



Salt Spring Island Local Trust Committee

BYLAW NO. 355

ADOPTED: June 28, 2001

AS AMENDED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE

**BYLAWS: 369, 371, 374, 378, 379, 381, 384, 386, 387, 397, 399, 401, 405,
412, 413, 430, 431, 432, 433, 435, 438, 440, 441, 444, 445, 448,
450, 451, 452, 454, 456, 458, 459, 460 and 461**

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Consolidated: June 2013



CONSOLIDATED BYLAW TEXT AMENDMENTS

This copy is consolidated for convenience only, and includes the following TEXT amendments:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 369	Amendment No. 1, 2001	February 28, 2002
Bylaw No. 371	Amendment No. 3, 2001	May 24, 2001
Bylaw No. 374	Amendment No. 1, 2002	August 29, 2002
Bylaw No. 378	Amendment No. 5, 2002	April 11, 2003
Bylaw No. 379	Amendment No. 6, 2002	October 03, 2002
Bylaw No. 381	Amendment No. 7, 2002	October 30, 2003
Bylaw No. 384	Amendment No. 1, 2003	August 28, 2003
Bylaw No. 386	Amendment No. 3, 2003	October 30, 2003
Bylaw No. 387	Amendment No. 4, 2003	February 25, 2004
Bylaw No. 397	Amendment No. 3, 2004	September 29, 2004
Bylaw No. 399	Amendment No. 4, 2004	September 22, 2005
Bylaw No. 401	Amendment No. 6, 2004	January 26, 2005
Bylaw No. 405	Amendment No. 2, 2005	October 27, 2005
Bylaw No. 412	Amendment No. 5, 2005	December 13, 2005
Bylaw No. 413	Amendment No. 1, 2006	April 25, 2006
Bylaw No. 430	Amendment No. 1, 2007	April 3, 2008
Bylaw No. 431	Amendment No. 2, 2007	December 13, 2007
Bylaw No. 432	Amendment No. 3, 2007	April 7, 2011
Bylaw No. 433	Amendment No. 1, 2008	August 19, 2011
Bylaw No. 435	Amendment No. 2, 2008	April 2, 2009
Bylaw No. 438	Amendment No. 4, 2008	September 3, 2009
Bylaw No. 440	Amendment No. 5, 2008	October 8, 2009
Bylaw No. 441	Amendment No. 1, 2009	September 2, 2010
Bylaw No. 444	Amendment No. 1, 2010	July 8, 2010
Bylaw No. 445	Amendment No. 2, 2010	January 14, 2011
Bylaw No. 448	Amendment No. 1, 2011	September 1, 2011
Bylaw No. 450	Amendment No. 2, 2011	May 2, 2013
Bylaw No. 451	Amendment No. 3, 2011	October 6, 2011
Bylaw No. 452	Amendment No. 4, 2011	January 5, 2012
Bylaw No. 454	Amendment No. 5, 2011	August 2, 2012
Bylaw No. 456	Amendment No. 1, 2012	July 5, 2012
Bylaw No. 458	Amendment No. 2, 2012	September 20, 2012
Bylaw No. 459	Amendment No. 3, 2012	September 20, 2012
Bylaw No. 460	Amendment No. 4, 2012	November 8, 2012
Bylaw No. 461	Amendment No. 5, 2012	May 2, 2013



A NOTE TO READERS

This is the Adopted version of a new Land Use Bylaw for Salt Spring Island, including nearby islands and islets.

In July of 1999, a First Draft of this bylaw was released, followed by community open houses and meetings in the fall. A Second Draft was then developed based on comments received from the public and from other government agencies. It was released for further community discussion in May of 2000. As with the First Draft, community members and those government agencies that deal with the Salt Spring Island area were asked to review the Second Draft and to make comments.

This bylaw covers zoning (land use, density and siting), *subdivision*, off-street parking requirements, *sign* regulations and drainage. Salt Spring Island Zoning Bylaw 123 and Salt Spring Island Subdivision Bylaw 207, both of which are administered by the Salt Spring Island Local Trust Committee (SSILTC), currently cover these topics. Those bylaws would be repealed once a new bylaw is in place.

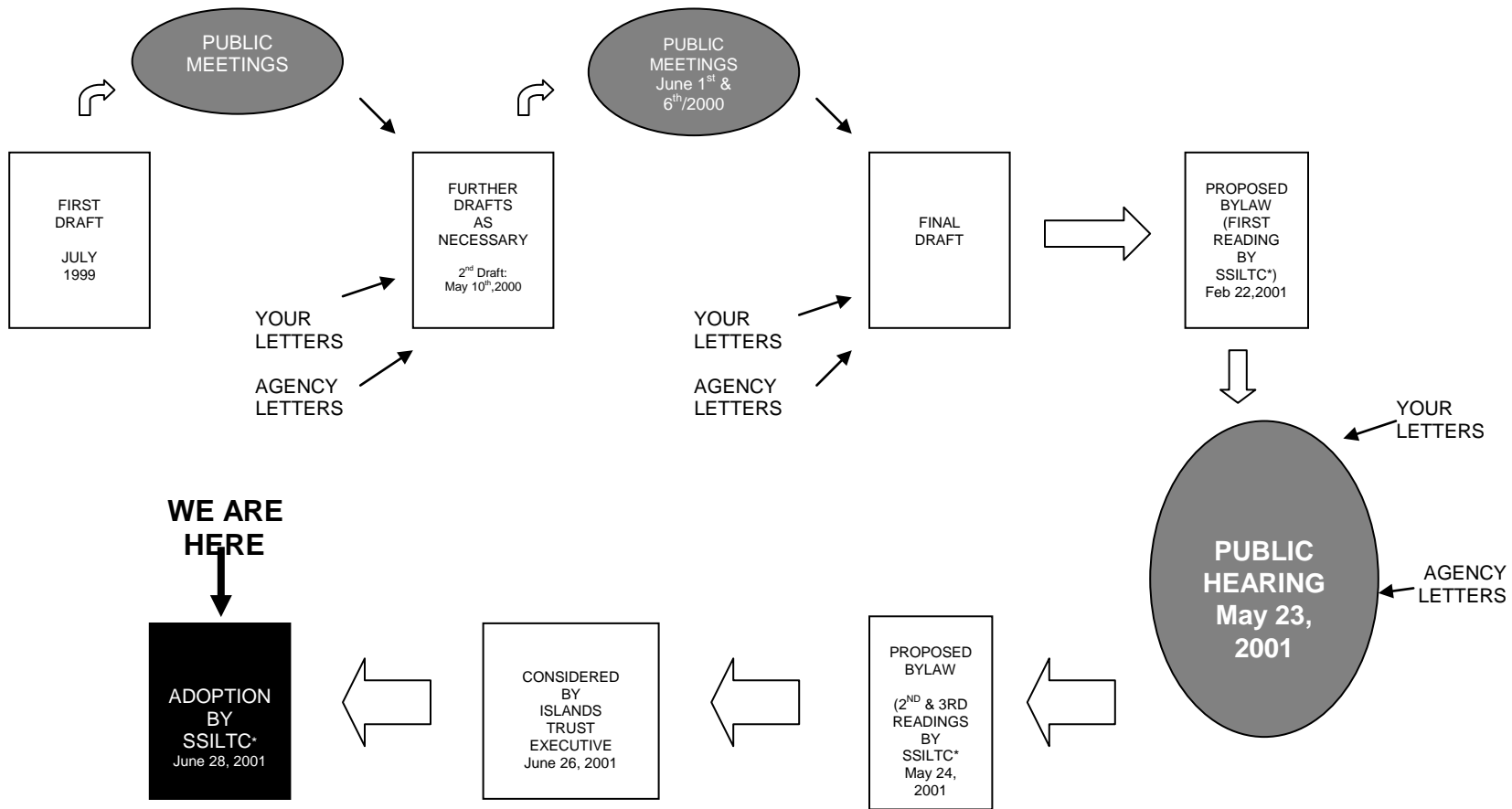
This bylaw was given First Reading by the SSILTC on February 22, 2001. It was again circulated to other government agencies and made available to the public for further comment. A formal Public Hearing regarding the bylaw was held on May 23rd, 2001.

After the Public Hearing, the bylaw was further amended by the SSILTC. As the amendments were minor, the SSILTC proceeded to give the Bylaw Second and Third Readings on May 24, 2001. The Bylaw was forwarded to the Executive Committee of the Islands Trust and received its approval on June 26, 2001. It was Adopted by the Salt Spring Island Local Trust Committee on June 28, 2001.



ISLANDS TRUST

PUBLIC REVIEW PROCESS PRIOR TO ADOPTION OF BYLAW 355



*Salt Spring Island Local Trust Committee



ISLANDS TRUST

Salt Spring Island Land Use Bylaw 355

Office Consolidation



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ISLANDS TRUST

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 355

A BYLAW TO ESTABLISH LAND USE REGULATIONS FOR SALT SPRING ISLAND, INCLUDING DEADMAN, FIRST SISTER, GOAT, RUSSELL, SECOND SISTER, AND THIRD SISTER ISLANDS AND ASSOCIATED ISLETS AND WATERS WITHIN THE SALT SPRING ISLAND LOCAL TRUST AREA THAT ALSO LIE WITHIN ELECTORAL AREA “F” OF THE CAPITAL REGIONAL DISTRICT.

The Salt Spring Island Local Trust Committee, being the Local Trust Committee having jurisdiction within and in respect of the Salt Spring Island Local Trust Area, under the *Islands Trust Act*, enacts as follows:

PART 1 INTERPRETATION

1.1 DEFINITIONS

1.1.1 In this Bylaw:

“**access strip**” means a narrow strip of land, which forms an integral part of a *panhandle lot* to provide *frontage* on a *highway* and vehicular access from the *highway* to the remainder of the *lot*.

“**accessory**” means, in relation to a *use, building or structure*: subordinate, customarily incidental and exclusively devoted to a *principal use, building or structure* expressly permitted by this Bylaw on the same *lot* or, if the *accessory use, building or structure* is located on a common property in a bare land strata plan, on a *strata lot* in that strata plan.

“**agricultural waste**” means a by-product of *agriculture*, and includes manure, used mushroom medium and agricultural vegetation waste.

“**agriculture**” means the *use of land, buildings or structures for a farm operation*.

“**agriculture, intensive**” means *agriculture* that involves the confinement of more than 4550 kg of poultry or livestock or the operation of a *fur farm* or the manure-based cultivation of mushrooms.

“**alteration**” means any change, addition or modification in construction or occupancy of an existing *building or structure*.

“**Approving Officer**” means the *Approving Officer* for the Salt Spring Island Local Trust Area as appointed under the Land Title Act.

- “aquaculture”** means the growing and cultivation of aquatic plants or fish for *commercial* purposes, in any water environment or in human made containers of water, and includes the growing and cultivation of shellfish on, in, or under the foreshore, or in the water.
- “automobile service station”** means any *building*, land area or other premises that is used for the retail dispensing or sales of vehicular fuels; the servicing and repair of automobiles; and including as an *accessory use* the sale and installation of lubricants, tires, batteries and similar vehicle accessories; but excluding *car washes*.
- “basement”** means that portion of a *building* between two floor levels that is partly underground and that has its finished ceiling an average of less than 1.2 m above *grade*.
- “bed and breakfast”** means a *home-based business* that provides *temporary* overnight accommodation and a morning meal to paying guests.
- “boathouse”** means a one *storey* and one room *building* not exceeding 35 square metres in *floor area* and used exclusively to store watercraft.
- “breakwater”** means a protective *structure* which may be fixed, open pile or floating, that is usually built offshore to protect harbour areas, *moorage* areas, navigation or beaches from wave action.
- “buffer area”** means the area of a *lot* that is within 7.5 m of a *lot line*, where that *lot line* adjoins another *lot* used for, or zoned so as to permit *residential, commercial guest accommodation* or *agriculture*.
- “building”** means a *structure* having a roof or cover supported by columns or walls and used or intended to be used for supporting or sheltering any *use* or occupancy.
- “cabin”** means a *building* with a *floor area* of 56 square metres or less and, unless otherwise specified, used for *commercial guest accommodation*.
- “campground”** means the *use* of land for the *temporary* accommodation of paying guests who bring and sleep in a *camping unit* on a *campsite*.
- “camping unit”** means a tent, trailer, recreational vehicle or similar transportable forms of accommodation customarily used by travellers or vacationers who maintain a residence elsewhere, and excludes mobile or *manufactured homes*.
- “campsite”** means an area in a *campground* intended for and used for the *temporary* accommodation of one *camping unit*.
- “carport”** means an *accessory building* where the total area between the roof and the ground is no more than 60 per cent enclosed by walls and that is used or intended to be used to provide a covered *parking area* for an automobile.
- “church”** means a *building* or *structure* that by design and construction is primarily intended for conducting organized religious activities and associated *accessory* uses, but not including a *community hall* and not including any *dwellings* or accommodation for person or persons.
- “club”** means a group of people organized for a common purpose to pursue common non-profit goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and bylaws.
- “commercial”** means occupied with or engaged in work for the purposes of earning an income.



BL401 (01/05)

“commercial guest accommodation” means a *commercial* enterprise, other than a *bed & breakfast home based business* that consists of the *temporary* rental of *commercial guest accommodation units, campsites* or *tourist hostel* bed space to travellers or vacationers whose permanent domicile or home life is elsewhere, and excludes the use of any land or improvements under a time share plan as defined in the *Real Estate Act* or successor legislation unless the term of occupancy by an individual is less than 30 days.

“commercial guest accommodation unit” means a room, a set of rooms or a *cabin* that is let as a single unit for *commercial guest accommodation*.

“community hall” means a *building* used for recreational, social, charitable, educational, entertainment and cultural activities and *intermittent commercial uses*, open to the *public* and owned or operated by a non-profit group or government agency.

“community sewage collection system” means a system to collect, convey, treat and dispose of sewage that serves more than one *lot* and is owned, operated and maintained by an Improvement District, a Regional District, or a sewer utility.

“community water system” means a system of waterworks that serves more than one *lot* and is owned, operated and maintained by an improvement district, a Regional District or a water utility.

BL412 (12/06)

“compost” means a product of the biological degradation or breakdown of organic matter, ready for *agricultural use* as a soil amendment, artificial top soil or growing medium.

BL412 (12/06)

“composting facility” means a *structure* used to process and store *compost*.

“confined livestock area” means an *outdoor*, non-grazing area where livestock, poultry or farmed game is confined by fences, other *structures* or natural features, and includes feedlots, paddocks, corrals, exercise yards and holding areas, but does not include a seasonal feeding area.

“corner lot” means a *lot* at the intersection of two or more *highways*.

“day care, child” means a *use* in a *building* or *structure* where care, protection and supervision of children are provided on a regular schedule for a fee.

“disposal” means the final disposition of products that have no further *use*.

“dock” means a float on the surface of the water that is connected to the shoreline by means of a platform and ramp and that is used as a landing or *wharfage* place for water craft.

“drive-in” means, in relation to a *commercial use*, an establishment that by design, physical facilities, *service* or packaging procedures encourages or permits customers to receive *services*, obtain goods, or be entertained while remaining in their motor vehicles.

“dwelling, single-family” means a *building* consisting of one *dwelling unit* that is not attached to any other *dwelling unit* by any means.

“dwelling, multi-family” means a *building* consisting of more than two *dwelling units*.

“dwelling, two-family” means a *building* consisting of two *dwelling units*.

BL412 (12/06)

“dwelling unit” means one or more rooms in a *building* that are used, or constructed so as to be capable of being used for the *residential use* of a single household; and containing a common access, one *kitchen*, and eating, sleeping and living areas.

BL412 (12/06)

“dwelling unit, affordable housing” is a deed restricted and/or a rent controlled *dwelling unit* that is secured by a housing agreement registered on title, and may include *special needs housing* and *seniors dwelling units*.

“dwelling unit, farmworker's” means a *dwelling unit* that is *accessory* to a *commercial farm business* on a *lot* and is used for the *residential* accommodation of a farmworker permanently employed full-time in that *farm business*.

“engineer” means a member of the Association of Professional *Engineers* and Geoscientists of British Columbia.

“emergency response station” means a *building* that houses equipment and personnel engaged in providing emergency response *services* to the island on which it is located and includes police stations, fire stations, ambulance stations and offices for the co-ordination of disaster responses.

“farm building” means any *building* except a *dwelling unit* that is used in a *farm operation* for purposes other than human *residential use* or accommodation.

“farm business” means a *use* in which a *farm operation* is conducted by the farm operator on one or more *lots* in Salt Spring Island Local Trust Area.

“farm products” means raw or processed commodities or goods derived from the cultivation and husbandry of land, plants, animals (except pets and exotic animals) and any other similar activity including *aquaculture* that are grown, reared, raised or produced on a farm; and for this purpose does not include raw or processed timber.

“farm operation” means any of the following activities: growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals; clearing, draining, irrigating or cultivating land; using farm machinery, equipment, devices, materials, and *structures*; applying fertilizers, *compost*, manure, pesticides and biological control agents; intensively cultivating, in plantations, speciality wood crops or speciality fibre crops prescribed by the Minister of Agriculture; turf production; *aquaculture*; raising or keeping game, within the meaning of the Game Farm Act, by a person licensed to do so under the Act; raising or keeping fur bearing animals, within the meaning of the Fur Farm Act, by a person licensed to do so under the Act; storage, processing or direct marketing by a farmer of the products of a *farm business*; but does not include any of the following: a forest practice defined in the Forest Practices Code of British Columbia Act; the sale of processed wood products, breeding pets or operating a *kennel*; or growing, producing, raising or keeping exotic animals as defined by the Minister of Agriculture.

“farm structure” means any *structure* that is part of a *farm operation*.

BL435 (04/09)

“fire training facility” means land, *buildings* and *structures* used for the training of firefighters in the extinguishing of fires and in emergency response procedures, that operate for regular training between the hours of 6pm and 10pm on one evening per calendar week only, and for up to six fire and rescue training camps per year of up to 4 full days' duration each, where exercises involving open flame are conducted only outside any period of Extreme Fire Danger as determined by the Protection Branch of the B.C. Forest Service.

“floor area” means the sum of the horizontal areas of all *storeys* of a *building* or *structure*, including *basements*, measured to the outer surface of the exterior walls and windows minus the average thickness of the walls; for this purpose all areas of a *building* having a floor and a ceiling at least 1.8 m apart constitute a *storey* and the horizontal area of all *buildings* where more than 60 per cent of the area between the roof and the floor is enclosed by walls and windows shall be included in the calculation of *floor area*.

“floor space ratio” means the total *floor area* of all *buildings* and *structures* on a *lot* divided by the total *lot area*.

“frontage” means the length of a *lot* boundary that abuts a *highway* or an *access route* in a *bare land strata plan*, but excludes the length of a *lot* boundary that abuts a lane or a walkway.

“funeral home” means a *building* or part of a *building* occupied by a *commercial use* that includes the performance of *services* used in the preparation of the dead for burial, the storage, display and sale of caskets, funeral urns and other related funeral supplies, the storage of funeral vehicles, a visitation room, reception area, holding area, cooler and *accessory* offices, but does not include a chapel, facilities for memorial *services* or cremation.

“fur farm” means a *farm business* licensed as a *fur farm* under the Fur Farm Act.

“Ganges Village Core” means the *Ganges Village Core* designated in the Salt Spring Island Official Community Plan.

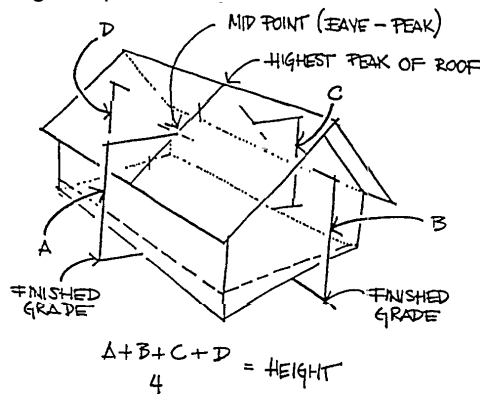
“golf course” means the *use* of land for golfing activity and *accessory buildings*.

“grade” means the average elevation of the ground at a distance of 2 m from a *building* or *structure* determined by averaging the finished elevations at the midpoints of all the exterior walls.

“greenhouse” means a *structure* with walls and roofs constructed primarily of clear or translucent material and used exclusively for the growing of plants and which is of sufficient size for persons to work within the *structure*.

“guest house” means a *building* used for *commercial guest accommodation* that provides no more than 9 *commercial guest accommodation units*.

“height” means the vertical distance to the highest point of the upper roof for flat roofs; to the deck line of mansard roofs and to the average *height* between eaves and the ridge of the upper roof of a *structure* for gable, hip and gambrel roofs; and in the case of a *structure* without a roof, to the highest point of the *structure*, all measured from *grade*.



“highway” means a publicly owned street, road, lane, bridge, viaduct, and any other way open to the *use* of the general population, but does not include a private right-of-way on a private *lot*.

“home-based business” means a *commercial use* that is *accessory* to a *residential use* on a *lot*.

“hotel” means a *building* containing *commercial guest accommodation units*, and a lobby area for guest registration and access to the accommodation units and may contain *accessory*



uses such as a restaurant, licensed drinking facilities, *accessory retail sales* and *accessory retail services*; and meeting rooms.

“**impervious surface**” means any surface compacted or covered with a layer of material so that it is highly resistant to infiltration by water, and including surfaces such as compacted sand, or clay, and most conventionally surfaced streets, roofs, sidewalks, and *parking lots*.

“**indoor**” means located or carried on within a fully enclosed *building*.

“**industrial vehicle**” means a vehicle licensed under Section 9 or 10 of the *Motor Vehicle Act*.

BL448 (09/11)

“**industry, farm-related light**” means an industry that takes place *indoors*, and comprises the manufacture of *farm products*, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, provided live animals are not involved in any aspect of the operation and the rendering of raw animal products and processing of *agricultural waste* does not occur.

“**industry, light**” means an industry that takes place *indoors*, and comprises the manufacture, from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, repairs, incidental storage, sales and distribution of such products, but excluding basic industrial processing from raw materials.

“**industry, heavy**” means an industry that takes place either *indoors* or *outdoors* and comprises the basic processing and *manufacturing* of materials or products mainly from extracted or raw materials; or storage or *manufacturing* processes that *use* flammable or explosive materials.

“**intermittent**” means, in relation to a period of occupancy or *use* by any particular individual, organization or enterprise: starting and stopping for irregular periods.

“**kennel**” means any *building* or *structure*, compound, group of pens or cages or *lot* in which three or more dogs are or are intended to be trained, cared for, bred, boarded or kept as part of a *commercial* enterprise.

“**kitchen**” means a room or area of a room that is equipped, used and intended to be used for *residential* activities related to the storage, preparation, and heating of food for a single household; and does not include one room or area of a room per *lot* that is separate from *residential use*, equipped as a *commercial kitchen* to meet the Food Premises Regulations and the requirements of the Medical Health Officer and is used solely to facilitate the processing of *farm products*.

“**Land Development Guidelines**” means the *Land Development Guidelines for the Protection of Aquatic Habitat* published by the Canadian Department of Fisheries and Oceans and the British Columbia Ministry of Environment in 1992.

“**landscape screen**” means a visual barrier consisting of natural vegetation, trees, shrubs, wooden fencing or a combination of those elements, broken only by necessary perpendicular access ways for pedestrians and vehicles and serving to screen land *uses* from abutting land and *highways*.

BL397 (09/04)

“**liquor store**” means a retail store licensed under the Liquor Control and Licensing Act for the sale of beer, wine or liquor.

“**lot**” means the smallest unit as shown on the records of the Land Title Office in which land is held or into which it is subdivided whether under the Land Title Act or the Bare Land Strata Regulations under the Strata Property Act.

“lot area” means the area of the horizontal plane of a *lot* bounded by the vertical planes through the *front*, side and *rear lot lines* of any *lot*.

“lot coverage” means the total area on the horizontal plane of those portions of a *lot* that are covered by *buildings* or *structures* divided by the area of the *lot* and expressed as a percentage, and for this purpose, the area of a *lot* that is covered by a roofed *building* or *structure* is measured to the outer surface of the exterior walls and windows minus 15 cm, or in the case of roofed *structures* without walls it is measured to the edge of the eaves.

“lot depth” means the horizontal distance between the *front lot line* and the *rear lot line* and where these are not parallel, *lot depth* is the length of a line joining the mid points of the *front lot line* and *rear lot line*.

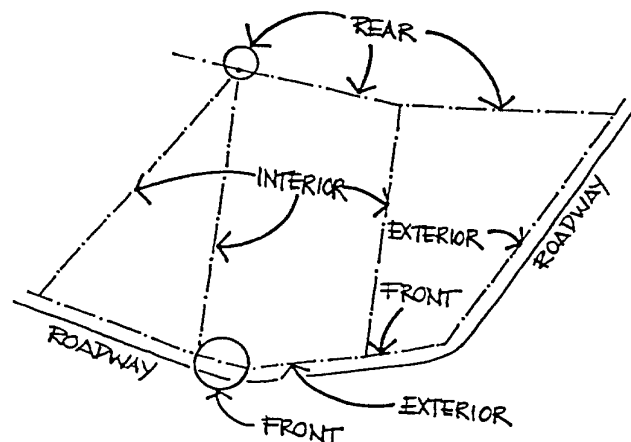
“lot line” means the boundary of a *lot*; and

“exterior side lot line” means a *lot line* that is not a *front* or *rear lot line* and that is common to the *lot* and an abutting *highway* or an access route in a bare land strata plan;

“front lot line” means the *lot line* common to the *lot* and an abutting *highway*, or an abutting access route in a bare land strata plan; and where there are two or more such *lot lines*, the shortest line (other than corner cuts) is deemed the *front lot line*; in the case of a *panhandle lot*, the line that is generally parallel to the access road or *highway* and perpendicular to the *lot lines* that form the *access strip* is considered the *front lot line*:

“interior side lot line” means a *lot line* that is not a *front*, *rear* or *exterior side lot line*; and

“rear lot line” means the *lot line* that most closely parallels and is most distant from the *front lot line*, and where the rear portion of a *lot* is bounded by intersecting side *lot lines* the point of intersection is deemed the *rear lot line*.



“manufactured home” means a *dwelling unit* that is manufactured in accordance with the Canadian Standards Association C277 Series of Standards, designed and intended for *residential* occupancy and manufactured either wholly or in part at an offsite location.

“manufacturing” means an industrial *use* involving the fabrication or assembly of articles or materials into new products.

“marina” means a system of *piers* or *docks* that contains more than ten *moorage* spaces for storing, servicing, fuelling, berthing and securing or launching of private water craft; and may include the sale of incidental supplies for boat owners, crews, and guests, with the exception of marine fuel sales.

- “marine pub”** means an establishment for which a class F License has been issued under the Liquor Control & Licensing Act.
- “marine-dependent”** means a *use* that either requires direct contact with tidal water and cannot exist at a non-marine location due to the intrinsic nature of its operations, or a *use* that cannot occur economically in a non-marine location.
- “mobile home”** means a transportable, single or multiple section *dwelling unit* conforming to the Canadian Standards Association Z240 Series of Standards at time of manufacture, and designed and intended for *residential* occupancy and set up in accordance with required factory installation details.
- “mobile home space”** means an area of land on a *lot* within the Residential 3 *zone* that is used or intended to be used for the installation of one *mobile home*, or one *manufactured home*, or one other *single-family dwelling* as well as permitted additions and *accessory buildings*.
- “moorage”** means the tying of a boat to a buoy, float or similar object that is in turn anchored to the bed of the sea.
- “motel”** means a *building* containing *commercial guest accommodation units*, each of which has a separate entrance from the exterior of the *building*; and may contain an office for *motel* administration and a manager’s *dwelling unit*.
- “municipal solid waste”** means discarded materials that originate from *residential, commercial, institutional, demolition or construction* sources.
- “natural boundary”** means the visible high water mark of the sea, a lake, a stream or other *water body* where the presence and action of water are so common and usual and so long continued in all ordinary years as to mark upon the soil or rock of the bed of the *water body* a character distinct from that of the bank in respect to the vegetation and soil.
- “neighbourhood pub”** means an establishment for which a Class D license has been issued under the Liquor Control and Licensing Act.
- “outdoor”** means carried on or located outside a fully enclosed *building* or *structure*.
- “outdoor recreation camp”** means the *use* of land for a *commercial, institutional or non-profit* enterprise, which consists of providing *outdoor* recreation, scheduled and supervised activities and *temporary* accommodation in *camping units*.
- “panhandle lot”** means a *lot* that fronts on a *highway* by means of an *access strip*.
- “park”** means an area open to the general population and reserved for *outdoor* recreational, scenic or conservation purposes.
- “parking lot”** means an area not within a *building* used for the *temporary, daily, or overnight* off-street parking of motor vehicles.
- “parking space”** means an area on a *parking lot* intended for the parking of a single motor vehicle.
- “paving”** means any graded, hardened, and relatively *impervious surface* covered with materials comprised of asphalt, concrete, masonry, crushed gravel or combinations of them.
- “personal service”** means a *commercial use* that is primarily engaged in providing *services* involving the care of a person or his or her personal goods or apparel.

“personal watercraft” means a vessel less than 3 m in length that is propelled by machinery, commonly a jet pump, and designed to be operated by a person standing, kneeling or sitting on the vessel, rather than standing or sitting inside the vessel.

“pier” means a *structure* consisting of a fixed platform above the water that abuts the shoreline and is used as a landing or *wharfage* place for watercraft.

“potable” means water that is safe to drink, fit for domestic purposes, and, without limiting the foregoing, is of no less a standard than that specified in Appendix “H”.

“pound” means a *public* facility used for the *temporary* impoundment of domestic animals caught on the Southern Gulf Islands.

“principal” means, in relation to a *use* conducted or a *building* or *structure* constructed on a *lot*: primary and most important.

“public” means, in relation to a *use*, *building* or *structure*: operated to provide a governmental *service* to the general population of the island on which it is located.

“public service” means the *use* of land, *buildings* or *structures* for the maintenance, repair or storage of vehicles, equipment or construction materials that are used solely for the provision, maintenance or repair of *public utilities* or *highways*, and for *emergency response facilities* that are operated for the benefit of the general population of the island on which it is located.

“public utilities” means a *use* of land, or of *unoccupied* works and *structures* such as pipes, wires, poles or towers, for the provision of electricity, gas, water, sewage collection, telephone, cablevision or telecommunication *services* to the *public* of the island on which it is located; or the *use* of land or *unoccupied structures* for navigational aids.

“pumphouse” means an *accessory building*, located within the required setback from a *lot line*, not exceeding 4.5 square metres in *floor area* or 3 m in *height* and used solely to enclose pumping equipment, valves, pipes and water treatment equipment associated with a well or another source of water; or with sewage pumping facilities.

“recreation, active” means recreation that is of a formal nature, often performed with specific people or teams, requires specialized equipment or prescribed places, sites or fields, but excludes recreation that primarily involves the *use* of a power-driven conveyance.

Information Note: Examples include organized team field sports, swimming in pools, bowling and tennis.

“recreation, passive” means recreation that is of an informal nature, performed by individuals or informal groups of individuals and usually requires little or no specialized equipment, places, sites or fields, but excludes recreation that primarily involves the *use* of a power-driven conveyance.

Information Note: Examples include hiking, picnicking, horse riding and cycling.

BL401 (01/05)

“residential” means the *use* of a *dwelling unit* for

- (a) the permanent domicile or home life of a person or persons, or
- (b) the occasional or seasonal occupancy of a *dwelling unit* by
 - i. an owner who has a permanent domicile elsewhere or
 - ii. a non-paying guest of such an owner, and for these purposes an “owner” includes a tenant under a *residential* tenancy agreement;

and for certainty, “*residential*” does not include

- (a) any *commercial guest accommodation use*; or
- (b) any occupancy of a *dwelling unit* by persons entitled to such occupancy under a time share plan as defined in the *Real Estate Act* or successor legislation, unless the term of occupancy is at least 6 continuous months.”

BL397 (09/04)

“retail sales” means a *commercial use* that consists of the selling of goods or merchandise on the premises directly to the consumer for personal, household, small business or office use and including the incidental or subordinate rendering of *services*, processing or *manufacturing* of goods to be sold, but does not include a *liquor store*.

“retail services” means a *commercial use* that consists of the provision of *services* or entertainment, as opposed to *retail sales*, to the general *public* for personal or household use, including real estate and insurance *services*, *personal service*, motion pictures, amusement and recreation *services*, health, educational and social *services*, museums and galleries, but excluding restaurants, *public* houses and financial institutions; *retail services* may include the sale of products that are provided as part of the overall *service*.

“Salt Spring Island Cycle Route Inventory” means the report with that title, prepared by Wright Focus Engineering and Richard James and Associates and dated April, 1999.

“school” means any *building* or part of a *building* that is designed, constructed or used for the *public* or non-profit education of children up to and including *Grade 12*.

“school, elementary” means a *school* providing education of children up to and including *Grade 5*.

“seasonal cottage” means an *accessory dwelling unit* not exceeding 56 square metres in *floor area* which, despite the definitions of “*dwelling unit*” and “*residential*” in this Bylaw, is occupied or intended to be occupied on a *temporary* basis by a person or persons having a permanent domicile elsewhere and using the cottage primarily in conjunction with recreation.

BL461 (05/13)

“secondary suite” means an *accessory, self-contained dwelling unit*, located within a *building* that otherwise contains a *single-family dwelling*, and having a lesser *floor area* than the *principal dwelling unit*.

BL371 (10/01)

“senior” means a person aged 65 and over.

BL371 (10/01)

“seniors’ dwelling unit” means a *dwelling unit* restricted to *residential* occupancy by a *senior* and one other person who may be under the age of 65 and who is a spouse, partner or unpaid caregiver who resides in the same *dwelling unit*.

BL371 (10/01)

“seniors’ supportive housing complex ” means a barrier-free housing development comprised of *seniors’ dwelling units* and *accessory dwelling units* for resident staff, provided in combination with support *services* which are to include at least all of the following: monitoring response for medical emergencies, availability of one meal a day, housekeeping, laundry and recreational opportunities.

“service” means a *use* that primarily is engaged in providing assistance, as opposed to products, to individuals, business, industry, government and other enterprises; and may include personal, business, repair and professional *services*.

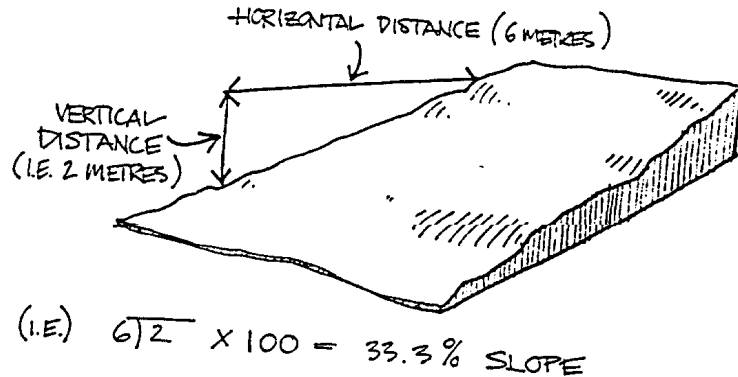
“service club” means a *club* with a primary purpose of providing beneficial community *services* to others.

“shoulder bikeway” means that portion of a paved roadway which is located to the right of the shoulder line, does not encompass any of the portion of the roadway that is regularly used by motor vehicles and that is at least 1.5 m in width.

“sign” means any device or medium including its supporting *structure* visible from any *lot* other than the one on which it is located, or from a *highway* or the sea and which is used to attract attention for advertising, information or identification purposes.

“**sign area**” means the entire area within a continuous perimeter, enclosing the extreme limits of *sign* display, including any frame or border; and for these purposes, the area of a double-faced *sign* is considered to be the area of one face only.

“**slope**” means the average sustained deviation of land, in its natural state, from the horizontal as measured over a horizontal distance of 6 m. The per cent *slope* of a piece of land is to be computed by dividing the vertical distance of a *slope* by its horizontal distance and multiplying the result by one hundred.



BL412 (12/06)

“**special needs housing**” is housing that provides for the *residential* accommodation of an individual or individuals who require specific housing designs or *services* to enable them to live relatively independently or in a supportive environment.

“**storey**” means that portion of a *building*, with the exception of a *basement*, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including any space where the floor to ceiling *height* is greater than or equal to 1.8 m.

“**strata lot**” means a *lot* shown as such on a strata plan.

“**structure**” means any material or combination of materials that are constructed for *use*, occupancy or ornamentation whether installed on, above or below the surface of land or water, but excludes *paving*.

“**subdivision**” means a *subdivision* as defined in the Land Title Act and a *subdivision* under the Strata Property Act.

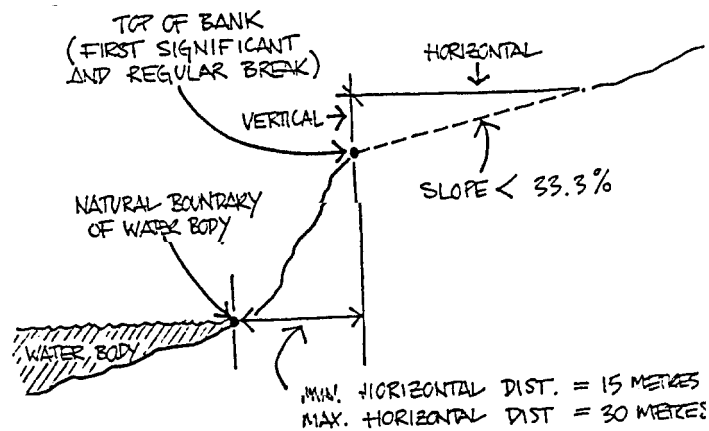
“**surveyor**” means a British Columbia Land Surveyor.

“**temporary**” means, in relation to a period of occupancy or *use* by any particular individual: not exceeding 45 days in any calendar year, not more than 30 of which may be consecutive.

“**top of bank of a water body**” means the first significant and regular break in the *slope* adjacent to the *natural boundary* of a *water body* where two conditions are met:

- (a) the *slope* beyond the break is flatter than 33.3 per cent; and
- (b) the land beyond the break maintains a *slope* flatter than 33.3 per cent for a minimum of 15 metres measured perpendicular to the *water body*. *Slopes* steeper than 33.3 per cent but less than 1 metre in vertical distance must not be considered in the determination of the 15-metre distance from the *top of bank*;

up to a maximum horizontal distance of 30 m from the *natural boundary* of a *water body*.



“**tourist hostel**” means a *commercial guest accommodation use* that consists of the *temporary* rental of dormitory bed spaces and of group facilities for cooking, eating and washing.

“**unoccupied**” means not used or intended to be used for the accommodation of humans or animals.

“**use**” means the purpose or activity for which land or *buildings* are designed, arranged, or intended or for which land or *buildings* are occupied or maintained, but excludes the removal of unprocessed natural resources.

“**vegetation screen**” means a complete visual barrier, broken only by perpendicular access drives or walks, formed by trees or other plants that are 5 metres high or that will attain a *height* of 5 metres.

“**water body**” means the sea or any natural depression with visible banks, or a *wetland* with or without visible banks; and includes any lake, river, stream, creek, spring, swamp, gulch or surface source of water, whether containing fish or not; and includes seasonal streams; and includes any surface drainage work or catchment pond that is a man-made replacement or diversion of a natural *water body*.

Information Note: Dug ponds that do not replace or divert a natural water body are not included in the above definition.

“**wetland**” means land that is inundated or saturated by surface or groundwater at a frequency or duration sufficient to support, and under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

“**wharfage**” means the tying of a boat or other vessel to a *wharf*, float, *pier* or *dock*

“**wholesale sales**” means a *commercial use* that consists of the selling of merchandise to retailers and to industrial, *commercial*, institutional or professional business users, contractors, other *wholesalers*, or the provision of a brokering or agency *service* for the selling of merchandise to such users.

“**zone**” means a *zone* established by Part 9 of this Bylaw.



1.2 NUMBERING

1.2.1 In the numbering system used in this Bylaw, the first number indicates parts of the Bylaw; the second indicates Sections; the third indicates Subsections; the fourth indicates Articles; and the fifth indicates Clauses as follows:

18	Part
18.1	Section
18.1.1	Subsection
18.1.1 (1)	Article
18.1.1(1)(a)	Clause

1.3 INFORMATION NOTES

1.3.1 Where a paragraph or sentence in this Bylaw is written in italics and is preceded by the words "Information Note", the contents of the paragraph or sentence are provided only to assist in understanding of the Bylaw and do not form a part of it.



ISLANDS TRUST

PART 2 GENERAL PROVISIONS

2.1 APPLICATION

2.1.1 The provisions of this Bylaw apply to that portion of Salt Spring Island Local Trust Area that lies within Electoral Area "F" of the Capital Regional District, as shown on Schedule "A" that forms part of this Bylaw.

2.2 COMPLIANCE

2.2.1 Land or the surface of water in that portion of the Salt Spring Island Local Trust Area that is covered by this bylaw must not be used, land must not be subdivided, *buildings* and *structures* on land or on the surface of water must not be constructed, altered, located or used, and *signs* must not be erected or located on any land except as specifically permitted in this Bylaw.

2.3 CONFLICTING USE OR SITING

2.3.1 No *lot* or area of land may be subdivided, no *building*, *structure*, land or water surface may be used and no *building* or *structure* may be sited in a manner which renders any existing *use*, *building* or *structure* on the same *lot* non-conforming with respect to siting or density.

2.4 VIOLATION

2.4.1 Any person who does any act or thing or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw is deemed to have violated the provisions of this Bylaw.

2.5 PENALTY

2.5.1 Every person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty not exceeding five thousand dollars and the costs of prosecution.

2.5.2 Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

2.6 ADMINISTRATION AND ENFORCEMENT

2.6.1 The Islands Trust Bylaw Investigation Officer or any other person designated by the Salt Spring Island Local Trust Committee to administer this Bylaw is authorized to enter, at any reasonable time upon any *lot* subject to the regulations of this Bylaw, to determine whether the regulations are being observed.

2.7 COVENANTS AGAINST BUILDING AND SUBDIVISION

2.7.1 Where under this Bylaw an owner of land is required or authorized to grant a covenant restricting *subdivision* or development, the covenant must be granted to the Salt Spring Island Local Trust Committee in priority to all financial charges and delivered in registerable form satisfactory to the Trust Committee prior to granting of approval or authorization for which the covenant is required. The covenant must indemnify the Trust Committee for any fees or expenses it may occur as a result of a breach of the covenant by the covenanter.



2.8 SEVERABILITY

- 2.8.1 If any provision of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision must not affect the validity of the remaining portions of this Bylaw.

PART 3 GENERAL REGULATIONS (USES, BUILDINGS AND STRUCTURES)

3.1 USES PERMITTED IN ALL ZONES

3.1.1 The following *uses* are permitted in every zone:

- (1) *public utilities* ;
- (2) approved navigational aids;
- (3) natural area *parks* and reserves;
- (4) *uses, buildings and structures accessory to a principal use on the same lot* that is permitted by this Bylaw;
- (5) *passive recreation*.

3.2 USES PROHIBITED IN ALL ZONES

3.2.1 The following *uses, buildings and structures* are prohibited in every zone:

- (1) *commercial* heliports and helipads other than those used for emergency landing or evacuation;
- (2) *disposal* of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged under the Sewage *Disposal* Regulation, the *Agricultural Waste* Control Regulation or the Waste Management Act;

Information Note: While materials such as manure are defined as “waste” in B.C. legislation, their use as fertilizers or soil amendments is expressly permitted under the *Agricultural Waste* Control Regulation and is not prohibited by this Bylaw.

- (3) storage of special wastes, as defined in the Waste Management Act, other than the *temporary* storage of such waste where specifically permitted by this Bylaw, and for the purposes of this exception, “*temporary*” means that not more than 6 month’s accumulation of such waste may be stored;

Information Note: The storage and handling of any waste must comply with applicable regulations under the Waste Management Act.

- (4) storage or *disposal* of wastes on any island, if the wastes did not originate on that island;
- (5) *commercial* gaming operations;
- (6) *drive-in* and *drive-through commercial* land uses;
- (7) use of a *lot*, boat launching ramp, *marina, pier* or *dock* for the rental, sales, *moorage, wharfage* or launching of *personal watercraft*.

3.3 AGRICULTURAL USES

3.3.1 Where a *lot* is in the Provincial Agricultural Land Reserve, but is not in the *Agriculture 1* or *Agriculture 2* zone, then *agriculture, farm buildings and farm structures* are permitted on that *lot* and the provisions of Subsections 9.1.1, 9.1.2 and 9.1.3 of this Bylaw apply to those *agricultural uses, buildings and structures*.

3.4 VEGETATION SCREENS

3.4.1 If a *vegetation screen* is required by this Bylaw on any *lot* in order to screen a specific land use, then the owner of that *lot* must ensure that, at all times during which the land use is located on the *lot*, a *vegetation screen* is maintained within every part of the *lot* that is a *buffer area*.

- 3.4.2 A *vegetation screen* is required in the *buffer area* of any *lot* occupied by the following uses:
- (1) *industrial and commercial uses* that are not contained within a *building* with the exception of a *farm business*;
 - (2) *emergency response stations*;
 - (3) *kennels* and pet boarding facilities.
- 3.4.3 Where a *lot* is occupied by a *pound*, a *vegetation screen* is required on all that portion of the *lot* lying within 15 m of the *lot lines*.
- 3.4.4 Subsections 3.4.1 and 3.4.2 do not apply to any *use* existing prior to the date of adoption of this Bylaw so long as the *lot coverage* of the *use* is not expanded, and no person removes from any *buffer area* on that *lot* any tree or plant that is 5 meters or more in *height* or that will attain a *height* of 5 metres or more, unless that tree is damaged or diseased.

3.5 DETERMINATION OF DENSITY – LOTS IN MORE THAN ONE ZONE

- 3.5.1 If a *lot* is located in two or more *zones*, for the purposes only of the regulations of Part 9 of this Bylaw regarding units per hectare, *lot coverage* and minimum site areas, the portions of the *lot* that have different zoning designations must be considered as if they were separate *lots*, provided that no more than one *dwelling* unit is permitted on a *lot*, unless specifically allowed.

3.6 DETERMINATION OF DENSITY– LOTS CONTAINING A WATER BODY

- 3.6.1 Where a *lot* contains a natural lake or *wetland*, the area of the *wetland* or of the lake below its *natural boundary* is not to be included in the area of the *lot* for the purposes of calculating permitted *lot coverage* or units per hectare.

3.7 DETERMINATION OF DENSITY – DEDICATED LAND

- 3.7.1 Where land is dedicated for environmental conservation or stewardship purposes, the regulations in this Bylaw dealing with *lot coverage*, and the minimum *lot area* required for particular *uses* are to be applied to the *lot* as if the land had not been dedicated.

Information Note: This provision is intended to ensure those who dedicate a portion of land for conservation purposes are not penalized by a reduced development potential on the remaining portion.

3.8 HEIGHT OF BUILDINGS AND STRUCTURES

- 3.8.1 Unless otherwise specified, the maximum *height* for *structures* is 7.6 m, provided that not more than two *storeys* are permitted in any *structure*.
- 3.8.2 The maximum *height* for *accessory buildings* is 6 m on *lots* 1.2 ha or less in *area*, and 7 m on *lots* greater than 1.2 ha in *area*.
- 3.8.3 In a *zone* where *agriculture* is a *principal* permitted *use*, the maximum *height* for *farm buildings* and *structures* other than *dwelling*s is 10.7 m provided that no more than two *storeys* are permitted in any *structure*.

- 3.8.4 The *height* restrictions for *buildings* and *structures* set out in this Section do not apply to retaining walls, telecommunication antennae, *church* spires, monuments, chimney stacks, flag poles, lightning poles, elevator shafts, stair towers, silos, barn ventilation shafts, water towers, electrical transmission towers, navigational equipment, ferry ramp towers, fire hose towers and fire alarm towers, provided that the *lot coverage* of such *structures* does not exceed 1 per cent or, if it is located on a *building*, the *structure* does not occupy more than 10 per cent of the roof area of the *building*.
- 3.8.5 Where a *structure* is floating on the surface of a *water body*, *height* is to be determined by measuring from the water surface.
- 3.8.6 Where a *structure* is located over a *water body*, but imbedded in the land beneath the *water body*, *height* is to be determined by measuring from the elevation of the *natural boundary* of the *water body*.

3.9 USE OF COMMON PROPERTY

- 3.9.1 Land forming the common property in a strata plan is not a "*lot*" for the purposes of the density regulations set out in Part 9, but may be used for *uses accessory* to *principal uses* located on *strata lots* in the same strata plan. The maximum *floor area* of *accessory structures* within any strata plan, including common property, is equal to the number of *lots* in the strata plan times the maximum *floor area* of *accessory structures* permitted on each *lot*.

3.10 VEHICLE STORAGE

- 3.10.1 Except as permitted in the Industrial 2, Industrial 3 and Industrial 4 *zones* and except for the parking of vehicles *accessory* to a permitted *use* existing on the same *lot*, no *lot* may be used for:
- (1) the parking or storage of more than two vehicles, which are not completely enclosed in a permitted *building*; or
 - (2) the keeping of detached parts of vehicles, unless the parts are completely enclosed in a permitted *building*.
- 3.10.2 Except for the parking of an *industrial vehicle accessory* to a permitted *outdoor use* existing on the same *lot* or *accessory* to an active permit under the *Mines Act*, no *lot* may be used for the parking of an *industrial vehicle* unless the vehicle is completely enclosed in a *building* or screened from *public areas* and neighbouring *lots* by a *landscape screen*.

3.11 DWELLING UNITS

- 3.11.1 Unless otherwise specified, no more than one *dwelling unit* is permitted per *lot*.
- 3.11.2 *Two-family dwellings* constructed prior to July 31, 1990 are considered to be a permitted *use* in the Rural, Rural Uplands 1, Residential 7, Residential 8, Residential 9, and Forestry 1 *zones*.

BL401 (01/05)

- 3.11.3 A *dwelling unit* may have no more than one *kitchen*.

BL461 (05/13)

(Deleted Information Note)

BL401 (01/05)

- 3.11.4 All rooms in a *dwelling unit* are to be contiguous and accessible from within the *dwelling unit*; a *dwelling unit* may not consist of two or more separate suites of rooms joined only by unenclosed space, a passageway, a garage or by any *structure* that does not function as an enclosed room of the *dwelling unit*. The intent of this provision is to prevent the construction of *buildings* that can easily function as *two-family dwellings* even though they are not approved as such.

3.12 ACCESSORY BUILDINGS AND STRUCTURES

- 3.12.1 Before occupation of a *principal building* or *structure* on a *lot*, the use of all *accessory buildings* and *structures* on the *lot* must comply with the regulations of this Bylaw.
- 3.12.2 For the purposes of this Bylaw, a *carport* is deemed to be an *accessory building*, whether or not it is directly attached to the *principal building* on a *lot*.
- 3.12.3 Except where specifically permitted by this Bylaw, an *accessory building* or *structure* may not be used for *residential* or guest accommodation *uses*.
- 3.12.4 An *accessory building* other than a *seasonal cottage* or other permitted *accessory dwelling unit* may not contain a shower enclosure, a bathtub, a *kitchen*, or more than three separate rooms. Despite the foregoing, barns used solely for non-*residential agricultural* purposes may have more than three separate rooms.
- 3.12.5 With the exception of a *seasonal cottage* or other permitted *accessory dwelling unit*, the total *floor area* of all *accessory buildings* and *structures* on a *lot* must not exceed 70 square metres for *lots* that are 1.2 ha or less in area and 185 square metres for *lots* that are greater than 1.2 ha in area. One *building* with a *floor area* less than 25 square metres may be excluded from the calculation of total *floor area* for *accessory buildings* and *structures*.

Information Note: See also Section 4.1 regarding the siting of accessory buildings, Subsection 3.8.2 regarding the height of accessory buildings and Subsection 3.9.1 regarding the total area of accessory buildings in a strata plan.

3.13 HOME-BASED BUSINESSES

Information Note: Regulations for home-based businesses do not limit farm operations.

- 3.13.1 *Home-based businesses* are *accessory* to *residential use* of a *lot* and must be carried out *indoors* within a permitted *dwelling unit*, *seasonal cottage* or other fully enclosed *accessory building*, except that this restriction does not apply to the use of land for a pottery kiln or the *outdoor* activities associated with a family *day care* operation.

BL448 (09/11)

- 3.13.2 The total *floor area* used for *home-based business use* on any *lot* must not exceed 50 per cent of the total *floor area* of *dwelling* and permitted *residential accessory buildings* on the *lot*, up to a maximum of 70 square metres for *lots* that are 1.2 ha or less in area and 150 square metres for *lots* that are greater than 1.2 ha in area.

Information Note: On properties located within the Agricultural Land Reserve (ALR), some special provincial regulations apply to home-based businesses, unless variances are applied for and approved in writing by the Provincial Land Reserve Commission. **No** retail sales of goods or products are permitted in the ALR unless they are produced or repaired as part of the home-based business. Day care facilities, pre-schools, group homes and care-giving facilities may not be operated in the ALR as home-based businesses if they serve more than 8 persons.

BL448 (09/11)

- 3.13.3 A *home-based business* must be operated by a person permanently residing on the premises in which the *home-based business* is conducted. Not more than three additional persons (or full-time equivalency) not residing in the *dwelling unit* may be employed in *home-based business uses* on any *lots* that are 1.2 ha or

less in area and not more than four additional persons (or full-time equivalency) for *lots* that are greater than 1.2 ha in area.

3.13.4 There must be no exterior indication of the existence of the *home-based business*, either by stored materials, parking, displays, lighting or by any other variation from the customary *residential* character of the *lot*, *dwelling unit*, *seasonal cottage* or *accessory building*, with the exception of *signs* permitted by this Bylaw. *Parking spaces* for *home-based businesses* must be located on the *lot* where the *home-based business* is located, be visually buffered from neighbouring properties and the road, and be located at least 3 m from any *side lot line* and 7.6 m from the *rear lot line* and the *front lot line*. Vehicle storage must comply with Section 3.10 of this Bylaw.

BL448(09/11)

- 3.13.5 (a) No *home-based business* may create noise that exceeds 40 dB beyond the *lot* on which the *home-based business* takes place.
- (b) No home occupation may produce vibration, smoke, dust, odour, litter, electrical interference, fire hazard, effluent or glare detectable outside the boundaries of the *lot*.
- (c) No home occupation may result in contamination of any soil or surface water by solvents, glues, chemicals or other substances deleterious to human and environmental health and safety.

Information Note. This noise level is that recommended in a report for the World Health Organization as the level which should not be exceeded for steady continuous noise in outdoor living areas.

- 3.13.6 Only the following occupations may be conducted as a *home-based business*:
- (a) *Bed and breakfast* operations.
 - (b) Boarding houses, except that this *use* is not permitted in the Agriculture 2, Rural Watershed 1, Rural Watershed 2, Rural Islet or Forestry 2 *zones*.
 - (c) Production of arts, crafts, music, fabric items, jewellery, food and drink items and other comparable products.
 - (d) Sales of products produced on the same *lot*.
 - (e) Sales of products manufactured elsewhere, provided persons employed in the *home-based business* carry out all distribution of such products offsite.
 - (f) Instructional classes in personal skills including art, music, exercise or sport.
 - (g) *Personal services* and products *accessory to personal services*, provided that not more than 5 square metres of *floor area* may be used for the storage and display of such products, if they have not been produced on the same *lot*.
 - (h) Repair of small appliances, electronic equipment, instruments, furniture and bicycles.
 - (i) Business and professional offices.
 - (j) Day care centres for up to 10 children.
 - (k) Repair of automobiles, excluding auto body repair and provided such repair takes place on a property greater than 2 ha in area that is not in the Agriculture 2, Rural Watershed 1, Rural Watershed 2, Rural Islet or Forestry 2 *zones*, is screened from view and is limited to one enclosed *service bay* not exceeding 25 square metres in *floor area* and provided not more than two vehicles may be parked outside, exclusive of the resident's own licensed vehicles.
 - (l) Cabinet making, furniture making, upholstery and picture framing.

3.13.7 *Bed and Breakfast home-based businesses* are permitted only in the following zones:

- Agriculture 1
- Agriculture 2
- Comprehensive Development 3
- Forestry 1
- Forestry 2
- Residential 6
- Residential 7
- Residential 8
- Residential 9
- Residential 10
- Rural
- Rural Watershed 1
- Rural Uplands 1
- Rural Uplands 2

3.13.8 *Bed and Breakfast home-based businesses* are subject to the following additional conditions:

- (1) Not more than 1 *bed and breakfast home-based business* is permitted on any *lot*.
- (2) Despite Subsection 3.13.1, all bedrooms used to accommodate guests must be located only within a *principal dwelling unit* or within a *seasonal cottage*, if one is permitted on the *lot*.
- (3) Not more than 3 bedrooms may be used to accommodate guests on *lots* that are 1.2 ha or less in *area*; not more than 4 bedrooms may be used to accommodate guests on *lots* that are greater than 1.2 ha in *area*.
- (4) Despite Subsection 3.13.2, the total *floor area* dedicated primarily to the accommodation of guests on any *lot*, including bedrooms, ensuite bathrooms, closets and common areas, is not to exceed 50 per cent of the total *floor area* of the *single-family dwelling* and *seasonal cottage* on the *lot*, up to a maximum of 100 square metres.

Information Note: Under a *General Order of the Land Reserve Commission*, *bed and breakfast home-based businesses within the ALR* are restricted to **three bedrooms that must be fully contained within a single-family dwelling**. The use of further bedrooms will require an application to the Commission and its written approval.

- (5) Breakfast meals only may be provided to *bed and breakfast* guests who have been provided with overnight accommodation.
- (6) Off-street parking for *bed and breakfast home-based business uses* must be supplied as outlined in Part 7 and screened from view from abutting *lots, highways or parks* by a *landscape screen*.
- (7) Despite Section 6.1, *signs for bed and breakfast home-based businesses* may be indirectly illuminated by a non-flashing light source, external to the *sign*. Where illumination is provided, it must consist of a maximum 150 watt PAR lamp mounted between 1 and 1.5 meters from each *sign* face.

BL461 (05/13)

3.14 SEASONAL COTTAGES

- 3.14.1 Unless otherwise specified, no *seasonal cottage* may be constructed or occupied on a *lot* less than 1.2 ha in *area*.
- 3.14.2 The maximum *floor area* of a *seasonal cottage* is 56 square metres.
- 3.14.3 A *seasonal cottage* is to be physically detached from any other *building* or *structure*, and may not be constructed or occupied on any *lot* occupied by two or more other *dwelling units*.
- 3.14.4 A *seasonal cottage*, including any stairs, decks or porches or other *structures* that are attached to the cottage or that function as part of the cottage, is not to be located within 6 m of any other *building* on a *lot*.
- 3.14.5 A *seasonal cottage* may not have a *basement*, or a *garage* or *carport* that is physically attached or functions as part of the *seasonal cottage*.
- 3.14.6 A *seasonal cottage* may only be used for *temporary* occupation by a person or persons having a permanent residence elsewhere and using the cottage for recreational or vacation purposes. A *seasonal cottage* may be used as part of a *bed and breakfast home-based business* as set out in Subsection 3.13.8, but is not to be used as a separate *commercial guest accommodation unit* that is not operated as a *home-based business*.

Information Note: Those wishing to use a *seasonal cottage* on Salt Spring Island as a legal full-time residential dwelling unit may apply for a zoning amendment specific to their property. Policies in the Salt Spring Island Official Community Plan indicate such use can be considered, subject to available water supplies and neighbourhood consultation.

- 3.14.7 Where a *lot* on Salt Spring Island is between 0.6 ha and 1.2 ha in *area* and contains a *seasonal cottage* not exceeding 56 square metres in total *floor area* and built prior to March 21, 1979, one *single-family dwelling* may also be permitted on the *lot*.
- 3.14.8 Where a *lot* on Salt Spring Island is greater than 0.6 ha in *area* and was split by a *public highway* prior to January 1, 1980, resulting in each side of the split *lot* exceeding 0.2 ha, then a *single-family dwelling* is permitted on one portion of the split *lot* and a *seasonal cottage* is permitted on the other portion across the *highway*.
- 3.14.9 A *seasonal cottage* may be a *mobile home* or a *manufactured home*.

BL461 (05/13)

3.15 SECONDARY SUITES

3.15.1 *Secondary suites* are permitted on *lots* that are within or partially within the shaded area on Schedule “I” to this Bylaw.

Information Note: Secondary suites are also permitted on lots within the Agricultural Land Reserve, zoned Agriculture 1 and Agriculture 2 by this Bylaw.

Information Note: Secondary suites that are permitted by these regulations also require a building permit from the Capital Regional District Building Inspection Office to be fully legalized.

3.15.2 A *dwelling unit* is permitted to contain a *secondary suite* provided that:

- (1) the *dwelling unit* or the *secondary suite* is occupied by the owner of the *dwelling*; or
- (2) the *dwelling unit* or the *secondary suite* is occupied by a person other than the owner who has responsibility for managing the property, including dealing with complaints of neighbours arising from the occupancy of the property.

Information Note: Pursuant to other provisions of this Land Use Bylaw, short term vacation rentals are not permitted in residential areas.

3.15.3 There is a maximum of one *secondary suite* permitted per *lot*.

3.15.4 A *secondary suite* must be contained within the walls of the *building* that contains the *principal dwelling unit*.

3.15.5 The entrance to a *secondary suite* from the exterior of the *building* must be separate from the entrance to the *principal dwelling unit*.

3.15.6 The maximum *floor area* for a *secondary suite* is 90m² (968 ft²).

3.15.7 A *secondary suite* must not be subdivided from the *principal dwelling unit* under the Land Title Act or the Strata Property Act.

3.15.8 Where a *lot* is supplied by groundwater, a *building* containing a *secondary suite* must have sufficient available groundwater.

Information Note: At time of Building Permit application, the Capital Regional District requires specific amounts of potable water be demonstrated, and proof of adequate septic capacity be provided, prior to issuing approvals.

3.15.9 Where a *secondary suite* is supplied by rainwater collection, the rainwater system must be capable of supplying the suite with a sufficient quantity of *potable water*.

3.15.10 Where water is to be supplied to a *secondary suite* by a combination of sources, a written plan for the supply of water is to be provided that demonstrates an adequate supply of *potable water*.

3.15.11 Where water is supplied to a *secondary suite* by a *community water system*, the operator of the *community water system* must provide written confirmation that it has sufficient capacity to supply the *secondary suite*.

3.15.12 Where water is to be supplied from a surface *water body*, a water license, issued or amended after November 30, 1994, must permit the withdrawal of the required amount of water.

Information Note: The provincial Water Management Branch completed a study of surface water availability in November of 1994. Water licenses issued before this time may not be a reliable indication that water is actually available in the necessary quantity.

3.16 DWELLINGS ON LARGE FARMS

3.15.1 Despite other provisions of this bylaw, where a *lot* is 20 ha or more in *area* and is classified as a farm under the Assessment Act, a total of three *dwelling units* are permitted provided that two of the *dwelling units* are to accommodate people deriving their livelihood from the *farm business* on that *lot*.

Information Note: Where a lot is in the Agricultural Land Reserve or the Forest Land Reserve, the construction of more than one permanent detached dwelling unit on a lot requires the permission of the Land Reserve Commission.

3.17 USE OF TRAVEL TRAILERS AND RECREATIONAL VEHICLES

3.16.1 In *zones* where *dwelling units* are permitted, one travel trailer or one recreational vehicle may be occupied as a *camping unit* on a *lot* for a maximum of 90 days in any year provided approved sewage *disposal* facilities are provided.

3.16.2 In *zones* where *dwelling units* are permitted, one travel trailer or one recreational vehicle may be occupied as a *camping unit* on a *lot* for two years during construction of a *dwelling unit* on the same *lot* provided that:

- (1) a valid *building* permit exists for the *dwelling unit* on the *lot*, and
- (2) the water supply and approved sewage *disposal* facilities for the *dwelling unit* have been installed and temporarily connected to the travel trailer or recreational vehicle.

3.16.3 Except as permitted in Subsections 3.16.1 and 3.16.2 a travel trailer or recreational vehicle may not be occupied on *lots* that are not zoned to permit *campgrounds*.

3.18 USE OF WATER SURFACES

3.17.1 No *building* or *structure* located over a water surface may be used as a *dwelling* or for the *wharfage* of a vessel used as a *dwelling*, except this restriction does not apply to *temporary wharfage* of transient vessels, to licensed *commercial* fishing boats or to the *use* of one vessel as a *dwelling* for security personnel at a *public* docking facility.

3.19 LOT COVERAGE AND DENSITY LIMITS – BUILDING STRATA LOTS

3.18.1 In cases where this Bylaw establishes *lot coverage*, density limits or *lot line* setbacks in respect to *lots*, those limits, in the case of *building strata subdivisions*, are to be applied for the entire strata plan and not the individual *building strata lots*.



3.20 CONDITIONS REGARDING MORE THAN ONE PRINCIPAL USE

3.19.1 The following *structures* may not be constructed or occupied on any *lot* in combination with a *single-family dwelling*:

public school
public hospital
community hall
emergency response facility

3.19.2 Where a *church* is constructed or occupied on any *lot*, the only other permitted *structures* are one *single-family dwelling* per *lot* and permitted *buildings* that are *accessory* to the *single-family dwelling*.

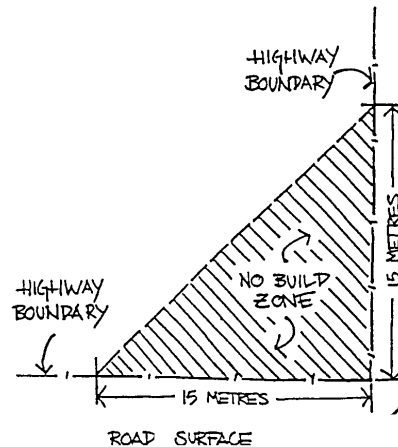
PART 4 GENERAL REGULATIONS (SITING)

4.1 SETBACKS FOR ACCESSORY BUILDINGS

4.1.1 No *accessory building* with the exception of a *carport* may be located within 3 m of another *building* on a *lot*. For the purposes of this regulation, the distance between *buildings* is to be measured between their closest points, including any structural features such as raised decks or stairs which are physically attached to the exterior walls or that function as a part of any *building*.

4.2 VISIBILITY AT INTERSECTIONS

4.2.1 No *building* or *structure* exceeding 0.75 metres in *height* may be sited within the triangle formed by the boundaries of two intersecting *highways* and a line joining points on those boundaries 15 m from their point of intersection, as illustrated in the following sketch:



4.3 SETBACKS FROM LOT LINES AND ACCESS EASEMENTS

4.3.1 Unless otherwise specified, no *building* or *structure* except a fence, *pumphouse*, *public utility structure* or underground utility may be constructed within the following setbacks from *lot lines* or road access easements:

- | | | |
|-----|--|-------|
| (1) | Setback from <i>front lot line</i> : | 7.5 m |
| (2) | Setback from <i>rear lot line</i> : | 7.5 m |
| (3) | Setback from <i>interior side lot line</i> : | 3.0 m |
| (4) | Setback from <i>exterior side lot line</i> : | 4.5 m |

except that on any *lot*, one *structure* with a *floor area* no more than 10 square metres and a *height* no greater than 2.5 m may be placed within the setback area from an *interior side* or *rear lot line*, and

except that on any *lot*, where a *structure* has existed since before January 13, 1971, an addition to that *structure* may be placed within the setback area from an *interior side* or *rear lot line*, provided the addition is no closer to the *lot line* than the existing *structure*, and that the *floor area* of the addition does not exceed 10 per cent of the *floor area* of the existing *structure*.

Information Note: Where structures are legally in place on a lot, but no longer in conformance with a bylaw, the B.C. Local Government Act permits them to be maintained, altered and added to, provided the maintenance, alteration or addition does not increase their non-conformance.

BL444 (07/10)

- 4.3.2 Despite Subsection 4.3.1, where a *structure* was built prior to 1971 but now lies within a required setback from a *lot line*, its siting will be considered to be in conformance with the siting requirements of Section 4.3.1 of this bylaw.
- 4.3.3 Despite Subsection 4.3.1, where the *rear lot line* of a *strata lot* is situated in a manner that is generally parallel to the *natural boundary* of a *water body*, and where common property at least 15 m in width lies between the *rear lot line* of the *strata lot* and the *water body*, the setback from the *rear lot line* is 0 m.
- 4.3.4 The minimum setback from a *lot line* for drinking and feeding troughs, areas for the storage of *agricultural waste* or enclosures for housing animals is 7.5 m.
- 4.3.5 The minimum setback from a *lot line* for *farm structures* with boilers or walls with exhaust fans is 15 m.
- 4.3.6 The minimum setback from a *lot line* for *confined livestock areas* used or intended to be used for more than 4500 kg of livestock, poultry or farmed game is 30 m.
- 4.3.7 The minimum setback from a *lot line* for barns containing manure-based mushroom cultivation and *fur farm buildings* is 30 m.
- 4.3.8 The minimum setback from a *lot line* for pet boarding facilities, *kennels* and *pounds* is 45 m.
- 4.3.9 The minimum setbacks for a *campsite* are 30 m from the *front lot line* and 15 m from any other *lot line*.

4.4 SETBACKS FROM WATER BODIES – FLOOD PROTECTION

- 4.4.1 No *building* or *structure* except a fence, *pumphouse* or *boathouse* may be sited within 15 m of the *natural boundary* of any *water body*.
- 4.4.2 Despite Subsection 4.4.1, the setback from the *natural boundary* of the sea may be reduced to 10 m where an *engineer* has certified that the *natural boundary* is located on non-erodible material or where erosion protection works have been designed and placed by an *engineer* with provisions for maintenance.
- 4.4.3 No fill used to support a *building* or *structure* may be placed within the distances set out in Subsection 4.4.1
- 4.4.4 The underside of the floor system of any portion of a *building* used for habitation, or for the storage of goods damageable by floodwaters, must be at least 1.5 m higher in vertical elevation than the elevation of the *natural boundary* of any *water body* that lies within 30 m of the *building*.

- 4.4.5 Despite Subsection 4.4.4, where a *structure* is located within 30 m of the *natural boundary* of St. Mary Lake, the underside of the floor system of any portion of a *building* used for habitation or for the storage of goods damageable by floodwaters must not be constructed at an elevation of less than 42 m above mean sea level.

Information Note: Variances to the setbacks in this Section can be considered by the Salt Spring Island Local Trust Committee if the Ministry of Environment, Lands and Parks has confirmed that the proposed variance would not increase the risk of flooding to structures. However, in considering such variances, the Trust Committee will also take into account factors such as environmental and aesthetic impacts.

Information Note: Construction, land clearing, vegetation removal or paving near water bodies may require a Development Permit. Further information is available from Islands Trust planning staff and should be obtained **before** any of those activities have begun.

4.5 SETBACKS FROM WATER BODIES – WATER QUALITY PROTECTION

- 4.5.1 No sewage *disposal* field or septage pit may be located within:
- (1) 30 m of the *natural boundary* of the sea;
 - (2) 60 m of the *natural boundary* of Blackburn Lake, Bullock Lake, Cusheon Lake, Ford Lake, Maxwell Lake, Roberts Lake, Rosemurgy Lake, St. Mary Lake, Stowel Lake, or Weston Lake;
 - (3) 60 m of the *natural boundary* of a *water body* that leads into the lakes named in Article 4.5.1(2), or
 - (4) 30 m of the *natural boundary* of any other *water body*.

Information Note: Where sewage disposal fields and septic pits are legally sited prior to the adoption of this bylaw, this bylaw would not limit the owner's ability to use, maintain and alter the facilities in place, provided that maintenance and alterations do not cause them to be any closer to the natural boundary of a water body than they already are. However, the Medical Health Officer of the Capital Health Region may impose conditions to ensure proper functioning of sewage disposal facilities.

- 4.5.2 No *confined livestock areas* used or intended to be used for more than 4550 kg of livestock, poultry or farmed game, no barn containing manure-based mushroom cultivation and no storage area for *agricultural waste* may be located within 60 m of the *natural boundary* of Blackburn Lake, Bullock Lake, Cusheon Lake, Ford Lake, Maxwell Lake Roberts Lake, Rosemurgy Lake, St. Mary Lake, Stowel Lake, or Weston Lake nor within 30 m of any *water body* draining into one of these lakes.

- 4.5.3 Where it is permitted by zoning regulations, a *principal use* consisting of the *commercial* or institutional production, storage or manufacture of the following products is to be setback by 30 m from the *top of the bank* of any natural *water body*, except where these take place *indoors* within the *Ganges Village Core*:

Petroleum products including but not limited to oil, gasoline, grease, fuel oil, heating oil
Trash or debris
Pet or domestic animal wastes
Manufactured chemicals
Paints and solvents
Steam cleaning wastes
Laundry wastes or vehicle washing wastes
Soaps

Pesticides, herbicides and fertilizers
Sanitary sewage
Chlorinated, chloraminated or brominated water or chlorine, chloramine or bromine, in concentrations above that known to have adverse impacts on aquatic life.
Degreasers and solvents
Bark and other fibrous materials
Antifreeze, batteries, tires, scrap metal or other automotive products
Animal carcasses
Deposited soil
Acids or alkalis
Vehicle wastes
Construction materials

Information Note: This section does not regulate the incidental use of the listed materials, as part of another permitted use. All handling, storage and disposal of these materials must also be duly authorized by applicable authorities and must comply with applicable federal and provincial regulations regarding storage, waste management, disposal and safety.

4.5.4 Despite Subsection 4.5.3, pesticides, herbicides and fertilizers, soil materials and construction materials may be stored within 30 m of the top of the bank of a natural *water body* during the course of permitted habitat restoration work.

4.5.5 The washing of fresh concrete for cleaning or finishing purposes or to expose aggregates is to be set back at least 30 m from the *top of the bank* of any natural *water body*.

4.6 MEASUREMENTS OF SETBACKS FOR BUILDINGS AND STRUCTURES

4.6.1 All setbacks of *buildings* and *structures* must be measured on a horizontal plane from the *building* or *structure* to the *natural boundary*, *lot line* or other point specified in this Bylaw.

4.6.2 The following features may project into a required setback area for *lot line* setbacks only:

- (1) chimneys, cornices, gutters, pilasters, sills, bay windows or ornamental features, provided that they do not project more than 0.6 metres into the required setback area; and
- (2) steps, eaves, sunlight control projections, canopies, balconies, decks and porches, provided they do not project more than 1.3 m into the required setback area for a *front*, *rear* or *exterior side lot line*, or more than 0.6 m into the required setback area for an *interior side lot line*.

PART 5 GENERAL REGULATIONS (SUBDIVISION)

5.1 LOT AREA

5.1.1 *Subdivision* applications must comply with the regulations for minimum and minimum average *lot area* and minimum *service* levels set out in Part 9 of this Bylaw except that the *Approving Officer* may approve a *subdivision* with *lots* that do not comply in the following circumstances:

- (1) if the *subdivision* creates a single *lot* that does not comply, and that *lot*:
 - (a) is to be used solely for the unattended equipment necessary for the operation of *public utilities* and the owner grants to the Salt Spring Island Local Trust Committee a covenant under the Land Title Act restricting the *use* of the *lot* to that *use*;
 - (b) is to be used solely as a *publicly owned park* or nature reserve and the owner grants to the Salt Spring Island Local Trust Committee a covenant under the Land Title Act restricting the *use* of the *lot* to that *use*; or
 - (c) is to be used solely for the operation of an *emergency response station* or *community hall* and the owner grants to the Salt Spring Island Local Trust Committee a covenant under the Land Title Act restricting the *use* of the *lot* to one of those *uses*
- (2) where the *subdivision* is a boundary adjustment between two existing *lots* and no *lot* is created with an area less than 0.4 ha if serviced by a community water *service* or less than 1 ha if not serviced by a community water *service*;
- (3) where the *subdivision* creates two *lots* from a *lot* in the Rural *zone* that is greater than 2 ha in *area* and has existed unchanged since February 11, 1976, and provided that neither parcel may be less than 0.4 ha if serviced by a *community water service* or less than 1 ha if not serviced by a *community water service*;
- (4) where the *subdivision* creates two *lots* from a *lot* that was split by a *highway* on or before January 1, 1980 in such a manner that each portion of the *lot* is at least 0.3 ha in *area*, and provided that the two *lots* are separated by the *highway*.

5.1.2 Where land is in the Agricultural Land Reserve, the minimum *lot area* applies only when land is:

- (1) approved for *subdivision* within the Agricultural Land Reserve under the Agricultural Land Reserve Act, Regulations thereto, or Orders of the B.C. Land Reserve Commission; or
- (2) exempted by the Agricultural Land Reserve Act, Regulations thereto, or Orders of the B.C. Land Reserve Commission.

5.1.3 Where land is in the Forest Land Reserve, the minimum *lot area* applies only when land is:

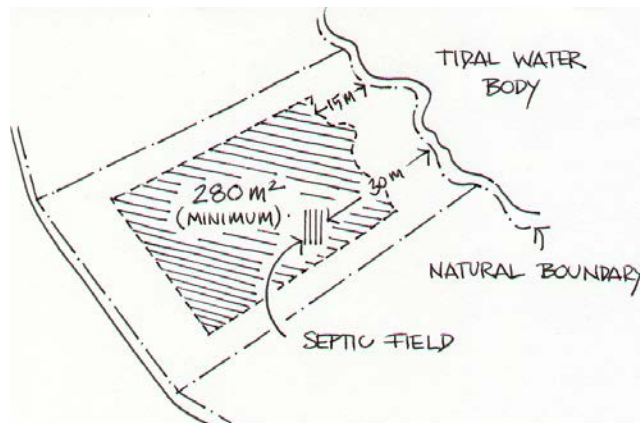
- (1) approved for *subdivision* within the Forest Land Reserve under the Forest Land Commission Act, Regulations thereto, or Orders of the B.C. Land Reserve Commission; or
- (2) exempted by the Forest Land Commission Act, Regulations thereto, or Orders of the B.C. Land Reserve Commission.

5.2 BOUNDARY ADJUSTMENTS

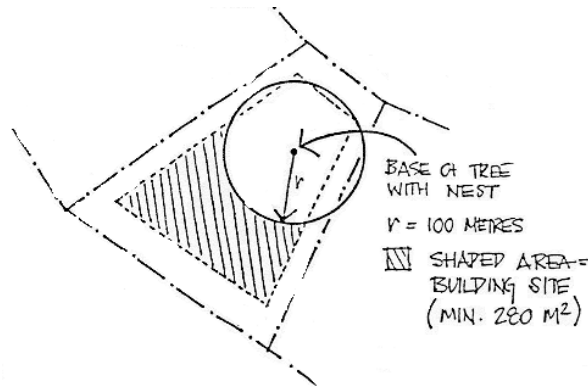
- 5.2.1 The *Approving Officer* must not approve a boundary adjustment that would increase the area of any *lot* to the point where the new *lots* created could be subdivided into more *lots* than would be permitted under this Bylaw without the boundary adjustment.
- 5.2.2 The *Approving Officer* must not approve a boundary adjustment where one of the *lots* subject to adjustment is of such an area or shape that it does not have a useable *building envelope* that is at least 7.5 m in width and 7.5 m in depth, given the applicable *lot line* setbacks.

5.3 LOT DIMENSIONS

- 5.3.1 The *frontage* of any *lot* in a proposed *subdivision* must be at least 10 per cent of its perimeter, provided that in no case may the *frontage* be less than 10 m.
- 5.3.2 No *lot* may have a *lot depth* greater than five times its width.
- 5.3.3 Side *lot lines* of proposed *lots* must be perpendicular or substantially perpendicular to the *highway* abutting the *lot*.
- 5.3.4 The *lot depth* of each *lot* created by *subdivision* must be at least 30 m.
- 5.3.5 Where a *lot* being subdivided contains or abuts a *water body*, each of the new *lots* being created must provide sufficient area for a *building envelope* of 280 square metres, an access driveway and on-site sewage treatment system to be constructed outside of the setbacks from each *lot line* and the *water body* as required in Part 4.



- 5.3.6 Where a *lot* being subdivided contains a tree bearing the nest of a great blue heron, a bald eagle or an osprey, or where a *lot* being subdivided contains land that lies within a 100 m radius of such a tree, then the depth and width of the new *lots* being created must provide sufficient area for a *building* envelope of 280 square metres, given required setbacks, and an access driveway and on-site sewage treatment system to be located on each proposed *lot* outside of a 100 m radius of the base of that tree.



Information Note: It is a provincial offence under the Wildlife Act to disturb or destroy the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl, or the nest of any bird when the nest is occupied by a bird or its egg.

- 5.3.7 Where a *lot* abuts a *water body*, the area that lies between the *water body* and a line drawn 30 m from the *natural boundary* of the *water body* must not be included in the calculation of *lot area* for each *lot* proposed for *subdivision* for the purpose of determining whether the proposed *lot* complies with the minimum *lot area* regulations, except where this provision would decrease the total *lot yield* for a *subdivision*.

5.4 PANHANDLE LOTS

- 5.4.1 No *panhandle lot* may be created by *subdivision* of land in a *Commercial* or *Industrial zone* or on land where *multi-family dwelling units* are permitted.
- 5.4.2 If a *panhandle lot* created by *subdivision* has sufficient area to be further subdivided under the provisions of this Bylaw, the minimum width of the *access strip* is 20 m.
- 5.4.3 If a *panhandle lot* created by *subdivision* has insufficient area to be further subdivided, the minimum width of the *access strip* is 10 m.

5.5 POTABLE WATER

- 5.5.1 Each *lot* in a proposed *subdivision* must be supplied with *potable water* in accordance with the *service levels* specified in Part 9 of this Bylaw.
- 5.5.2 Each *lot* in a proposed *subdivision* must be supplied with sufficient water to supply all *uses*, *buildings* and *structures* permitted on the *lot* by this Bylaw according to the standards set out in Table 1. Where more than one *use* is permitted on a *lot*, the amount of water to be supplied is the sum of the amounts required for each permitted *use*, calculated separately.

Information Note: If two or more *lots* are connected to the same source of water, the *water system* is subject to the *Safe Drinking Water Regulations*, administered by the *Capital Health Region*.

- 5.5.3 Where water is to be supplied by a *community water system*, the *community water system* must provide written confirmation of the amount of water it is able to supply to each *lot*.
- 5.5.4 Where water is to be supplied from a surface *water body*, the applicant for *subdivision* must provide proof of a water license issued after November 30, 1994, that permits the withdrawal of the required amount of water.

Information Note. The provincial Water Management Branch completed a study of surface water availability in November of 1994. Water licenses issued before this time may not be a reliable indication that water is actually available in the necessary quantity.

- 5.5.5 Where water is to be supplied by groundwater, the applicant for *subdivision* must provide written certification under seal of an *engineer* with experience in groundwater hydrology that there is sufficient available groundwater to provide the required amount of *potable* water on a continuous basis, and that the extraction from the groundwater table of that amount of water is not reasonably expected to adversely affect the quantity or quality of water obtainable from any existing well or surface water that is used as a source of *potable* water.

BL461 (05/13)

TABLE 1 POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (litres per day per lot)
<i>Dwelling unit</i>	1600
<i>Secondary Suite</i>	1200
<i>Seasonal cottage</i>	680
<i>Bed and breakfast home-based business</i>	225/bedroom
<i>Commercial or Industrial use</i>	900
<i>Community hall or church</i>	1590
<i>School</i>	50/classroom
<i>Commercial guest accommodation units</i>	450/unit
<i>Campground</i>	225/campsite

- 5.5.6 If the required amount of water cannot be supplied or if the certification, water license or confirmation referred to in Subsections 5.5.3, 5.5.4 or 5.5.5 cannot be made, the *Approving Officer* may nonetheless approve the *subdivision* if the applicant grants a covenant under the Land Title Act to the Salt Spring Island Local Trust Committee that restricts the development of the *subdivision* to the *buildings, structures and uses* for which the required amount of water can be supplied, licensed or certified under Subsections 5.5.3, 5.5.4 or 5.5.5.
- 5.5.7 For the purposes of the certification referred to in Subsection 5.5.5, the *engineer* must supply supporting documentation of a pump test conducted by the *engineer* which must indicate that the test was of sufficient duration to establish the long term reliability of the water supply in accordance with generally acceptable hydrological engineering practices.
- 5.5.8 Where the water supply is provided through a groundwater well or through a private surface water license, an *engineer* must also provide a water quality analysis that demonstrates that the surface water or the groundwater from each proposed water supply source or well is *potable* or can be made *potable* with a treatment system that is customarily used in a *single-family dwelling*. The certificate must include a plan of the proposed *subdivision* indicating each well location where a water sample was taken, and a statement that the water

samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan. If the water to be supplied is not *potable*, but can be made *potable* with a treatment system that is customarily used in a *single-family dwelling*, then the *Approving Officer* may nonetheless approve the *subdivision* if the applicant grants a covenant under the Land Title Act to the Salt Spring Island Local Trust Committee that requires on-going treatment of the water to ensure that it is *potable* before it is used as drinking water.

5.6 SEWAGE DISPOSAL

- 5.6.1 Each *lot* that is proposed to be created by *subdivision* must be demonstrated by the applicant to contain or be capable of being serviced by an area or areas of sufficient size and appropriate characteristics to satisfy the setback requirements of Subsection 4.5.1 and the requirements of the Capital Health Region's Subdivision Assessment Standards for an on-site sewage treatment system for the *buildings, structures* and *uses* that are permitted on the *lot* by this Bylaw.

5.7 STORMWATER DRAINAGE

- 5.7.1 Every *subdivision* must be designed and constructed to maximize the amount of precipitation that percolates into the ground, to minimize direct overland runoff, and to minimize impacts on the quality and quantity of groundwater.
- 5.7.2 Every surface drainage system in a *subdivision* must be designed to provide for the continuity of any existing surface drainage system serving the drainage basin in which the *lot* to be subdivided is located.
- 5.7.3 Every surface drainage system designed for a land *subdivision* located within 30 m of a fish-bearing *water body*, including the sea, must be consistent with the *Land Development Guidelines*.
- 5.7.4 No *water body* may be diverted, altered, or used for surface drainage purposes so as to transfer water between natural surface water watersheds.
- 5.7.5 Every surface drainage system must be designed so that the system is capable of conveying the peak rate of runoff from a 20-year storm event for the entire drainage basin within which the *subdivision* or development is located when such basin is fully developed.
- 5.7.6 Every surface drainage system must be designed and constructed to minimize scouring and erosion of ditch banks.
- 5.7.7 All drainage works, including ditches and culverts must be located in statutory rights-of-way granted to the Crown, or in dedicated *highways*, or in the case of a Bare Land Strata *subdivision*, on common property or an access *lot*.

Information Note: Statutory rights-of-way in favour of the Ministry of Transportation and Highways are at the discretion of the Provincial Approving Officer.

- 5.7.8 If stormwater is discharged from a surface drainage system to the sea or a watercourse on or adjacent to the land being subdivided or developed, the system must be constructed and designed to retain stormwater for the period of time necessary to allow for settling of silt and other suspended solids.
- 5.7.9 Every applicant for *subdivision* must provide the written certification under seal of an *engineer* with experience in drainage *engineering* that the drainage system for the *subdivision* has been designed in accordance with Subsections 5.7.1 through 5.7.8.

- 5.7.10 Every applicant for *subdivision* must provide written certification under seal of an *engineer* with experience in drainage *engineering* that the *subdivision* has been constructed in accordance with the drainage system design prepared under Subsection 5.7.9 and such certification is to be provided before deposit of the *subdivision* plan in the Land Title Office.

5.8 COMPLIANCE WITH MINIMUM AND AVERAGE LOT AREAS

- 5.8.1 *Subdivisions* must comply with the minimum and average *lot area* regulations set out in Part 9 of this Bylaw except that a *park* to be dedicated upon deposit of the *subdivision* plan need not comply with those regulations. For the purposes of this Bylaw, average *lot area* in a proposed *subdivision* is:

the sum of:

the areas of the proposed *lots*, plus
the area of land dedicated for *parkland* or *school use*, plus
the area of land dedicated for environmental stewardship purposes

divided by:

the number of proposed *lots*.

- 5.8.2 No *lot* having an area of less than 8 ha may be subdivided under Section 946 of the Local Government Act to provide a residence for a relative of the owner unless the *lot* is located entirely within the Agricultural Land Reserve.

Information Note: Section 946 of the Local Government Act allows for subdivision of land to provide a residence for a relative, with a number of conditions. Local bylaws may specify the minimum size of a parcel that may be subdivided in this way. However, that minimum size does not apply within the Agricultural Land Reserve. While applications can also be made to subdivide land for a relative within the Agricultural Land Reserve, the B.C. Land Reserve Commission has a policy that it will only consider such applications from persons who have been owner-occupants since the ALR was created in 1972.

- 5.8.3 Where a *lot* is proposed that contains or includes a *water body*, the area of the proposed *lot* is to be calculated as if it does not include the area of the *water body*, as measured below the *natural boundary*.

5.9 COVENANT AGAINST FURTHER SUBDIVISION AND DEVELOPMENT

5.9.1 If a *subdivision* is proposed that yields the maximum number of *lots* permitted by the applicable minimum and average *lot areas* specified by this Bylaw, and one or more of the *lots* being created has an area equal to or greater than twice the applicable average *lot area*, the applicant must grant a covenant complying with Section 2.7 of this Bylaw for every such *lot*, prohibiting further *subdivision* of the *lot*.

5.9.2 If a *subdivision* is proposed that yields fewer than the maximum number of *lots* permitted by the applicable minimum and average *lot areas* specified by this Bylaw, and:

- (1) one or more of the *lots* being created has an area equal to or greater than twice the applicable average *lot area*, and
- (2) one or more of the *lots* being created has an area less than the applicable average *lot area*,

the applicant must grant a covenant complying with Section 2.7 of this Bylaw for every *lot* referred to in Article 5.9.2(1) of this Bylaw prohibiting the *subdivision* of the *lot* so as to create a greater total number of *lots* by *subdivision* and *re-subdivision* of the original *lot* than would have been created had the first *subdivision* created the maximum number of *lots* permitted by the applicable minimum and average *lot area* specified by this Bylaw.

5.9.3 Where the approval of a bare land strata plan would create common property on which this Bylaw would permit the construction of a *residential dwelling unit* or *seasonal cottage* if the common property were a *lot*, the applicant must grant a covenant complying with Section 2.7 of this Bylaw for the common property prohibiting the further *subdivision* of the common property, the construction of any *residential dwelling unit* or *seasonal cottage* on the common property, and the disposition of the common property separately from the *strata lots*.

5.10 LOTS DIVIDED BY A ZONE BOUNDARY

5.10.1 If a *lot* proposed to be subdivided is divided by a *zone* boundary, a separate calculation of the number of *lots* permitted must be made for each *zone*, and no *lot* may be created that is smaller than the minimum average *lot area* permitted for the *zone* in which it is located.

5.10.2 The creation of a *lot* lying within two or more *zones* is to be avoided wherever possible. If *lots* lying within two or more *zones* are subdivided, *lot* boundaries are to correspond with *zone* boundaries wherever possible.

5.11 SPLIT LOTS

5.11.1 No *lot* may be created by *subdivision*, which is divided into two or more portions by a *highway*, *park* dedication, common property or other *lot*.

5.12 DOUBLE FRONTAGE LOTS

5.12.1 No *lot* having *frontage* on more than one *highway* other than a *corner lot* may be created by *subdivision*.

5.13 HIGHWAY ACCESS

5.13.1 All *lots* created through *subdivision* must have *frontage* on a *highway*, or in the case of a strata title *subdivision*, *lots* must have *frontage* on an access route connected to a *highway*.

- 5.13.2 Despite Subsection 5.13.1, a *lot* that is to be used solely for conservation *use* may be created without *frontage* on a *highway*, provided the applicant grants a covenant complying with Section 2.7 of this Bylaw that restricts *use* of the *lot* for conservation purposes and prohibits the construction of any *structures* on the *lot*.

5.14 CHARACTERISTICS OF PUBLIC ACCESS TO WATER BODIES

- 5.14.1 Access to permanent *water bodies* are to be provided at intervals of 200 m where the average *area* of *lots* in a *subdivision* is less than 2.5 ha and at intervals of 400 m. where the average *area* of *lots* in a *subdivision* is equal to or greater than 2.5 ha, regardless of whether the *highway* may be practically developed as a roadway for automobiles.
- 5.14.2 Despite Subsection 5.14.1, no access to water is required where that access would lead to a section of tidal shoreline that is identified as Environmentally Sensitive Habitat on Map 10 of the Salt Spring Island Official Community Plan, as an Environmentally Sensitive Shoreline Area on Map 11 of the Salt Spring Island Official Community Plan, nor to a freshwater shoreline of a lake that is a water supply for a *community water system*.
- 5.14.3 The *Approving Officer* may require that *highways* giving access to the shore of any *water body*, dedicated to the Crown at the time of *subdivision*, be consolidated into one or more larger areas and may require that such a *highway* be located in an area of high recreational value or so as to provide access to such an area, or in an area where the average gradient to the *water body* does not exceed 30 per cent.

5.15 HIGHWAY STANDARDS IN RELATION TO THE NATURAL ENVIRONMENT

Information Note: Users of this Bylaw are referred to a road standards agreement between the Islands Trust Council and the Ministry of Transportation and Highways dated October 20, 1992.

- 5.15.1 The purpose of the standards set out in Subsections 5.15.2 through 5.15.8 is to ensure that the construction of *highways* in connection with the *subdivision* of land does not result in the *alteration* of the land to an extent that it is inconsistent with the object of the Islands Trust under the *Islands Trust Act*, the Islands Trust Policy Statement, or the Salt Spring Island Official Community Plan.
- 5.15.2 *Highways* are not to be provided in a manner that results in a physical division of land in the Parks and Reserves 6 or Parks and Reserves 7 *zones*; or in a manner such that a *farm operation* would be interrupted in the Agriculture 1 or Agriculture 2 *zone*, or a forestry operation would be interrupted in the Forestry 1 or Forestry 2 *zone*.
- 5.15.3 No *highway* may be constructed or located to connect an island in the Salt Spring Island Local Trust Area with any other island.
- 5.15.4 No *highway* may be located through a *wetland* identified in Schedule 9 of the *Salt Spring Island Official Community Plan*. Subdivisions must be laid out to ensure that environmental impacts are minimised in any other *environmentally sensitive areas* identified on Schedules 9 through 12 of the *Salt Spring Island Official Community Plan*.

5.15.5 No *highway* may be located so as to divert the flow of a surface watercourse or divert or contaminate in any way a groundwater aquifer, but this Subsection does not prohibit the culverting of a surface watercourse for a *highway* crossing or the construction of a stormwater retention facility provided that such culverting or construction is in accordance with the *Land Development Guidelines*.

5.15.6 Where any *highway* is to cross a *water body*, the design of the crossing is to be carried out by an *engineer* in accordance with Section 6 of the *Land Development Guidelines*.

Information Note: Any work in or about a watercourse will also require notification or an approval under Section 9 of the *Water Act*.

5.15.7 The design of *highways* must to the greatest extent possible follow the natural contours of the land to minimize the extent of cutting and filling required to construct the *highway*.

5.15.8 Native vegetation must be reinstated in all portions of the *highway* not comprising the roadway, following the completion of a *highway* and any associated utilities.

5.16 PATHWAYS AND SHOULDER BIKEWAYS

5.16.1 *Highway* right-of-way is to be dedicated and developed as a pathway to provide convenient pedestrian and cyclist access as follows:

- (1) Where a *park*, *public school*, *public hospital*, crown land or a *lot* zoned for *commercial retail services* would be more conveniently or quickly accessed from the proposed *lots* in a *subdivision* by a pathway than by a *highway*.
- (2) Where a road identified as a cycle route or potential transit route on Schedule 4 or Schedule 5 of the *Salt Spring Island Official Community Plan* would be more conveniently or quickly accessed from new *lots* by a pathway than by a *highway*.

5.16.2 Where a *lot* to be subdivided abuts a *highway* indicated on Schedule 4 of the Salt Spring Island Official Community Plan as a Cycle Route, land sufficient for the construction of *shoulder bikeways* with a minimum width of 1.5 m is to be dedicated in a manner consistent with the standards set out in the *Salt Spring Island Cycle Route Inventory*. The *Approving Officer* may also require the construction of such *shoulder bikeways*.

5.16.3 Where a *lot* is being subdivided into more than four *lots*, and the *lot* to be subdivided abuts a *highway* indicated on Schedule 5 of the Salt Spring Island Official Community Plan as a potential transit route, land sufficient for the construction of a bus stop is to be dedicated. The location of the area dedicated for the bus stop is to correspond to a pathway constructed as described in Article 5.16.1 (1) of this Bylaw.

Information Note: The *Local Government Act* limits the width of a *highway* that can be obtained through Subsections 5.16.2 and 5.16.3 to 20 m.

5.17 DRIVEWAY GUIDELINES

- 5.17.1 Each *lot* in a proposed *subdivision* must be of sufficient *area* and appropriate configuration to permit the construction of an access driveway to a *building* site on the *lot*, complying with the guidelines illustrated on Schedule "D". Compliance with these guidelines is to be confirmed by an *engineer* or a *surveyor*.

5.18 SIDEWALK DIMENSIONS

- 5.18.1 Sidewalks with boulevards are to be constructed on or adjacent to all abutting *highways* when *lots* are being subdivided in the *Ganges Village Core*, Fulford Village Core or Channel Ridge Village Core, as designated on Schedule 1 of the Salt Spring Island Official Community Plan.
- 5.18.2 Where required, sidewalks and boulevards are to be constructed at the time of *subdivision* according to the dimensions in Schedule "G".

Information Note: Construction of sidewalks on a highway right-of-way requires the permission of the Ministry of Transportation and Highways, and may require an agreement regarding on-going maintenance and liability. Where such an agreement is not made, sidewalks are to be constructed on the lot being subdivided.

PART 6 SIGN REGULATIONS

6.1 STANDARDS FOR SIGNS

- 6.1.1 Every *sign* permanently positioned on any *lot* or affixed to the outside of any *structure* must comply with the provisions pertaining to number of *signs* and maximum total *sign area* set out in Table 2 for the *zone* in which the *sign* is placed.
- 6.1.2 *Signs* must be located on the *lot* occupied by the *use* to which they refer.
- 6.1.3 Despite Subsection 6.1.2 and the regulations in Table 2 regarding the number and size of *signs*, a business may locate one un-illuminated *sign* for directional purposes only that is no more than 0.5 square metres in area beside a *highway* right-of-way that does not provide driveway access to the business.

Information Note: Location of a *sign* **within** a *highway* right-of-way requires the permission of the Ministry of Transportation and Highways

- 6.1.4 Any *sign* that refers or directs attention to a business or *service* that is no longer in operation must be removed within 30 days after the operation of the business or *service* ends.
- 6.1.5 Any *sign* that has moving parts or that is lighted, animated or flashing to give the appearance of movement; and any noise-making *sign*, is prohibited.
- 6.1.6 Any light illuminating a *sign* must be controlled so as not to cast light towards the sky or into the eyes of oncoming motorists.
- 6.1.7 Double-faced *signs* are to be constructed so that the perimeters of both faces are congruent and are parallel and not more than 4 cm apart.
- 6.1.8 Nothing in this Bylaw prohibits the erection of a *sign* by an agency of government for purposes of *public* health, safety or direction, or by a candidate in a local, provincial, or federal election, during the period prior to the election.

TABLE 2 – SIGN REGULATIONS

ZONE or USE	MAXIMUM NUMBER OF SIGNS PER PRINCIPAL USE	MAXIMUM TOTAL SIGN AREA
<i>Commercial zones, Commercial Accommodation zones, Community Facility zones, Comprehensive Development 2 Zone, Industrial zones</i>	2	1.8 square metres per business or use
Schools, <i>community halls</i> , hospitals, art centres and <i>public</i> recreation centres with a gross <i>floor area</i> greater than 600 square metres	2	1.8 square metres per use, not internally illuminated.
Shoreline 1 and 2 zones	2	3.7 square metres per business or use, un-illuminated.
All other zones	1 per lot plus 1 per <i>home-based business</i>	1 square metre per lot, un-illuminated



PART 7 PARKING REGULATIONS

Information Note: Under s. 906(6) of the Local Government Act, the provisions in this Bylaw do not apply to land or to a building or structure existing at the time this Bylaw came into force, so long as 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 that existed when the Bylaw came into force.

This Bylaw succeeds Salt Spring Island Bylaw 123, which also contained regulations regarding parking spaces. The regulations in that Bylaw apply to land uses, buildings or structures existing since June 5, 1985. Parking requirements do not apply to land uses, buildings or structures that existed before that date, provided the use has not changed in a way that now requires more parking or loading spaces.

BL444 (07/10)

7.1 REQUIREMENTS FOR PARKING AND LOADING SPACES

BL456 (07/12)

- 7.1.1 The owner or occupier of land must provide and maintain off-street loading spaces and off-street *parking* spaces for automobiles and bicycles as determined by the *use* or occupancy of a *lot* or *building* according to Table 3.
- 7.1.2 If a *use* is not listed in Table 3, the number of parking and loading spaces is to be calculated on the basis of the most similar *use* that is listed.
- 7.1.3 If more than one *use* is located on a *lot* or if a *parking lot* collectively serves more than one *use*, the total number of parking and loading spaces is to be the sum of the spaces required for each *use*, calculated separately. The parking or loading spaces required for one *use* are not to be included in calculations for any other *use*.

Information Note: Variances to this Section can be considered by the Trust Committee and given through either Development Permit or a Development Variance Permit. For example, uses that require parking at mutually exclusive times (day vs. evening; weekday vs. weekend) could apply to share some or all of their parking spaces.

- 7.1.4 Where the calculation of *parking spaces* results in a fractional number, the next largest whole number is the number of spaces required.
- 7.1.5 The required number of *parking spaces* need not be provided where an addition or *alteration* to a *building* or a change in its *use* would result in an increase of less than 10 percent of the number of spaces required, up to a maximum of 5 spaces; where an addition or *alteration* or change in *use* requires more than 5 spaces, then the number of spaces as determined by Table 3 are to be provided.

BL461 (05/13)

TABLE 3 MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES			
LAND USE	Number of Automobile Parking Spaces Required	Number of required Automobile Parking Spaces which must be designed for use by the disabled	Number of Bicycle Parking Spaces Required
RESIDENTIAL			
Single-family <i>dwelling unit</i>	2 per unit	0	0
Multi-family <i>dwelling units</i> , except for <i>seniors'</i> housing facilities <i>Mobile home Parks</i>	1.25 per unit	1 or 1 per 10 units, whichever is greater	1 per unit without a garage plus a 6-space rack
<i>Seniors'</i> Housing Facilities	1 per 2 units for <i>seniors</i> plus one per non-resident employee (or full-time equivalent)	1 or 1 per 10 units, whichever is greater	1 per 15 units without garages
<i>Dwelling units</i> designed or intended to be used by a disabled person.	1.25 per unit plus one per non-resident employee (or full-time equivalent)	1 per unit	1 per 15 units
<i>Secondary Suite</i>	1 per unit	0	0
<i>Home-based businesses</i>	1 per non-resident employee (or full-time equivalent)	0	0
<i>Bed and breakfast</i> Operations, Guesthouses	1 per bedroom plus 1 per non-resident employee (or full-time equivalent)	0	0
COMMERCIAL			
Automobile and other vehicle rental	1 per rented automobile or other vehicle in addition to requirements for office space	0	0
Restaurants and pubs	1 per 3 <i>indoor</i> seats	5%*	1 per 250 sq.m. <i>floor area</i>
<i>Commercial guest accommodation units, campgrounds</i>	1 per unit or <i>campsite</i>	5%*	1 per 15 units or camp-sites
<i>Automobile service stations</i>	1 per 2 on-duty employees plus 2 per <i>service bay</i>	0	0
<i>Marina</i>	1 per 20 m of berths accommodating resident boats plus 1 per 2 employees	5%*	1 per 300 m of berths

TABLE 3 (Continued)
MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES

Recyclable waste collection	1 per collection bin plus 1 per employee	5%*	0
LAND USE	Number of Automobile Parking Spaces Required	Number of Required Automobile Parking spaces which must be designed for use by the disabled	Number of Bicycle Parking Spaces Required
Non-recyclable waste collection	5	5%*	0
<i>Commercial schools</i>	1 per student plus 1 per employee	5%*	1 per 10 students
Farm Produce Stands, greenhouses and nurseries	1 per 20 sq.m. of direct farm marketing area	5%*	0
Other <i>commercial uses</i>	1 per 25 sq.m. of combined floor area and outdoor sales area	5%*	1 per 250 sq.m. floor area
INDUSTRIAL			
<i>Light Industry</i>	1 per employee	5%*	1 per 10 employees
Storage	1 per employee	5%*	0
<i>Wholesale sales</i>	1 per 185 sq.m. sales area	5%*	0
Other industrial	1 per employee	5%*	1 per 10 employees
COMMUNITY FACILITIES			
Hospitals and other Health Care Facilities	1 per 3 beds	5%*	1 per 500 sq.m. floor area plus 6-space rack
Medical Clinics	1 per 32.5 m ²	5%*	1 per 250 sq. m. floor area
Day Care Centres	1 per employee plus 1 per 10 children	5%*	1 per 10 employees
Elementary/Middle Schools	1 per employee plus 1 per 2 classrooms	5%*	1 per 10 employees plus 1 per 10 students
<i>Senior Schools</i>	1 per employee plus 1 per classroom	5%*	1 per 10 employees plus 1 per 8 students
<i>Churches</i>	1 per 10 seats	5%*	1 per 50 seats
Libraries and Museums	1 per 35 sq.m.	5%*	1 per 10 seats
<i>Community halls, Private Clubs, Art Centres</i>	1 per 4 seats or 1 per 3.6 sq.m. used by patrons, whichever is greater	5%*	1 per 100 sq.m. floor area

TABLE 3 (Concluded)
MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES

LAND USE	Number of Automobile Parking Spaces Required	Number of Required Automobile Parking spaces which must be designed for use by the disabled	Number of Bicycle Parking Spaces Required
<i>Indoor and Outdoor Recreation Facilities</i>	1 per 4 seats used by the <i>public</i> 2 per tennis court 1 per 10 sq.m. of pool surface 1 per 10sq.m. of ice surface 10 per playing field 2 spaces per <i>golf course</i> tee 1 space per driving range tee	5%*	20% of automobile <i>parking spaces</i> provided

* Where between 1 and 20 automobile parking stalls are required in a *parking lot*, then 1 *parking space* in the *lot* must be designed for use by the disabled.

7.2 STANDARDS FOR AUTOMOBILE PARKING SPACES AND AISLES

- 7.2.1 Each automobile *parking space* must be accessible to a *highway* via a manoeuvring aisle that is not less than:
- (a) 7.5 metres in width in the case of 90 degree parking;
 - (b) 5.5 metres in width in the case of 60 degree parking; and
 - (c) 3.5 metres in width in the case of 45 degree and parallel parking.
- 7.2.2 No *parking space* may abut a *highway* in such a way that the *use* of the *parking space* necessitates reversing a motor vehicle from or onto the *highway* or a sidewalk. If a *parking space* is accessible directly from a lane, the combined length of the *parking space* and width of the lane must be at least 12.5 metres.
- 7.2.3 *Parking spaces* must be at least 2.6 metres in width and 5.5 m in length, exclusive of manoeuvring aisles, and have unobstructed vertical clearance of at least 2.2 metres. Despite the foregoing, parallel-*parking spaces* must have a length of 7.3 metres, except for end spaces, which must have a minimum length of 5.5 m.
- 7.2.4 Where a *building* or *use* provides more than 15 *parking spaces*, up to 20 per cent of the total stalls may be reduced to 4.6 m in length provided those spaces are marked with the words "SMALL CAR ONLY" on the pavement or facing wall.
- 7.2.5 All *parking spaces* must have a maximum gradient and cross-slope of 6 percent.
- 7.2.6 Where a *parking lot* consists of more than 20 paved *parking spaces*, the *parking lot* may only be constructed in accordance with a design prepared by an *engineer* which ensures that the pre-development and post-development stormwater runoff rate, flow pattern and water quality are as similar as is reasonably feasible and that runoff is managed in a manner consistent with the *Land Development Guidelines*. Stormwater runoff facilities must be operated and maintained at all times in accordance with the original design and the *Land Development Guidelines*.

7.3 LOCATION OF AUTOMOBILE PARKING SPACES

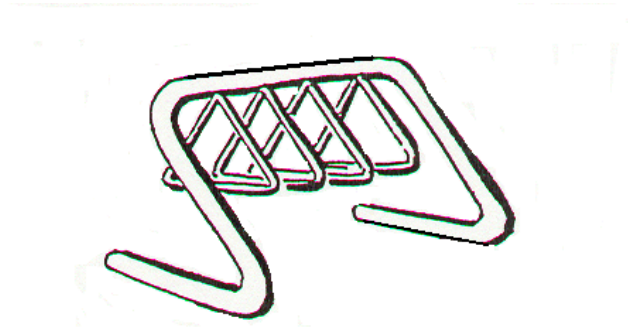
- 7.3.1 Except as provided by Section 7.7 of this Bylaw, all required off-street *parking spaces* must be located on the *lot* on which the *use*, *building* or *structure* being served is located, or on an adjoining *lot* that constitutes part of the same site or premises. *Parking spaces* located on a *highway* may not be taken into account in determining compliance with the standards in this part.

7.4 PARKING SPACES FOR THE DISABLED

- 7.4.1 Despite Subsection 7.2.3 of this Bylaw, the following regulations apply to *parking spaces* for the disabled:
- (1) Spaces must be at least 3.7 m in width and have at least 3 m of vertical clearance.
 - (2) Spaces must be level and have a firm and slip-resistant surface
 - (3) Spaces must be close to an accessible entrance to the *building* or *use* being served and be designed for a minimum change in elevation between the space and the entrance.
- 7.4.2 *Parking spaces* for the disabled must be marked with the International Symbol of Accessibility on the pavement and on any facing wall.

7.5 STANDARDS FOR BICYCLE PARKING SPACES

- 7.5.1 Each bicycle *parking space* must be accessible to a *highway* or vehicle *parking lot* via an access aisle that is not less than 1.2 m in width.
- 7.5.2 Bicycle *parking spaces* must be at least 0.8 m in width and 1.8 m in length with a minimum overhead clearance of 1.2 m.
- 7.5.3 Bicycle *parking spaces* must include a fixed *structure* that supports the bicycle frame in a stable position without damage to the wheels, frame or components and that enables the frame and both wheels to be locked to the *structure* by the cyclist's own locking device. Protection from precipitation must be provided for 50 per cent of all spaces required.



Example of preferred bicycle parking *structure*

- 7.5.4 Bicycle *parking spaces* are to be located at the primary entrance to the *building* or *use* being served.

7.6 STANDARDS FOR LOADING SPACES

- 7.6.1 One off-street loading space is to be provided for each *multi-family* development consisting of more than 10 *dwelling units* and for each parcel occupied by a *commercial*, industrial or institutional *use*, exclusive of *home-based business uses*.
- 7.6.2 Off-street loading spaces are to be a minimum of 9 m in length and 3 m in width and have a vertical clearance of 4 m.
- 7.6.3 Off-street loading spaces are to be clearly marked with the words "LOADING SPACE ONLY" on the pavement and facing wall.

7.7 OFF-SITE PARKING

- 7.7.1 With the exception of those spaces provided for bicycles and the disabled, *parking spaces* may be located on a different site from that occupied by the *use* being served provided that site is appropriately zoned. Such off-site *parking spaces* must be within 0.5 km of an entrance to the *use* being served, and *use* of the off-site *parking spaces* must be secured by a legal agreement acceptable to Salt Spring Island Local Trust Committee. If the off-site *parking spaces* cannot be accessed from a *public highway*, access to them must also be secured by such a legal agreement.



- 7.7.2 Where a *parking lot* or other off-street parking facility is operated by the Capital Regional District within 0.5 km of an entrance to the *use* being served and the facility can provide the required number of *parking spaces*, the owner or occupier of the land may pay an amount of money as specified by the Capital Regional District instead of providing automobile *parking spaces*. Bicycle *parking spaces* and *parking spaces* for the disabled may not be provided in this way.
- 7.7.3 The money referred to in 7.7.2 is payable at the time:
- (1) a *building* permit is issued for the *building* or *structure* that is being put to the *use* that requires the *parking space* specified in the Bylaw; or
 - (2) when the *use* that requires the *parking space* specified in the Bylaw begins, if no *building* permit is required.

Information Note: At the time of development of this Bylaw, no parking facilities were being operated by the Capital Regional District on Salt Spring Island. In order for this to happen, the CRD would need to establish this as a function, purchase property and take other steps to operate a parking lot. Any money collected for this purpose would have to be kept in a reserve fund and used only for the provision of off-street parking spaces. Such a facility may be of use in the future, particularly in Ganges Village, so that village businesses can share the expense of parking lots and locate them west of Jackson Avenue. Subsections 7.7.2 and 7.7.3 of this Bylaw have been written in anticipation of a time when it may be feasible for the CRD to develop shared parking lots.



PART 8

ESTABLISHMENT OF ZONES

8.1 DIVISION INTO ZONES

- 8.1.1 That portion of the Salt Spring Island Local Trust Area shown on Schedule "A" is divided into the *zones* depicted on Schedule "A".
- 8.1.2 Where exceptions to the general provisions of a *zone* apply, this is illustrated on Schedule "A" by a letter within brackets. The exceptions are described in the corresponding section of Part 9.

8.2 ZONE BOUNDARIES

- 8.2.1 Where a *zone* boundary is shown on Schedule "A" as following any *highway*, right-of-way or stream, the centre line of such *highway*, right-of-way or stream is the *zone* boundary.
- 8.2.2 The boundary between land and shoreline *zones* is the *lot line* as determined by a *surveyor* and where there is no survey plan the boundary is the *natural boundary* of the *water body*.
- 8.2.3 Where a *zone* boundary shown on Schedule "A" does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, the location of the boundary must be determined by scaling from Schedule "A".
- 8.2.4 Unless otherwise indicated on Schedule "A", shoreline *zones* extend from the *natural boundary* of the sea to the boundary of Electoral Area "F" of the Capital Regional District, as indicated on Schedule "A".



PART 9 ZONE REGULATIONS

In the interpretation of tables in this Part, a diamond symbol (♦) at the intersection of a particular row and column indicates that the zoning regulation or the *subdivision* or servicing standard described in that row applies to the *zone* indicated at the head of the column.

9.1 AGRICULTURAL ZONES

The regulations in the tables in this Section apply to land in the Agriculture 1 (A1) and Agriculture 2 (A2) Zones, as indicated by the column headings.

9.1.1 Permitted Uses of Land, Buildings and Structures

Information Note: Most land in the Agriculture 1 or Agriculture 2 zones is also in the Provincial Agricultural Land Reserve. **Where this is the case, the accessory uses listed below are permitted only if they are also approved by the B.C. Land Reserve Commission.** Any **non-farm** land uses that may be permitted by the B.C. Land Reserve Commission are only permitted if they are also consistent with this Bylaw.

(1) In addition to the uses permitted in Subsection 3.1.1 of this Bylaw, the following uses, buildings and structures and no others are permitted in the Agriculture 1 (A1) and Agriculture 2 (A2) Zones:

BL461 (05/13)

	A1	A2
Principal Uses, Buildings and Structures		
Agriculture, farm buildings and structures <i>Information note: By definition, "agriculture" includes the processing, storage, sale of farm products produced on the same lot, or on another lot that is part of the same farm business.</i>	♦	♦
Single-family dwellings	♦	♦
Accessory Uses		
<p>One additional dwelling unit provided that it:</p> <ul style="list-style-type: none"> a) is a <i>mobile home</i> consistent with General Order 1 #1622/83 of the B.C. Land Reserve Commission, or b) is a <i>secondary suite</i> that is consistent with Policy #043/98 of the B.C. Land Reserve Commission, or c) is a <i>farmworkers' dwelling unit</i> that has been specifically approved by application to the B.C. Land Reserve Commission. <p><i>Information Note: General Order #1622/83 of the B.C. Land Reserve Commission permits one additional dwelling unit in the form of a temporary mobile home to house family members or farm help, with specific conditions. Policy #043/98 of the B.C. Land Reserve Commission permits one secondary suite as part of the main dwelling unit provided it meets specific conditions. Where the construction of a permanent detached farm worker's dwelling unit is proposed, this bylaw requires that an application be made to the B.C. Land Reserve Commission, through the Salt Spring Island Local Trust Committee. The need for additional farm workers to be housed on the property in a permanent detached second dwelling unit will be evaluated in the context of criteria developed by the Ministry of Agriculture and Food and the B.C. Land Reserve Commission.</i></p>	♦	♦
<p>Processing of the <i>farm products</i> of another farm located within the Salt Spring Island Local Trust Area.</p> <p><i>Information Note: This use requires the written permission of the Land Reserve Commission.</i></p>	♦	♦

Accessory Uses		
Sale of the <i>farm products</i> of another farm, provided that the <i>floor area</i> used for the storage and display of the products from another farm may not exceed 5 square metres or one third of the total <i>floor area</i> on a <i>lot</i> that is occupied by <i>farm product</i> storage and display.	◆	◆
<i>Home-based business use</i> subject to Section 3.13	◆	◆
<i>Commercial guest accommodation</i> in a <i>campground</i> accessory to a <i>commercial farm business</i> , subject to Schedule “F”, provided that no more than 10 per cent of <i>campsites</i> are designed to accommodate self-contained recreational vehicles. <i>Information Note: In the ALR, this use must also be applied for and approved in writing by the B.C. Land Reserve Commission.</i>	◆	
<i>Seasonal cottages</i> subject to Section 3.14 <i>Information Note: A seasonal cottage is considered a “non-farm use” by the B.C. Land Reserve Commission. Permission to construct a seasonal cottage must also be applied for and approved in writing by the Commission.</i>	◆	

9.1.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 4, *uses, buildings and structures* in the A1 and A2 zones must comply with the following regulations regarding size, siting and density.

	A1	A2
Lot Coverage		
Maximum combined <i>lot coverage</i> of all <i>buildings and structures, excluding greenhouses</i> (per cent)	35	35
Maximum combined <i>lot coverage</i> of all <i>buildings and structures, including greenhouses</i> (per cent)	75	75
Maximum <i>lot coverage</i> of all <i>campsites, buildings and structures</i> in a <i>campground</i> (per cent)	5	N/A
Number of Units and Site Areas		
Maximum number of <i>campsites</i> per ha in a <i>campground</i> on any <i>lot</i>	15	N/A
Maximum number of <i>campsites</i> in a <i>campground</i> or on any <i>lot</i>	50	N/A
Setbacks		
Despite Article 4.3.1(2), the following <i>lot line</i> setbacks apply in the zone indicated:		
Minimum <i>rear lot line</i> setback (metres) for <i>buildings, structures and uses</i> that are not listed in Subsections 4.3.4 through 4.3.9	4.5	4.5

9.1.3 Stormwater and Agricultural Liquid Waste Management Plans

The total *impervious surface* area of *farm buildings, structures and pavement* is not to exceed 3500 square metres or cover more than 10 per cent of a *lot*, or contiguous *lots*, unless it is constructed in accordance with a design prepared by an *engineer* which ensures that the pre-development and post-development stormwater runoff rate, flow pattern and water quality are as similar as is reasonably feasible and that runoff is managed in a manner consistent with the *Land Development Guidelines*. Stormwater runoff facilities must be operated and maintained at all times in accordance with the original design and the *Land Development Guidelines*.

9.1.4 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the Agriculture 1 and Agriculture 2 zones.

Information Note: For land in the Agricultural Land Reserve, see Subsection 5.1.2.

	A1	A2
Minimum Lot Areas, Water Supply and Sewage Treatment Servicing Requirements		
Minimum water supply service required for subdivision:		
Adequate supply of <i>potable</i> water	◆	◆
Minimum sewage treatment service required for subdivision:		
Individual on-site sewage treatment system per <i>lot</i>	◆	◆
Minimum area of an individual lot that may be created through <i>subdivision</i> (ha)	8	8

9.1.5 Exceptions in Particular Locations

- (1) On those lands in the A1 and A2 zone that are identified on Schedule “A” by a letter in brackets, the following additional regulations apply:

Zone Variation -- A1(a)

- (2) The following additional *uses* are permitted:
- (a) *Community hall*;
 - (b) Processing and storage of *farm products* produced mainly within the Salt Spring Island Local Trust Area;
 - (c) *Museum*;
 - (d) *Outdoor* community events.

Zone Variation – A1(b)

- (3) The following additional *use* is permitted:
- (a) *Outdoor* children’s recreational camp.

Zone Variation – A1(c)

- (4) The following additional *use* is permitted:
- (a) *Liquid waste disposal*.
- (5) The following size and siting regulations apply:
- (a) Not more than 10 square metres is to be covered by *buildings* and *structures* associated with the management and treatment of septage and sewage sludge.
 - (b) No *building* or *structure* associated with the treatment and management of septage and sewage sludge may exceed 4 m and one *storey* in *height*.
 - (c) No *building* or *structure* associated with the management and treatment of septage and sewage sludge, or part thereof, except a fence is permitted within 30 m of a *lot line*.
 - (d) Where the *interior side lot line* or the *rear lot line* abuts any *lot* not zoned for septage and sewage sludge treatment, then no part of a facility for the management or treatment of septage and sewage sludge may be located within 30 m of any *lot line*.

- (e) No part of a facility for the management and treatment of septage and sewage sludge may be located within 60 m of a *natural boundary* of any *water body*.
 - (f) A *landscape screen* not less than 2 m in width is to be provided along the developed portion of each *lot line* that abuts a *public highway*.
- (6) The following regulations apply regarding *subdivision*:
- (a) The minimum area of an individual *lot* that may be created through *subdivision* is 4 ha.

Zone Variation – A1(d)

- (7) The following additional *use* is permitted:
- (a) A *hotel* and restaurant, including *accessory buildings*, occupying no more than 675 square metres of *lot coverage*.

BL432 (04/11)

Zone Variation – A1(e)

- (8) The maximum number of *lots* permitted within the entire area zoned A1(e) shall not exceed 1.
- (9) The minimum area of an individual *lot* that may be created through *subdivision* is 6.7 ha.

BL435 (04/09)

Zone Variation – A1(f)

- (10) The following additional *uses* are permitted:
- (a) *Emergency response station*.
 - (b) *Fire training facility*.
- (11) The following regulations apply:
- (a) Despite Article 4.3.1(3), no *building* or *structure* associated with a *fire training facility* is permitted within 8 metres of an *interior side lot line*.
 - (b) A *vegetation screen* must be provided and maintained in accordance with Section 3.4.
 - (c) No fuel may be used for fire simulation at a *fire training facility* other than propane, and in particular no material or substance that could become hazardous through combustion, including rubber, paint, plastics, batteries, upholstery and oil, may be burned in training activities.
 - (d) Fire simulation activities at a *fire training facility* may be conducted only on an engineered concrete slab, and burn props may be constructed only of metal.
 - (e) No substance other than water may be used for the extinguishment of fires in training activities at a *fire training facility*, and water used for this purpose must be contained and separated from oil and other contaminants before being discharged into the environment.



Zone Variation – A2(a)

- (12) The following size and siting regulations apply:
- (a) Despite the *lot coverage* regulations in the A2 zone in Subsection 9.1.2, the *lot coverage* for *buildings* and *structures* for *residential uses* must not exceed 10 percent of the *lot area*.
 - (b) Despite the setback regulations in the A2 zone in Articles 4.3.1(2) and 9.1.2(1), the setback from any *lot line* must not be less than 7.5 m.
- (13) The following regulations regarding *subdivision* and minimum servicing levels apply:
- (a) Despite the *subdivision* and servicing regulations for the A2 Zone in Subsection 9.1.4, for *subdivision* of *lots* of 48 ha or larger, *lots* may be created in addition to those permitted based on the minimum *lot area* requirement in the *zone* in which the land is situated. All *lots* created are to meet a minimum area requirement of 1 ha. There is to be a commonly owned *lot* created by the *subdivision* upon which no *building* is permitted. For each 8 ha of area within the common *lot*, one additional *lot* is permitted up to a maximum of six additional *lots* and the common *lot*. For the purposes of calculating the number of additional *lots*, the area of *highway* dedication is included in the common *lot*. When calculating the number of additional *lots*, if there is a remainder, one additional *lot* is permitted as long as the remainder is greater than 2 ha.



ISLANDS TRUST

9.2 COMMERCIAL ZONES

The regulations in this Section apply to land in the Commercial 1 (C1), Commercial 2 (C2), Commercial 3 (C3), Commercial 4 (C4), Commercial 5 (C5), and Commercial 6 (C6) Zones as indicated by the column headings.

9.2.1 Permitted Uses of Land, Buildings and Structures

Information Note: Where land is in the Provincial Agricultural Land Reserve, the following uses are permitted only if they are also permitted by the Land Reserve Commission. Land uses permitted by the Land Reserve Commission are only permitted if they are also consistent with this Bylaw.

- (1) In addition to the uses permitted in Subsection 3.1.1 of this Bylaw, the following *principal and accessory uses, buildings and structures* and no others are permitted in the *Commercial 1, Commercial 2, Commercial 3, Commercial 4, Commercial 5 and Commercial 6 zones*:

	C1	C2	C3	C4	C5	C6
Principal Uses, Buildings and Structures						
<i>Indoor retail sales and rentals</i>	♦	♦	♦			
<i>Indoor retail services, excluding Laundromats</i>	♦	♦	♦	♦		
Laundromats	♦					
<i>Outdoor retail sales of nursery plants and home gardening supplies</i>	♦	♦				
<i>Indoor production of food and drink items, clothing, crafts, artwork, jewellery and similar items for retail or wholesale sales, provided there is a retail outlet on the premises and provided water consumption does not exceed 1600 litres/day</i>	♦	♦	♦			
Offices	♦	♦		♦		
Banks and credit unions	♦	♦				
<i>Indoor commercial recreation and amusement facilities</i>	♦	♦			♦	
Restaurants	♦	♦	♦			
<i>Churches</i>	♦	♦				
Libraries	♦	♦				
Offices for use by <i>building</i> construction professionals and trades	♦	♦				♦
<i>Automobile service stations</i>			♦			
Automobile rentals with a maximum of five vehicles stored on-site	♦	♦	♦			♦
Veterinarian clinics and animal hospitals	♦	♦				
<i>Indoor commercial and vocational schools</i>	♦	♦				
Daycare centres for children, <i>seniors</i> , or people with special needs	♦	♦				
<i>Funeral homes</i>						♦
<i>Multifamily dwelling units</i>		♦				
<i>Commercial guest accommodation in hotels or guest houses.</i>		♦				
<i>Retail sales of building supplies, appliances and furniture</i>						♦
<i>Light industry, excluding uses that consume or use more than 1600 litres/day of water</i>						♦
<i>Wholesale sales</i>						♦
Storage of goods and vehicles, with the exception of <i>outdoor</i> storage of derelict vehicles or equipment, or waste materials						♦
Boat <i>building</i> , servicing and repairs						♦
<i>Service, repairs and sales of vehicles and equipment.</i>						♦
Collection of recyclable materials, excluding <i>outdoor</i> sorting and storage	♦		♦		♦	♦
<i>Public service uses</i>	♦	♦	♦	♦	♦	♦
Accessory Uses						
<i>Indoor retail sales accessory to another permitted use</i>						♦
<i>Dwelling units accessory to a commercial use</i>	♦	♦	♦	♦	♦	♦
Restaurant <i>accessory</i> to another permitted use					♦	
<i>Home-based businesses accessory to residential use</i>		♦				

9.2.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 4, *uses, buildings and structures* in *Commercial Zones* must comply with the following regulations regarding size, siting and density:

	C1	C2	C3	C4	C5	C6
Lot Coverage and Floor Area						
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (per cent)	75	75	33	33	33	75
Minimum size of a <i>dwelling unit</i> (square metres).	N/A	30	N/A	N/A	N/A	N/A
Number of Units						
Maximum number of <i>multi-family dwelling units</i> per ha	N/A	37	N/A	N/A	N/A	N/A
Maximum number of <i>commercial guest accommodation units</i> per <i>lot, operation or site</i>	N/A	50	N/A	N/A	N/A	N/A
Setbacks and Siting						
Despite Subsection 4.3.1, the following <i>lot line setbacks</i> apply in the specific <i>zone</i> indicated:						
Minimum <i>Front lot line setback</i> (metres)	0.0	4.5	*	*	*	*
Minimum <i>Rear lot line setback</i> abutting non- <i>commercial</i> or non- <i>industrial zone</i> (metres)	6.1	*	*	*	*	6.1
Minimum <i>Rear lot line setback</i> abutting a <i>commercial</i> or <i>industrial zone</i> (metres)	0.0	*	*	*	*	6.1
Minimum <i>Interior side lot line setback</i> abutting non- <i>commercial</i> or non- <i>industrial zone</i> (metres)	6.1	*	*	*	*	6.1
Minimum <i>Interior side lot line setback</i> abutting <i>commercial</i> or <i>industrial zone</i> (metres)	0.0	*	*	*	*	6.1
Minimum <i>Exterior side lot line setback</i> (metres)	0.0	*	*	*	*	6.1
<i>Dwelling units</i> are not permitted in a <i>basement</i> or below any <i>commercial use</i>	N/A	◆	N/A	N/A	N/A	N/A
<p>* Indicates provisions in Section 4.3 apply.</p> <p><i>Information Note:</i> Under the <i>Highways Act</i>, special permission from the <i>Ministry of Transportation and Highways</i> is required to place structures within 4.5 m of a highway right-of-way.</p> <p><i>Information Note:</i> Required setbacks from water bodies are outlined in Sections 4.4 and 4.5.</p> <p><i>Information Note:</i> Vegetation screens are required where commercial or industrial uses take place outside of a building adjacent to non-commercial or non-industrial uses. See Subsection 3.4.2.</p>						

9.2.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act and the Strata Property Act for the Commercial 1, Commercial 2, Commercial 3, Commercial 4, Commercial 5 and Commercial 6 Zones.

Information Note: For land in the Agricultural Land Reserve, see Subsection 5.1.2.

	C1	C2	C3	C4	C5	C6
Minimum Lot Areas, Water Supply, and Sewage Treatment Servicing Requirements.						
Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable water</i> (ha)	1	1	1	1	1	.6
Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> provided each <i>lot</i> has an individual on-site sewage treatment system and connection to a <i>community water system</i> (ha)	1	.4	1	1	.2	.15
Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> provided each <i>lot</i> has connection to a <i>community sewage collection system</i> and a <i>community water system</i> (ha)	.046	.046	.046	.046	.2	.15

9.2.4 Exceptions in Particular Locations

- (1) On those lands in *Commercial zones* that are identified on Schedule “A” by a letter in brackets, the following additional regulations apply:

Zone Variation -- C1(a)

- (2) The following additional *use* is permitted:
 - (a) Retail gasoline sales occupying a maximum area of 160 square metres.
 - (b) A *liquor store*.

BL397 (09/04)

Zone Variation -- C1(b)

- (3) The following additional *uses* are permitted:
 - (a) Neighbourhood or *marine pub*.

Zone Variation -- C1(c)

- (4) The following *uses* only are permitted:
 - (a) *Marina* and *marina services*.
 - (b) Marine fuelling stations.
 - (c) Marine related retail stores and offices.
 - (d) Boat rentals.
 - (e) Marine equipment rentals, excluding *personal watercraft*.

Zone Variation – C1(d)

- (5) The following additional *uses* are permitted:
 - (a) *Public schools*.

BL444 (07/10).

(Deleted Zone Variation – C1(e))

BL378 (03/03)

Zone Variation – C1(f)

- (6) Notwithstanding the permitted *uses* of land, *buildings* and *structures* set out in Subsection 9.2.1, the following *use* only is permitted:
- (a) a *parking lot accessory* to a permitted *commercial use*.

BL397 (09/04)

Zone Variation – C1(g)

- (7) The following additional *use* is permitted:
- (a) A *liquor store*.

Zone Variation – C2(a)

BL430 (04/08)

- (8) The following additional *use* is permitted:
- (a) A *parking lot*.

BL444 (07/10)

(Deleted Zone Variation – C6(a))

BL452 (01/12)

BL460 (11/12)

Zone Variation – C4(a)

- (9) The following additional *principal uses* are permitted:
- (a) *Indoor retail sales*.
- (b) *Indoor* production of food and drink items, clothing, crafts, artwork, jewellery and similar items for *retail* or *wholesale sales*, provided there is a retail outlet on the premises and provided water consumption does not exceed 1600 litres/day.
- (10) The following additional *accessory use* is permitted:
- (a) *Dwelling units*.
- (11) Despite Section 4.3, no *building* or *structure* except a fence, *pumphouse*, *public utility structure* or underground utility may be constructed within the following setbacks from *lot lines* or road access easements:
- (a) Setback from *front lot line*: 4.5 m.
- (b) Setback from *interior side lot line* abutting a *commercial* or *industrial zone*: 1.0 m.
- (c) Setback from *interior side lot line* abutting *non-commercial* or *non-industrial zone*: 3.0m.
- (12) Despite Section 4.3, a rain collection *structure* may be constructed within the setbacks from a *rear lot line* and an *interior side lot line*.
- (13) Despite all other regulations of this bylaw, the number of *dwelling units* per hectare is 37.
- (14) Despite Part 7, one off-street loading space is not required.
- (15) Despite Part 7, one off-street *parking space* is required per *dwelling unit* not exceeding 70 square meters in *floor area*.



ISLANDS TRUST

9.3 COMMERCIAL ACCOMMODATION ZONES

The regulations in the tables in this Section apply to land in the Commercial Accommodation 1 (CA1), Commercial Accommodation 2 (CA2), (Commercial Accommodation 3 (CA3), Commercial Accommodation 4 (CA4) and Commercial Accommodation 5 (CA5) Zones as indicated by the column headings.

9.3.1 Permitted Uses of Land, Buildings and Structures

Information Note: Where land is in the Provincial Agricultural Land Reserve, the following uses are permitted only if they are also permitted by the Land Reserve Commission. Land uses permitted by the Land Reserve Commission are only permitted if they are also consistent with this Bylaw.

- (1) In addition to the uses permitted in Subsection 3.1.1 of this Bylaw, the following *principal* and *accessory* uses, *buildings* and *structures* and no others are permitted in the *Commercial Accommodation* zones indicated.

	CA1	CA2	CA3	CA4	CA5
Principal Uses, Buildings and Structures					
<i>Commercial guest accommodation units in hotels and motels</i>	♦	♦			
<i>Commercial guest accommodation units in cabins</i>	♦	♦	♦		
<i>Commercial guest accommodation units in guest houses</i>				♦	
<i>Commercial guest accommodation in a tourist hostel.</i>					♦
<i>Neighbourhood or marine pubs</i>	♦	♦			
<i>Restaurants</i>	♦	♦			
<i>Marina administration and services, including washrooms, showers and laundry facilities</i>	♦	♦			
<i>Boat rentals</i>	♦	♦			
<i>Boat accommodation, servicing and maintenance, including refuelling</i>	♦				
<i>Campgrounds subject to Schedule "F"</i>		♦	♦		♦
<i>Single family dwellings</i>					♦
<i>Public service uses</i>	♦	♦	♦	♦	♦
Accessory Uses					
<i>Residential use accessory to commercial guest accommodation use, restaurant use, or marina administration and service</i>	♦	♦	♦		
<i>Retail sales accessory to commercial guest accommodation or a marina</i>	♦	♦	♦		
<i>Retail services accessory to commercial guest accommodation</i>	♦	♦	♦		
<i>Boat rentals accessory to a principal use</i>			♦		
<i>Accessory campground</i>					♦

9.3.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

(1) Subject to Part 4, *uses, buildings and structures* in the *Commercial Accommodation zones* must comply with the following regulations regarding size, siting and density.

	CA1	CA2	CA3	CA4	CA5
Lot Coverage and Floor Area					
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (per cent)	33	33	33	20	5
Maximum <i>floor area</i> per ha of <i>commercial guest accommodation units</i> (square metres)	N/A	N/A	600	N/A	N/A
Maximum <i>floor area</i> of a <i>tourist hostel</i> (square metres)	N/A	N/A	N/A	N/A	450
Maximum combined <i>floor area</i> of permitted <i>accessory retail sales and services</i> (square metres)	20	10	10	N/A	N/A
Minimum <i>floor area</i> to be provided for each bed space, where beds are not stacked (square metres)	N/A	N/A	N/A	N/A	3.7
Minimum <i>floor area</i> to be provided for each bed space, where beds are stacked (square metres)	N/A	N/A	N/A	N/A	2.8
Maximum combined <i>floor area</i> of <i>accessory buildings</i> for storage and maintenance (square metres)	70	70	70	70	70
Number of Units					
Maximum number of <i>commercial guest accommodation units</i> on one <i>lot</i>	50	50	50	9	N/A
Maximum combined number of <i>commercial guest accommodation units</i> and <i>campsites</i> per ha	35	15	10	N/A	N/A
Maximum number of <i>guests</i> permitted	N/A	N/A	N/A	N/A	40
Maximum number of <i>buildings</i> occupied for <i>tourist hostel</i> accommodation	N/A	N/A	N/A	N/A	3
Maximum number of <i>campsites</i> in a <i>campground</i>	N/A	N/A	N/A	N/A	4
Maximum number of <i>dwelling units</i> per <i>lot</i>	1	1	1	N/A	1
Setbacks					
Despite Subsection 4.3.1, the following <i>lot line</i> setbacks apply in the specific <i>zone</i> indicated					
Minimum <i>rear lot line</i> or <i>interior side lot line</i> setback abutting another <i>lot</i> in a <i>Commercial Accommodation zone</i> (metres)	15	15	15	15	15
Minimum setback from any <i>lot line</i> which does not abut another <i>lot</i> in a <i>Commercial Accommodation zone</i> (metres).	*	*	*	*	10
* Indicates provisions in Section 4.3 apply.					

9.3.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the *Commercial Accommodation 1*, *Commercial Accommodation 2*, *Commercial Accommodation 3* and *Commercial Accommodation 4* zones.

Information Note: For land in the Agricultural Land Reserve, see Subsection 5.1.2.

	CA1	CA2	CA3	CA4	CA5
Minimum Lot Areas, Water Supply and Sewage Treatment Servicing Requirements					
Minimum average area of <i>lots</i> in a <i>subdivision</i> (ha)	2	2	2	2	2
Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable</i> water (ha)	2	2	2	2	.6
Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> , provided each <i>lot</i> has connection to a <i>community sewage collection system</i> and connection to a <i>community water system</i> (ha)	2	2	2	.32	.6

9.3.4 Exceptions in Particular Locations

- (1) On those lands in *Commercial Accommodation zones* that are identified on Schedule “A” by a letter in brackets, the following additional regulations apply:

Zone Variation – CA1(a)

- (2) The following additional *uses* are permitted:
- (a) *Recreational services.*
 - (b) *One single-family dwelling per lot.*
 - (c) *Campgrounds* subject to Schedule “F”.
- (3) The following regulations regarding size, siting and density apply:
- (a) To be occupied by a *commercial use*, a *lot* must be at least 9 ha in area.
 - (b) The maximum combined number of *commercial guest accommodation units* is 4 per ha.
 - (c) *Cabins* may not have a *floor area* greater than 116 square meters and may not exceed two *storeys*.
 - (d) *Residential buildings* may be constructed with no setback from any *lot line*.
 - (e) *Commercial buildings* are to be constructed at least 7.6 m from any *lot line*.
 - (f) There is no maximum site coverage limit for *residential buildings*.
- (4) The following regulations regarding *subdivision* apply:
- (a) Despite Article 9.3.3 (1), there is no minimum *lot area* and the minimum average size of *lot* that can be created by *subdivision* is 0.50 ha, provided there is an on-site sewage treatment system and an adequate supply of *potable* water.
 - (b) Despite Subsection 5.3.4, *lots* with a *depth* of less than 30 m may be created.
 - (c) Despite Subsection 5.3.5, *lots* with a *building envelope* of less than 280 square metres may be created, provided all applicable setbacks can be met.

BL438 (09/09)

- (5) On Lot 72 of Strata Plan 905:
- (a) The maximum combined number of *single-family dwelling units*, including a manager's residence or other *accessory residential use*, is 18.
 - (b) The maximum combined *floor area of accessory buildings* is 750 square metres.

Zone Variation – CA1(b)

- (6) Only the following *uses* are permitted:
- (a) *Hotel*.
 - (b) *Commercial guest accommodation units in cabins*.
- (7) The following regulations regarding size, siting and density apply:
- (a) Maximum *lot coverage* is 10 per cent.
 - (b) *Cabins* may not have a *floor area* greater than 116 square metres.
 - (c) To be occupied by a *commercial use*, a *lot* must be at least 0.5 ha in area.
 - (d) The maximum number of *commercial guest accommodation units* is 20 per ha.

Zone Variation – CA1(c)

- (8) The following additional *principal uses* are permitted:
- (a) Boat building, boat repairs, *marine-dependent sales*, rentals and *services*.
 - (b) Laundromat.
 - (c) Car rentals.
- (9) *Building setbacks* from the *natural boundary* of the sea do not apply to *buildings* or *structures* used for boat *building*, boat repairs, boat rental and *marina* administration and *services*.
- (10) The maximum combined *floor area of commercial guest accommodation units* is 700 square metres. Despite the foregoing provision, on a *lot* larger than 0.4 ha, there may be one *commercial guest accommodation unit* for each additional 0.04 ha of *lot area*. No *commercial guest accommodation unit* may have a *floor area* greater than 95 square metres and the average *floor area* of all permitted additional *commercial guest accommodation units* may not exceed 55 square metres.

Zone Variation – CA1(d)

- (11) The following additional *uses* are permitted:
- (a) Car rentals.
- (12) *Building setbacks* from the *natural boundary* of the sea do not apply to *buildings* or *structures* used for boat *building*, boat repairs, boat rental and *marina* administration and *services*.
- (13) The maximum combined *floor area of commercial guest accommodation units* is 700 square metres. Despite the foregoing provision, on a *lot* larger than 0.4 ha, there may be one *commercial guest accommodation unit* for each additional 0.04 ha of *lot area*. No *commercial guest accommodation unit* may have a *floor area* greater than 95 square metres and the average *floor area* of all permitted additional *commercial guest accommodation units* may not exceed 55 square metres.



Zone Variation – CA1(e)

- (14) The maximum number of *commercial guest accommodation units* is 8.

BL384 (08/03)

Zone Variation – CA1(f)

BL397 (09/04)

- (15) Despite Article 9.3.2(1), a total *floor area* not to exceed 215 square metres may be devoted to an *accessory liquor store* provided this *floor area* is located entirely within the existing main *building*.
- (16) Despite Article 9.3.2(1), a total *floor area* not to exceed 41.5 square metres may be devoted to *accessory retail services* provided that this *floor area* is located entirely within the existing main *building*.

BL431 (12/07)

Zone Variation – CA1(g)

- (17) The maximum number of *commercial guest accommodation units* is 8.
- (18) Despite all other regulations of this bylaw, the maximum *lot coverage* of all *buildings* and *structures* is 60%.
- (19) Despite Section 4.3, no *building* or *structure* other than a *pumphouse*, *public utility structure* or underground utility may be constructed within the following setbacks from *lot lines* or road access easements:

Setback from <i>front lot line</i> :	0 m
Setback from <i>rear lot line</i> :	0 m
Setback from <i>interior side lot line</i> :	0 m
Setback from <i>exterior side lot line</i> :	0 m

Zone Variation – CA2(a)

- (20) The maximum combined number of *commercial guest accommodation units* and *campsites* is 30.

Zone Variation – CA2(b)

BL397 (09/04)

- (21) The maximum combined number of *commercial guest accommodation units* and *campsites* is 8.
- (22) The following additional *use* is permitted:
- (a) An *accessory liquor store* not to exceed a total *floor area* of 95 square metres.

Zone Variation – CA3(a)

- (23) The maximum combined number of *commercial guest accommodation units* and *campsites* is 25, provided that the number of *commercial guest accommodation units* may not exceed 10 per ha.

Zone Variation – CA5(a)

- (24) *Campsites* may only be occupied by tents.
- (25) No more than one room in one *building* in the *tourist hostel* may be constructed or used for the cooking of food.



- (26) A continuous landscaping strip or natural vegetation at least 10 m wide and at least 3 m high must be provided and maintained along all property lines, with the exception of one perpendicular break to provide driveway access to the property, and with the exception of any property lines that form the *access strip* to a *panhandle lot*.
- (27) Fencing and appropriate signage must be provided, where necessary, to prevent trespassing by guests onto neighbouring properties.
- (28) No *tourist hostel* or *accessory campground* may be constructed or occupied on any *lot* that adjoins a *lot* occupied by a *tourist hostel*.
- (29) Despite Subsection 6.1.2 of this Bylaw, two off-site directional *signs* may be erected, provided that the *sign area* of each *sign* does not exceed 0.25 sq.m.

9.4 COMMUNITY FACILITIES ZONES

The regulations in the tables in this Section apply to land in the Community Facilities 1 (CF1) and Community Facilities 2 (CF2) zones as indicated by the column headings.

9.4.1 Permitted Uses of Land, Buildings and Structures

In addition to the uses permitted in Subsection 3.1.1 of this Bylaw, the following *principal* and *accessory uses*, *buildings* and *structures* and no others are permitted in the Community Facility zones indicated.

	CF1	CF2
Principal Uses, Buildings and Structures		
<i>Public schools, pre-schools and child day care centres.</i>	♦	
Libraries	♦	
<i>Churches</i>	♦	
<i>Community halls</i>	♦	
<i>Public hospitals, clinics and health care facilities</i>	♦	
<i>Non-commercial active outdoor recreation</i>	♦	
<i>Non-commercial indoor recreation facilities</i>	♦	
<i>Service club buildings</i>	♦	
Performing and visual art centres, including <i>accessory sales</i>	♦	
Collection of recyclable materials	♦	♦
Sorting and <i>temporary storage</i> of recyclable materials		♦
Collection of <i>municipal solid waste</i>		♦
Sorting and <i>temporary storage</i> of <i>municipal solid waste</i>		♦
Liquid waste treatment		♦
<i>Public service uses</i>	♦	♦
Accessory Uses		
<i>Intermittent retail sales and retail services accessory to a principal use</i>	♦	

9.4.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 4, *uses*, *buildings* and *structures* in the Community Facility Zones must comply with the following regulations regarding size, siting and density.

	CF1	CF2
Lot Coverage and Floor Area		
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> (per cent)	25	25
Setbacks		
Despite Subsection 4.3.1, the following <i>lot line</i> setbacks apply for the specific <i>zone</i> indicated:		
Minimum <i>rear lot line</i> setback abutting <i>commercial</i> or <i>industrial zone</i> (metres)	3.0	*
Minimum <i>interior side lot line</i> setback abutting <i>non-commercial</i> or <i>non-industrial zone</i> (metres)	7.5	7.5
Minimum <i>interior side lot line</i> setback abutting <i>commercial</i> or <i>industrial zone</i> (metres)	*	7.5
Minimum <i>exterior side lot line</i> setback (metres)	*	7.5

* Indicates the provisions of Section 4.3 apply.

9.4.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for land in the Community Facility 1 and Community Facility 2 Zones.

Information Note: For land in the Agricultural Land Reserve, see Subsection 5.1.2.

	CF1	CF2
Minimum Lot Areas, Water Supply and Sewage Treatment Servicing Requirements		
Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable</i> water (ha)	1	1
Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> , provided each <i>lot</i> has a connection to a <i>community sewage collection system</i> and a <i>community water system</i> (ha)	0.2	0.2

9.4.4 Exceptions in Particular Locations

- (1) On those lands in the Community Facility zones that are identified on Schedule "A" by a letter in brackets, the following additional regulations apply:

Zone Variation – CF1(a)

- (2) Maximum combined *lot* coverage of all *buildings* and *structures* is 75 per cent.

BL386 (10/03)

Zone Variation – CF1(b)

- (3) Notwithstanding Section 9.4.1(1), Libraries are a prohibited *use*.

BL454 (08/12)

Zone Variation – CF1(c)

- (4) *Agriculture* is a permitted *principal use*.

BL456 (07/12)

Zone Variation – CF1(d)

- (5) Despite all other regulations of this bylaw, the only *principal uses* permitted within lands zoned CF1(d) are:
- (a) *Public* hospitals, clinics and health care facilities.
 - (b) *Public* schools, pre-schools and *child day care* centres.
 - (c) Performing and visual art centres.
 - (d) *Public service uses*.
- (6) Despite all other regulations of this bylaw the only *accessory uses* permitted within lands zoned CF1(d) are:
- (a) *Indoor retail sales accessory* to another permitted *use*.
 - (b) *Dwelling units accessory* to, and located above, another permitted *use*.
- (7) The following regulations apply:
- (a) A *vegetation screen* not less than 7.5 metres must be provided and maintained between the subject property and lands within the Agricultural Land Reserve unless within a BC Hydro right-of-way.

9.5 COMPREHENSIVE DEVELOPMENT ZONES

The regulations in the tables in this Section apply to land in the Comprehensive Development 1 (CD1), Comprehensive Development 2 (CD2) and Comprehensive Development 3 (CD3) zones as indicated by the column headings.

9.5.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the uses permitted in Subsection 3.1.1 of this Bylaw, the following *principal* and *accessory uses*, *buildings* and *structures* and no others are permitted in the zones indicated.

	CD1	CD2	CD3
Principal Uses, Buildings and Structures			
<i>Single-family dwellings</i>	◆	◆	◆
<i>Two-family dwellings</i>	◆	◆	
<i>Multi-family dwellings</i>	◆	◆	
<i>Elementary schools, pre-schools and child day care centres</i>	◆	◆	
<i>Public health clinics</i>	◆		
<i>Community halls</i>	◆		
<i>Outdoor active recreation</i>	◆		
<i>Public indoor recreation facilities</i>	◆		
<i>Indoor retail sales use</i>		◆	
<i>Indoor retail services</i>		◆	
Offices		◆	
Banks and credit unions		◆	
Restaurants		◆	
Automobile rentals to a maximum of five vehicles		◆	
<i>Public service uses</i>	◆	◆	◆
Accessory Uses			
<i>Seasonal cottages</i> subject to Section 3.14			◆
<i>Home-based business use</i> subject to Section 3.13	◆	◆	◆

9.5.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 4, *uses, buildings and structures* in the Comprehensive Development Zones must comply with the following regulations regarding size, siting and density:

	CD1	CD2	CD3
Lot Coverage and Floor Areas			
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (per cent)	33	33	10
Maximum combined <i>floor area</i> per <i>lot</i> of <i>buildings</i> used for a <i>community hall, church, pre-school, or day care centre</i> (square metres)	930	N/A	N/A
Maximum <i>floor area</i> for each non- <i>residential use</i> (square metres)	N/A	139	N/A
Maximum number of <i>commercial uses</i> permitted per two <i>residential uses</i> per <i>lot</i>	N/A	1	N/A
Maximum number of <i>dwelling units</i> per ha	12.3	12.3	N/A
Minimum <i>lot area</i> required for a <i>child day care centre</i> (ha)	1	N/A	N/A
Minimum <i>lot area</i> required for a <i>multi-family dwelling</i> (ha)	.08	.08	N/A
Minimum <i>lot area</i> required for a <i>seasonal cottage</i> (ha)	N/A	N/A	2
Despite Subsection 4.3.1, the following <i>lot line</i> setbacks apply in the specific <i>zone</i> indicated:			
Minimum <i>front lot line</i> setback (metres)	3.0	4.5	*
Minimum <i>rear lot line</i> setback (metres)	3.0	4.5	*
Minimum <i>exterior side lot line</i> setback (metres)	3.0	4.5	*
Despite Section 3.8, the permitted <i>height</i> of <i>buildings and structures</i> is as follows:			
Maximum <i>height</i> (metres)	§	11.0	§
Maximum number of <i>storeys</i>	§	3	§

* indicates that the provisions in Section 4.3 apply

§ indicates that the provisions in Section 3.8 apply

9.5.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the Comprehensive Development 1, Comprehensive Development 2 and Comprehensive Development 3 zones.

	CD1	CD2	CD3
Lot Areas and Minimum Service Levels			
Minimum water supply service required for subdivision:			
Adequate supply of <i>potable water</i>			◆
<i>Community water system</i>	◆	◆	
Minimum sewage treatment service required for subdivision:			
Individual on-site sewage treatment system per <i>lot</i>			◆
<i>Community sewage collection system</i>	◆	◆	
Minimum area of an individual lot that may be created through <i>subdivision</i> (ha)	0.08	0.08	1.2
Minimum average area of <i>lots</i> in a <i>subdivision</i> (ha)	0.08	0.08	4.6



- (2) Despite the minimum average area of *lots* permitted in Article 9.5.3(1), the minimum average area of *lots* that may be created through *subdivision* in the CD3 zone may be reduced to 4.2 ha, provided:
- (a) A community amenity in the form of one recreational ballpark facility with a gravel access road is constructed by the applicant for *subdivision* on land held by the Capital Regional District on Salt Spring Island, according to specifications shown on Schedule “B” of this Bylaw.
or
 - (b) The applicant for *subdivision* provides funds in an amount satisfactory to the Salt Spring Island Local Trust Committee, to be held in trust by the Capital Regional District for the construction and maintenance of a community recreational facility on land on Salt Spring Island held by the Capital Regional District. The value of the funds is to be at least 75 per cent of the financial benefit that accrues to the applicant for *subdivision* as a result of the reduction in the minimum average area of *lots*. The financial benefit is to be based on an appraisal of the value of additional *lots* created, less related development costs, dated no more than 30 days before final registration of the *subdivision*.



ISLANDS TRUST

9.6 FORESTRY ZONES

Information Note: Forestry zones indicate those lands that are designated by the provincial government as Forest Land Reserve. Within these lands, the provincial government's Forest Land Reserve Act does not permit a local government, such as the Salt Spring Island Local Trust Committee or a municipality, to adopt any bylaw "that would have the effect of restricting, directly or indirectly, a forest management activity relating to timber production or harvesting".

The regulations in the tables in this Section apply to land in the Forestry 1(F1) and Forestry 2 (F2) zones as indicated by the column headings.

9.6.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Subsection 3.1.1 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Forestry zones indicated:

	F1	F2
Principal Uses, Buildings and Structures		
Forestry uses related to the production and harvesting of timber and other botanical forest products	♦	♦
<i>Single-family dwellings</i>	♦	♦
<i>Two-family dwellings</i> constructed before July 31, 1990	♦	
Forestry research and education	♦	♦
<i>Agriculture</i>	♦	♦
<i>Public service uses</i>	♦	
Accessory Uses		
<i>Home-based business use</i> , subject to Section 3.13	♦	♦
<i>Seasonal cottages</i> , subject to Section 3.14 <i>(Information Note: this use is subject to the special permission of the Land Reserve Commission)</i>	♦	



9.6.2 Size, Siting and Density of Permitted Uses of Land, Buildings and Structures

- (1) Subject to Part 4, *uses, buildings and structures* in the Forestry zones must comply with the following regulations regarding size, siting and density:

	F1	F2
Lot coverage and Number of Units		
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (per cent)	10	10

9.6.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the Forestry 1 and Forestry 2 zones.

Information Note: For land in the Forest Land Reserve, see Subsection 5.1.3

	F1	F2
Lot Area and Minimum Service Levels		
Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> , provided each <i>lot</i> has an on-site sewage treatment system and an adequate supply of <i>potable water</i> (ha)	8	8

9.6.4 Exceptions In Particular Locations

- (1) On those lands in Forestry zones that are identified on Schedule “A” by a letter in brackets, the following additional regulations apply:

Zone Variation – F1(a)

- (2) The minimum average area of *lots* that may be created through *subdivision* is 2 ha, and the minimum area of an individual *lot* may be 0.6 ha, provided there is an individual on-site sewage treatment system per *lot* and an adequate supply of *potable water*.

BL381 (10/03)
BL405 (10/05)

Zone Variation – F1(z)

- (3) Notwithstanding other regulations of this bylaw, the maximum number of *lots* located within all lands zoned F1(z), F2(z), F1(a)(z), R(z) and RU1(z) may not exceed 72.

BL433 (08/11)

Zone Variation – F2(a)

- (4) (a) Notwithstanding other regulations of this bylaw, a second *dwelling unit* not to exceed 111.48 square metres (1200 square feet) in *floor area* is permitted.
(b) Despite Section 4.3, no *dwelling unit* may be constructed within 20.0 m (65.6 feet) minimum setback from the southern *interior side lot line*.

BL381 (10/03)
BL405 (10/05)

Zone Variation – F2(z)

- (5) Notwithstanding other regulations of this bylaw, the maximum number of *lots* located within all lands zoned F1(z), F2(z), F1(a)(z), R(z) and RU1(z) may not exceed 72.

9.7 INDUSTRIAL ZONES

The regulations in the tables in this Section apply to land in the Industrial 1 (In1), Industrial 2 (In2), Industrial 3 (In3), and Industrial 4 (In4) zones as indicated by the column headings.

9.7.1 Permitted Uses of Land, Buildings and Structures

Information Note: Where land is in the Provincial Agricultural Land Reserve, the following uses are permitted only if they are also permitted by the Land Reserve Commission. Land uses permitted by the Land Reserve Commission are only permitted if they are also consistent with this Bylaw. Section 3.3 of this Bylaw permits farming use to occur in any zone, if it is in the Agricultural Land Reserve.

Information Note: Section 3.4 of this Bylaw outlines the requirements for vegetation screens on lots occupied by outdoor industrial uses.

BL448 (09/11)

- (1) In addition to the uses permitted in Subsection 3.1.1 of this Bylaw, the following uses, buildings and structures and no others are permitted in the Industrial zones indicated:

	In1	In2	In3	In4
Principal Uses, Buildings and Structures				
<i>Light industry</i>	♦		♦	♦
<i>Farm-related light industry</i>	♦		♦	♦
<i>Indoor commercial, art and vocational schools</i>	♦		♦	♦
<i>Funeral homes</i>	♦		♦	♦
<i>Indoor sales of building supplies, appliances and furniture, with accessory outdoor sales and storage</i>	♦		♦	♦
<i>Storage, with the exception of outdoor storage of derelict vehicles and equipment, commercially licensed trucks, bulk fuel products, or waste materials</i>	♦	♦	♦	♦
<i>Indoor service and repairs to vehicles, equipment, machinery and boats</i>	♦	♦	♦	♦
<i>Sales and rentals of vehicles, equipment, machinery and boats</i>				♦
<i>Boat building</i>			♦	♦
<i>Indoor wholesale sales</i>	♦		♦	♦
<i>Processing of wood products produced or to be used on Salt Spring Island, including saw mills and planing mills</i>			♦	♦
<i>Processing and sorting of construction aggregates for use on Salt Spring Island, excluding asphalt</i>				♦
<i>Storage of fuel products for use on Salt Spring Island</i>				♦
<i>Processing, sorting and storage of timber produced on Salt Spring Island or to be used on Salt Spring Island</i>				♦
<i>Veterinarian clinics and animal hospitals</i>	♦		♦	♦
<i>Collection of recyclable materials, excluding outdoor sorting and storage</i>	♦	♦	♦	♦
<i>Collection of recyclable materials, including outdoor sorting and storage</i>				♦
<i>Public service uses</i>	♦	♦	♦	♦
<i>Automobile and equipment parking</i>		♦	♦	♦
Accessory Uses				
<i>Retail sales accessory to a permitted principal use</i>	♦	♦	♦	♦
<i>One dwelling unit accessory to industrial use</i>	♦	♦	♦	♦

9.7.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 4, *buildings* and *structures* in the Industrial zones must comply with the following regulations regarding size, siting and density:

	In1	In2	In3	In4
Lot coverage and units per ha				
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> (per cent)	75	33	75	33
Maximum <i>floor area</i> of <i>accessory dwelling units</i> (square metres)	185	185	185	185
Setbacks				
Despite Subsection 4.3.1, the following <i>lot line</i> setbacks apply for the specific <i>zone</i> indicated:				
Minimum <i>Rear lot line</i> setback abutting a <i>lot</i> not in an Industrial <i>zone</i> .(metres)	6	6	6	6
Minimum <i>Rear lot line</i> setback abutting a <i>lot</i> in an Industrial <i>zone</i> (metres)	3	3	3	3
	In1	In2	In3	In4
Minimum <i>Interior side lot line</i> setback abutting a <i>lot</i> not in an Industrial <i>zone</i> .(metres)	6	6	6	6
Minimum <i>Interior side lot line</i> setback abutting a <i>lot</i> in an Industrial <i>zone</i> (metres)	3	3	3	3
Minimum <i>Exterior side lot line</i> setback (metres)	7.5	7.5	7.5	7.5
Height				
Despite Section 3.8, the maximum permitted <i>height</i> of <i>buildings</i> and <i>structures</i> applies in specific <i>zones</i> as indicated:				
Maximum <i>height</i> of <i>buildings</i> and <i>structures</i> (metres)	*	*	11	11

* indicates the provisions of Section 3.8 apply

9.7.3 Stormwater Management

If the area of *impervious surface* on any *lot* in an Industrial *zone* totals 280 square metres or more, then no further *impervious surface* may be constructed on the *lot* except in accordance with a design prepared by an *engineer* which ensures that the pre-development and post-development stormwater run-off rate, flow pattern and water quality are as similar as is reasonably feasible and that runoff is managed in a manner consistent with the *Land Development Guidelines*. Stormwater runoff facilities must be operated and maintained at all times in accordance with the original design and the *Land Development Guidelines*.

9.7.4 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the Industrial 1, Industrial 2, Industrial 3 and Industrial 4 zones.

Information Note: For land in the Agricultural Land Reserve, see Subsection 5.1.2

	In1	In2	In3	In4
Lot Areas and Minimum Service Levels				
Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable</i> water (ha)	0.6	0.6	0.6	0.6

9.7.5 Exceptions In Particular Locations

- (1) On those lands in Industrial zones that are identified on Schedule “A” by a letter in brackets, the following additional regulations apply:

BL412 (12/06)

Zone Variation – In1(a)

- (2) Despite all other regulations of this bylaw the only *principal uses* permitted within lands zoned In1(a) are:
 - (a) Processing of *farm products*.
 - (b) Packaging and storing of *farm products*.
 - (c) Processing of wood products, including saw mills and planing mills.
 - (d) Processing, sorting and storage of timber products.
 - (e) Veterinarian clinics and animal hospitals.
 - (f) *Composting facility*.
 - (g) *Agriculture* research and education.
 - (h) *Wholesale sales* of products used in a *farm operation*.
 - (i) *Agriculture, farm buildings and structures*.
 - (j) *Accessory retail sales*.

BL458 (09/12)

Zone Variation – In1(b)

- (3) Despite all other regulations of this bylaw the only *principal uses* permitted within lands zoned In1(b) are:
 - (a) *Farm products related light industry*.
 - (b) Processing of *farm products*.
 - (c) Preparation, packaging and storing of *farm products*.
 - (d) *Agriculture* and food research and education.
 - (e) *Indoor and outdoor retail sales* and *wholesale sales* of *farm products* and products used in a *farm operation*.
 - (f) *Agriculture, farm buildings and structures*.
 - (g) One *dwelling unit accessory* to industrial use.
- (4) The following *use* is not permitted:
 - (a) Abattoir.
- (5) The following *accessory use* is permitted:
 - (a) *Composting facility*.

BL459 (09/12)

Zone Variation – In1(c)

- (6) The following additional uses are permitted within lands zoned In1(c):
- (a) *Indoor and outdoor retail sales and wholesale sales of building supplies, garden supplies, appliances and furniture, with accessory outdoor sales and storage.*
- (7) The following size and siting regulations apply to lands zoned In1(c):
- (a) Despite the *lot coverage* regulations in the In1 zone in Subsection 9.7.2, the *lot coverage* for *buildings and structures* must not exceed 20 per cent of the *lot* area.
 - (b) Despite the *lot coverage* provisions, individual *buildings* must not exceed 3,250 square metres in area.
 - (c) Despite *setback* provisions in Subsection 9.7.2(1) of the In1 zone, when the *lot* is abutting a lot in the Agricultural Land Reserve a 15 metre building setback is required.”

Zone Variation – In2(a)

- (8) The following additional *use* is permitted:
- (a) Car wrecking.

Zone Variation – In4(a)

- (9) All *uses* must be *marine-dependent*.

9.8 PARK AND RESERVES ZONES

The regulations in the tables in this Section apply to land in the Parks and Reserves 1 (PR1), Parks and Reserves 2 (PR2), Parks and Reserves 3 (PR3), Parks and Reserves 4 (PR4), Parks and Reserves (PR5) and Parks and Reserves (PR6) zones as indicated by the column headings.

9.8.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Subsection 3.1.1 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Parks and Reserves zones indicated.

	PR1	PR2	PR3	PR4	PR5	PR6
Principal Uses, Buildings and Structures						
<i>Park administration offices</i>	♦	♦				
<i>Passive outdoor recreation</i>	♦	♦	♦	♦	♦	♦
<i>Active outdoor recreation, excluding golfing</i>	♦	♦		♦		
<i>Golf course, including practice areas</i>			♦			
<i>Golf club house</i>			♦			
Accessory Uses						
<i>Accessory retail sales and restaurant</i>			♦			
<i>Accessory caretaker's dwelling unit</i>	♦	♦	♦	♦	♦	

9.8.2 Size, Siting and Density of Buildings and Structures

- (1) Subject to Part 4, *buildings and structures* in the Parks and Reserves Zones must comply with the following regulations regarding size, siting and density:

	PR1	PR2	PR3	PR4	PR5	PR6
Lot coverage and Floor Area						
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (per cent)	33	5	5	5	1	N/A
Minimum <i>lot area</i> (in ha) required for an <i>accessory dwelling</i>	4	4	4	4	4	N/A
Maximum <i>floor area</i> of an <i>accessory dwelling</i> (square metres)	95	95	N/A	95	95	N/A
Maximum total <i>floor area</i> of a <i>golf clubhouse</i> , and <i>accessory buildings</i> including <i>accessory retail sales and restaurant areas</i> (square metres)	N/A	N/A	1675	N/A	N/A	N/A

9.8.3 Subdivision and Servicing Requirements

- (1) The following regulations apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the Parks and Reserve Zones indicated.

Information Note: For land in the Agricultural Land Reserve, see Subsection 5.1.2

	PR1	PR2	PR3	PR4	PR5	PR6
Lot Areas and Minimum Service Levels						
Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable water</i> (ha)	65	65	20	65	65	65

9.8.4 Exceptions in Particular Locations

- (1) On those lands in Parks and Reserves zones that are identified on Schedule “A” by a letter in brackets, the following additional regulations apply:

Zone Variation – PR2(a)

- (2) The following additional use is permitted:
(a) *Campground.*

Zone Variation – PR3(a)

- (3) The following additional use is permitted:
(a) A single *indoor* tennis court or other similar sports facility.
- (4) The maximum number of buildings for this use is one.

Zone Variation – PR4(a)

- (5) The following additional use is permitted:
(a) *Accessory intermittent outdoor retail sales* to a maximum of 25 per cent lot coverage.

Zone Variation – PR4(b)

- (6) The following additional uses are permitted:
(a) *Commercial parking lot.*
(b) *Marina* administration offices and services.

Zone Variation -- PR5(a)

- (7) The following additional uses are permitted:
(a) *Preschools* and child *day care* centres.
(b) *Community halls.*

Zone Variation – PR5(b)

- (8) The following additional use is permitted:
(a) *Campground.*

Zone Variation – PR5(c)

- (9) The following additional use is permitted:
(a) Telecommunication facilities serving the general region.

Information Note: Most zones allow telecommunications facilities, but only those that serve the island on which they are located. Facilities in this zone serve the entire region.

BL445 (01/11)

9.9 RESIDENTIAL ZONES

The regulations in the tables in this Section apply to land in the Residential 1 (R1), Residential 2 (R2), Residential 3 (R3), Residential 4 (R4), Residential 5 (R5), Residential 6 (R6), Residential 7 (R7), Residential 8 (R8), Residential 9 (R9), Residential 10 (R10), Residential 11 (R11) and Residential 12 (R12) Zones as indicated by the column headings.

9.9.1 Permitted Uses of Land, Buildings and Structures

BL371 (10/01)

BL461 (05/13)

- (1) In addition to the *uses* permitted in Subsections 3.1.1 and 3.15.1 of this Bylaw, the following *uses*, *buildings* and *structures* and no others are permitted in the *Residential Zones* indicated:

Principal Uses, Buildings and Structures	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	R11	R12
Single-family dwellings	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Two-family dwellings	♦	♦				♦						
Two family dwellings constructed before July 31, 1990							♦	♦	♦			
Multi-family dwellings	♦	♦		♦							♦ ¹	
Dental and medical office services for a maximum of two medical practitioners						♦	♦	♦	♦	♦		
Elementary schools, pre-schools and child day care centres						♦	♦	♦	♦			
Hospitals and public health care facilities						♦	♦	♦	♦			
Community halls						♦	♦	♦	♦			
Non-commercial outdoor active recreation	♦					♦	♦	♦	♦			
Churches						♦	♦	♦	♦			
Agriculture, excluding intensive agriculture							♦	♦	♦			
Public service uses	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Seniors' supportive housing complex												♦ ²
Accessory Uses												
Home-based businesses, subject to Section 3.13	♦	♦	♦	♦	♦	♦	♦	♦	♦			
Seasonal cottages subject to Section 3.14							♦	♦	♦			

¹ Special Provisions in Article 9.9.5(1) apply.

² Special Provisions in Article 9.9.5(3) apply.



9.9.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

BL371 (10/01)
BL461 (05/13)

(1) Subject to Part 4, *buildings and structures* in the *Residential Zones* must comply with the following regulations regarding size, siting and density:

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	R11	R12
Lot Coverage and Floor Area												
Maximum combined per cent <i>lot coverage</i> of all <i>buildings and structures</i>	33	25	33	33	33	33	33	33	33	10	30	33 ⁵
Maximum <i>floor space ratio</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0.6
Maximum <i>floor area</i> of a <i>building</i> used for a <i>community hall, church, pre-school, or day care centre</i> (square metres)	N/A	N/A	N/A	N/A	N/A	930	930	930	930	N/A	N/A	N/A
Maximum total <i>floor area</i> of <i>farm buildings and farm structures</i> (square metres)	N/A	N/A	N/A	N/A	N/A	N/A	465	465	465	N/A	N/A	N/A
Maximum average <i>floor area</i> of all units in a <i>seniors' supportive housing complex</i> or in any phase of a <i>seniors' housing complex</i> (square metres)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	75
Maximum <i>floor area</i> of a <i>dwelling unit</i> (square metres)	N/A	N/A	185	N/A	67	N/A	N/A	N/A	N/A	N/A	95 ¹	95
Height												
Maximum <i>height</i> of a <i>dwelling unit</i> (metres)	*	*	4.5	*	*	*	*	*	*	*	*	7.6
Setbacks												
Minimum <i>exterior side lot line setback</i> (metres)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	7.6
	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	R11	R12
Number of Units and Minimum Site Areas												
Maximum number of <i>dwelling units</i> per ha, provided community sewage collection <i>service</i> is provided	37	25	20 ²	12	N/A	N/A	N/A	N/A	N/A	N/A	35 ³	N/A
Maximum number of <i>dwelling units</i> per <i>lot</i>	N/A	N/A	N/A	N/A	4	2	1 ⁴	1 ⁴	1 ⁴	1	38 ²	N/A
Minimum <i>lot area</i> required for more than one <i>dwelling unit</i> (ha) with the exception of <i>secondary suites</i> , where permitted	0.3	0.3	0.3	1	N/A	.16	N/A	N/A	N/A	N/A	N/A	N/A
Minimum <i>lot area</i> required for a <i>child day care centre</i> (ha)	N/A	N/A	N/A	N/A	N/A	2ha	2ha	2ha	2ha	N/A	N/A	N/A

* indicates the provisions of Section 3.8 apply.

¹ except one *dwelling unit* per parcel to accommodate a manager or employee may exceed this maximum permitted *floor area*.

² except one additional *dwelling unit* per parcel is permitted to accommodate a manager or employee.

³ special provisions in Article 9.9.5(1) apply.

⁴ except that a *two-family dwelling unit* is permitted in the Residential 7, 8 and 9 zones, provided it was constructed before July 31, 1990.

⁵ special provisions in Article 9.9.5(3) apply.

9.9.3 Subdivision and Servicing Requirements

BL371 (10/01)

- (1) The following regulations apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the *Residential Zones* indicated:

Information Note: For land in the Agricultural Land Reserve, see Subsection 5.1.2

Minimum Lot Areas and Servicing Requirements	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	R11	R12
Minimum water service required for subdivision:												
Adequate supply of <i>potable water</i>					♦		♦	♦	♦	♦		
<i>Community water system</i>	♦	♦	♦	♦		♦					♦	♦
Minimum sewage service required for subdivision:												
Individual on-site sewage treatment system per <i>lot</i>			♦		♦	♦	♦	♦	♦	♦		
<i>Community sewage collection system</i>	♦	♦		♦							♦	♦
Minimum area of an individual lot that may be created through <i>subdivision</i> provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable water</i> (ha)	N/A	N/A	N/A	N/A	2	N/A	0.6	0.6	0.6	0.3	N/A	N/A
Minimum area of an individual lot that may be created through <i>subdivision</i> provided each <i>lot</i> has an individual on-site sewage treatment system and connection to a <i>community water supply</i> (ha)	N/A	N/A	2	1	2	0.4	0.4	0.2	0.4	0.3	N/A	N/A
Minimum area of an individual lot that may be created through <i>subdivision</i> provided each <i>lot</i> has connection to a <i>community sewage collection system</i> and a <i>community water system</i> (ha)	0.4	0.3	2	1	2	0.11	0.4	0.2	0.4	0.3	0.4	1
Minimum average area of lots in a <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable water</i> (ha)	N/A	N/A	N/A	1	2	N/A	1	0.6	0.6	0.3 ¹	N/A	N/A
Minimum average area of lots in a <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and connection to a <i>community water system</i> (ha)	N/A	N/A	2	1	2	0.4	1	0.4	0.4	0.3	N/A	N/A
Minimum average area of lots in a <i>subdivision</i> , provided each <i>lot</i> has connection to a <i>community sewage collection system</i> and a <i>community water system</i> (ha)	0.4	0.3	2	1	2	0.11	1	0.4	0.4	0.3	0.4	1

¹ Special provisions in Article 9.9.5(2) apply.

9.9.4 Exceptions in Particular Locations

- (1) On those lands in *Residential zones* that are identified on Schedule “A” by a letter in brackets, the following additional regulations apply:

BL412 (12/06)

Zone Variation – R1 (a)

- (2) Despite all other regulations of this bylaw, the only *principal use* permitted within lands zoned R1(a) is not more than 27 *multi-family, affordable housing dwelling units*.

- (3) *Home-based businesses* are permitted as an *accessory use*. Despite Section 3.13, only the following occupations may be conducted as a *home-based business* within lands zoned R1(a):
- (a) Production of arts, crafts, music, fabric items, jewellery and other comparable products.
 - (b) Sales of products manufactured elsewhere, provided persons employed in the *home-based business* carry out all distribution of such products offsite.
 - (c) Business and professional offices.
 - (d) *Child day care*, limited to a maximum of two children, exclusive of the operators' children.
- (4) Despite Part 7 (Table 3), one additional automobile *parking space* must be provided for each *home-based business*.
- (5) Despite all other regulations of this bylaw, the maximum *lot coverage* of all *buildings* and *structures* is 40%.
- (6) Despite all other regulations of this bylaw, the maximum *height* of a *structure* is 11.0 metres, provided that not more than three *storeys* are permitted in the *structure*.
- (7) Despite Section 4.3, no *building* or *structure* except a fence, *pump house*, *public utility structure* or underground utility may be constructed within the following setbacks:
- (a) 6.0 m minimum setback from a *front lot line*.
 - (b) 4.5 m minimum setback from the *rear lot line*.
 - (c) 3.0 m minimum setback from the west *interior side lot line*.

BL450 (05/13)

Zone Variation – R3(a)

- (8) Despite Section 9.9.1 of this bylaw, the following additional use is permitted:
- (a) Common *recreation area/building*.
- (9) (a) In addition to the regulations of Section 9.9.3, on lands zoned R3(a) a *lot* complying with the minimum *lot area* requirements may be subdivided to create *strata lots* in accordance with the standards for *mobile home spaces* as set out in "Schedule 'E', Residential 3 Zone Mobile Home Park Layout Regulations".
- (b) For clarity, the term "*mobile home space*" in Schedule "E" shall also mean "*strata lot*"

Zone Variation – R5 (a)

- (10) On any *lot*, there is permitted a maximum of 5 *dwelling units* with *floor areas* up to 67 square metres plus one *dwelling unit* which may have a *floor area* greater than 67 square metres.

Zone Variation – R6 (a)

- (11) Two-family *dwelling*s are not permitted.
- (12) The following additional *uses* are permitted:
- (a) *Indoor public* recreation facility.
 - (b) *Public* health clinic.



- (13) A maximum of one *dwelling unit* is permitted per *lot*.
- (14) No more than a total of 268 *dwelling units* are permitted on all lands in this *zone*.
- (15) The following regulations apply to the blocks of land indicated by letter on Schedule "C" to this Bylaw:

(BL451 10/11)

BLOCK LOCATION	A	B	C	D	E	F	G
	Blocks as indicated on Schedule "C" to this Bylaw						
Minimum water service required for subdivision:							
Adequate supply of <i>potable water</i>			♦	♦	♦	♦	♦
<i>Community water system</i>	♦	♦					
Minimum sewage service required for subdivision:							
individual on-site sewage treatment system per <i>lot</i>	♦	♦	♦	♦	♦	♦	♦
Minimum area (in ha) of an individual lot that may be created through <i>subdivision</i> .	0.2	0.2	1.2	250	0.2	0.4	0.5
Minimum average area (in ha) of <i>lots</i> in a <i>subdivision</i>	0.46	0.4	2	250	.57	.85	1.4

- (16) Variations of the block boundary illustrated on Schedule "C" may be permitted in order to accommodate *lots* larger than the minimum average *lot area* provided both the following conditions are met:
 - (a) at least 10 per cent of each *lot* being created falls within the boundary of the Block defined in Schedule "C";
 - (b) the revised area of the Block does not exceed 110 per cent of the stated area of the Block defined in Schedule "C".

Zone Variation – R6(b)

- (17) The following additional *use* is permitted:
 - (a) *funeral home*.
- (18) The minimum *lot area* that may be created through *subdivision* is 0.6 ha, provided there is an individual on-site sewage treatment system per *lot* and an adequate supply of *potable water*.

Zone Variation – R8(a)

- (19) The following additional *use* is permitted:
 - (a) Storage of vehicles and equipment.

9.9.5 Special Provisions

- (1) The following special provisions apply to the Residential 11 (R11) zone:
 - (a) No more than 12 *dwelling* units per ha may be constructed or occupied on any *lot* that is within the boundaries of a community water supply district unless any landscape irrigation system on the *lot* is supplied with water by means of a water supply system that is separate from the *potable* water supply and that is supplied through rainwater catchment and storage. The separate water supply system is to be constructed in accordance with a design prepared by a Professional Engineer that ensures landscape irrigation needs will be satisfied year-round without the *use* of water from the community water supply district. The landscape irrigation system is to be operated and maintained at all times in accordance with the specifications prepared by the Professional Engineer as part of the design of the system.
 - (b) A continuous landscape strip or natural vegetation at least 10 metres wide and at least 3 meters high must be provided and maintained along the *front lot line* with the exception of perpendicular breaks required to provide driveway access to the property.
 - (c) A continuous landscape strip or natural vegetation at least 3 metres wide and at least 3 metres high must be provided and maintained along all other property lines.

- (2) The following special provision applies to the Residential 10 (R10) zone:
 - (a) No *lot* in the Residential 10 zone may be subdivided into more than 21 *lots*.

- (3) The following special provisions apply to the Residential 12 (R12) zone:
 - (a) No more than 12 *dwelling units* per hectare may be constructed or occupied on any *lot* that is within the boundaries of a community water supply district, unless any landscape irrigation system on the *lot* is supplied with water by means of a water supply system that is separate from the *potable* water system and that is supplied through rainwater catchment and storage. The separate water supply system is to be constructed in accordance with a design prepared by a Professional Engineer that ensures landscape irrigation needs will be satisfied year-round without the *use* of water from the community water supply district. The landscape irrigation system is to be operated and maintained at all times in accordance with the specifications prepared by the Professional Engineer as part of the design of the system.
 - (b) No *dwelling units* may be constructed or occupied on any *lot* in the Residential 12 Zone unless there are also provided on the *lot*: adequate common areas for required support *services*, including areas and facilities for meal preparation, dining, laundry, housekeeping, recreational and social activities, visits by health care workers and administration.
 - (c) A continuous landscaping strip or natural vegetation at least 3 metres wide and at least 3 metres high must be provided and maintained along all *lot lines* with the exception of perpendicular breaks required to provide driveway access to the property.
 - (d) No *dwelling* unit may be located in a *basement*.
 - (e) Where a *senior* has permanently occupied a *dwelling* unit with a spouse, partner, or unpaid caregiver who is less than 65 years of age, then that spouse, partner or caregiver may continue to occupy the *dwelling* unit even if the *senior* no longer resides there.

BL371 (10/01)



- (f) Despite the requirements for off street parking in Part 7, the following regulations apply within the Residential 12 *zone*:
 - (i) One off-street *parking space* is to be provided for every three *seniors' dwelling units*.
 - (ii) One off-street *parking space* is to be provided for each employee and each visiting support worker expected to be working or resident on the site at one time.



ISLANDS TRUST

9.10 RURAL, UPLAND, WATERSHED AND SMALLER ISLAND ZONES

9.10.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Subsection 3.1.1 of this Bylaw, the following *principal* and *accessory uses*, *buildings* and *structures* and no others are permitted in the Rural Zones indicated:

	R	RU1	RU2	RU3	RW1	RW2	Ri
Principal Uses, Buildings and Structures							
<i>Single-family dwellings</i>	♦	♦	♦	♦	♦	♦	♦
<i>Two family dwellings</i> constructed before July 31, 1990	♦	♦					
Dental and medical offices for a maximum of two medical practitioners	♦						
<i>Elementary schools, pre-schools</i> and <i>child day care</i>	♦	♦					
<i>Public health care facilities</i>	♦	♦					
<i>Community halls</i>	♦	♦					
<i>Churches</i> and <i>cemeteries</i>	♦	♦					
<i>Veterinarian clinics</i> and <i>animal hospitals</i>	♦	♦					
<i>Pet boarding services</i> and <i>kennels</i>	♦	♦					
<i>Pounds</i>	♦	♦					
<i>Active outdoor non-commercial recreation</i> , excluding <i>golf courses</i> and activities primarily involving the use of power-driven means of conveyance	♦	♦					
<i>Lighthouse stations</i>							♦
<i>Agriculture</i>	♦	♦	♦	♦	♦	♦	♦
<i>Public service uses</i>	♦	♦	♦	♦			♦
Accessory Uses							
<i>Seasonal cottages</i> subject to Section 3.14	♦	♦		♦			♦
<i>Home-based business use</i> , subject to Section 3.13	♦	♦	♦	♦	♦	♦	♦
<i>Information Note: See Section 3.3.1, which indicates that where land is in the Agricultural Land Reserve, agriculture, farm buildings and farm structures are permitted in a manner similar to the Agriculture 1 zone.</i>							

9.10.2 Size, Siting and Density of Land, Buildings and Structures

BL461 (05/13)

- (1) Subject to Part 4, *buildings* and *structures* in the Rural, Rural Uplands, Rural Watershed and Rural Islet Zones must comply with the following regulations regarding size, siting and density:

	R	RU1	RU2	RU3	RW1	RW2	Ri
Lot Coverage and Floor Area							
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> (per cent)	33	33	5	10	33	33	10
Maximum <i>floor area</i> of a <i>building</i> used for a <i>community hall, church, pre-school</i> or <i>day care centre</i> (square metres)	930	930	N/A	N/A	N/A	N/A	N/A
Maximum total <i>floor area</i> of <i>farm buildings</i> and <i>farm structures</i> (square metres)	465	465	465	465	465	465	465
Number of Units and Minimum Site Areas							
Maximum number of <i>dwelling units</i> per 8 ha with the exception of <i>secondary suites</i> , where permitted	N/A	N/A	1	N/A	N/A	N/A	N/A
Maximum number of <i>seasonal cottages</i> per 8 ha	N/A	N/A	1	N/A	N/A	N/A	N/A
Minimum <i>lot area</i> required for a <i>day care centre</i> (ha)	2	2	N/A	N/A	N/A	N/A	N/A
Minimum <i>lot area</i> required for pet boarding facilities, including <i>kennels</i> (ha)	4	4	N/A	N/A	N/A	N/A	N/A
Minimum <i>lot area</i> required for a <i>pound</i> (ha)	2	2	N/A	N/A	N/A	N/A	N/A
Setbacks of Buildings and Structures							
Despite Subsection 4.3.1, the following <i>lot line setbacks</i> apply for the specific <i>zone</i> indicated:							
Minimum <i>Front lot line setback</i> (metres)	*	*	15	*	*	*	*
Minimum <i>Rear lot line setback</i> (metres)	*	*	15	*	*	*	*
Minimum <i>Interior side lot line setback</i> (metres)	*	*	15	*	*	*	*
Minimum <i>Exterior side lot line setback</i> (metres)	*	*	15	*	*	*	*

* indicates provisions of Section 4.3 apply

9.10.3 Subdivision and Servicing Requirements

- (1) The following regulations apply to the *subdivision* of land under the Land Title Act of the Strata Property Act for the zones indicated.

Information Note: For land in the Agricultural Land Reserve, see Subsection 5.1.2

	R	RU1	RU2	RU3	RW1	RW2	Ri
Minimum Lot Areas and Servicing Requirements							
Minimum water service required for subdivision:							
Adequate supply of <i>potable</i> water	◆	◆	◆	◆	◆	◆	◆
Minimum sewage service required for subdivision:							
Individual on-site sewage treatment system per <i>lot</i>	◆	◆	◆	◆	◆	◆	◆
Minimum average area of <i>lots</i> in a <i>subdivision</i> (ha)	2	8	32	2.8	4	12	2
Minimum area of an individual lot that may be created through <i>subdivision</i> , provided there is an individual on-site sewage treatment system per <i>lot</i> and an adequate supply of <i>potable</i> water (ha)	0.6	0.6	32	2	4	12	0.6
Minimum area of an individual lot that may be created through <i>subdivision</i> where there is an individual on-site sewage treatment system per <i>lot</i> and a <i>community water system</i> (ha)	0.4	0.6	32	2	4	12	0.4
Minimum area of an individual lot that may be created through <i>subdivision</i> where there is a <i>community sewage collection system</i> and a <i>community water system</i> (ha)	0.4	0.6	32	2	4	12	0.4

9.10.4 Exceptions in Particular Locations

- (1) On those lands in Rural, Rural Uplands, and Rural Watershed zones that are identified on Schedule “A” by a letter in brackets, the following additional regulations apply:

Zone Variation – R(a)

- (2) The following additional *use* is permitted:
 (a) Construction and repair of boats.

Zone Variation – R(b)

- (3) The following additional *use* is permitted:
 (a) Despite Subsection 3.14.6, a *seasonal cottage* may be used for permanent *residential* occupancy.

Zone Variation – R(c)

- (4) The minimum average area of *lots* that may be created by *subdivision* is 1.2 ha.



BL369 (02/02)
BL374 (08/02)

Zone Variation – R(d)

- (5) The maximum number of *lots* permitted within the entire area zoned R(d) shall not exceed 1.

BL374 (08/02)
BL379 (10/02)

Zone Variation – R(e)

- (6) (a) In addition to the maximum number of *lots* permitted within the entire area zoned R(e), a further 15 *lots* are permitted pursuant to a transfer of density from Lots 30 and 31, North Salt Spring Island, Cowichan District.
- (b) Notwithstanding the minimum *lot area* set out in subsection 3.14.1, a *seasonal cottage* shall be permitted on not more than 60% of the *lots* within a bareland strata *subdivision* if the total land area of the strata corporation minus the strata road area when divided by the total number of *residential lots* exceeds 1.2 hectares. The bare land *strata lots* upon which a *seasonal cottage* is permitted shall be those *lots* with the largest *lot area*.

BL387 (02/04)

Zone Variation – R(g)

- (7) The following additional *uses* are permitted:
- (a) private yacht *club* outstation facilities not to exceed a total *floor area* of 26 square metres;
- (b) *outdoor passive recreation* and parking *accessory* to a private yacht *club* outstation *use*.

BL399 (09/05)

Zone Variation – R(h)

- (8) The maximum number of *lots* permitted within the entire area zoned Rural Zone Variation (h) – R(h) shall not exceed three (3) pursuant to a transfer of density from Part of Lot 32, North Salt Spring Island, Cowichan District.

Despite Article 9.10.1(1) and Section 3.14, no *seasonal cottage* may be constructed or occupied on a *lot* within the Rural Zone Variation (h) – R(h) zone that is less than 3.5 ha in area.

BL399 (09/05)

Zone Variation – R(i)

- (9) The maximum number of *lots* permitted within the entire area zoned Rural Zone Variation (i) – R(i) shall not exceed eight (8), pursuant to a transfer of density to Lot 5, Section 39, South Salt Spring Island, Cowichan District, Plan 36388.

BL425 (Proposed)

Zone Variation – R(j)

- (10)

Zone Variation – R(k)

BL405 (10/05)

- (11) Despite other regulations of this bylaw, the maximum number of *lots* located within all lands zoned R(k) may not exceed 2.
- (12) Despite Subsection 3.14.6, a maximum of one *seasonal cottage* is permitted within all lands zoned R(k), and the *seasonal cottage* shall be located on the Remainder of Lot 20, Section 85, South Salt Spring Island, Cowichan District, Plan 31795.



BL432 (04/11)

Zone Variation – R(l)

- (13) The maximum number of *lots* permitted within the entire area zoned R(l) shall not exceed 2.
- (14) The minimum area of an individual *lot* that may be created through *subdivision* is 0.6 ha.

BL441 (09/10)

Zone Variation – R(m)

- (15) Despite Section 9.10.1 of this bylaw, the only *principal uses* permitted within lands zoned R(m) are:
 - (a) *Affordable housing dwelling units.*
 - (b) *One single-family dwelling.*
 - (c) *Agriculture.*
 - (d) *Public service uses.*
- (16) In addition to the regulations of Section 9.10.2, on lands zoned R(m) the following regulations apply:
 - (a) The maximum number of *affordable dwelling units* is 10.
 - (b) *Multifamily buildings* shall not contain more than six (6) *affordable housing dwelling units.*
 - (c) The maximum number of *dwelling units* per *lot*, including *single-family dwelling, affordable housing dwelling units* and *seasonal cottages* is 10.
- (17) Despite Section 3.13, on lands zoned R(m) *bed and breakfast* operations and boarding houses are not permitted within an *affordable housing dwelling unit* and the repair of automobiles, including auto body repair and repair of internal combustion engines used in motor vehicles, are not permitted.

BL381 (08/03)

BL405 (10/05)

Zone Variation – R(z)

- (18) Notwithstanding other regulations of this bylaw, the maximum number of *lots* located within all lands zoned F1(z), F2(z), F1(a)(z), R(z) and RU1(z) may not exceed 72.

Zone Variation – RU1(a)

- (19) The following additional *use* is permitted:
 - (a) Plant nursery.
- (20) The minimum average area of *lots* that may be created through *subdivision* is 16 ha.
- (21) The minimum area of any individual *lot* that may be created through *subdivision* is 2 ha, provided an individual on-site sewage treatment system is provided.

Zone Variation – RU1(b):

- (22) The following additional *uses, buildings* and *structures* are permitted:
 - (a) Religious retreat, including reception and retreat centres.
 - (b) Meditation halls and meditation *cabins.*
 - (c) *Farm buildings* and *structures.*
- (23) The following *use* is not permitted:
 - (a) *Intensive agriculture.*



- (24) The following regulations regarding size, siting and density apply:
- (a) There are to be no more than 2 retreat centres, 1 meditation hall, 6 meditation *cabins* and 1 reception centre per 65 ha.
 - (b) No *building* or *structure* may be located within 20 metres of any *front, rear, interior side* or *exterior side lot lines*.
- (25) The minimum area of an individual *lot* that may be created through *subdivision* is 32 ha.

Zone Variation – RU1(c)

- (26) The minimum area of an individual *lot* that may be created through *subdivision* is 3.5 ha, if the minimum average area of all *lots* in the *subdivision* is 5 ha.

Zone Variation – RU1(d)

- (27) The following additional *use* is permitted:
- (a) Telecommunication facilities serving the general region.

Information Note: Most zones allow telecommunications facilities, but only those that serve the island on which they are located. Facilities in this zone serve the entire region.

BL374 (08/02)

Zone Variation – RU1(e)

- (28) The maximum number of *lots* permitted within the entire area zoned RU1(e) shall not exceed 1.

BL381 (10/03)
BL405 (10/05)

Zone Variation – RU1(z)

- (29) Notwithstanding other regulations of this bylaw, the maximum number of *lots* located within all lands zoned F1(z), F2(z), F1(a)(z), R(z) and RU1(z) may not exceed 72.

Zone Variation – RW1(a)

- (30) The following additional *uses, buildings* and *structures* are permitted:
- (a) Native wildlife recovery centre, including *accessory buildings* to a maximum *floor area* of 560 square metres.

9.11 SHORELINE ZONES

Information Note: As indicated on Schedule “A”, shoreline zoning covers the entire Salt Spring Island Local Trust Area, with the exception of Piers Island and its surrounding foreshore, and with the exception of the Crown foreshore that lies within 300 m of the natural boundary of Vancouver Island.

9.11.1 Permitted Uses of Land, Buildings and Structures

BL413 (04/06)

- (1) In addition to the uses permitted in Subsection 3.1.1 of this Bylaw, the following uses, accessory buildings and structures and no others are permitted in the Shoreline Zones indicated, provided that they do not result in the removal or permanent shading of eelgrass (*Zostera marina*) or kelp (*Macrocystis sp.*) plants, and provided that they are not located within 125 m of clam beds identified on Map 10 of the Salt Spring Island Official Community Plan. For certainty, the only buildings permitted in the Shoreline Zones are accessory buildings.

	S1	S2	S3	S4	S5	S6	S7	S8
Principal Uses and Structures								
Navigational uses	♦	♦	♦	♦	♦	♦	♦	♦
Geothermal heating equipment in tidal waters only	♦	♦	♦	♦	♦	♦	♦	
Private floats and buoys for non-commercial boat moorage			♦	♦	♦	♦	♦	
Private docks and floats for non-commercial boat wharfage accessory to a permitted use on the adjacent upland			♦	♦	♦	♦		
Aquaculture, excluding the rearing of fin fish					♦			
Public ferry wharves			♦					
Docks for the temporary commercial wharfage of transient boats	♦	♦		♦				
Docks for private boat club wharfage				♦				
Commercial moorage or wharfage of resident boats	♦	♦		♦				
Marine fuelling services	♦	♦						
Retail sales of boating accessories	♦							
Commercial sea plane docks	♦							
Sporting equipment sales and rental businesses, excluding the sale or rental of personal watercraft	♦	♦						
Boat sales, rentals, and servicing businesses	♦	♦						
Commercial boat building and repair businesses	♦							
Barge loading and unloading piers	♦		♦					
Log sorting and storage	♦							

	S1	S2	S3	S4	S5	S6	S7	S8
Accessory uses								
Docks, floats and wharves accessory to aquaculture					♦			
Docks, floats, walkways, ramps, floating breakwaters and wharves accessory to a permitted use	♦	♦	♦	♦	♦			
Breakwaters, seawalls and wharves accessory to and necessary for the maintenance of a principal permitted use	♦							
One accessory dwelling unit for the owner, employee or operator of an aquaculture operation					♦			
Accessory buildings to house a permitted use, with the exception of boat shelters	♦							

9.11.2 Size, Siting and Density of Buildings and Structures

- (1) Subject to Part 4, buildings and structures in the Shoreline zones must comply with the following regulations regarding size, siting and density:

	S1	S2	S3	S4	S5	S6	S7	S8
Lot coverage and maximum areas								
Maximum area of a float used for non-commercial boat moorage (square metres)	N/A	N/A	N/A	N/A	N/A	35	35	N/A
Maximum area of individual floats and the maximum combined area of floats that form part of a dock used for individual private moorage or wharfage accessory to a permitted use on the adjacent upland (square metres)	N/A	N/A	N/A	N/A	N/A	35	N/A	N/A
Maximum length of a private dock limited to the distance necessary to accommodate a boat with a draft of 2 m	N/A	N/A	N/A	N/A	N/A	♦	N/A	N/A
Number and size of buildings and units								
Maximum number of dwelling units	N/A	N/A	N/A	N/A	1	N/A	N/A	N/A
Maximum floor area of a dwelling unit (square metres)	N/A	N/A	N/A	N/A	60	N/A	N/A	N/A
Maximum size of any building (in square metres)	60	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Height								
Maximum height of buildings and structures (metres)	4.5	4.5	10	4.5	4.5	4.5	4.5	4.5

BL413 (04/06)

Information Note: Application can be made to vary the maximum permitted size of a float, should more than one lot have legal access to the proposed dock. Reference should be made to Subsection 3.12.5 of this Bylaw respecting the total floor area of all accessory buildings on a lot.



9.11.3 Exceptions in Particular Locations

- (1) On those lands in Shoreline *zones* that are identified on Schedule "A" by a letter in brackets, the following additional regulations apply:

BL440 (10/09)

Zone Variation – S1(a)

- (2) Despite all other regulations of this bylaw, log sorting and storage is not permitted within lands zoned S1(a).
- (3) For Zone Variation S1(a), the term *marina* is further defined as:
 - (a) including the installation and operation of a marine sewage pump-out facility of sufficient capacity to accommodate the number of anticipated boats; and
 - (b) including the provision and maintenance of a *public* boat ramp, in addition to the definition contained in the 'Definitions' section of this bylaw.

Zone Variation – S5(a)

- (4) The following additional *uses* and *structures* are permitted:
 - (a) Growing and cultivation of fin fish.
 - (b) Fin fish pens and *structures* necessary for the cultivation of finfish.

BL387 (02/04)

Zone Variation – S6(a)

- (5) The following additional *uses* are permitted:
 - (a) *Non-commercial* private yacht club moorage not to exceed a total moorage berth length of 43 metres.
 - (b) Total float area not to exceed 190 square metres.
 - (c) Minimum parking required – one space per 20 metres of *non-commercial* private yacht club moorage.

Zone Variation – S8(a)

- (6) The following additional *uses* and *structures* are permitted:
 - (a) Storage of inert marine equipment.
 - (b) *Accessory* floats and mooring buoys.
- (7) No float may be greater than 35 sq.m. in total area. No more than 33 per cent of the S8(a) *zone* may be occupied by moored floats.



ISLANDS TRUST



**PART 10
BYLAW CITATION**

This Bylaw may be cited for all purposes as "Salt Spring Island Land Use Bylaw, 1999".

**PART 11
REPEAL**

Salt Spring Island Zoning Bylaw No. 123, cited as "Zoning Bylaw, Salt Spring Island, 1985", is repealed by this Bylaw.

Salt Spring Island Subdivision Bylaw No. 207, cited as "Salt Spring Island Subdivision Bylaw No. 1, 1975", is repealed by this Bylaw.

READ A FIRST TIME this	22 nd	day of	February	, 2001
PUBLIC HEARING HELD this	23 rd	day of	May	, 2001
READ A SECOND TIME this	24 th	day of	May	, 2001
READ A THIRD TIME this	24 th	day of	May	, 2001
APPROVED by the Executive Committee of the Islands Trust this	26 th	day of	June	, 2001
ADOPTED this	28 th	day of	June	, 2001

Kathy Jones
Secretary

David Essig
Chairperson



SCHEDULE "A" -- Legend

Zone Name	Zone Abbreviation	See Bylaw Section
Agriculture 1	A1	9.1
Agriculture 2	A2	9.1
Commercial 1	C1	9.2
Commercial 2	C2	9.2
Commercial 3	C3	9.2
Commercial 4	C4	9.2
Commercial 5	C5	9.2
Commercial 6	C6	9.2
Commercial Accommodation 1	CA1	9.3
Commercial Accommodation 2	CA2	9.3
Commercial Accommodation 3	CA3	9.3
Commercial Accommodation 4	CA4	9.3
Commercial Accommodation 5	CA5	9.3
Community Facility 1	CF1	9.4
Community Facility 2	CF2	9.4
Comprehensive Development 1	CD1	9.5
Comprehensive Development 2	CD2	9.5
Comprehensive Development 3	CD3	9.5
Forestry 1	F1	9.6
Forestry 2	F2	9.6
Industrial 1	In1	9.7
Industrial 2	In2	9.7
Industrial 3	In3	9.7
Industrial 4	In4	9.7
Parks and Reserves 1	PR1	9.8
Parks and Reserves 2	PR2	9.8
Parks and Reserves 3	PR3	9.8
Parks and Reserves 4	PR4	9.8
Parks and Reserves 5	PR5	9.8
Parks and Reserves 6	PR6	9.8
Residential 1	R1	9.9
Residential 2	R2	9.9
Residential 3	R3	9.9
Residential 4	R4	9.9
Residential 5	R5	9.9
Residential 6	R6	9.9
Residential 7	R7	9.9
Residential 8	R8	9.9
Residential 9	R9	9.9
Residential 10	R10	9.9
Residential 11	R11	9.9
Residential 12	R12	9.9
Rural	R	9.10
Rural island	Ri	9.10
Rural Watershed 1	RW1	9.10
Rural Watershed 2	RW2	9.10
Rural Uplands 1	RU1	9.10
Rural Uplands 2	RU2	9.10
Rural Uplands 3	RU3	9.10
Shoreline 1	S1	9.11
Shoreline 2	S2	9.11
Shoreline 3	S3	9.11
Shoreline 4	S4	9.11
Shoreline 5	S5	9.11
Shoreline 6	S6	9.11
Shoreline 7	S7	9.11
Shoreline 8	S8	9.11

Where a letter in brackets follows the zone symbol, this indicates a site-specific variation of the zone as described in the applicable section of the bylaw.



SCHEDULE “A”

ZONING MAP

Information Note:

The zoning map that forms part of this bylaw is available for purchase at the Islands Trust offices in Victoria and Ganges.



ISLANDS TRUST

SCHEDULE "B" BALLPARK SPECIFICATIONS

SPECIFICATIONS OF RECREATIONAL BALL PARK FACILITY TO BE CONSTRUCTED PURSUANT TO ARTICLE 9.5.3 (2)(a) OF THIS BYLAW

A. GENERAL SPECIFICATIONS:

1. Regulation Babe Ruth Baseball Diamond (350-foot baseline – 426-foot outfield fence).
2. Regulation Little League Baseball Diamond (250-foot baseline).
3. Regulation Softball Diamonds (250-foot baseline).

All field space to be irrigated and drained. Ball diamonds to have backstops, fencing and dugouts. Power, water and on-site sewage treatment to be provided.

Road access to the site should be completed to acceptable *Highway* standards for a two-lane access road on the *lot* from the nearest main artery. Parking on a gravel *lot* for a minimum of eighty cars, adjacent to the diamonds. Adequate washrooms, including those for the disabled, to Health Officer specifications.

B. DETAILED SPECIFICATIONS:

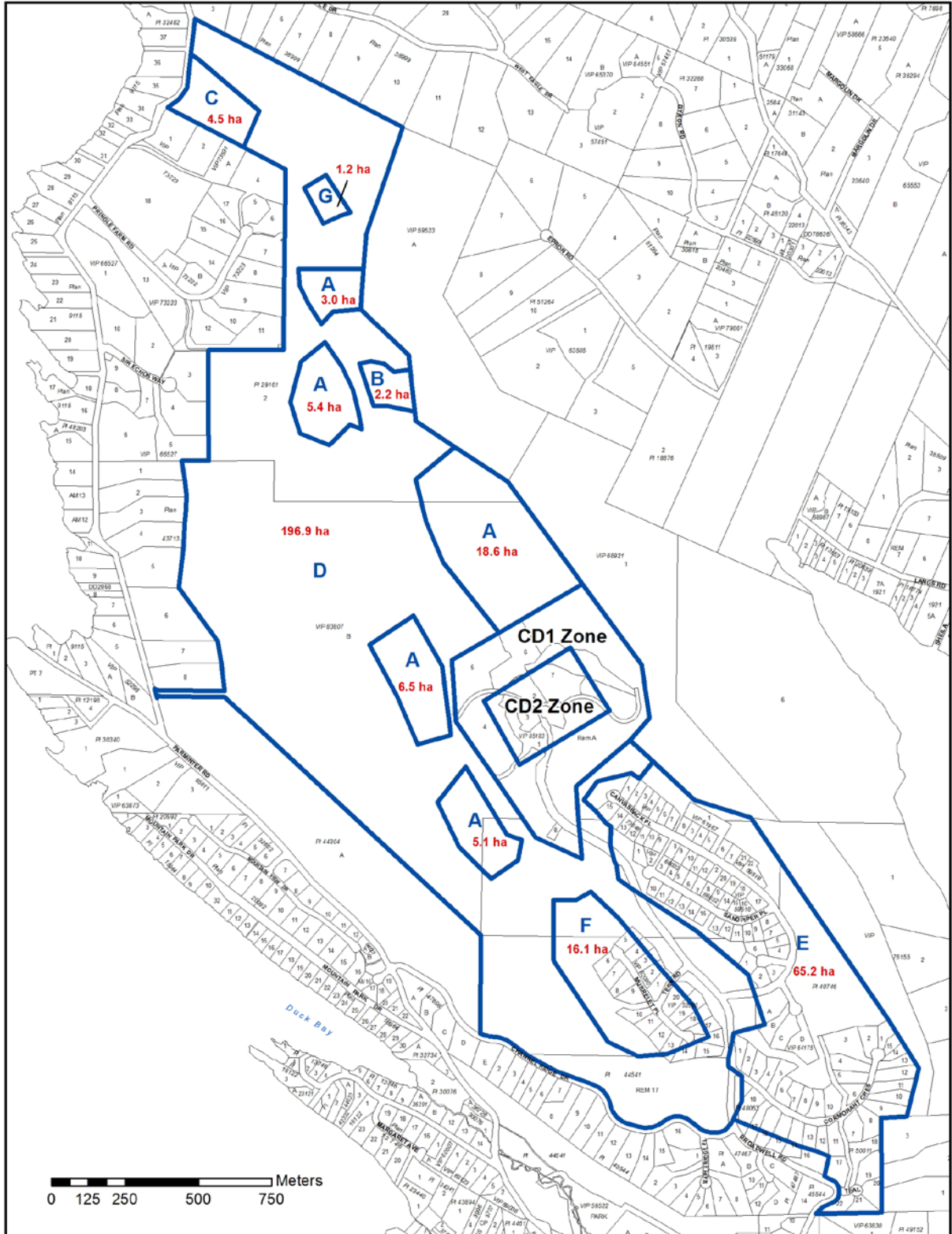
1. **Field subsurface and surface:** Minimum 12 inches sand under "Sport Turf" grassed diamonds. Sand to be of quality used specifically for sport fields (clean and of correct configuration).
2. **Drainage:** Surface and subsurface drainage required. Subsurface drainage to be by trenches no more than 15 feet apart with appropriate drain rock and cloth over 3 inch plastic drain pipe (under sand). Surface drainage showing level field with minimum 1 per cent and maximum 1-1/2 per cent *grade*.
3. **Irrigation:** All grassed playing areas to be fully irrigated. Water supply to be adequate to provide coverage. Water storage tanks may be required to meet necessary pressure requirements. Irrigation materials to be computerised and of Toro or equivalent standard and should be installed by manufacturer's representative.
4. **Backstops (4):** Three-sided, 80 feet long and 30 feet high, with 6 foot overhang the full length. 60 feet x 20 feet high runs in 2-30 feet lengths (each diamond). 60 feet x 10 feet high runs in 2-30 feet lengths. O.D. Posts shall be 3-1/2 inch, 1-5/8 inch rail every 5 feet, mesh tied to frame every 12 inches. Mesh specifications at minimum 6 gauge. All material galvanised.

5. **Foul ball and outfield fences (4 diamonds):** Balance of fencing (other than backstop) should continue to outfield fence for each field at 6-foot high level. Each side requires a 14-foot gate, and a 3-foot opening at each end. Outfield fence should be continuous. Posts every 5 feet are 2-3/8 inches, tied every 12 inches. Top and bottom rail 1-5/8 inches. Fabric 9 gauge green, 2-inch mesh.
6. **Dugouts:** 30 foot by 6 feet wide. Two openings to field, one to backside. 9 feet high at front, sloping to 8 feet at rear. Seats built with pressure-treated wood. Three along base, one at backrest. All welded rails at 5 feet centres, 2 inch x 6-inch gauge galvanised mesh at front, sides at 9 gauge, 2-inch mesh. Line posts 10 feet apart, rail pipe 1-5/8 inch. *Floor area* concrete, minimum 3 inches thick. Finished *grade* 4 inches above ground. The back and 3/4 distance along the side shall have plastic fencing slats installed.
7. **Diamond sand:** Target or similar quality, red diamond sand for all base paths, base locations and home plate.
8. **Infrastructure (Power, water, on-site sewage treatment, washrooms):** B.C. Hydro to install all power poles and hydro equipment. Licensed electrician to do all hook-ups under permit. On-site sewage treatment and washrooms to be completed to all health requirements for a facility of this size. Power to be adequate to be able to provide lighting for all fields (to be done later - not part of this amenity) and installed turnkey to provide power for pump, irrigation, parking lighting, concession, washrooms, change rooms, scorekeeper, scoreboard. Washrooms/change rooms provided to agreed specifications as determined by developer and SSI Parks, Arts and Recreation Commission.
9. **Bleachers:** Two sets of bleachers for each diamond, accommodating thirty adult spectators each. Bleachers to be of welded metal construction, with treated, painted wood seating surface.
10. **Service area:** A 10 foot high fenced 100 feet x 80 feet *service* yard is required. Within this fenced area, a 20 feet x 15 feet enclosed, heated shed is required to house irrigation computer, pumps, and tools. This shed to be of 2 inch x 4-inch construction, insulated and appropriately sided, with a metal roof.
11. **General:** All bases, pitcher and home plates to be provided. One electronic scoreboard to be provided and installed, the other three diamonds being wired for scoreboard only. Depending on the configuration of diamonds paved area of not less than 5,000 square feet for heavily used walking and viewing areas. Detail specifications, where in doubt, to be at the discretion of the SSI Parks and Recreation Commission, and to be agreed with the developer, before the initiation of the provision of this amenity.



BL451 (10/11)

SCHEDULE "C" CHANNEL RIDGE SUBDIVISION BLOCKS



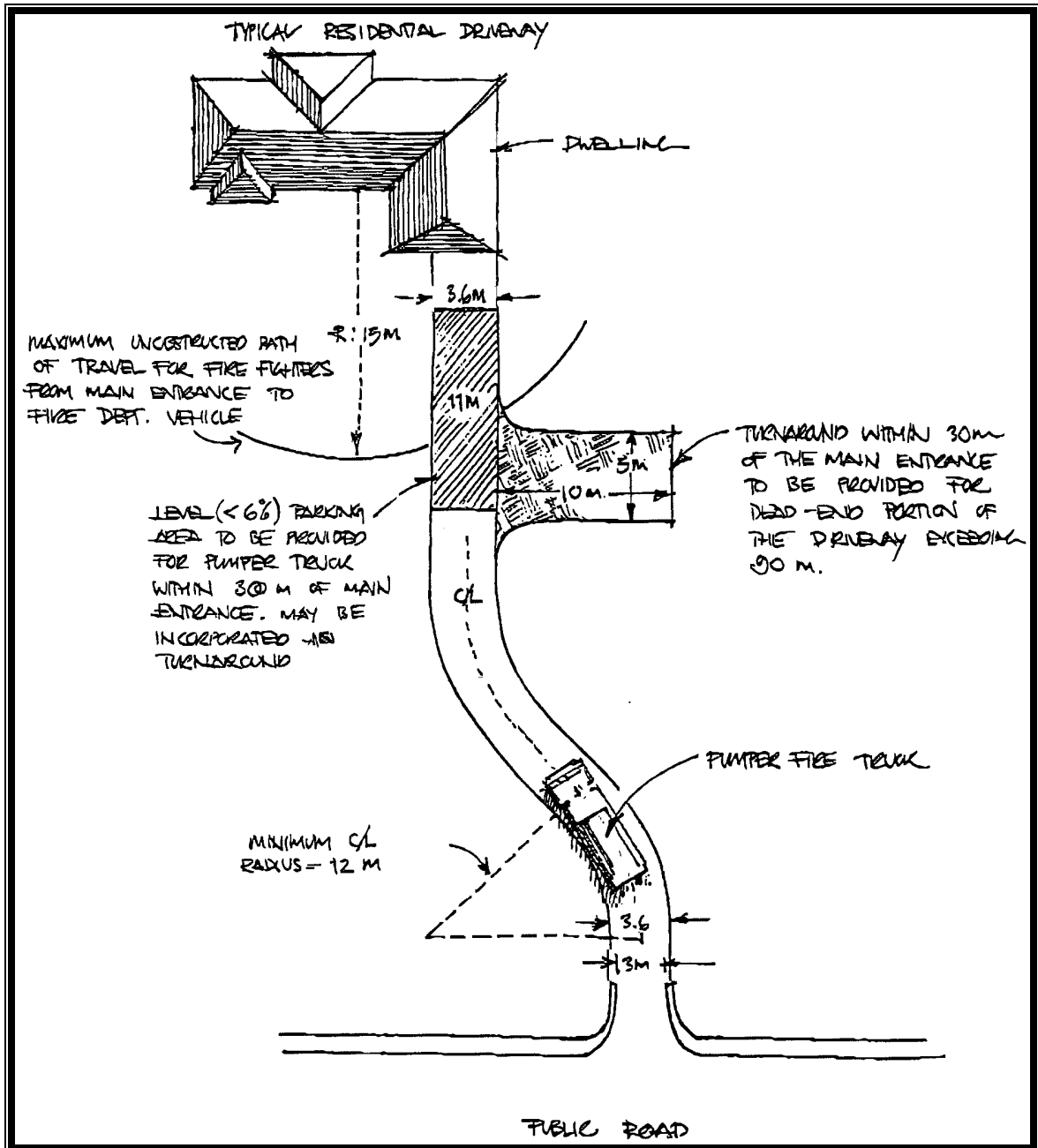


ISLANDS TRUST

SCHEDULE "D"

DRIVEWAY GUIDELINES

Information Note: These diagrams show standard driveway specifications that ensure emergency vehicles can access new buildings. They would apply only in new subdivisions. Similar guidelines are issued when application for a building permit is made.





ISLANDS TRUST

SCHEDULE “E”

RESIDENTIAL 3 ZONE

MOBILE HOME PARK LAYOUT REGULATIONS

1. The regulations in this Schedule apply to the *use* of any *lot* in the Residential 3 zone for more than one *dwelling unit*.
2. All *structures* on a *lot* in the Residential 3 zone are to be constructed and placed in conformance with a *Mobile Home Park Site Plan* that has been developed according to the following regulations:
 - (a) With the exception of one unit per *lot* for the accommodation of a manager, no *single-family dwelling unit* in the Residential 3 zone is to have a *floor area* greater than 185 square metres or a *height* greater than 4.5 m.
 - (b) A *community water system* must supply *potable water* to all *dwelling units*.
 - (c) A *community sewage collection system* must serve all *dwelling units*.
 - (d) With the exception of one unit for the accommodation of a manager, each *dwelling unit* is to be situated on a *mobile home space*, the boundaries of which are to be defined on the *Site Plan* and which is to be no less than 325 square metres in area.
 - (e) No *mobile home space* boundary may be located within 7.5 m of a *highway* right-of-way or of a *water body* or within 4.5 m of a side or *rear lot line*.
 - (f) The locations of internal access drives are to be indicated on the *Site Plan*. Each *mobile home space* is to have a minimum *frontage* of 15 m on an internal access drive, which in turn has access to a *highway*. No *mobile home space* may have direct access to a *highway*.
 - (f) Internal access drives intended for two-way traffic are to have a right-of-way of at least 12.5 m and a minimum paved width of at least 6 m. Internal access drives intended for one-way traffic are to have a right-of-way of at least 12.5 m and a minimum paved width of at least 4.5 m. All drives are to have a gravel shoulder at least 1 m in width on either side. No one-way drive is to be longer than 150 m in length. Dead end drives are to be no longer than 90 m in length and are to have a cul-de-sac at the end with a minimum radius of 12.5 m.
 - (g) Despite Section 1(f) of this Schedule, *mobile home spaces* which abut a cul-de-sac or roadway curve, or that have a panhandle shape, may have a minimum *frontage* of 6 m.
 - (h) No more than 35 per cent of a *mobile home space* may be occupied by a *single-family dwelling unit*, including attached *structures* and *buildings* and *accessory buildings*, exclusive of a *carport*.
 - (i) Despite Subsections 3.12.5 and 3.8.2, no *accessory building*, exclusive of a *carport*, which is located on a *mobile home space* may exceed 2.5 m in *height* or 10 square metres in *floor area*.
 - (j) A minimum of 15 square metres of fenced common storage space is to be provided for each *mobile home space* indicated on the *Mobile Home Park Site Plan* for a *lot*.
 - (k) Where a *lot* in the Residential 3 zone is occupied by one or more *dwelling units*, a *vegetation screen* is to be provided and maintained on all portions of that *lot* that lie within 7.5 m of a *lot line* that abuts a *highway*, within 10 m or any *water body* and within 4.5 metres of all other *lot lines*.
 - (l) No *single-family dwelling* may be located within 6 m of any other *single-family dwelling*, *accessory building* or internal access drive or within 1.5 m of any boundary of a *mobile home space*.
 - (m) Skirtings are to be installed within 30 days of the installation of a *mobile home* on a *mobile home space*.



- (n) Where a *lot* in the Residential 3 *zone* is occupied by more than one *single-family dwelling*, a common recreational area is to be provided that consists of at least 5 per cent of the *lot area*. For the purposes of calculating recreational space, any *indoor* space is to be counted as double its *floor area*. A recreational area is to be located in a convenient and accessible area and may not include any *mobile home space*, internal access road, *vegetation screen*, *parking space*, *accessory building* or storage area. An *outdoor* recreational area is to be surrounded by a *vegetation screen* and provided with a surface suitable to its intended purpose.
- (o) Ancillary *buildings*, built for the *use* of all residents of a *lot* in the Residential 3 *zone*, must be located at least 4.5 m from any *mobile home space* and at least 1.8 m from any right-of-way for an internal access drive.

SCHEDULE “F”

CAMPGROUND LAYOUT AND FACILITY REGULATIONS

1. The regulations in this Schedule apply to any *lot* used for *commercial guest accommodation* in a *campground*, with the exception of those located within Provincial or Federal *Parks*.
2. Where the construction or layout of an existing *campground* does not conform to the regulations of this Schedule, no person may carry out additional construction or make an *alteration* to the layout of the *campground* if the effect of such construction or *alteration* would be to cause a further contravention of these regulations than existed at the time the construction or *alteration* was started.
3. No *campgrounds* are permitted on parcels less than 0.6 ha in area.
4. All *structures*, *campsites*, access roads and facilities provided in a *campground* must be laid out in accordance with a *Campground Site Plan* and the following regulations:
 - (a) Every *campsite* within a *campground* must be designated for *use* as:
 - (i) a *campsite* for recreation vehicles, trailers, or tents; or
 - (ii) a *campsite* for tents only.
 - (b) *Campsites* for a recreation vehicle, trailer or tent must:
 - (i) accommodate a maximum of one trailer or one tent;
 - (ii) have a minimum area of 100 square metres and be clearly identified by a number or similar designation;
 - (iii) have, in addition, one conveniently located *parking space* adjacent to a roadway.
 - (c) *Campsites* for a tent only must:
 - (i) accommodate a maximum of one tent;
 - (ii) have a minimum area of 85 square metres and be clearly identified by a number or similar designation;
 - (iii) have, in addition, one conveniently located *parking space* adjacent to the roadway or one *parking space* in a common *parking area* in the *campground*.
 - (d) No *campsite* may be closer than 30 m to the *front lot line* nor within 15 m from the *interior side*, *exterior side*, or *rear lot line*.
 - (e) No *campsite* may be closer than 15 m to the *natural boundary* of any *water body*.
 - (f) No *campsite* may be closer than 3 m to an internal access roadway.
 - (g) *Campsites* may not cover more than 22 percent of the area of the *lot* on which they are located.

- (h) There may not be more than 50 *campsites* located in any *campground*.
 - (i) No *campsite*, *residential* accommodation, *parking area*, *garbage disposal* area, *privy*, *service building* or recreational area, except a waterfront recreational area, may be located within a *buffer area* that extends 30 m from the *front lot line* of the *campground lot*, and 15 m from the interior, exterior or *rear lot line* of the *campground lot*.
 - (j) No roadway is permitted within the *buffer area* described in Section 5(i) of this Schedule except for a roadway that provides direct access from a *highway* to the roadway system contained within the remainder of the *Campground*. Roadways within the *buffer area* must cross it as close to right angles as practical.
 - (k) A *campground* with more than 5 *campsites* must have space for recreational areas such as playgrounds, *parks*, or a sports and games area to serve the *campground*. The recreational area is not to be less than five percent of the total area of the *campsites*, exclusive of *buffer areas*, parking areas, ancillary *buildings*, *campsites*, driveways and storage areas.
 - (l) An office space may be provided for administration purposes and must not exceed 10 square metres in *floor area*.
 - (m) Access to and from a *campground* must be provided by a single common access with a minimum width of 6.5 m.
 - (n) All trailer *campsites*, owner's or operator's residence, *service buildings* as well as other facilities where vehicle access is required must have access through an internal access drive. Tent *campsites* may have access by trails not exceeding 2 m in width
 - (o) Access drives within a *campground* that provide one-way access must have a minimum hard surfaced or gravelled width of 3.0 m.
 - (p) Dead end roadways and cul-de-sacs must have a minimum hard surfaced or gravelled width of 4.3 m together with either a turning circle at the end with a radius of at least 12 m or a hammerhead with a length of at least 6 m.
5. Within a *campground*, tents and trailers may only be located on a *campsite* shown on the *Campground Site Plan*.
 6. A *vegetation screen* must be maintained within the *buffer area* along any property line that abuts property not zoned for *campground use*.
 7. The owner of a *Campground* must provide facilities that will yield a constant supply of *potable* water in the amount prescribed below:

Minimum Daily Flow	Per tent campsite (litres)	Per trailer campsite (litres)
<i>Campgrounds with</i> flush toilets and showers	450	450
<i>Campgrounds without</i> flush toilets and showers	115	350
<i>Campgrounds with</i> flush toilets only	250	450

8. Where water is to be supplied from a groundwater well, there must be proof provided to show that there is a sufficient supply of *potable* water in the quantities required by Section 8 of this Schedule.

9. The owner of a *Campground* must provide for a *disposal* of all waste water and of all human waste generated within the *Campground* by ensuring all sewage and wastewater is discharged into a *public* sewer or into a private sewage *disposal* system in compliance with the *Health Act* or *Waste Management Act*.
10. Sewer connections to each *campsite* are not permitted.
11. Where flush fixtures and shower facilities are provided, the *campground* must be provided with at least one *service building* with fixtures and facilities according to the number of *campsites* in the *campground* as prescribed below:

Campsites	Toilets		Washbasins		Showers		Slop Sink*
	Men	Women	Men	Women	Men	Women	
1-15	1	1	1	1	1	1	1
16-30	1	2	2	2	1	1	1
31-45	2	2	3	3	1	1	1
46-50	2	3	3	3	2	2	1

*A conveniently located slop sink(s) for disposal of liquid wastes.

12. *Service buildings* must:
 - (a) be located at least 4.5 m and not more than 150 m from any *campsite*; the 150 m distance does not apply to an recreation vehicle *campsite*;
 - (b) provide for access for the disabled.
13. Where a *campground* contains more than four *campsites* for use by recreation vehicles and no licensed sewage *disposal* station is located within 5 km (by road) of the *campground* entrance, the owner must provide a trailer sewage *disposal* station for the purpose of receiving the contents of trailer sewage storage tanks.
14. The trailer sewage *disposal* station must be located in an area that is separate from any roadway and out of which a trailer may be easily and conveniently moved.
15. Trailer sewage *disposal* stations must be constructed in a manner approved by the Medical Health Officer.
16. If no flush fixtures are provided, permanent privies must be provided according to the following table:

Campsites	Privies	
	Men	Women
1-15	1	1
16-30	1	2
31-45	2	2
46-50	2	3

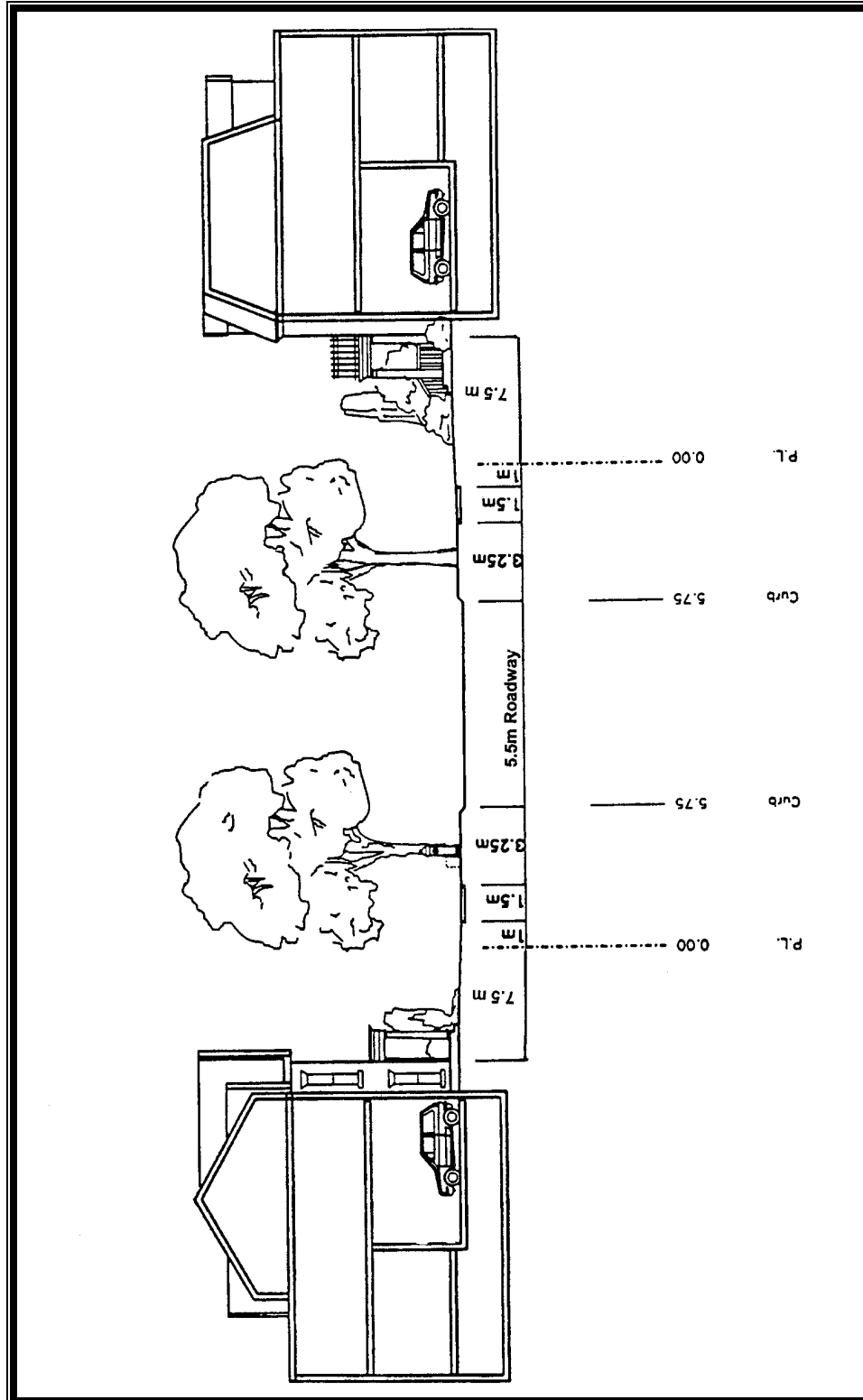
17. All privy *buildings* are subject to the requirements of the Sewage *Disposal* Regulation under the *Health Act* and must be constructed so that no privy is closer to any *campsite* or *building* than 15 m;
18. At least one privy designated for men and one privy designated for women in each *campground* must provide for access for the disabled.
19. The owner of a *Campground* must:
 - (a) provide at each *campsite* a container that is durable, fly tight, water tight and rodent proof for the *disposal* of all garbage;
 - (b) provide well-marked containers for receiving recyclable materials in a convenient location within the *campground*.



ISLANDS TRUST

SCHEDULE "G" SIDEWALKS – TYPICAL DIMENSIONS

Information Note: *These standards will apply only when land is being subdivided within island villages*

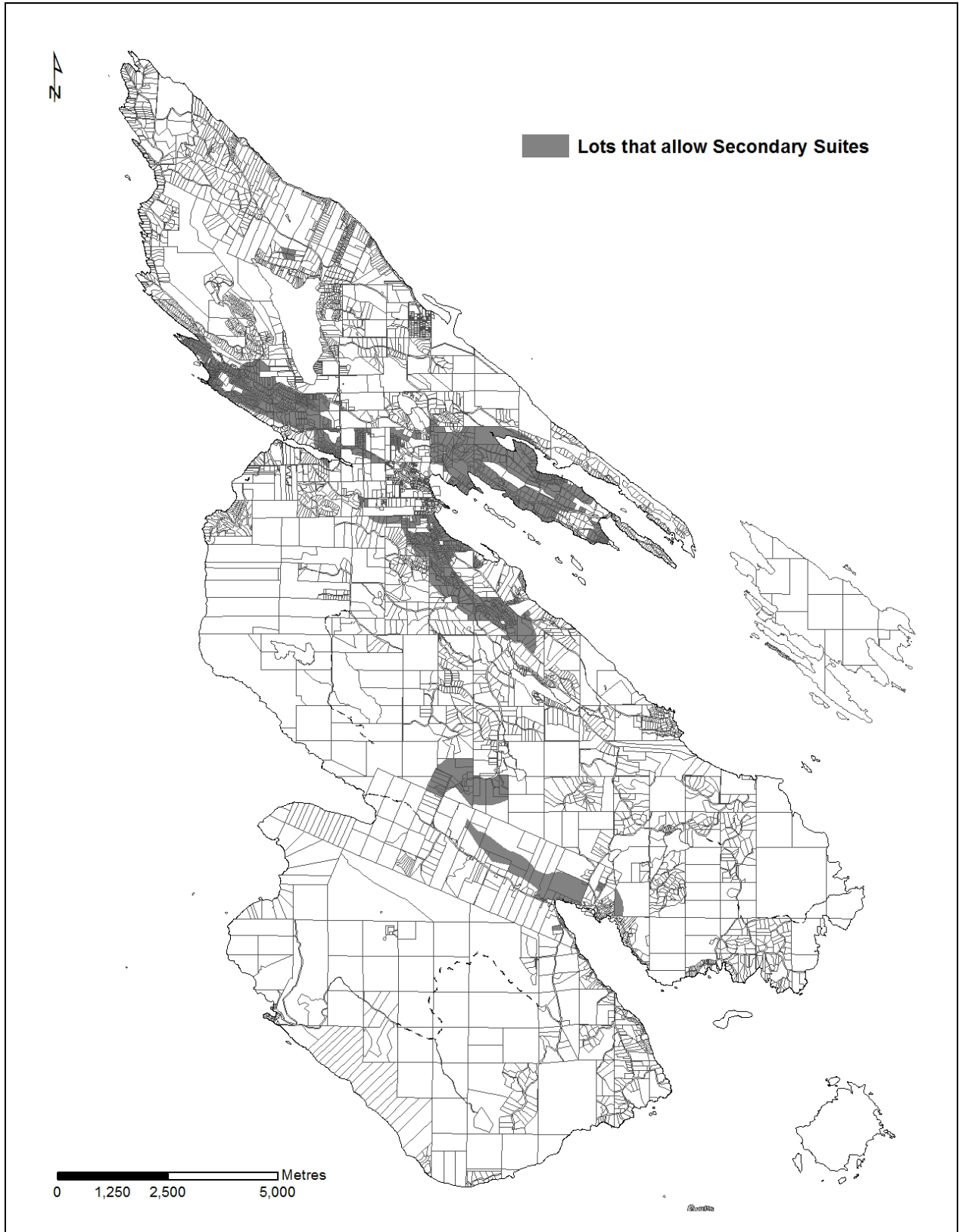




SCHEDULE "H" POTABLE WATER QUALITY STANDARDS

WATER QUALITY PARAMETER	STANDARD (LESS THAN THE FOLLOWING UNLESS OTHERWISE INDICATED)
ARSENIC	0.025 mg/L
CHLORIDE	250 mg/L
FECAL COLIFORM	1/100 mL
FLUORIDE	1.5 mg/L
HARDNESS (AS CaCO ₃)	80-100 mg/L
IRON	0.3 mg/L
MANGANESE	0.05 mg/L
NITRATE	45 mg/L
pH	6.5-8.5
RESIDUAL CHLORINE	0 mg/L
SODIUM	200 mg/L
SULPHATE	500 mg/L
TOTAL COLIFORM	0/100 mL
TOTAL DISSOLVED SOLIDS	500 mg/L
TURBIDITY	1 NTU
OTHER PARAMETERS AS RECOMMENDED FOR A PARTICULAR SITE BY A PROFESSIONAL ENGINEER	STANDARD SET BY THE GUIDELINES FOR CANADIAN DRINKING WATER QUALITY

SCHEDULE "I" SECONDARY SUITES MAP





ISLANDS TRUST



ATTACHMENT 1

TABLE OF METRIC-IMPERIAL CONVERSIONS

THESE TABLES ARE PROVIDED FOR CONVENIENCE ONLY
THEY ARE NOT A PART OF BYLAW 355

LENGTH CONVERSIONS

METRES TO FEET

metres	feet	metres	feet	metres	feet
0.6	2	3.5	11.4	12.5	41
0.75	2.5	3.7	12.0	15	49
0.8	2.6	4.0	13.0	20	65
1.0	3.3	4.5	14.7	22.8	75
1.2	4.0	5.0	16.4	30	98
1.3	4.3	5.5	18	45	148
1.5	5.0	6.0	19.6	60	197
1.8	6.0	6.5	21	130	492
2.0	6.5	7.0	23	200	655
2.25	7.4	7.5	24.6	300	985
2.5	8.2	9.0	29.5	335	1100
2.6	8.5	10	32.8	400	1310
3.0	9.8	10.7	35.1		

AREA CONVERSIONS

SQUARE METRES TO SQUARE FEET

sq.m.	ft ²
.25	2.7
.3	3.2
.5	5.4
1	10.7
1.8	19.4
3.7	40
4.5	48
5	54
10	107
15	160
20	215
25	270
30	323
35	376
40	430
50	538
56	602
60	645
65	700
sq.m.	ft ²

67	721
70	753
85	915
95	1023
100	1076
116	1248
139	1496
160	1722
185	2000
280	3014
325	3500
465	5005
560	6028
675	7265
700	7535
750	8073
930	10010
3500	37674



HECTARES TO ACRES

<i>ha</i>	<i>acres</i>
0.04	0.1
0.05	0.12
0.08	0.19
0.16	0.4
0.2	0.5
0.3	0.75
0.4	1
0.41	1.01
0.5	1.2
0.6	1.5
0.65	1.6
0.8	2
0.81	2.01
0.85	2.1
1	2.5
1.2	3
2	4.9
2.5	6.2
3.5	8.6
4	9.9
4.2	10.4
4.6	11.4
5	12.3
8	19.8
16	39.5
20	49.4
32	79
48	118.6
65	160.6
250	617.7

VOLUME CONVERSIONS

LITRES TO IMPERIAL GALLONS

litres (l)	Imp. Gal
115	25
225	50
250	56
350	77
450	100
680	150
900	200
1600	350

MASS CONVERSIONS

KILOGRAMS TO POUNDS

kg.	pounds
4550	10308

DENSITY CONVERSIONS

UNITS/HECTARE TO UNITS/ACRE

units/ha	units/ac.
4	1.6
10	4
12	5
12.3	5
15	6
20	8
25	10
35	14
37	15