise specified, the following shall not be subject to the height requirements of this bylaw: antennas, church spires, belfries, farm buildings including silos, utility service buildings, flagpoles, monuments, transmission towers, utility poles, warning devices, water tanks, chimneys, ventilation machinery and elevators.

306 Residential Use

A second dwelling or cottage, where permitted by this Bylaw, does not carry with it the privileges of separate ownership in fee simple and further, permission for a second dwelling is not to be construed in any way as a justification for future subdivision, or change in land use designation.

307 Portable Sawmills

Where not otherwise prohibited in this bylaw sawmills are permitted:

- 1) Where the sawmill is a portable mill designed to be towed from site to site and is used to produce lumber from trees grown on the site on which it is located.

308 Off-Street Parking

1) General Requirements

- a) For every building or structure to be erected or enlarged, sufficient off-street parking located on the subject property or a directly adjacent property within the same zone as the use and having unobstructed access to a public street shall be provided.

309 Signs

1) Permitted Locations:

- a) Unless otherwise exempted, all signs advertising a business, product or service, home occupations including bed and breakfast operations, shall be permitted on the lot where the advertised business, product or service is operated or offered, and permitted on any lot with written permission of the current owner.

2) Prohibited Signs:

- a) Roof-top, flashing, or internally illuminated signs are not permitted on any building, structure or site.

3) Exemptions:

- a) Where allowed by Ministry of Transportation, directional signage not more than 0.2 square metres (2.15 square feet) in area, may be posted at road junctions or key intersections.
- b) Public service, utility use, and community announcement signage shall be permitted in all zones.
- c) Temporary on-site real estate signs not exceeding 1.0 square metres (10.76 square feet) in area per frontage of property presented to a road, or waterfront, are permitted in all zones provided that the signs are removed within two weeks of completion of the sale of the advertised property.
- d) For every commercial or industrial zoned property, one single off-site freestanding sign, not exceeding 3.0 metres (9.84 feet) in height nor 2.97 square metres (32.0 square feet) in area, which advertises the services or products offered on the commercial or industrial zoned property may be placed on an off-site location. Prior to the placement of the off-site sign on a road right-of-way, or a private property, Ministry of Transportation approval and/or the specific property owner's approval shall be obtained.

4) Conditions of Use:

- a) Signs for residential scale business opportunities shall be subject to the conditions as outlined in Section 304 (Home Occupations).

- b) Signs for businesses on commercial and industrial zoned properties shall be subject to the following conditions:
 - i) Fascia signage shall not project beyond the roof line of any building.
 - ii) Freestanding signs shall not exceed 3.0 metres (9.84 feet) in height.
 - iii) The maximum total area of all freestanding sign faces on a parcel shall be 2.97 square metres (32.0 square feet) for each frontage of property presented to a road or to the waterfront. (See also 3) d) above).

310 Buffers and Screening

- 1) Where residential or commercial use is developed adjacent or abutting to an existing industrial operation, any buffers or screening required between the two uses shall be provided on the lot or lots where residential or commercial use is being established.
- 2) Where an industrial use is developed adjacent or abutting to an existing residential or commercial use, any buffers or screening required between the two uses shall be provided on the lot or lots where the industrial use is being established.

311 Nuisance

- 1) Nothing shall be permitted in any zone which is or can become a nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, vibration, smoke, or electrical interference, excluding agricultural uses provided the farm practice is conducted in accordance with normal farm practices as described in the Farm Practices Protection (Right to Farm) Act.

PART 400

SITING & LOT COVERAGE SPECIFICATIONS

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401 Development Adjacent to Streams

Riparian Area Regulation (RAR) Requirements

- 1) In accordance with the provincial RAR, where development, as defined by RAR, is proposed to take place within 30.0 metres of a stream connected to fish habitat, an assessment report, prepared by a qualified environmental professional (QEP) in accordance with the Riparian Areas Regulation (RAR) is required. The QEP report must be prepared by the QEP who has carried out the assessment and that:
 - i. certifies that the qualified environmental professional is qualified to carry out the assessment,
 - ii. certifies that the assessment methods have been followed, and
 - iii. provides the professional opinion of the qualified environmental professional that:
 - (a) if the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area, or
 - (b) if the streamside protection and enhancement areas identified in the report are protected from the development, and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life process in the riparian assessment area.

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402 Siting of Buildings and Structures Adjacent to Streams

1. Where the siting of buildings and structures is proposed adjacent to streams and where the Riparian Areas Regulation (RAR) applies, the siting of buildings and structures adjacent to streams shall be determined by Qualified Environmental Professional's Riparian Area Assessment Report that is filed with and acknowledged by MOE. However, notwithstanding the QEP's assessment report, this bylaw further requires that no building or structure shall be sited closer than 7.5 metres of a stream.
2. Where RAR is not applicable and where the definition of stream pursuant to RAR does not apply, no building or structure shall be sited within 7.5 metres of a water feature.
3. Notwithstanding the above, the regional district floodplain management bylaw also specifies floodplain setback requirements that may further regulate siting of buildings and structures adjacent to streams.

403 Farm Buildings

- 1) Any building used to accommodate animals (livestock), other than household pets, shall be sited no less than 50.0 metres (164.0 feet) from the boundary of any lake, sea or watercourse.

404 Siting Exceptions

Where siting exceptions are noted, or a reduction of setback is granted, which affect the placement of a building or structure adjacent to a road or watercourse, site specific approvals may be required from Ministry of Transportation and/or Ministry of Environment, Lands and Parks (Water Management Branch).

- 1) Where bay windows, chimneys, cornices, gutters, leaders, ornamental features, pilasters, service station canopies, sills, or steps project beyond the face of a building, the minimum distance to an abutting lot line for the projecting feature may be reduced by not more than 0.6 metres (2.0 feet).
- 2) Where eaves and sunlight controls project beyond the face of a building, the minimum distance to an abutting lot line may be reduced for the projecting feature by not more than 50% of such distance up to a maximum of 2.0 metres (6.6 feet).
- 3) Antennas, boat ramps, docks, flagpoles, freestanding lighting poles, pools, retaining walls less than 2.0 metres (6.6 feet) in height, signs, shoreline protection devices, utility poles, warning devices, wharves and wires, and accessory buildings less than 4.0 square metres (43.1 square feet) in size and less than 3.7 metres (12.1 feet) in height may be sited on any portion of a lot.
- 4) Where a completed foundation for a building or structure does not meet the required setback from a lot line by no more than 30 centimetres (11.8 inches), the non-conforming siting shall be considered conforming.

405 Lot Coverage Exceptions

- 1) Greenhouses used in conjunction with permitted agriculture, forestry and silviculture uses on lands located within the Forest Land Reserve or Agricultural Land Reserve shall be exempt from lot coverage requirements of the specific zone.

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PART 500

SUBDIVISION REGULATIONS

501 Administration

1) Application

- a) In addition to any fees required by the Approving Officer, each subdivision application shall be subject to an application fee payable to the Regional District upon receipt of the application, as prescribed in Bylaw No. 1931, and amendments thereto, being the "Bylaw Amendment, Permit Procedure and Fee Bylaw, 1990" of the Regional District of Comox-Strathcona.
- b) Each application for subdivision to be reviewed by the Regional District shall be accompanied by a sketch plan or plans drawn to a suitable scale, clearly showing:
 - i) the scale of each plan and the direction of north thereon;
 - ii) the arrangement of all lots (including remainders), roads, easements and rights-of-way to be created;
 - iii) approximate dimensions of all parcels (including remainders), roads, easements and rights-of-way to be created, including: the length of all property boundary lines and arcs, the width of all roads, easements and rights-of-way, and the area of all parcels (including remainders);
 - iv) the location of all wells and septic fields;
 - v) all watercourses or water frontage within or adjacent to the land to be subdivided;
 - vi) all steep banks or slopes within or adjacent to the land to be subdivided;
 - vii) the identity and relationship (distance) of all existing buildings within the land to be subdivided to any existing and proposed property lines;
 - viii) any existing property lines or roads to be extinguished; and
 - ix) the relationship of the proposed subdivision to adjacent roads, and the connections of proposed new roads thereto; and
 - x) a statement in writing as to the intended use of any parcel being created or of any remainder of the parent parcel.
- c) The Regional District shall not process any application for subdivision until all information required in Subsection (b) has been submitted.
- d) The Regional District may provide to the Approving Officer referral comments over and above specific bylaw requirements and may, in certain cases, request that the Approving Officer hold a public hearing or serve notice in writing of the proposed subdivision to any land owner or other person whose land or interest therein might, in the opinion of the Regional District, be detrimentally affected by the proposed subdivision.

502 Subdivision Standards

1) Lot Size

- a) For the purposes of this bylaw, the lot size requirements for subdivision for any zone shall be as noted in Part 600 of this bylaw.
- b) Where average lot sizes are cited, lots smaller than the minimum lot size may be created through the use of density averaging subject to the following:
 - i) The maximum number of lots which may be created by a density averaging subdivision shall be determined by dividing the area of land remaining in the parent parcel, after dedication or transfer of land for roads, parks and/or schools, by the specified lot area for the zone.
 - ii) Lot configurations and sizes must be adequate to accommodate buildings and structures to be constructed, appropriate to the permitted use on each parcel in compliance with the bylaw.
 - iii) Notwithstanding (i) above, no more than 25% of the lots created by means of this section shall be less than the minimum lot size as specified in the zone.
 - iv) The smallest lot created under this section shall be not less than 75% of the minimum lot size for the applicable zone.
 - v) An Approving Officer may permit a subdivision under this section which includes lots of less than the permitted minimum size where the owner of the land to be subdivided has first caused to be registered in the Land Title Office a covenant under Section 219 of the Land Title Act prohibiting or restricting further subdivision of any part of the land used to calculate the total area to be subdivided under subsection (i).
 - vi) Applicants for subdivision shall be encouraged to group lots together in areas away from public roads and shoreline areas in order to retain the rural character of the area.
 - vii) All lots created through the use of density averaging shall satisfy all other requirements of this bylaw.

2) Lot Size Exceptions

- a) No minimum lot size shall apply:
 - i) where lot lines are relocated or removed to facilitate an existing development or improve a subdivision pattern provided:
 - 1) no additional lots are created;
 - 2) the lots are contiguous;
 - 3) for lots not within the Agricultural Land Reserve, the lot line change is minor in nature and would involve a change in area of no more than 25% of the smaller lot involved prior to subdivision unless otherwise approved by the Manager of Community Planning Services.

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- ii) where a portion of the existing parcel is physically separated from the remainder of a parcel by a highway, but shall not include parcels zoned Forestry One (F-1), Forestry Two (F-2) and Forestry Land Stewardship One (FLS-1); or areas marked "Return to Crown" as indicated on a registered plan. In such cases, each severed parcel may become a separate lot upon approval of subdivision by Ministry of Transportation.
- b) Lot area requirements may be reduced by a maximum of 5% per lot, provided that at the decreased size all other applicable requirements of this bylaw can be satisfied.
- c) No subdivision shall be permitted which creates new severed lots except where approved by both the Regional District and the Approving Officer.

3) Frontage

Frontage is that portion of the lot that fronts on a public right-of-way.

- a) Minimum frontage requirement: the average width of any lot shall be not less than 25% of the lot's average depth.
- b) Waterfront lots (sea or lake) shall meet the 25% frontage requirement for that portion of the lot fronting on the water, and in those cases where the lot fronts a highway, the 25% frontage requirement shall also apply to that portion of the lot fronting on a highway.
- c) Notwithstanding the above, the minimum frontage requirements may be reduced by the General Manager of Community Planning Services in the following situations provided that, at the decreased size, all other applicable requirements of this bylaw can be satisfied:
 - i) where a lot features unusual terrain or configuration;
 - ii) where additional road dedication is required above and beyond the roads necessary to serve the proposed lots;
 - iii) where the required road dedication would prohibit a subdivision otherwise permitted by the specified minimum lot area; or
 - iv) where the provision of a linear parkway requested by the Regional District would leave the proposed lots below the specified minimum lot area.
- d) The creation of panhandle lots will only be considered and permitted at the discretion of the Manager – Development Services in the following situations provided that all other applicable requirements of this bylaw can be satisfied:
 - i) where a lot features unusual terrain or configuration; or
 - ii) where the proposed lots would allow for more efficient land use.

4) Strata Subdivision

- a) Where a lot is subdivided under Section 2(2) of the Bare Land Strata Regulations, a restrictive covenant in the favour of the Regional District shall be registered against all lots created from the parent lot, limiting further subdivision of these lots to a density no greater than that permitted for the parent lot by the minimum lot size of the applicable zone.

5) Subdivision to Provide Residence for a Relative

- a) No subdivision shall be permitted pursuant to Section 946 of the Local Government Act on lands outside the Agricultural Land Reserve, unless the parent lot is at least two times the minimum lot area required within the applicable zone. The minimum lot size created through the use of this section shall be the minimum lot size permitted for the zone, or as permitted through density averaging provisions.
- b) A home site severance approved by the Land Reserve Commission shall be permitted on Agricultural Land Reserve lands pursuant to Section 946 of the Local Government Act.

PART 600

ZONES

601 (See also Parts 100 - 500)

RESIDENTIAL ONE (R-1)

1) PERMITTED PRINCIPAL USE

- a) Residential.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use on a lot is limited to one single family dwelling and one secondary suite, or one single family dwelling and one cottage limited in size to 60 square metres (645.85 square feet) in total floor area.
- b) For each additional 1.0 hectare (2.47 acres) of land area on a lot (in excess of required minimum lot area), one additional dwelling shall be permitted to a maximum of three dwellings per lot (and one secondary suite or one cottage per lot).

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Residential One zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	<ul style="list-style-type: none">• 4.5 m (14.76 feet) on lots less than or equal to 1.0 ha (2.47 acres)• 7.5 m (24.6 feet) on lots greater than 1.0 ha (2.47 acres)
[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]		

5) LOT COVERAGE

- a) On lots less than or equal to 1.0 hectare (2.47 acres) the maximum lot coverage of all buildings and structures shall not exceed 20% of the total lot area.
- b) On lots greater than 1.0 hectare (2.47 acres) the maximum lot coverage of all buildings and structures shall not exceed 10% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area:

- a) When connected to community water and/or sewerage system: 8000 square metres (1.98 acre).

- b) When serviced by well and approved septic disposal system: 1.0 hectare (2.47 acre).

Average Lot Area:

The smallest lot area permitted pursuant to density-averaging zoning provisions shall be no less than 75% of the minimum lot area cited above.

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • R-1

602 (See also Parts 100 – 500)

RURAL RESIDENTIAL ONE (RR-1)

1) PERMITTED PRINCIPAL USES

- a) Residential.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to one single family dwelling and one secondary suite, or one single family dwelling and one cottage limited in size to 60 square metres (645.85 square feet) in total floor area.
- b) For each additional 2.0 hectares (4.94 acres) of land area on a lot (in excess of the required minimum lot area), one additional dwelling shall be permitted to a maximum of three dwellings per lot (and one secondary suite or one cottage per lot).

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified the setbacks and height requirements for buildings and structures within the Rural Residential One zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

The maximum lot coverage of all buildings and structures shall not exceed 5% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 2.0 hectares (4.94 acres)

Average Lot Area: The smallest lot area permitted pursuant to density-averaging zoning provisions shall be no less than 75% of the minimum lot area cited above.

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • RR-1

603 (See also Parts 100 - 500)

RURAL ONE (RU-1)

1) PERMITTED PRINCIPAL USE

- a) Residential.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) On a lot less than or equal to 4.0 hectares (9.88 acres) in size, residential use shall be limited to one single family dwelling and one secondary suite, or one single family dwelling and one cottage limited in size to 60 square metres (645.85 square feet) in total floor area.
- b) For each additional 4.0 hectares (9.88 acres) of land area on a lot (in excess of the required minimum lot area), one additional dwelling shall be permitted to a maximum of five dwellings per lot (and one secondary suite or one cottage per lot).

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Rural One zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

The maximum lot coverage of all buildings and structures shall not exceed 5% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 4.0 hectares (9.88 acres)

Average Lot Area: The smallest lot area permitted pursuant to density-averaging zoning provisions shall be no less than 75% of the minimum lot area cited above.

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • RU-1

**604 (See also Parts 100 - 500) COMMUNITY LAND STEWARDSHIP ONE
(CLS-1)**

1) PERMITTED PRINCIPAL USE

- a) Residential.

2) PERMITTED ACCESSORY USES

- a) Retail;
- b) Sawmill, including planer mills;
- c) Wood processing;
- d) Metal fabricating;
- e) Common facility;
- f) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to a maximum of 15 dwelling units per lot, subject to the lot's density not being greater than one dwelling unit per 4.0 hectares (9.88 acres) of land. In addition, one cottage limited in size to 60 square metres (645.85 square feet) in total floor area is permitted per lot.
- b) Buildings and structures associated with metal fabricating, sawmill and wood processing uses, including vehicle parking, sorting and storage areas shall not exceed a total lot coverage of 3% of the lot area and shall be sited no closer than 30.0 metres (98.4 feet) from all property lines.
- c) The retail sales area shall be limited in size to a total of 200.0 square metres (2152.8 square feet) per lot, and sited no closer than 15.0 metres (49.2 feet) from all property lines.
- d) No outdoor storage or parking areas shall be located in any required yards.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Community Land Stewardship One zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

The maximum lot coverage of all buildings and structures shall not exceed 6% of the total lot area.

6) DESIGNATION / ZONE REQUIREMENTS

The minimum lot size for the Community Land Stewardship One zone shall be 16.0 hectares (39.53 acres). On lands zoned CLS-1, a Section 219 Covenant precluding future subdivision and protecting significant natural features of the property shall be registered against the property.

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained).

END • CLS-1

604.1 (See also Parts 100-500)

**FOREST LAND STEWARDSHIP ONE
 (FLS-1)**

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 2649

1) PERMITTED PRINCIPAL USE

- a) Residential;
- b) Forestry / Silviculture;
- c) Agriculture.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures
- b) Home occupations.

3) CONDITIONS OF USE

- a) A minimum of 60% of the parent parcel proposed for subdivision shall be used for sustainable silviculture, forestry or conservation;
- b) A maximum of 40% of the parent parcel proposed for subdivision shall be used for residential;
- c) A minimum 25% of the residential use area shall be used for conservation;
- d) Residential use shall be clustered to provide maximum forest conservation area;
- e) Residential use is limited to a maximum of 25 dwelling units, subject to density not being greater than one dwelling unit per 4.0 hectares (9.88 acres) of land;
- f) The minimum lot size for residential use area shall be 1.0 hectares (2.47 acres).
- g) Accessory buildings and structures are limited to residential lots only.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Forest Land Stewardship One zone shall be set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	15.0 m (49.2 feet)

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

The maximum lot coverage of all buildings and structures shall not exceed 6% of the total residential use area.

6) DESIGNATION/ZONE REQUIREMENTS

- a) On lands zoned FLS-1, a Section 219 Covenant precluding future subdivision and protecting the sustained forestland of the property shall be registered against the property.
- b) Prior to construction of a dwelling on a property, Environmental Health approval shall be obtained.

END • FLS-1

605 (See also Parts 100 - 500)

**AGRICULTURE LAND
 STEWARDSHIP ONE (ALS-1)**

1) PERMITTED PRINCIPAL USE

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- a) Residential;
- b) Education facility;
- c) Public library; and
- d) Agriculture.

2) PERMITTED ACCESSORY USES

- a) Common facility;
- b) Retail;
- c) Low Impact Recreation;
- d) Campsites; and
- e) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to a maximum of 11 dwelling units in the ALS-1 zone.
- b) Retail use is restricted to the display and sale of products grown, harvested, reared, produced or manufactured on site, and the retail sales area shall be limited in size to a total of 200.0 square metres (2,152.8 square feet) per lot.
- c) Commercial camping, accessory to the permitted principal use of education, is limited to a maximum of 75 persons for a maximum 3 week period per year.
- d) Permitted uses on land in the Agriculture Land Reserve shall comply with the Agriculture Land Reserve Act and Land Reserve Commission policies.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Agriculture Land Stewardship One zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)
[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]		

- b) The required setback for buildings and structures from the natural boundary of any lake shall be 38 metres (125 feet).

5) LOT COVERAGE

The maximum lot coverage of all buildings and structures shall not exceed 2% of the total zone area.

6) DESIGNATION / ZONE REQUIREMENTS

The minimum lot size for the Agriculture Land Stewardship One zone shall be 130 hectares (321 acres). On lands zoned ALS-1, a Section 219 Covenant precluding future subdivision and protecting significant natural features of the property shall be registered against the property.

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained).

END • ALS-1

606

RESIDENTIAL MULTIPLE ONE (RM-1)

1) PERMITTED PRINCIPAL USE

- a) Residential.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to a maximum of 6 dwelling units per lot.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)
[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to major roads, and the natural boundaries of watercourses and the sea, respectively.]		

5) LOT COVERAGE

- a) The maximum lot coverage of all buildings and structures shall not exceed 40% of the total lot area.

6) SUBDIVISION REQUIREMENTS

The average lot area:

- a) When connected to community water and/or sewerage system: 8000 square metres (1.98 acre).
- b) When serviced by well and approved septic disposal system: 1.0 hectare (2.47 acre).

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained).

END • RM-1

607 (See also Parts 100 - 300) COMMUNITY SERVICES ONE (CS-1)

1) PERMITTED PRINCIPAL USE

- a) Seniors housing;
- b) Community health facilities.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to a maximum of ten (10) dwelling units per lot.
- b) No parking, loading or outdoor storage areas shall be located within 1.5 metres (4.92 feet) of any property line, except where the abutting lot is zoned Residential One, Rural Residential One or Rural One; in which case the setback requirement shall be increased to 4.5 metres (14.76 feet).
- c) All outdoor storage shall be screened from any abutting property.
- d) For every building or structure to be erected or enlarged, off-street parking is to be located on the subject property.

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4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Community Services One (CS-1) zone shall be as set out in the table below:

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)
[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]		

5) LOT COVERAGE

- a) The maximum lot coverage of all buildings and structures shall not exceed 40% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area:

- a) When connected to community water and/or sewerage system: 8000 square metres (1.98 acre).
- b) When serviced by well and approved septic disposal system: 1.0 hectare (2.47 acre).

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • CS-1

608 (See also Parts 100 - 500)

FIREARMS RANGE ONE (FR-1)

1) PERMITTED PRINCIPAL USE

- a) Firearms range, including archery range.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Firearms Range One zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	30.0 m (98.42 feet)
[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]		

4) LOT COVERAGE

The maximum lot coverage of all buildings and structures shall not exceed 1% of the total lot area.

5) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 8.0 hectares (19.77 acres)

END • FR-1

609 (SEE ALSO PARTS 100 - 500) PUBLIC ASSEMBLY ONE (PA-1)

1) PERMITTED PRINCIPAL USES

- a) Public assembly;
- b) Residential.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to a maximum of one dwelling unit per lot.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Public Assembly One zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	12.0 m (39.37 feet)	7.5 m (24.6 feet)

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

- a) The maximum lot coverage of all buildings and structures shall not exceed 40% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area:

- a) When connected to community water and/or sewerage system: 8000 square metres (1.98 acres).
- a) When serviced by well and approved septic disposal system: 1.0 hectare (2.47 acres).

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • PA-1

610 (See also Parts 100 - 500)

FORESTRY ONE (F-1)

1) PERMITTED PRINCIPAL USES

- a) Forestry / Silviculture;
- b) Log handling and storage;
- c) Residential.

On any lot 10 hectares (24.7 acres) or larger:

- a) Sawmill.

2) PERMITTED ACCESSORY USES

- a) Wood processing accessory to forestry, silviculture and/or sawmill use.
- b) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to a maximum of two dwelling units per lot.
- b) Wood processing and sawmill use, including loading and storage areas, are subject to the following conditions:
 - i) A minimum setback of 30.0 metres (98.4 feet) from all lot lines.
 - ii) The total combined lot coverage for all buildings and structures associated with sawmill and wood processing activities shall not exceed 1000.0 square metres (10,764.3 square feet) per lot.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Forestry One zone shall be as set out in the table below:

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

- a) The maximum lot coverage of all buildings and structures shall not exceed 1% of the total lot area and shall not exceed a maximum of 1000.0 square metres (10,764.3 square feet) per lot.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 40.0 hectares (98.84 acres)

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • F-1

611 (See also Parts 100 - 500)

FORESTRY TWO (F-2)

1) PERMITTED PRINCIPAL USES

- a) Forestry / Silviculture;
- b) Log handling and storage;
- c) Residential.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to a maximum of two dwelling units per lot.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Forestry One zone shall be as set out in the table below:

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)
[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]		

5) LOT COVERAGE

- b) The maximum lot coverage of all buildings and structures shall not exceed 1% of the total lot area and shall not exceed a maximum of 1000.0 square metres (10,764.3 square feet) per lot.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 40.0 hectares (98.84 acres)

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • F-2

612 (See also Parts 100 - 300) SERVICE COMMERCIAL ONE (SC-1)

1) PERMITTED PRINCIPAL USES

- a) Service establishment;
- b) Retail and wholesale establishment;
- c) Business and professional office;
- d) Automobile service station;
- e) Restaurant;
- f) Marina;
- g) Residential;
- h) Public Assembly;
- i) Hotel/Motel.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to one single family dwelling and secondary suite, or one single family dwelling and one cottage limited in size to 60.0 square metres (645.85 square feet).
- b) No parking, loading or outdoor storage areas shall be located within 1.5 metres (4.92 feet) of any property line, except where the abutting lot is zoned Residential One, Rural Residential One, or Rural One, in which case the setback requirement shall be increased to 4.5 metres (14.76 feet).
- c) All outdoor storage shall be screened from any abutting property.
- d) Fuel service pumps or pump islands shall be located a minimum of 7.5 metres (24.6 feet) from any property line.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Service Commercial One zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	<ul style="list-style-type: none">• 7.5 m (24.6 feet) when adjacent to a R-1 zoned property• 4.5 m (14.76 feet) in all other cases

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

- a) For any lot area of less than or equal to 4000 square metres (0.99 acres), the maximum coverage of all buildings and structures shall not exceed 50% of the area involved; and

- b) For any portion of a lot in excess of 4,000 square metres (0.99 acres), the maximum coverage of all buildings and structures shall not exceed 30% of the area involved.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area:

- a) When connected to community water and/or sewerage system: 8000 square metres (1.98 acres).
- b) When serviced by well and approved septic disposal system: 1.0 hectare (2.47 acres).

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • SC-1

613 (See also Parts 100 - 500)

**RESOURCE COMMERCIAL ONE
(RC-1)**

1) PERMITTED PRINCIPAL USES

- a) Resource Processing;
- b) Business and professional offices;
- c) Warehousing and wholesale establishments;
- d) Residential Use.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures;
- b) Retail.

3) CONDITIONS OF USE

- a) Residential use is limited to one single family dwelling and secondary suite, or one single family dwelling and one cottage limited in size to 60 square metres (645.85 square feet).
- b) No parking, loading or outdoor storage areas shall be located within 7.5 metres of any property line.
- c) All outdoor storage shall be screened from any abutting property.
- d) The minimum site area requirement for resource processing uses, including storage and supply areas, not fully housed within an enclosed structure, shall be 4.0 ha (9.88 acres).

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Resource Commercial One zone shall be as set out in the table below:

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	<ul style="list-style-type: none">• 7.5 m (24.6 feet) for residential use• 15.0 m (49.21 feet) for all other uses

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

- a) For any lot area of less than or equal to 4000 square metres (0.99 acres) a maximum lot coverage of 50% shall apply; and
- b) For any portion of a lot in excess of 4000 square metres (0.99 acres) a maximum lot coverage of 15% lot coverage shall apply.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 4.0 hectares (9.88 acres).

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate Environmental Health approval shall be obtained.)

END • RC-1

614 (See also Parts 100 - 500)

**TOURIST RECREATIONAL
COMMERCIAL ONE (TRC-1)**

1) PERMITTED PRINCIPAL USES

- a) Tourist accommodation, limited to resort and lodge;
- b) Campground;
- c) Restaurant;
- d) Residential.

2) PERMITTED ACCESSORY USES

- a) Retail sales;
- b) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to one single family dwelling and secondary suite, or one single family dwelling and one cottage limited in size to 60 square metres (645.85 square feet) per lot.
- b) On lots less than or equal to 2.0 hectares (4.94 acres), tourist accommodation use shall not exceed 12 **single bedroom** units and/or camping spaces in combined total; and for each additional hectare of land 6 additional single bedroom units and/or camping spaces in combined total shall be permitted to a maximum of 24 **single bedroom** units and/or camping spaces in combined total on any lot.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Tourist Recreational Commercial One zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

- a) The maximum lot coverage of all buildings and structure shall not exceed 30% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 2.0 hectares (4.94 acres).

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • TRC - 1

615 (See also Parts 100 - 500)

**TOURIST RECREATIONAL
COMMERCIAL ONE (TRC-1A)**

1) PERMITTED PRINCIPAL USES

- a) Tourist accommodation;
- b) Campground;
- c) Residential.

2) PERMITTED ACCESSORY USES

- a) Residential use is limited to one single family dwelling and secondary suite, or one single family dwelling and one cottage limited in size to 60 square metres (645.85 square feet) per lot;
- b) Common facility building accessory to campground and tourist accommodation uses only;
- c) Retail sales accessory to campground and tourist accommodation uses only;
- d) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Tourist accommodation and campground uses shall not exceed a maximum of 6 accommodation units and/or camping spaces in combined total.
- b) Tourist accommodation units shall not exceed 10 square metres (107.6 square feet) in size per individual unit and shall provide shelter and sleeping accommodation only. Individual units shall not contain cooking, or washroom facilities.
- c) All required cooking, washroom and retail facilities associated with the campground and tourist accommodation uses shall be housed in one common facility building limited to a structure no greater than 186 square metres (2002.2 square feet) in size.
- d) All accommodation units, camping spaces and common facility building shall be subject to a 15.0 metre (49.2 feet) setback from all property lines.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Tourist Recreational Commercial One A zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

- a) The maximum lot coverage of all buildings and structures shall not exceed 20% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 2.0 hectares (4.94 acres).

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental approval shall be obtained.)

END • TRC-1A

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616 (See also Parts 100 - 500)

**TOURIST RECREATIONAL
COMMERCIAL TWO (TRC-2)**

1) PERMITTED PRINCIPAL USES

ON ANY LOT

- a) Tourist accommodation, limited to motel, hotel, and autocourt;
- b) Campground;
- c) Restaurant;
- d) Marina;
- e) Yacht Club Outstation;
- f) Residential.

ON THE FOLLOWING PARCEL:

Lot 2, Plan 29368, Section 21, Sayward Land District, PID 000-011-291

- i) Fuel sales

2) PERMITTED ACCESSORY USES

- a) Retail sales accessory to the permitted principal uses of tourist accommodation; limited to motel, hotel, and autocourt; campground; restaurant and marina listed above.
- b) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to one single family dwelling and secondary suite, or one single family dwelling and one cottage limited in size to 60 square metres (645.85 square feet) per lot.
- b) Hotel use shall be limited to one building only.
- c) Motel use shall be limited to one building only.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Tourist Recreational Commercial Two zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)
[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]		

5) LOT COVERAGE

- a) The maximum lot coverage of all buildings and structures shall not exceed 30% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 2.0 hectares (4.94 acres).

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • TRC-2

617 (See also Parts 100 - 500)

**TOURIST RECREATIONAL
COMMERCIAL THREE (TRC-3)**

1) PERMITTED PRINCIPAL USES

- a) Tourist accommodation;
- b) Restaurant;
- c) Residential.

2) PERMITTED ACCESSORY USES

- a) Retail sales related to the permitted principal use of tourist accommodation;
- b) Campsite accessory to the permitted principal use of tourist accommodation;
- c) Gallery;
- d) Office;
- e) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to one single family dwelling and secondary suite, or one single family dwelling and one cottage limited in size to 60 square metres (645.85 square feet) per lot.
- b) Tourist accommodation use and campsite use shall be limited to a total overnight occupant load, including guests and staff, not to exceed 120 persons in combined total per lot.
- c) Campsite use shall be limited to a total of 20 camping spaces per lot.
- d) Campsite use shall be subject to a minimum setback of 15.0 metres (49.5 feet) from all lot lines.

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Tourist Recreational Commercial Three zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)
[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]		

5) LOT COVERAGE

- a) The maximum lot coverage of all buildings and structures shall not exceed 15% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 8.0 hectares (19.77 acres).

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • TRC-3

618 (See also Parts 100 - 500)

PARK ONE (P-1)

1) PERMITTED PRINCIPAL USES

- a) Park;
- b) Public Utilities.

2) PERMITTED ACCESSORY USES

- a) Residential;
- b) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to a maximum of one dwelling unit per lot.

5) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Park zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	7.5 m (24.6 feet)
[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997" ,may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]		

5) LOT COVERAGE

- a) The maximum lot coverage of all buildings and structures shall not exceed 1% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: No minimum lot area shall apply.

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • P-1

619 (See also Parts 100 - 500)

INDUSTRIAL ONE (I-1)

1) PERMITTED PRINCIPAL USES

- a) Industrial use;
- b) Business & professional offices;
- c) Residential use.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) CONDITIONS OF USE

- a) Residential use is limited to a maximum of two dwelling units per lot.
- b) No parking, loading or outdoor storage areas shall be located within 7.5 metres of any property line.
- c) All outdoor storage shall be screened from any abutting property.
- d) The minimum site area requirements for sawmill, gravel processing, dryland log dump and sort, junk yards, including auto wrecking uses shall be 4.0 hectares (9.88 acres) and these uses shall be subject to a 30 metre (98.4 feet) setback requirement from all property lines.
- e) The minimum site area requirement for resource processing uses, including storage and supply areas, not fully housed within an enclosed structure, shall be 4.0 hectare (9.88 acres).

4) SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified, the setbacks and height requirements for buildings and structures within the Industrial One zone shall be as set out in the table below.

Type of Structure	Maximum Height	Required Setback From All Property Lines
Principal & Accessory	10.0 m (32.8 feet)	<ul style="list-style-type: none">• 7.5 m (24.6 feet) for residential uses• 15.0 m (49.21 feet) for all other uses

[Part 400, Siting Specifications, of this bylaw and Bylaw No. 1836, being the "Floodplain Management Bylaw, 1997", may affect the siting of structures adjacent to roads, and the natural boundaries of watercourses and the sea, respectively.]

5) LOT COVERAGE

The maximum lot coverage for all buildings and structures shall not exceed 40% of the total lot area.

6) SUBDIVISION REQUIREMENTS (SEE ALSO PART 500)

Minimum Lot Area: 4.0 hectares (9.88 acres).

(Note: Prior to construction of a dwelling on a property, or alteration of a dwelling to incorporate a suite, Environmental Health approval shall be obtained.)

END • I-1

620 (See also Parts 100 – 500)

AQUACULTURE ONE (AQ-1)

1) PERMITTED PRINCIPAL USE

- a) Passive aquaculture, provided that no structures are permitted on the site;
- b) Public or private moorage, excluding facilities offered for commercial gain or those associated with private yacht, boating or similar recreational clubs.

2) LOT AREA

- a) Shall be in accordance with the site license of occupation or lease issued by the jurisdiction having authority.

3) SETBACKS

- a) No yard minimum shall apply.

END • AQ-1

621 (See also Parts 100 - 500)

AQUACULTURE TWO (AQ-2)

1) PERMITTED PRINCIPAL USE

- a) Passive aquaculture;
- b) Public or private moorage, excluding facilities offered for commercial gain or those associated with private yacht, boating or similar recreational clubs.

2) PERMITTED ACCESSORY USES

- a) Sorting, grading and storage facilities for passive aquaculture but no processing is permitted.

3) CONDITIONS OF USE

- a) No structures excluding wharves shall extend more than 1.0 metres (3.28 feet) in height above the tidemark at any point in time except that one floating enclosed structure not exceeding 12.0 square metres (129.17 square feet) in floor area and not exceeding 3.5 metres (11.48 feet) in height is permitted as a structure for storage, sorting or grading.

4) LOT AREA

- a) Shall be in accordance with the site license of occupation or lease issued by the jurisdiction having authority.

5) SETBACKS

- a) No yard minimum shall apply.

END • AQ-2

621.1 (See also Parts 100 – 500) AQUACULTURE TWO A (AQ-2A)

RDCS
2745,
2746

A zone for non-powered deepwater shellfish aquaculture with no powered equipment.

1) PERMITTED PRINCIPAL USE

- a) Aquaculture, deepwater shellfish;
- b) Public or private moorage, excluding facilities offered for commercial gain or those associated with private yacht, boating or similar recreational clubs.

2) PERMITTED ACCESSORY USE

- a) Raft, float, dock, wharf or ramp;
- b) Shellfish and marine plant handling.

3) CONDITIONS OF USE

- a) No structures, excluding wharves, shall extend more than 1.5 metres (4.9 feet) in height above the surface of the water at any point in time;
- b) Outdoor storage shall not exceed 1.5 metres (4.9 feet) above the surface of the raft and shall not exceed 37 square metres (398.3 square feet) in total area;
- c) No seafood processing is permitted; and
- d) No power source, machinery or powered equipment is permitted.

4) LOT AREA

- a) The maximum lot area of any single portion of a tenure zoned for shellfish aquaculture shall not exceed 4.5 hectares (11.1 acres) including anchor lines.

5) SETBACKS

- a) A setback of 100 metres (328.1 feet) from any land zoned for residential use shall apply to all structures in this zone.

END • AQ-2A

622 (See also Parts 100 - 300)

AQUACULTURE THREE (AQ-3)

1) PERMITTED PRINCIPAL USE

- a) Active aquaculture;
- b) Public or private moorage, excluding facilities offered for commercial gain or those associated with private yacht, boating or similar recreational clubs.

2) PERMITTED ACCESSORY USES

- a) Passive aquaculture;
- b) Sorting, grading and storage facilities required for aquaculture.

3) CONDITIONS OF USE

- a) The maximum site area for the principal uses shall not exceed 8.1 hectares (20 acres).
- b) The maximum site coverage of all buildings and structures including wharves and pens shall not exceed 1.6 hectares (4.0 acres).
- c) No floating or fixed structures may prevent access by an upland owner to water or over the surface of water to navigable areas.

4) MINIMUM LOT AREA

- a) Shall be in accordance with the site license of occupation or lease issued by the authority having jurisdiction.

5) SETBACKS

- a) No yard minimum shall apply.

END • AQ-3

622.1 (See also Parts 100 – 500)

AQUACULTURE FOUR (AQ-4)

SRD
106

A zone for non-powered deepwater shellfish aquaculture with no powered equipment.

1) PERMITTED PRINCIPAL USE

- a) Aquaculture, deepwater shellfish;
- b) Navigational aids.

2) PERMITTED ACCESSORY USE

- a) Shellfish and marine plant handling.

3) CONDITIONS OF USE

- a) Structures are limited to the ocean floor and in no case shall they extend more than 2.0 metres in height above the bed of the ocean; and
- b) No seafood processing is permitted.

4) LOT AREA

Shall be in accordance with the site licence of occupation or lease issued by the authority having jurisdiction.

5) SETBACKS

A minimum setback of 34 metres from the natural boundary of the ocean shall apply.

END • AQ-4

623 (See also Parts 100 - 500)

ACCESS ONE (AC-1)

1) PERMITTED USES

- a) Public or private moorage, excluding facilities offered for commercial gain or those associated with private yacht, boating or similar recreational clubs.

2) LOT AREA

- a) Shall be in accordance with the site license of occupation or lease issued by the authority having jurisdiction.

3) SETBACKS

- a) No yard minimum shall apply.

END • AC-1

624 (See also Parts 100 - 500)

ACCESS TWO (AC-2)

1) PERMITTED USES

- a) Navigational aids.

2) LOT AREA

- a) No minimum lot area shall apply.

3) SETBACKS

- a) No yard minimum shall apply.

END • AC-2

625 (See also Parts 100 - 500)

**MARINE COMMERCIAL ONE
(MC-1)**

1) PERMITTED USES

- a) Commercial, public, or private moorage, excluding facilities associated with private yacht, boating or similar recreational clubs.

2) LOT AREA

- a) Shall be in accordance with the site license of occupation or lease issued by the authority having jurisdiction.

3) SETBACKS

- a) No yard minimum shall apply.

END • MC-1

626 (See also Parts 100 - 500)

**MARINE COMMERCIAL TWO
(MC-2)**

1) PERMITTED USES

- a) Commercial, public, or private moorage, including facilities associated with private yacht, boating or similar recreational clubs;
- b) Marina.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) LOT AREA

- a) Shall be in accordance with the site license of occupation or lease issued by the authority having jurisdiction.

4) SETBACKS

- a) No yard minimum shall apply.

END • MC-2

627 (See also Parts 100 - 500)

**MARINE INDUSTRIAL ONE
(MI-1)**

1) PERMITTED USES

- a) Industrial, public, or private moorage, excluding facilities associated with private yacht, boating or similar recreational clubs;
- b) Log dumping, booming and storage.

2) PERMITTED ACCESSORY USES

- a) Accessory buildings and structures.

3) LOT AREA

- a) Shall be in accordance with the site license of occupation or lease issued by the authority having jurisdiction.

4) SETBACKS

- a) No yard minimum shall apply.

END • MI-1

628 (See also Parts 100 - 500)

**RECREATIONAL MOORAGE ONE
(RecM-1)**

1) PERMITTED USES

- a) Public or private moorage, including facilities associated with private yacht, boating or similar recreational clubs.

2) LOT AREA

- a) Shall be in accordance with the site license of occupation or lease issued by the authority having jurisdiction.

3) SETBACKS

- a) No yard minimum shall apply.

END • RecM-1

629 (See also Parts 100 - 500)

**WATER CONSERVANCY ONE
(WC-1)**

1) PERMITTED USES

- a) Public or private moorage, excluding facilities associated with private yacht, boating or similar recreational clubs or organizations;
- b) Low impact recreation.

2) LOT AREA

- a) Shall be in accordance with the site license of occupation or lease issued by the authority having jurisdiction.

3) SETBACKS

- a) No yard minimum shall apply.

END • WC-1