

REGIONAL DISTRICT OF MOUNT WADDINGTON

BYLAW NO. 670

A Regional District of Mount Waddington Bylaw
to implement zoning regulations in Quatsino.

WHEREAS an Official Community Plan has been adopted for the community of Quatsino in accordance with the provisions of Division 2, Part 26 of the *Local Government Act*;

AND WHEREAS under the provisions of Division 7, Part 26 of the *Local Government Act*, a Zoning Bylaw has been prepared, establishing regulatory controls for development in the community of Quatsino that is consistent with the Official Community Plan;

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

QUATSINO ZONING BYLAW

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PART 1 – TITLE AND MEANINGS

1.1.0 Title

This Bylaw may be cited for all purposes as the “Quatsino Zoning Bylaw No. 670, 2002.”

1.2.0 Repeal

The Regional District of Mount Waddington Bylaw No. 21 cited as the “Regional District of Mount Waddington Zoning Bylaw No. 21, 1972” and all amendment bylaws thereto are repealed for all the lands comprising Quatsino and the surface of water as shown on the Quatsino Zone Map No. 1.

1.3.0 Application

This Bylaw applies to the entire area of land, including the surface of water, as shown on the “Quatsino Zone Map No. 1” attached to and forming a part of this Bylaw. Zone boundaries are based on property boundaries and the edges of natural features such as shorelines and stream banks. If there are discrepancies between the information on the “Quatsino Zone Map No. 1” and site or property specific boundaries or the edges of natural features such as shorelines and stream banks, the site specific boundary or feature shall be used to interpret the application of the Bylaw.

No land, buildings or structures, or part thereof, shall be used, occupied, erected, moved, or altered unless in conformity with this Bylaw.

1.4.0 Definitions

ACCESSORY BUILDING OR ACCESSORY STRUCTURE: means a building or structure on the same site that is subordinate or incidental to the principal use or building. Accessory buildings include separate garages and carports.

ACCESSORY USE: means a use of a building or land that is commonly associated with but secondary to the purpose and scale to a principal use located on the same lot.

AQUACULTURE OPERATION: means the raising, growing or rearing of either fish or shellfish for either commercial or private purposes.

BED AND BREAKFAST: means a home business where a private dwelling is shared with a small number of transient guests. The proprietor shall reside in the dwelling and the dwelling shall not contain more than four (4) bedrooms used for bed and breakfast purposes.

BOARD OR REGIONAL BOARD: means the Board of the Regional District of Mount Waddington.

BUILDING, FRONT OF: means the extended line of the wall of the building or any projecting portion of the building except balconies, steps, sill, cornices, eaves, fire escapes and unroofed porches, which faces the front line of the lot.

BUILDING, REAR OF: means the extended line of the wall of the building or any projecting portion of the building except balconies, steps, sills, cornices, eaves, fire escapes and unroofed porches, which faces the rear line of the lot.

BUILDING, SIDE OF: means the extended line of the wall of the building or any projecting portion of the building except balconies, steps, sills, cornices, eaves, fire escapes and unroofed porches, which faces the side line of the lot.

CABIN: means a building separate from a primary residential or commercial use, which may or may not be built upon a foundation, used to provide temporary accommodation to tourists and/or holiday-makers as a commercial enterprise. Cabins must not be used for year round residency and do not include mobile homes, trailers, or recreational vehicles.

CAMPGROUND: means a site operated and occupied for part of the year as temporary accommodation for tourists and holiday-makers in tents, travel trailers, or recreational vehicles.

CAMPSITE: means one space within a campground used to provide temporary accommodation for tourists and holiday-makers in tents, travel trailers, or recreational vehicles.

COMMUNITY SEWER SYSTEM: means a common sewer system owned and/or operated, and/or maintained by a private corporation, Strata Corporation, an Improvement District, an agency of the provincial government, the Regional District of Mount Waddington, or a legal corporate entity of one of the above as authorized under the appropriate provincial and federal legislation.

COMMUNITY WATER SYSTEM: means a common water distribution system owned and/or operated, and/or maintained by a private corporation, Strata Corporation, Improvement District, an agency of the provincial government, the Regional District of Mount Waddington, or a legal corporate entity of one of the above as authorized under the appropriate provincial and federal legislation.

DEVELOPMENT: means a change in use in any land, building or structure for any purpose. Development includes the carryout of any building, engineering, construction or other operation in, on, over or under land, or the construction, addition or alteration of any buildings or structures.

DWELLING, SINGLE-FAMILY: means any building consisting of one dwelling unit which is intended to be the permanent residence or home of one family. A single-family dwelling includes mobile and modular homes but does not include recreational vehicles or travel trailers.

DWELLING UNIT: means one or more habitable rooms, constituting a self-contained unit containing a kitchen with sink and cooking facilities and a bathroom with a toilet, sink and shower and/or bath, with a separate entrance intended to be used together for living and sleeping purposes for not more than one family.

HEIGHT OF BUILDINGS: means the vertical distance between the average elevation of the finished grade of the lot, along the front of the development, to the highest point of the roof surface.

HOME AGRICULTURE: means an incidental or accessory use to the principal residential use that is carried on upon a lot which the dwelling is the principal use or on another lot owned by the property owner and involves the cultivation of the soil, growing of crops or produce and/or the keeping and rearing of animals for the personal use of the home owner but does not include aquaculture operations.

HOME COMMERCE: means an occupation or profession, incidental or accessory to the principal residential use, that is carried on within a single-family dwelling, on a lot upon which the dwelling is the principal use, or on another lot owned by the home owner. Home commerce includes bed and breakfasts, the selling of retail goods, the selling of services and/or products manufactured or grown on the lot, and tourist commercial uses but does not include aquaculture or quarrying operations.

LOT: means any parcel, block or other area in which 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;
- (c) exterior lot line means any lot line that is not a front lot line, rear lot line but a side lot line being common to a lot and an abutting roadway; and
- (d) 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.

NATURAL BOUNDARY: means the visible high water mark of a sea, a lake or water body 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 terms of vegetation and the nature of the soil itself.

NON-CONFORMING USE: means any building or use which does not conform to any or all of the regulations for the zone in which such a building or use is located.

PRINCIPAL USE AND PRINCIPAL BUILDING: means a main permitted purpose or building for which land, buildings, or structures, as listed in the applicable zoning regulations of this Bylaw, are used. No more than one principal building or use is permitted on a lot unless specifically permitted in this Bylaw.

SETBACK: means the minimum distance required between a lot line and any building or structure on a lot as specified in the zoning regulations of this Bylaw.

STRUCTURE: means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. Structures do not include fences less than 6 feet in height.

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 or public sewage, water or solid waste system, or for a telecommunication, electrical power, gas, oil, or similar public utility.

PART 2 – ADMINISTRATION

2.1.0 Definition of Zoning Bylaw

The Zoning Bylaw establishes regulatory controls for the use of land, buildings, and structures; the density of the use of land, buildings, and structures; the uses that are permitted on the land; and the location of uses on the land and within buildings and structures.

The Zoning Bylaw has been prepared to regulate development in a manner that is consistent with the policies and goals stated in the “Quatsino Official Community Plan, Bylaw No. 656, 2002.” The Zoning Bylaw contains regulatory controls that protect landowners from detrimental impacts that might otherwise occur as a result of inappropriate development taking place. These regulatory controls have been based on the following objectives:

- (a) To preserve Quatsino’s unique character and rural lifestyle while encouraging a moderate level of growth and development.
- (b) To encourage small scale, clean, light industries and home commercial uses throughout the Quatsino community.
- (c) To protect and preserve the natural resources within the community and the various environmentally sensitive regions.
- (d) To encourage the development of more community recreational areas.

2.2.0 Administration

- (a) The Manager of Development Services or such other person appointed by the Board of the Regional District of Mount Waddington administers this Bylaw.
- (b) The Manager of Development Services or such other person appointed by the Board of the Regional District of Mount Waddington may enter, at all reasonable times, property to ascertain whether the regulations of the Zoning Bylaw are being complied with.
- (c) The Manager of Development Services or such other person appointed by the Board of the Regional District of Mount Waddington performs such duties as established to enforce this Bylaw in conformance with the *Local Government Act*.

2.3.0 Violations and Penalties

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

It is unlawful for any person to contravene this bylaw or permit any act or thing in contravention of this bylaw. On the recommendation of the Manager of Development Services, or such other person appointed by the Board of the Regional District of Mount Waddington to enforce this Bylaw, a note will be registered against the land title where a contravention is observed.

Every person who commits an offence 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 offence, constitutes a new and distinct offence.

2.4.0 Variance

An owner of land may apply to the Board of the Regional District of Mount Waddington for a Development Variance Permit or may make application to the Board of Variance to vary the provisions of this Zoning Bylaw. However, as per the provisions of the *Local Government Act*, a request to vary the use or density of the land as specified in this Bylaw will not be permitted.

2.5.0 Bylaw Amendment

- (a) The Board of the Regional District of Mount Waddington may, by bylaw, amend or repeal this Bylaw in accordance with the provisions of the *Local Government Act*.
- (b) An application to change a zone or uses within a zone, as shown on the Quatsino Zoning Map No. 1, shall be treated as an application to amend this Bylaw.
- (c) Where an application has been made to rezone a portion of a lot, the Regional District of Mount Waddington shall require a legal survey; identifying the portion of the lot that is subject to the rezoning application; be conducted by a registered BC Land Surveyor. This survey shall be submitted to the Regional District of Mount Waddington prior to the bylaw being adopted.

2.6.0 Subdivision Approval

Applications for the approval of land subdivision shall be made to the Ministry of Transportation. The Regional District of Mount Waddington provides comments from the viewpoint of its regulations and policies. The Quatsino Zoning Bylaw No. 670, 2002 regulates the subdivision of land as it relates to the proposed use and development of the land.

2.7.0 Non-Conforming Uses

Buildings, structures or uses that pre-date the adoption of this Bylaw, may continue as a legal non-conforming use subject to Section 911 of the *Local Government Act*.

Any building or structure conforming to use and density, but non-conforming as to size, shape, siting, and/or parking stall dimensions at the time of the adoption of this Bylaw, may be altered, repaired or extended as provided in Section 911(10) of the *Local Government Act*.

2.8.0 Declaration of Minimum Requirements

The provisions of this Bylaw are the minimum requirements for the regulation of the use and development of land within the area illustrated on the Quatsino Zoning Map No. 1. Provincial legislation supersedes the regulations of this Bylaw in all matters within provincial jurisdiction. In particular, where the regulations of this Bylaw are not consistent with those of the:

- Ministry of Water, Land and Air Protection;
- Ministry of Agriculture and Food; or the
- Ministry of Health;

the approval of such agencies is recognized as being a precondition for development.

PART 3 – GENERAL PROVISIONS

3.1.0 Parking and Loading

- (a) The minimum number of off-street parking stalls required for each use of a building or development will be as follows or more as determined by the Ministry of Transportation:
- | | | | |
|-------|-------------------------|---|------------------------|
| (i) | Single Family Dwellings | - | 2 parking stalls |
| (ii) | Bed and Breakfasts | - | 1 per guest bedroom |
| (iii) | Home Commerce | - | 1 per 2 employees |
| (iv) | Tourist Accommodations | - | 1 per guest unit |
| (v) | Churches/Halls/Parks | - | 1 per 5 seating spaces |
| (vi) | Commercial | - | 2 plus 1 per employee |
| (vii) | Industrial | - | 1 per 3 employees |
- (b) In the case of a use not specified in Section 3.1.0(a), the number of stalls provided is the same as for the most similar use prescribed in Section 3.1.0(a).
- (c) Where there is more than one use of a building or development, the required number of stalls is the sum of the requirements for each of the uses prescribed in Section 3.1.0(a), calculated separately.
- (d) All required parking stalls must be located on the lot or site on which the use exists for which they are provided.
- (e) Parking stalls must not cover more than 40% of any setback required in Part 5 – Zone Regulations of this Bylaw.
- (f) For frequently used areas, the parking and travelling area must be of a hard, well-packed, durable surface.
- (g) Parking stall design must meet Ministry of Transportation's specifications.

3.2.0 Buffering

Buffering is required in order to mask or separate industrial and commercial uses from residential uses; and industrial uses from commercial uses.

- (a) Where any buffer area is required:
- | | |
|-------|--|
| (i) | No building or structure may be erected or placed within the buffer area |
| (ii) | No vehicle may be parked within the buffer area |
| (iii) | No storage shall be permitted within the buffer area |

3.3.0 Drainage

No development shall create or increase the risk from flooding and erosion or negatively affect downstream water users, adjacent developments, or have a detrimental affect on the water supply. The following will apply to all developments:

- (a) All sites must be graded in a manner that directs surface and storm water run-off to a ditch or drain in such a way as to prevent flow from one site to the next, except where drainage conforms to the policies and regulations of the provincial or federal agency having jurisdiction.
- (b) On properties containing a cliff, escarpment, or bank, all surface and sewage disposal systems must be directed away from the cliff edge.

3.4.0 Fencing

All development or uses under construction or otherwise, which are dangerous and easily accessible must be adequately fenced or otherwise barriered from public access.

3.5.0 Access

All lots created by plan of subdivision must have access to a public road developed to a standard acceptable to the Ministry of Transportation.

PART 4 – GENERAL ZONE REGULATIONS

4.1.0 Uses Permitted in All Zones

The following uses are permitted in all zones. These uses are in addition to those described in each zone contained in Part 5 – Zone Regulations of this Bylaw.

- (a) Utility lots
- (b) Public open space and parks
- (c) Schools and churches
- (d) Community halls or similar public facilities
- (e) Post offices, police and fire halls
- (f) Public recreation facilities
- (g) Cemeteries

4.2.0 Uses Prohibited in All Zones

The following uses are prohibited in all zones contained in Part 5 – Zone Regulations of this Bylaw:

- (a) Disposal of toxic waste
- (b) Any activity that is unreasonably offensive and affects a person's right to quiet enjoyment of their property by reason of the generation of:
 - (i) Noise, vibration or odour
 - (ii) Dust or other particulate matter
 - (iii) Toxic or noxious matter
 - (iv) Radiation, fire, explosion, or electrical hazards
 - (v) Humidity heat or glare
 - (vi) Waterborne or airborne waste
 - (vii) Water or steam
- (c) No person shall use or permit to be used, an accessory building as a residence except as specifically permitted in Part 5 – Zone Regulations of this Bylaw.

4.3.0 Height Regulations

The maximum height of any principal or accessory building, excluding devices not structurally essential to the building, is 12 meters (40 feet) and shall not exceed three storeys.

4.4.0 Development within Environmentally Sensitive Areas

A 30 meter (99 feet) strip known as a Environmentally Sensitive Area (ESA) has been designated - as per Bylaw No. 656 cited as the "Quatsino Official Community Plan Bylaw, 2002" along the borders of streams and other water bodies. Any proposed development within this area may require approval from the relevant provincial and/or federal agency. Building setback requirements will be based on the conditions of development approval from the federal or provincial agency, without amendment to this Bylaw.

4.5.0 Lot Size Exceptions

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

- (a) The lot is to be used for any purpose described in section 4.1.0 of this Bylaw.
- (b) The purpose of a subdivision is to consolidate two or more lots.
- (c) 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 an extent that it could be further subdivided.

4.6.0 Home Commerce

Where Home Commerce is permitted in any zone, the operator must:

- (a) Not employ more than four employees including the owner or resident of the lot upon which the business is operated.
- (b) Not undertake any business that uses any equipment or process in the business that would be in contravention of Section 4.2.0 of this Bylaw or that would otherwise detract from the character of the area.
- (c) Provide parking and loading spaces as per Section 3.1.0 of this Bylaw.
- (d) Not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of other uses in the zone in which the business is located.
- (e) Provide buffering in accordance with Section 3.2.0 of this bylaw.

PART 5 – ZONE REGULATIONS

5.1.0 Land Use Zones

For the purposes of this Bylaw, those parts of the Regional District of Mount Waddington to which this Bylaw applies, are hereby divided into the following land use zones:

<u>USE</u>	<u>ZONE TITLE</u>
Residential	Rural Residential (RR-1)
Commercial	Commercial General (CG-1)
Industrial	Industrial General (IG-1)
Resource	Forest Preserve (FP-1)
Marine	Marine Restricted (MR-1)

5.2.0 Quatsino Zone Map No. 1

The location and extent of the zones described in Part 5, are shown on the Quatsino Zoning Map No. 1, which is attached to and forms a part of this Bylaw. The zone regulations of this Bylaw do not apply to roads, lanes, or other public thoroughfares.

5.3.0 Residential Zones

5.3.1 Rural Residential (RR-1)

This zone is intended to provide for single-family residential and home commerce development on rural properties in Quatsino.

- (a) Permitted Uses
 - (i) Single-family dwellings
 - (ii) Home agriculture
 - (ii) Home commerce
 - (iv) Buildings and uses accessory to a permitted use
- (b) Minimum Lot Size
 - (i) The minimum area of any lot created by subdivision is 0.8 hectares (2 acres) or more as determined by the Medical Health Officer as sufficient for on-site services.
- (c) Minimum Setbacks
 - (i) For principal buildings and structures:
 - 9 meters (30 feet) from all front and rear lot lines
 - 4.5 meters (15 feet) from exterior lot lines
 - 2.5 meters (8 feet) from all other side lot lines

- (ii) For accessory buildings and structures:
 - 5 meters (16 feet) from all front lot lines
 - 4.5 meters (15 feet) from exterior lot lines
 - 1.5 meters (5 feet) from all rear and other side lot lines
 - (iii) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.
- (d) Development Density
- (i) One single-family dwelling is permitted on each lot. In addition, one cabin or one campsite is permitted for every 0.8 hectares (2 acres) of land.
 - (ii) The floor area of a cabin must not exceed 37 square meters (400 square feet) in total.
 - (iii) Campsites must have a minimum area of 56 square meters (600 square feet).
 - (iv) Buildings and accessory structures must not cover more than 50% of a lot up to 0.8 hectares (2 acres). An additional 20% lot coverage is permitted for any lot over 0.8 hectares (2 acres).
- (e) Conditions of Use
- (i) Home commerce must be in accordance with Section 4.6.0 of this Bylaw.
 - (ii) Where home commerce involves light industrial activities, a five meter (16 feet) vegetated buffer area must be provided to lessen the potential for impacts on adjacent properties. Buffer areas must be in accordance with Section 3.2.0 of this Bylaw.
 - (iii) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
 - (iv) Principal buildings must be serviced by a community sewer and community water system or a water and septic disposal system constructed to the standards of the provincial agency having jurisdiction and/or the Medical Health Officer.

5.6.0 Commercial Zones

2.2.2 Commercial General (CG-1)

This zone is intended to accommodate general commercial development with accessory residential development.

- (a) Permitted Uses
 - (i) Campgrounds and Cabins
 - (ii) Food and general merchandise stores and markets

- (iii) Personal service shops
 - (iv) Tourist lodges and resorts
 - (v) Restaurants, cafes, and pubs
 - (vi) Commercial recreation operations
 - (v) Single-family dwellings as an accessory use
 - (vi) Buildings and uses accessory to a permitted use
- (b) Minimum Lot Size
- The minimum area of any lot created by subdivision is 0.8 hectares (2 acres) or more as determined by the Medical Health Officer as sufficient for on-site services.
- (c) Minimum Setbacks
- (i) For principal buildings and structures:
 - 9 meters (30 feet) from all front and rear lot lines
 - 4.5 meters (15 feet) from exterior lot lines
 - 2.5 meters (8 feet) from all other side lot lines
 - (ii) For accessory buildings and structures:
 - 5 meters (16 feet) from all front lot lines
 - 4.5 meters (15 feet) from exterior lot lines
 - 1.5 meters (5 feet) from all rear and other side lot lines
 - (iii) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.
- (d) Development Density
- (i) Multiple principal buildings are permitted on each lot provided that the area of the lot covered by principal and accessory buildings does not exceed 50% of the total area of the lot.
 - (ii) The floor area of a cabin must not exceed 37 square meters (400 square feet) in total.
 - (iii) Campsites must have a minimum area of 56 square meters (600 square feet).
 - (iv) One accessory single-family dwelling is permitted on each lot.
 - (v) Buildings and uses accessory to a permitted use.

- (e) Conditions of Use
 - (i) Where a lot line abuts an RR-1 zone, a five meter (16 feet) vegetated buffer area must be provided. Buffer areas must be in accordance with Section 3.2.0 of this Bylaw.
 - (ii) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
 - (iii) Where a single-family dwelling is constructed in accordance with the provisions of this zone, it must be serviced by a community sewer and community water system or a water and septic disposal system constructed to the standards of the provincial agency having jurisdiction and/or the Medical Health Officer.

Industrial Zones

5.6.1 Industrial General (IG-1)

This zone is intended to accommodate general industrial development with accessory residential development.

- (a) Permitted Uses
 - (i) Forestry, industrial, and marine related manufacturing and processing sites including the sale of products manufactured or processed on the site.
 - (ii) Contractor offices and work yards
 - (iii) Board building, storage and repair shops
 - (iv) Salvage and storage yards
 - (v) Single-family dwellings as an accessory use
 - (vi) Buildings and uses accessory to a permitted use
- (b) Minimum Lot Size

The minimum area of any lot created by subdivision is 0.8 hectares (2 acres) or more as determined by the Medical Health Officer as sufficient for on-site services.
- (c) Minimum Setbacks
 - (i) For principal buildings and structures:
 - 9 meters from all front and rear lot lines (30 feet)
 - 4.5 meters (15 feet) from exterior lot lines
 - 2.5 meters (8 feet) from all other side lot lines
 - (ii) For accessory buildings and structures:
 - 5 meters (16 feet) from all front lot lines
 - 4.5 meters (15 feet) from exterior lot lines
 - 1.5 meters (5 feet) from all rear and other side lot lines

- (iii) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.
- (d) Development Density
 - (i) Multiple principal buildings are permitted on each lot provided that the area of the lot covered by principal and accessory buildings does not exceed 50% of the total area of the lot.
 - (iv) One accessory single-family dwelling is permitted on each lot.
- (e) Conditions of Use
 - (i) Where a lot line abuts an RR-1 zone, a five meter (16 feet) vegetated buffer area must be provided. Buffer areas must be in accordance with Section 3.2.0 of this Bylaw.
 - (ii) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
 - (iii) Where a single-family dwelling is constructed in accordance with the provisions of this zone, it must be serviced by a community sewer and community water system or a water and septic disposal system constructed to the standards of the provincial agency having jurisdiction and/or the Medical Health Officer.

5.6.0 Other Zones

5.6.1 Forest Preserve (FP-1)

This zone includes Crown and private lands currently under forestry tenure under provincial jurisdiction. Land uses and conditions of development are managed under the Forest Practices Code. While recognizing that the area is under provincial jurisdiction, this zone is intended to provide protection to the foreshore within 50 meters (164 feet) of Colony Lake, with a 20 meter (66 feet) transition area to maintain ecological and habitat values and to accommodate limited levels of public use. Land zoned Forest Preserve (FP-1) around Colony Lake extends 70 meters from the high water mark onto the upland.

- (a) Permitted Uses
 - (i) Forestry uses as permitted by the Forest Practices Code
 - (ii) Wood lots
 - (iii) Recreational trails
 - (iv) Community parks and picnic areas
 - (v) Wildlife viewing platforms

- (b) Conditions of Use
 - (i) Public lands shall remain in public ownership and be accessible to the community for recreational use.
 - (ii) Development or activities in areas that are subject to slide hazards or create further instability will not be permitted.

5.6.2 Marine Restricted (MR-1)

This zone extends 300 meters (984 feet) from the foreshore into the Quatsino Sound and is intended to provide for marine uses accessory to those uses permitted in the residential and commercial zones.

- (a) Permitted Uses
 - (i) Marine uses accessory to a permitted upland residential or commercial use.
 - (ii) Private boathouses and wharves
- (b) Conditions of Use
 - (i) Approval from the provincial or federal government agency having jurisdiction is required as a pre-condition to development.
 - (ii) Uses or combination of uses is limited to the water access needs of the residences or other permitted uses on the lot.

PART 6 – SEVERABILITY

6.1.0 Severability

If any provision of this Bylaw is found invalid, such provision is severable and shall not affect the validity of the remainder of this Bylaw.

READ A FIRST TIME THIS 10th DAY OF December, 2002.

READ A SECOND TIME THIS 10th DAY OF December, 2002.

PUBLIC HEARING HELD THIS 20th DAY OF January, 2003.

READ A THIRD TIME AS AMENDED THIS 18th DAY OF February, 2003.

ADOPTED THIS 18th DAY OF February, 2003.

SECRETARY

CHAIRMAN