

**SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT
SCHEDULE "A"
ELECTORAL AREA "D" INTERIM ZONING BYLAW NO. 192, 1993
(GRAHAM ISLAND)**

Consolidated for Convenience with Bylaws 247, 248, 256, 259, 282, 295 and 397)

Being a by-law to adopt an interim zoning By-Law for the area described in Map Schedule A1 and B of this by-law.

The Regional District of Skeena-Queen Charlotte, in open meeting assembled, ENACTS as follows:

1. Schedule A attached hereto and made part of this By-Law is the Interim Zoning By-Law for the area outlined in Map Schedule A1 and B of this By-Law (Graham Island unincorporated areas except Queen Charlotte City/Skidegate Landing) of Electoral Area "D", Skeena-Queen Charlotte Regional District.
2. Map Schedule A1 and B attached hereto and made part of this By-Law is the area regulated by this Interim Zoning By-Law *.(amendment Bylaws 247, 248, 256 & 259 all Schedule A-1's)*
3. This By-Law may be cited as the Graham Island unincorporated area Interim Zoning By-Law No. 192, 1993.

READ A FIRST TIME this 31st day of March, 19 89.

READ A SECOND TIME this 27th day of March, 19 92.

PUBLIC HEARING HELD 8th day of April, 1992.

READ A THIRD TIME this 28th day of August, 19 92.

Received the approval from the Minister of Municipal Affairs, Recreation and Housing this 7th day of June, 1993.

RECONSIDERED and FINALLY PASSED AND ADOPTED this 25th day of June, 1993.

Chairman

Secretary_Treasurer

***Certified a true copy of
By_Law No. 192 as adopted.***

SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

**SCHEDULE "A"
ELECTORAL AREA "D" INTERIM ZONING BYLAW NO. 192, 1993
(GRAHAM ISLAND)**

This is Schedule "A" of
Bylaw No. 192, 1993.

Signed

Date

Printed: August 20, 2012

**GRAHAM ISLAND
INTERIM ZONING BYLAW 192**

TABLE OF CONTENTS

SECTION	PAGE NO.
1.0 - APPLICATION	1
2.0 - DEFINITIONS	3
3.0 - ADMINISTRATION.....	8
4.0 - GENERAL PROVISIONS	9
5.0 - PARKING AND LOADING PROVISIONS	13
6.0 - AGRICULTURE - FORESTRY DISTRICT, A-1	17
7.0 - RURAL DISTRICT, R-1.....	18
8.0 - SMALL HOLDINGS DISTRICT, R-2	19
9.0 - RESIDENTIAL DISTRICT, R-3	20
10.0 - MULTIPLE FAMILY RESIDENTIAL DISTRICT, RM-1.....	21
11.0 - GENERAL COMMERCIAL DISTRICT, C-1	22
12.0 - TOURIST ACCOMMODATION DISTRICT, C-2.....	23
13.0 - MARINE DEVELOPMENT DISTRICT M-1	24
14.0 - HEAVY INDUSTRIAL DISTRICT, I-1.....	25
15.0 - LIGHT INDUSTRIAL DISTRICT, I-2.....	26
16.0 - PARK AND PUBLIC USE DISTRICT P-1	27
17.0 - RESOURCE CONSERVATION DISTRICT RS-1.....	28
18.0 - FLOODPLAIN MANAGEMENT PROVISIONS.....	29

SECTION 1.0 - APPLICATION

Short Title

- 1.1 This is Schedule "A" to the Graham Island Interim Zoning Bylaw No. 192, 1992.

Applicability

- 1.2 This Bylaw shall be applicable to those parts of Electoral Area "D" of the Skeena-Queen Charlotte Regional District as outlined on Map Schedules A-1 and B which are attached to and form part of this Bylaw.

Severability

- 1.3 If any part of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction it shall not affect the validity of the remaining portions of this Bylaw.

Agricultural Land Reserve

- 1.4 Notwithstanding any other provisions of this bylaw, all lands within the ALR except those exempted under Section 19 of the Agricultural Land Commission Act or a general Order of the Commission, are subject to the provisions of the Agricultural Land Commission Act, Regulations thereto, and Orders of the Commission (thereby not unless approved by the Agricultural Land Commission).

Other Regulations

- 1.5 Nothing contained in this bylaw shall relieve any person from the responsibility to seek out and comply with other legislation applicable to their undertaking.

Forestry Activities

- 1.6 As specified in Municipal act Section 943(2), a local government bylaw shall not:

1. adopt a community plan, a bylaw or a rural land use bylaw, or
2. issue a permit under this Part or Part 21

that would have the effect of restricting any forestry management activity relating to the production and harvesting of timber on any land that is

3. classified as tree farm land under Section 24 of the *Assessment Act*, or
4. located within a licence area under the Forest Act, so long as the land continues only to be used for the purpose.

Heritage Sites

- 1.7 All known and potential heritage sites which are protected by the Heritage Conservation Act are subject to the provisions of that Act.

Mines and Petroleum, Natural Gas and Geothermal Resources

- 1.8 This bylaw does not apply to:
1. mineral or coal exploration and development as defined in the Mineral Tenure Act and mines as defined in the Mines Act;
 2. petroleum and natural gas exploration and production under the Petroleum and Natural Gas Act and facilities for the transportation of petroleum and natural gas;
 3. geothermal exploration and the extraction of geothermal resources under the Geothermal Resource Act.

SECTION 2.0 DEFINITIONS

In this Bylaw, unless the context otherwise requires:

"accessory building" means a subordinate detached building, the use or intended use of which is ancillary to that of a principal building situated on the same lot or site.

"accessory residential use" means a use consisting of a dwelling unit accessory to an agricultural, forestry, commercial, retail, assembly, civic, traveller accommodation, entertainment, gravel processing, log sorting, industrial, transportation, or campground use.

"accessory to" means customarily associated with.

"agricultural use" means a use for the growth, producing and the harvesting of agricultural or mariculture products; the keeping of horses for personal family use of the residents; includes the processing on an individual farm of the primary agricultural products harvested, reared or produced on that farm; the storage of farm machinery, implements, agricultural and mariculture supplies; repairs to farm machinery and implements used on that farm; and the retail sale of produce grown on that farm, and excluding all manufacturing, processing, storage and repairs not specifically included in this definition. *(Amended – Bylaw 397)*

"apartment building" means any building divided into not less than three dwelling units each of which is occupied or intended to be occupied as a permanent home of one family.

"aquaculture use" is the culture or controlled growing of any aquatic organism.
(Amended – Bylaw 397)

"assembly use" means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural or recreational purposes; includes churches, arenas, swimming pools, auditoriums, youth centres, social halls, group camps and community centres.

"bed and breakfast" means a home occupation incidental to the residential use of the lot which provides for use of part of the dwelling unit, not to exceed four bedrooms, for overnight accommodation.

"building" means a structure wholly or partly enclosed by a roof or roofs supported by wall, columns, or posts.

"campground use" means a use providing designated sites for the accommodation of the travelling public in tents, camper vehicles or travel trailers, and may include personal service facilities to accommodate the needs of the occupants, but specifically excludes the retail sale of trailer, campers and tents, residential camp use, or permanent occupancy of campers or travel trailers.

"civic use" means a use providing for public function; includes schools, colleges, public hospital, libraries, museums, parks, public golf course, playgrounds, cemeteries, courts of law, fire halls, police stations, jail and detention centres, gravel extraction and uses ancillary to public functions, excludes public storage, work yards.

"commercial use" means a use providing for the sale or rental of goods or services, for personal services, for the servicing or repair of goods, for administrative, commercial and professional offices, for commercial recreation and amusement services and facilities; and includes retail sales and warehousing incidental to retail sale, premises licensed to sell liquor, excludes manufacturing, salvaging, the selling, servicing and repair of industrial and agricultural machinery.

"community sewer system" means a system of sewerage or sewage disposal which is owned, operated and maintained by an Improvement District under the Municipal Act, or by a State Corporation, or by a Regional District.

"community water system" means a system of waterworks within the meaning of Section 21 of the Health Act, which is owned, operated maintained by an Improvement District under the Municipal Act; or by a Strata Corporation, or by a Regional District, or which is regulated under the Water Utilities Act.

"designated flood level" means an observed or calculated water level attained by a designated flood which is used in the calculation of the flood construction level.

"designated official" means any official of British Columbia designated by the Minister of Environment where signing authority has been given.

"entertainment use" means a use providing for the entertainment of the public, in theatres, restaurants, cafes, pubs, bowling alley, amusement arcades, pool halls, and associated ancillary sales.

"flood construction level" means the designated flood level plus an allowance for freeboard, or where a designated flood level cannot be determined, a height assessed above a natural boundary or natural ground elevation as approved by a designated official.

"flood plain setback" means a setback of a building or fill from the natural boundary, or other reference line (as approved by the designated official) to maintain a floodway and to allow for potential land erosion.

"floor area" means the total area of all the floors, measured to the extreme outer limits of the building, including all suites or dwelling units but excluding any part of the building used for parking, open verandas or balconies.

"forestry use" means a use related to the production and harvesting of timber including silviculture, forest protection, harvesting, salvaging, dry-land sorting, facilities for transporting wood, wood products or persons producing or harvesting them, storage of wood or wood products, temporary sawmills, shake and shingle mills, cant mills or chipper, publicly owned forest recreation sites and trails. Road and bridge construction, including the use of materials relating to their construction".

"forest products processing" means the processing and manufacturing of wood and paper products, including sawmills, shakemills, pulp and paper mills and the sale of products from these operations.

"freeboard" means a vertical distance of 0.6 metres added to a designated flood level and is used to establish a flood construction level.

"front lot line" means the lot line common to the lot and an abutting street. Where a lot has lot lines abutting two or more streets the lot line with the shorter distance abutting a street is the front lot line.

"guest cottage" means a self-contained dwelling unit accessory to a principal dwelling unit situated on the same lot.

"habitable area" means any space or room within a building or structure, including a mobile home or unit and a modular home or unit, which is used or capable of being used for human occupancy, industrial, business, or commercial use, or storage of goods, including equipment, and furnaces which are susceptible to damage by floodwater.

"height" means the vertical distance from the average finished ground level at the perimeter of a building or structure to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, to the highest point of the structure.

"home occupation" means any occupation or business of a clerical, technical, professional, administrative, retail, commercial or light industrial nature including minor wood processing, carried out by a home owner or his tenant in his residence or in buildings accessory to the residence located on the site.

"log booming and storage" means the log handling activities required to sort and transport logs, and includes dryland sorts, log dumps, water-based log sorting and storage, and log booms.

"lot" means any parcel, block or other area in which land is held or into which it is divided including a strata lot under the Condominium Act.

"lot coverage" means the total horizontal area covered by all buildings and structures or projections thereof on a lot, and is expressed as a percentage of the lot area.

"mariculture" is the culture or controlled growing of marine (saltwater) organisms, excluding fin fish. (*New – Bylaw 397*)

"mineral exploration" means the activities specified and regulated through the provisions of the Mineral Tenure Act.

"minor campground" means a campground operated as a home occupation which is clearly incidental to the residential use of the lot and does not exceed a maximum of five camping spaces or sites and specifically excludes permanent or year-round occupancy.

"Minor Utility Corridor"- means right-of-ways not to exceed ten metres width; used for public utilities such as power transmission lines, telephone or other telecommunications lines, water lines or sewer lines. (*new definition - Bylaw 247*)

"minor wood processing" means the cutting of wood products as a home occupation without outside employees and includes Alaska mills and portable shakemills.

"mobile home unit" means a structure, excluding recreation vehicles, designed and manufactured as a habitable area which is located on the ground surface, on a concrete or asphalt pad, or a poured in place concrete perimeter foundation.

"natural boundary" means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil or 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, as defined in Section 1 of the Land Act, and includes the high water mark of dormant or old side channels of any lake, river, stream or other body of water, the high water mark of mark of marsh area, and for coastal areas, the natural limit of permanent terrestrial vegetation.

"natural ground elevation" means the undisturbed ground elevation prior to site preparation.

"pad" means a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a mobile home or unit, a concrete pad for supporting a habitable area, or a poured in place concrete perimeter foundation for the purpose of supporting a habitable area or mobile home.

"rear lot line" means the lot line opposite to the front lot line.

"residential camp" means a use providing for the accommodation, in dormitory fashion of work crews only serving specific construction projects or resource extraction activities.

"setback" means the required minimum distance between the building or use and each of the respective property lines.

"side lot line" means a lot line intersecting with the front lot line and marking the boundary between two lots, or between a lot and lane or street in the case of a corner lot.

"silviculture" means a use providing for the cultivation of forest and forest stock.

"single family dwelling" means a residential detached building, consisting of one dwelling unit, and used for residential purposes.

"standard dykes" means those dykes built to a minimum crest elevation equal to the flood construction level, which meet standards of design and construction approved by the Ministry of Environment, and are maintained by an ongoing authority such as a local government body;

"structure" means any construction fixed to, supported by, or sunk into land or water, but excludes fences.

"temporary log storage" means the incidental or temporary tie-up, booming or storage of logs for a period not exceeding 6 months.

"townhouses" means a block of at least 3 side by side dwelling units where each dwelling unit is separated from each other by a common wall.

"transportation use" means a use providing for the shipping and receiving of goods and people including airports, docks and truck terminals.

"traveller accommodation use" means a use providing for the accommodation of the travelling public in motels, hotels, cabins, resorts, guest ranches and lodges, and includes restaurants, cafes and other services and entertainment uses associated with motels and hotels, gift shops and establishments licensed under the Liquor Control Licensing Act.

"two family dwelling " means a building used exclusively for residential purposes consisting of two structurally connected dwelling units.

"watercourse" is any natural or man-made depression with well-defined banks and a bed 0.6 metres or more below surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2 square kilometres or more upstream of the point of consideration, or as required by a designated official of the Ministry of Environment of the Province of British Columbia.

SECTION 3.0 ADMINISTRATION

Administration

- 3.1** The Secretary-Treasurer or such other person appointed by the Regional Board shall administer this Bylaw.

Penalty

- 3.2**
1. Every person who violates any of the provisions of this Bylaw, or who permits an act in contravention or violation of this Bylaw or who neglects or refrains to do anything required by provisions of this Bylaw shall be guilty of an offense, and upon summary conviction liable to a fine and penalty not exceeding \$2,000.
 2. Each day during which such violation is continued shall be deemed to constitute a new and separate offence.

Bylaw Amendments

- 3.3** Except for amendments initiated by the Regional District any person applying to have this bylaw amended shall apply in writing to the Secretary-Treasurer, and pay fees as set by the Regional District.

SECTION 4.0 GENERAL PROVISIONS

Uses of Land Buildings and Structures

- 4.1 Land shall not be used and buildings and structures shall not be constructed, altered, located, moved, occupied, or used contrary to this Bylaw.

Zoning Districts

- 4.2 For the purposes of this Bylaw the area of Electoral Area D, as shown on Schedules A and B which are attached to and form part of this bylaw, is hereby classified and divided into the following Zoning Districts:

<u>Name of Zoning District</u>	<u>Short Form Equivalent</u>
Agriculture-Forestry District	A-1
Rural District	R-1
Small Holdings District	R-2
Residential District	R-3
Multiple Family Residential	RM-1
General Commercial District	C-1
Tourist Accommodation District	C-2
Marine Resort District	M-1
Heavy Industrial District	I-1
Light Industrial District	I-2
Park and Public Use District	P-1
Resource Conservation District	RS-1

Official Zoning Maps

- 4.3
1. Water-way or right-of-way, the centreline shall be the zoning district boundary.
 2. Where legal description is used to refer to a zoning change the legal description will take precedence over a Map Schedule description.
 3. Where a zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning map Schedules A and B.

Height of Buildings and Structures

- 4.4**
1. The maximum height of all buildings shall be as specified for each zone, unless specifically permitted otherwise by these regulations.
 2. The following uses are exempt from the height requirements of this Bylaw: church spires, chimneys, flagpoles, masts, aerials, water tanks, domes, belfrys, monuments, observation towers, transmission towers, elevators and ventilation machinery, farm buildings including silos.

Location and Siting of Buildings

- 4.5**
1. No principal building shall be located in any required front, side or rear setback.
 2. Accessory buildings shall not be permitted in any required front setback. Accessory buildings may be permitted in a side or rear setback, provided the building is situated not less than 1.5 meters from a property line.
 3. The following are exempt from setback requirements:

Steps, floats, wharves, piers, eaves, gutters, cornices, sills, bay windows, chimneys, open porches, canopies, sun shades, or similar features provided such projections do not exceed 0.6 meters.

Uses Permitted in All Zones

- 4.6** The following uses are permitted in any zone:
1. Parks and playgrounds.
 2. Daycare centers and day nurseries.
 3. Churches
 4. Accessory buildings and uses.
 5. Minor utility corridors. (*New Use - Bylaw 247*)

Home Occupation

4.7 Home occupations are permitted in any zone provided that:

1. All activities including storage of goods pertaining to a home occupation are, except as otherwise provided for, to be conducted entirely within a dwelling unit or accessory buildings, except where it involves horticulture or minor wood processing.
2. In the case of a campground, the maximum number of camping spaces shall be limited to 5.
3. In the case of a bed and breakfast operation, a maximum of 4 sleeping rooms shall be used for tourist accommodation.

Keeping of Animals

4.8 The keeping of animals is permitted in any zone, except the R-3 District, where domestic pets only are permitted.

Lot Coverage

4.9 Except as otherwise required in this bylaw, the lot coverage restrictions shall apply to buildings and structures only.

Existing Lots and Undersized Lots

4.10 Any lot or lots that are shown on a plan deposited in the Land Title Office prior to the passing of this bylaw, which has less than the minimum area required for the zone in which that lot, situated, may be used for any permitted use in that zone, subject to all of the other regulations for that zone.

Minimum Area For New Lots

4.11 Any new subdivisions or lots created after adoption of this bylaw must conform to the minimum lot area specified for the zone in which the lot is situated, and to the lot area requirements of the Local Services Act and Health Act, which may require a larger lot size than required in this bylaw.

Existing Uses

4.12 The lawful use of any land, building or structure existing at the time of the adoption of this bylaw may be continued although such use does not conform with the provisions of this bylaw, subject to the provisions of the Municipal Act regarding non-conforming uses.

Non Conforming Building or Structures

- 4.13** Any building or structure which conforms as to use, but which is rendered non_conforming as to size, shape or siting by this bylaw, may be altered, repaired or extended provided that any alterations, repair or extension do not cause the building or structure to deviate further from said regulations.

SECTION 5.0 PARKING AND LOADING PROVISIONS

Parking Required

- 5.1** Any use of land or erection of buildings or structures undertaken following the date of adoption of this Bylaw shall provide and maintain the off-street parking and off-street loading in accordance with the provisions of this section.

Existing Uses

- 5.2** The provisions of this section shall not apply to any existing building, structure or uses of land existing at the time of adoption of this bylaw, provided that:
1. The land, building or structure continues to be put to a use that does not require more parking or loading spaces than were required for the use existing at the time of adoption of this Bylaw.
 2. Where an existing use conforms to the permitted uses of the Bylaw but does not provide sufficient parking, it may be extended or altered, but only if it involves no further contravention of the parking requirements of the Bylaw.
 3. The provision of this section shall apply to any change in use or any addition to a building or structure which has greater parking requirements than the original use, building of structure.

Units of Measurement

- 5.3**
1. Where gross floor area is used as a unit of measurement for the calculation of required parking spaces, it shall include the floor area of accessory buildings and basements, except where they are used for parking, heating and storage.
 2. Where the number of employees is used as a unit of measurement, it shall mean the greatest number of persons at work at any time, in a particular building or site for a particular use.
 3. Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, pews, booths and the like, each one-half metre of width of such seating accommodation shall be counted as one seat.
 4. When the calculation of parking requirements results in a fractional requirements of 0.5 or more, one parking space shall be provide to meet this fractional requirement.

Required Off-Street Parking Spaces

5.4 Off-street vehicular parking or garage spaces shall be provided in accordance with the standards in this Section. In the case of use not specifically mentioned, the required off-street parking spaces shall be the same as for a similar use.

USE	PARKING REQUIREMENT
Single or Two Family Dwelling	2 spaces per dwelling unit
Multiple Family Dwelling and Mobile Home Parks	1.5 spaces per dwelling unit
Dwelling Related to Commercial and other Premises	1 space per 20 square metres
Retail Stores and Personal Service Establishments	1 space per 20 square metres
Restaurants, Beer Parlours, Cocktail Lounges, and Similar Uses	1 space per 4 seats
Hotel	1 space per 2 sleeping rooms
Motel, Resort or Rental Cabins	1.25 spaces per sleeping rooms unit
Campground	1 space per camping or RV site
Gasoline Service Stations, Car Wash	1 space per 2 employees plus 1 space per service bay
Taxi Office	1 space per vehicle operating from taxi office
Airport and Bus Freight Terminals	1 space per 18 square metres of waiting room plus 1 space per 2 employees

Churches	1 space per 10 seats plus 1 space per 18 square metres gross floor area used for assembly
Hospitals	1 space per 2 staff doctors, plus 1 space per 4 employees plus 1 space per 5 beds
<u>Schools</u>	
a) Kindergarten Elementary and Junior High	2 space per staff member
b) Senior High	1 space per staff member plus 1 space per 10 students
Bed and Breakfast	1 space per rental room
Place of Public Assembly such as Community Halls, Clubs, Theatres, Arenas, Recreational Uses and Similar Uses	1 space per 20 square metres
Manufacturing, Industrial Buildings, Wholesale Establishments and Similar Uses	1 space per 2 employees
Marina, Boat Launch, Public Wharf	1 space per each boat moorage or berth, plus 10 spaces for each boat launch, plus 1 space for each staff member

Development Standards

- 5.5**
1. Every off-street parking space shall have convenient and safe vehicle access to a public thoroughfare.
 2. All off-street parking spaces shall have a clear length of not less than 5.5 metres, a clear width of not less than 2.5 metres and a clear height of not less than 2.2 metres. When a parking space adjoins a fence or structure over .3 metres in height, the width of the parking space shall be increased by .3 metres on the side or sides which abut such fence or structure to enable the opening of vehicular doors.

3. Provision shall be made for individual ingress or egress by vehicles to all parking spaces at all times by means of unobstructed manoeuvring aisles. Manoeuvring aisles of not less than the following width shall be provided:

<u>Parking Angle in Degrees</u>	<u>Width of Aisle in Metres</u>
90	7.5
60	5.0
45 and less	3.5

Design of Loading Spaces

- 5.6 An off-site loading area shall have dimensions of not less than 3 metres in width, 9.0 metres in length and 4.0 metres in height.

Required Off-Street Loading Spaces

- 5.7 Commercial, Industrial Use 1 space per building with a gross floor area of 475 square metres or greater

SECTION 6.0 AGRICULTURE FORESTRY DISTRICT, A 1

Uses Permitted

6.1 In the A-1 district the following uses are permitted and all others are prohibited:

1. agricultural use
2. forestry use
3. residential camp
4. veterinary clinic, kennel
5. residential use
6. home occupation
7. accessory buildings and uses
8. gravel extraction
9. mineral exploration, preliminary mine development, associated road construction and earthworks, but excludes processing or manufacturing activities

Lot Area

6.2 Each lot shall have an area of not less than 6 hectares.

Siting of Buildings and Structures

6.3 No building or structure shall be sited less than:

1. 7 metres from a front lot line
2. 7 metres from a rear lot line
3. 5 metres from a side lot line

Residential Density

6.4 A maximum of two single family dwelling units or one two _ family dwelling are permitted per lot.

SECTION 7.0 RURAL DISTRICT, R 1

Uses Permitted

7.1 In the R_1 district the following uses are permitted and all others are prohibited:

1. agricultural use
2. residential use
3. home occupation
4. accessory buildings and uses

Lot Area

7.2 Each lot shall have an area of not less than 1.5 hectares.

Siting of Buildings and Structures

7.3 No building or structure shall be sited less than:

1. 7 metres from a front lot line
2. 7 metres from a rear lot line
3. 5 metres from a side lot line

Height of Buildings and Structures

7.4 The height of buildings and structures shall not exceed 9 metres.

Residential Density

7.5 A maximum of 1 single family dwelling is permitted per lot.

SECTION 8.0 SMALL HOLDINGS DISTRICT, R 2

Uses Permitted

8.1 In the R-2 district the following uses are permitted and all others are prohibited:

1. agricultural use
2. residential use
3. home occupation
4. accessory buildings and uses

Lot Area

8.2 Each lot shall have an area of not less than 8000m².

Siting of Buildings and Structures

8.3 No building or structure shall be sited less than:

1. 7 metres from a front lot line
2. 7 metres from a rear lot line
3. 5 metres from a side lot line

Height of Buildings and Structures

8.4 The height of buildings and structures shall not exceed 9 metres.

Residential Density

8.5 A maximum of 1 single family dwelling unit is permitted per lot.

SECTION 9.0 RESIDENTIAL DISTRICT, R 3

Uses Permitted

9.1 In the R-3 district the following uses are permitted and all others are prohibited:

1. residential use
2. home occupation
3. accessory buildings and uses

Lot Area

9.2 Each lot shall have a minimum of not less than:

1. 4000m² for unserviced lots;or
2. 2000m² where a community water system is provided

Density

9.3 The maximum permitted density shall be 1 single family dwelling unit per lot.

Siting of Buildings and Structures

9.4 No building or structure shall be sited less than:

1. 7 metres from a front lot line
2. 7 metres from a rear lot line
3. 5 metres from a side lot line

Height of Buildings and Structures

9.5 The height of buildings and structures shall not exceed 9 metres.

SECTION 10.0 MULTIPLE FAMILY RESIDENTIAL DISTRICT, RM 1

Uses Permitted

10.1 In the RM_1 district the following uses are permitted and all others are prohibited:

1. residential use
2. home occupation
3. accessory buildings and uses

Lot Area

10.2 Each lot shall have an area not less than 2 ha.

Residential Density

10.3 The maximum permitted density shall be 1 dwelling unit per 4000m²

Siting of Buildings and Structures

10.4 No building or structure shall be sited less than:

1. 7 metres from a front lot line
2. 7 metres from a rear lot line
3. 5 metres from a side lot line

Height of Buildings and Structures

10.5 The height of buildings and structures shall not exceed 9 metres.

Lot Coverage

10.6 The maximum lot coverage shall be 20% of the lot area.

SECTION 11.0 GENERAL COMMERCIAL DISTRICT, C_1

Uses Permitted

11.1 In the C-1 district the following uses are permitted and all others are prohibited:

1. commercial use
2. assembly use
3. entertainment use
4. traveller accommodation use
5. veterinary clinic, kennels
6. residential use
7. accessory buildings and uses

Conditions of Use

11.2 Every business or undertaking shall be conducted within a completely enclosed building or structure, except for parking loading facilities and screened storage for items which are to be sold within the business premises.

Lot Area

11.3 Each lot shall have an area of not less than 4000 square metres.

Siting of Buildings and Structures

11.4 No building or structure shall be sited less than:

1. 7 metres from a front lot line
2. 7 metres from a rear lot line
3. 2 metres from a side lot line or 4.5 metres where the side lot line flanks a street
4. notwithstanding the above, no side lot line setback is required where the abutting property is zoned Commercial.

Height of Buildings and Structures

11.5 The height of buildings and structures shall not exceed 9 metres.

Lot Coverage

11.6 The maximum lot coverage shall be 60% of the lot area.

Residential Density

11.7 The maximum permitted density for residential uses in the C-1 district shall be 1 unit per lot.

SECTION 12.0 TOURIST ACCOMMODATION DISTRICT, C 2

Uses Permitted

- 12.1** In the C-2 district the following uses are permitted and all other are prohibited:
1. campground use
 2. traveller accommodation use
 3. restaurants, cafes and other services and entertainment uses associated with traveller accommodation
 4. private recreation facilities including golf courses, swimming pools, boat rentals, and boat launching
 5. lodges, bunkhouses and other buildings associated with tour guiding operations, including boat tours, hunting and/or fishing tours, horseback tours
 6. marinas, including wharves, docking facilities, fuelling facilities, sale of fishing supplies, sale or rental of boats.
 7. convenience retail store, not to exceed 50m² in floor area
 8. accessory residential use for owner or caretaker
 9. accessory buildings and uses

Lot Area

- 12.2** Each lot shall have an area of not less than 4000m² except for uses which include a water lease are, where aggregate site area shall be a minimum of not less than 8000m² of which at least 4000 square metres shall be adjacent upland to provide parking, loading and septic disposal.

Siting of Buildings and Structures

- 12.3** No building or structure shall be sited less than:
1. 7 metres from a front lot line
 2. 3 metres from a rear lot line
 3. 3 metres from a side lot line or 4.5 metres where the side lot line flanks a street

Height of Buildings and Structures

- 12.4** The height of buildings and structures shall not exceed 9 metres.

Lot Coverage

- 12.5** The maximum lot coverage shall be 50% of the lot area.

Residential Density

- 12.6** The maximum permitted density for residential uses in the C-2 District shall be 1 dwelling unit per lot.

SECTION 13.0 MARINE DEVELOPMENT DISTRICT M 1

Uses Permitted

13.1 In the M_1 district the following uses are permitted and all others are prohibited:

1. floating fishing lodges and camps for tourist use
2. fish buying operation

Lot Area

13.2 Lots shall consist of water lease areas only and shall have a minimum site area of 2500m²(.25 ha).

Density

13.3 Maximum number of sleeping units and boats per lease area shall not exceed those permitted by Ministry of Forests and Lands lease.

Condition of Use

13.4 No uses within this District shall:

1. Be placed on permanent foundations or pilings.
2. Be located in areas with less than 1.0m freeboard at lowest tide.
3. Be located within 30m of any permanent navigation buoys.
4. Be located closer than 10m to the natural boundary of the nearest shore.

SECTION 14.0 HEAVY INDUSTRIAL DISTRICT, I 1

Uses Permitted

14.1 In the I_1 district the following uses are permitted and all others are prohibited:

1. gravel and sand extraction, rock crushing, washing, grading and storage
2. log sorting and grading, log storage, log booming
3. forest products processing
4. seafood and aquatic plants processing
5. storage uses
6. forestry operations including offices, machinery and equipment repair
7. fuel storage, depots and sales
8. accessory residential use
9. accessory buildings and uses
10. auto wreckers and junk yards
11. residential camp
12. publicly owned waste disposal sites
13. public works and storage yards
14. public utilities and associated buildings
15. manufacturing uses
16. barge loading and unloading facilities associated with industrial uses
17. aquaculture and mariculture facilities
18. wharves, piers and docking facilities
19. machine and equipment repair shops
20. mining, placer mining, mineral processing and associated works

Conditions of Use

14.2 An industrial use involving the wrecking, salvaging or storing of salvage, scrap of junk other than within a building shall be bounded on all sides by a solid, view-obscuring fence or landscape screening not less than 1.8 metres or more than 2.4 metres high and no stored material shall be piled higher than such fence.

Lot Area

14.3 Each lot shall have an area of not less than 8000 square metres.

Siting of Buildings and Structures

14.4 No building or structure shall be sited less than 15 metres from a front, side or rear lot line.

Lot Coverage

14.5 The maximum lot coverage shall be 60% of the lot area.

SECTION 15.0 LIGHT INDUSTRIAL DISTRICT, I_2

Uses Permitted

- 15.1** In the I-2 district the following uses are permitted and all others are prohibited:
1. warehousing and wholesaling, including incidental retail sales
 2. automotive repair facilities, parts sales, and car washes
 3. sales, rental and service of equipment, farm machinery, buildings supplies and similar products
 4. light manufacturing involving preprocessed materials, sheet metal, woodworking, heating, plumbing, electrical, printing, boat building and similar establishments
 5. storage uses, including public works yards, but excluding auto wreckers and junk yards
 6. transportation use
 7. accessory residential use
 8. accessory use and buildings
 9. fish buying operations

Conditions of Use

- 15.2**
- 1 All businesses shall be conducted within a completely enclosed building except for open storage, parking and loading facilities.
 - 2 No parking, loading or storage areas shall be located in any required front setback.
 - 3 An industrial use involving open storage shall be screened on all sides by a solid, view-obscuring fence or landscape screen not less than 1.8 metres or more than 2.4 metres high, except where the lot abuts an I_1 or I_2 use, such screening is not required for side yards.

Lot Area

- 15.3** Each lot shall have an area of not less than 4000 square metres.

Siting of Buildings and Structures

- 15.4** No building or structure shall be sited less than 7 metres from a front, side or rear lot line.

Height of Buildings and Structures

- 15.5** The height of buildings and structures shall not exceed 12 metres.

Lot Coverage

- 15.6** The maximum lot coverage shall be 60% of the lot area.

SECTION 16.0 PARK AND PUBLIC USE DISTRICT P-1

Uses Permitted

16.1 In the P-1 district the following uses are permitted and all others are prohibited:

1. parks and playgrounds
2. civic uses
3. assembly uses
4. public utilities and associated buildings
5. accessory residential use
6. accessory uses and buildings
7. sani_dump
8. wharves, piers, floats and docking facilities
9. public boat launching and ferry terminal facilities
10. ecological reserve areas
11. scientific research stations

Lot Area

16.2 Each lot shall have an area of not less than 4000 square metres, except that no minimum lot size is required for park or civic use, or for uses 16.1.8 and 16.1.9.

Siting of Buildings and Structures

16.3 No building or structure shall be sited less than:

1. 7 metres from a front lot line
2. 7 metres from a rear lot line
3. 5 metres from a side lot line

Height of Buildings and Structures

16.4 The height of buildings and structures shall not exceed 9 metres.

SECTION 17.0 RESOURCE CONSERVATION DISTRICT RS-1

Uses Permitted

17.1 In the RS-1 District, the following uses are permitted and all others are prohibited:

1. outdoor recreation
2. public park and campground facilities
3. residential use
4. home occupation
5. accessory buildings and uses
6. temporary log storage
7. agricultural use

Lot Area

17.2 Each lot shall have an area of not less than 6 hectares.

Siting of Buildings and Structures

17.3 No building or structure shall be sited less than 7 metres from a front, side or rear lot line.

Residential Density

17.4 A maximum of 2 single family or one two family dwelling units are permitted per lot.

Height of Buildings and Structures

17.5 The height of building and structures shall not exceed 9 metres.

SECTION 18 - FLOODPLAIN MANAGEMENT PROVISIONS

The Skeena-Queen Charlotte Regional District, where it is considered that flooding may occur on land, may enact a floodplain management bylaw pursuant to Section 969 of the Municipal Act;

Neither the Skeena-Queen Charlotte Regional District nor the Province of British Columbia represent to any person that any building or structure, including a Mobile Home or Unit, used, constructed, or located in accordance with the following provisions will not be damaged by flooding or erosion;

Floodplain Designation

18.1 Land lower than the following Flood Construction Levels:

1. 1.5 metres above the Natural Boundary of the sea, any watercourse, lake, swamp, or pond;
2. 1.5 metre above the Natural Boundary elevation of Tlell River downstream of the north boundary of DL 2375;
3. 2.0 metres above the Natural Boundary of Masset Harbour, Masset Sound from the south boundary of the Town of Masset to Collison Point and Kumdis Slough from Hogan Point to Martin Point;
4. 3.0 metres above the Natural Boundary of the Yakoun River and the Tlell River upstream of the north boundary of DL 2375.

whichever is the higher is designated as Floodplain.

Floodplain Setback Area Designation

18.2 Land:

1. within 15 metres of the Natural Boundary of the sea, any watercourse lake, swamp, or pond;
2. within 30 metres of the Natural Boundary of the Tlell River and the Yakoun River;
3. within 45 metres of the Natural Boundary of the sea from the east boundary of the Town of Masset to the north boundary of District Lots 1016 at Rose Point, and from the north boundaries of D.L.'s 1350A and 1348 to the south boundary of D.L. 466 at Skidegate Mission.
4. on the sea side of the highway, from the north boundary of District Lot 61 at Tlell to the south boundary of District Lot 466 at Skidegate Mission, where the distance between the highway right-of-way and the Natural Boundary of the sea is less than 75 metres.

is designated as a Floodplain Setback area.

Floodplain Management Regulations

- 18.3 1. No person shall place structural support for a Habitable Area or place fill on land designated as Floodplain Setback area under Section 18.2.
2. No person shall construct, reconstruct, move, or extend a floor system or Pad which supports a Habitable Area such that the underside of the wooden floor system or the top of the Pad (or in the case of a Mobile Home or Unit the top of Pad or the ground surface on which it is located) is lower than the Flood Construction Levels specified in Section 18.1 except as provided in Sections 18.3.3 and 18.3.6.
3. Notwithstanding the regulation specified in Section 18.3.2 the following floodplain management regulations apply for:
- a. Farm Dwelling Units
- Farm dwelling units on parcel sizes 8.1 hectares, or greater, located within the Agricultural Land Reserve shall be located with the underside of a wooden floor system or the top of the Pad of any Habitable Area (or in the case of a Mobile Home or Unit the top of Pad or the ground surface on which it is located) no lower than 1.0 metre above the Natural Ground Elevation taken at any point on the perimeter of the building, or no lower than the Flood Construction Levels specified in Section 18.1, whichever is the lesser.
- b. Closed-sided Livestock Housing
- Closed-sided livestock housing not behind Standard Dykes shall be located with the underside of a wooden floor system or the top of the Pad of any Habitable Area (or in the case of a Mobile Unit the top of the Pad or the ground surface on which it is located) no lower than 1.0 metres above the Natural Ground Elevation taken at any point on the perimeter of the building, or no lower than the Flood Construction Levels specified in Section 18.1, whichever is the lesser.
- c. Industrial Uses
- Industrial uses, other than main electrical switchgear, shall be located with the underside of a wooden floor system or the top of the Pad of any Habitable Area (or in the case of a Mobile Unit the top of Pad or the ground surface on which it is located) no lower than the Flood Construction Levels specified in Section 18.1 minus freeboard. Main electrical switchgear shall be no lower than the Flood Construction Level.

4. The floodplain management regulations specified in Sections 18.3.2 and 18.3.3 may be achieved by structural elevation of the Habitable Area, by adequately compacted fill on which any Habitable Area is to be constructed or located, or by a combination of both structural elevation and fill.
5. Where fill is used to achieve the floodplain management regulations specified in Section 18.3.2 and 18.3.3, the face of the fill slope shall be adequately protected against erosion from flood flows, wave action, and debris.
6. The following uses are excepted from the floodplain management regulations specified in Sections 18.3.2 and 18.3.3:
 - a. A renovation of an existing building or structure that does not involve an addition thereto;
 - b. An addition to a building or structure that would increase the size of the building or structure by less than 25 percent of the floor area existing at the date of adoption of this bylaw;
 - c. that portion of a building or structure to be used as a carport or garage;
 - d. farm buildings other than dwelling units and closed-sided livestock housing;
 - e. on-loading and off-loading facilities associated with water-oriented industry and portable sawmills.

Site Specific Exemption

- 18.4 An application by a property owner to the Minister of Environment for a site specific exemption shall be completed upon a Water Management Division form provided by the Regional District and submitted in accordance with the instructions of the application.

Approved under the provision of
Section 969 of the Municipal Act.

Minister of Environment