



COAL HARBOUR ZONING BYLAW NO. 669, 2002

CONSOLIDATED COPY
FOR CONVENIENCE ONLY
December 20, 2022

LIST OF AMENDMENTS

This copy of Bylaw No. 669 is consolidated for convenience only and includes the following amendments:

BYLAW NO.	AMENDMENT NO.	DATE ADOPTED	TEXT AND/OR MAP CHANGE
818	1	September 20, 2011	Text
922	2	September 19, 2017	Text
960	3	December 18, 2018	Text and Map
1015	4	December 20, 2022	Map

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REGIONAL DISTRICT OF MOUNT WADDINGTON

BYLAW NO. 669

A Bylaw to provide zoning regulations for the community of Coal Harbour

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

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

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

PART 1 – TITLE AND MEANINGS

1.1.0 Title

This Bylaw may be cited for all purposes as the “Coal Harbour Zoning Bylaw No. 669, 2002.”

1.2.0 Repeal

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21 cited as the “Regional District of Mount Waddington Zoning Bylaw No. 21, 1972” and all amendment bylaws thereto are repealed for all the lands comprising Coal Harbour and the surface of water as shown on the “Coal Harbour Zone Map No. 1”.

1.3.0 Application

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

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

1.4.0 Definitions

ACCESSORY BUILDING OR STRUCTURE: Means a building or structure that is clearly subordinate to, customarily and typically incidental to, and exclusively devoted to the principal use or principal building on the same lot. *(Amended by Bylaw No. 922)*

ACCESSORY USE: Means a use that is clearly subordinate to, customarily and typically incidental to, and exclusively devoted to the principal use or principal building on the same lot. *(Amended by Bylaw No. 922)*

BED AND BREAKFAST: means the provision of overnight accommodation and a breakfast meal for tourists and the traveling public as an accessory use within a single detached dwelling. See section 4.7.0 of this Bylaw for more detailed regulations pertaining to Bed and Breakfast. *(Amended by Bylaw No. 922)*

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

BUILDING: means a Structure, wholly or partly enclosed by a roof or roofs supported by walls or columns or other supporting features, which is intended to accommodate or shelter any use or occupancy by persons, animals, chattels or things. **(Amended by Bylaw No. 922)**

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

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

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

CABIN: means a building which may or may not be built upon a foundation, used to provide temporary accommodation for tourist and/or holiday-makers as a commercial enterprise. Cabins must not be used for year-round residency and does not include a mobile home dwelling, travel trailer or recreational vehicle.

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

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 for a specified period of time. **(Amended by Bylaw No. 922)**

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

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

DEVELOPMENT: means a change in use of any land, building or structure, the construction, siting or alteration of any buildings or structures, or activities designed to accommodate any of the aforementioned including such activities such as grading, road building, land clearing, etc. **(Amended by Bylaw No. 922)**

DWELLING, APARTMENT: means a Dwelling Unit located in a building in which three or more Dwelling Units are located and which share common access to the outside, or when permitted as an accessory use in a commercial or industrial zone, is a Dwelling Unit that is attached to a principal use by being located above the principal use on another storey in the same building as the principal use. **(Amended by Bylaw No. 922)**

DWELLING, ATTACHED: means a Dwelling Unit located in a building divided into no less than three Dwelling Units, with the Dwelling Units being configured side by side with each Dwelling Unit having direct access to the outside at finished grade. **(Amended by Bylaw No. 922)**

DWELLING, DUPLEX: means a building that includes two dwelling units, with each dwelling unit having direct access to the outside, and connected by a common wall when positioned side by side, or by a common ceiling and floor combination when positioned one on top of the other. **(Amended by Bylaw No. 922)**

DWELLING, FLOAT HOME: means a Dwelling Unit 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. **(Amended by Bylaw No. 922)**

DWELLING, MOBILE HOME: means a structure that is designed, constructed or manufactured as an individual dwelling unit and which conforms to the CAN/CSA Z240 (Mobile Home Dwelling) standard (as amended from time to time) at the time of manufacture and contains a Canadian Standards Association mobile home dwelling label. It is intended to be occupied in a place other than of its place of manufacture and may be transported on its own wheels or undercarriage and upon arrival at the place of occupation, can be completed and ready for occupancy except for placing on foundations, connection of utilities, skirting and some incidental assembly. **(Amended by Bylaw No. 922)**

DWELLING, MODULAR HOME: means a manufactured home that complies with the Canadian Standards Association Standard A-277 (Modular Home Dwelling) standard (as amended), is intended to be occupied in a place other than its place of manufacture, is manufactured in two or more sections, is not designed to be transported on its own wheels or undercarriage, and is placed on a permanent foundation. **(Amended by Bylaw No. 922)**

DWELLING, SECONDARY SUITE: means a Dwelling Unit that is accessory to a Single Detached Dwelling and is contained within the same building as the Single Detached Dwelling. See section 4.9.0 of this Bylaw for more detailed regulations pertaining to Secondary Suite Dwelling. **(Amended by Bylaw No. 922)**

DWELLING, SINGLE DETACHED: means a building consisting of one Dwelling Unit and may include a Modular Home Dwelling, but for clarity, does not include a Float Home Dwelling, Mobile Home Dwelling or a Recreational Vehicle.

DWELLING, TEMPORARY means a dwelling that is approved by the Regional District for occupation on a lot while a principal building is under construction on that lot. A Temporary Dwelling is permitted in any zone and may include an existing dwelling that is already located on the lot, or a mobile home dwelling, modular home dwelling, or recreational vehicle that is to be sited on the lot. A Temporary Dwelling shall only be utilized for a maximum of twenty-four consecutive months upon approval for use by the Regional District. In the case of an existing dwelling, mobile home dwelling or modular home dwelling, it shall cease to be used as a dwelling unless it complies with this Bylaw or alternatively, it must be converted to a non-residential accessory use which complies with this Bylaw, or be removed from the lot. In the case of recreational vehicle, it shall cease to be used as a dwelling or removed from the lot. **(Amended by Bylaw No. 922)**

DWELLING UNIT: means one or more habitable rooms constituting a self-contained unit for the purposes of human habitation, with one or more separate entrances and containing not more than one kitchen and not less than one water closet (toilet), wash basin (sink), bathtub or shower stall. **(Amended by Bylaw No. 922)**

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. **(Amended by Bylaw No. 922)**

HIGHWAY includes a street, road, lane, bridge, viaduct, and any other way open to the public for access purposes. **(Amended by Bylaw No. 922)**

HOME BUSINESS: means an occupation or profession undertaken on a lot as an accessory use in conjunction with the primary residential use of the lot. See section 4.6.0 of this Bylaw for more detailed regulations pertaining to Home Business. **(Amended by Bylaw No. 922)**

LODGING HOUSE means a single detached dwelling for which the primary purpose is to provide temporary accommodation to persons, by renting out individual rooms, with or without the provision of meals. A lodging house may contain a maximum of four rooms that are used to provide rental accommodation. **(Amended by Bylaw No. 922)**

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. 922)

LOT LINE: means a legally defined line bounding any lot and:

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

MANAGER means the Manager of Planning & Development Services or designate.
(Amended by Bylaw No. 922)

MINI-MALL: means a multi-commercial retail or service use within a single building or structure.

NATURAL BOUNDARY: means the visible high-water mark of a sea, a lake or water body where the presence and action of the water are so common and usual, and so long continued in all ordinary years as to mark on the soil of the bed of the watercourse a character distinct from that of its banks, in terms of vegetation and the nature of the soil itself.

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

PRINCIPAL BUILDING: means a building which is used to accommodate a principal use.
(Amended by Bylaw No. 922)

PRINCIPAL USE: means the main purpose for which a lot, building or structure is permitted to be used.
(Amended by Bylaw No. 922)

PUBLIC UTILITY: means infrastructure and related works associated with the collection, storage, distribution and transmission of data, internet, Television and data communications, electrical power, water, sewage and related utilities, as part of the provision of a service that is available to the public and subject to government regulation.
(Amended by Bylaw No. 922)

RECREATIONAL VEHICLE: means a camper, tent trailer, travel trailer, fifth wheel or motor home with a maximum width of 2.6 metres (8.53 feet) while in transit mode, that can be used to provide sleeping accommodation and is capable of being licensed for highway use pursuant to the Motor Vehicle Act.
(Amended by Bylaw No. 922)

REGIONAL DISTRICT means the Regional District of Mount Waddington.
(Amended by Bylaw No. 922)

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

STRUCTURE: means anything constructed on, erected on, placed on, fixed to, supported by or sunk into land, but does not include works related to the provision of infrastructure associated with a public utility, the surfacing of land with asphalt, concrete, aggregate or similar materials to a maximum of 15 centimeters (6 inches) deep, fences equal to or less than 2.0 metres (6.56 feet) in height, and retaining walls equal to or less than 1.5 metres (4.92 feet) in height.
(Amended by Bylaw No. 922)

URBAN HENS: means the keeping of female chickens. See section 4.10.0 of this Bylaw for more detailed regulations pertaining to Urban Hens.
(Amended by Bylaw No. 922)

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

PART 2 – ADMINISTRATION

2.1.0 Definition of Zoning Bylaw

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

This Zoning Bylaw has been prepared to regulate development in a manner that is consistent with the policies and goals stated in the “Coal Harbour Official Community Plan, Bylaw No. 657, 2002.” This Zoning Bylaw contains regulatory controls that protect landowners from detrimental impacts that might otherwise occur as a result of inappropriate development taking place. These regulatory controls have been based on the objectives outlined in the Coal Harbour Official Community Plan and include:

- (a) establishing a pattern of land use that retains the rural residential character of the area by ensuring that there is enough residential land to meet the needs of the community;
- (b) encouraging clean, light industries, commercial activities and home-based businesses;
- (c) protecting and preserving the natural resources and environmentally sensitive regions within the Coal Harbour community area; and
- (d) encouraging the development of more community recreational activities and infrastructure and services that would support tourism as an expanded economic activity.

2.2.0 Administration

- (a) The Manager or such other person appointed by the Board, shall administer this Bylaw.
- (b) The Manager or such other person appointed by the Board, may enter land or buildings at all reasonable times, to ascertain that the regulations of this Bylaw are being adhered to.
- (c) The Manager or such other person appointed by the Board, performs enforces the regulations of this Bylaw in compliance with provincial legislation.

2.3.0 Violations and Penalties

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

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

Any person who contravenes any provision of the Bylaw commits an offence punishable upon summary conviction and is liable to a fine not exceeding Ten Thousand Dollars (\$10,000.00), or, if an information is laid by means of a ticket, in accordance with the Regional District's Ticket Information Authorization Bylaw.

2.4.0 Variance

An owner of land may apply to the Regional District to vary the regulations of this Zoning Bylaw.

2.5.0 Bylaw Amendment

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

2.6.0 Subdivision

Applications for the approval of subdivision of land shall be submitted to the Ministry of Transportation and Infrastructure. The Regional District provides comments on subdivision applications based on its regulations and policies. The Coal Harbour Zoning Bylaw No. 669, 2002 regulates the subdivision of land as it relates to the proposed use and development of the land.

2.7.0 Non-Conforming Uses, Buildings and Structures

Non-conforming uses, buildings or structures are subject to the *Local Government Act*.

2.8.0 Declaration of Minimum Requirements

The provisions of this Bylaw are the minimum requirements for the regulation of the use and development of land within that area as defined on Coal Harbour Zoning Map No. 1 attached hereto. Provincial legislation supersedes the regulations of this Bylaw and where the regulations of this Bylaw are not consistent with provincial regulations, provincial regulations shall prevail.

PART 3 – GENERAL PROVISIONS**3.1.0 Parking and Loading**

- (a) The minimum number of off-street parking stalls 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 Stalls Required
<i>Residential</i>	
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
Duplex Dwelling	4
Lodging House	1 plus per 1 per rental room
Mobile Home Dwelling / Modular Home Dwelling	2
Secondary Suite Dwelling	1
Single Detached Dwelling	2
Home Business	1 per employee
Bed and Breakfast	1 per rented bedroom
<i>Commercial</i>	
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
Licensed 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. 922)

- (b) In the case of a use not specified in section 3.1.0(a), the number of stalls provided is the same as for the most similar use prescribed in section 3.1.0(a).
- (c) Where there is more than one use of a building or development, the required number of stalls is the sum of the requirements for each of the uses prescribed in section 3.1.0(a), calculated separately.
- (d) All required parking stalls must be located on the lot or site on which the use exists for which they are provided.
- (e) For uses other than residential (dwellings), a group of owners may pool their required off-street parking stalls within one or more parking facilities, thereby fulfilling the requirements of section 3.1.0(a) provided that the parking facility is within 100 meters of the uses that they serve and is guaranteed by covenant or another suitable legal instrument.
- (f) Parking stalls must not cover more than 40% of any setback required in Part 5 – Zone Regulations of this Bylaw.
- (g) Where a proposed development will, from time to time, require pick-up or delivery of commodities, an adequate off-street area must be provided for the loading and unloading of commodities.
- (h) Off-street parking spaces are not considered as off-street loading or unloading nor are off-street loading or unloading considered to be off-street parking spaces.
- (i) For frequently used areas, the parking and travelling area must be of a hard, well-packed, durable surface that does not produce mud or dust.
- (j) Parking stall design must meet the specifications of the Provincial Ministry of Transportation and Infrastructure.

3.2.0 Buffering and Screening

Buffer area and visual screens are required in order to mask or separate industrial, commercial, and forestry uses from institutional and residential uses; and industrial and forestry uses from commercial uses.

- (a) Where any buffer area is required:
 - (i) No building or structure may be erected or placed within the buffer area.
 - (ii) No vehicle may be parked within the buffer area.
 - (iii) No storage shall be permitted within the buffer area.
- (b) Where screening is required:
 - (i) Screens shall be a minimum of 1.8 meters in height.
 - (ii) Screens shall be provided using a tight board fence or vegetative hedge.

3.3.0 Drainage

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

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

3.4.0 Fencing

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

3.5.0 Access

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

PART 4 – GENERAL ZONE REGULATIONS

4.1.0 Uses Permitted in All Zones

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

- (a) Public open space and parks; and,
- (b) Churches and similar places of worship

4.2.0 Uses Prohibited in All Zones

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

- (a) Disposal of toxic waste
- (b) Any activity that 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
- (c) Unless specifically permitted in Part 5 – Zone Regulations, an accessory building shall not be used for residential purposes and include a dwelling unit(s). A recreational vehicle shall not be used for dwelling unit / residential purposes unless it has been approved by the Regional District for use as a Temporary Dwelling, or is located in a campground or recreational vehicle court within an area included in the General Commercial (GC-1) Zone. **(Amended by Bylaw No. 922)**

4.3.0 Height Regulations

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

4.4.0 Development within Environmentally Sensitive Areas

A 30 meter (99 feet) buffer strip along the borders of streams and other water bodies, known as an Environmentally Sensitive Area (ESA) has been designated - as per Bylaw No. 657 cited as the "Coal Harbour Official Community Plan Bylaw, 2002." Any proposed development within this area may require approval from the relevant provincial and/or federal agency. Building setback requirements will be based on the conditions of development approval from the federal or provincial agency, without amendment to this Bylaw.

4.5.0 Lot Size Exceptions

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

- (a) The lot is to be used for any purpose described in the POS-1 or the IS-1 zones.
- (b) The purpose of a subdivision is to consolidate two or more lots.
- (c) The subdivision would adjust the boundary between two or more lots, where no additional lots are created and where no lot is increased in area to an extent that it could be further subdivided.

4.6.0 Home Business (Amended by Bylaw No. 922)

In a zone in which a Home Business is permitted, the following regulations shall apply:

- (a) A Home Business must be undertaken by an occupant(s) who resides on the lot on which the Home Business is located;
- (b) A Home Business may include a maximum of two employees who are not residents of the lot on which the Home Business is located, and a maximum of four employees in total may be employed in the Home Business;
- (c) A Home Business must not include the use of any equipment or undertake any activity that generates a nuisance in contravention of Section 4.2.0(b) of this Bylaw, or that would otherwise detract from the residential character of the lot and surrounding area;
- (d) Provide parking and loading spaces as per Section 3.1.0 of this Bylaw;
- (e) Provide covered or screened (subject to section 3.2.0) storage and limit the area of accessory buildings used for Home Business purposes to the equivalent of 50% of the floor area of the dwelling unit on the same lot;
- (f) Home Business may include, but is not limited to, bed and breakfast (see section 4.7.0) and the sale of products or services manufactured or grown on the lot;
- (g) Home Business does not include auto or heavy equipment repair or cabin and campground uses; and,
- (h) One sign of a maximum of 1.0 square metre (10.76 square feet) in area, may be displayed on the lot to advertise the Home Business that is located on that lot. The sign shall not be self-illuminated.

4.7.0 Bed and Breakfast (Added by Bylaw 922)

A Bed and Breakfast is subject to the following regulations:

- (a) A Bed and Breakfast shall only be operated as an accessory use within a single detached dwelling;

- (b) A Bed and Breakfast shall contain a maximum of four sleeping rooms that are available for rent to tourists and the traveling public;
- (c) A Bed and Breakfast shall not alter the residential character and appearance of the single detached dwelling in which it is located;
- (d) The operator of the bed and breakfast must reside in the single detached dwelling in which the bed and breakfast is undertaken;
- (e) One off-street parking space shall be provided for each bedroom that is provided as part of a Bed and Breakfast; and,
- (f) Only one sign of a maximum of 1.0 square metre (10.76 square feet) may be displayed on the lot to advertise a Bed and Breakfast that is located on that lot. The sign shall not be self-illuminated.

4.8.0 Exemptions (Added by Bylaw 922)

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) The temporary use of a building or part thereof as a polling station for government elections, referenda, or census, provided that the time period of such use does not exceed sixty (60) days; and,
- (e) Landscaped / vegetative screening.

4.9.0 Secondary Suite Dwelling (Added by Bylaw 922)

One secondary suite dwelling is permitted within a single detached dwelling where a single detached dwelling is permitted by this Bylaw. A secondary suite dwelling is subject to the following regulations:

- (a) It must be constructed in accordance with the British Columbia Building, Plumbing and Fire Codes;
- (b) It must have a minimum total floor area of 37.16 square metres (400 square feet);
- (c) It must have a maximum floor area of 92.9 square metres (1,000 square feet) or 40% of the total floor area of the single detached dwelling in which it is located, whichever is less; and,
- (d) Parking shall be provided in accordance with section 3.1.0(a) of this Bylaw.

4.10.0 Urban Hens (Added by Bylaw 922)

Urban Hens is a permitted accessory use with respect to a single detached dwelling, duplex dwelling or mobile home dwelling on a lot in the Residential (R-1) Zone, Residential (R-2) Zone,

Residential (RR-3) Zone, Residential Multi-Family (RM-4) Zone, Residential Mobile Home (RMH-5) Zone and General Commercial (GC-1) Zone, subject to the following regulations:

- (a) A maximum of 12 female chickens are permitted on a lot, except that for a lot that is at least 1,380 square meters (14,854.2 square feet) in area, 24 chickens are permitted. Twelve additional chickens are permitted for each 690 square metres (7,427 square feet) in lot area;
- (b) Where a mobile home dwelling is located in a mobile home park in which there are multiple mobile home dwellings located on a single lot, up to 6 female chickens are permitted in association with each mobile home dwelling;
- (c) No male chickens, roosters, cocks or cockerels are permitted;
- (d) A structure or building must be provided to enclose the chickens and said enclosure must provide a minimum of 0.37 of a square metre (4 square feet) of floor area per chicken;
- (e) A structure used to enclose chickens, whether portable or stationary, is subject to the setback requirements for accessory buildings and structures of the zone in which it is located; and,
- (f) A structure or building used for the purpose of enclosing chickens shall not exceed 9.3 square metres (100 square feet) in area or 3.0 metres (9.84 feet) in height.

PART 5 – ZONE REGULATIONS

5.1.0 Land Use Zones

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

<u>USE</u>	<u>ZONE TITLE</u>
Residential	Residential (R-1)
Residential	Residential (R-2)
Residential	Residential Restricted (RR-3)
Residential	Residential Multi-Family (RM-4)
Residential	Residential Mobile Home Dwelling (RMH-5)
Commercial	Service Commercial (SC-1)
Commercial	General Commercial (GC-1)
Industrial	Industrial (I-1)
Resource	Forestry (FR-1)
Marine	Marine Restricted (MR-1)
Marine	Marine Business (MB-1)
Community	Public Open Space (POS-1)
Institutional	Institutional (IS-1)

5.2.0 Coal Harbour Zone Map No. 1

The location and extent of the zones described in Part 5, are shown on the Coal Harbour Zoning Map No. 1, which is attached to and forms a part of this Bylaw. The zone regulations of this Bylaw do not apply to highways.

5.3.0 Residential Zones

5.3.1 Residential (R-1)

This zone is intended to provide for single detached and duplex residential dwellings.

- (a) Permitted Uses
 - (i) Single detached dwelling
 - (ii) Duplex dwelling
 - (iii) Home business
 - (iv) Accessory uses, buildings and structures
 - (v) Urban hens (**Amended by Bylaw No. 922**)
- (b) Minimum Lot Size
 - (i) For a single detached dwelling serviced by both a community sewer and community water system, the minimum area of any lot is 690 square meters (7,427 square feet).
 - (ii) For a duplex dwelling serviced by both a community sewer and community water system, the minimum area of any lot is 920 square meters (9,903 square feet).
- (c) Minimum Setbacks
 - (i) For principal buildings and structures:
 - 7.5 meters (25 feet) from all front lot lines
 - 9 meters (30 feet) from all rear lot lines
 - 1.5 meters (5 feet) from all side lot lines
 - (ii) For accessory buildings and structures:
 - 5 meters (16 feet) from all front lot lines
 - 1.5 meters (5 feet) from all rear and side lot lines
 - (iii) For principal and accessory buildings and structures on corner lots:
 - side yard widths of 4.5 meters (15 feet) on the street side
 - side yard widths of 1.5 meters (5 feet) on the interior side
 - front and rear yard setbacks as required in sub-sections (i) and (ii).
 - (iv) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.
- (d) Development Density
 - (i) One single detached dwelling or duplex dwelling is permitted per lot. (**Amended by Bylaw No. 922**)
 - (ii) Buildings and structures must not cover more than 40% of the lot area.
- (e) Conditions of Use
 - (i) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
 - (ii) Service connections shall be made as per the applicable Regional District of Mount Waddington bylaws.
 - (iii) Home businesses must conform to Section 4.6.0 of this Bylaw.

5.3.2 Residential (R-2)

This zone is intended to provide for single detached and duplex residential dwellings.

- (a) Permitted Uses
 - (i) Single detached dwelling
 - (ii) Duplex dwelling
 - (iii) Mobile home dwelling
 - (iv) Home business
 - (v) Accessory uses, buildings and structures
 - (vi) Urban hens (**Amended by Bylaw No. 922**)
- (b) Minimum Lot Size
 - (i) For a single detached dwelling serviced by both a community sewer and community water system, the minimum area of any lot is 690 square meters (7,427 square feet).
 - (ii) For a duplex dwelling serviced by both a community sewer and community water system, the minimum area of any lot is 920 square meters (9,903 square feet).
- (c) Minimum Setbacks
 - (i) For principal buildings and structures:
 - 7.5 meters (25 feet) from all front lot lines
 - 9 meters (30 feet) from all rear lot lines
 - 1.5 meters (5 feet) from all side lot lines
 - (ii) For accessory buildings and structures:
 - 5 meters (16 feet) from all front lot lines
 - 1.5 meters (5 feet) from all rear and side lot lines
 - (iii) For principal and accessory buildings and structures on corner lots:
 - side yard widths of 4.5 meters (15 feet) on the street side
 - side yard widths of 1.5 meters (5 feet) on the interior side
 - front and rear yard setbacks as required in sub-sections (i) and (ii).
 - (iv) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.
- (d) Development Density
 - (i) One single detached dwelling, duplex dwelling or mobile home dwelling is permitted per lot. (**Amended by Bylaw No. 922**)
 - (ii) Buildings and structures must not cover more than 40% of the lot area.
- (e) Conditions of Use
 - (i) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
 - (ii) Service connections shall be made as per the applicable Regional District of Mount Waddington bylaws.
 - (iii) Home businesses must conform to Section 4.6.0 of this Bylaw.

5.3.3 Residential Restricted (RR-3)

This zone is intended to accommodate single detached residential development.

- (a) Permitted Uses
 - (i) Single detached dwelling
 - (ii) Home business
 - (iii) Accessory uses, buildings and structures
 - (iv) Urban hens (**Amended by Bylaw No. 922**)

- (b) Minimum Lot Size
 - (i) For a single detached dwelling serviced by both a community sewer and community water system, the minimum area of any lot is 690 square meters (7,427 square feet).

- (c) Minimum Setbacks
 - (i) For principal buildings and structures:
 - 7.5 meters (25 feet) from all front lot lines
 - 9 meters (30 feet) from all rear lot lines
 - 1.5 meters (5 feet) from all side lot lines
 - (ii) For accessory buildings and structures:
 - 5 meters (16 feet) from all front lot lines
 - 1.5 meters (5 feet) from all rear and side lot lines
 - (iii) For principal and accessory buildings and structures on corner lots:
 - side yard widths of 4.5 meters (15 feet) on the street side
 - side yard widths of 1.5 (5 feet) meters on the interior side
 - front and rear yard setbacks as required in sub-sections (i) and (ii).
 - (iv) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.

- (d) Development Density
 - (i) One single detached dwelling is permitted per lot.
(Amended by Bylaw No. 922)
 - (ii) Buildings and structures must not cover more than 40% of the lot area.

- (e) Conditions of Use
 - (i) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
 - (ii) Service connections shall be made as per the applicable Regional District bylaws.
 - (iii) Home businesses must conform to Section 4.6.0 of this Bylaw.

5.3.4 Residential Multi-Family (RM-4)

This zone is intended to provide for single detached, duplex and multi dwelling residential development.

- (a) Permitted Uses
 - (i) Single detached dwelling
 - (ii) Duplex dwelling
 - (iii) Mobile home dwelling
 - (iv) Attached dwelling
 - (v) Apartment dwelling
 - (vi) Lodging house
 - (vii) Home business
 - (viii) Accessory uses, buildings and structures
 - (ix) Urban hens (*Amended by Bylaw No. 922*)

- (b) Minimum Lot Size
 - (i) For a single detached dwelling serviced by both a community sewer and community water system, the minimum area of any lot is 690 square meters (7,427 square feet).
 - (ii) For a duplex dwelling serviced by both a community sewer and community water system, the minimum area of any lot is 920 square meters (9,903 square feet).
 - (iii) For an apartment dwelling, the larger of 690 square meters (7,427 square feet) or the area calculated on the basis of 138 square meters (1,485 square feet) per dwelling unit.
 - (iv) For attached dwelling, is 835 square meters (8,988 square feet), and for each additional dwelling unit the minimum lot size is increased by 230 square meters (2,476 square feet).

- (c) Minimum Setbacks
 - (i) For principal buildings and structures:
 - 7.5 meters (25 feet) from all front lot lines
 - 9 meters (30 feet) from all rear lot lines
 - 4.5 meters (15 feet) from all side lot lines
 - (ii) For accessory buildings and structures:
 - 5 meters (16 feet) from all front lot lines
 - 1.5 meters (5 feet) from all rear and side lot lines
 - (iii) For accessory buildings and structures on corner lots:
 - side yard widths of 4.5 meters (15 feet) on the street side
 - side yard widths of 1.5 meters (5 feet) on the interior side
 - front and rear yard setbacks as required in sub-sections (i) and (ii).
 - (iv) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.

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- (d) Development Density
- (i) One single detached dwelling or duplex dwelling or mobile home dwelling is permitted per lot and buildings and structures must not cover more than 40% of the lot area. **(Amended by Bylaw No. 922)**
 - (ii) Two mobile home dwellings are permitted on the property which is legally described as Lot 7, Section 1, Rupert District (Formerly Quatsino District), Plan 26113 and civically addressed as 144 Harbour Road and 328 Eagle Point Road, in recognition of an existing long term non-conforming situation. **(Amended by Bylaw No. 960)**
- (e) Conditions of Use
- (i) Home businesses must conform to Section 4.6.0. Home business is not permitted where attached dwelling, apartment dwelling, or lodging houses are the principal use.
 - (ii) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
 - (iii) Attached dwelling, apartment dwelling, and lodging houses must be connected to a community sewer and water system.
 - (iv) Service connections shall be made as per the applicable Regional District of Mount Waddington bylaws.

5.3.5 Residential Mobile Home Dwelling (RMH-5)

This zone is intended to provide for permanent, residential, mobile home dwelling development on individual lots or as part of a strata development.

- (a) Permitted Uses
 - (i) Mobile home dwelling
 - (ii) Home businesses
 - (iii) Accessory uses, buildings and structures
 - (iv) Urban hens (***Amended by Bylaw No. 922***)
- (b) Minimum Lot Size
 - (i) Where a lot is serviced by both community water and community sewer system, the minimum area of any lot is 460 square meters (4,952² feet).
- (c) Minimum Setbacks
 - (i) For principal buildings and structures:
 - 6 meters (20 feet) from all front lot lines
 - 6 meters (20 feet) from all rear lot lines
 - 1.5 meters (5 feet) from all side lot lines
 - (ii) For accessory buildings and structures:
 - 5 meters (16 feet) from all front lot lines
 - 1.5 meters (5 feet) from all side and rear lot lines
 - (iii) For principal and accessory buildings and structures on corner lots:
 - side yard widths of 4.5 meters (15 feet) on the street side
 - side yard widths of 1.5 meters (5 feet) on the interior side
 - front and rear yard setbacks as required in sub-sections (i) and (ii).
 - (iv) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.
- (d) Development Density
 - (i) One mobile home dwelling is permitted on each lot.
 - (ii) Buildings and structures must not cover more than 40% of the lot area.
- (e) Conditions of Use
 - (i) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
 - (ii) Mobile home dwelling must conform to the CAN/CSA Z240 MH Series (as amended from time to time) at the time of manufacture and contain a CSA mobile home dwelling label.
 - (iii) Service connections shall be made as per the applicable Regional District of Mount Waddington bylaws.
 - (iv) Where a lot line abuts an R-1, R-2, RR-3, RM-4, SC-1 or GC-1 zone screening shall be provided in accordance with Section 3.2.0 of this Bylaw.
 - (v) Home businesses must conform to section 4.6.0 of this Bylaw.

5.4.0 Commercial Zones

5.4.1 Service Commercial (SC-1)

This zone is intended to provide for small, scale retail and service outlets for convenience shopping purposes oriented toward the local residents and travelling public.

- (a) Permitted Uses
 - (i) Veterinary, medical and dental clinics
 - (ii) Food and general merchandise stores and markets
 - (iii) Service stations, car washing facilities and repair & maintenance shops, self-service laundries, and dry-cleaners
 - (iv) Offices and banks
 - (v) Personal service shops
 - (vi) Motels and hotels, tourist lodges and resorts
 - (vii) Restaurants and cafes
 - (viii) Lumber and building supply yards
 - (ix) Mini-storage buildings
 - (x) Mini-malls
 - (xi) Commercial parking lots
 - (xii) Service stations, car washing facilities and auto repair & maintenance shops, self-service laundries, and dry-cleaners
 - (xiii) Apartment dwelling as an accessory use
 - (xiv) Accessory uses, buildings and structures (**Amended by Bylaw No. 922**)
- (b) Minimum Lot Size
 - (i) Where a lot is serviced by a community sewer and community water system, the minimum area is 550 square meters (5,920 square feet).
- (c) Minimum Setbacks
 - (i) For principal and accessory buildings and structures:
 - 1.5 meters (5 feet) from all front, rear, and side lot lines
 - (ii) For principal and accessory buildings and structures on corner lots:
 - side yard widths of 4.5 meters (15 feet) on the street side
 - side yard widths of 1.5 meters (5 feet) on the interior side
 - front and rear yard setbacks as required in sub-section (i).
 - (iii) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.

- (d) Development Density
 - (i) Multiple principal buildings are permitted on each lot. Buildings and structures may cover 100% of the lot area less the required setbacks.
 - (ii) One apartment dwelling above a principal use is permitted on each lot.
- (e) Conditions of Use
 - (i) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
 - (ii) Service connections shall be made be as per the applicable Regional District of Mount Waddington bylaws.
 - (iii) Where a lot line abuts an R-1, R-2, RR-3 or RM-4 zone a five-meter vegetated, buffer area must be provided and shall conform to section 3.2.0 of this Bylaw.

5.4.2 General Commercial (GC-1)

This zone is intended to provide for tourist commercial and marine commercial development and related activities.

(a) Permitted Uses

- (i) Motels and hotels, Tourist lodges and resorts
- (ii) Restaurants, cafes and pubs
- (iii) Tourist cabins, campgrounds, recreation operations and related offices
Recreational vehicles courts
- (iv) Commercial parking lots
- (v) Marinas, docks, wharves and boat ways
- (vi) Marine fuelling, storage and maintenance operations
- (vii) Boat and barge building, storage and repair operations
- (viii) Water taxi and air charter operations
- (ix) Retail stores, service shops including marine, aquaculture, and forestry related services
- (x) Service stations, car washing facilities and auto repair & maintenance shops, self-service laundries, and dry-cleaners
- (xi) Apartment dwelling as an accessory use
- (xii) One single detached dwelling per lot provided the lot on which the single detached dwelling is to be located is equal to or greater than 1.0 hectare (2.47 acres) in area, is occupied by an owner(s) of a business being undertaken on the lot, and there is at least one of the permitted principal uses being undertaken on the lot as outlined in sections 5.4.2(a)(i) through (x) herein. **(Added by Bylaw No. 818)**
- (xiii) Accessory uses, buildings and structures
- (xiv) Urban hens **(Amended by Bylaw No. 922)**

(b) Minimum Lot Size

- (i) Where a lot is serviced by a community sewer and community water system, the minimum area is 550 square meters (5,920 square feet).

(c) Minimum Setbacks

- (i) For principal and accessory buildings and structures:
-1.5 meters (5 feet) from all front, rear, and side lot lines.
- (ii) For principal and accessory buildings and structures on corner lots:
-side yard widths of 4.5 meters (15 feet) on the street side
-side yard widths of 1.5 meters (5 feet) on the interior side
-front and rear yard setbacks as required in sub-section (i).

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- (iii) Setbacks do not apply to uses or structures intended to provide access to the water.
 - (iv) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.
 - (d) Development Density
 - (i) Multiple principal buildings are permitted on each lot. Buildings and structures may cover 100% of the lot area less the required setbacks.
 - (ii) One apartment dwelling above a principal use is permitted on each lot.
 - (iii) Campsites must have a minimum area of 56 square meters (603 square feet).
 - (iv) The floor area of a cabin must not exceed 37 square meters (400 square feet).
 - (e) Conditions of Use
 - (i) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
 - (ii) Service connections shall be made be as per the applicable Regional District of Mount Waddington bylaws.
 - (iii) Where a lot line abuts an R-1, R-2, RR-3, or RM-4 zone, a 5 meter (16 feet) vegetated, buffer area shall be provided and conform to section 3.2.0 of this Bylaw.

5.5.0 Industrial Zones

5.5.1 Industrial (I-1)

This zone is intended to provide for the accommodation of light manufacturing, warehousing, and general industrial activities while limiting the impacts on surrounding uses.

(a) Permitted Uses

- (i) Forestry, marine and general industrial manufacturing and processing sites including the sale of products manufactured or processed on the site.
- (ii) Contractor offices and work yards
- (iii) Fish packaging and processing operations
- (iv) Auto wreckers, repair and body shops
- (v) Boat building, storage and repair shops
- (vi) Scrap, salvage and storage yards
- (vii) Apartment dwelling as an accessory use
- (viii) Accessory uses, buildings and structures (**Amended by Bylaw No. 922**)

(b) Minimum Lot Size

- (i) Where a lot is serviced by a community sewer and community water system the minimum area of any lot created by subdivision is 0.5 hectares (1.2 acres).

(c) Minimum Setbacks

- (i) For principal and accessory buildings and structures:
 - 1.5 meters (5 feet) from front, rear, and side lot lines
- (ii) For principal and accessory buildings and structures on corner lots:
 - side yard widths of 4.5 meters (15 feet) on the street side
 - side yard widths of 1.5 meters (5 feet) on the interior side
 - front and rear yard setbacks as required in sub-section (i).
- (iii) Setbacks do not apply to uses or structures intended to provide access to the water.
- (iv) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.

(d) Development Density

- (i) Multiple principal buildings are permitted on each lot. Buildings and structures may cover 100% of the lot area less the required setbacks.
- (ii) One apartment dwelling above a principal use is permitted on each lot.

(e) Conditions of Use

- (i) Parking and loading must be in accordance with Section 3.1.0 of this Bylaw.
- (ii) Service connections shall be made as per the applicable Regional District of Mount Waddington bylaws.
- (iii) Where a lot line abuts an R-1, R-2, RR-3, or RM-4 zone, a 5 meter (16 feet) vegetated, buffer area shall be provided and conform to section 3.2.0 of this Bylaw.
- (iv) Where a lot line abuts a SC-1 or GC-1 zone, a 5 meter (16 feet) vegetated, buffer area shall be provided and conform to section 3.2.0 of this Bylaw.
- (v) Where a lot line abuts a controlled access or arterial highway, screening shall be provided in accordance with section 3.2.0 of this Bylaw.
- (vi) Travelled areas of lots must be able to carry heavy loads and be located in areas that are well drained.
- (vii) Access to a primary or secondary highway system or a public road developed to industrial standards is required.

5.6.0 Resource Zones

5.6.1 Forestry (FR-1)

This zone is intended to provide for natural resource extraction and processing, agriculture and recreation activities. Manufacturing activities will be directed to the industrial zone.

- (a) Permitted Uses
 - (i) Tree plantation and related management
 - (ii) Forestry, fishery, aquaculture and mining related marine transportation services
 - (iii) Harvesting and transport of forest resources
 - (iv) Log storage and booming areas
 - (v) Logging camps and bunkhouses
 - (vi) Heavy equipment storage and maintenance shops
 - (vii) Recreational trails
 - (viii) Single detached dwelling or mobile home dwelling as an accessory use
 - (ix) Accessory uses, buildings and structures
- (b) Minimum Lot Size
 - (i) The minimum area of any lot created by subdivision is two hectares (2 ha.)
- (c) Minimum Setbacks
 - (i) Where a lot line abuts an R-1, R-2, or RR-3 zone, a 10 meter (32 feet) vegetated, buffer area shall be provided and conform to section 3.2.0 of this Bylaw.
 - (ii) Where a lot line abuts a SC-1 or GC-1 zone, a 5 meter (16 feet) vegetated buffer area shall be provided and conform to section 3.2.0 of this Bylaw.
 - (iii) Where a lot line abuts a controlled access or arterial highway, a 5 meter (16 feet), vegetated buffer area must be provided and conform to section 3.2.0 of this Bylaw.
 - (iv) Setbacks do not apply to uses or structures intended to provide access to the water.
 - (v) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.
- (d) Development Density
 - (i) One single detached dwelling or one mobile home dwelling is permitted on each lot.

(e) Conditions of Use

- (i) Service connections shall be made as per the applicable Regional District of Mount Waddington bylaws.
- (ii) Access to a primary or secondary highway system or a public road developed to industrial standards is required.
- (iii) Travelled areas of lots must be able to carry heavy loads and be located in areas that are well drained.

5.7.0 Marine Zones

5.7.1 Marine Restricted (MR-1)

This zone extends 300 meters (984 feet) from the foreshore into the Holberg Inlet and is intended to provide for marine uses accessory to residential uses.

(a) Permitted Uses

- (i) Marine uses accessory to an upland residential use
- (ii) Private boathouses and wharves

(b) Conditions of Use

- (i) Approval from the provincial or federal government agency having jurisdiction is required as a pre-condition to development.
- (ii) Uses or combination of uses is limited to the water access needs of the residences or other permitted uses on the lot. No commercial use for the general public will be permitted.
- (iii) Service connections shall be made as per the applicable Regional District of Mount Waddington bylaws.

5.7.2 Marine Business (MB-1)

This zone extends 300 meters (984 feet) from the foreshore into Holberg Inlet and is intended to accommodate marine commercial and tourist commercial development. Development accessory to the permitted upland use will also be permitted.

(a) Permitted Uses

- (i) Tourist lodges and resorts
- (ii) Restaurants, cafes, and pubs
- (iii) Marinas, docks, wharves and boat ways
- (iv) Marine fuelling operations
- (v) Water taxi and air cab operations
- (vi) Commercial recreation operations
- (vii) Uses accessory to a permitted upland principal use
- (viii) Accessory uses, buildings and structures (**Amended by Bylaw No. 922**)

(b) Conditions of Use

- (i) Approval from the provincial or federal government agency having jurisdiction is required as a pre-condition to development.
- (ii) Service connections shall be made as per the applicable Regional District of Mount Waddington bylaws.

5.8.0 Additional Zones

5.8.1 Public Open Space (POS-1)

This zone is intended to accommodate community recreation facilities and activities.

- (a) Permitted Uses
 - (i) Parks and picnic areas
 - (ii) Sports fields and playgrounds
 - (iii) Wild life viewing platforms and areas
 - (iv) Public lands for general use and access
 - (v) Accessory uses, buildings and structures (**Amended by Bylaw No. 922**)
- (b) Minimum Setbacks
 - (i) For principal and accessory buildings and structures:
 - 1.5 meters (5 feet) from all front, rear, and side lot lines
 - (ii) For principal and accessory buildings and structures on corner lots:
 - side yard widths of 4.5 meters (16 feet) on the street side
 - side yard widths of 1.5 meters (5 feet) on the interior side
 - front and rear yard setbacks as required in sub-section (i).
 - (iii) Setbacks for development adjacent to any watercourse, are as required by the provincial and/or federal government regulations and policies.
- (c) Development Density
 - (i) Multiple principal buildings are permitted on each lot provided that the area of the lot covered by all buildings and structures does not exceed 60% of the total area of the lot.

5.8.2 Institutional (IS-1)

This zone is intended to accommodate non-profit community and public use development.

- (a) Permitted Uses
 - (i) Health clinics, hospitals, and ambulance services
 - (ii) Police, fire, and community halls
 - (iii) Cemeteries
 - (iv) Activity centres, museums, libraries
 - (v) Schools and education centres
 - (vi) Accessory uses, buildings and structures
- (b) Minimum Setbacks
 - (i) For principal buildings and structures:
 - 7.5 meters (25 feet) from all front lot lines
 - 1.5 meters (5 feet) from all rear and side lot lines
 - (ii) For accessory buildings and structures:
 - 5 meters (16 feet) from all front lot lines
 - 1.5 meters (5 feet) from all rear and side lot lines
 - (iii) For principal and accessory buildings and structures on corner lots:
 - side yard widths of 4.5 meters (15 feet) on the street side
 - side yard widths of 1.5 meters (5 feet) on the interior side
 - front and rear yard setbacks as required in sub-section (i) and (ii).
 - (iv) Setbacks for development adjacent to any watercourse are as required by provincial and/or federal government regulations and policies.
- (c) Development Density
 - (i) Multiple principal buildings are permitted on each lot provided that the area of the lot covered by all buildings and structures does not exceed 60%.
- (d) Conditions of Use
 - (i) Service connections shall be made as per the applicable Regional District of Mount Waddington bylaws.
 - (ii) Parking and loading must be in conformance with Section 3.1.0 of this Bylaw.

PART 6 – SEVERABILITY

6.1.0 Severability

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

READ A FIRST TIME THIS 19TH DAY OF NOVEMBER, 2002.

READ A SECOND TIME THIS 19TH DAY OF NOVEMBER, 2002.

PUBLIC HEARING HELD THIS 20TH DAY OF JANUARY, 2003.

READ A THIRD TIME AS AMENDED THIS 18TH DAY OF FEBRUARY, 2003.

ADOPTED THIS 18TH DAY OF FEBRUARY, 2003.

SECRETARY

CHAIRMAN



**Regional District of
Mount Waddington**

**Coal Harbour
Zone Map No. 1
Coal Harbour Zoning
Bylaw No. 669, 2002**

Zone Legend

-  R-1 Residential
-  R-2 Residential
-  RR-3 Residential Restricted
-  RM-4 Residential Multi-Family
-  GC-1 General Commercial
-  SC-1 Service Commercial
-  FR-1 Forestry
-  POS-1 Public Open Space
-  MR-1 Marine Restricted
-  MB-1 Marine Business
-  IS-1 Institutional
-  Zoning Bylaw Boundary
-  Cadastral Boundaries
-  Creeks
-  Contours (20m)



Updated
December 20, 2022

