

CENTRAL COAST REGIONAL DISTRICT

BYLAW NO. 202

CALVERT ISLAND ZONING BYLAW

The Board of the Central Coast Regional District, in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

1. APPLICATION

(1) Title

This Bylaw may be cited as the "Central Coast Regional District, Calvert Island Zoning Bylaw, No. 202, 1993".

(2) Applicability

This Bylaw shall be applicable to that part of Electoral Area A of the Central Coast Regional District as shown outlined on Schedule A known as Calvert Island (excluding Hecate Island) which is attached to and forms part of the Bylaw.

(3) Severability

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

2. DEFINITIONS

(1) In this Bylaw, unless the context otherwise requires:

(a) Accessory to means customarily associated with;

(b) Agricultural use means a use providing for the growth, rearing, producing and harvesting of agricultural products; the keeping of horses for the personal family use of the residents; and includes the processing on an individual farm of the primary agricultural products harvested, reared or produced on that farm, the storage of farm machinery and implements used on that farm; and the retail sale of produce grown on that farm, but excludes all manufacturing, processing, storage and repairs not specifically included in this definition;

- (c) **Building** means a structure wholly or partly enclosed by a roof or roofs supported by walls, columns or posts;
- (d) **Designated Flood** means
 - (i) a flood which has a statistical frequency of occurrence of once every 200 years, or
 - (ii) a flood with recorded levels equal to or greater than those of 200 year flood;
- (e) **Dwelling Unit** means one or more self-contained habitable rooms intended to be used as a residence by one or more persons in common occupancy and containing not more than one kitchen with sleeping, living and sanitary facilities;
- (f) **Flood Construction Level** means the designated flood level plus the allowance for freeboard (normally 0.6 metres) and is used to establish the elevation of the underside of a wooden floor system or top of concrete slab for habitable buildings or the ground surface elevation or top of concrete or asphalt pad upon which a mobile home or unit rests;
- (g) **Front Lot Line** means the lot line common to the lot and an abutting street. Where a lot has lot lines abutting two or more streets the lot line with the shorter distance abutting a street is the front lot line;
- (h) **Height** means the vertical distance from the average finished ground level at the perimeter of a building or structure, to the highest point of the roof surface of a float roof, to the deck line of a mansard roof, and the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, to the highest point of the structure;
- (i) **Home Occupation** means any occupation or profession carried on for consideration which is clearly incidental to the residential use of the lot;
- (j) **Lot** means any parcel, block or other area in which land is held or into which it is divided including a strata lot under the *Condominium Act*;

- (k) **Natural Boundary** means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil or the bed of a lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself;
- (l) **Rear Lot Line** means the lot line opposite to the front lot line;
- (m) **Setback** means the required minimum distance between the building or use and each of the respective property lines;
- (n) **Side Lot Line** means a lot line intersecting with the front lot line and marking the boundary between two lots, or between a lot and lane or street in the case of a corner lot;
- (o) **Silviculture** means a use providing for the cultivation of forests and forest stock;
- (p) **Single Family Dwelling** means a residential detached building, consisting of one dwelling unit, and used for residential purposes;
- (q) **Structure** means any construction fixed to, supported by, or sunk into land or water, but excludes fences;
- (r) **Watercourse** is any natural or man-made depression with well-defined banks and a bed 0.6 metres or more below surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2 square kilometres or more upstream of the point of consideration, or as required by a designated official of the Ministry of Environment, Lands and Parks of the Province of British Columbia.

3. ADMINISTRATION

(1) Administration

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

(2) **Amendments**

Except for amendments initiated by the Regional District, any person applying to have this bylaw amended shall apply in writing to the Secretary-Treasurer. The application shall be in the form of application prescribed in the "Central Coast Regional District Development Procedure Bylaw".

(3) **Penalty**

A person who violates any of the provisions of this Bylaw, or who permits an act in contravention or violation of this Bylaw or who neglects or refrains to do anything required by provisions of this Bylaw commits an offence, and is punishable in accordance with the *Offence Act*.

4. **GENERAL PROVISION**

(1) **Uses of Land Buildings and Structures**

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

(2) **Zoning Districts**

For the purposes of this Bylaw, the area consisting of Calvert Island but excluding Hecate Island in Electoral Area A as shown outlined on Schedule A, is classified as Calvert Island Zoning District, also know by the short form equivalent of CI-1.

The short form equivalent is deemed a sufficient reference to denote a specific zone.

(3) **Official Zoning Maps**

(a) The location of the zoning district established by this Bylaw is shown on the map attached as Schedule A.

(b) Where a zoning district boundary is designated as following a road allowance, waterway or right-of-way, the centreline shall be the zoning district boundary.

(c) Where a legal description is used to refer to a zoning change the legal description will take precedence over a Map Schedule description.

(4) Height and Siting of Buildings and Structures

- (a) The maximum height of all buildings shall be as specified for each zoning district, unless specially permitted otherwise by these regulations.
- (b) Accessory buildings shall be limited in height to a maximum of 3.75 metres.
- (c) Accessory buildings shall not be permitted in any required front setback. Accessory buildings may be permitted in a side or rear setback, provided the building is situated not less than 1.5m from a property line.

(5) Setback Exceptions

The following are exempt from setback requirements:

- (a) steps;
- (b) eaves, gutters, cornices, sills, bay windows, chimneys, open porches, canopies, sun shades, or similar features provided such projections do not exceed 0.6 metres.

(6) Visibility

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

(7) Home Occupation

Home occupation is permitted provided that:

- (a) All activities including storage of goods pertaining to a Home Occupation:
 - (i) are, except as otherwise provided for, conducted entirely within a dwelling unit without the need for structural alteration, except where it involves horticulture;
 - (ii) may, in the CI-1 zone, be contained within an accessory building or structure provided the building or structure does not exceed 100m²;

(iii) shall not involve the exterior storage of any material used in the processing or resulting from the processing of any product;

(iv) are not to exceed 20% of the gross floor area of the dwelling unit, or 50m², whichever is greater.

(b) (i) it is only conducted by a resident of the dwelling unit on the lot;

(ii) not more than two non-family members may be employed on the premises.

(8) Siting For Flood Control

(a) Except as otherwise permitted in this Bylaw, no building or any part of a building shall be constructed, reconstructed, moved or extended nor shall any mobile or modular home or structure be located;

(i) within 75 metres of the natural boundary of the sea and a lake;

(ii) within 30 metres of the natural boundary of any other nearby watercourse.

(b) Except as otherwise permitted in this Bylaw, no building shall be constructed or extended with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters; or in the case of a mobile home or unit, the ground level on which it is located:

(i) lower than the flood construction level, or

(ii) where the flood construction level has not been determined:

(A) lower than 1.5 metres above the natural boundary of the sea and a lake;

(B) nor lower than 3 metres above the natural boundary of any other nearby watercourse in the immediate flood hazard area.

- (c) Where landfill is used to achieve the required elevations prescribed in subsection (8)(b), no portion of the landfill shall be closer than the distances in prescribed in subsection (8)(a) from the natural boundary, and the face of the landfill slopes shall be adequately protected against erosion from floodwaters.
- (d) The restrictions in Subsection (8)(b) above do not apply to:
 - (i) farm buildings (except those used for residential habitation and close-sided livestock housing), carports, garages, greenhouses, wharves and boathouses;
 - (ii) to renovations or extensions to existing residential buildings where the extension of the building is less than 25% of the floor area of the building existing as of June, 1978.

5. CALVERT ISLAND ZONING DISTRICT, CI-1

(1) Uses Permitted

In the CI-1 zone the following uses are permitted and all others are prohibited:

- (a) single family dwelling;
- (b) agricultural use;
- (c) horticultural use;
- (d) silviculture use;
- (e) home occupation;
- (f) schools, churches and community centres;
- (g) harbour and dock facilities;
- (h) parks;
- (i) public utility buildings;
- (j) garbage dumps;
- (k) cemeteries;
- (l) accessory buildings and structures.

(2) Lot Area

Each lot shall have an area of not less than 4 hectares for uses permitted by 5(1)(a), (b), (c), (d) and (e).

(3) **Siting of Buildings and Structures**

No building or structure shall be sited less than:

- (a) 7 metres from a front lot line;
- (b) 7 metres from a rear lot line;
- (c) 5 metres from a side lot line.

(4) **Height of Buildings and Structures**

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

(5) **Buildings Per Lot**

Not more than one residential use building shall be erected on one lot, except for lots with an area of 4 hectares or more where a maximum of 2 dwelling units are permitted.

(6) **Density**

Not more than 1 single family dwelling is permitted for each 4 hectares of land in the CI-1 Zoning District.

(7) **Bylaw No. 10, Calvert Island Zoning Bylaw, is repealed.**

(8) **Schedule "A" to this bylaw forms a part of and is enforceable in the same manner as this bylaw.**

(9) **This bylaw takes effect upon the date of its adoption.**

READ A FIRST TIME THIS 24th day of June, 1993.
PUBLIC HEARING HELD THIS 15th day of July, 1993.
READ A SECOND TIME THIS 19th day of July, 1993.
READ A THIRD TIME THIS 19th day of July, 1993.

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS, RECREATION AND HOUSING THIS 9th day of August, 1993.

RECONSIDERED AND FINALLY ADOPTED THIS 9th day of August, 1993.

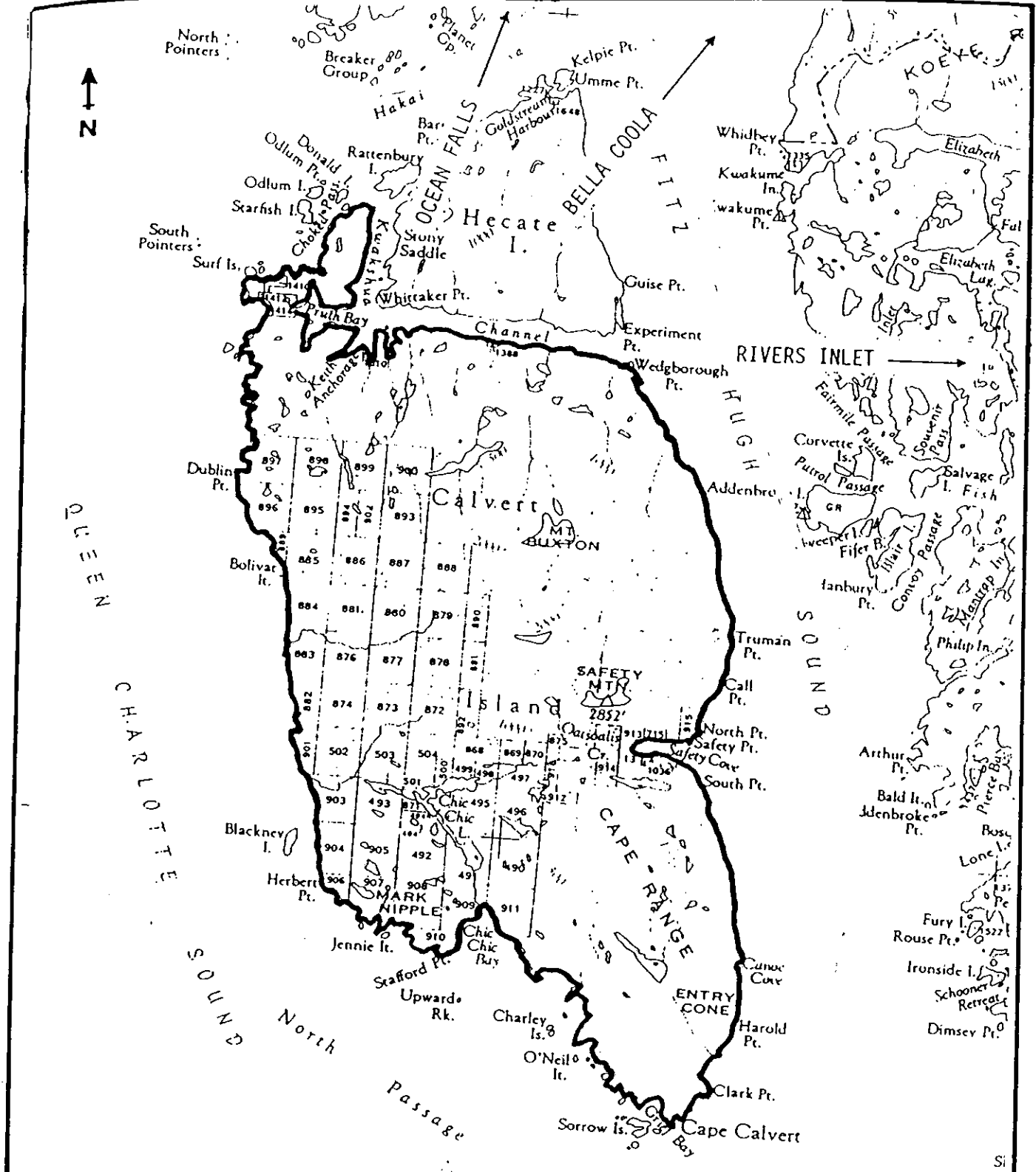
[Signature]
Chairperson

[Signature]
Secretary - ACTING

Certified a true and correct copy of Bylaw 202 cited as the "Central Coast Regional District, Calvert Island Zoning Bylaw, No. 202, 1993, as read a third time.

[Signature]
Donna Mikkelson, Secretary

CALVERT ISLAND ZONING
 BYLAW NO. 202
 SCHEDULE 'A'



Scale: 1 centimetre = 1.9 kilometre
 (1 inch = 3 miles)

Province of British Columbia



No. 930402

Statutory Approval

Under the provisions of section 973

of the MUNICIPAL ACT

I hereby approve Bylaw No. 202, 1993

of CENTRAL COAST REGIONAL DISTRICT, *a copy*

of which is attached hereto.

Dated this 9th *day*

of August, 1993

A handwritten signature in black ink, appearing to read "W. M. Stewart", written over a horizontal dotted line.

Minister of Municipal Affairs,
Recreation and Housing