

(Skeena-Queen Charlotte Regional District)

By-Law No. 186

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

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

1. Schedule A-1 attached hereto and made part of this By-Law is the Text of the Interim Zoning for the area outlined in Schedule A of this Bylaw for parts of Electoral Area E, Skeena-Queen Charlotte Regional District.
2. Schedule A attached hereto and made part of this By-Law is the area regulated by this Interim Zoning By-Law. (*Bylaw 213, 222 & 285 to Schedule A*)
3. Schedule B attached hereto and made part of this Bylaw contains the floodplain management provisions pursuant to Section 969 of the Municipal Act.
4. This By-Law may be cited as the Sandspit-Moresby Island Interim Zoning By-Law, No. 186, 1989.

READ A FIRST TIME this 30th day of September, 1988.

READ A SECOND TIME this 26th day of May, 1989.

READ A THIRD TIME this 26th day of May, 1989.

Received the approval from the Minister of Municipal Affairs, Recreation and Culture this 23rd day of August, 1989.

RECONSIDERED and FINALLY PASSED AND ADOPTED

this 29th day of September, 1989.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary-Treasurer

Certified a true copy of  
By-Law No. 186 as adopted.

SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

SCHEDULE "A-1" TO MORSEBY ISLAND/SANDSPIT INTERIM ZONING (Morseby Island)

SCHEDULE "A" TO GRAHAM ISLAND UNINCORPORATED AREA INTERIM ZONING BYLAW NO. 186, 1989

**This is Schedule "A-1" to  
Bylaw No. 186, 1989.**

\_\_\_\_\_  
**Secretary**

\_\_\_\_\_  
**Date**

**INTERIM ZONING BYLAW  
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## **SECTION 1.0 - APPLICATION**

### **Short Title**

- 1.1** *This is Schedule A-1 to the Sandspit/Moresby Island Interim Zoning Bylaw No. 186, 1989.*

### **Applicability**

- 1.2** *This Bylaw shall be applicable to those parts of Electoral Area "E" of the Skeena-Queen Charlotte Regional District as outlined on Schedules A 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** *Where land is designated as Agricultural Land Reserve under the Agricultural Land Commission Act it is subject to that Act, its regulations, and relevant orders of the Provincial 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.*

### **Tree Farm License Areas**

- 1.6** *As specified in Municipal Act Sec. 943(2), a local government bylaw shall not:*
- .a adopt a community plan, a bylaw or a rural land use bylaw, or*
  - .b issue a permit under this Part or Part 21 (of Municipal Act)*

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

- .c classified as tree farm land under Section 24 of the Assessment Act, or*
- .d 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.*



## **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 providing for the growth, rearing, producing, and the harvesting of agricultural 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 and agricultural 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.*

*"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" means the growing and cultivation of aquatic plants or fish for commercial purposes in any water environment or in man-made containers of water and includes the growing and cultivation of shellfish on, in or under the foreshore or in water.*

*"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.*

*"building" means any structure used or intended for supporting or sheltering any use or occupancy.*

*"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, and residential camp use.*



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*"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" 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, arcades, pool halls, and associated ancillary sales.*

*"flood construction level" means the designated flood level plus the 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.*

*"floodplain 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.*

*"forestry use" means a use providing for the extraction of primary forest resources on a lot, and included only the preliminary sorting, grading and/or cutting of such material for shipment or for*



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*consumption on the same lot but specifically excludes all milling, manufacturing and retail sales of products and any processing not specifically included in this definition.*

*"forest products processing" means the processing and manufacturing of wood and paper products, including sawmills, 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.*

*"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.*

*"heritage site" means land of historic, archaeological, or architectural significance.*

*"home occupation" means any occupation, profession or business carried on for consideration which is clearly incidental to the residential use of the lot.*

*"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.*

*"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 or 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 on the soil of the beds of the lake, river, stream or other body of*



*water a character distinct from that of its 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 lake, river, stream or other body of water, the high water mark of marsh areas, and for coastal area, the natural limit of permanent terrestrial vegetation.*

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

*"occupancy" means the use or intended use of a building or part thereof for the shelter or support of person, animals or property.*

*"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 perimeter foundation for the purpose of supporting a habitable area or mobile home.*

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

*"retail use" means a use providing for the selling of goods, for the servicing and repair of goods; included restaurants and personal service establishments, retail sales, servicing and repair of automobiles, gasoline sales.*

*"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.*

*"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.*

**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.*



**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 E, as shown on Schedules A and A which are attached to and form part of this bylaw, is hereby classified and divided into the following Zoning Districts:

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

The appropriate short form equivalent is considered to be the name of the Zoning District.

**Official Zoning Maps**

- 4.3 .1 Where the zoning district boundary is designated as following a road allowance, waterway 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



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*distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning map Schedule `A`".*

### **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 provided that such structures occupy no more than 20% of the lot area.*

### **Location and Siting of Buildings**

- 4.5** .1 *No principal building shall be located in any required front, side or rear yard.*
- .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 metres 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 metres.*

### **Uses Permitted in All Zones**

- 4.6** *The following uses are permitted in any zone:*
- .1 *Parks and playgrounds.*
- .2 *Daycare centres and day nurseries.*

### **Visibility**

- 4.7** *To preserve visibility, lots abutting a road intersection shall be kept free from buildings and structures, in an area described as between 1 and 3 metres in height, and comprising a triangular area formed by measuring back 5 metres on each lot line abutting the road intersection and a line joining these two points.*



### **Home Occupation**

**4.8** Home occupations are permitted in any zone provided that:

- .1 All activities including storage of goods pertaining to a Home Occupation:
  - a. 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.
  - b. may in an A-1, R-1 or R-2 zone be contained within an accessory building or structure provided the building or structure does not exceed 75 m<sup>2</sup>;
  - c. shall not involve the exterior storage of any material used in the processing or resulting from the processing of any product except as permitted in Item a;
  - d. are not to exceed 20% of the gross floor area of the dwelling unit, or 50 m<sup>2</sup> whichever is greater.
- .2 It is only conducted by a resident of the dwelling unit on the lot, with a maximum of 2 outside employees permitted.
- .3 In the case of a campground, the maximum number of camping spaces shall be limited to 5.
- .4 In the case of a bed and breakfast operation, a maximum of 4 sleeping rooms shall be used for tourist accommodation.

### **Keeping of Animals**

**4.9** The keeping of animals for domestic, non-commercial purposes is permitted, limited to:

- .1 Domestic pets, excluding commercial kennels in any zone.
- .2 Poultry and rabbits in suitable enclosures on lots with minimum size of 1300 m<sup>2</sup> in any zone.
- .3 Horses, cattle sheep and goats limited to a total of two animals per 2000 m<sup>2</sup> of site area to be permitted only in the A-1 and R-1 districts.

### **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 is situated, may be used for any permitted use in that zone, subject to all of the other regulations for that zone.



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**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 follow 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.*



**Required Off-Street Parking Spaces**

<b><u>USE</u></b>	<b><u>PARKING REQUIREMENT</u></b>
<i>Single or Two Family Dwelling</i>	<i>2 spaces per dwelling unit</i>
<i>Multiple Family Dwelling and Mobile Home Parks</i>	<i>1.5 spaces per dwelling unit</i>
<i>Dwelling Related to Commercial and other Premises</i>	<i>1 space per dwelling unit</i>
<i>Retail Stores and Personal Service Establishments</i>	<i>1 space per 20 square metres</i>
<i>Restaurants, Beer Parlours, Cocktail Lounges, and Similar Uses</i>	<i>1 space per 4 seats</i>
<i>Hotel</i>	<i>1 space per 2 sleeping rooms</i>
<i>Motel, Resort or Rental Cabins unit</i>	<i>1.25 spaces per sleeping rooms</i>
<i>Campground</i>	<i>1 space per camping or RV site</i>
<i>Gasoline Service Stations, Car Wash</i>	<i>1 space per 2 employees plus 1 space per service bay</i>
<i>Taxi Office</i>	<i>1 space per vehicle operating from taxi office</i>
<i>Airport and Bus Freight Terminals</i>	<i>1 space per 18 square metres of waiting room plus 1 space per 2 employees</i>
<i>Churches</i>	<i>1 space per 10 seats plus 1 space per 18 square metres gross floor area used for assembly</i>



<u>USE</u>	<u>PARKING REQUIREMENT</u>
Hospitals	1 space per 2 staff doctors, plus 1 space per 4 employees plus 1 space per 5 beds
Schools	
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	0.5 space per each boat moorage or berth, plus 20 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><b>Parking Angle in Degrees</b></u>	<u><b>Width of Aisle in Metres</b></u>
90	7.5
60	5.8
45 and less	3.7

### **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 *silviculture*
  - .4 *residential camp*
  - .5 *veterinary clinic, kennel*
  - .6 *residential use*
  - .7 *home occupation*
  - .8 *accessory buildings and uses*
  - .9 *golf course*
  - .9 *gravel extraction*



**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*

**Height of Buildings and Structures**

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

**Residential Density**

6.5 *A maximum of two single family dwelling units or one two - family dwelling are permitted per lot, subject to approval of the Agricultural Land Commission, where applicable.*



**SECTION 7.0 - RURAL RESIDENTIAL 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 *forestry use*
- .3 *veterinary clinic, kennel*
- .4 *residential use*
- .5 *home occupation*
- .6 *accessory building and uses*

**Lot Area**

7.2 *Each lot shall have an area of not less than 4000 m<sup>2</sup>.*

**Siting of Buildings and Structures**

7.3 *No building or structure shall be sited less than:*

- .1 *10 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 2 single family dwelling units or one two family dwelling unit are permitted per lot.*



## **SECTION 8.0 - URBAN RESIDENTIAL DISTRICT, R-2**

### **Uses Permitted**

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

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

### **Lot Area**

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

- .1 650 m<sup>2</sup> where community water and community sewer systems are provided; or*
- .2 1000 m<sup>2</sup> where a community water system is provided; or*
- .3 1300 m<sup>2</sup> where no services are provided.*

### **Siting of Buildings and Structures**

8.3 *No building or structure shall be sited less than:*

- .1 10 metres from a front lot line*
- .2 7 metres from a rear lot line*
- .3 3.5 metres from a side lot line or 4.5 metres where the side lot line flanks a street*

### **Height of Buildings and Structures**

- 8.4
- 1. 9 metres for residential use.*
  - 2. 5 metres for accessory buildings*

### **Residential Density**

8.5 *Not more than one single family dwelling unit shall be erected on one lot.*

### **Lot Coverage**

8.6 *The maximum lot coverage shall be 35% of the lot area.*



**SECTION 9.0 - MULTIPLE FAMILY RESIDENTIAL DISTRICT, RM-1**

**Uses Permitted**

**9.1** *In the RM-1 district the following uses are permitted and all others are prohibited:*

- .1 residential use*
- .2 townhouses*
- .3 apartment buildings*
- .4 home occupation*
- .5 accessory buildings and uses*

**Lot Area**

**9.2** *Each lot for single family dwelling units, townhouses or an apartment building shall have an area of not less than 2,000 square metres.*

**Density**

**9.3** *The maximum permitted density of dwelling unit shall be:*

- .1 1 unit per 500 m<sup>2</sup> of lot area for single family or two-family dwelling units with community water and sewer servicing; 1 unit per 800 m<sup>2</sup> with community water only; or 1 unit per 1300 m<sup>2</sup> where no services are provided*
- .2 1 unit per 350 m<sup>2</sup> of lot area for townhouses with community water and sewer servicing*
- .3 1 unit per 250 m<sup>2</sup> of lot area for an apartment building with community water and sewer servicing only*

**Siting of Buildings and Structures**

**9.4** *No building or structure shall be sited less than:*

- .1 10 metres from a front lot line*
- .2 7 metres from a rear lot line*
- .3 5 metres from a side lot line or 4.5 metres where the side lot line flanks a street*



**Height of Buildings and Structures**

**9.5** *The height of buildings and structures shall not exceed:*

- .1 12 metres for residential use, townhouses or apartments*
- .2 5 metres for accessory buildings*

**Lot Coverage**

**9.6** *The maximum lot coverage shall be 40% of the lot area.*



**SECTION 10.0 - GENERAL COMMERCIAL DISTRICT, C-1**

**Uses Permitted**

**10.1** *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 dwelling units located within a commercial building*
- .6 residential use*
- .7 accessory buildings and uses*

**Conditions of Use**

**10.2** *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**

**10.3** *Each lot shall have an area not less than 1300 square metres.*

**Residential Density**

**10.4** *The maximum permitted density for residential uses in the C-1 zone shall be as required by bylaw Section 9.3.*

**Siting of Buildings and Structures**

**10.5** *No building or structure shall be sited less than:*

- .1 4.5 metres from a front lot line*
- .2 2 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*

**Height of Buildings and Structures**

**10.6** *The height of buildings and structures shall not exceed 11 metres.*



**Lot Coverage**

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



**SECTION 11.0 - TOURIST ACCOMMODATION DISTRICT, C-2**

**Uses Permitted**

**11.1** *In the C-2 district the following uses are permitted and all others 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, lodges, 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, and sale of fishing supplies, excluding fuel sales*
- .7 convenience retail store, not to exceed 50 m<sup>2</sup> in floor area.*
- .8 accessory residential use for owner or caretaker*
- .9 accessory building and uses*

**Lot Area**

**11.2** *Each lot shall have an area of not less than 2000 square metres except for uses which include a water lease area, where aggregate site area shall be a minimum of 4000 square metres, of which at least 2000 m<sup>2</sup> shall be adjacent upland to provide parking, loading and septic disposal.*

**Siting of Buildings and Structures**

**11.3** *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**

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

**Lot Coverage**

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



**SECTION 12.0 - MARINE DEVELOPMENT DISTRICT, M-1**

**Uses Permitted**

**12.1** *In the M-1 district the following uses are permitted and all other are prohibited:*

- .1 *wharves, piers, floats and docking facilities*
- .2 *boat launching, water taxi and ferry terminal and seaplane base facilities (amended by bylaw 222)*
- .3 *sales or rental of boats, marine supplies and fishing supplies accommodation*
- .4 *marinas*
- .5 *marine and seaplane fueling facilities (amended by bylaw 222)*
- .6 *aquaculture and mariculture facilities, but excluding any aquatic plant or seafood processing*
- .7 *accessory residential use*
- .8 *boat repair facilities, including marine ways*
- .9 *fish buying operation*

**Lot Area**

**12.2** Each lot including water lease area shall have a minimum aggregate site area of 4000m<sup>2</sup> of which at least 2000m<sup>2</sup> is adjacent upland to provide parking, loading and septic disposal.

**Off-Street Parking and Loading**

**12.3** Off-street parking and loading shall be provided on the abutting upland lot in accordance with Section 5.0 of this bylaw.

**Lot Coverage**

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



## **SECTION 13.0 - HEAVY INDUSTRIAL DISTRICT I-1**

### **Uses Permitted**

**13.1** 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 aquatic plants and seafood processing
- .5 storage use
- .6 forestry operations including offices, machinery and equipment repair
- .7 fuel storage, depots and sales
- .8 accessory residential uses
- .9 accessory building 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 sani-dumps

### **Condition of Use**

**13.2** .1 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. This is required only where the industrial use abuts residential or C-2 zones.

### **Lot Area**

**13.3** Each lot including water lease area, shall have a minimum site area of 8000 square metres.

### **Siting of Building and Structures**

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

### **Lot Coverage**

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



*Skeena-Queen Charlotte Regional District  
Morseby Island Interim Zoning By-Law 186*

## **SECTION 14.0 - LIGHT INDUSTRIAL DISTRICT, I-2**

### **Uses Permitted**

- 14.1** 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

### **Conditions of Use**

- 14.2**
- .1 All businesses shall be conducted within a completely enclosed building except for open storage, parking and loading facilities.
  - .2 No 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 2.4 metres or more than 2.4 metres high, where the industrial use abuts residential or C-2 zones.

### **Lot Area**

- 14.3** Each lot shall have an area of not less than 2000 square metres.

### **Siting of Buildings and Structures**

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

### **Height of Buildings and Structures**

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



**Lot Coverage**

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



*Skeena-Queen Charlotte Regional District  
Morseby Island Interim Zoning By-Law 186*

## **SECTION 15.0 - PUBLIC AND ASSEMBLY DISTRICT - P-1**

### **Uses Permitted**

**15.1** 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 accessory residential use
- .5 accessory use and buildings
- .6 churches
- .7 public utilities and associated structures

### **Lot Area**

**15.2** Each lot shall have an area of not less than 2000 square metres, except that no minimum lot size is required for park or civic use.

### **Siting of Buildings and Structures**

**15.3** 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**

**15.4** The height of buildings and structures shall not exceed 11 metres.



## **SECTION 16.0 - AIRPORT DEVELOPMENT DISTRICT, P-2**

### **Uses Permitted**

**16.1** In the P-2 District the following uses are permitted and all others are prohibited:

- .1 airport runways, passenger terminals, hangers, maintenance and repair facilities and navigation facilities associated with airport operation, helicopter landing sites
- .2 traveller accommodation use
- .3 residential use
- .4 fuel storage and sales
- .5 rental of motor vehicles



*Skeena-Queen Charlotte Regional District  
Morseby Island Interim Zoning By-Law 186*

## **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

### **Lot Area**

**17.2** Each lot shall have an area of not less than 4 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 1 dwelling unit is permitted per lot.

### **Height of Buildings and Structures**

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



**SECTION 18.0 - SCHEDULE "B" FLOODPLAIN MANAGEMENT PROVISIONS**

WHEREAS 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;

AND WHEREAS 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;

**NOW THEREFORE, BOARD OF THE REGIONAL DISTRICT ENACTS THE FOLLOWING PROVISIONS:**

**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. 1.0 metre above the natural ground elevation on District Lot 163 and District Lot 2145

whichever is the greater 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 sea from the north boundary of District Lot 163 to the point on the shoreline due east of the south boundary of District Lot 939;
- .3 on the sea side of the highway, from the north boundary of District Lot 159 to the west boundary of District Lot 835, where the distance between the highway right of way and the Natural Boundary of the sea is less than 45 metres is designated as a Floodplain Setback area.



*Skeena-Queen Charlotte Regional District  
Morseby Island Interim Zoning By-Law 186*

### **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 less.
- 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.



- .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.



**SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT  
BY-LAW NO. 213  
(Amending Bylaw 186 - DL 160, Sandspit)**

Being a By-Law to amend Schedule A to the Sandspit-Morseby Island Interim Zoning By-Law.

The Skeena-Queen Charlotte Regional District in open meeting assembled enacts as follows:

1. *Schedule "A" to Sandspit-Morseby Interim Zoning By-Law No. 186 is amended as follows:  
Change the zoning on the outlined portion of D.L. 160 from Urban Residential District (R-2) to Public and Assembly District (P-1).*
2. *This By-Law may be cited as the Sandspit-Morseby Island Interim Zoning amendment By-Law No. 213.*

READ A FIRST TIME this 15th day of March, 1991.

READ A SECOND TIME this 15th day of March, 1991.

PUBLIC HEARING HELD this 3rd day of April, 1991.

READ A THIRD TIME this 26th day of April, 1991.

Received the approval of the Minister of Municipal Affairs, Recreation and Culture this 26th day of June, 1991.

RECONSIDERED AND FINALLY ADOPTED this 26th day of July, 1991.



*Skeena-Queen Charlotte Regional District  
Morseby Island Interim Zoning By-Law 186*

**SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT  
BY-LAW NO. 222  
(Amending Bylaw 186 - Sandspit)**

Being a By-Law to amend Schedule A to the Sandspit-Morseby Island Interim Zoning By-Law.

The Skeena-Queen Charlotte Regional District in open meeting assembled enacts as follows:

1. The Sandspit-Morseby Interim Zoning By-Law No. 186 is amended by:
  - (a) *changing the zoning on the portion outlined in red on Schedule "A" hereto to Marine Development (M-1).*
  - (b) *by replacing the text in 12.1.2 with "boat launching , water taxi, ferry terminal and seaplane base facilities"; and*
  - (c) *by replacing the text in 12.1.5 with "marine and seaplane fueling facilities".*
2. This By-Law may be cited as the Sandspit-Morseby Island Interim Zoning amendment By-Law No. 222.

READ A FIRST TIME this 24th day of January, 1992.

READ A SECOND TIME this 24th day of January, 1992.

PUBLIC HEARING HELD this 5th day of January, 1992.

READ A THIRD TIME this 28th day of February, 1992.

Received the approval of the Minister of Municipal Affairs, Recreation and Culture this 3rd day of April, 1992.

RECONSIDERED AND FINALLY ADOPTED this 24th day of April, 1992.



*Skeena-Queen Charlotte Regional District  
Morseby Island Interim Zoning By-Law 186*

**SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT  
BY-LAW NO. 285  
(Amending Bylaw 186 - Sandspit)**

Being a By-Law to amend the Moresby Island Interim Zoning By-Law 186.

The Skeena-Queen Charlotte Regional District in open meeting assembled enacts as follows:

1. *Map Schedule A of the Moresby Island Interim Zoning By-Law No.186 is amended by changing the zoning on the foreshore in the vicinity of Shingle Bay, Sandspit on Schedule "1" hereto to "Marine Development District" (M-1);*
2. This By-Law may be cited as the Moresby Island Interim Zoning amendment By-Law No. 285.

**READ A FIRST TIME** this 24th day of March, 1995.

**READ A SECOND TIME** this 28th day of April, 1995.

**PUBLIC HEARING HELD** this 18th day of April, 1995.

**READ A THIRD TIME** this 24th day of April, 1995.

Received the approval of the Minister of Municipal Affairs, Recreation and Culture this 31st day of May, 1995.

RECONSIDERED AND FINALLY ADOPTED this 9th day of June, 1995.



*Skeena-Queen Charlotte Regional District  
Morseby Island Interim Zoning By-Law 186*