

REGIONAL DISTRICT OF MOUNT WADDINGTON

BYLAW NO. 556

A Bylaw of the Regional District of Mount Waddington
to adopt the Woss Community Land Use Bylaw

WHEREAS the Regional Board is empowered by part of the Municipal Act to adopt a Woss Community Land Use Bylaw prepared pursuant to the provisions of Part 26 of the said Act;

AND WHEREAS the Regional Board deems it advisable and expedient to adopt the Woss Community Land Use Bylaw;

NOW THEREFORE the Board of the Regional District of Mount Waddington in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as the "Woss Community Land Use Bylaw".
2. The Woss Official Community Plan marked Schedule "I" attached hereto and forming part of this bylaw is hereby designated as the Woss Community Land Use Bylaw.

Read a first time this 12 day of August, 1998

Read a second time this 12 day of August, 1998

Public Hearing held this 15 day of December, 1998

Read a third time this 16 day of December, 1998

Reconsidered and finally adopted this 27 day of January, 1999

Original signed by the Secretary and Chairman

CHAIRPERSON

SECRETARY

REGIONAL DISTRICT OF MOUNT WADDINGTON BYLAW NO. 556

WOSS LAND USE BYLAW REGIONAL DISTRICT OF MOUNT WADDINGTON

1. OFFICE CONSOLIDATION

- (1) Persons using this Bylaw are hereby informed that it has no legal sanction unless signed and sealed and that amendments have been embodied for convenience of information only.
- (2) Certified copies of the Land Use Bylaw are available from the Regional District of Mount Waddington, Box 729, Port McNeill, B.C. V0N 2R0.
- (3) This copy includes the following amendments:

Bylaw Number	Amendment Number	Adoption Date
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WOSS LAND USE BYLAW

REGIONAL DISTRICT OF MOUNT WADDINGTON BYLAW NO. 556

A BYLAW TO ESTABLISH REGULATIONS AND REQUIREMENTS RESPECTING THE USE OF BUILDINGS AND STRUCTURES AND THE SUBDIVISION OF LAND IN WOSS COMMUNITY

The Regional District of Mount Waddington, being the Region having jurisdiction on and in respect of Woss Community in the Province of British Columbia pursuant to the Municipal Act RSBC 1979, Chapter 290, enacts as follows:

PART I

1. This and the attached supplementary schedules constitute Schedule "A" to Bylaw 556 and form an integral part of the bylaw.
2. This bylaw applies to the entire area of land, including the surface of water, as shown on the WOSS COMMUNITY ZONING MAP attached to and forming an integral part of this bylaw.
3. The Regional District of Mount Waddington Interim Zoning Bylaw No. 21, 1972 as amended, is repealed for all lands comprising Woss Community, as shown on the WOSS COMMUNITY ZONING MAP.

PART II

This bylaw may be cited as the "Woss Community Land Use Bylaw No. 556".

WOSS LAND USE BYLAW

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PART 1 - TITLE AND MEANINGS

1.1 TITLE

This bylaw may be cited as the **WOSS COMMUNITY LAND USE BYLAW**.

1.2 APPLICATION

This bylaw applies to the entire area of land, including the surface of water, as shown on the **WOSS COMMUNITY ZONE MAP** attached to and forming an integral part of this bylaw.

1.3 DEFINITIONS

- (1) The Municipal Act RSBC, Chapter 290 as amended takes precedence in a case of dispute on the meanings of all words or clauses.
- (2) In this bylaw words have their dictionary meaning except that:

Accessory Building and Structure: means a building or structure on the same site with, and which is subordinate or incidental to the principal use or building, and includes separate garages and carports.

Accessory Use: means a use of a building or land which is commonly associated with, and seconding in purpose and scale to, a principal use located on the same lot.

Administrative Officer: means a person or persons appointed by the Regional Board to administer this bylaw.

Area Plan: means a plan showing future land uses, locations, densities, roads, utilities, methods of resolving any difficulties on the land, and any other matters considered necessary by the Board of the Region to plan future subdivision or development and must be adopted by the Board to be considered an Area Plan.

Bed and Breakfast: means a home business consisting of the renting of bedrooms with toilet and washing facilities in a dwelling unit to transient guests.

Cliff: means a land surface or face having an average slope of 50 degrees or more, measured from the horizontal plane and having a height exceeding 10m (33 ft. 10 in.).

Community Facilities: means a use or building the intent of which is to provide a non-profit public service to Woss Community, as a whole.

Community Sewer and Water Facilities: means a common sewer or system of sewerage or sewage disposal, and a common system of water works which are owned, operated and maintained by the community of Woss or the Regional District .under the Public Utilities Act, the Water Act or the Municipal Act.

Commerce: means a retail, wholesale or service business, development or use operated for profit, but does not include major storage, or the manufacture or any other production of items or commodities, or the breeding, growing, production or harvesting of plants or animals.

Development: means and includes the following:

- (a) the carrying out of any construction, erection, excavation, or other operation.
- (b) in a building or on a site used for dwelling purposes, any increase in the number of dwelling units on the site;
- (c) the placing of any waste material, refuse or chattel on any land or water;
- (d) the use of land for the storage and repair of motor vehicles or other machinery or equipment;
- (e) the use of land or the surface of water for the parking or mooring of any trailers, houses, portable dwellings, houseboats or any other type of removable buildings or structures whatsoever, whether or not the same has been placed or affixed in any way; and

Dwelling: means a building designed or used exclusively for living, and may be comprised of one or more dwelling units, and shall have appropriate sewer and water facilities.

Dwelling unit: means a room or set of rooms used , or intended to be used , as the living quarters for one family;

Drive in and Drive Through Business: mean establishments which serve customers travelling in motor vehicles driven onto the site where a business is carried on, where normally the customer either remains in the vehicle for service, or parks his vehicle for a short period for the purpose of doing business at the premises, and includes service stations.

Environmentally Sensitive Areas (ESAs): mean lands that would be hazardous for building due to erosion (including slopes steeper than 20%) and lands that are important for sustaining fish or wildlife (including “fisheries sensitive zones”).

Home Commerce: means a commercial use which is accessory to the principal residential use and which is carried on inside a dwelling unit or on a lot upon which a dwelling is the principal use.

Leave Strip: means an area of land adjacent to each side of a watercourse within which uses are restricted by this bylaw.

Loading Space: means an off-street space on the same lot or site as a building or group of buildings for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded.

Light Industry: means the use of land for the processing of food, wood or electronic products, storing of goods or materials, fabricating of metal or plastic, repairing of machines, equipment, boats or automobiles, sawmilling, or for the operation of truck terminals, service stations, wrecking yards or the sorting, salvaging and storage of refuse or material to be recycled.

Lot: means any parcel, block or other area in which land is held or into which it is subdivided by a registered plan of subdivision or a certificate-of-title.

Lot Line: means a legally defined line bounding any lot and:

- (a) front lot line means a lot line common to a lot and an abutting roadway, and where there is more than one such line, the shortest of them;
- (b) side lot line means any lot line that is not a front lot line, rear lot line or exterior side lot line; and
- (c) rear lot line means the lot line opposite the front lot line, and where the rear portion of the lot is bounded by intersecting lines, the point of such intersection farthest from the front lot line;
- (d) flanking lot line means the lot line or lot lines not being the front, side or rear lot line but being common to a lot and an abutting roadway.

Manufactured Home: means a portable structure built on a chassis, designed to be transported or trailered to its place of use, and to be used with a permanent foundation as a dwelling, and excludes recreational vehicles and travel trailers.

Multiple Unit Dwelling: means a dwelling of three or more dwelling units.

Natural Boundary: means the visible high water mark of the sea, a lake or any watercourse where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the watercourse a

character distinct from that of its banks, in respect of vegetation as well as in respect of the nature of the soil itself.

Natural Ground: means the ground surface of land prior to any intentional disturbance, alteration, excavation or placement of fill.

Non-Conforming Use: means any building or use which does not conform with any or all of the regulations for the zone in which such a building or use is located.

Parking Stall: means one space set aside for the parking of one vehicle.

Permitted Use: means the use of land or a building or structure, provided for in the Zone Regulations of this bylaw, for which a site or development permit shall be issued with or without conditions upon an application having been made which conforms to this bylaw.

Principal Use and Principal Building: mean a main permitted purpose or building for which land, buildings or structures, as listed in the applicable zoning district in this bylaw is used, and there shall be no more than one principal building on each site unless specifically permitted elsewhere in this bylaw.

Public Utilities: means the provision of water, gas, electrical, telephone and television services by a government body or agency or by a company regulated by the Utilities Commission Act or the Radio Communication Act of Canada, serving only the Woss community.

Recreation: means any public or private land or structure the use, or intended use, of which is for either active or passive recreation.

Secondary Use: means a use which is not a Principal Use.

Service Station: means a use of land providing for the retail sale of motor fuels and lubricating oils and which may include the servicing or repair of motor vehicles, the sale of motor vehicle accessories, and the rental of trailers, motor vehicles, and tools and equipment for automotive or household use, and which may be a towing service dispatch point.

Setback: means the minimum distance required between the lot line and the foundation wall of any building on the site.

Site: means one or more lots on which a development, building, structure or use is proposed, built or used.

Site Coverage or Lot Coverage: means the combined area of all buildings on the site or lot measured at the level of the lowest storey above grade, and includes all porches and

verandahs, open or covered, but excludes open terraces at grade, and steps, cornices, eaves and similar projections.

Structure: includes buildings, walls, fences, stairs, signs and billboards.

Use: means a use of land or a building or structure, the type of which shall be determined by the Land Use Bylaw Officer, when not clear in this S.2, or as normally defined in a dictionary.

Utility Lot: means a lot used, or intended to be used, solely for the purpose of accommodating equipment necessary for the operation of a community sewage, water, or solid waste system, or for a telecommunication, electrical power, gas, oil, or similar public utility.

Watercourse: means any natural depression with a bed 0.6m (2 ft) or more below the average elevation of the surrounding land and which contains water for at least six months of the year.

Wetland: means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal condition does support vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, estuaries and similar areas.

Waterbody Boundary: means the high water mark or water level in wetlands, ponds, and lakes that is reached during annual winter flood events, as indicated by the presence of soil subject to regular inundation and/or vegetation that is typically adapted for life in submerged, semi-submerged or saturated soil condition.

PART 2 - ADMINISTRATION

2.1 DEFINITION OF LAND USE BYLAW

The following Land Use Bylaw establishes specific controls on how land can be subdivided, used and developed.

The Land Use Bylaw must comply with the Woss Official Community Plan which contains maps and policies and generally directs future land use types, locations and densities to conform to long term community objectives.

The Land Use Bylaw is established to protect land owners and tenants from adverse impacts that might otherwise occur as a result of inappropriate development not conforming to appropriate standards and planned long term community growth. The controls are also based upon a number of healthy objectives, including the following:

- (a) the health, safety and well being of all people on public and private lands at Woss;
- (b) the conservation of unique character of Woss;
- (c) limits to extreme unplanned changes at Woss, and planned considerations to growth patterns;
- (d) the maintenance of property values;
- (e) the distribution of densities and land use types relative to services and utilities provided at Woss;
- (f) the preservation of the natural and man made environment and amenities;
- (g) the capability of the land and natural resources to support developments proposed.

2.2 ADMINISTRATOR

The Administrative Officer or such other person appointed by the Board of the Regional District of Mount Waddington shall administer this bylaw.

2.3 OFFICE OF THE LAND USE BYLAW OFFICER

- (1) The Office of the Land Use Bylaw Officer for Woss Community is hereby established and shall be filled by a person or persons designated by the Administrative Officer of the Regional District of Mount Waddington.
- (2) The Land Use Bylaw Officer shall:
 - (a) receive, consider and decide upon applications for building permits as required by this bylaw, and
 - (b) make available for inspection during regular working hours
 - (i) a copy of this bylaw as amended, and
 - (ii) a register of all applications including the decisions rendered on them and the reasons for them.
 - (c) perform such duties as established to enforce this bylaw in conformance to the Municipal Act.

2.4 PERMIT AND PERMIT FEES

Building Permits are required for a buildings and structures being established on a lot. Applications and permits shall be undertaken in the form specified by the Regional District of Mount Waddington. Permit application fees are as set out in the Regional District of Mount Waddington Building bylaw.

2.5 REQUIREMENT TO COMPLY

No land in Woss Community shall be subdivided, used or occupied, nor shall any buildings or structures be constructed, altered, located or erected on that land except as specifically permitted by this bylaw and until a permit has been issued where a permit is required.

2.6 VIOLATIONS

It shall be unlawful for any person to contravene or permit, any act or thing in contravention of this bylaw.

2.7 PENALTY

Every person who commits an offense under this bylaw is liable on summary conviction to a fine not exceeding \$5,000 and the costs of prosecution. Each day's continuance of an offense constitutes a new and distinct offense.

2.8 BOARD OF VARIANCE

Landowners may apply to the Regional District Board of Variance for minor changes to the zoning provisions of this bylaw. The Board is guided by the extent to which the application would conform to the Zoning Bylaw, or would not conflict with permitted uses and the enjoyment of adjacent lands. A variance could not be allowed which would vary from the permitted uses and densities as required under the bylaw.

2.9 BYLAW AMENDMENT

- (1) The Board of the Regional District of Mount Waddington may, by bylaw, amend or repeal this bylaw in accordance with the provisions of the Municipal Act.
- (2) An application to change a zone as shown on Schedule A-2 the WOSS COMMUNITY ZONE MAP, shall be treated as an application to amend this bylaw.

2.10 SUBDIVISION APPROVAL

Application for approval of the subdivision of land in Woss Community must be made to the Approving Officer who is a Ministry of Transportation and Highways employee in the Comox Regional Office. The Regional District of Mount Waddington establishes regulations for subdivision, and the Land Use Bylaw regulates the subdivision of lands as it relates to the proposed uses and developments permitted on the land.

2.11 METRIC EQUIVALENTS

At any place in this bylaw where a discrepancy occurs between the metric and imperial equivalents shown, the metric shall take precedence.

PART 3 - GENERAL PROVISIONS

3.1 PARKING SPACES REQUIRED

- (1) The minimum number of off-street automobile parking stalls required for each use of building or development shall be as follows:

USE	NUMBER OF STALLS
(a) One and two residential units	2 per dwelling unit
(b) Multiple family residential	1.5 per dwelling unit
(c) Bed and Breakfasts/Boarding	1 per guest bedroom
(d) Home Commerce	1 per 2 employees plus
(e) Hotels	1 per guest unit
(f) Restaurants, Pubs, Cafes	1 per 4 seats plus 1 per employee
(g) Retail and Personal Service Shops (including strip Malls)	1 per 17 sq.m (183 sq.ft) Gross Leasable Area
(h) Government and other Offices, Medical and Dental	1 per 30 sq.m (377 sq.ft) Gross Leasable Area
(i) Auditoriums, churches, halls, theatres and other places of public assembly	1 per 5 seating spaces
(j) Schools	1 per employee plus 10 for visitors
(k) Service Stations	4 plus 2 per service bay
(l) Drive-in Business	8, except where more required according to minimum area requirements of this section
(m) Industries (except below)	1 per 3 employees
(n) Equipment storage, warehouses	1 per 80 sq.m (861 sq.ft)

- (2) In a case of a use not specified in (1), the number of stalls provided shall be the same as for the most similar use prescribed in (1).
- (3) Where there is more than one use of a building or development, the required number of stalls shall be the sum of the requirements for each of the uses prescribed in (1), calculated separately.
- (4) Where there is a fractional number of parking spaces required by this bylaw, the next highest number of stalls shall be provided.

3.2 LOCATION OF PARKING SPACES REQUIRED

- (1) All required automobile parking stalls shall be located on the lot or site on which the use for which they are provided.
- (2) Notwithstanding (3.2.1), on other than residential property an owner of land or a group of such owners may pool his or their required off-street parking stalls within one or more parking facilities and may thereby fulfill the requirements of S. 3.2.1 provided that the facility is within 100m (328 ft) of the use or uses they serve.
- (3) Where an off site provision of parking has been made under (3.2.2), a restrictive covenant in favour of the Regional District of Mount Waddington must be registered against the lot with the parking restricting the use of the lot, or a portion of it to parking use to the extent required by this bylaw with respect to the lot or lots on which the use or uses are located. The owners of the lots involved shall also execute and register in the Land Titles Office an easement satisfactory to the Regional District of Mount Waddington securing the use of the parking spaces for the owner or owners of the lot or lots on which the use or uses are located.
- (4) Parking stalls shall not cover more than 40% of any setback area required in Part 5, ZONE REGULATIONS of this bylaw.

3.3 MINIMUM PARKING FACILITY DIMENSIONS

- (1) The dimensions of maneuvering aisles and parking stalls shall be in accordance with minimum requirements outlined in Table 1.

**Table 1:
Minimum requirements for maneuvering aisles and parking stalls**

Parking Angle	Stall Width	Stall Depth	Aisle Width	
			One-Way	Two-Way
Parallel	2.6m (8'6")	6.7m (21')	3.4m (11'02")	4.4m (15.2")
45°	2.8m (9'3")	5.8m (19')	3.6m (11'10")	--
60°	2.8m (9'3")	6.1m (20')	5.6m (18'04")	--
90°	2.8m (9'3")	5.5m (18')	7.0m (23'00")	7m (23'0")

- (2) Where the width of a parking stall abuts any permanent structure higher than 0.2m (8 inches) in height, at any point in the front 3.6m (12 ft) of the stall (measured along that side of the stall) the minimum width of the stall shall be 0.3m (1 ft) wider than the normal required width.

3.4 OFF-STREET LOADING

- (1) Off-street parking spaces shall not be considered for off-street loading nor shall off-street loading spaces be considered for off-street parking.
- (2) Where a proposed development will, from time to time, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site.

3.5 SURFACING OF PARKING AND LOADING AREAS

For frequently used areas and for areas where four or more parking stalls are provided, the parking and travelling area must be of hard durable surface such as asphalt or well-packed gravel that does not produce mud or dust.

3.6 GRADIENT OF PARKING AND LOADING AREAS

No parking or loading area shall have a gradient in any direction of greater than 10%.

3.7 DRAINAGE

- (1) All sites in the proximity of buildings, in residential, commercial and industrial areas, for all parking and loading areas, and where there is a frequent passage of people, shall be so graded and drained as to dispose of all surface water.
- (2) In all cases, site grades shall be established to conduct surface and storm water run-off to a cistern, ditch or drain in such a way as to prevent flow from one site to the next, except where drainage conforms to an acceptable local or subdivision drainage plan.
- (3) On properties containing a cliff, all surface and sewage disposal systems shall be directed away from the cliff edge.

3.8 FENCING

- (1) All structures, buildings or uses under construction or otherwise, which are dangerous and are easily accessible, shall be adequately fenced or otherwise barriered from public access.
- (2) If development occurs adjacent to ESAs shown on schedule A-1, the ESA should be fenced during the construction phases using high visibility fencing, to prevent vegetation removal or soil disturbance in the ESA.

3.9 TREE RESERVES

- (1) The Regional District of Mount Waddington may designate areas of land that are subject to flooding, erosion or land slip as 'tree cutting permit areas' in conformance with S.978 of the Municipal Act. Areas so designated will be referred to as Tree Reserves for the purpose of this bylaw.
- (2) No cutting of trees shall be permitted on a Tree Reserve except where a permit has been obtained and where it has been determined that flooding, erosion or land slip will not occur as a result of the cutting of trees.

PART 4 - GENERAL ZONE REGULATIONS

4.1 USES PERMITTED IN ALL ZONES

The following uses are permitted in all zones except the Reserve (RSV) zone. These permitted uses are in addition to those described under (2) of each zone in Part 5 of this bylaw:

- (a) Public Utilities,
- (b) Public Parks, Schools, and Places of Worship,
- (c) Ecological, Environmental or Tree Reserves.

4.2 USES PROHIBITED IN ALL ZONES

(1) The following uses are prohibited in all zones:

- (a) Disposal of toxic waste;
- (b) Storage or activity which constitutes a danger to persons on the site, on public property, or on any other site by reason of the generation of:
 - (i) noise or vibration
 - (ii) dust or other particulate matter
 - (iii) smoke or odours
 - (iv) toxic or noxious matter
 - (v) radiation hazards
 - (vi) fire or explosive hazards
 - (vii) humidity heat or glare
 - (vii) waterborne or airborne waste
 - (ix) water or steam
 - (x) electrical interference
- (c) Principal buildings, use or development adjacent to a cliff face, shall be set back at least 15m (48.75 ft) from the edge of any cliff or geologically unstable area, or no less than 10m (32.8 ft) provided that the owner provides certification to the Mount Waddington Regional District by a Professional Geotechnical Engineer, stating that the siting of the building will be safe.

(2) No person shall use or permit to be used an accessory building as a residence.

4.3 HEIGHT REGULATIONS

- (1) The maximum height above the grade level of any principal building, excluding devices not structurally essential to the building, shall be 10.7 m, (35 ft) and shall not exceed three storeys. Diagrams 1 and 2 define the method to calculate building height.

4.4 LOCATION OF BUILDINGS AND STRUCTURES TO WATER COURSES

- (1) The Environmentally Sensitive Areas (ESAs) identified in Schedule A-1 include leave strips from watercourses and waterbodies, to protect the fisheries sensitive zone (see Diagram 3 for definition of ESA leave strips from watercourses and waterbodies). No development will occur in ESAs. ESAs include the following :

- i) Land adjacent to waterbodies (ponds, lakes and wetlands), including that area between the water's edge and a perpendicular line inland 15 metres from the wetland boundary. Commercial and industrial uses will be set back 30 metres from the waterbody boundary.
 - ii) Land on each side of the Nimpkish River, including that area between the centre of the river and a perpendicular line inland 30 metres from the top of the bank.
 - iii) Land on each side of all other creeks, rivers, and streams, including that area between the centre of the creek, river or stream, and a perpendicular line inland 15 metres from the top of the bank. Commercial and industrial uses will be set back 30m from the top of the bank.
 - iv) Where the location of a watercourse identified in Schedule A-1 and its location on the ground as determined by a BC Land Surveyor do not agree, the location on the ground shall prevail for the purpose of establishing the leave strip.
- (2) No building, structure, road, parking lot, driveway, patio, games court, or other impermeable surface shall be constructed, reconstructed, moved to or extended within ESAs.
 - (3) If development occurs adjacent to ESAs, the ESA should be fenced during the construction phases, using high visibility fencing, to prevent vegetation removal or soil disturbance in the ESA.

4.5 LOT PROPORTIONS

No lot may be created by subdivision the front lot line of which is less than one quarter of the length of its longest side lot line.

4.6 LOT SIZE EXCEPTIONS

The minimum lot sizes specified in this bylaw do not apply where:

- (1) the lot is to be used as a 'Utility Lot' or is shown as a 'Park' on the subdivision plan; or
- (2) the purpose of the subdivision is to consolidate two or more lots; or
- (3) the subdivision would adjust the boundary between two or more lots, where no additional lots are created and where no lot is increased in area to the extent that it could be subdivided further.

4.7 LOT COVERAGE

The area of the lot covered by principal and accessory buildings and structures shall not exceed 40% of the total lot area unless otherwise specified in specific zone provisions.

4.8 HOME COMMERCE

- (1) Where Home Commerce is permitted in any zone, the operator must:
 - (a) not employ more than two employees in the business who are not residents of the dwelling unit in which the business or industry is operated, nor employ more than five employees in total including the owner or resident of the dwelling unit;
 - (b) not use or store material or products in the business or industry that are flammable or explosive;
 - (c) not use any equipment or process in the home business that would constitute a danger in contravention to 4.2 (b) of this bylaw;
 - (d) provide parking and loading in accordance with Part 3 of this bylaw.

- (2) No Home Commerce shall generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of other uses in the zone in which it is located.

PART 5 - ZONE REGULATIONS

5.1 ZONES

Woss Community is hereby divided into the following Zones:

SHORT FORM	DESCRIPTION	PAGE
R1	GENERAL RESIDENTIAL	14
R2	SMALL LOT RESIDENTIAL	15
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5.2 WOSS COMMUNITY ZONING MAP

- (1) The location and extent of the zones described in 5.1 are shown on WOSS COMMUNITY ZONING MAP, Schedule A-2 which is an integral part of this bylaw.
- (2) The precise location of the boundary of any zone is deemed to be the surveyed lot boundary or the centreline of a highway, road, creek or stream where there is a surveyed plan or legal description.
- (3) Where there is no survey plan or legal description the boundary of a zone is deemed to be the natural boundary.
- (4) Where the location of any zone boundary cannot be clearly located according to (2), (3) or (4) above, then it shall be determined by the scale of the map.
- (5) Where subdivision occurs on the basis of an approximate zone boundary, then the zone boundary shall be the new legal boundary of the plan or description.
- (6) The zone regulations of this bylaw do not apply to roads, lanes or other public thoroughfares.
- (7) Where the setback requirements on the lots created in the existing settled area of Woss make dwellings or ancillary buildings non conforming, the buildings in

question shall be “grandfathered” with respect to setbacks. Replacement of dwellings on such lots shall take the grandfathered condition into account when setbacks are established for construction on the lot in question.

5.3 R1 - GENERAL RESIDENTIAL

(1) General Purpose

This zone is generally intended to provide for serviced residential lots, principally for single or two family residential dwellings.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Residences
- (b) Home Commerce
- (c) Bed and Breakfasts

(3) Development Regulations and Density

- (a) One residential building of one or two dwelling units is permitted on each lot.
- (b) Home Commercial uses are subject to Parts 3 & 4 of this bylaw.

(4) Minimum Setbacks

- (a) The minimum setbacks for principal buildings shall be:
 - (i) 7m (22.9 ft) from all front and rear lot lines.
 - (ii) 3m (9.8 ft) from all side lot lines and where a building fronts on a roadway, except that no building or object more than 1m (3.3 ft) in height shall exist within the triangular area formed by intersecting road rights-of-way and a straight line joining the points on a line 9m (29.5 ft) from the intersection of the rights-of-way.
 - (iii) as required by the fire and building codes for access.
- (b) Development on a lot is limited to uses able to be undertaken within the lot sizes and dimensions necessary to accommodate the requirements of this subsection;

(5) Minimum Lot Size

The minimum area of any lot created by subdivision shall be 650 sq.m (7000 sq.ft.) and shall be no less than 20m (65 ft) on its single fronting lot line.

(6) Parking

Parking shall be in accordance with Part 3 of this bylaw.

5.4 R2 – SMALL LOT RESIDENTIAL

(1) General Purpose

This zone is generally intended to provide for serviced residential lots, principally for mobile homes and smaller homes.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Residences including single wide mobile homes
- (b) Home Commerce
- (c) Bed and Breakfasts

(3) Development Regulations and Density

- (a) One residential building is permitted on each lot.
- (b) Home Commercial uses are subject to Parts 3 & 4 of this bylaw.

(4) Minimum Setbacks

- (a) The minimum setbacks for principal buildings shall be:
 - (i) 7m (22.9 ft) from all front and rear lot lines.
 - (ii) 1.5m (5 ft) from all side lot lines and where a building flanks on a roadway, except that no building or object more than 1m (3.3 ft) in height shall exist within the triangular area formed by intersecting road rights-of-way and a straight line joining the points on a line 9m (29.5 ft) from the intersection of the rights-of-way.
 - (iii) as required by the fire and building codes for access.

- (b) Development on a lot is limited to uses able to be undertaken within the lot sizes and dimensions necessary to accommodate the requirements of this subsection.

(5) Minimum Lot Size

The minimum area of any lot created by subdivision shall be 525 sq.m (5650 sq. ft) and shall be no less than 17.5m (57.5 ft) on its single fronting lot line.

(6) Parking

Parking shall be in accordance with Part 3 of this bylaw.

5.5 R3 – HAMLET RESIDENTIAL

(1) General Purpose

This zone is generally intended to provide for serviced residential lots, principally for mobile homes and smaller homes on existing lots.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Residences including single wide mobile homes
- (b) Home Commerce
- (c) Bed and Breakfasts

(3) Development Regulations and Density

- (a) One residential building is permitted on each lot.
- (b) Home Commercial uses are subject to Parts 3 & 4 of this bylaw.

(4) Minimum Setbacks

- (a) The minimum setbacks for principal buildings shall be:
 - (ii) 5m (16.4 ft) from all front and rear lot lines.
 - (iii) 1.5m (5 ft) from all side lot lines and where a building flanks on a roadway, except that no building or object more than 1m (3.3 ft) in height shall exist within the triangular area formed by intersecting road rights-of-way and a straight line joining the points on a line 9m (29.5 ft) from the intersection of the rights-of-way.

(iv) as required by the fire and building codes for access.

- (b) Development on a lot is limited to uses able to be undertaken within the lot sizes and dimensions necessary to accommodate the requirements of this subsection.

(5) Minimum Lot Size

The minimum area of any lot created by subdivision shall be 525 sq.m (5650 sq. ft) and shall be no less than 17.5m (57.5 ft) on its single fronting lot line.

(6) Parking

Parking shall be in accordance with Part 3 of this bylaw.

5.6 R4 - MULTIPLE FAMILY RESIDENTIAL

(1) General Purpose

This Zone is generally intended to provide for multiple family dwellings.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) One multiple unit dwelling for each site
- (b) Commerce subject to (10)
- (c) Accessory uses
- (d) Recreation facilities

(3) Site Coverage

- (a) Coverage of the principle building shall not exceed 35% of the site area.
- (b) Coverage of covered or open parking and accessory buildings in excess of uses provided within the principle building shall not exceed 35% of the site area.
- (c) The area of landscaped area at grade shall be no less than 30% of the site.

(4) Minimum Floor Areas

- (a) Bed sitting unit - 50 sq.m (538 sq.ft)
- (b) One bedroom unit - 55 sq.m (592 sq.ft)

- (c) Two bedroom unit - 65 sq.m (700 sq.ft)
- (d) Three bedroom unit - 75 sq.m (807 sq.ft)

(5) Maximum Height

No building shall be higher than 8m (26 ft 3 in) or three storeys in height above grade, excluding devices not structurally essential to the building.

(6) Minimum Lot and Site Areas

The minimum length and width of any lot created by subdivision shall be 35 m (115 ft) and the area of the lot shall be no less than 1225 sq.m (0.3 acre).

(7) Dwelling Unit Density

Each two or more bedroom unit shall require a site area of at least 135 sq.m, and each one bedroom or bed sitting unit shall require a site area of at least 110 sq.m, provided also that the minimum and maximum site areas of this zone are enforced. Density shall not exceed 40 apartment units per hectare.

(8) Minimum Setbacks

(a) The minimum setbacks for principal buildings shall be:

- (i) 7m (22.9 ft) from all front and rear lot lines for buildings of 2' or 3 storeys.
- (ii) 1.5m (5 ft) from all side lot lines and where a building flanks on a roadway, except that no building or object more than 1m (3.3 ft) in height shall exist within the triangular area formed by intersecting road rights-of-way and a straight line joining the points on a line 9m (29.5 ft) from the intersection of the rights-of-way.
- (iii) one-half the height of the building or 11% of the width of the site, whichever is the greater, to a maximum of 4.5m (14.8 ft) from all side and flanking lot lines.
- (iv) no building or object more than 1m (3.3 ft) in height shall exist within the triangular area formed by intersecting road rights-of-way and a straight line joining the points on a line 9m (29.5 ft) from the intersection of the rights- of-way.
- (v) as required by the fire and building codes for access.

(9) Parking

- (a) A parking area shall be provided to the rear or side of the principal building and shall be in accordance with Part 3 of this bylaw.
- (b) Garages and accessory buildings shall be in accordance with Part 4 of this bylaw.

5.6 C1 - COMMERCIAL

(1) General Purpose

The Zone is generally intended to provide sites for retail and service outlets. Residential dwellings are permitted uses in this zone as accessory uses.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Retail stores
- (b) Service Stations
- (c) Offices and Government Buildings
- (d) Hotels and Bed and Breakfast Establishments
- (e) Indoor and Outdoor Eating Establishments and Pubs
- (f) Drive-In and Drive-Through Businesses
- (g) Theatres and Indoor Entertainment Establishments
- (h) Residences as accessory uses
- (i) Personal and Business Services including Clinics
- (j) Campgrounds and commercial recreation
- (k) Institutional and training uses
- (l) Accessory Buildings and Parking facilities including accessory residential uses.

(3) Development and Setback Regulations

- (a) Coverage by all buildings may be 100% of the lot except that there shall be:
 - (i) an adequate provision of off-street parking, loading and garbage facilities.
 - (ii) setbacks as required by the fire and building codes for access, and with regard to existing adjacent developments.
 - (iii) No development in the ESAs as defined in Section 4.3
- (b) Other permitted uses are subject to the applicable requirements of this bylaw.

(4) Minimum Lot Size

The minimum area of any lot created by subdivision is 650 sq.m (7,000 sq. ft) and shall be not less than 20m (65 ft) on a single fronting lot line, and all lots in this zone shall be served by community sewer and water facilities.

(5) Parking and Access

- (i) Parking shall be in accordance with Part 3 of this bylaw, and adequate unrestricted access shall be provided.
- (ii) Where commercial development takes place adjacent to a major arterial, a service road may be required by the Ministry of Transportation and Highways.

5.7 I 1 - INDUSTRIAL

(1) General Purpose

The Zone is generally intended to provide sites for industrial establishments

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Industrial and commercial developments of an “industrial“ nature;
- (b) Institutional uses as permitted in the US Zone.
- (c) Accessory Buildings and Parking facilities.

(3) Development and Setback Regulations for Permitted Uses

- (a) Coverage by all buildings may be 100% of the lot except that there shall be:
 - (i) an adequate provision of off-street parking, loading and garbage facilities.
 - (ii) setbacks as required by the fire and site permit requirements for access, and with regard to existing adjacent developments.
 - (iii) No development in the ESAs as defined in Section 3.7
- (b) Other permitted uses are subject to the applicable requirements of this bylaw.

(4) Minimum Lot Size

The minimum area of any lot created in a service area by subdivision is 668.88 sq.m (7,200 sq. ft) and shall be not less than 24.384m (80 ft) on a single fronting lot line, and all lots in this zone shall be served by community sewer and water facilities.

(5) Parking and Access

Parking shall be in accordance with Part 3 of this bylaw, and adequate unrestricted access shall be provided.

5.8 US - INSTITUTIONAL

(1) General Purpose

This Zone is generally intended to establish an area for the development of public and/or privately owned institution recreation or community services.

(2) Permitted Use

The following uses only are permitted in this zone.

- (a) Those uses permitted in section 4.1 as regulated.
- (b) Community halls
- (c) Schools
- (d) Health clinics, hospitals and ambulance services
- (e) Activity Centres
- (f) Offices
- (g) Museums
- (h) Libraries
- (i) Police and fire stations
- (j) Recreation buildings and facilities
- (k) Places of Worship
- (l) Accessory uses

(3) Development Regulations for Permitted Uses

Except where a residence already exists on the site, one secondary dwelling containing one or two dwelling units is permitted on each lot.

(4) Minimum Setbacks

- (a) The minimum setbacks for buildings and structures shall be:
 - (i) 8m (26.2 ft) from all front, side and rear lot lines.
 - (ii) as required by the fire and building codes for access, and with regard to existing adjacent developments.

- (b) Development on a lot is limited to uses able to be undertaken within the lot sizes and dimensions necessary to accommodate requirements of this subsection (4).

(5) Minimum Lot Size

The minimum area of any lot created by subdivision shall be 891.84 sq.m (9,600 sq. ft) and shall be no less than 24.384m (80 ft) on its single fronting lot line.

(6) Parking and Access

Parking shall be in accordance with Part 3 of this bylaw, and adequate unrestricted access shall be provided as required.

5.9 P1 - PARK

(1) General Purpose

This Zone is generally intended to provide for active park and recreation development, and for natural park areas for limited or passive recreational use.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Public Recreational uses and facilities and public educational uses
- (b) Accessory use

(3) Permitted Density

The floor area of any building used for Public Educational uses on any lot must not exceed 186 sq.m (2,000 sq. ft).

(4) Minimum Setbacks

- (a) The minimum setbacks for buildings and structures shall be:
 - (i) 10m (32.8 ft) from all front, rear or side lot lines, and

5.10 RSV - RESERVE

(1) General Purpose

BC Lands intends to retain these lands as Crown Lands into the foreseeable future. As shown in Schedule A-1, most of the lands have been identified as being Environmentally Sensitive Areas - either because of their steep slopes or proximity to riparian areas (Fisheries Sensitive Zones) (Triton 1998). Therefore BC Lands will register a Notation of Interest with the Surveyor General on these lands in favour of Fish, Wildlife and Habitat Protection. This Notation should be upgraded to a Section 16 Map Reserve by 2003. The Notation will emphasize the need to maintain riparian vegetation and prevent development within 30m of the top of the bank of all streams and waterbodies. Land uses that conflict with this goal should not be permitted on the lands.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) conservation and interpretation
- (b) passive recreational use

(3) Permitted Density

The floor area of any building used for permitted uses must not exceed 50 sq.m (530 sq. ft).

(4) Minimum Setbacks

- (a) Minimum setbacks for buildings and structures shall be:
 - (i) 10m (32.8 ft) from all front, rear or side lot lines.

REFERENCES

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- Chilibeck, B., G. Chislett and G. Norris. 1992. Land Development Guidelines for the Protection of Aquatic Habitat. Co-published by Fisheries and Oceans Canada and BC Ministry of Environment, Lands and Parks, Victoria, BC.
- Madrone Consultants Ltd. 1997. Terrain Stability Assessment: Torback Avenue, Canadian Forest Products Ltd. Prepared by Marian Oden for CANFOR.
- Triton Environmental Consultants Ltd. 1998. Woss Environmental Review. Prepared for Crown Lands Branch, Ministry of Environment, Lands and Parks.