



REGIONAL DISTRICT OF MOUNT WADDINGTON ZONING BYLAW NO. 21, 1972

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May 15, 2018

LIST OF AMENDMENTS

The following is a list of bylaws that have been adopted that amend RDMW Zoning Bylaw No. 21, 1972 since it was adopted by the Board of the Regional District of Mount Waddington on April 1, 1974:

BYLAW NO.	NATURE OF AMENDMENT	DATE ADOPTED	TEXT AND/OR MAP CHANGE
53	Regional Zoning Amendment	July 21, 1976	Map/Text
61	Regional Zoning Amendment	January 19, 1977	Map/Text
62	Zoning Amendment Coal Harbour	January 19, 1977	Map
63	Zoning Amendment Coal Harbour	January 19, 1977	Map
64	Zoning Amendment Coal Harbour	January 19, 1977	Map
65	Zoning Amendment Sointula	March 16, 1977	Map
67	Zoning Amendment Coal Harbour	September 27, 1977	Map
68	Zoning Amendment Coal Harbour	September 27, 1977	Map
71	Regional Zoning Amendment	January 13, 1978	Text
73	Zoning Amendment Hyde Creek	March 15, 1978	Map
74	Zoning Amendment Hyde Creek	April 19, 1978	Map
75	Zoning Amendment Malcolm Island	April 19, 1978	Map
76	Zoning Amendment Malcolm Island	April 19, 1978	Map
77	Zoning Amendment Malcolm Island	April 19, 1978	Map
78	Zoning Amendment Malcolm Island	April 19, 1978	Map
82	Zoning Amendment Hyde Creek	May 17, 1978	Map
85	Zoning Amendment Hyde Creek	August 16, 1978	Map
86	Regional Interim Zoning	September 14, 1978	Text
89	Zoning Amendment Coal Harbour	September 14, 1978	Map
90	Zoning Amendment Hyde Creek	October 18, 1978	Map
91	Zoning Amendment Hyde Creek	November 15, 1978	Map
96	Regional Interim Zoning	June 20, 1979	Text
103	Regional Zoning Amendment to Bylaw 21	December 19, 1979	Text
108	Zoning Classification	February 20, 1980	Map
118	Coal Harbour Zoning	August 20, 1980	Map
119	Hyde Creek Zoning	September 24, 1980	Map
122	Amend Zoning for Hyde Creek	January 21, 1981	Map
127	Quatsino Zoning Amendment- Bylaw 21	February 18, 1981	Map/Text
128	Zoning Amendment Quatsino	February 18, 1981	Map
129	Zoning Amendment Quatsino	February 18, 1981	Map
130	Hyde Creek Zoning	February 18, 1981	Text

BYLAW NO.	NATURE OF AMENDMENT	DATE ADOPTED	TEXT AND/OR MAP CHANGE
136	Zoning Amendment Malcolm Island 1981	August 19, 1981	Map
137	Pearse Island Zoning Amendment	July 27, 1981	Text
141	Malcolm Island Zoning	October 21, 1981	Map
142	Malcolm Island Zoning (repealed by 163)	December 16, 1981	Text
143	Zoning Amendment Hyde Creek	December 16, 1981	Map
151	Zoning Amendment Sointula	July 21, 1982	Map
159	Zoning Classification for Area C certain lands	April 21, 1982	Map/Text
163	Malcolm Island Zoning Repeal Bylaw	August 18, 1982	Text
170	Interim Zoning Malcolm Island	October 20, 1982	Map
172	Zoning Amendment Malcolm Island	October 20, 1982	Map
191	Zoning Amendment Airport Hyde Creek	December 21, 1983	Map/Text
195	Regional Sign Regulations	December 21, 1983	Text
207	Zoning Amendment Coal Harbour	January 18, 1984	Map/Text
208	Zoning Amendment Hyde Creek	July 18, 1984	Map/Text
213	Coal Harbour Zoning Amendment	June 20, 1984	Map
222	Zoning Amendment for Malcolm Island	August 21, 1985	Map/Text
224	Mobile Home Parks	August 15, 1984	Text
237	Apartment dwellings above Commercial Uses	May 15, 1985	Text
264	Zoning Amendment for Malcolm Island	April 16, 1986	Map
266	Addition of RU-2 Zone	April 16, 1986	Map/Text
291	Zoning for Woss	July 15, 1987	Map
309	Rezone Portion Woss 1	September 7, 1988	Map
325	Telegraph Cove Rezone	March 20, 1991	Map/Text
359	Echo Bay Rezoning	September 11, 1991	Map/Text
362	Hyde Creek	March 20, 1991	Map/Text
363	Rezone Land in Area C	June 19, 1991	Map
368	Hyde Creek Rezoning	July 15, 1992	Map
369	Coal Harbour Rezone two commercial parcels	June 17, 1992	Map
376	Hyde Creek Zoning Amend Bylaw 389	July 15, 1992	Map
389	Coal Harbour Zoning (Bylaw 396)	June 17, 1992	Map
396	Hyde Creek Rezoning (Bylaw 403)	February 17, 1993	Map
403	Cormorant Island Rezone	July 21, 1993	Map/Text
404	Hyde Creek Rezoning (Bylaw 422)	February 17, 1993	Map
422	Hyde Creek Rezoning Regs (Bylaw 434)	June 16, 1993	Text
434	Artist Studio	October 20, 1993	Text
445	Rezone Property (Hyde Creek)	May 18, 1994	Map
462	Rezone land in Quatsino	November 16, 1994	Map
465	Restricted Residential Zone	November 16, 1994	Text
481	Rezone Property Coal Harbour	June 21, 1995	Map/Text

BYLAW NO.	NATURE OF AMENDMENT	DATE ADOPTED	TEXT AND/OR MAP CHANGE
485	Winter Harbour Rezone	January 16, 2001	Map
491	Alder Bay Resort	January 15, 1997	Alder Bay
497	Telegraph Cove Holdings Map 1	July 21, 1999	Telegraph Cove
501	Malcolm Island Land Use	January 15, 1997	Map - Malcolm Island
510	Cormorant Island Zoning	June 17, 1998	Map
556	Woss Community Land Use	January 27, 1999	Woss
567	Duval Point Rezone	May 19, 1999	Map
572	Balaklava Island	May 19, 1999	Map
580	Cluster Residential	April 18, 2000	Text
581	East Cracroft Rezone	April 18, 2000	Map
583	Hyde Creek Zoning Amend	May 19, 1999	Text
591	Zone Amend Hyde Creek (Bylaw 591)	November 17, 1999	Map
641	Holberg Zoning	July 17, 2001	Map
642	Highway Signs	August 21, 2001	Text
645	Hanson Island	September 18, 2001	Map
648	Hyde Creek Zoning (see 734)	May 21, 2002	Map - Hyde Creek
650	Staples Island	March 19, 2002	Map/Text
651	Hyde Creek Zoning	February 19, 2002	Map/Text
665	Winter Harbour Zoning Amendment	October 15, 2002	Map/Text
669	Coal Harbour Zoning	February 18, 2003	Map - Coal Harbour
670	Quatsino Zoning	February 18, 2003	Map - Quatsino
671	Holberg Rezone	March 18, 2003	Map
700	Commercial Electrical Power Generation	November 16, 2004	Text
714	Orca Sand and Gravel Rezoning	September 20, 2005	Map
752	Echo Bay Rezoning	October 16, 2007	Map
771	Minstrel Island Rezoning	March 17, 2009	Map/Text
783	Minstrel Island Rezoning	September 15, 2009	Map
786	Minstrel Island Rezoning	September 15, 2009	Map
801	New Zone / Berry Island	June 21, 2011	Map/Text
821	Temporary Use Permit Provisions	August 16, 2011	Text
832	Subdivision of Land Provisions/ Housekeeping	March 19, 2013	Text
882	Nimmo Bay Resort	January 19, 2016	Map
894	New Zone / Knight Inlet Lodge / Housekeeping	April 19, 2016	Map / Text
895	New Zone / Buttle Property - West Cracroft Island	May 15, 2018	Map / Text
910	New Zone / Winter Harbour / Housekeeping	June 21, 2016	Map / Text
920	New Zones / Blackfish Lodge / Farewell Harbour Lodge / Housekeeping	June 20, 2017	Map / Text
925	Housekeeping / Topknot – Winter Harbour Cottages	September 19, 2017	Map / Text

This copy of RDMW Zoning Bylaw No. 21 is consolidated for convenience only.

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REGIONAL DISTRICT OF MOUNT WADDINGTON

ZONING BYLAW NO. 21

The purpose of this Bylaw is to provide regulations for the use of land, buildings and structures within the Regional District of Mount Waddington.

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

INTERPRETATION AND ADMINISTRATION

1.1.0 TITLE

This Bylaw shall be cited as "Regional District of Mount Waddington Zoning Bylaw No. 21, 1972".

1.2.0 APPLICATION

This Bylaw shall be applicable to all of the Electoral Areas of the Regional District of Mount Waddington as defined in the Letters Patent and amendments thereto.

1.3.0 DEFINITIONS

In this Bylaw unless the context otherwise requires:

ACCESSORY BUILDINGS, STRUCTURES AND USES means buildings, structures and uses that are clearly subordinate to, customarily incidental to and exclusively devoted to the principal use or building on the same lot or Crown land tenure, except where located on a Crown land tenure, an accessory building, structure or use may be utilized in conjunction with a principal use or building on another lot or Crown land tenure, provided the applicable zone of each is identical. *(Amended by Bylaw No. 910)*

ADMINISTRATIVE OFFICER: means the building inspector or such other person appointed by the Board to administer this Bylaw;

AGGREGATE AND MINERAL RESOURCE EXTRACTION means the mining of clay, earth, gravel, rock, sand, stone and mineral materials in association with approvals issued by the Province for same, and in accordance with the applicable provincial regulations, and includes activities related to the crushing, sorting, stockpiling, storage, washing and transportation of these materials. Uses and activities associated with this definition shall not be undertaken closer than 200 meters to an existing residential dwelling. *(Added by Bylaw No. 910)*

AGRICULTURE means the use of land, buildings and structures for the growing, rearing, producing and harvesting of agricultural products, but does not include the growing, rearing, producing and harvesting of marijuana. Includes the storage and sale of the agricultural products harvested, reared, or produced on that lot, and the use, storage and repair of machinery, implements and supplies used in the growing, rearing, producing and harvesting of agricultural products on that lot. *(Added by Bylaw No. 910 and Amended by Bylaw 920)*

ANIMAL KENNEL means the use of land, buildings or structures for the keeping, boarding, breeding or training of animals. *(Added by Bylaw No. 910)*

BED AND BREAKFAST means the provision of nightly accommodation and a breakfast meal for tourists and the traveling public as an accessory use within a single detached dwelling. *(Added by Bylaw No. 910)*

BLADE: An element of a wind energy generator rotor that acts as an airfoil, extracting kinetic energy directly from the wind. *(Added by Bylaw No. 700)*

BLADE CLEARANCE: the distance from grade to the bottom of a horizontal axis rotor blades arc. *(Added by Bylaw No. 700)*

BOARD: means the Regional Board of the Regional District of Mount Waddington;

BUILDING: means any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattel.

BUILDING, PRINCIPAL: means a building in which is conducted the main or principal use of the lot on which it is located.

CARPORT: means a partially enclosed structure intended for the shelter of one or more motor vehicles. Enclosure is limited to the roof and to a height not greater than nine tenth (0.9) meters above the ground or finished surface of the carport. **(Amended by Bylaw No. 96)**

COMMUNITY SEWER SYSTEM: means a common sewer, or a system of sewerage or sewage disposal which is owned, operated and maintained by an Improvement District under the Water Act or the Municipal Act, or a Regional District.

COMMUNITY WATER SYSTEM: means a system of waterworks which is owned, operated and maintained by an Improvement District under the Water Act or the Municipal Act, or a Regional District, or which is regulated under the Public Utilities Act.

COTTAGE INDUSTRY **(Added by Bylaw No. 130 and Deleted by Bylaw No. 920)**

CROWN LAND TENURE means the written authorization by the Province of British Columbia to occupy and utilize an area of Crown land (includes land covered by water) for a specific purpose. **(Added by Bylaw No. 910)**

DWELLING means one or more habitable rooms, constituting a self-contained unit with one or more separate entrances and containing cooking, eating, living, sleeping and sanitary facilities, for the purposes of human habitation. **(Amended by Bylaw No. 910)**

DWELLING, APARTMENT, means a dwelling located in a building in which three or more dwellings are located. **(Amended by Bylaw No. 910)**

DWELLING, ATTACHED means a dwelling located in a building divided into no less than three dwellings with each dwelling having direct access to the outside at finished grade. **(Amended by Bylaw No. 910)**

DWELLING, CABIN means a single detached dwelling of not more than 93 square metres (1,000 square feet) in gross floor area which is accessory to an existing single detached dwelling. A cabin dwelling may only be established in a zone where it is specifically permitted by this Bylaw and shall only be established on a lot that is at least 1 hectare (2.47 acres) in area. A cabin dwelling may be utilized to provide rental accommodation. **(Added by Bylaw No. 920)**

DWELLING, DUPLEX means a building used or designed as two dwelling units, each with direct access to the outside at grade level, and are connected by a common wall when side by side and by a common floor when positioned one on top of the other. **(Amended by Bylaw No. 910)**

DWELLING, FLOAT HOME means a dwelling that incorporates a floatation system that allows it to be placed on water, but is not intended for navigation or useable as a navigable vehicle. **(Added by Bylaw No. 910)**

DWELLING, MANUFACTURED HOME means a dwelling that:

- (a) was manufactured at a factory and is intended to be occupied as a dwelling at a place other than its place of manufacture; and,
- (b) meets or exceeds Canadian Standards Association CSA-Z240, CSA A277 or CSA A277-M1990 standards or equivalent;

A manufactured home dwelling may include what is commonly referred to as a “manufactured home”, “mobile home”, “modular home” or “pre-fabricated home” that meets these criteria, but does not include a recreational vehicle. **(Added by Bylaw No. 910)**

DWELLING, SECONDARY SUITE means a dwelling that is accessory to and contained within a single detached dwelling and does not exceed 100 square meters in floor area. In those zones in which a single detached dwelling is permitted, a secondary suite dwelling is also permitted. **(Added by Bylaw No. 910)**

DWELLING, SINGLE DETACHED means a building consisting of one dwelling having independent exterior walls and may include a manufactured home dwelling, but for clarity, does not include a float home dwelling or recreational vehicle. **(Amended by Bylaw Nos. 910 & 920)**

FAMILY: means one or more persons related by blood, marriage or adoption occupying single living quarters.

FORESTRY: means the harvesting of trees through logging activities such as felling and trimming of trees and transportation of logs, and includes silviculture activities related to the cultivation and maintenance of forests. Forestry does not include the processing of logs into finished lumber or wood products. **(Added by Bylaw No. 832)**

GASOLINE SERVICE STATION: means premises primarily for the sale of gasoline, lubricating oil and motor vehicle accessories directly to the users of motor vehicles and the servicing of motor vehicles, excluding body works, painting and major repairs.

HOME OCCUPATION: means an accessory occupation, profession, or craft use which is clearly incidental to the use of a dwelling for residential purposes, or to the residential use of a lot, and does not change the residential character of the lot on which the home occupation undertaken. A home occupation must comply with the regulations of section 3.16 of this Bylaw. **(Amended by Bylaw Nos. 434 & 920)**

HEIGHT: means the vertical distance from the finished grade to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, and in the case of a structure without a roof, to the highest point of the structure. **(Added by Bylaw No. 910 and Amended by Bylaw No. 925)**

HIGHWAY includes a street, road, lane, bridge, viaduct, and any other way open to the public for access purposes. **(Added by Bylaw No. 910)**

HORIZONTAL AXIS ROTOR: a wind energy conversion system, typical of conventional or traditional windmills. **(Added by Bylaw No. 700)**

HYDRO ELECTRIC ENERGY GENERATION SYSTEM (HEG): is one or more structures designed to convert water energy into mechanical or electrical energy, including dams or water diversions, penstock, turbine or other generator, tailrace, transformer stations, transmission lines and accessory buildings. **(Added by Bylaw No. 700)**

INTERTIDAL ZONE means the marine area that is above water at low tide and under water at high tide and is also known as the foreshore and sometimes referred to as the littoral zone. **(Added by Bylaw No. 920)**

LANE: means a public thoroughfare not exceeding nine (9) meters in width, which provides secondary means of access to a lot. **(Amended by Bylaw No. 96)**

LICENCED PREMISES: means an establishment where liquor is sold to the public for consumption on the premises, under licence by the Province of British Columbia. **(Added by Bylaw No. 894)**

LODGING HOUSE: means a single detached dwelling for which the primary purpose is to provide temporary accommodation to persons, with or without meals. **(Added by Bylaw No. 920)**

LOT: means a district lot, lot, strata lot, block, or other area of land for which the title is legally described by the Land Title and Survey Authority of British Columbia, or into which it is subdivided under the Land Title Act or Strata Property Act or regulations thereof, and also includes that area of land associated with a Crown land tenure, such as a lease or license of occupation, issued by the Province of British Columbia to authorize the use and occupation of Crown land. **(Amended by Bylaw No. 910)**

LOT CORNER: means a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

LOT DEPTH OF: means the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

LOT LINE: means any legal boundary of a lot. **(Added by Bylaw No. 832)**

LOT LINE, FRONT: means the lot line which is contiguous to a highway and where a lot is contiguous to more than one highway, the lot line contiguous to a highway that is the shortest in length. In the case of a lot which is not contiguous to a highway, but is contiguous to the natural boundary of a water body, or is contiguous to a highway, but is also contiguous to the natural boundary of a water body and the water body is the source of access to the lot, the lot line that is contiguous to the natural boundary of the water body. **(Added by Bylaw No. 832)**

LOT LINE, REAR: means the lot line that is opposite to the front lot line and in situations where the side lot lines of a lot intersect, the point of intersection is deemed to be the rear lot line. **(Added by Bylaw No. 832)**

LOT LINE, SIDE: means a lot line other than a front lot line or rear lot line. **(Added by Bylaw No. 832)**

LOT LINE SETBACK: means the required minimum horizontal distance measure from the respective lot line to any building or structure or part thereof. **(Added by Bylaw No. 832)**

LOT WIDTH OF: means the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided however that the width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width except in the case of lots on the turning circle of a cul-de-sac, where the 80 per cent requirement shall not apply.

MARIJUANA GROW OPERATION means the cultivation, growth, storage or distribution of marijuana as lawfully permitted and authorized under the applicable federal or provincial law. **(Added by Bylaw No. 920)**

MARINA: means buildings, structures and docking facilities located on or adjacent to a navigable body of water, providing for the mooring, berthing and storage of marine vessels, marine equipment and float planes, and may include the following accessory uses: sale, rental and repair of marine vessels, marine equipment and float planes; restaurants; and, retail sales including fuel sales. **(Added by Bylaw No. 894)**

MEDICAL HEALTH OFFICER: means the Medical Health Officer appointed pursuant to the Health Act.

MINI MALL: means a multi commercial use of a retail or service nature within the confines of a single structure not exceeding 250m² of total floor area. **(Added by Bylaw No. 103)**

NATURAL BOUNDARY: means the visible high-water mark of any lake, river, stream, or other body of water (such as the sea) 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 (including rock) of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect to vegetation as well as in respect to the nature of the soil itself. **(Added by Bylaw No. 700 and Amended by Bylaw No. 920)**

OFFICIAL SETTLEMENT PLAN: means official settlement plan as defined in section 796A and section 796B of the Municipal Act. **(Added by Bylaw No. 103)**

OFF-STREET PARKING SPACE: means a space within a building on a lot, or a parking area on a lot for the parking of one vehicle. **(Added by Bylaw No. 925)**

PERSONAL SERVICES: means Barber shops, Beauty Parlours, Shoe repair stores. Electronic and electric repair shops. Launderettes, Florist shops. Tailor or Dressmaking shops and similar uses. **(Added by Bylaw No. 103)**

PRINCIPAL USE: means the main purpose for which a building or lot is used.

RECREATION: means the use of land, buildings and structures for: campgrounds under the jurisdiction of or maintained by a local, provincial or federal government; kayak camps operated on sites less than 2 hectares in area in coastal locations on a seasonal basis, golf courses; hiking trails, parks; picnic and rest areas; playfields; shooting ranges; and, nature / wildlife viewing. **(Added by Bylaw No. 894 and Amended by Bylaw No. 920)**

RECREATIONAL VEHICLE means a camper, tent trailer, travel trailer, fifth wheel or motor home with a maximum width of 2.6 meters (8.53 feet) in transit mode, which can be used to provide sleeping accommodation and which is capable of being licensed for highway use pursuant to the Motor Vehicle Act. **(Added by Bylaw No. 910)**

REGIONAL DISTRICT means the Regional District of Mount Waddington. **(Added by Bylaw No. 910)**

RESORT: means a development in which the primary use is the provision of lodging and sleeping accommodations for the general public, and includes the provision of meals to the guests of the resort, as well as the furnishing of equipment, supplies, services and / or space to guests in connection with angling, boating, camping, hunting, sightseeing, wildlife viewing and / or other recreational activities, and may include the following accessory uses: docks / moorage, helicopter landing pads; licenced premises; meeting rooms; offices; staff accommodations; retail stores; restaurants; and, recreational facilities. Resort shall include Tourist Lodge. **(Added by Bylaw No. 894)**

STREET: means all highways, roads, squares, thoroughfares and any other public way, but not lanes or walkways.

STRUCTURE: means anything constructed or erected with a fixed location on the ground, or attached to something having fixed location on the ground. Among other things, structure includes buildings, walls, fences, billboards and poster panels.

TOTAL HEIGHT: The height from grade to the highest vertical extension of a WEG. In the case of a WEG with a horizontal axis rotor, total height includes the distance from grade to the top of the highest point of the rotor blades arc. **(Added by Bylaw No. 700)**

TOURIST CABIN: means a single detached dwelling which consists of not more than 55.75 square meters (600 square feet) of gross floor area, is built upon a foundation and is used to provide temporary accommodation to tourists and the traveling public. **(Added by Bylaw No. 910)**

TOURIST LODGE: see RESORT

TOWER: The structure that supports the rotor above grade. **(Added by Bylaw No. 700)**

VERTICAL AXIS ROTOR: A wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface. **(Added by Bylaw No. 700)**

WATERCOURSE: means any natural drainage course or source of water, whether usually containing water or not, and includes any lake, river, creek, spring, wetland, or the sea, and includes portions that may be contained within a conduit or culvert. **(Added by Bylaw No. 700 and Amended by Bylaw No. 925)**

WIND ENERGY GENERATION SYSTEM (WEG): A wind energy conversion system is one or more structures designed to convert wind energy into mechanical or electrical energy, including towers, generators, transformer stations, transmission lines and accessory buildings. **(Added by Bylaw No. 700)**

YARD: means a part of a parcel upon or over which no building or structure other than a boundary fence is erected unless otherwise hereinafter permitted.

YARD, FRONT: means a yard extending between side lot lines across the front of a lot. Depth of required front yards shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost points of the side lot lines, in case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding. Front and rear front yard lines shall be parallel.

YARD, REAR: means a yard extending across the rear of the lot between side lot lines. Depth of required yards shall be measured at right angles to a straight line joining the rearmost points of the side lot lines. The forward rear yard line of a required rear yard shall be parallel to the straight lines so established.

1.4.0 PROHIBITION

No building, structure or land, including the surface of water, shall be used or occupied, and no building or structure or part thereof shall be erected, constructed, reconstructed, reconstructed, moved or structurally altered unless in conformity with this Bylaw.

1.5.0 ADMINISTRATION

- (1) The Administrative Officer or such other person appointed by the Board of the Regional District of Mount Waddington shall administer this Bylaw.
- (2) Any person appointed under subsection (1) may enter any building or premises at any reasonable hour for the purpose of administering or enforcing this Bylaw.

1.6.0 NONCONFORMING USES

- (1) A lawful use of premises existing or lawfully under construction at the time of adoption of this Bylaw, although such use does not conform to the provisions of this Bylaw, may be continued subject to the provisions of Division (3), Part XXI of the Municipal Act respecting nonconforming uses.
- (2) A building existing prior to the date of adoption of this Bylaw which fails to comply with the siting requirements herein shall not by reason thereof be deemed to be nonconforming. However, any subsequent alterations or additions to such building shall be permitted only in accordance with the siting requirements of this Bylaw.

1.7.0 PERMITS

(Deleted by Bylaw No. 894)

1.8.0 BOARD OF VARIANCE

A Board of Variance is hereby established in accordance with the provisions of Division (3), Part XXI, of the Municipal Act.

1.9.0 AMENDMENTS

- (1) The Board may, by bylaw, amend or repeal this Bylaw in accordance with the provisions of Division (3), Part XXI of the Municipal Act.
- (2) An application for re-zoning shall be treated as an application to amend this Bylaw.

1.10.0 FLOOD CONTROL

- (1) No building shall be constructed within 7.5 metres of the natural boundary of a watercourse.
- (2) No area used for habitation, business or storage of goods damageable by floodwaters, and no furnace or other fixed equipment damageable by floodwaters, shall be located within any building, modular manufactured home or structure at an elevation such that the underside of the floor system is less than elevation 2 metres above the natural boundary of a watercourse. In the case of a manufactured home dwelling, the ground level or top of concrete or asphalt pad on which it is located shall be no lower than 2 metres above the natural boundary of a watercourse. Where information is provided by an engineer that indicates that a lesser amount may be undertaken in a safe manner, the 2 metre requirement may be reduced by approval of a development variance to this Bylaw. Property owners are advised to seek advice from a professional engineer in relation the siting of buildings and structures and flood damage prevention.

(Amended by Bylaw No. 925)

1.11.0 VIOLATIONS

- (1) It shall be unlawful for any person to contravene or suffer or permit any act or thing in contravention of this Bylaw.
- (2) It shall be unlawful for any person to prevent or obstruct any official appointed under subsection (1) of Section 1.5.0 from the carrying out of his duties under this Bylaw.

1.12.0 PENALTY

Any person who contravenes any provision of the Bylaw commits an offence punishable upon summary conviction and is liable to a fine not exceeding Two Thousand Dollars (\$2,000.00), or, if an information is laid by means of a ticket, in accordance with the Regional District's Ticket Information Authorization Bylaw.

(Amended by Bylaw Nos. 894 and 925)

1.13.0 DECLARATION OF MINIMUM REQUIREMENTS

In their interpretation and application, the provisions of this Bylaw shall be held to be minimum requirements, adopted for the regulation of the use and development of land within the indicated parts of the Regional District of Mount Waddington. Wherever the requirements of this Bylaw are at variance with the requirements of any other lawfully adopted rules, regulations, bylaws, deed restrictions or covenants, the most restrictive or that imposing the higher standards shall govern.

2.1.0 ESTABLISHMENT OF ZONES

(1) For the purpose of this Bylaw, parts of the Regional District of Mount Waddington are divided into the following zones:

Rural Zone	(A-1)
Rural Medium Density Zone	(RM-1)
Airport Vicinity Protection Zone	(AVP)
Light Industrial Zone	(M-2)
Small Holdings Zone	(RA-1)
Rural Residential Zone	(RR-1)
Residential Recreational Zone	(REC-1)
Residential Zone	(R-1)
Residential Zone	(R-2)
General Commercial Zone	(C-1)
Local Services Commercial Zone	(C-2LS)
Marine Commercial Zone	(C-2M)
Recreational and Tourist Commercial Zone	(C-2RT)
Neighbourhood Commercial Zone	(C-3)
Industrial Zone	(M-1)
Urban Residential Zone	(RU-1)
Restricted Residential Zone	(RU-2)
Cluster Residential Zone	(CR-1)
Recreation and Tourist Commercial Zone	(C-3RT)
Residential Recreational Zone	(RC-1)
Destination Resort Zone	(DR-1)
Foreshore Protection Zone	(FP-1)
Marine Resort Zone	(MR-1)
Tourist Accommodation Zone	(TA-1)
Lodging House Accommodation Zone	(LHA-1)
Marine Zone	(MAR-1)
Marine Industrial Zone	(MI-1)

(Amended by Bylaw Nos. 53, 103, 130, 137, 159, 191, 207, 208, 222, 266, 580, 650, 651, 801, 894, 895, 910, 920, 925)

- (2) Zone standards and regulations are prescribed in Schedule A, "Zone Regulations" which schedule is attached to and hereby declared to be part of this bylaw.
- (3) Zone boundaries are shown on Schedule B, comprising Zoning Map No. 1, Zoning Map No. 2, Zoning Map No. 6, Zoning Map No. 8 and Zoning Map No. 9 which are listed / described in Schedule C and are attached to and hereby declared to be a part of this Bylaw.
(Amended by Bylaw Nos. 53, 61, 71, 127, 137)
- (4) (a) Zone boundaries indicated as approximately following the centre line of streets, lanes, rivers, creeks or other bodies of water, shall be construed as following such centre line; and
- (b) 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 map.

GENERAL PROVISIONS

3.1.0 OFF-STREET PARKING AND LOADING

(Added by Bylaw No. 103)

(1) An off-street parking space shall have the following dimensions:

Angle of Parking	Parking Stall Width	Depth	Aisle Width	
			One-Way	Two-Way
Parallel	2.5m	7m	3.7m	5.5m
45°	3m	6m	4.6m	5.5m
60°	3m	6m	5.5m	7.5m
90°	3m	6m	5.5m	7.5m

(2) The minimum number of off-street parking spaces required for each use associated with a building, lot or development shall be as follows:

Parking Requirements	
Column 1 – Use	Column 2 – Number of Parking Spaces Required
Residential	
Apartment Dwelling or Attached Dwelling: Studio or One Bedroom	1 per dwelling
Two or more Bedroom	2 per dwelling
Visitor Parking	0.5 per dwelling
Cabin Dwelling	1 per dwelling
Duplex Dwelling	4
Lodging House	1 plus per 1 per rental room
Manufactured Home Dwelling	2
Secondary Suite Dwelling	1
Single Detached Dwelling	2
Group Home	1.5 per every 3 residents
Home Industry, Home Occupation	1 per employee
Bed and Breakfast	2 plus 1 per rented bedroom
Commercial	
Animal Kennel	1 per 5 enclosures (pen, cage and/or run intended to accommodate an animal)
Assembly	1 per 4 seats
Auction	1 per 10 m ² of floor area used for sales
Bowling Alley	3 per bowling lane
Building Supply or Garden Centre	1 per 20 m ² of retail sales floor area plus 1 per 30 m ² of outdoor display area
Campground and Recreational Vehicle Parks	1.5 per campsite
Car / Truck Wash	2 per wash bay
Cold Storage	1 per 100 m ² of gross floor area devoted to storage
Community Market (indoor or outdoor)	1 per 30 m ² sales area
Financial Institution	1 per 20 m ² of gross floor area

Funeral Parlour	1 per 3 seats
Golf Course	3 per hole
Golf Driving Range	1 per each tee
Hostel	0.5 per bed or rentable room, whichever is greater
Hotel or Motel	1 per rentable room or sleeping unit
Laboratory	1 per 20m ² of gross floor area
Laundromat / Laundry and Dry Cleaning	1 per every 2 washing machines / 1 per 20 m ² of gross floor area
Licenced Premises	1 per 3 seats
Marina	1 per 2 boat water or land based moorage spaces plus 1 per service bay
Medical or Dental Office	4 per veterinarian, dentist or doctor
Motor Vehicle and Boat Sales	1 per 50 m ² of floor area used for sales plus 1 per service bay
Office (all types excluding medical or dental)	1 per 22 m ² (237 ft ²) of gross floor area for the first 1,000 m ² (10,764 ft ²) of gross floor area and 1 per 25 m ² (269 ft ²) of gross floor area for the remainder
Personal Service Establishment	1 per 10 m ² of gross floor area
Restaurant including Café / Drive Through Restaurant	1 per 3 seats plus 5 / 1 per 3 seats plus 7
Retail Sales	1 per 20 m ² of gross floor area
Self-Storage	1 space per 400 m ² of gross floor area
Service Station (Fuel Sales, Motor Vehicle Repairs)	3 per service bay plus 1 per 20 m ² of floor area used for retail sales
Mini Mall, Shopping Centre	4 per 100 m ² (1076 ft ²) of gross floor area, where the shopping centre has a gross floor area of less than 35,000 m ² (376,749 ft ²) but more than 500 m ² (5382 ft ²). 5 per 100 m ² (1076 ft ²) of gross floor area, where the shopping centre has a gross floor area of 35,000 m ² (376,749 ft ²) or more.
Taxi Business	1 per each taxi vehicle plus 1 per office employee
Television or Radio Business	1 per 40 m ² of gross floor area
Theatre	1 per 4 seats
Tire Repair	2 plus 2 per service bay
Tourist Cabin	1 per cabin
Veterinary Clinic	4 per veterinarian
Wholesale	1 per 75 m ² of gross floor area
Industrial	
Custom or Specialty Workshop	1 per 75 m ² of gross floor area
Manufacturing including food or beverage processing	1 per 70 m ² of gross floor area
Service / Repair	1 per 50 m ² of gross floor area plus 1 per service bay
Warehousing / Storage	1 per 200 m ² of gross floor area devoted to the warehouse / storage use and 1 per 400m ² of area used for outdoor storage of boats and recreational vehicles
Public and Institutional	
Airport / Bus, Ferry, Floatplane or Train Depot	1 per 10 m ² of waiting or lobby area plus 5
Assembly including church/club/community/ or similar public meeting halls	1 per 4 seating places
Church / Place of Worship	1 per 4 seating places
Club or Organization with Membership	1 per 4 seating places
Curling Rink	8 each ice sheet or curling lane
Gymnasiums and Health Clubs	1 per 10 m ² of gross floor area
Hospital or Community Care Facility	1 per 3 employees and 1 per 4 patient beds
Ice Arena	1 per 10 m ² of ice surface

Library	1 per 10 m ² of gross floor area
Museum	1 per 10 m ² of gross floor area
Nursery or Day Care Centre	4
Police or Fire Station	1 per 10 m ² of gross floor area except indoor areas used for the parking of vehicles
Post Office	1 per 20 m ² of gross floor area
Schools	Elementary - 2 per classroom Secondary - 3 per classroom Post-Secondary - 5 per classroom
Swimming Pool	1 per 7 m ² of pool water surface

(Amended by Bylaw No. 925)

- (3) An off-street loading space that is at least 2.5 metres (8.2 feet) in width and 9.144 metres (30 feet) in length shall be provided on every lot that is used for commercial, industrial and institutional purposes in accordance with the following:

Total Gross Floor Area of Buildings	Number of Loading Spaces Required
Less than 464.5 square metres (5,000 square feet)	1
Between 464.5 square metres (5,000 square feet) and 2,322.5 square metres (25,000 square feet)	2
Exceeds 2,322.5 square metres (25,000 square feet)	3

(Amended by Bylaw No. 925)

- (4) Where a lot is comprised of a marine area, or is located such that it does not have access to a constructed highway included within a dedicated road allowance other than by navigable waterway or due to being land locked, the parking and loading provisions of section 3.1.0 of this Bylaw do not apply.

(Amended by Bylaw No. 925)

3.1.1 BUFFER AREAS

(Added by Bylaw No. 103)

Within any required buffer area:

- No building or structure shall be permitted or place,
- No garbage disposal area shall be located,
- No vehicle parking area shall be located,
- No storage shall be permitted.

3.1.2 BED AND BREAKFAST

(Added by Bylaw No. 910)

A bed and breakfast is subject to the following regulations:

- A bed and breakfast shall only be operated as an accessory use within a single detached dwelling;
- A bed and breakfast shall contain a maximum of three sleeping rooms for guests and shall accommodate a maximum of six guests at any time;
- A bed and breakfast shall not alter the residential character and appearance of the single detached dwelling;
- The owner of the single detached dwelling in which a bed and breakfast use is undertaken must reside in that single detached dwelling;
- One off-street parking space shall be provided for each bedroom that is provided as part of a bed and breakfast use; and,
- Only one sign with dimensions no greater than 0.75 of a meter (2.46 feet) by 0.75 of a meter (2.46 feet) advertising a bed and breakfast is permitted on the lot on which the bed and breakfast is located.

3.1.3 COMBINED RESIDENTIAL AND COMMERCIAL USES

In a zone in which combined residential and commercial uses is permitted, the following shall apply:

- (a) One dwelling is permitted for each commercial unit, commercial operation or business located within a building used for commercial purposes; and,
- (b) Each dwelling must be contained in the same building as the commercial unit, commercial operation or business.

3.1.4 EXEMPTIONS

(Added by Bylaw No. 910)

The following uses, buildings and structures are permitted in all zones established by this Bylaw and are not subject to the regulations of this Bylaw:

- (a) Uses, works, buildings and structures constructed, developed, undertaken and/or owned by the Regional District, whether on land owned by the Regional District or not, including, but not limited to administrative offices, recreational facilities, recycling and waste transfer stations, waste disposal sites, sanitary sewer / storm drainage / water infrastructure and works, works yards, etc.;
- (b) A public utility and related works;
- (c) Highways and works associated with highways including, but not limited to sidewalks, curb and gutter, signage, lighting, street furniture, boulevards and traffic control devices;
- (d) Landscaped screening; and,
- (e) Those lands designated as an Indian Reserve by the Government of Canada are not subject to this Bylaw.
(Amended by Bylaw No. 920)

3.1.5 EXCEPTIONS

(Added by Bylaw No. 920)

- (a) Except where specifically prohibited by this Bylaw, the temporary use of a building or part thereof as a polling station for local government, provincial government or federal government elections, referenda, or census taking is permitted in all zones provided that the time period of such use does not exceed sixty (60) consecutive days.
- (b) Where a minimum lot area is prescribed by this Bylaw, it may be reduced to a lesser lot area with respect to a Crown land tenure, where the provision of potable water and sewage treatment / disposal services are not required to be provided, or where required, these services can be provided on a Crown land tenure consisting of such lesser lot area.
- (c) Except where specifically prohibited by this Bylaw, where a lot has frontage on a navigable water body, a dock is permitted to provide access to that lot to be used in conjunction with a use that is permitted by the applicable zone of the lot. Said dock shall only be utilized in conjunction with the appropriate approvals as required by the provincial government, and further, said dock shall not be subject to the setback regulations associated with the lot line that is comprised of the natural boundary with the navigable water body.
(Amended by Bylaw No. 925)

3.1.6 HOME OCCUPATION

(Added by Bylaw No. 920)

A home occupation is subject to the following regulations:

- (a) There shall be only one home occupation per lot and it must be undertaken within a single detached dwelling or an enclosed building which is customarily accessory and incidental to a single detached dwelling;
- (b) The residential character of the building containing the home occupation shall be maintained except that one sign of not more than 1.0 square metre (10.76 square feet) in area, may be placed on the lot to advertise the home occupation;
- (c) No more than two persons may be employed or otherwise engaged in the home occupation;
- (d) No equipment shall be used or process or activity shall be undertaken that negatively 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; and,
- (viii) Any other effect which a Regional District bylaw enforcement officer deems to be a nuisance.

(e) All items sold must be produced or manufactured on the lot on which the home occupation is located.

4.1.0 TEMPORARY USE PERMITS

(Added by Bylaw No. 821)

In accordance with section 920.2 of the Local Government Act, all of the Regional District to which this Zoning Bylaw applies is designated as a Temporary Use Permit Area in which the Regional Board may issue Temporary Use Permits in accordance with section 921 of the Local Government Act. In issuing a Temporary Use Permit, the Regional Board may:

- 1) specify conditions under which a temporary use may be carried on;
- 2) allow and regulate the construction of buildings and structures in respect of the use for which the permit is issued;
- 3) require demolition and/or removal of a building or structure;
- 4) require restoration of land described in the permit to a condition specified in the permit by a date specified in the permit;
- 5) require security in accordance with sections 921(12) and 925(1) of the Local Government Act; and,
- 6) prescribe the date the permit expires, except that such date shall be for a term that is not greater than three years.

READ A FIRST TIME THIS 16th DAY OF OCTOBER, 1972.

READ A SECOND TIME THIS 16th DAY OF OCTOBER, 1972.

READ A THIRD TIME THIS 19th DAY OF MARCH, 1973.

APPROVED UNDER THE CONTROLLED ACCESS HIGHWAYS THIS 16th DAY OF MAY 1973.

APPROVED BY THE LIEUTENANT-GOVERNOR IN COUNCIL THIS 21st DAY OF MARCH 1974.

ADOPTED THIS 1st DAY OF APRIL, 1974.

CHAIRMAN

SECRETARY-TREASURER

CHAIRMAN

SECRETARY-TREASURER

SCHEDULE A - ZONE REGULATIONS

RURAL ZONE (A-1)

A.1.0 PERMITTED USES

In a Rural Zone (A-1) the use of land, buildings and structures is restricted to:

- i) Single detached or duplex dwelling
- ii) Agriculture
- iii) Recreation
- iv) Cemeteries
- v) Public and quasi-public buildings and uses
- vi) Garbage dumps, provided that the location of the site in respect of water courses and air pollution has the approval in writing by the Medical Health Officer, or other such person designated by him, or the Director, Pollution Control Board, whichever has jurisdiction in the case.
- vii) Public utility structures and uses
- viii) Hydro Electric Energy Generation System (HEG) and related buildings and structures and accessory uses.
(Added by Bylaw No. 700)
- ix) Wind Energy Generation System (WEG) and related buildings, structures and accessory uses.
(Added by Bylaw No. 700)
- x) Secondary Suite Dwelling *(Deleted by Bylaw No. 894 and Added by Bylaw No. 920)*
- xi) Forestry *(Added by Bylaw No. 832)*
- xii) Home Occupation *(Added by Bylaw No. 832)*
- xiii) Accessory buildings, structures and uses *(Added by Bylaw No. 832 and Amended by Bylaw No. 910)*
- xiv) Aggregate and mineral resource extraction *(Added by Bylaw No. 910)*
- xv) Bed and breakfast *(Added by Bylaw No. 910)*
- xvi) Cabin Dwelling *(Added by Bylaw No. 920)*

A.1.1 MINIMUM LOT AREA

The minimum lot area shall be 4 hectares (9.88 acres) except that the minimum lot area for a commercial hydro electric generation system (HEG) shall be one (1) hectare and there shall be no minimum lot area requirement for public uses. *(Replaced by Bylaw No. 832)*

A.1.2 DWELLING UNITS PER LOT

There shall be no more than one single detached or one duplex dwelling per lot. One cabin dwelling or one secondary suite dwelling is permitted as an accessory use to an existing single detached dwelling.
(Amended by Bylaw No. 920)

A.1.3 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel.

A.1.4 HEG AND WEG SYSTEMS

(Added by Bylaw No. 700)

This section is only applicable to commercial hydro electric energy generating systems (HEGs) and/or commercial wind energy generating systems (WEGs):

- i) Referral Considerations:

In compiling its comments to be submitted to the Province regarding referrals from the Province with respect to applications for HEG and WEG developments, the RDMW will consider:

- a) Information provided with the referral and submitted to the Province as part of the application by the proponent;

- b) Proximity to other land uses in the area;
- c) The potential for economic, environmental and social impacts;
- d) The potential cumulative impacts associated with multiple HEG and WEG developments in the area; and,
- e) Any other information associated with or relevant to the application(s). (**Amended by Bylaw No. 894**)

ii) Information Requirements:

A proponent of a HEG or WEG development shall provide to the RDMW, copies of all reports and information submitted to the provincial and federal governments in support of its application(s) for same, as well as any approvals issued by the provincial or federal governments in relation to the HEG or WEG development. (**Amended by Bylaw No. 894**)

iii) Setbacks for HEGs:

- a) No building or structure, except a fence, shall be located within 7.5 meters of a parcel or lease boundary line;
- b) No building or structure, except those that collect water from or return water to the watercourse, shall be located within 15 meters of the natural boundary of a watercourse;
- c) An HEG shall comply with all the setbacks required by the relevant authority related to roadways in the area in which it is located;
- d) An HEG shall be located not less than 100 meters from any general commercial or industrial use, or area zoned for general commercial or industrial use on land not belonging to the owner of the land on which the HEG is located;
- e) An HEG shall be located not less than 200 meters from any residential, or commercial or public tourism or recreational use not belonging to the owner of the land on which the HEG is located;

iv) Setbacks for WEGs:

- a) A WEG shall comply with all the setbacks required by the relevant authority related to roadways in the area in which it is located.
- b) A WEG shall be located not less than four times the height of the WEG, as measured from the ground to the highest point of the rotor's arc, from any general commercial or industrial use in the area of RDMW jurisdiction not belonging to the owner of the land on which the WEG is located.
- c) A WEG shall be located not less than 10 times the height of the WEG, as measured from the ground to the highest point of the rotor's arc, from any residential, or commercial or public tourism or recreational use in the area of RDMW jurisdiction not belonging to the owner of the land on which the WEG is located.
- d) A WEG shall be located not less than 1 kilometer from any area designated for residential use in any local area plan, municipal plan, or First Nations Reserve plan, or from the boundary of any regional, or provincial park.
- e) A WEG shall be located so that the horizontal distance measured at grade from the outside of the rotor arc to any property or lease area boundary, other than roadways, is at least 7.5 m (24.6 ft)

v) Lot Coverage for HEGs and WEGs:

Buildings and structures shall not cover more than 60 percent of the lot area.

vi) Distribution lines for HEGs and WEGs:

Power lines to the substation or grid will be considered to be public utilities for the purposes of zoning. All power lines on the site to the substation or grid will have a minimum ground clearance of 7.5m (24.6ft.).

vii) Colour and Finish for WEGs:

A WEG System shall be finished in a non-reflective matte and in a colour that minimizes the obtrusive impact of a WEG System. No lettering or advertising shall appear on the towers or blades other than the manufacturer's and/or owner's identification.

viii) Parking and Loading for HEG:

Every HEG shall provide with one space for parking and one space for loading, unloading and manoeuvring of tridem axle trucks as defined in the Commercial Transport Regulations under the Commercial Transport Act.

ix) Decommissioning HEGs and WEGs:

If an HEG or WEG discontinues producing power for a minimum of two years, the system operator shall be required to provide a status report. A review of the status report by the RDMW may result in a request for the HEG/WEG to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop order by the designated officer in accordance with the provisions of the Local Government Act.

A.1.5 SUBDIVISION

(Added by Bylaw No. 832 and Amended by Bylaw No. 894)

Notwithstanding section A.1.1, the following options related to the calculation of the minimum lot size associated with subdivisions for residential purposes may be applied:

- i) The Regional District of Mount Waddington (RDMW) encourages subdivisions for residential purposes to be undertaken by bare land strata plan where shared services, including but not limited to, access routes, driveways and moorage facilities are proposed. In such cases, the total area of the land in the bare land strata plan, exclusive of those portions intended to provide access routes and driveways, divided by the number of strata lots must equal a minimum of four (4) hectares. In such circumstances, any common property areas that have been included in the aforementioned calculation to maintain the minimum four (4) hectare requirement shall be subject to a restrictive covenant which does not permit further subdivision, and depending on the purpose of such common area, the RDMW may require a restrictive covenant be applied that prevents further disturbance and/or development
- ii) In the case of a fee simple subdivision for residential purposes, where a portion of the property in the subdivision plan is to be returned to Crown and/or dedicated as park and the RDMW is in agreement with the proposed return to Crown or park dedication, the total area of the land in the subdivision inclusive of any area to be returned to Crown or dedicated as park, but exclusive of those portions intended to be dedicated as road, divided by the number of lots, must equal a minimum of 4 hectares. In such circumstances, the RDMW may require that any land or lot that has been included in the aforementioned calculation to maintain the minimum four (4) hectare requirement, be subject to a restrictive covenant which does not permit further subdivision, and/or prohibits building or development, and/or protection of the natural environment.

A.1.6 FRONTAGE REQUIREMENTS

(Added by Bylaw No. 832)

Where a lot is adjacent to a public road in a fee simple subdivision or common access route/road in a bare land strata plan subdivision, it shall have a front lot line that is equivalent to a minimum of 10% of the perimeter of the lot. With respect to a subdivision that requires relief from section 75(1)(a) of the Land Title Act (water access), each lot shall have a lot line adjacent to the natural boundary of the water body that provides access to the subdivision equivalent to a minimum of 10% of the perimeter of the lot.

A Development Application may be made to the RDMW to request that the minimum frontage requirement for a lot or lots be reduced: 1) In the case of a fee simple subdivision, as per section 944(2) of the Local Government Act; and, 2) In the case of a bare land strata plan subdivision or a subdivision that requires relief from section 75(1)(a) of the *Land Title Act (water access)*, as per section 922(1)(b) of the *Local Government Act*.

A.1.7 LOT LINE SETBACKS

(Added by Bylaw No. 832)

The minimum setback for buildings and structures, except fences and retaining walls, shall be 7.5 meters from the front and rear lot lines and 5 meters from the side lot lines.

RESIDENTIAL ZONE (R-1)

A.2.0 PERMITTED USES

In a Residential Zone (R-1) the use of land, buildings and structures is restricted to:

- a) Single detached or duplex dwelling
- b) Schools,
- c) Parks, playgrounds, sports fields, community halls,
- d) Churches and similar places of worship,
- e) Home occupations,
- f) Lodging house,
- g) Public utility structures and uses,
- h) Buildings and uses accessory to a permitted use in this subsection.

A.2.1 MINIMUM LOT AREA

The minimum lot area for a single detached dwelling shall be:

- a) where a parcel is served by a community water system and a community sewer system —six hundred and ninety (690)m²;
- b) where a parcel is served by a community water system but not a community sewer system – nine hundred and twenty (920)m².
- c) where a parcel is not served by either a community water system or community sewer system - one thousand six hundred and seventy (1,670)m².

(Amended by Bylaw No. 96)

The minimum lot area for a duplex dwelling shall be:

- a) where a parcel is served by a community water system and a community sewer system – nine hundred and twenty (920)m²;
- b) where a parcel is served by a community water system but not a community sewer system – one thousand eight hundred and forty (1,840)m²;
- c) where a parcel is not served by either a community water system or a community sewer system – three thousand three hundred and forty (3,340)m²;

(Amended by Bylaw No. 96)

A.2.3 DWELLINGS PER LOT

There shall not be more than one single detached or one duplex dwelling per lot.

A.2.4 MINIMUM YARD DIMENSIONS

(Amended by Bylaw No. 96)

(1) Each lot other than a corner lot shall have front, side and rear yards with depths and widths of not less than the following:

- (a) Front yard depth – 7.5m,
- (b) Each side yard width – 1.5m,
- (c) Rear yard depth – 9m.

(2) Corner lots shall have side yard widths of not less than the following:

- (a) Corner lot:
 - Street side – 3m
 - Interior side – 1.5m

(b) Reversed corner lot:

Street side – 3.5m

Interior side – 1.5m

(3) All corner lots shall have front yard and rear yard depths as required in subsection (1).

A.2.5 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel.

RESIDENTIAL ZONE (R-2)

A.3.0 PERMITTED USES

In a Residential Zone (R-2) the use of land, buildings, and structures is restricted to:

- a) All of the uses permitted in the Residential (R-1) Zone
- b) Apartment dwellings
- c) Attached dwellings
- d) Buildings and uses accessory to permitted uses in clauses (b) and (c)

A.3.1 STANDARDS

- (1) Uses permitted under clause (a) of section A.2.0 are subject to all the conditions and standards of the R-1 Zone as applicable.

A.3.2 LOCATION OF MULTIPLE DWELLINGS

Apartment dwellings and attached dwellings are restricted to areas where both an approved sewer system and a water supply and distribution system are provided.

A.3.3 MINIMUM LOT AND SITE AREAS

- (1) The minimum lot area is 4 hectares.
- (2) The minimum site area for an apartment dwelling shall be the larger of 690m², or, the area calculated on the basis of 138m² per apartment dwelling. **(Amended by Bylaw No. 96)**
- (3) The minimum site area for each three attached dwellings is 835m², and for each additional attached dwelling the minimum site area shall be increased by 230m². **(Amended by Bylaw No. 96).**

A.3.4 MINIMUM YARD DIMENSIONS

- (1) Each lot shall have front, side and rear yards with depths and widths of not less than the following:
 - i. Front yard depth – 7.5m
 - ii. Each side yard – 4.5m
 - iii. Rear yard depth – 10.5m

(Amended by Bylaw No. 96)

- (2) Notwithstanding subsection (1), for attached dwellings, side yards are only required for each end dwelling.

A.3.5 LOT COVERAGE

Buildings and structures shall not cover more than 40 percent of the lot area.

A.3.6 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment, or junk to remain on any parcel.

GENERAL COMMERCIAL ZONE (C-1)

A.4.0 PERMITTED USES

In a General Commercial Zone (C-1) the use of land, buildings, and structures is restricted to:

- a) Retail stores,
- b) Offices,
- c) Personal services,
- d) Gasoline service stations,
- e) Motels,
- f) Marinas,
- g) Drive-in theatres,
- h) Marine Fueling operations,
- i) Docks, wharves, floats,
- j) Repair and maintenance shops oriented to marine use and water traffic,
- k) Warehouses, works yards, storage and loading facilities oriented to marine use and water traffic.
- l) Hotels, Lodging Houses and Hostels,
- m) Banks, Restaurants, Cafes, and Post Offices,
- n) Bus depots, Theatres, Taxi establishments,
- o) Hardware, lumber and building supply yards,
- p) Autowreckers, carwash establishments, laundry and dry-cleaners and printing and publishing establishments,
- q) Home occupation uses and combined residential and commercial uses,
- r) Accessory off-street parking and accessory off-street loading uses,
- s) Mortuaries, Funeral Homes, veterinary, medical and dental clinics,
- t) Fish packaging and processing operations and related activities, net storage and repair areas,
- u) Buildings and structures accessory to the permitted uses,
- v) Parks and Play Lots,
- w) Public utility installations and structures,
- x) Mini malls.

(Amended by Bylaw No. 103)

A.4.1 MINIMUM LOT AREA

The minimum lot area required is two tenths (0.2) of a hectare or greater as determined by the Medical Health Officer as sufficient to dispose of human and other wastes generated on the lot.

(Amended by Bylaw Nos. 96 and 103)

A.4.2 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel.

A.4.3. LOT REQUIREMENTS

Each lot shall have a minimum of 25 meters of frontage and the maximum lot coverage shall be that portion of the parcel remaining after an area, as determined by the Medical Health Officer, which is sufficient for sewage disposal, is subtracted from the total area of the lot.

(Amended by Bylaw No. 103)

A.4.4 BUILDINGS

Buildings shall be situated on the lot to provide a minimum front yard of 2 meters, side yard of 5 meters and rear yard of 5 meters. No building shall exceed 11 meters in height or at the discretion of the Regional Board upon recommendation of the local Advisory Planning Commissions.

(Amended by Bylaw Nos. 103 and 237)

A.4.5 PARKING

Off-street Parking shall be provided in accordance with the provision of Section 3.1.0.
(Amended by Bylaw No. 103)

A.4.6 LOADING

Off-street loading shall be provided in accordance with the provision of Section 3.1.0.
(Amended by Bylaw No. 103)

A.4.7 COMBINED COMMERCIAL AND RESIDENTIAL USE

1. Apartment dwellings are subject to the following criteria:
 - (a) Minimum of 60 square meters of floor area per apartment dwelling;
 - (b) In addition to parking required in Section 3. 1.0, one onsite parking space per apartment dwelling
(Amended by Bylaw No. 237)

INDUSTRIAL ZONE (M-1)

A.5.0 PERMITTED USES

In an Industrial Zone (M-1) the use of land, buildings and structures is restricted to:

- (a) Industrial uses not noxious or injurious by reason of the production, creation, or emission of dust, smoke, refuse, matter, odors, gas, fumes, noise, electrical interference, vibration or similar substances or conditions,
- (b) Logging,
- (c) Logging camps,
- (d) Log storage and booming areas
- (e) Sawmills

A.5.1 MINIMUM LOT AREA

The minimum lot area required is eight tenths (0.8)ha

(Amended by Bylaw No. 96).

A.5.2 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel.

SMALL HOLDINGS ZONE (RA-1)

(Added by Bylaw No. 53)

A.6.0 PERMITTED USES

In a Small Holdings Zone (RA-1) the use of land, buildings and structures is restricted to:

- (a) Single detached dwellings
- (b) Agricultural Uses subject to the following:
 - i. The keeping of livestock for the personal use of the owner as well as other agricultural uses are permitted but not including mushroom growing or the keeping of swine, poultry, fur bearing animals or other livestock for commercial purposes.
 - ii. The processing, packing and sale of agricultural produce grown on the same lot or site or land of the same ownership only shall be permitted.
- (c) Parks, Playgrounds and sports fields
- (d) Home occupations
- (e) Public Utility structures and uses
- (f) Buildings and Uses accessory to a permitted use in this subsection.

(Amended by Bylaw No. 925)

A.6.1 MINIMUM LOT AREA

The minimum lot area shall be eight tenth (0.8) of a hectare.

(Amended by Bylaw No. 96)

A.6.2 DWELLING UNITS PER LOT

There shall be no more than one single detached dwelling per lot. A recreational vehicle may be approved for occupation as a temporary dwelling while the single detached dwelling is under construction. The temporary dwelling must be removed 30 days after the single detached dwelling is occupied.

(Amended by Bylaw Nos. 96 and 362)

A.6.3 LOT REQUIREMENTS

Each lot shall have a minimum of 50m frontage and the maximum lot coverage permitted shall be 10%.

(Amended by Bylaw No. 96)

A.6.4 BUILDINGS

Buildings shall be situated on the lot to provide a minimum front yard of 9m, side yard of 4.5m and rear yard of 9m. No building shall exceed 10.5m in height.

(Amended by Bylaw No. 96)

A.6.5 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel. Any vehicle which has not been licenced for a period of one year and is not housed in a garage or carport shall be deemed to be a derelict vehicle or junk.

LOCAL SERVICE COMMERCIAL ZONE (C-2LS)

(Added by Bylaw No. 103)

A.7.0 PERMITTED USES

In a Local Service Commercial Zone (C-2LS) the use of land, buildings and structures is restricted to:

- (a) Retail stores
- (b) Offices including Post Offices, Public Administration Offices and similar uses
- (c) Personal services
- (d) Banks
- (e) Restaurants and Cafes
- (f) Fish, Meat and Produce markets
- (g) Service stations including those establishments engaged in all types of automobile repair work
- (h) Car wash establishments
- (i) Hotels and Motels
- (j) Mortuaries and Funeral homes
- (k) Veterinary, Medical and Dental clinics
- (l) Printing and Publishing establishment
- (m) Home occupations
- (n) Parks and Play Lots
- (o) Accessory off-street parking space
- (p) Accessory off-street loading space
- (q) Buildings and structure accessory to the permitted uses
- (r) Public utility installations and building excluding any uses which are primarily of a maintenance and storage nature
- (s) Mini Malls

A.7.1 MINIMUM LOT AREA

The minimum lot area for permitted uses shall be:

- (a) 550m² – communal sewer and water systems
- (b) 690m² – communal water system only
- (c) 1670m² – no communal systems

A.7.2 LOT REQUIREMENTS

There shall be no maximum lot coverage in the case of commercial lots served by a community sewer system. Where no community sewer system exists the maximum lot coverage shall be that portion of the parcel remaining after an area, as determined by the Medical Health Officer as sufficient for sewage disposal, is subtracted from the total area of the lot.

A.7.3 BUILDINGS

- (1) No front, rear or side yards shall be required except for the following situations:
 - i) Where access to the rear of the buildings is not provided by a lane a minimum sideyard of 4 meters shall be required on at least one side.
 - ii) Where any parcel zoned C-2LS abuts either an R-1, R-2 or RA-1 zone then a buffer area of a minimum width of 3 meters shall be provided. Such a buffer area shall conform to the requirements of section 3.2.0. of this Bylaw.

Note: A setback of less than 4.5 meters requires a permit from the Ministry of Transportation, Communications and Highways.

- (2) No building shall exceed 11 meters in height or at the discretion of the Regional Board upon recommendation of the local Advisory Planning Commissions.

A.7.4 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel. Any vehicle which has not been licenced for a period of one year and is not housed in a garage or carport shall be deemed to be a derelict vehicle or junk.

MARINE COMMERCIAL ZONE (C-2M)

(Added by Bylaw No. 103)

A.8.0 PERMITTED USES

In a Marine Commercial Zone (C-2M) the use of land, water areas, buildings and structures is restricted to:

- (a) Marinas
- (b) Marine fueling operations
- (c) Docks, floats, wharves and boat ways
- (d) Repair and maintenance shops oriented to marine use and water traffic
- (e) Warehouses, Storage and loading facilities oriented to marine use and traffic
- (f) Combined residential and commercial uses
- (g) Fish packaging operations and other related activities
- (h) Net storage and repair areas
- (i) Boat sales
- (j) Parks and Play Lots
- (k) Buildings and structures accessory to the permitted uses
- (l) Retail Stores and Restaurants
- (m) Tourist cabins/cottages;
- (n) Souvenir and convenience shops; and
- (o) Ancillary staff accommodations and services

(Amended by Bylaw No. 665)

A.8.1 MINIMUM LOT AREA

The minimum lot area for permitted uses shall be:

- (a) 550m² – communal sewer and water systems
- (b) 690m² – communal water system only
- (c) 1670m² – no communal systems

A.8.2 LOT REQUIREMENTS

There shall be no maximum lot coverage in the case of commercial lots served by a community sewer system. Where no community sewer system exists the maximum lot coverage shall be that portion of the parcel remaining after an area, as determined by the Medical Health Officer as sufficient for sewage disposal, is subtracted from the total area of the lot.

A.8.3 BUILDINGS

(1) No front, rear or side yards shall be required except for the following situations:

- i) Where access to the rear of the buildings is not provided by a lane a minimum sideyard of 4 meters shall be required on at least one side.
- ii) Where any parcel zoned C-2M abuts either an R-1, R-2 or RA-1 zone then a buffer area of a minimum width of 3 meters shall be provided. Such a buffer area shall conform to the requirements of section 3.2.0. of this Bylaw.

Note: A setback of less than 4.5 meters requires a permit from the Ministry of Transportation, Communications and Highways.

(2) No building shall exceed 11 meters in height or at the discretion of the Regional Board upon recommendation of the local Advisory Planning Commissions.

A.8.4 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel. Any vehicle which has not been licenced for a period of one year and is not housed in a garage or carport shall be deemed to be a derelict vehicle or junk.

RECREATIONAL AND TOURIST COMMERCIAL ZONE (C-2RT)

(Added by Bylaw No. 103)

A.9.0 PERMITTED USES

- (a) Motels and Hotels
- (b) Restaurants, Cafes and Drive-in-restaurants
- (c) Hostels and Lodging houses
- (d) Theatre other than drive-in theatres
- (e) Combined Residential and Commercial uses as permitted
- (f) Passenger stations and Taxi establishments
- (g) Banks
- (h) Travel agencies and similar uses
- (i) Retail stores
- (j) Gasoline-Service Stations
- (k) Parks and Play Lots
- (l) Accessory off-street parking space
- (m) Accessory off-street loading space
- (n) Public utility installations excluding any uses which are primarily of a maintenance and storage nature
- (o) Buildings and structures accessory to the permitted uses.
- (p) Licenced Premises
- (q) Mini-Malls
- (r) Tourist campgrounds
- (s) Tourist lodges and resorts
- (t) Marinas
- (u) Marine fuel facilities
- (v) Licenced Premises
- (w) Seasonal Cottages on individual lots
- (x) Docks, Floats, Wharves and Boatways;
- (y) Warehouses, Storage, Loading Facilities oriented to Marine use and traffic;
- (z) Tourist Cabins and Camp Grounds.

(Amended by Bylaw Nos. 103, 325, 359, and 403)

A.9.1 MINIMUM LOT AREA

The minimum lot area for permitted uses shall be:

- (a) 550m² – communal sewer and water systems
- (b) 690m² – communal water system only
- (c) 1670m² – no communal systems

A.9.2 LOT REQUIREMENTS

There shall be no maximum lot coverage in the case of commercial lots served by a community sewer system. Where no community sewer system exists the maximum lot coverage shall be that portion of the parcel remaining after an area, as determined by the Medical Health Officer, as sufficient for sewage disposal, is subtracted from the total area of the lot.

Where cottages are established on individual lots, the side yard setbacks shall be 1.5m. and the front and rear yard setback shall be 7.5m.

Provincial flood proofing requirements shall apply to buildings established on the waterfront.

(Amended by Bylaw Nos. 103 and 359)

A.9.3 BUILDINGS

- (1) No front, rear or side yards shall be required except for the following situations:
- i) Where access to the rear of the buildings is not provided by a lane a minimum side yard of 4 meters shall be required on at least one side.

 - ii) Where any parcel zoned C-2RT abuts either an R-1, R-2 or RA-1 zone then a buffer area of a minimum width of 3 meters shall be provided. Such a buffer area shall conform to the requirements of section 3.2.0. of this Bylaw.

Note: A setback of less than 4.5 meters requires a permit from the Ministry of Transportation, Communications and Highways.

- (2) No building shall exceed 11 meters in height or at the discretion of the Regional Board upon recommendation of the local Advisory Planning Commissions.

A.9.4 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel. Any vehicle which has not been licenced for a period of one year and is not housed in a garage or carport shall be deemed to be a derelict vehicle or junk.

RURAL RESIDENTIAL ZONE (RR-1)

(Added by Bylaw No. 130)

A.10.0 PERMITTED USES

In a Rural Residential Zone (RR-1) the use of land, buildings and structures is restricted to:

- (a) Single detached dwellings
 - (b) Agricultural uses
 - (c) Parks, playgrounds and sportsfields
 - (d) Home occupations
 - (e) Public Utility structures and uses
 - (f) Buildings and Uses accessory to a permitted use in this subsection
- (Amended by Bylaw No. 920)*

A.10.1 MINIMUM LOT AREA

The minimum lot area shall be four tenths (0.4) ha.

A.10.2 DWELLING UNITS PER LOT

There shall be no more than one single detached dwelling per lot or parcel.

A.10.3 LOT REQUIREMENTS

Each lot shall have a minimum of 35 m frontage and the maximum lot coverage permitted shall be 15%.

A.10.4 BUILDINGS

Family dwellings shall be situated on the lot to provide a minimum front yard of 9 m, side yard of 4.5 m and rear yard of 9 m. No building shall exceed 10.5 m in height.

RESIDENTIAL RECREATIONAL ZONE (REC-1)

(Added by Bylaw No. 137 and Amended by Bylaw No. 771)

The intent of the Residential Recreational Zone (REC-1) is to permit the location of residences and cottages on lots in remote locations of the RDMW on a strictly seasonal basis. No year-round or permanent residential occupation of lots is intended to be permitted in this zone.

A.11.1 PERMITTED USES

In the Residential Recreational Zone (REC-1), the use of land, buildings, and structures is restricted to:

- a) Seasonal residential single detached dwellings
- b) Seasonal cottage dwellings on parcels with a seasonal single detached dwelling unit as per section A.11.3 b)
- c) Home occupations
- d) Home offices
- e) Nature park
- f) Wharfs and docks subsequent to receiving provincial and federal approvals
- g) Buildings and uses accessory to a principal use.

A.11.2 MINIMUM LOT SIZE

The minimum lot size is 1.5 hectares.

A.11.3 DWELLING UNITS PER LOT

- a) One seasonal single detached dwelling unit shall be permitted per lot.
- b) One seasonal cottage dwelling unit as an accessory use limited to a maximum gross floor area and maximum footprint of 60m² on a lot that exceeds 1.5 ha.

(Amended by Bylaw No. 910)

A.11.4 CONDITIONS OF USE

- a) Development shall be served by either individual on-site septic treatment systems or by a communal system and approved by a qualified, registered professional engineer designed to conform to the standards of the provincial jurisdiction having authority.
- b) Development shall be serviced by a secure source of potable water from a private well, rainwater harvesting with treatment or by a community water supply and distribution system approved by the provincial agency having authority.

A.11.5 LOT REQUIREMENTS

Each lot shall have a minimum of 30m frontage and the maximum lot coverage permitted shall be 10%. Further subdivision shall be precluded by restrictive covenant.

A.11.6 BUILDINGS SETBACKS

Buildings shall be situated on the lot to provide a minimum front yard of 9 meters, side yard of 4.5 meters and rear yard of 9 meters. All buildings shall be setback a minimum of 15 meters from the ocean. No building shall exceed 10.5 meters in height.

A.11.7 UNSIGHTLY STORAGE

No parcel shall be used for the open or outdoor storage of derelict vehicles, equipment and boats or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel. Any vehicle that is not licensed for a period of one year is not housed in garage or carport shall be deemed to be a derelict vehicle or junk.

A.11.8 AREA VARIANCE

Notwithstanding the minimum permitted parcel size requirement of this zone a reduction in the minimum parcel area requirements of up to 20% of the minimum parcel size otherwise required is permitted where:

- a) In respect of siting circumstances where lands have a grade exceeding 30% and are considered steep or hazard lands, or are subject to periodic flooding or have a building area restricted by wetted areas;
- b) In all other respects, the proposed subdivision complies with this bylaw;
- c) Not more than five (5) percent of the area of the parcel proposed to be subdivided is characterized by steep slopes with a grade exceeding 30% or wetted areas;
- d) The average parcel size of the proposed subdivision is greater than 3 ha., and
- e) Subject to any other conditions established by the Regional District of Mount Waddington.

A.11.9 SETBACKS FROM HAZARDOUS FEATURES

No building or structure shall be sited closer than 15 m from a steep or hazardous slope or lands or wetland areas unless a report signed and sealed by a professional geotechnical engineer establishes an alternative setback distance.

RURAL MEDIUM DENSITY ZONE (RM-1)

(Added by Bylaw No. 159)

A.12.0 PERMITTED USES

In a Rural Medium Density Zone (RM-1) the use of land, buildings and structures is restricted to:

- 1) Single detached or duplex dwelling
- 2) Agricultural uses
- 3) Recreational uses and structures
- 4) Cemeteries
- 5) Public and quasi-public buildings and uses
- 6) Public utility structures and uses
- 7) Buildings and uses accessory to a permitted use in this subsection

A.12.1 MINIMUM LOT AREA

The minimum lot area shall be two (2) hectares.

A.12.2.DWELLING UNITS PER LOT

There shall be no more than one single detached dwelling or one duplex dwelling per lot.

A.12.3 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicle, equipment or junk to remain on any parcel.

AIRPORT VICINITY PROTECTION ZONE (AVP)

(Added by Bylaw No. 191)

To establish and provide protection for an airport in the Regional District of Mount Waddington.

A.13.0 PERMITTED USES

In an Airport Vicinity Protection Zone (AVP) the use of land, buildings and structures is restricted to:

- Airport related uses
- Airport terminal buildings
- Aircraft hangers
- Runways
- Approach paths
- Firehalls
- Buildings and uses accessory to a permitted use in this subsection

A.13.1 DWELLING UNIT PER LOT

One only dwelling for use of a watchman or facility manager.

A.13.2 PROHIBITION

No buildings or obstructions shall be erected in such a manner as to obstruct the use of the runway or glidepath.

A.13.3 BUILDINGS

Buildings should be situated on the lot to provide a minimum frontage of 9 m, side yard of 4.5 m and a rear yard of 9 m. No building shall exceed 10.5 m in height.

A.13.4 UNSIGHTLY STORAGE

The lot shall not be used for the wrecking of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on the lot.

LIGHT INDUSTRIAL ZONE (M-2)

(Added by Bylaw No. 208)

The purpose of the Light Industrial zone (M-2) is to allow for industrial activities in such a manner so as to minimize impact on adjacent residential areas.

A.15.0 PERMITTED USES

In a Light Industrial zone (M-2) the use of land, buildings and structures is restricted to:

- (1) Sawmills/Shake/Shingle Mills
- (2) Woodworking and Wood Manufacturing establishments
- (3) Contractors Offices and Works Yards
- (4) Salal and Brush processing facilities
- (5) Nurseries
- (6) Bottle Depots
- (7) Auto Wreckers
- (8) Auto Body repair and painting shops
- (9) Motor Race Tracks and other outdoor recreation facilities
- (10) Boat Builders
- (11) Building materials in conjunction with materials manufactured on lot.
- (12) One single detached dwelling for an on-site watchman in conjunction with any one of the above uses
- (13) Public Utility structures and uses
- (14) Building accessory to the above uses.
- (15) Single detached dwelling units as on-site watchman quarters

(Amended by Bylaw No. 583)

A.15.1 MINIMUM LOT AREA

The minimum lot area in this zone shall be 0.8 hectare.

(Amended by Bylaw No. 422)

A.15.2 *(Deleted by Bylaw 422)*

A.15.3 DWELLING UNITS PER LOT

Dwellings shall be limited to one per lot for the use of an onsite watchman. Health Unit permits for sewage disposal are required and dwellings will not be permitted on lots where percolation and soils are unsuitable.

A.15.4 LOT FRONTAGE REQUIREMENTS

All lots less than 1.0 hectares shall require a minimum frontage of 50 m. Lots greater than 1.0 hectares shall require a minimum frontage of 100 m.

A.15.5 SETBACKS

Front and rear setbacks shall be a minimum of 9 m,

Side yard setbacks shall be a minimum of 4.5m.

A.15.6 UNSIGHTLY STORAGE AND WASTE DISPOSAL

- 1) Except for decked logs, stored shake and shingle blocks, sawn lumber or bundles of shakes or shingles and displayed retail materials, all materials on lot including derelicts vehicles and junk shall be screened by a tight board fence or vegetation screen at least 2 m high.
- 2) Waste materials incinerated onsite shall be incinerated at air emission standards set by the Ministry of Environment.

NEIGHBOURHOOD COMMERCIAL ZONE (C-3)

(Added by Bylaw No. 222)

To provide limited commercial facilities in residential areas for the convenience of the surrounding neighbourhood. The purpose of this zone is to provide a neighbourhood retail store in a residential area.

A.16.0 PERMITTED USES

In a Neighbourhood Commercial Zone (C-3) the use of land, buildings and structures is restricted to:

- a) Retail sale of groceries, drugs, perishable items and sundry household items;
- b) Barber and beauty shops;
- c) Laundromats and dry-cleaning establishments;
- d) Self-service gas bars in conjunction with convenience stores;
- e) Accessory residential use;
- f) Public utility use;
- g) Accessory Buildings and structures.

A.16.1 MINIMUM LOT AREA

The minimum lot area shall be 1000 m².

A.16.2 DWELLING UNITS PER LOT

There shall be no more than 1 single detached dwelling per lot or parcel.

A.16.3 LOT REQUIREMENTS

Each lot shall have a minimum of 25 meters of frontage and the maximum lot coverage shall be that portion of the parcel remaining after an area, as determined by the Medical Health Officer, as sufficient for sewage disposal, is subtracted from the total area of the lot.

A.16.4 BUILDINGS

Dwellings shall be situated on the lot to provide a minimum front yard of 10 meters. Angle parking can be developed in this 10 m setback. Lot yard should have a minimum and 5 meters and rear yard of 10 meters. No building shall exceed 10 meters in height or at the discretion of the Regional Board upon recommendation of the local Advisory Planning Commission.

A.16.5 PARKING

Off-street parking shall be provided in accordance with provision of Section 3.1.0.

A.16.6 LOADING

Off-street loading shall be provided in accordance with the provisions of Section 3.1.0.

A.16.7 COMBINED COMMERCIAL AND RESIDENTIAL USE

Where a parcel is used for combined commercial and residential use, the residential use shall:

- i) Be restricted to one dwelling unit,
- ii) Have a separate entrance from outside

A.16.8 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel.

RESTRICTED RESIDENTIAL ZONE (RU-2)

(Added by Bylaw No. 266)

A.17.0 PERMITTED USES

In a Restricted Residential Zone (RU-2) the use of land, building and structures is restricted to:

- a. Single detached dwelling
- b. Schools
- c. Parks and playgrounds, sportsfields, community halls
- d. Churches and similar places of worship
- e. Home occupations
- f. Public utility uses and structures
- g. Buildings and uses accessory to a permitted use in this subsection.

A.17.1 MINIMUM LOT AREA

The minimum lot area shall be 690m².

A.17.2 DWELLINGS PER LOT

There shall not be more than one single detached dwelling per lot, except to permit a camper, camper/trailer, fifth wheel or motor home for occupancy while a single detached dwelling is being constructed.

(Amended by Bylaw No. 465)

A.17.3 DWELLING DIMENSIONS

Except in cases of irregularly shaped buildings, the minimum length of the side of a single detached dwelling shall not be less than 15% of the total perimeter of the buildings except for temporary dwellings (see A.17.2. above).

A.17.4 MINIMUM YARD DIMENSIONS

(1) Each lot other than a corner lot shall have front, side and rear yards with depth and width of no less than the following:

- a. Front yard depth – 7.5m
- b. Each side yard width – 1.5m
- c. Rear yard depth – 9m

(2) Corner lot shall have side yard widths of not less than the following:

- a. Corner Lot: Street side – 3m
- b. Reserved Corner Lot: Street side – 3.5m
Interior side – 1.5m

A.17.5 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on any parcel.

CLUSTER RESIDENTIAL ZONE (CR-1)

(Added by Bylaw No. 580)

The intent of this zone is to provide for higher intensity rural residential development in areas of the Regional District of Mount Waddington that do not receive water or sewer services from the Regional District of Mount Waddington.

A18.1 PERMITTED USES

In a Cluster Residential Zone (CR-1) the use of land, buildings and structures is restricted to:

1. Dwellings used primarily for recreational use with a maximum floor area of 139.35 square meters (1500 square feet)
2. Accessory buildings or uses
3. Private water and sewer facilities and structures
4. Docks
5. Communications facilities
6. Communal facilities

A18.2 CONDITIONS OF USE

1. A buffer with a minimum depth of five meters shall be maintained around all buildings to adjacent structures in the interests of public safety due to the possibility of fire in this remote location.
2. The lot shall not be used for the wrecking of derelict vehicles or equipment or as a junkyard and no person shall permit such vehicles, equipment or junk to remain on the lot.

A18.3 MINIMUM LOT AREA

1. The minimum area for lots with dwellings shall be .8094 hectares (2 acres) without a communal water system. If the lot is used for dwellings which are connected to a communal water system, the minimum lot area is .134897 hectares (1/3 acre).
2. The minimum area for lots or common properties of a communal nature (washrooms, laundry facilities or group recreation hall without a dwelling), shall be .134897 hectares (1/3 acre) if the lot has an approved permit held by the property owner with either the Ministry of Health or the Ministry of Environment for waste discharge or the treatment of sewage.
3. For all other uses permitted under this bylaw, the minimum lot area is .08094 hectares (2 acres).

A18.4 DWELLING UNIT DENSITY

1. There shall be no more than one single detached dwelling per lot. An accessory building cannot exceed twenty-five percent (25%) of the floor area of the principal building on the lot.

A18.5 SECONDARY USE

1. Any accessory use of a lot cannot exceed forty percent (40%) of the floor area of the principal use.

A18.6 ADJACENT ZONE SETBACK

1. Buildings shall be situated a minimum of seven meters from any lot line adjacent to lands with a different zoning classification.

A18.7 HEIGHT

1. No building shall exceed 10.668 meters (35 feet) in height.

RECREATION AND TOURIST COMMERCIAL ZONE (C-3RT)

(Added by Bylaw No. 650)

A.19.0 OBJECTIVE

This zone is generally intended to allow for rural or remote area tourist commercial activities.

A.19.1 (Deleted by Bylaw No. 910)

A.19.2 PERMITTED USES

- a) Restaurants and cafes
- b) Tourist lodges and resorts
- c) Tourist cabins and campgrounds
- d) Accessory retail sales; gift shop
- e) Accessory residential and temporary dwellings
- f) Public utilities and parks
- g) Buildings and structures accessory to a permitted use

A.19.3 CONDITIONS OF USE

- a) The Regional District of Mount Waddington shall not be required to provide public utilities, works or services to the lands.
- b) The lot must be suitable, as determined by the Medical Health Officer, to support on-site sewer and water services.
- c) A buffer area of a minimum of five meters (5 m) to adjacent structures shall be maintained around all buildings in the interest of public safety due to the possibility of fire.
- d) Any structures or activities on the foreshore require the approval of the appropriate federal and/or provincial agency having jurisdiction.
- e) Each lot shall have a minimum lot frontage of 300 meters.
- f) The number of rooms in any proposed tourist lodge or resort is conditional upon adequate services. However, the maximum allowable number of rooms, excluding common spaces and facilities, is ten (10).
- g) No building shall exceed ten meters (10 m) in height.

A.19.4 MINIMUM LOT AREA

The minimum lot area shall be ten hectares (10 ha) or more as determined by the Medical Health Officer as sufficient for on-site sewer and water services.

A.19.5 MAXIMUM LOT DENSITY

- a) There shall be no more than one (1) tourist lodge, resort, or single detached dwelling per ten hectares (10 ha) of the lot area.
- b) Where cabins are established, there shall be no more than one (1) cabin per four hectares (4 ha).

A.19.6 LOT REQUIREMENTS

- a) Each lot must provide for a minimum:

Front yard - 9 meters;
Side yard - 1.5 meters; and
Rear yard - 9 meters.

- b) Where lot boundaries are adjacent to a watercourse, the relevant federal and/or provincial agency having jurisdiction may require a set back of an amount up to 30 meters.

A.19.7 UNSIGHTLY STORAGE

No parcel shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard. No person shall permit such vehicles, equipment or junk to remain on any parcel.

RESIDENTIAL RECREATION ZONE (RC-1)

(Added by Bylaw No. 651)

A.20.0 OBJECTIVE

This zone district is intended to provide for the development of combined residential and space extensive recreational uses.

A.20.1 DEFINITIONS

For the Residential Recreational Zone (RC-1) district, the following definitions apply:

Campground means a site operated or occupied for part of the year as temporary accommodation for tourist and holiday makers in tents 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.

Home Agriculture means the cultivation of the soil and the growing of crops and produce, or the keeping and rearing of animals for the personal use of the owner but does not include mushroom growing or the keeping of swine, poultry, fur bearing animals or other livestock for commercial purposes.

Home Commerce means a commercial use which is accessory to the principal residential use and which is carried on within a single detached dwelling, or on a lot upon which the dwelling is the principal use and includes bed and breakfast establishments

Recreational Cottage means a building separate from a primary residential use, which may or may not be built upon a foundation, used to provide temporary accommodation to tourists and/or holiday makers. Such cottages shall not be used for year-round residency and shall not include manufactured home dwellings or recreational vehicles.

A.20.2 PERMITTED USES

- a) Single detached dwelling
- b) Home Agriculture
- c) Home commerce
- d) Golf courses and driving ranges as accessory uses
- e) Campgrounds and recreational cottages as accessory uses
- f) Accessory retail sales; gift shop
- g) Accessory buildings and uses

A.20.3 CONDITIONS OF USE

- a) A washroom facility and a garbage disposal container shall be provided for every campground.
- b) Development shall be serviced by a community sewer system or septic disposal system constructed to the standards of the provincial agency having jurisdiction and/or the Medical Health Officer.
- c) Development shall be serviced by a safe and secure individual supply and distribution system approved by the provincial agency having jurisdiction.
- d) Accessory uses shall not include restaurants, dining rooms, lounges, licenced premises, cafés, or convenience stores.
- e) No lot shall be used for the storage of derelict vehicles, equipment, boats, travel trailers, or recreational vehicles.

A.20.4 LOT SIZE REQUIREMENTS

The minimum area of any lot created by subdivision shall be 2 hectares (5 acres).

A.20.5 DEVELOPMENT DENSITY

- a) One single-family dwelling shall be permitted on each lot. Additionally, one tourist cabin for every 0.8 hectares (2 acres) of land and one campsite for every 0.10 hectares (1/4 acre) of land shall be permitted on each lot.
- b) The floor area of a recreational cottage shall not exceed 46.5 square meters (500 square feet)
- c) Campsite shall have a minimum area of 56 square meters (600 square feet).

A.20.6 SETBACKS AND BUFFER AREAS

- a) For principal buildings and structures shall be:
 - 9 meters (30 feet) from all front and rear lot lines
 - 2.5 meters (8 feet) from all side lot lines
- b) For accessory building and structures shall be:
 - 7 meters (23 feet) from all front lot lines
 - 1.5 meters (5 feet) from all rear and side lot lines
- c) Where a lot line abuts any other residential zone district, the minimum setback for recreational uses; excluding recreation cottages; shall be 15 meters (49 feet).
- d) Where a lot line abuts any other residential zone district, a 5 meter (16 feet) vegetated buffer area shall be provided. No development shall take place within this buffer area.
- e) Setbacks for development adjacent to any watercourse, shall be as required by the provincial or federal agency having jurisdiction.

DESTINATION RESORT ZONE (DR-1)

(Added by Bylaw No. 801)

A.21.0 OBJECTIVE

This zone is intended to provide for destination resort accommodations and related services on a single property or Crown land tenure or combination thereof, and recreational residences when developed as a strata tenure development.

A.21.1 PRINCIPAL PERMITTED USES

- a) Single detached dwellings developed as part of a strata subdivision;
- b) Tourist lodge; and,
- c) Resort

ACCESSORY PERMITTED USES

- a) A marina, which may include fuel sales, when operated and used in conjunction with a tourist lodge or resort, or as part of a residential strata subdivision, but in no case, shall the number of marinas exceed one per principal permitted use. In addition, private docks or moorage facilities shall not be permitted along the foreshore that is immediately adjacent to areas developed with single detached dwellings;
- b) Cabins for guest and staff accommodations when used in conjunction with a tourist lodge or resort and located on the same property as the tourist lodge or resort;
- c) A restaurant, licenced or unlicenced lounge, offices, meeting rooms and retail stores when operated and used in conjunction with a tourist lodge or resort and located on the same property as the tourist lodge or resort, or as part of a residential strata subdivision in a common (one) building and located on common property within said residential strata subdivision;
- d) An activity centre building or buildings which is/are incidental to a residential strata subdivision and are located upon common property within said subdivision; and,
- e) Buildings used for storage or for the purposes of housing/securing servicing infrastructure used in conjunction with a principal permitted use, and in no case, shall such buildings be used for residential purposes.

A.21.2 MINIMUM LOT AREA

- a) The minimum lot area with respect to tourist lodge or resort use shall be 4.0 hectares (9.88 acres) and the water and sewage collection and disposal services associated with said uses shall require the approval of the Vancouver Island Health Authority or respective ministry of the Province of British Columbia, depending on which agency has jurisdiction, prior to development.
- b) The minimum lot area with respect to a single detached dwelling developed as part of a strata subdivision shall be:
 - i) When serviced by a private well and private septic system on the same lot – 1.0 hectare (2.47 acres) unless approval of a lot area of less than this requirement is provided by the Vancouver Island Health Authority
 - ii) When serviced by an approved communal water system and sewage treatment system located on common property within a strata subdivision – 0.4 hectare (1.0 acre)

Prior to final approval of a strata subdivision by the RDMW, the applicant shall provide sufficient information to the Vancouver Island Health Authority or respective ministry of the Province of British Columbia, demonstrating to the organization having jurisdiction, that the proposed water and sewage collection and disposal services will adequately service the development in accordance with Provincial requirements, and written approval of same by the organization having jurisdiction shall be provided to the RDMW.

A.21.3 DENSITY

- a) In the case of a tourist lodge or resort development, the lot coverage of all buildings and structures expressed as a percentage of the lot area, shall not exceed 20%.

- b) In the case of a residential strata subdivision, the number of single detached dwellings shall not exceed on single detached dwelling per 0.53 hectares (1.32 acres).

A.21.4 MINIMUM YARD DIMENSIONS

The minimum setback for buildings and structures from the front, rear and side lot lines is 7.5 meters (24.6 feet). In this regard, the minimum front, rear and side yards shall be 7.5 meters (24.6 feet).

A.21.5 BUILDING HEIGHT

Buildings and structures shall not exceed 11.0 meters in height as measured from the natural, undisturbed grade (pre-development).

A.21.6 FORESHORE PROTECTION

Wherever single detached dwellings are proposed in an upland area adjacent to the foreshore, a restrictive covenant shall be placed on title that restricts the development of building and structures and the removal of vegetation within 15.0 meters (49.2 feet) of the natural boundary with the sea, to the satisfaction of the Regional District of Mount Waddington and Fisheries and Oceans Canada.

A.21.7 BRITISH COLUMBIA BUILDING CODE

Except as exempted specifically therein, the construction of all buildings and structures is subject to conformist with the regulations of the British Columbia Building Code.

A.21.8 SERVICES IN A STRATA SUBDIVISION

- a) Common services provided in a residential strata subdivision shall be located on common property within said subdivision.
- b) Arrangements related to solid waste collection and the legal disposal of same shall be the responsibility of the strata corporation.

A.21.9 ENVIRONMENTAL RESOURCES

In keeping with the Regional District of Mount Waddington Regional Plan (Bylaw No. 674, 2003) which requires that all proposals for new development identify and protect high-risk ecologically sensitive areas and encourages opportunities for land use that area environmentally sound, prior to any development being undertaken, an environmental impact assessment report (EIAR) shall be undertaken by a qualified professional. The EIAR shall include an inventory of environmental features present and provide recommendations for undertaking development in a manner that seeks to protect high-risk ecologically sensitive areas and other environmental features that in the opinion of the qualified professional, should be afforded some degree of protection. In the case of strata subdivision development, the EIAR may be undertaken as a condition of approval of said subdivision, but the design of said subdivision may be affected and conditions of approval may be required that will implement the recommendations of the EIAR.

A.21.10 ARCHAEOLOGICAL RESOURCES

In keeping with the Regional District of Mount Waddington Regional Plan (Bylaw No. 674, 2003) which requires that all proposals for new development identify and protect significant archaeological sites and resources, and in keeping with the comments provided by the Ministry of Tourism, Culture and the arts, a qualified consulting archaeologist shall be engaged prior to any major land-altering activities to determine if development activities are likely to impact known and/or unknown archaeological sites.

FORESHORE PROTECTION ZONE (FP-1)

(Added by Bylaw No. 801)

A.22.0 OBJECTIVE

This zone is intended to protect foreshore areas by limiting the use and the siting of building and structures in foreshore areas.

A.22.1 PERMITTED USES

- a) Marine navigational aids installed by the Province of British Columbia or Federal Government or agents thereof.
- b) Restoration or enhancement of the intertidal zone with the prior written approval of Fisheries and Oceans Canada.
- c) Under no circumstances shall buildings or structures be located in the intertidal zone nor shall the removal of trees and vegetation within the intertidal zone be permitted without the prior written approval of Fisheries and Oceans Canada.

MARINE RESORT ZONE (MR-1)

(Added by Bylaw No. 894)

A.23.0 OBJECTIVE

This zone is intended to protect foreshore areas by limiting the use and the siting of building and structures in foreshore areas.

A.23.1 PERMITTED PRINCIPAL AND ACCESSORY USES

PRINCIPAL USES

- a) Resort

ACCESSORY USES

- a) Campground;
- b) Marina; and,
- c) Buildings used for storage or for the purposes of housing / securing servicing infrastructure that is used in conjunction with a permitted principal or accessory use.

A.23.2 CONDITIONS OF USE

- (a) Potable water and sewage treatment / disposal services shall be provided in association with the establishment of permitted principal and accessory uses, and such services shall require the approval of Island Health (formerly Vancouver Island Health Unit) or respective ministry of the Province of British Columbia, depending on which agency has jurisdiction.
- (b) Accessory uses, where permitted by this zone and utilized in conjunction with a principal use in the same zone, may be conducted on a different lot or Crown land tenure than that on which the principal use is located.

A.23.3 MINIMUM LOT AREA

The minimum area of a lot or Crown land tenure or combination thereof shall be 1.0 hectare (2.47 acres).

A.23.4 SETBACKS

The minimum setback for buildings and structures from any property line or from the boundary between two or more zoning categories shall be 7.5 meters (24.6 feet), except for dock / moorage infrastructure which is exempt. Setback requirements as they relate to a marine area included within a Crown land tenure shall be as prescribed by the Province.

A.23.5 BUILDING HEIGHT

Buildings and structures shall not exceed 12.0 meters (39.4 feet) in height as measured from the finished grade or surface of the ocean, whichever is applicable.

TOURIST ACCOMMODATION ZONE (TA-1)

(Added by Bylaw No. 910 and Amended by Bylaw No. 925)

A.24.0 OBJECTIVE

This zone is intended to provide for multiple dwellings on a single lot or Crown land tenure, for the purpose of accommodating tourists and the traveling public.

A.24.1 PERMITTED PRINCIPAL AND ACCESSORY USES

PERMITTED PRINCIPAL USES

- a) Single detached dwelling
- b) Tourist Cabin

PERMITTED ACCESSORY USES

- a) Buildings used for storage or for the purposes of housing / securing servicing infrastructure that is used in conjunction with a permitted principal use.
- b) Docks used for airplane or boat moorage.

A.24.2 CONDITIONS OF USE

- a) Potable water and sewage treatment / disposal services shall be provided in conjunction with the establishment of a permitted principal use as required by the Vancouver Island Health Authority or respective ministry / agency of the Province of British Columbia, depending on which agency has jurisdiction.
- b) No more than one single detached dwelling shall be located on a lot or Crown land tenure.
- c) No more than eight tourist cabins may be located per hectare of lot or Crown land tenure, but in no case shall the number of tourist cabins permitted exceed the ability to service them in accordance with the requirements described in section A.24.2a). Where a lot is less than 1.0 hectare (2.47 acres) in size, the number of tourist cabins that are permitted shall be based on the ability to service them in accordance with the requirements described in section A.24.2a), but in no case shall the number of tourist cabins exceed four. When requested, the owner of a lot or tenant of a Crown land tenure that is included in the Tourist Accommodation Zone (TA-1), must provide adequate documentation to the Regional District that demonstrates that the requirements of section A.24.2(a) have been undertaken.

A.24.3 MINIMUM AREA

The minimum area of a lot or Crown land tenure shall be 1.0 hectare (2.47 acres). Where a lot or Crown land tenure is subject to this Zone and does not meet the minimum area of 1.0 hectare, it can be used in accordance with the regulations prescribed by this Zone.

A.24.4 SETBACKS

The minimum setback for buildings and structures from any property line or from the boundary between two or more zoning categories shall be 5.0 meters (16.4 feet), except for moorage infrastructure which is exempt.

A.24.5 SITE COVERAGE

Buildings and structures shall not cover more than 40% of a lot.

A.24.6 BUILDING HEIGHT

Buildings and structures shall not exceed 10.0 metres (32.8 feet) in height as measured from finished grade or the surface of a water, whichever is applicable.

LODGING HOUSE ACCOMMODATION ZONE (LHA-1)

(Added by Bylaw No. 920)

A.25.0 OBJECTIVE

This zone is intended to allow lodging houses on a single lot or Crown land tenure, for the purpose of providing accommodation to tourists and resource workers in remote areas.

A.25.1 PERMITTED PRINCIPAL AND ACCESSORY USES

PERMITTED PRINCIPAL USES

- a) Lodging house

PERMITTED ACCESSORY USES

- a) Tourist Cabin;
- b) Buildings used for storage or for the purposes of sheltering / securing servicing infrastructure that is used in conjunction with a permitted principal use;
- c) Buildings used to provide cooking, eating or sanitary facilities in order to keep these facilities separate from lodging house or tourist cabin buildings;
- d) Moorage;

A.25.2 CONDITIONS OF USE

- a) Potable water and sewage treatment / disposal services shall be provided in conjunction with the establishment of a permitted principal use as required by Island Health (formerly Vancouver Island Health Unit) or respective ministry of the Province of British Columbia, depending on which agency has jurisdiction.
- b) No more than one lodging house capable of accommodating up to 10 persons shall be permitted for each hectare of a lot or Crown land tenure, but in no case shall the number of lodging houses permitted exceed the ability to service them in accordance with the requirements described in section A.25.2a).
- c) No more than four tourist cabins may be located per hectare of a lot or Crown land tenure, but in no case shall the number of tourist cabins permitted exceed the ability to service them in accordance with the requirements described in section A.25.2a).
- d) Notwithstanding the definition of single detached dwelling, a lodging house may include a float home dwelling.

A.25.3 MINIMUM AREA

The minimum area of a lot or Crown land tenure shall be 1.0 hectare (2.47 acres). Where a lot or Crown land tenure is subject to this Zone and does not meet the minimum area of 1.0 hectare, it can be used in accordance with the regulations prescribed by this Zone.

A.25.4 SETBACKS

The minimum setback for buildings and structures from any property line or from the boundary between two or more zoning categories shall be 5.0 metres (16.4 feet), except for moorage infrastructure which is exempt.

A.25.5 SITE COVERAGE

Buildings and structures shall not cover more than 50% of a lot or Crown land tenure.

A.25.6 BUILDING HEIGHT

Buildings and structures shall not exceed 10.0 metres (32.8 feet) in height as measured from finished grade or the surface of a water, whichever is applicable.

MARINE ZONE (MAR-1)

(Added by Bylaw No. 920)

A.26.0 OBJECTIVE

This zone is intended to apply to the vast majority of the marine areas throughout the Regional District. It allows a limited number of uses in the interest of protecting the marine environment and ensuring the Regional District of Mount Waddington has adequate input as part of the processes related to new or expanded development proposals that relate to the marine environment (e.g. finfish aquaculture, resorts, etc.). This zone is not intended to regulate or otherwise interfere with transient marine activities such as commercial fishing, recreation fishing, boating and navigation, etc. which are regulated by the Government of Canada and do not require the development of infrastructure works to support them.

A.26.1 PERMITTED USES

- a) Accessory uses associated with upland based forestry, including, but not limited to: log dump, booming and storage; helicopter drop site; barge ramp; docking systems; and, float camp to provide temporary accommodation for forestry workers;
- b) A dock as per section 3.1.5(c) of this Bylaw; *(Amended by Bylaw No. 925)*
- c) Marine navigational aids installed by the Province of British Columbia or Federal Government or agents thereof, or as required by and with the permission of the respective agency having jurisdiction; and,
- d) Restoration or enhancement of the intertidal zone with the prior written approval of Fisheries and Oceans Canada, where applicable.

A.26.2 CONDITIONS OF USE

Permitted uses shall only be established upon the prior issuance of a Crown land tenure for said uses, where required by the Province of British Columbia.

A.26.3 NON-CONFORMING STATUS

Where a marine area or a building or structure located in a marine area is lawfully used as of June 20, 2017, and is subject to the Marine Zone (MAR-1) as of that date, but does not comply with the provisions of the Marine Zone (MAR-1), such use, building or structure shall be deemed to be a non-conforming use and can be continued to be used subject to the provisions of the Local Government Act related to non-conforming use and other continuations.

MARINE INDUSTRIAL ZONE (MI-1)

(Added by Bylaw No. 895)

A.27.0 OBJECTIVE

This zone is intended to provide for marine industrial uses and related services on a single lot or Crown land tenure, or combination thereof.

A.27.1 PRINCIPAL PERMITTED USES

- a) Repair and storage of barges, float camps, float homes and marine structures ancillary to logging, shipping and aquaculture;

A.27.2 ACCESSORY PERMITTED USES

- a) Buildings and structures used to accommodate a principal use, as well as to provide staff accommodations;
- b) Storage of materials used in the repair of barges, float camps, float homes and marine structures ancillary to logging, shipping and aquaculture;
- c) Docks;
- d) Navigational aids;
- e) Barge loading ramp; and,
- f) One marine railway used to remove from the ocean or launch into the ocean, barges, float camps, float homes and marine structures ancillary to logging, shipping and aquaculture.

A.27.3 CONDITIONS OF USE

- a) Principal and accessory uses shall be undertaken in a manner that does not cause pollution of the environment. Chemicals and other potential harmful pollutants shall be handled and stored in a safe manner that minimizes the potential for escape into the environment and in accordance with provincial and federal requirements. Chemical, fuel and related spills shall be reported to the appropriate authority immediately.
- b) Buildings used to provide staff accommodations shall be connected to a water supply system that is constructed, operated and maintained in accordance with the requirements of Island Health. The supply source (e.g. creek or well) for the water supply system shall be developed and used in accordance with the requirements of the B.C. Ministry of Environment (MoE) and/or the B.C. Ministry of Forests, Lands and Natural Resource Operations. Buildings used for accommodations shall be connected to a waste disposal system constructed, operated and maintained in accordance with the requirements of the jurisdiction that has authority (e.g. Island Health, MoE or Environment Canada).
- c) The storage of materials shall be undertaken in a manner that is tidy and orderly and where possible, prevents them from being openly visible from the ocean and land based residences in the vicinity, to the satisfaction of the Regional District. Where possible, materials are to be screened from view from the ocean and residences by storing them in buildings, or utilizing landscaping materials (vegetation, earthen berms, fencing, etc.) to block them from view in recognition of the popularity of Port Harvey as a haven for the recreational boating community and an area in which residential dwellings are located.
- d) Construction activities and the repair of barges, float camps, float homes, and marine structures ancillary to logging, shipping and aquaculture shall only be undertaken between the hours of 7:00am to 7:00pm each day between May 1st and September 30th of each year, and between the hours of 7:00am through 10:00pm each day between October 1st and April 30th of each year.

A.27.4 MINIMUM LOT AREA

The minimum area of a lot or portion thereof, Crown land tenure or combination thereof shall be 4.0 hectares (9.88 acres).

A.27.5 DENSITY

Staff accommodations shall not exceed two buildings with a maximum combined gross floor area of 400 square metres (4,305.6 square feet).

A.27.6 SETBACKS

The minimum setback for buildings and structures from any property line or from the boundary between two or more zoning categories shall be 7.5 metres (24.6 feet), except that those structures required to facilitate the movement of vessels and equipment to and from the upland to the marine area (Crown foreshore or land covered by water) shall not be subject to a setback requirement. Setback requirements as they relate to a marine area included within a Crown land tenure shall be as prescribed by the Province of BC.

A.27.7 BUILDING HEIGHT

Buildings and structures shall not exceed 12.0 metres (39.4 feet) in height as measured from the finished grade or surface of the ocean, whichever is applicable.

SCHEDULE B – ZONING MAPS

Zoning Map No. 1	Hyde Creek/Nimpkish Heights	<i>(Repealed in part by Bylaw No. 648)</i>
Zoning Map No. 2	Cormorant Island	
Zoning Map No. 3(A)	Coal Harbour	<i>(Repealed by Bylaw No. 669)</i>
Zoning Map No. 3(B)	Coal Harbour	<i>(Repealed by Bylaw No. 669)</i>
Zoning Map No. 4(A)	Sointula	<i>(Repealed by Bylaw No. 501)</i>
Zoning Map No. 4(B)	Sointula	<i>(Repealed by Bylaw No. 501)</i>
Zoning Map No. 5	Mitchell Bay	<i>(Repealed by Bylaw No. 501)</i>
Zoning Map No. 6	Winter Harbour	
Zoning Map No. 7	Port Hardy	<i>(No longer applicable - now the municipality of the District of Port Hardy)</i>
Zoning Map No. 8	Holberg	
Zoning Map No. 9	Pearse Island	
Zoning Map No. 10(A)	Quatsino	<i>(Repealed by Bylaw No. 670)</i>
Zoning Map No. 10(B)	Quatsino	<i>(Repealed by Bylaw No. 670)</i>
Zoning Map No. 10(C)	Quatsino	<i>(Repealed by Bylaw No. 670)</i>

SCHEDULE C – SPECIAL PROVISIONS RELATED TO APPLICATION OF ZONING

- C.1.(1)** Unless subject to another Regional District zoning or rural land use bylaw, or included in another zone by this Bylaw, all marine areas, being those areas which are comprised of land covered by water including the surface of water, as well as the intertidal zone, and any area located below the natural boundary associated with the sea, are hereby included in the Marine Zone (MAR-1).
(Repealed by Bylaw No. 501 and added by Bylaw No. 920)
- C.1.(2)** Except as otherwise Indicated, all water areas surrounding Cormorant Island for a distance of 300m from the high-water mark, shall bear the same zoning as the land to which it is adjacent.
(Amended by Bylaw No. 96 and Bylaw No. 894)
- C.1.(3)** The provisions of subsection (2) do not apply to water areas adjacent to either the boundaries of the Village of Alert Bay or to any Indian Reserve located on Cormorant Island.
- C.2.(1)** Any part of a lot or parcel used for commercial purposes as listed in Section A.4.0. at the time this bylaw comes into force and effect is hereby zoned General Commercial Zone (C-1).
- C.2.(2)** Notwithstanding subsection (1), where a lot or parcel exceeds the minimum lot area required in the General Commercial Zone (C-1), only that portion of such lot or parcel actually used for Commercial Zone (C-1) uses, at the time this bylaw comes into force and effect, is hereby zoned General Commercial Zone (C-1).
- C.2.(3)** Any part of a lot or parcel used for industrial purposes as listed in Section A.5.0 at the time this bylaw comes into force and effect is hereby zoned Industrial Zone (M-1).
- C.2.(4)** Notwithstanding subsection (3), where a lot or parcel exceeds the minimum lot area required in the Industrial Zone (M-1), only that portion of such lot or parcel actually used for Industrial Zone (M-1) uses, at the time this bylaw comes into force and effect, is hereby zoned Industrial Zone (M-1).
- C.3.(1)** Any land not specifically included in another zone is included in the Rural Zone (A-1).
(Amended by Bylaw No. 96 and Bylaw No. 894)
- C.3.(2)** *(Deleted by Bylaw No. 894)*

SCHEDULE D – MOBILE HOME PARKS BYLAW NO. 224, 1984

A bylaw to establish, regulate, and govern mobile home parks in the Regional District of Mount Waddington.

WHEREAS there is a desire from Coal Harbour residents to establish a mobile home park in the Commercial and Industrial area of Coal Harbour;

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

- 1.1 This bylaw shall be known as the “Regional District of Mount Waddington Mobile Home Parks Bylaw No. 224, 1984.”
- 1.2 The “Regional District of Mount Waddington Interim Zoning Bylaw No. 21, 1972” is hereby amended by adding this bylaw as “Schedule D.”

1.3.0 APPLICATION

This bylaw shall be applicable to all of the Electoral areas of the Regional District of Mount Waddington as defined in the Letters Patent and amendments thereto.

1.4.0 DEFINITIONS

In this Bylaw unless the context otherwise requires:

APPROVAL: means approval in writing.

DEPENDANT MOBILE HOME: means a mobile home not equipped with a water closet and bathtub or shower.

INDEPENDENT MOBILE HOME: means a mobile home equipped with a water closet and a bathtub or shower, waster from both of which may be disposed of directly into a sewer and used primarily for residential living.

MOBILE HOME: means a single detached dwelling unit suitable for year-round occupancy, especially designed to be drawn along the highway (like a trailer) from time to time and which arrives at the site where it is to be occupied complete and ready for occupancy except for placing on foundation supports, connection of utilities and some incidental assembly.

MOBILE HOME AREA: means that part of a mobile home park used primarily for installed mobile homes, including permissible additions, and which is not used for buffer area, roadways, owner’s residential plot, the procuring and treatment of water, collective sewage treatment plant, garbage disposal, or service buildings.

MOBILE HOME PARK: means any parcel of land on which two or more mobile homes are installed for occupancy, except where any mobile home is more than thirty meters (30 m) from any parcel boundary and more than one hundred and fifty meters (150 m) from any other mobile home.

MOBILE HOME SPACE: means an area of land for the installation or placing of one mobile home with permissible addition and situated within a mobile home area.

ROADWAY: means an allowance within a mobile home park, part or all of which is made suitable for normal vehicular use so vehicles can gain access to abutting spaces.

SERVICE BUILDING: means a building housing any toilet, bathing and other sanitation facilities or laundry and clothes drying facilities.

2.1.0 GENERAL PROVISIONS

- (1)
 - a) No person shall locate, establish, construct, alter subdivide or operate a mobile home park; or
 - b) Cause or allow a mobile home to be parked or to remain in a mobile home park in contravention of this bylaw
- (2) No person shall locate, establish, construct, alter or subdivide a mobile home park until;
 - a) written approval of plans and specifications is received from the Medical Health Officer; and
 - b) a permit authorizing such locating, establishing, construction, altering or subdividing has been issued to him by the Building Inspector or other official designated by the Regional District pursuant to this bylaw.
- (3) No person shall locate a mobile home park except on a well drained site that is above high-water line and at all times free stagnant pools, and graded for rapid drainage.
- (4) Every part of the land included in a mobile home park site shall be contiguous with one or more other parts of the land.
- (5) All additions and alterations thereof to mobile homes shall be in accordance with the applicable bylaws in effect within the electoral areas of the Regional District of Mount Waddington.
- (6) No mobile home or permissible additions in a mobile home park shall be located elsewhere than on a mobile home area.
- (7) All mobile homes, while installed in a mobile home park, shall be restrained from moving.
- (8) Any part of a mobile home area may be designated as a space for the use of either dependent or independent mobile homes, subject to the requirements of this bylaw.
- (9) No mobile home having a plumbing system that is not designed and installed in accordance with recognized standards that include
 - a) A trap for each fixture; and
 - b) Each trap being vented;
 Shall be allowed to the water system or sewer system.
- (10) No person shall dispose of garbage or refuse or any sort of waste except in accordance with arrangements made by the owner of the mobile home park pursuant to this bylaw.
- (11) A copy of the Mobile Home Permit, a copy of this Bylaw shall be permanently posted in the mobile home park office for the reference of the mobile home park occupier.
- (12) In mobile homes located in a mobile home park,
 - a) The installation and maintenance of all oil burners and oil burning equipment and appliances using inflammable liquids as fuel; and
 - b) The storage and disposal of inflammable liquids, and oils; and
 - c) The installation, maintenance carriage, and use of compressed gas systems
 Shall be in accordance with the regulations of the "Fire Marshall Act".
- (13) All waste water from any plumbing fixture in any mobile home shall drain directly into a sewer system.
- (14) Mobile homes with unvented plumbing systems may only be permitted to drain into a sewer system that meets the requirements of this bylaw.

3.1.0 PLANS AND SPECIFICATIONS

- (1) All applications for permits for the locating, establishment, construction, alteration or subdivision of mobile home parks shall be made in writing to the Approving Officer of the Regional District of Mount Waddington and shall contain
 - a) The name and address of the applicant;
 - b) The intended use of the land;

- c) A popular understandable description of the location of the land and the legal description of the land on which the proposed mobile home park is to be constructed, altered, or extended.
- d) Where the water to be provided does not come from a public distribution system
 - (i) A map showing the location of the source of the proposed water supply and the location and the extent of the area proposed for sewage disposal, waste water disposal, and garbage disposal; and
 - (ii) A certificate signed by the Medical Health Officer stating that the water from the source indicated on the map is potable and that the location and extent of the areas proposed for sewage disposal, waste water disposal and garbage disposal indicated in the map met with his approval;
- e) Two complete and legible sets of plans to scale showing:
 - (i) The area dimensions and legal description of the parcel of land;
 - (ii) The dimension and location of the buffer area;
 - (iii) The number, location, dimensions and designation of all roadways, and, if the owner is to build a dwelling, the owner's residential plot (if any), and, if included, any amenity or recreation area;
 - (iv) The dimensioned location of all service buildings, the owner's residence (if any), and other structures;
 - (v) The internal layouts of all service buildings and other structures apart from the owner's residence;
 - (vi) The location and details of all connections to the sewer, sewer lines, septic tank(s), and subsurface disposal field, or private sewage treatment plants and disposal methods;
 - (vii) The location and details of all on-site garbage and refuse disposal areas;
 - (viii) The location and details of the source of water treatment plants, water distribution lines and outlets;
 - (ix) A north arrow and notation of the scales used.

4.1.0 BUFFER AREA

- (1) Every mobile home park shall have immediately within all its boundaries a buffer area a minimum of seven meters (7 m) in depth within which
 - a) No recreation, amenity, or service areas, except for waterfront recreation or amenity areas, may be located;
 - b) No mobile home area nor any owner's residential plot may be located;
 - c) No building or structure may be erected or placed except a sign which may only be placed within seven meters (7 m) of any highway, and subject to the restrictions and provisions of the Regional District Zoning Bylaw, and a fence and a wall;
 - d) No garbage disposal area and no part of any private sewage disposal system shall be located except where approved by the Medical Health Officer;
 - e) Except where danger is involved, no plant material may be removed nor may any substance of which land is composed be deposited or removed, except as part of a recognizable beautification scheme;
 - f) No vehicle parking area shall be located;
 - g) The buffer area, where ever possible, shall be landscaped.
- (2) The only roads permitted in the buffer area are those which cross it as close to right angles as practicable and connect directly with the road system contained within the remainder of the mobile home park. No road shall traverse the buffer of the mobile home park. No road shall traverse the buffer area and give direct access from any public highway to any space.
- (3) Notwithstanding the requirement for a buffer area, where a mobile home park is contiguous with a body of water, the high water line of that body of water shall be considered the mobile home park boundary line for the purposes of establishing the buffer area, except that a building(s) to house boats or a building(s) to house dressing rooms, any of which may be allowed in all land adjoining waters that

are suitable for small boat navigation at low water, provided that either of the afore mentioned types of buildings is not within seven meters (7 m) of any other parcel boundary.

5.1.0 RECREATION AREA

- (1) Not less than 5% of the gross site area of the mobile home park shall be devoted to tenant's recreation uses, and shall be provided in a convenient and accessible location. For the purpose of calculating recreation space requirements, any indoor recreational space provided shall be counted as double its actual area.
- (2) The recreational areas shall not include buffer areas, parking areas, common accessory buildings, internal access roads and mobile home spaces.
- (3) In mobile home parks where more than 1000 m² of recreation space is required, two or more recreational areas may be provided.
- (4) Recreation areas in the mobile home park, except indoor recreation facilities, shall be of a grass or asphaltic surface and shall be properly landscaped.

6.1.0 PLACEMENT OF MOBILE HOMES AND PERMISSIBLE ADDITIONS

- (1) Within a mobile home area, no part of any mobile home or any permissible addition shall be
 - a) On land that is not level and kept free from drainage from adjacent land;
 - b) Closer than six meters (6 m) to any other mobile home or permissible addition;
 - c) With three meters (3 m) of any buffer area;
 - d) Within six meters (6 m) of any building;
 - e) Allowed to project over the boundary of any mobile home area.
- (2) One (1) level, easily accessible car parking space shall be provided near each mobile home. In addition, for every four or less number of mobile homes, one (1) additional parking space shall be provided.
- (3) No additions to mobile homes are permitted except;
 - a) Skirtings, but only if an easily removable access panel of a minimum of one meter (1 m) provides access to the area enclosed by the skirting;
 - b) Carports;
 - c) Shelters against sun or rain (ramadas);
 - d) Vestibules of a maximum size of three square meters (3 sq. m.);
 - e) Rooms (cabanas) added to a mobile home; provided that any such added room shall have an exit or access to exit other than through the mobile home, and further, that any such additional room is not used as an exit or access to exit from any mobile home;Provided that the means of egress from the mobile home or additional room is not restricted or diminished by any part of any permissible addition.
- (4) Any part of the mobile home area that is designated for the use of a dependent mobile home shall not be more than sixty meters (60 m) from any service building nor more than thirty meters (30 m) from a standpipe.
- (5) All foundations for the support of mobile homes or permissible additions shall be designed and installed in accordance with the National Building Code.

7.1.0 OWNER'S RESIDENTIAL PLOT

- (1) An owner's residential plot shall be permitted within a mobile home park, the minimum area or which shall be
 - a) 465 square meters where the residence is connected to a public sewer or the approved sewage disposal system of the mobile home park; or
 - b) Where it is not connected with the sewer of the approved sewage disposal system of the mobile home park, 1,400 square meters.

8.1.0 SERVICE BUILDINGS

- (1) The owner shall provide, within the mobile home park, service buildings with facilities as required by this section.
- (2) For every ten (10) or any less number of dependent mobile homes, the owner shall provide as a minimum in separate rooms;
 - a) For females – One (1) water closet, and
One (1) hand basin;
 - b) For males -- One (1) water closet, and
One (1) hand basin

Except where there are more than twenty (20) dependent mobile homes when a maximum of one third (1/3) of the water closets may be urinals.

- (3) For every twenty (20) or any less number of dependent mobile homes, the owner shall provide as a minimum one (1) bathtub or shower for each sex.
- (4) For every twenty (20) or any less number of dependent mobile homes, the owner of the mobile home park shall provide, as minimum, one laundry sink and space for one hundred lineal feet of indoor clothes line or one automatic drier.
- (5) All water closets and urinals shall be the flush type.
- (6) Each water closet, bathtub, or shower shall be in a separate compartment.
- (7) Each service building shall comply with the bylaw in effect in the Regional District of Mount Waddington, except that
 - a) All interior finishes shall be smooth, hard, durable, highly water resistant, and contain a minimum of dirt catching, or holding crevices, pockets or ledges;
 - b) A fifteen-centimeter (15 cm) base along all walls shall be constructed of waterproof masonry or masonry composition which shall have rounded corners and shall be coved into the floor; and
 - c) All floors shall be waterproof and slope to the floor drains which connect with the sewer system.

9.1.0 WATER SUPPLY

- (1) The owner or developer of a mobile home park within a water service area shall hook up the water system as specified by the authority in charge.
- (2) Potable water shall be distributed to
 - a) Each service building
 - b) Each space that is designated for an independent mobile home; and
 - c) Standpipes, if required.
- (3) Water shall not be distributed to any terminal from which the water would not be intercepted by an approved sewage fixture, nor to any space that is not provided with an approved mobile home drain terminal connection to a sewer as required in paragraph 10.1.(2) of this bylaw.
- (4) Each water distribution branch line serving a space designated for the use of an independent mobile home shall have a minimum diameter of 1.25 cm.

10.1.0 SEWER SYSTEM

- (1) The owner or developer of a mobile home park with a sewer system area shall hook up to the sewer system as specified by the authority in charge.
- (2) In each space designated for the use of an independent mobile home a sewer lateral shall terminate above the surrounding grade. This terminus shall be a 7.5 cm approved, gas tight fitting with threaded and “quick change” adapter couplers not requiring any special tools or knowledge to make the connection, designed and installed to receive sewage discharge from a mobile home drain. Each terminus fitting shall be protected at a grade by a metal casing or shall be encased in a concrete pad measuring not less than 10 cm in thickness and 45 cm square.
- (3) All outdoor vents shall extend 2 m above the surrounding grade, or 25 cm above the mobile home whichever is the greater. Outdoor vents shall be securely fastened to a 10 cm x 10 cm minimum wood preservative treated cedar post securely embedded in the ground or have equivalent support.
- (4) A cleanout shall be installed wherever a sewer line changes direction more than forty-five degrees. All outdoor cleanouts shall be approved type brass plugs that shall be accessible; their position shall be

indicated on the ground. All parts of any cleanout extension shall be cast iron and terminate at a protected location either below access covers or in a concrete pad. A cleanout may be omitted at the upstream end of a sewer line serving mobile homes provided that the uppermost terminus serves a mobile home and is designed and installed for use as a cleanout point.

- (5) For the purpose of determining pipe sizes, each space designated for the use of an independent mobile home shall be considered as having a hydraulic load of eight fixture units.
- (6) All standpipes that are provided because of any requirements of this bylaw or other regulations governing mobile home parks shall discharge into a sink or receptor discharging into a sewer line, or with the approval of the Medical Health Officer, a waste water soak pit.
- (7) Unvented plumbing systems may be permitted only to drain into sewer systems which meet the requirements of item 10.1.(2) of this bylaw, and which, in addition, have added traps and vents.

11.1.0 GARBAGE DISPOSAL

- (1) The owner of a mobile home park shall
 - a) For the disposal of all garbage, provide a minimum of two fly tight metal containers for each mobile home at convenient locations or as an alternative bulk metal containers with tight fitting tops in ample number at convenient locations;
 - b) Maintain the containers so that they shall not become foul smelling, unsightly, or a breeding place for flies;
 - c) Dispose of garbage or refuse. It is to be disposed of on the site, the methods and location shall be approved by the Medical Health Officer.

12.1.0 SUPERVISION

- (1) The owner shall maintain all equipment in or on the mobile home park in a clean, safe, and sanitary condition.
- (2) The owner shall take adequate steps to exterminate vermin and keep the mobile home park free therefrom.
- (3) Every mobile home park shall be kept free of inflammable debris and rubbish at all times.
- (4) Fires shall be made only in stoves, incinerators, or other structures designed for that purpose.

13.1.0 REPORTING

- (1) The owner shall report the installation of each mobile home or permitted addition with the exception of skirtings, to the authority having jurisdiction over mobile home parks.

14.1.0 MOBILE HOME PARK BYLAW LIMITS

- (1) This bylaw shall be applicable to Electoral Areas A, B, C, and D, of the Regional District of Mount Waddington.

15.1.0 ENFORCEMENT

- (1) No person shall allow or cause the public or any member of the public to use a mobile home park for the installation of a mobile home for storage, living, or sleeping purposes, unless the furnishings, facilities, installations, and equipment of the mobile home and mobile home park are in accordance with the provisions of this bylaw.

16.1.0 PENALTY

- (1) Any person who violates the provisions of this bylaw is liable on summary conviction to a penalty not exceeding TWO HUNDRED DOLLARS and also the cost of prosecution.
- (2) Each day during which such violation is continued shall be deemed to constitute a new and separate offence.
- (3) Upon conviction, the magistrate 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 he directs.