

# Islands Trust

## **Salt Spring Island Local Trust Committee**

### **Bylaw No. 355**

## ***Salt Spring Island Land Use Bylaw, 1999***

**Consolidated Version: October 2022**

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

For reference to the original bylaw and amendments  
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*Preserving Island communities, culture and environment*

## CONSOLIDATED BYLAW AMENDMENTS

Please consult our website: [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca) for the latest consolidation of this bylaw and any bylaws that may have been adopted after this consolidated version.

This copy is consolidated for convenience only, and includes the following 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. 377	Amendment No. 4, 2002	January 25, 2003
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. 407	Amendment No. 3, 2005	January 8, 2015
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

Bylaw No. 464	Amendment No. 1, 2013	July 25, 2013
Bylaw No. 466	Amendment No. 2, 2013	June 20, 2013
Bylaw No. 470	Amendment No. 4, 2013	May 8, 2014
Bylaw No. 472	Amendment No. 5, 2013	August 28, 2014
Bylaw No. 475	Amendment No. 6, 2013	June 21, 2021
Bylaw No. 477	Amendment No. 1, 2014	June 11, 2015
Bylaw No. 479	Amendment No. 3, 2014	May 14, 2015
Bylaw No. 484	Amendment No. 2, 2015	June 2, 2016
Bylaw No. 483	Amendment No. 1, 2015	November 2, 2017
Bylaw No. 485	Amendment No. 3, 2015	February 11, 2016
Bylaw No. 486	Amendment No. 4, 2015	March 10, 2016
Bylaw No. 487	Amendment No. 5, 2015	February 26, 2019
Bylaw No. 489	Amendment No. 1, 2016	July 28, 2020
Bylaw No. 490	Amendment No. 2, 2016	July 28, 2020
Bylaw No. 492	Amendment No. 4, 2016	December 22, 2016
Bylaw No. 497	Amendment No. 6, 2016	June 29, 2017
Bylaw No. 499	Amendment No. 1, 2017	October 1, 2019
Bylaw No. 501	Amendment No. 2, 2017	July 4, 2019
Bylaw No. 503	Amendment No. 3, 2017	July 5, 2018
Bylaw No. 507	Amendment No. 5, 2017	August 27, 2019
Bylaw No. 508	Amendment No. 6, 2017	March 26, 2019
Bylaw No. 509	Amendment No. 7, 2017	April 19, 2018
Bylaw No. 512	Amendment No. 2, 2018	April 28, 2020
Bylaw No. 515	Amendment No. 3, 2018	February 18, 2020
Bylaw No. 519	Amendment No. 2, 2019	May 26, 2020
Bylaw No. 525	Amendment No. 2, 2021	May 17, 2022
Bylaw No. 526	Amendment No. 3, 2021	October 11, 2022

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**SALT SPRING ISLAND LOCAL TRUST COMMITTEE**  
**BYLAW NO. 355**

BL492 (12/16)

**A BYLAW TO ESTABLISH REGULATIONS RESPECTING THE USE OF LAND AND WATER WITHIN THE SALT SPRING ISLAND LOCAL TRUST AREA, THAT ALSO LIE WITHIN ELECTORAL AREA “F” OF THE CAPITAL REGIONAL DISTRICT, INCLUDING THE USE, SITING, AND SIZE OF BUILDINGS AND STRUCTURES, AND THE PROVISIONS OF PARKING, SIGNS, AND THE SUBDIVISION OF LAND**

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**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:

BL483 (11/17)

- “abattoir”** means *buildings* or *structures* used for the processing of *farm products* that involves the handling, slaughter, cutting, wrapping and storage of processed livestock.
- “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*.

	<b>“bed and breakfast”</b>	means a <i>home-based business</i> that provides <i>temporary</i> overnight accommodation and a morning meal to paying guests.
	<b>“boathouse”</b>	means a one <i>storey</i> and one room <i>building</i> not exceeding 35 square metres in <i>floor area</i> and used exclusively to store watercraft.
	<b>“breakwater”</b>	means a protective <i>structure</i> which may be fixed, open pile or floating, that is usually built offshore to protect harbour areas, <i>moorage</i> areas, navigation or beaches from wave action.
BL489 (07/20)	<b>“buffer area”</b>	means the area of a <i>lot</i> that is: <ul style="list-style-type: none"> <li>• within 7.5 m of a <i>lot line</i>, where that <i>lot line</i> adjoins another <i>lot</i> used for, or <i>zoned</i> so as to permit <i>residential, commercial guest accommodation, or agriculture use.</i>”</li> </ul>
	<b>“building”</b>	means a <i>structure</i> having a roof or cover supported by columns or walls and used or intended to be used for supporting or sheltering any <i>use</i> or occupancy.
	<b>“cabin”</b>	means a <i>building</i> with a <i>floor area</i> of 56 square metres or less and, unless otherwise specified, used for <i>commercial guest accommodation</i> .
	<b>“campground”</b>	means the <i>use</i> of land for the <i>temporary</i> accommodation of paying guests who bring and sleep in a <i>camping unit</i> on a <i>campsite</i> .
	<b>“camping unit”</b>	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 <i>manufactured homes</i> .
	<b>“campsite”</b>	means an area in a <i>campground</i> intended for and used for the <i>temporary</i> accommodation of one <i>camping unit</i> .
	<b>“carport”</b>	means an <i>accessory building</i> 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 <i>parking area</i> for an automobile.
	<b>“church”</b>	means a <i>building</i> or <i>structure</i> that by design and construction is primarily intended for conducting organized religious activities and associated <i>accessory</i> uses, but not including a <i>community hall</i> and not including any <i>dwellings</i> or accommodation for person or persons.
	<b>“club”</b>	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.

	<b>“commercial”</b>	means occupied with or engaged in work for the purposes of earning an income.
BL489 (07/20)	<b>“commercial composting”</b>	means the use of land for <i>commercially</i> processing organic matter through the controlled biological decomposition of organic materials using composting technology (which may include physical turning, windrowing, in-vessel, static pile aeration or other mechanical handling), in accordance with the <i>Environmental Management Act and Public Health Act</i> and its associated Organic Matter Recycling Regulation, together with the Capital Regional District’s Composting Facilities Regulation Bylaw.
BL492 (12/16)	<b>“commercial guest accommodation”</b>	means a <i>commercial</i> enterprise, other than a <i>bed &amp; breakfast home-based business</i> , that consists of the <i>temporary</i> rental of <i>commercial guest accommodation units, campsites or tourist hostel</i> bed space to travellers or vacationers whose permanent domicile or home life is elsewhere. It also excludes the use of any land or improvements under a time share plan as defined in the Real Estate Development Marketing Act unless the term of occupancy by an individual is less than 30 days.
	<b>“commercial guest accommodation unit”</b>	means a room, a set of rooms or a <i>cabin</i> that is let as a single unit for <i>commercial guest accommodation</i> .
	<b>“community hall”</b>	means a <i>building</i> used for recreational, social, charitable, educational, entertainment and cultural activities and <i>intermittent commercial uses</i> , open to the <i>public</i> and owned or operated by a non-profit group or government agency.
	<b>“community sewage collection system”</b>	means a system to collect, convey, treat and dispose of sewage that serves more than one <i>lot</i> and is owned, operated and maintained by an Improvement District, a Regional District, or a sewer utility.
	<b>“community water system”</b>	means a system of waterworks that serves more than one <i>lot</i> and is owned, operated and maintained by an improvement district, a Regional District or a water utility.
BL412 (12/06)	<b>“compost”</b>	means a product of the biological degradation or breakdown of organic matter, ready for <i>agricultural use</i> as a soil amendment, artificial top soil or growing medium.
BL412 (12/06)	<b>“composting facility”</b>	means a <i>structure</i> used to process and store <i>compost</i> .
	<b>“confined livestock area”</b>	means an <i>outdoor</i> , non-grazing area where livestock, poultry or farmed game is confined by fences, other <i>structures</i> or natural features, and includes feedlots, paddocks, corrals, exercise yards and holding areas, but does not include a seasonal feeding area.

BL489 (07/20)	<b>“contractor’s shop”</b>	means <i>buildings</i> or <i>structures</i> used for the housing and/or operating of machinery, the provision of <i>services</i> , the fabrication of building-related products, interior storage, and may include the contractor’s business office and exterior storage.
	<b>“corner lot”</b>	means a <i>lot</i> at the intersection of two or more <i>highways</i> .
BL489 (07/20)	<b>“creative industry”</b>	means a use involving creative work and the production of art, crafts, and custom-made goods, including but not limited to: artisan craft workshops, art and design studios, performing arts spaces, print and visual media studios, and education and research facilities.
	<b>“day care, child”</b>	means a <i>use</i> in a <i>building</i> or <i>structure</i> where care, protection and supervision of children are provided on a regular schedule for a fee.
	<b>“disposal”</b>	means the final disposition of products that have no further <i>use</i> .
(BL492 12/16)	<b>“dock”</b>	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 <i>wharfage</i> place for water craft. A platform and ramp to access a <i>dock</i> may not exceed a width of 1.2 metres.
	<b>“drive-in”</b>	means, in relation to a <i>commercial use</i> , an establishment that by design, physical facilities, <i>service</i> or packaging procedures encourages or permits customers to receive <i>services</i> , obtain goods, or be entertained while remaining in their motor vehicles.
BL492 (12/16)	<b>“duplex”</b>	means a <i>building</i> consisting of two <i>dwelling units</i> .
	<b>“dwelling, single-family”</b>	means a <i>building</i> consisting of one <i>dwelling unit</i> that is not attached to any other <i>dwelling unit</i> by any means.
	<b>“dwelling, multi-family”</b>	means a <i>building</i> consisting of more than two <i>dwelling units</i> .
BL492 (12/16)		(Deleted “ <i>dwelling, two-family</i> ” definition)
BL412 (12/06)	<b>“dwelling unit”</b>	means one or more rooms in a <i>building</i> that are used, or constructed so as to be capable of being used for the <i>residential use</i> of a single household; and containing a common access, one <i>kitchen</i> , and eating, sleeping and living areas.
BL412 (12/06)	<b>“dwelling unit, affordable housing”</b>	is a deed restricted and/or a rent controlled <i>dwelling unit</i> that is secured by a housing agreement registered on title, and may include <i>special needs housing</i> and <i>seniors dwelling units</i> .
BL526 (10/22)	<b>“dwelling unit, farmworker’s”</b>	means a <i>dwelling unit</i> that is <i>accessory</i> to a <i>commercial farm business</i> on a <i>lot</i> and is used for the <i>residential</i> accommodation of a farmworkers employed in that <i>farm business</i> or for family.
	<b>“engineer”</b>	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.

BL492 (12/16) **“farm business”** means a business in which one or more *farm operations* are conducted by the farm operator on one or more *lots*.

**“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.

BL492 (12/16) **“farm operation”**

means any of the following activities:

- (a) growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;
- (b) clearing, draining, irrigating or cultivating land;
- (c) using farm machinery, equipment, devices, materials and *structures*;
- (d) applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying;
- (e) conducting any other agricultural activity on, in or over agricultural land;

and includes

- (f) *intensively* cultivating in plantations, any
  - (i) specialty wood crops, or
  - (ii) specialty fibre cropsprescribed by the Minister of Agriculture;
- (g) conducting turf production;
  - (i) outside of an agricultural land reserve, or
  - (ii) in an agricultural land reserve with the approval under the Agricultural Land Commission Act;
- (h) *aquaculture* as defined in the Fisheries Act if carried on by a person licensed, under Part 3 of that Act, to carry on the business of *aquaculture*;
- (i) raising or keeping fur bearing animals or game, within the meaning of a regulation made under the Animal Health Act, by a person licensed or permitted to do so under that Act;
- (j) processing or direct marketing by a farmer of one or both of
  - (i) the products of a farm owned or operated by the farmer, and
  - (ii) within limits prescribed by the Minister of Agriculture, products not of that farm, to the extent that the processing or marketing of those products is conducted on the farmer's farm;

but does not include

- (k) an activity, other than grazing or hay cutting, if the activity constitutes a forest practice as defined in the Forest and Range Practices Act;
- (l) breeding pets or operating a *kennel*;
- (m) growing, producing, raising or keeping exotic animals, except types of exotic animals prescribed by the Minister of Agriculture.

**“farm structure”**

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

BL435 (04/09)	<b>“fire training facility”</b>	means land, <i>buildings</i> and <i>structures</i> 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.
	<b>“floor area”</b>	means the sum of the horizontal areas of all <i>storeys</i> of a <i>building</i> or <i>structure</i> , including <i>basements</i> , 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 <i>building</i> having a floor and a ceiling at least 1.8 m apart constitute a <i>storey</i> and the horizontal area of all <i>buildings</i> 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 <i>floor area</i> .
	<b>“floor space ratio”</b>	means the total <i>floor area</i> of all <i>buildings</i> and <i>structures</i> on a <i>lot</i> divided by the total <i>lot area</i> .
	<b>“frontage”</b>	means the length of a <i>lot</i> boundary that abuts a <i>highway</i> or an access route in a bare land strata plan, but excludes the length of a <i>lot</i> boundary that abuts a lane or a walkway.
BL512 (04/20)	<b>“full-time rental cottage”</b>	means a <i>dwelling unit</i> not exceeding 56 square metres in <i>floor area</i> on lots with an area less than 2 hectares or 90 square metres on lots with an area 2 hectares or greater, that is occupied only pursuant to a <i>residential</i> tenancy agreement as defined in the <i>Residential Tenancy Act</i> and that comprises, with the single family dwelling to which it is accessory, a single real estate entity.
	<b>“funeral home”</b>	means a <i>building</i> or part of a <i>building</i> occupied by a <i>commercial use</i> that includes the performance of <i>services</i> 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 <i>accessory</i> offices, but does not include a chapel, facilities for memorial <i>services</i> or cremation.
BL492 (12/16)		(Deleted “ <i>fur farm</i> ” definition)
	<b>“Ganges Village Core”</b>	means the <i>Ganges Village Core</i> designated in the Salt Spring Island Official Community Plan.
	<b>“golf course”</b>	means the <i>use</i> of land for golfing activity and <i>accessory buildings</i> .

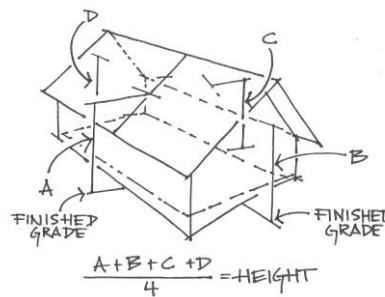
BL492 (12/16) **“grade”** means the average elevation of the ground at a distance of 2 metres from a *building* or *structure* determined by averaging the finished elevations at the midpoints of all exterior walls, excluding any artificial mounds of earth, or rocks, or *structures*.

**“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*.

BL492 (12/16) **“height”** means the average vertical distance measured between the highest point of the *building* or *structure* and *grade*, and is determined as follows:

- (a) for *buildings* with flat or dome roofs or for *structures* without a roof, the highest point is the highest part of the *building* or *structure*.
- (b) For *buildings* and *structures* with pitched roofs, the highest point is the mid-point between the highest ridge and the highest eave, excluding dormers that make up less than 33 percent of the total roof area.



**“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*.



	<b>“indoor”</b>	means located or carried on within a fully enclosed <i>building</i> .
	<b>“industrial vehicle”</b>	means a vehicle licensed under Section 9 or 10 of the <i>Motor Vehicle Act</i> .
BL448 (09/11) BL489 (07/20)	<b>“industry, farm-related light”</b>	means an industry that takes place <i>indoors</i> , and comprises the storage and manufacture of <i>farm products</i> , 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 <i>agricultural waste</i> does not occur.
	<b>“industry, light”</b>	means an industry that takes place <i>indoors</i> , 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.
BL489 (07/20)		(Deleted “ <i>industry, heavy</i> ” definition)
	<b>“intermittent”</b>	means, in relation to a period of occupancy or <i>use</i> by any particular individual, organization or enterprise: starting and stopping for irregular periods.
	<b>“kennel”</b>	means any <i>building</i> or <i>structure</i> , compound, group of pens or cages or <i>lot</i> in which three or more dogs are or are intended to be trained, cared for, bred, boarded or kept as part of a <i>commercial</i> enterprise.
	<b>“kitchen”</b>	means a room or area of a room that is equipped, used and intended to be used for <i>residential</i> 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 <i>lot</i> that is separate from <i>residential use</i> , equipped as a <i>commercial</i> to meet the Food Premises Regulations and the requirements of the Medical Health Officer and is used solely to facilitate the processing of <i>farm products</i> .
	<b>“Land Development Guidelines”</b>	means the <i>Land Development Guidelines for the Protection of Aquatic Habitat</i> published by the Canadian Department of Fisheries and Oceans and the British Columbia Ministry of Environment in 1992.
	<b>“landscape screen”</b>	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 <i>uses</i> from abutting land and <i>highways</i> .
BL492 (12/16)	<b>“liquor primary”</b>	means an establishment licensed under the Liquor Control and Licensing Act where the <i>service</i> of liquor is the primary focus of the business, but excludes nightclubs.

BL397 (09/04)	<b>“liquor store”</b>	means a retail store licensed under the <u>Liquor Control and Licensing Act</u> for the sale of beer, wine or liquor.
	<b>“lot”</b>	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 <u>Land Title Act</u> or the Bare Land Strata Regulations under the <u>Strata Property Act</u> .
	<b>“lot area”</b>	means the area of the horizontal plane of a <i>lot</i> bounded by the vertical planes through the <i>front</i> , side and <i>rear lot lines</i> of any <i>lot</i> .
	<b>“lot coverage”</b>	means the total area on the horizontal plane of those portions of a <i>lot</i> that are covered by <i>buildings</i> or <i>structures</i> divided by the area of the <i>lot</i> and expressed as a percentage, and for this purpose, the area of a <i>lot</i> that is covered by a roofed <i>building</i> or <i>structure</i> is measured to the outer surface of the exterior walls and windows minus 15 cm, or in the case of roofed <i>structures</i> without walls it is measured to the edge of the eaves.
	<b>“lot depth”</b>	means the horizontal distance between the <i>front lot line</i> and the <i>rear lot line</i> and where these are not parallel, <i>lot depth</i> is the length of a line joining the mid points of the <i>front lot line</i> and <i>rear lot line</i> .
BL492 (12/16)	<b>“lot line”</b>	means the boundary of a <i>lot</i> ; and <b>“front lot line”</b> means the <i>lot line</i> common to the <i>lot</i> and an abutting <i>highway</i> or an abutting access route in a bare land strata plan. Where a lot abuts more than one distinct <i>highway</i> , the shorter <i>lot line</i> , that is at least 20 metres, is considered the <i>front lot line</i> . In the case of a hooked lot, the <i>lot line</i> that adjoins the larger portion of the parcel is considered the <i>front lot line</i> . In the case of a <i>panhandle lot</i> , the line that is generally parallel to the access road or <i>highway</i> and perpendicular to the <i>lot lines</i> that form the <i>access strip</i> is also considered the <i>front lot line</i> ; and, <b>“rear lot line”</b> means the <i>lot line</i> that most closely parallels and is most distant from the <i>front lot line</i> , and where the rear portion of a <i>lot</i> is bounded by two intersecting side <i>lot lines</i> the point of intersection is deemed the <i>rear lot line</i> ; and, <b>“exterior side lot line”</b> means a <i>lot line</i> that is not a <i>front</i> or <i>rear lot line</i> and that is common to the <i>lot</i> and an abutting <i>highway</i> or an access route in a bare land strata plan; and, <b>“interior side lot line”</b> means a <i>lot line</i> that is not a <i>front</i> , <i>rear</i> or <i>exterior side lot line</i> .
BL492 (12/16)	<b>“manufactured home”</b>	means a <i>dwelling unit</i> that is manufactured in accordance with CSA A277 Standards, designed and intended for <i>residential</i> occupancy and manufactured either wholly or in part at an offsite location, and also includes <i>mobile homes</i> .

**“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.

BL492 (12/16)

(Deleted “*marine pub*” definition)

**“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.

BL492 (12/16)

(Deleted “*neighbourhood pub*” definition)

**“outdoor”** means carried on or located outside a fully enclosed *building* or *structure*.

<b>“outdoor recreation camp”</b>	means the <i>use</i> of land for a <i>commercial</i> , institutional or non-profit enterprise, which consists of providing <i>outdoor</i> recreation, scheduled and supervised activities and <i>temporary</i> accommodation in <i>camping units</i> .	
<b>“panhandle lot”</b>	means a <i>lot</i> that fronts on a <i>highway</i> by means of an <i>access strip</i> .	
<b>“park”</b>	means an area open to the general population and reserved for <i>outdoor</i> recreational, scenic or conservation purposes.	
<b>“parking lot”</b>	means an area not within a <i>building</i> used for the <i>temporary</i> , daily, or overnight off-street parking of motor vehicles.	
<b>“parking space”</b>	means an area on a <i>parking lot</i> intended for the parking of a single motor vehicle.	
<b>“paving”</b>	means any <i>graded</i> , hardened, and relatively <i>impervious surface</i> covered with materials comprised of asphalt, concrete, masonry, crushed gravel or combinations of them.	
<b>“personal service”</b>	means a <i>commercial use</i> that is primarily engaged in providing <i>services</i> involving the care of a person or his or her personal goods or apparel.	
<b>“personal watercraft”</b>	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.	
<b>“pier”</b>	means a <i>structure</i> consisting of a fixed platform above the water that abuts the shoreline and is used as a landing or <i>wharfage</i> place for watercraft.	
BL492 (12/16)	<b>“potable”</b>	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 Schedule “H”.
<b>“pound”</b>	means a <i>public</i> facility used for the <i>temporary</i> impoundment of domestic animals caught on the Southern Gulf Islands.	
<b>“principal”</b>	means, in relation to a <i>use</i> conducted or a <i>building</i> or <i>structure</i> constructed on a <i>lot</i> : primary and most important.	
<b>“public”</b>	means, in relation to a <i>use</i> , <i>building</i> or <i>structure</i> : operated to provide a governmental <i>service</i> 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:

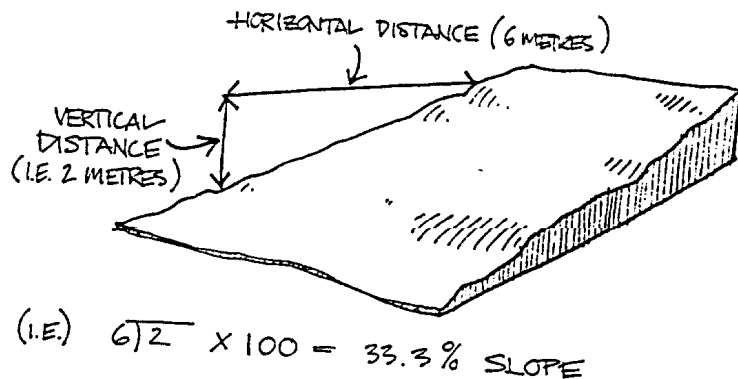
- (a) the permanent domicile or home life of a person or persons, or,
- (b) the occasional or seasonal occupancy of a *dwelling unit* by;
  - i. an owner who has a permanent domicile elsewhere or,
  - ii. a non-paying guest of such an owner, and for these purposes an “owner” includes a tenant under a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

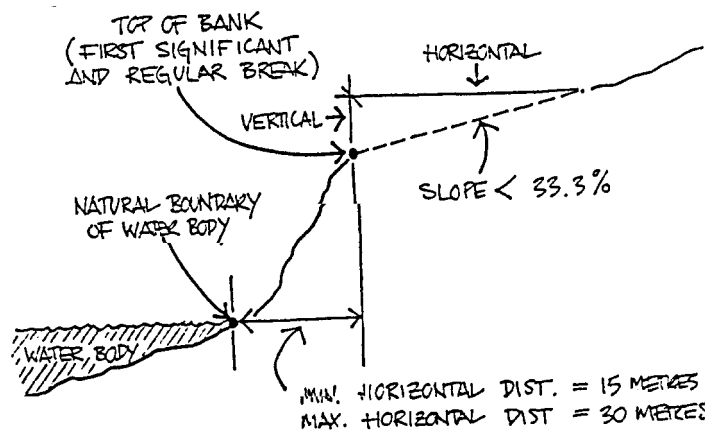
BL397 (09/04)	<b>“retail sales”</b>	means a <i>commercial use</i> that consists of the selling of goods or merchandise on the premises directly to the consumer for personal, household, small business or office <i>use</i> and including the incidental or subordinate rendering of <i>services</i> , processing or <i>manufacturing</i> of goods to be sold, but does not include a <i>liquor store</i> .
	<b>“retail services”</b>	means a <i>commercial use</i> that consists of the provision of <i>services</i> or entertainment, as opposed to <i>retail sales</i> , to the general <i>public</i> for personal or household <i>use</i> , including real estate and insurance <i>services</i> , <i>personal service</i> , motion pictures, amusement and recreation <i>services</i> , health, educational and social <i>services</i> , museums and galleries, but excluding restaurants, <i>public</i> houses and financial institutions; <i>retail services</i> may include the sale of products that are provided as part of the overall <i>service</i> .
	<b>“Salt Spring Island Cycle Route Inventory”</b>	means the report with that title, prepared by Wright Focus Engineering and Richard James and Associates and dated April, 1999.
BL492 (12/16)		(Deleted “ <i>school</i> ” definition)
BL492 (12/16)		(Deleted “ <i>school, elementary</i> ” definition)
	<b>“seasonal cottage”</b>	means an <i>accessory dwelling unit</i> not exceeding 56 square metres in <i>floor area</i> which, despite the definitions of “ <i>dwelling unit</i> ” and “ <i>residential</i> ” in this Bylaw, is occupied or intended to be occupied on a <i>temporary</i> basis by a person or persons having a permanent domicile elsewhere and using the cottage primarily in conjunction with recreation.
BL461 (05/13)	<b>“secondary suite”</b>	means an <i>accessory</i> , self-contained <i>dwelling unit</i> , located within a <i>building</i> that otherwise contains a <i>single-family dwelling</i> , and having a lesser <i>floor area</i> than the <i>principal dwelling unit</i> .
BL371 (10/01)	<b>“senior”</b>	means a person aged 65 and over.
BL371 (10/01)	<b>“seniors’ dwelling unit”</b>	means a <i>dwelling unit</i> restricted to <i>residential</i> occupancy by a <i>senior</i> 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 <i>dwelling unit</i> .
BL371 (10/01)	<b>“seniors’ supportive housing complex”</b>	means a barrier-free housing development comprised of <i>seniors’ dwelling units</i> and <i>accessory dwelling units</i> for resident staff, provided in combination with support <i>services</i> 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
- 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*.





	<b>“tourist hostel”</b>	means a <i>commercial guest accommodation use</i> that consists of the <i>temporary</i> rental of dormitory bed spaces and of group facilities for cooking, eating and washing.
	<b>“unoccupied”</b>	means not used or intended to be used for the accommodation of humans or animals.
	<b>“use”</b>	means the purpose or activity for which land or <i>buildings</i> are designed, arranged, or intended or for which land or <i>buildings</i> are occupied or maintained, but excludes the removal of unprocessed natural resources.
	<b>“vegetation screen”</b>	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 <i>height</i> of 5 metres.
BL489 (07/20)	<b>“vehicle dismantling”</b>	means wrecking or dismantling vehicles or recycling or disposing of parts and other waste material from vehicles, as regulated by the Vehicle Dismantling and Recycling Industry Environmental Planning Regulation.
	<b>“water body”</b>	means the sea or any natural depression with visible banks, or a <i>wetland</i> 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 <i>water body</i> .  <i>Information Note: Dug ponds that do not replace or divert a natural water body are not included in the above definition.</i>
	<b>“wetland”</b>	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.
	<b>“wharfage”</b>	means the tying of a boat or other vessel to a wharf, float, <i>pier</i> or <i>dock</i> .
BL489 (07/20)	<b>“wholesale sales”</b>	means a <i>commercial use</i> that consists of the selling of merchandise to retailers and to general employment, <i>commercial</i> , institutional or professional business users, contractors, other wholesalers, or the provision of a brokering or agency <i>service</i> for the selling of merchandise to such users.
	<b>“zone”</b>	means a <i>zone</i> 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.

## 1.4 USE OF ITALICS

*BL492 (12/16)*

1.4.1 Other than Information Notes, the use of italics in this Bylaw indicates that the term shall be interpreted as defined in **Section 1.1 DEFINITIONS**.

## **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 Sewerage System Regulation, Agricultural Waste Control Regulation, or the Environmental Management Act;

BL492 (12/16)

*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.*

BL492 (12/16)

- (3) storage of special wastes, as defined in the Environmental 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;

BL492 (12/16)

*Information Note: The storage and handling of any waste must comply with applicable regulations under the Environmental 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

BL 492 (12/16)

3.3.1 Where a *lot* is in the 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*:

BL489 (07/20)

(1) general employment and *commercial uses*, with the exception of a *farm business*, that are not contained within a *building*;

(2) *emergency response stations*;

(3) *kennels* and pet boarding facilities.

BL489 (07/20)

(4) general employment *uses* where the *lot* adjoins another non-general employment *zoned lot* used for, or *zoned* so as to permit *agriculture*.

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 *dwellings* 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**

BL489 (07/20)

- 3.10.1 Except as permitted in the General Employment 1, General Employment 2, and General Employment 3 *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.

BL526 (10/22)

3.11.5 The maximum floor area for a *dwelling unit* is 500 square meters.

### 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*.



BL492 (12/16)

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.

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.

BL492 (12/16)

(b) No *home-based business* may produce vibration, smoke, dust, odour, litter, electrical interference, fire hazard, effluent or glare detectable outside the boundaries of the *lot*.

BL492 (12/16)

(c) No *home-based business* 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 residents own licensed vehicles.
- (l) Cabinet making, furniture making, upholstery and picture framing.

BL492 (12/16)

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
- 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.

BL461 (05/13)

*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.

### 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*.

### 3.15 FULL-TIME RENTAL COTTAGES

BL512 (04/20)

3.15.1 No *full-time rental cottage* may be constructed or occupied on a lot less than 1.2 ha in *area*.

3.15.2 A *full-time rental cottage* may not exceed 56 square metres in *floor area* on a lot less than 2 hectares in *area*, or 90 square metres in *floor area* on lots with an *area* 2 hectares or greater.

3.15.3 A *full-time rental 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*.

3.15.4 A *full-time rental 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.

3.15.5 A *full-time rental cottage* may not have a *basement*.

3.15.6 A *full-time rental cottage* may have an attached garage or *carport*. All areas of an attached garage or *carport* meeting the Land Use Bylaw definition of *floor area* will be considered *floor area* for the purpose of calculating the total *floor area* of the *full-time rental cottage*.

3.15.7 A *full-time rental cottage* may be a *mobile home* or a *manufactured home*.

3.15.8 On lots where a *full-time rental cottage* is permitted, no *full-time rental cottage* with a *floor area* exceeding 56 square metres may be used as part of a bed-and-breakfast *home-based business*.

3.15.9 No *full-time rental cottage* with a *floor area* greater than 56 square metres, or addition to an existing cottage that exceeds 11.6 square metres of *floor area*, may be constructed unless the cottage is equipped with a rainwater storage, treatment, and delivery system for *potable* water designed in accordance with Canadian Standards Association rainwater harvesting system standard CSA B805-18.

*Information Note: Building permit applications for new cottages or additions to existing cottages submitted to Islands Trust for land use review should include plans for a rainwater harvesting system certified by an ASSE-certified designer, professional engineer or geoscientist to comply with the above-noted standard. Installation of the system will be made a condition of permit applications deemed to be land use compliant.*

### **3.16 SECONDARY SUITES**

BL461 (05/13)

3.16.1 *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.*

3.16.2 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.*

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

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

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

3.16.6 The maximum *floor area* for a *secondary suite* is 90m<sup>2</sup> (968 ft<sup>2</sup>).

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

3.16.8 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.*

- 3.16.9 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*.
- 3.16.10 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*.
- 3.16.11 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*.
- 3.16.12 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.*

### 3.17 DWELLINGS ON LARGE FARMS

BL526 (10/22)

3.17 Despite other provisions of this bylaw, where *agriculture* is a permitted *principal use* on a *lot* not in an *Agricultural zone*, additional *farmworkers' dwelling units* corresponding with the *subdivision* potential of the *lot* are permitted provided that:

- (1) the lot is classified as a farm under the Assessment Act;
- (2) the lot complies with Section 3.5;
- (3) the number of additional *farmworker's dwelling units* correspond with the *subdivision* potential of the *lot* in accordance with Subsection 5.8.1 and the zone-applicable Subdivision and Servicing Requirements of Part 9;
- (4) each *farmworker's dwelling unit* must be supplied with *potable* water in accordance with Section 5.5;
- (5) the maximum *floor area* of a *farmworker's dwelling unit* is 186 square meters;
- (6) the owner grants to the Salt Spring Island Local Trust Committee a covenant under the Land Title Act restricting *use* of the *farmworkers' dwelling units* and prohibiting further *subdivision* of the *lot*.

*Information Note:* Applications should be consistent with the guidelines in H.2.1.3 of the Salt Spring Island Official Community Plan.

BL492 (12/16)

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

### 3.18 USE OF TRAVEL TRAILERS AND RECREATIONAL VEHICLES

3.18.1 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.

3.18.2 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.



3.18.3 Except as permitted in Subsections 3.18.1 and 3.18.2 a travel trailer or recreational vehicle may not be occupied on *lots* that are not *zoned* to permit *campgrounds*.

### 3.19 USE OF WATER SURFACES

3.19.1 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.

### 3.20 LOT COVERAGE AND DENSITY LIMITS – BUILDING STRATA LOTS

3.20.1 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*.

### 3.21 CONDITIONS REGARDING MORE THAN ONE PRINCIPAL USE

3.21.1 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

3.21.2 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*.

### 3.22 ABATTOIR REGULATIONS

BL489 (07/20)

3.22.1 Despite the setback regulations specified in Subsection 9.7.2 – Size Siting and Density of Permitted Uses, Buildings and Structures, no *abattoir* may be located within the following setbacks from *lot lines*, *zone* boundaries or road access easements:

- (1) Setback from *front lot line*: 15 metres
- (2) Setback from *interior side lot line*: 7.5 metres
- (3) Setback from non-general employment *zone* boundaries: 15 metres

3.22.2 Combined mass of livestock in all *confined livestock* areas shall not exceed 4550 kilograms at any one time.

### 3.23 COMPOSTING REGULATIONS

BL489 (07/20)

- 3.23.1 Backyard, household level *composting* is a permitted *use* in all *residential zones*.
- 3.23.2 *Composting of agricultural waste* produced onsite is a permitted *use* in all *zones* that permit *agriculture*.
- 3.23.3 *Composting of organic matter* which originates at the site of the *composting* operation is a permitted *use* in all *zones*.
- 3.23.4 *Commercial composting*, and all other *composting*, is subject to regulation by the Capital Regional District per the Composting Facilities Regulation Bylaw.

*Information Note:* *Commercial composting facilities must also comply with other regulations including the provincial Organic Matter Recycling Regulation (OMRR), the BC Agriculture Waste Control Regulation and other applicable regulations. The BC Farm Industry Review Board is set up to address issues arising from farm activities including odour.*

## PART 4 - GENERAL REGULATIONS (SITING)

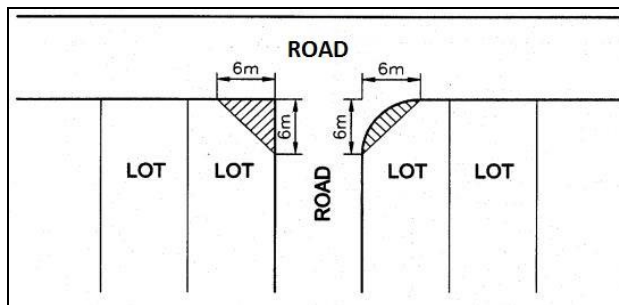
### 4.1 SETBACKS FOR ACCESSORY BUILDINGS

- 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

BL492 (12/16)

- 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 6 metres 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 *front lot line*: 7.5 m
- (2) Setback from *rear lot line*: 7.5 m
- (3) Setback from *interior side lot line*: 3.0 m
- (4) Setback from *exterior side lot line*: 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.

BL492 (12/16)

*Information Note:* In addition to the setbacks detailed here, the Ministry of Transportation and Infrastructure requires a 4.5 metre setback from any public road right-of-way for any building, mobile home, retaining wall or other structure.

BL 492 (12/16)

*Information Note:* In the case of panhandle lots, front lot lines include the lot line perpendicular to the access strip as detailed in the definition of front lot line.

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.

BL487 (02/19)

4.3.6 The minimum setback from a *lot line* for *confined livestock areas* used or intended to be used for more than 4550 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*.

BL 492 (12/16)

*Information Note: Additional regulations for campground layout and setbacks are contained in Schedule “F” of this Bylaw.*

#### **4.4 SETBACKS FROM WATER BODIES**

BL 492 (12/16)

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*.

BL492 (12/16)

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.

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.

BL 492 (12/16)

*Information Note: Variances to the setbacks in this Section can be considered by the Salt Spring Island Local Trust Committee; 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 seepage 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*.

BL 492 (12/16)

*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.*

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.

BL487 (02/19)

4.5.3 *Commercial*, institutional, or agricultural production, storage or manufacture of the following products is to be setback 30 metres from the *natural boundary* of any *water body*, except where these *uses* 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

BL487 (02/19)

Pet or domestic animal wastes, excluding incidental production from pets and livestock ranging on pasture.

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 SETBACKS FROM DRINKING WATER WELLS - WATER QUALITY PROTECTION**

BL 484 (06/16)

4.6.1 No sewage disposal field or septage pit may be located within 30 metres of a drinking water well within all land designated in the shaded area on Schedule J of this bylaw.

4.6.2 No drinking water well may be located within 30 metres of a sewage disposal field or septage pit within all land designated in the shaded area on Schedule J of this bylaw.

## **4.7 MEASUREMENTS OF SETBACKS FOR BUILDINGS AND STRUCTURES**

4.7.1 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.

4.7.2 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*.

BL492 (12/16)

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

- (1) approved for *subdivision* under the authority of the Agricultural Land Commission Act; or
- (2) exempted by the Agricultural Land Commission Act or regulations thereto.

BL492 (12/16)

5.1.3 (Deleted)

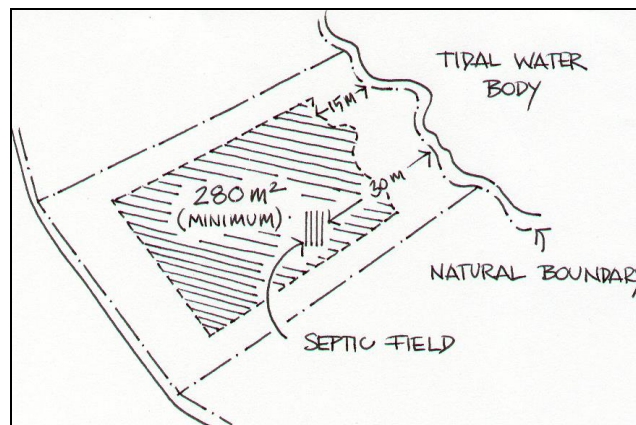


## 5.2 BOUNDARY ADJUSTMENTS

- 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.

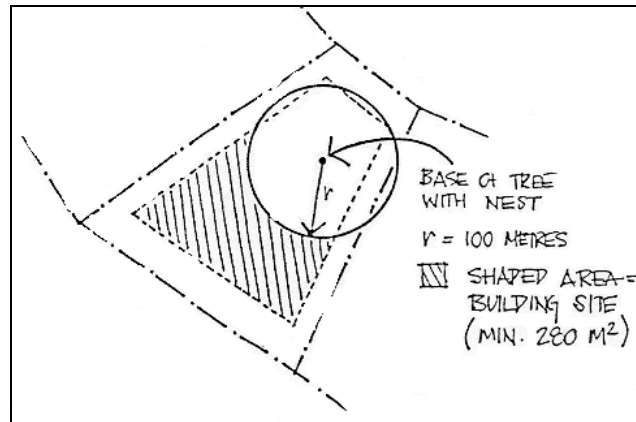
## 5.3 LOT DIMENSIONS

- 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

BL489 (07/20)

5.4.1 No *panhandle lot* may be created by *subdivision* of land in a *Commercial* or *General Employment 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.

BL 492 (12/16)

*Information Note: If more than one dwelling unit is connected to the same source of water, the water system is subject to Vancouver Island Health Authority regulations of water supply systems, the Drinking Water Protection Act, and may be subject to the Water Utility Act.*

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)

BL489 (07/20)

<b>TABLE 1 POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION</b>	
<b>USE</b>	<b>VOLUME (litres per day per lot)</b>
<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 General Employment use</i>	900
<i>Community hall or church</i>	1590
School	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

BL492 (12/16)

- 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 Vancouver Island Health Authority Subdivision 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.

<b>TABLE 2 – SIGN REGULATIONS</b>		
<b>ZONE or USE</b>	<b>MAXIMUM NUMBER OF SIGNS PER PRINCIPAL USE</b>	<b>MAXIMUM TOTAL SIGN AREA</b>
<i>Commercial zones, Commercial Accommodation zones, Community Facility zones, Comprehensive Development 2 Zone, General Employment zones</i>	2	1.8 square metres per business or use
<i>Schools, community halls, hospitals, art centres and public recreation centres with a gross floor area greater than 600 square metres</i>	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 home-based business	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.*

### 7.1 REQUIREMENTS FOR PARKING AND LOADING SPACES

BL444 (07/10)

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.

<b>TABLE 3 MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES</b>			
<b>LAND USE</b>	<b>Number of Automobile Parking Spaces Required</b>	<b>Number of required Automobile Parking Spaces which must be designed for use by the disabled</b>	<b>Number of Bicycle Parking Spaces Required</b>
<b>RESIDENTIAL</b>			
<i>Single-family dwelling</i>	2 per unit	0	0
<i>Multi-family dwelling, except for seniors' housing facilities 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' Housing Facilities</i>	1 per 2 units for seniors 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 designed or intended to be used by a disabled person.</i>	1.25 per unit plus one per non-resident employee (or full-time equivalent)	1 per unit	1 per 15 units
<i>Seasonal Cottage or 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 Operations, Guesthouses</i>	1 per bedroom plus 1 per non-resident employee (or full-time equivalent)	0	0
<b>COMMERCIAL</b>			
Automobile and other vehicle rental	1 per rented automobile or other vehicle in addition to requirements for office space	0	0

Restaurants and <i>Liquor-primary establishments</i>	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
Recyclable waste collection	1 per collection bin plus 1 per employee	5%*	0
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, <i>greenhouses</i> and nurseries	1 per 20 sq.m. of <i>direct farm marketing area</i>	5%*	0
<i>Other commercial uses</i>	1 per 25 sq.m. of combined <i>floor area</i> and <i>outdoor sales area</i>	5%*	1 per 250 sq.m. <i>floor area</i>
<b>GENERAL EMPLOYMENT</b>			
<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 or General Employment	1 per employee	5%*	1 per 10 employees
<b>COMMUNITY FACILITIES</b>			
Hospitals and other Health Care Facilities	1 per 3 beds	5%*	1 per 500 sq.m. <i>floor area</i> plus 6-space rack
Medical Clinics	1 per 32.5 m <sup>2</sup>	5%*	1 per 250 sq. m. <i>floor area</i>
<i>Day Care Centres</i>	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
Senior Schools	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. <i>floor area</i>
<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

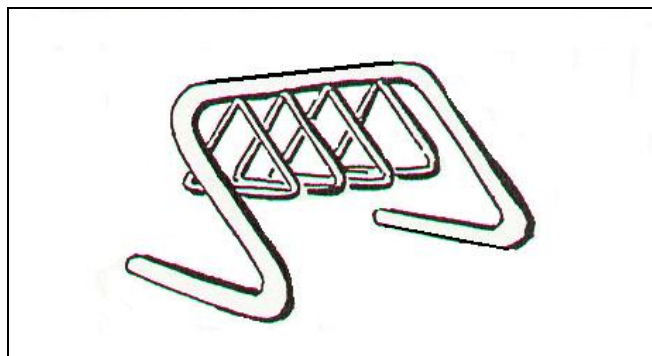
- 7.3.1 Except as provided by Section 7.7 of this Bylaw, all required off-street *parking spaces* must be located on the *lot* on which the *use*, *building* or *structure* being served is located, or on an adjoining *lot* that constitutes part of the same site or premises. *Parking spaces* located on 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

BL489 (07/20)

- 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*, general employment 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

BL492 (12/16)

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

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)  
BL492 (12/16)  
BL 526 (10/22)

	A1	A2
<b>Principal Uses, Buildings and Structures</b>		
Agriculture, farm buildings and structures <i>Information Note: By definition, "agriculture" includes the processing, storage, and sale of farm products produced on that agricultural land. These uses must be consistent with the <u>Agricultural Land Reserve Use Regulation</u>.</i>	◆	◆
Single-family dwellings	◆	◆
<b>Accessory Uses</b>		
A secondary suite subject to Section 3.16	◆	◆
Where a lot is classified as a farm under the <u>Assessment Act</u> , in addition to a secondary suite, a second accessory dwelling unit is permitted provided that it is:		
a) a pre-existing dwelling unit constructed before February 22, 2019; or		
b) a manufactured home constructed between July 4, 2019 and December 31, 2021; or		
c) a farmworker's dwelling unit not exceeding:	◆	◆
i. 56 square metres in floor area on a lot between 1.2 hectares and 2 hectares in area; or		
ii. 90 square metres in floor area on a lot greater than 2 hectares in area; or		
iii. 186 square metres in floor area on a lot greater than 40 hectares in area.		

<i>Information Note: For lots 40 hectares or less in area where the single-family dwelling exceeds 500 square metres in floor area, permission to construct an additional dwelling unit for farm use must be applied for and approved in writing by the Agricultural Land Commission.</i>		
<i>Home-based business use subject to Section 3.13</i>	◆	◆
<i>Commercial guest accommodation in a campground on agricultural land classified as a farm under the Assessment Act</i> <i>Information Note: This use requires an agri-tourism activity consistent with the Agricultural Land Reserve Use Regulation to be occurring on the lot.</i>	◆	

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

BL 526 (10/22)

- (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
<b>Lot Coverage</b>		
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
<b>Number of Units and Site Areas</b>		
Maximum combined number of bedrooms used in a <i>bed and breakfast home-based business and campsites</i> on any <i>lot</i> <i>Information Note: The Agricultural Land Reserve Use Regulation only permits a bed and breakfast home-based business (tourist accommodation) to be operated within the principal residence with a maximum of four bedrooms used for accommodation.</i>  <i>Developing a campsite is only permitted if an agri-tourism activity consistent with the Agricultural Land Reserve Use Regulation is occurring on the lot.</i>	10	N/A
<b>Setbacks</b>		
Despite Article 4.3.1(2), the following <i>lot line setbacks</i> apply in the <i>zone</i> indicated:		
Minimum <i>rear lot line setback</i> (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
<b>Minimum Lot Areas, Water Supply and Sewage Treatment Servicing Requirements</b>		
<b>Minimum water supply service required for subdivision:</b>		
Adequate supply of <i>potable</i> water	◆	◆
<b>Minimum sewage treatment service required for subdivision:</b>		
Individual on-site sewage treatment system per <i>lot</i>	◆	◆
Minimum area of an <b>individual lot</b> 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.

BL490 (07/20)

(Deleted – Zone Variation –A1(c))

**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.

BL466 (06/13)

### **Zone Variation – A2(b)**

- (14) Despite all other regulations of this bylaw the following additional *principal* uses permitted within lands zoned A2(b) are:
- a) Biodiversity conservation, heritage, wildlife and scenery viewing purposes, as long as the area occupied by any associated *buildings* and *structures* does not exceed 100 m<sup>2</sup>.
  - b) Education and research as long as the area occupied by any *buildings* or *structures* necessary for the education or research does not exceed 100 m<sup>2</sup>.
- (15) Despite all other regulations of this bylaw the following principal use is not permitted within lands zoned A2(b):
- a) *Single-family dwellings*.

## 9.2 COMMERCIAL ZONES

BL489 (07/20)

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

### 9.2.1 Permitted Uses of Land, Buildings and Structures

BL492 (12/16)

(Deleted – *Information Note*)

BL489 (07/20)

(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 and Commercial 4 zones:

BL489 (07/20)

	C1	C2	C3	C4
<b>Principal Uses, Buildings and Structures</b>				
<i>Indoor retail sales</i> and rentals	◆	◆	◆	
<i>Indoor retail services</i> , excluding Laundromats	◆	◆	◆	◆
Laundromats	◆			
<i>Outdoor retail sales</i> of nursery plants and home gardening supplies	◆	◆		
<i>Indoor</i> production of food and drink items, clothing, crafts, artwork, jewellery and similar items for <i>retail</i> or <i>wholesale sales</i> , provided there is a retail outlet on the premises and provided water consumption does not exceed 1600 litres/day	◆	◆	◆	
Offices	◆	◆		◆
Banks and credit unions	◆	◆		
<i>Indoor commercial</i> recreation and amusement facilities	◆	◆		
Restaurants	◆	◆	◆	
<i>Churches</i>	◆	◆		
Libraries	◆	◆		
Offices for <i>use</i> 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</i> and vocational schools	◆	◆		
<i>Day care</i> centres for children, <i>seniors</i> , or people with special needs	◆	◆		
<i>Multifamily dwelling units</i>		◆		
<i>Commercial guest accommodation</i> in <i>hotels</i> or <i>guest houses</i> .		◆		
Collection of recyclable materials, excluding <i>outdoor</i> sorting and storage	◆		◆	
<i>Public service uses</i>	◆	◆	◆	◆

Accessory Uses				
<i>Dwelling units accessory to a commercial use</i>	◆	◆	◆	◆
<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:

BL492 (12/16)  
BL489 (07/20)

	C1	C2	C3	C4
<b>Lot Coverage and Floor Area</b>				
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (per cent)	75	75	33	33
Minimum size of a <i>dwelling unit</i> (square metres).	N/A	30	N/A	N/A
<b>Number of Units</b>				
Maximum number of <i>multi-family dwelling units</i> per ha	N/A	37	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
<b>Setbacks and Siting</b>				
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	*	*	*
Minimum <i>Rear lot line setback</i> abutting a <i>commercial</i> or <i>industrial zone</i> (metres)	0.0	*	*	*
Minimum <i>Interior side lot line setback</i> abutting non- <i>commercial</i> or non- <i>industrial zone</i> (metres)	6.1	*	*	*
Minimum <i>Interior side lot line setback</i> abutting <i>commercial</i> or <i>industrial zone</i> (metres)	0.0	*	*	*
Minimum <i>Exterior side lot line setback</i> (metres)	0.0	*	*	*
<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

\* Indicates provisions in Section 4.3 apply.

*Information Note:* In addition to setbacks contained in this bylaw, the Ministry of Transportation and Infrastructure requires that any building, retaining wall or other structure be a minimum of 4.5 metres from the public road right-of-way unless approval of a Ministry setback permit is granted.

*Information Note: Required setbacks from water bodies are outlined in Sections 4.4 and 4.5.*

BL489 (07/20)

*Information Note: Vegetation screens are required where commercial or general employment uses take place outside of a building adjacent to non-commercial or non-general employment uses. See Section 3.4 VEGETATION SCREENS, Subsection 3.4.2.*

**9.2.3 Subdivision and Servicing Requirements**

BL489 (07/20)

(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 Zones.

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

BL489 (07/20)

	C1	C2	C3	C4
<b>Minimum Lot Areas, Water Supply, and Sewage Treatment Servicing Requirements.</b>				
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
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
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

**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 *use* is permitted:  
 (a) *Liquor-primary*.

BL492 (12/16)

**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)  
BL492(12/16)

**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*.

BL397 (09/04)

**Zone Variation – C1(g)**

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

BL430 (04/08)

**Zone Variation – C2(a)**

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

BL 464(07/13)

**Zone Variation – C2(b)**

- (9) The following additional *use* is permitted:
- (a) *Dwelling units*.
- (10) Despite Subsection 9.2.2, the maximum combined *lot coverage* of all *buildings* and *structures* is 33 per cent

BL452 (01/12)  
BL460 (11/12)

**Zone Variation – C4(a)**

- (11) 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.

(12) The following additional *accessory use* is permitted:

(a) *Dwelling units.*

(13) 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 general employment zone: 1.0 m.

(c) Setback from *interior side lot line* abutting non-commercial or non-general employment zone: 3.0 m.

BL489 (07/20)

BL489 (07/20)

(14) 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*.

(15) Despite all other regulations of this bylaw, the number of *dwelling units* per hectare is 37.

(16) Despite Part 7, one off-street loading space is not required.

(17) Despite Part 7, one off-street *parking space* is required per *dwelling unit* not exceeding 70 square meters in *floor area*.

BL 479 (05/15)

BL444 (07/10)

BL489 (07/20)

(Deleted - Zone Variation – C6(a))

BL525 (05/22)

#### **Zone Variation – R(p)**

(18) Despite Section 1.1 – Definition of “Boathouse” – a maximum of one *boathouse* not exceeding 60 square meters shall be located within all lands zoned R(p).

(19) Despite Subsection 4.4.2, the setback from the *natural boundary* of the sea is 15 metres.



## 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

BL492 (12/16)

(Deleted - "Information Note")

- (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.

BL492 (12/16)

	CA1	CA2	CA3	CA4	CA5
<b>Principal Uses, Buildings and Structures</b>					
<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>Liquor-primary</i>	◆	◆			
Restaurants	◆	◆			
<i>Marina administration and services, including washrooms, showers and laundry facilities</i>	◆	◆			
Boat rentals	◆	◆			
Boat accommodation, servicing and maintenance, including refuelling	◆				
<i>Campgrounds subject to Schedule "F"</i>		◆	◆		◆
<i>Single family dwellings</i>					◆
<i>Public service uses</i>	◆	◆	◆	◆	◆
<b>Accessory Uses</b>					
<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
<b>Lot Coverage and Floor Area</b>					
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>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
<b>Number of Units</b>					
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 guests 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
<b>Setbacks</b>					
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 Commercial Accommodation <i>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 Commercial Accommodation <i>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
<b>Minimum Lot Areas, Water Supply and Sewage Treatment Servicing Requirements</b>					
Minimum <b>average</b> 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 water</i> (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
- Recreational *services*.
  - One *single-family dwelling* per *lot*.
  - Campgrounds* subject to Schedule “F”.
- (3) The following regulations regarding size, siting and density apply:
- To be occupied by a *commercial use*, a *lot* must be at least 9 ha in area.
  - The maximum combined number of *commercial guest accommodation units* is 4 per ha.
  - Cabins* may not have a *floor area* greater than 116 square meters and may not exceed two *storeys*.
  - Residential buildings* may be constructed with no setback from any *lot line*.
  - Commercial buildings* are to be constructed at least 7.6 m from any *lot line*.
  - 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*.

BL508 (03/19)

- (17) Despite Article 9.3.2(1), lands zoned CA1(f) permit 55 (fifty-five) *commercial guest accommodation units*.

BL508 (03/19)

- (18) Despite Article 9.3.2(1), lands zoned CA1(f) permit 3 (three) *accessory dwelling units*.

BL508 (03/19)

- (19) For zone variation CA1(f), the term *accessory dwelling units* is further defined as: exclusively for *residential use* by persons employed at the hotel for wages or salary and their families.

BL508 (03/19)

- (20) *Buildings* in the CA1(f) zone must be sited as shown on Schedule “L”.

**Zone Variation – CA1(g)**

- (21) The maximum number of *commercial guest accommodation units* is 8.
- (22) Despite all other regulations of this bylaw, the maximum *lot coverage* of all *buildings* and *structures* is 60%.
- (23) 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 *front lot line*: 0 m
  - Setback from *rear lot line*: 0 m
  - Setback from *interior side lot line*: 0 m
  - Setback from *exterior side lot line*: 0 m

**Zone Variation – CA2(a)**

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

**Zone Variation – CA2(b)**

- (25) The maximum combined number of *commercial guest accommodation units* and *campsites* is 8.

- (26) 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)**

- (27) 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)**

- (28) *Campsites* may only be occupied by tents.
- (29) No more than one room in one *building* in the *tourist hostel* may be constructed or used for the cooking of food.
- (30) 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*.

- (31) Fencing and appropriate signage must be provided, where necessary, to prevent trespassing by guests onto neighbouring properties.
- (32) No *tourist hostel* or *accessory campground* may be constructed or occupied on any *lot* that adjoins a *lot* occupied by a *tourist hostel*.
- (33) 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

BL490 (07/20)

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
<b>Principal Uses, Buildings and Structures</b>		
<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</i> storage of recyclable materials		◆
Collection of <i>municipal solid waste</i>		◆
Sorting and <i>temporary</i> storage of <i>municipal solid waste</i>		◆
Liquid waste treatment		◆
<i>Public service uses</i>	◆	◆
<b>Accessory Uses</b>		
<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
<b>Lot Coverage and Floor Area</b>		
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> (per cent)	25	25
<b>Setbacks</b>		
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 general employment <i>zone</i> (metres)	3.0	*
Minimum <i>interior side lot line</i> setback abutting non- <i>commercial</i> or non-general employment <i>zone</i> (metres)	7.5	7.5
Minimum <i>interior side lot line</i> setback abutting <i>commercial</i> or general employment <i>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
<b>Minimum Lot Areas, Water Supply and Sewage Treatment Servicing Requirements</b>		
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.

##### 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.

BL492 (12/16)

	CD1	CD2	CD3
<b>Principal Uses, Buildings and Structures</b>			
<i>Single-family dwellings</i>	◆	◆	◆
<i>Duplexes</i> constructed before July 31, 1990	◆	◆	
<i>Multi-family dwellings</i>	◆	◆	
Elementary schools, pre-schools and <i>child day care</i> centres	◆	◆	
<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>	◆	◆	◆
<b>Accessory Uses</b>			
<i>Seasonal cottages</i> subject to Section 3.14 and Subsection 9.5.2			◆
<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
<b>Lot Coverage and Floor Areas</b>			
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>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 <i>non-residential use</i> (square metres)	N/A	139	N/A
Maximum number of <i>commercial uses</i> permitted per two <i>residential uses per lot</i>	N/A	1	N/A
<b>Number of Units and Minimum Site Areas</b>			
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
<b>Setbacks</b>			
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	*
<b>Height</b>			
Despite Section 3.8, the permitted <i>height</i> of <i>buildings</i> and <i>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
<b>Lot Areas and Minimum Service Levels</b>			
<b>Minimum water supply service required for subdivision:</b>			
Adequate supply of <i>potable water</i>			◆
<i>Community water system</i>	◆	◆	
<b>Minimum sewage treatment service required for subdivision:</b>			
Individual on-site sewage treatment system per <i>lot</i>			◆
<i>Community sewage collection system</i>	◆	◆	
Minimum area of an <b>individual lot</b> that may be created through <i>subdivision</i> (ha)	0.08	0.08	1.2
Minimum <b>average</b> 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*.

## 9.6 FORESTRY ZONES

BL492 (12/16)

(Deleted - "Information Note")

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:

BL492 (12/16)

	F1	F2
<b>Principal Uses, Buildings and Structures</b>		
Forestry <i>uses</i> related to the production and harvesting of timber and other botanical forest products	◆	◆
<i>Single-family dwellings</i>	◆	◆
<i>Duplexes</i> constructed before July 31, 1990	◆	
Forestry research and education	◆	◆
<i>Agriculture</i>	◆	◆
<i>Public service uses</i>	◆	
<b>Accessory Uses</b>		
<i>Home-based business use</i> , subject to Section 3.13	◆	◆
<i>Seasonal cottages</i> , subject to Section 3.14	◆	
(Deleted - "Information Note")		

### 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
<b>Lot coverage and Number of Units</b>		
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
<b>Lot Area and Minimum Service Levels</b>		
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</i> water (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 GENERAL EMPLOYMENT ZONES

The regulations in the tables in this Section apply to land in the General Employment 1 (GE1), General Employment 2 (GE2) and General Employment 3 (GE3) 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 Agricultural Land Commission. Land uses permitted by the Agricultural Land Commission are only permitted if they are also consistent with this Bylaw. Section 3.3 – AGRICULTURAL USES of this Bylaw permits farming use to occur in any zone, if it is in the Agricultural Land Reserve.

*Information Note:* Section 3.4 – VEGETATION SCREENS of this Bylaw outlines the requirements for vegetation screens on lots occupied by general employment uses.

- (1) In addition to the uses permitted in Subsection 3.1 – USES PERMITTED IN ALL ZONES – of this Bylaw, the following uses, buildings and structures and no others are permitted in the General Employment zones indicated:

	GE1	GE2	GE3
<b>Principal Uses, Buildings and Structures</b>			
<i>Agriculture</i>		◆	
Boat <i>building</i> , servicing and repairs	◆	◆	◆
Car wash		◆	◆
Car wash <i>accessory</i> to vehicle and equipment sales, rental and repair	◆	◆	◆
Collection of recyclable materials, excluding <i>outdoor</i> sorting and storage	◆	◆	◆
<i>Commercial composting facility</i>	◆	◆	◆
<i>Contractor’s shop</i>	◆	◆	◆
<i>Creative industry</i>	◆	◆	◆
<i>Farm-related light industry</i>	◆	◆	◆
Food processing, including off-farm storage and processing	◆	◆	◆
<i>Funeral homes</i>	◆	◆	◆
<i>Indoor storage</i>	◆	◆	◆
<i>Light industry</i>	◆	◆	◆
<i>Public service uses</i>	◆	◆	◆
<i>Public utility uses</i>	◆	◆	◆
Rental, repair, sales, and <i>service</i> of equipment, machinery, boats, and vehicles	◆	◆	◆



	GE1	GE2	GE3
Sales of <i>building</i> supplies, appliances and furniture, including <i>outdoor</i> sales and storage	◆	◆	◆
Veterinarian clinics and animal hospitals	◆	◆	◆
<i>Wholesale sales</i>	◆	◆	◆
<i>Abattoir</i>		◆	◆
Cement factory			◆
Heavy equipment rental, sales, and <i>service</i>		◆	◆
Storage of goods and vehicles, with the exception of <i>outdoor</i> storage of derelict vehicles or equipment, or waste materials		◆	◆
<i>Outdoor</i> storage of <i>commercially</i> licensed trucks or bulk fuel products for use on SSI			◆
Processing and sorting of construction aggregates for use on SSI, excluding asphalt			◆
Processing, sorting, and storage of timber and other wood products produced on SSI or to be used on SSI, including sawmills and planing mills			◆
Storage ( <i>indoor</i> or <i>outdoor</i> ) of waste materials directly related to <i>principal</i> permitted uses			◆
Vehicle and other metal dismantling and recycling			◆
<b>Accessory Uses</b>			
<i>Retail sales accessory</i> to a permitted <i>principal</i> use	◆	◆	◆
One <i>dwelling unit accessory</i> to a permitted <i>principal</i> use	◆	◆	◆
<i>Office use accessory</i> to a permitted <i>principal</i> use	◆	◆	◆

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

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

	GE1	GE2	GE3
<b>Lot coverage and units per hectare</b>			
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> (per cent)	75	66	33
Maximum <i>floor area</i> of <i>accessory dwelling units</i> (square metres)	185	185	185
<b>Setbacks</b>			
Despite Subsection 4.3.1, the following <i>lot line</i> setbacks apply for the specific <i>zone</i> indicated:			
Minimum front <i>lot line</i> setback (metres)	*	*	*
Minimum rear <i>lot line</i> setback abutting a lot not in a General Employment <i>zone</i> (metres)	6	6	7.5

Minimum rear <i>lot line</i> setback abutting a lot in a <i>General Employment zone</i> (metres)	3	3	3
Minimum interior side <i>lot line</i> setback abutting a lot not in a <i>General Employment zone</i> (metres)	6	6	7.5
Minimum interior side <i>lot line</i> setback abutting a lot in a <i>General Employment zone</i> (metres)	3	3	3
Minimum exterior side <i>lot line</i> setback (metres)	6	7.5	7.5
For <i>commercial composting</i> facilities, minimum setback distances from all <i>lot lines</i> (metres)	30	30	30
<b>Height</b>			
Despite Section 3.8, the maximum permitted height of <i>buildings</i> and <i>structures</i> applies for the specific <i>zones</i> as indicated:			
Maximum height of <i>buildings</i> and <i>structures</i> (metres)	*	*	11

\* indicates the provisions of Section 3.8 apply

### 9.7.3 Stormwater Management

If the area of *impervious surface* on any *lot* in a *General Employment 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* and the *Strata Property Act* for the *General Employment 1*, *General Employment 2* and *General Employment 3 zones*.

*Information Note:* For land in the *Agricultural Land Reserve*, see Part 5 – *General Regulations (Subdivision)*.

	GE1	GE2	GE3
<b>Lot Areas and Minimum Service Levels</b>			
Minimum area of an individual lot that may be created through subdivision, provided each lot has an individual on-site sewage treatment system and an adequate supply of <i>potable</i> water (ha)	0.6	0.6	0.6

	GE1	GE2	GE3
<b>Lot Areas and Minimum Service Levels</b>			
Minimum <i>lot area</i> that may be created through <i>subdivision</i> , provided that each lot is connected to <i>community sewage collection system</i> (ha)	0.2	0.2	0.2

#### 9.7.5 Exceptions In Particular Locations

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

##### Zone Variation – GE1(a)

- (2) The following *principal uses, buildings and structures* are permitted, but no others:

- (a) *Light industry*
- (b) *Funeral homes*
- (c) *Retail sales of building supplies, appliances and furniture*
- (d) *Wholesale sales*
- (e) Storage of goods and vehicles, with the exception of *outdoor storage* of derelict vehicles or equipment, or waste materials
- (f) *Public service uses*
- (g) *Farm-related light industry*
- (h) Offices
- (i) *Personal services*
- (j) *Dwelling unit* in Strata Lot 4 Plan VIS4561
- (k) *Creative industry*
- (l) Food processing, including off-farm storage and processing

Provided that water consumption for any individual *use* does not exceed 1000 litres per day.

- (3) The following *accessory use* is permitted:
- (a) *Indoor retail sales accessory* to another permitted *use*.

##### Zone Variation – GE1(b)

- (4) In addition to the *principal uses* permitted in the GE1 *zone* the following *uses* are also permitted:
- (a) Storage of goods and vehicles, with the exception of *outdoor storage* of derelict vehicles or equipment, or waste materials.

##### Zone Variation – GE1(c)

- (5) In addition to the *principal uses* permitted in the GE1 *zone* the following *uses* are also permitted:
- (a) Laundromat.

#### **Zone Variation – GE1(d)**

- (6) In addition to the *principal uses* permitted in the GE1 zone the following *uses* are also permitted:
- (a) Processing, sorting and storage of timber and other wood products produced on SSI or to be used on SSI, including sawmills and planing mills.

#### **Zone Variation – GE2(a)**

- (7) In addition to the *principal uses* permitted in the GE2 zone the following *uses* are also permitted:
- (a) *Indoor and outdoor retail sales and wholesale sales of building supplies, garden supplies, appliances and furniture, with accessory outdoor sales and storage.*
  - (b) *Outdoor storage of commercially licensed trucks or bulk fuel products for use on Salt Spring Island.*
  - (c) Processing and sorting of construction aggregates for use on Salt Spring Island.
- (8) The following size and siting regulations apply to lands zoned GE2(a):
- (a) Despite the *lot coverage* regulations in the GE2 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 GE2 zone, when the *lot* is abutting a *lot* in the Agricultural Land Reserve a 15 metre *building setback* is required.

#### **Zone Variation – GE2(b)**

- (9) In addition to the *principal uses* permitted in the GE2 zone the following *uses* are also permitted:
- (a) *Agriculture, farm buildings and structures.*
  - (b) *Agriculture and food research and education.*

#### **Zone Variation – GE2(c)**

- (10) In addition to the *principal uses* permitted in the GE2 zone the following *uses* are also permitted:
- (a) *Outdoor storage of commercially licensed trucks or bulk fuel products for use on Salt Spring Island.*
  - (b) Processing and sorting of construction aggregates for use on Salt Spring Island.
  - (c) Vehicle and other metal dismantling and recycling.

- (11) Additional *uses* permitted in the GE2(c) *zone* must be set back 60 metres from the *natural boundary* of any *water body*.

**Zone Variation – GE2(d)**

- (12) In addition to the *principal uses* permitted in the GE2 *zone* the following *uses* are also permitted:
- (a) Laundromat.

**Zone Variation – GE2(f)**

- (13) In addition to the *principal uses* permitted in the GE2 *zone* the following *uses* are also permitted:
- (a) *Outdoor* storage of derelict vehicles;
- (b) Storage (*indoor* or *outdoor*) of waste materials directly related to *principal* permitted *uses*.

**Zone Variation – GE3(a)**

- (14) All *uses* must be *marine-dependent*.
- (15) Despite Section 9.7.2, the minimum rear *lot line* setback of properties in the GE3(a) *zone* is 10 metres.

## 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
<b>Principal Uses, Buildings and Structures</b>						
<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>			◆			
<b>Accessory Uses</b>						
<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
<b>Lot coverage and Floor Area</b>						
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
<b>Lot Areas and Minimum Service Levels</b>						
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).	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 *uses* are permitted:  
 (a) Two *indoor* tennis courts or other similar sports facilities;  
 (b) An *indoor* squash court facility.
- (4) The maximum number of *buildings* for these additional *uses* is three.
- (5) The maximum permitted *height* of *indoor* tennis court *buildings* is 8.5 metres.
- (6) Article three (3) does not prohibit the lawful siting of the *uses* identified on land zoned for *active indoor recreation* or where they are otherwise permitted by the Salt Spring Island Land Use Bylaw.

#### Zone Variation – PR4(a)

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

BL486 (03/16)  
 BL509 (04/18)

**Zone Variation – PR4(b)**

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

**Zone Variation – PR5(a)**

- (9) The following additional *uses* are permitted:
- (a) *Pre-schools and child day care centres;*
  - (b) *Community halls.*

**Zone Variation – PR5(b)**

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

**Zone Variation – PR5(c)**

- (11) 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.*



## 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 3.16.1 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the *Residential Zones* indicated:

BL492 (12/16)

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

<sup>1</sup> Special Provisions in Article 9.9.5(1) apply.

<sup>2</sup> 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)  
BL492 (12/16)

- (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
<b>Lot Coverage and Floor Area</b>												
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 <sup>6</sup>
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 <sup>1</sup>	95
<b>Height</b>												
Maximum <i>height</i> of a <i>dwelling unit</i> (metres)	*	*	4.5	*	*	*	*	*	*	*	*	7.6
<b>Setbacks</b>												
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
<b>Number of Units and Minimum Site Areas</b>												
Maximum number of <i>dwelling units</i> per ha, provided community sewage collection <i>service</i> is provided	37	25	20 <sup>2</sup>	12	N/A	N/A	N/A	N/A	N/A	N/A	35 <sup>3</sup>	N/A
Maximum number of <i>dwelling units</i> per <i>lot</i>	N/A	N/A	N/A	N/A	4	2	1 <sup>5</sup>	1 <sup>5</sup>	1 <sup>5</sup>	1	38 <sup>2</sup>	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 <sup>4</sup>	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.

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

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

<sup>3</sup> special provisions in Article 9.9.5(1) apply.

<sup>4</sup> except that two *dwelling units* are only permitted as a *duplex* and not as two *single-family dwellings*.

<sup>5</sup> except that a *duplex* is permitted in the Residential 7, 8 and 9 zones, provided it was constructed before July 31, 1990.

<sup>6</sup> 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

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	R11	R12
<b>Minimum Lot Areas and Servicing Requirements</b>												
<b>Minimum water service required for subdivision:</b>												
Adequate supply of <i>potable</i> water					♦		♦	♦	♦	♦		
Community water system	♦	♦	♦	♦		♦					♦	♦
<b>Minimum sewage service required for subdivision:</b>												
Individual on-site sewage treatment system per lot			♦		♦	♦	♦	♦	♦	♦		
Community sewage collection system	♦	♦		♦							♦	♦
Minimum <b>area of an individual lot</b> 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)	NA	N/A	N/A	N/A	2	N/A	0.6	0.6	0.6	0.3	N/A	N/A
Minimum <b>area of an individual lot</b> 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 <b>area of an individual lot</b> 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 <b>average</b> area of <i>lots</i> 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</i> water (ha)	N/A	N/A	N/A	1	2	N/A	1	0.6	0.6	0.3 <sup>1</sup>	N/A	N/A
Minimum <b>average</b> area of <i>lots</i> 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 <b>average area of lots</b> 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

<sup>1</sup> 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*.

BL507 (08/19)

##### **Zone Variation – R1(b)**

- (8) Despite all other regulations of this bylaw, the only *principal uses* within lands zoned R1(b) are:
  - (a) *Dwelling units, affordable housing*
  - (b) *Duplexes*
  - (c) *Multi-family dwellings*

- (d) Office
  - (e) The maximum *floor area* for an office use is 186 square metres.
- (9) The following *accessory uses* are not permitted:
- (a) *Retail sales*
  - (b) *Retail services*
- (10) Despite subsection 9.9.2 – Size, Siting and Density of Permitted Uses, Buildings and Structures:
- (a) the maximum number of *dwelling units* is 74, and any *dwelling unit* in excess of 40 must be an *affordable housing dwelling unit*.
  - (b) the maximum *floor area* for a *dwelling unit* that is not serviced with *potable water* from a *community water system* is 121 square metres.
- (11) Despite Section 1.1 – Definitions – *front lot line* means only the *lot lines* abutting Corbett Road, Salt Spring Island and *rear lot line* means the most easterly *lot line*.
- (12) Despite Section 3.13 – *Home-Based Businesses*, Subsection 3.13.6 – *bed and breakfast operations, boarding housings, and repair of automobiles* are not permitted.
- (13) Despite Section 7.1 – Requirements for Parking and Loading Spaces – Subsection 7.1.1 – *off-street parking spaces* must be provided and maintained for automobiles and bicycles according to the following table:

**Minimum Number of Parking Spaces for Automobiles, Disabled Parking and Bicycles**

<b>Land Use</b>	<b>Number of Automobile Parking Spaces Required</b>	<b>Number of Automobile Parking Spaces that must be designed for use by the disabled</b>	<b>Number of Bicycle Parking Spaces Required</b>
<i>Dwelling units &lt;36.5 sq.m.</i>	0 per unit		
<i>Senior dwelling units</i>	0.5 per unit	1 per 10 units	
<i>Dwelling units &gt;36.5 sq. m.</i>	1.25 per unit	5%	
<i>Dwelling units designed to be used by a disabled person</i>		1 per unit	
Office	1 per 25 sq. m. <i>floor area</i>	1 or 5% which ever is greater	
Visitors	9	1 or 5% which ever is greater	1 per 250 sq. m. <i>floor area</i>
<b>Total</b>			1 per 15 units without a garage plus a 6-space rack

- (14) Despite Section 9.9.3 - Subdivision and Servicing Requirements - Minimum water servicing requirements for land located in the R1(b) zone may be met as follows:
- (a) *potable* water for *dwelling units* not serviced by a *community water supply system* may be provided by a water supply system approved by Island Health;
  - (b) water for fire protection purposes will be provided by a *Community Water system*, and;
  - (c) water for landscape irrigation purposes shall be provided through a water supply system that is separate from the *potable* water supply system.

BL450 (05/13)

**Zone Variation – R3(a)**

- (15) Despite Section 9.9.1 – Permitted Uses of Land, Buildings and Structures - of this bylaw, the following additional *use* is permitted:
- (a) Common *recreation area/building*.
- (16) (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)**

- (17) 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)**

BL492 (12/16)

- (18) *Duplexes* are not permitted.
- (19) The following additional *uses* are permitted:
- (a) *Indoor public* recreation facility;
  - (b) *Public* health clinic.
- (20) A maximum of one *dwelling unit* is permitted per *lot*.
- (21) No more than a total of 268 *dwelling units* are permitted on all lands in this *zone*.

BL451 (10/11)

- (22) The following regulations apply to the blocks of land indicated by letter on Schedule “C” to this Bylaw:

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

- (23) 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:
- at least 10 per cent of each *lot* being created falls within the boundary of the Block defined in Schedule "C";
  - 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)

- (24) The following additional *use* is permitted:
- funeral home*.
- (25) 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*.

BL407 (01/15)

#### Zone Variation – R6(c)

BL 492 (12/16)

- (26) Despite Section 9.9.1 – Permitted Uses of Land, Buildings and Structures - of this bylaw, the only *principal uses* permitted within lands zoned R6(c) are:
- not more than 26 *affordable housing dwelling units* which may be *single* or *duplexes*;
  - one *single-family dwelling*;
  - non-commercial outdoor active recreation*;
  - public service uses*.
- (27) The minimum area of an individual *lot* that may be created through *subdivision* on land zoned R6(c) is 0.037 ha, provided that each *lot* has connection to a *community sewage collection system* and a *community water system*.
- (28) Despite Section 3.13 – *Home-Based Businesses* - *bed and breakfast* operations and boarding houses are not permitted within an *affordable housing dwelling unit* on lands zoned R6(c).

- (29) Despite Section 4.3 – Setbacks from Lot Lines and Access Easements - in its entirety, no *building* or *structure* except a fence, *pumphouse*, *public utility structure* or underground utility may be constructed on *lots* created for *affordable housing dwelling units*, on lands zoned R6(c), within the following setbacks:
- (a) 4.5 m minimum setback from a *front lot line*;
  - (b) 1.5 m minimum setback from an *interior side lot line*;
  - (c) 15.25 m from the southern boundary of the R6(c) zone;
  - (d) 1.2 m minimum setback from an *interior side* or *rear lot line* for *accessory buildings*.

BL512 (04/20)

**Zone Variation – R7(a)**

- (30) Instead of a *seasonal cottage*, the following *accessory use* is permitted:

A *seasonal cottage* subject to Section 3.14 or a *full-time rental cottage* subject to Section 3.15.

**Zone Variation – R8(a)**

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

BL485 (02/16)

**Zone Variation – R9(a)**

- (32) The following additional *principal uses* are permitted:
- (a) private boat *club* house;
  - (b) *parking lot* for private boat *club*.
- (33) Despite Part 7 (Table 3), eighty (80) automobile *parking spaces* are required and deemed sufficient to accommodate the following *uses* simultaneously:
- (a) a private boat *club* house with total *floor area* not exceeding 230 square metres;
  - (b) a *parking lot* for a private boat *club*, provided the total length of private boat *club* wharfage does not exceed 1524 meters; and
  - (c) one *single-family dwelling*.
- (34) Additional *parking spaces* must be provided in accordance with Part 7 (Table 3) if the private boat *club* house *floor area* or private boat *club* wharfage exceeds that in Article 9.9.4 (25).

BL515 (02/20)

**Zone Variation – R12(a)**

- (35) The following additional *use* is permitted:



- (a) Dental and medical office *services* for a maximum of 12 medical practitioners and two *dwelling units* be exclusively permitted in the existing *building* and immediately surrounding area, and that;
  - (b) A *seniors' supportive housing complex* and *service club* be permitted on the remaining *lot*.
- (36) All *seniors' dwelling units* within a *seniors' supportive housing complex* must be *affordable housing dwelling units*.
- (37) Despite Subsection 9.9.2, the maximum density for the site shall be 50 *dwelling units*. Of those *dwelling units*:
- (a) Two *dwelling units* may be exclusively for *residential use* or *temporary occupancy* by persons employed at the *seniors' supportive housing complex* for wages or salary and their families.
  - (b) One *dwelling unit* may be exclusively for *temporary occupancy* by guests of *seniors' supportive housing complex* residents.
- (38) Despite Subsection 9.9.2, a single three-storey *building* is permitted with a maximum *height* of 13 metres.

#### 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.
  - (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.

## 9.10 RURAL, UPLAND, WATERSHED AND SMALLER ISLAND ZONES

### 9.10.1 Permitted Uses of Land, Buildings and Structures

BL487 (02/19)

- (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
<b>Principal Uses, Buildings and Structures</b>							
<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	◆						
Elementary schools, pre-schools and <i>child day care</i>	◆	◆					
<i>Public</i> health care facilities	◆	◆					
<i>Community halls</i>	◆	◆					
<i>Churches</i> and cemeteries	◆	◆					
Veterinarian clinics and animal hospitals	◆	◆					
Pet boarding <i>services</i> and <i>kennels</i>	◆	◆					
<i>Pounds</i>	◆	◆					
<i>Active outdoor</i> non-commercial recreation, excluding <i>golf courses</i> and activities primarily involving the <i>use</i> of power-driven means of conveyance	◆	◆					
Lighthouse stations							◆
<i>Agriculture</i>	◆	◆	◆	◆			◆
<i>Agriculture</i> , excluding <i>intensive agriculture</i>					◆	◆	
<i>Public service uses</i>	◆	◆	◆	◆			◆
<b>Accessory Uses</b>							
<i>Seasonal cottages</i> subject to Section 3.14	◆	◆		◆			◆
<i>Home-based business use</i> , subject to Section 3.13	◆	◆	◆	◆	◆	◆	◆

*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.

*Information Note:* All activities in the Rural Watershed 1 (RW1) and Rural Watershed 2 (RW2) zones must be carried out in accordance with the applicable regulations of Salt Spring Island Land Use Bylaw No. 355, Salt Spring Island Official Community Plan Bylaw No. 434, the Agricultural Waste Control Regulation (Environmental Management Act), the Drinking Water Protection Act, the Water Sustainability Act, the Groundwater Protection Regulation and the Fisheries Act.

*Information Note: Land owners in the Rural Watershed 1 (RW1) and Rural Watershed 2 (RW2) zones are encouraged to adopt best management practices that protect water quality (e.g. British Columbia Environmental Farm Plan Program).*

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

BL487 (02/19)

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
<b>Lot Coverage and Floor Area</b>							
Maximum combined <i>lot coverage</i> of all <i>buildings and 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 or 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 and farm structures</i> (square metres)	465	465	465	465	465	465	465
<b>Number of Units and Minimum Site Areas</b>							
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
<b>Setbacks of Uses, Buildings and Structures</b>							
Despite Subsection 4.3.1, the following <i>lot line</i> setbacks apply for the specific <i>zone</i> indicated:							
Minimum <i>Front lot line</i> setback (metres)	*	*	15	*	*	*	*
Minimum <i>Rear lot line</i> setback (metres)	*	*	15	*	*	*	*
Minimum <i>Interior side lot line</i> setback (metres)	*	*	15	*	*	*	*
Minimum <i>Exterior side lot line</i> setback (metres)	*	*	15	*	*	*	*
In addition to Section 4.5 (Setbacks from Water Bodies – Water Quality Protection), the following <i>water body</i> setbacks apply for the <i>zone</i> indicated:							
Minimum setback for <i>agriculture</i> from the <i>natural boundary</i> of any <i>water body</i> (metres)	N/A	N/A	N/A	N/A	15	15	N/A
Minimum setback for the keeping of livestock or poultry from the <i>natural boundary</i> of any <i>water body</i> (metres)	N/A	N/A	N/A	N/A	15	15	N/A

\* 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 or 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
<b>Minimum Lot Areas and Servicing Requirements</b>							
<b>Minimum water service required for subdivision:</b>							
Adequate supply of <i>potable</i> water	◆	◆	◆	◆	◆	◆	◆
<b>Minimum sewage service required for subdivision:</b>							
Individual on-site sewage treatment system per <i>lot</i>	◆	◆	◆	◆	◆	◆	◆
Minimum <b>average</b> area of <i>lots</i> in a <i>subdivision</i> (ha)	2	8	32	2.8	4	12	2
Minimum <b>area of an individual lot</b> 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 <b>area of an individual lot</b> 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 <b>area of an individual lot</b> 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.

BL369 (02/02)

**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*.

BL512 (04/20)

**Zone Variation – R(f)**

- (7) Instead of a *seasonal cottage*, the following *accessory use* is permitted:  
A *seasonal cottage* subject to Section 3.14 or a *full-time rental cottage* subject to Section 3.15.

BL387 (02/04)

**Zone Variation – R(g)**

- (8) 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)**

- (9) 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)**

- (10) 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 (defeated)

**Zone Variation – R(j)**

- (11)

**Zone Variation – R(k)**

BL405 (10/05)

- (12) Despite other regulations of this bylaw, the maximum number of *lots* located within all lands zoned R(k) may not exceed 2.
- (13) 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)**

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

BL441 (09/10)

**Zone Variation – R(m)**

- (16) 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.*
- (17) 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.

- (18) 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.

BL501 (07/19)

**Zone Variation – R(n)**

- (19) Despite Subsection 9.10.1, lands zoned R(n) permit only the following *uses, buildings and structures*:
- (a) One *single family dwelling*;
  - (b) Four *dwelling units* not exceeding 50 square metres each;
  - (c) A tasting room not exceeding 90 square meters;
  - (d) Beer and liquor production, sales and storage;
  - (e) *Accessory retail sales* in a *floor area* not exceeding 10 square metres; and
  - (f) *Accessory buildings* to a maximum *floor area* of 20 square metres.

BL499 (10/19)

**Zone Variation – R(o)**

- (20) Despite Subsection 3.14.1 and Subsection 3.14.3, a maximum of two *seasonal cottages* are permitted on all lands zoned R(o).
- (21) Despite Article 9.10.3(1), the minimum average size of a *lot* that may be created by *subdivision* is 1 ha.

BL381 (08/03)

BL405 (10/05)

**Zone Variation – R(z)**

- (22) 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)**

- (23) The following additional *use* is permitted:
- (a) Plant nursery.
- (24) The minimum average area of *lots* that may be created through *subdivision* is 16 ha.
- (25) 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):**

- (26) 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.*

(27) The following *use* is not permitted:

(a) *Intensive agriculture.*

(28) 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.*

(29) The minimum area of an individual *lot* that may be created through *subdivision* is 32 ha.

**Zone Variation – RU1(c)**

(30) 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)**

(31) 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)**

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

BL512 (04/20)

**Zone Variation – RU1(f)**

(33) Instead of a *seasonal cottage*, the following *accessory use* is permitted:  
A *seasonal cottage* subject to Section 3.14 or a *full-time rental cottage* subject to Section 3.15.

BL381 (10/03)

BL405 (10/05)

**Zone Variation – RU1(z)**

(34) 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)**

- (35) 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)

BL492 (12/16)

- (1) In addition to the *uses* permitted in Subsection 3.1.1 of this Bylaw, the following *accessory uses, buildings and structures* and no others are permitted in the Shoreline Zones indicated, provided that they are not located within 10 metres of eelgrass (*Zostera marina*) indicated in Schedule K or kelp (*Nereocystis luetkeana*), and provided that they are not located within 125 metres 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
<b>Principal Uses, Buildings and Structures</b>								
Navigational <i>uses</i>	◆	◆	◆	◆	◆	◆	◆	◆
Geothermal heating equipment <b>in tidal waters only</b>	◆	◆	◆	◆	◆	◆	◆	
Private floats and buoys for non-commercial boat <i>moorage</i>			◆	◆	◆	◆	◆	
Private <i>docks</i> and floats for non-commercial boat <i>wharfage</i> accessory to a permitted use on the adjacent upland			◆	◆	◆	◆		
<i>Aquaculture</i> , excluding the rearing of fin fish					◆			
Public ferry wharves			◆					
<i>Docks</i> for the temporary commercial <i>wharfage</i> of transient boats	◆	◆		◆				
<i>Docks</i> for private boat club <i>wharfage</i>				◆				
Commercial <i>moorage</i> or <i>wharfage</i> of resident boats	◆	◆		◆				
Marine fuelling <i>services</i>	◆	◆						
Retail sales of boating accessories	◆							
Commercial sea plane <i>docks</i>	◆							
Sporting equipment sales and rental businesses, excluding the sale or rental of <i>personal watercraft</i>	◆	◆						
Boat sales, rentals, and servicing businesses	◆	◆						
Commercial boat <i>building</i> and repair businesses	◆							
Barge loading and unloading <i>piers</i>	◆		◆					
Log sorting and storage	◆							

<b>Accessory Uses</b>								
<i>Docks, floats and wharves accessory to aquaculture</i>					◆			
<i>Docks, floats, walkways, ramps, floating breakwaters and wharves accessory to a permitted use</i>	◆	◆	◆	◆	◆			
<i>Breakwaters, seawalls and wharves accessory to and necessary for the maintenance of a principal permitted use</i>	◆							
<i>One accessory dwelling unit for the owner, employee or operator of an aquaculture operation</i>					◆			
<i>Accessory buildings to house a permitted use, with the exception of boat shelters</i>	◆							

### 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:

	<b>S1</b>	<b>S2</b>	<b>S3</b>	<b>S4</b>	<b>S5</b>	<b>S6</b>	<b>S7</b>	<b>S8</b>
<b>Lot coverage and maximum areas</b>								
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
<b>Number and size of buildings and units</b>								
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
<b>Height</b>								
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 – S2(a)

BL475 (06/21)

- (4) The following special provision applies:
  - (a) A minimum of 87 linear metres of *wharfage* will be designated as temporary *wharfage* for transient boats.

#### Zone Variation – S5(a)

- (5) 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)

- (6) 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*.

BL472 (08/14)

#### Zone Variation – S6(b)

- (7) The following additional accessory *use* is permitted:
  - (a) Floating *breakwaters*.
- (8) Total float area not to exceed 65 square metres

**Zone Variation – S8(a)**

- (9) The following additional *uses* and *structures* are permitted:
  - (a) Storage of inert marine equipment.
  - (b) *Accessory* floats and mooring buoys.
  
- (10) 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.

BL503 (07/18)

**Zone Variation – S8(a)**

- (11) The following additional *use* and *structure* are permitted:
  - (a) Private buoys for non-*commercial* boat *moorage*.

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

Kathy Jones  
Secretary

David Essig  
Chairperson

## SCHEDULE “A” - ZONING MAP

The zoning map that forms part of this bylaw is available at the Islands Trust Salt Spring office and on our website.

### Schedule “A” Zoning Map

For your convenience the zoning map has also been broken down into the following general areas of coverage. Visit our Bylaw webpages to access our online copies:

Map 1 Northern area of Salt Spring Island (Including the north part of St. Mary Lake)

Map 2 Booth Bay and surrounding area

Map 3 Ganges and Long Harbours and surrounding areas (Including Ganges)

Map 4 Burgoyne Bay and surrounding areas

Map 5 Fulford Harbour and surrounding areas (Including Fulford Village)

Map 6 Southern area of Salt Spring Island

BL461 (05/13) Schedule I Secondary Suites Map

BL484 (06/16) Schedule J Sewage Disposal Field/Drinking Water Well Setback Map

BL492 (12/16) Schedule K Presence of Eelgrass

*Information Note: These maps have been consolidated for convenience only and are not to be construed as legal documents. For reference to the original bylaw map and amendments please contact:*

*Islands Trust – Salt Spring Office  
1-500 Lower Ganges Road  
Salt Spring Island, BC, V8K 1A4  
(250) 537-9144*



## 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:

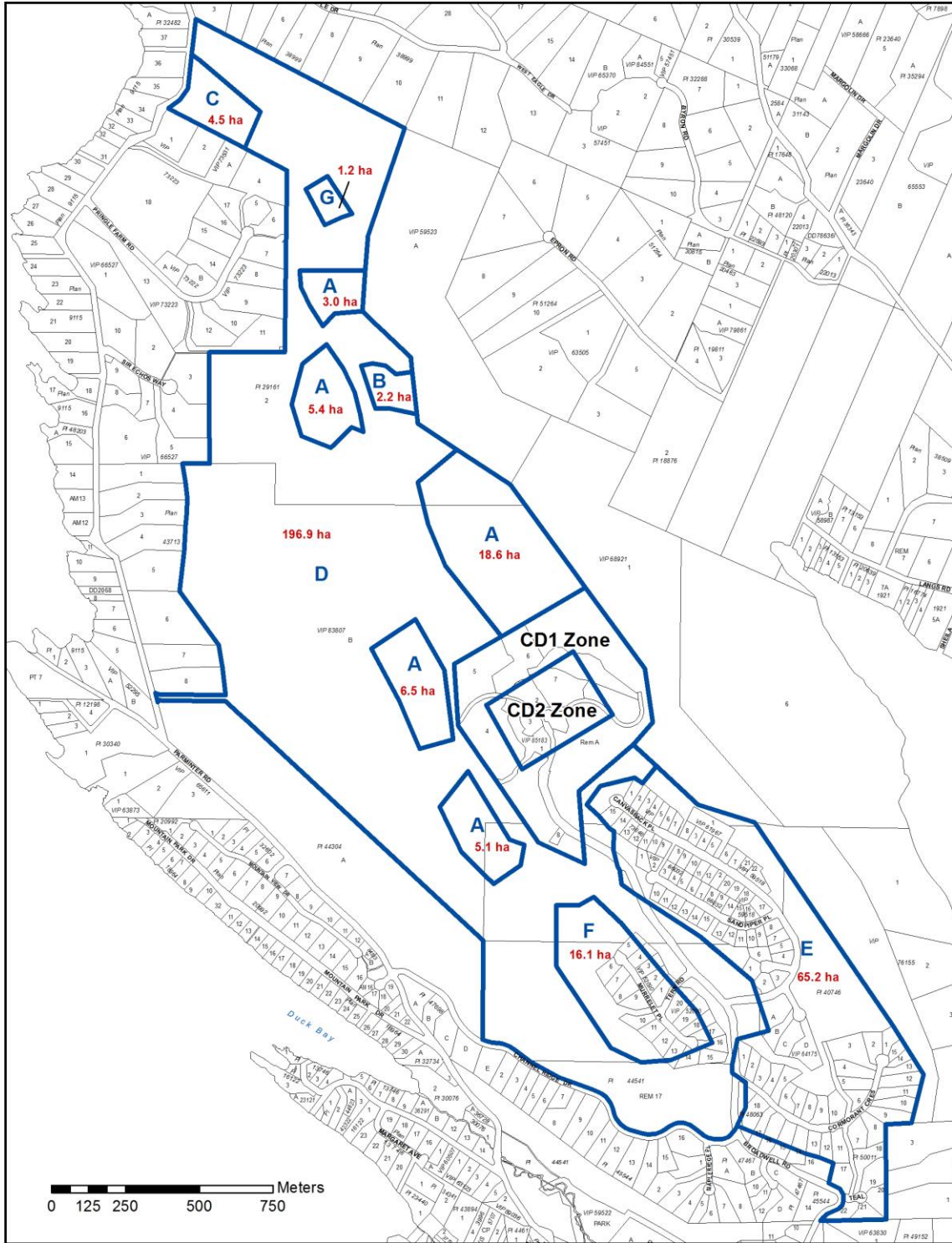
1. **Field subsurface and surface:** Minimum 12 inches sand under "Sport Turf" grassed diamonds. Sand to be of quality used specifically for sport fields (clean and of correct configuration).
2. **Drainage:** Surface and subsurface drainage required. Subsurface drainage to be by trenches no more than 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.

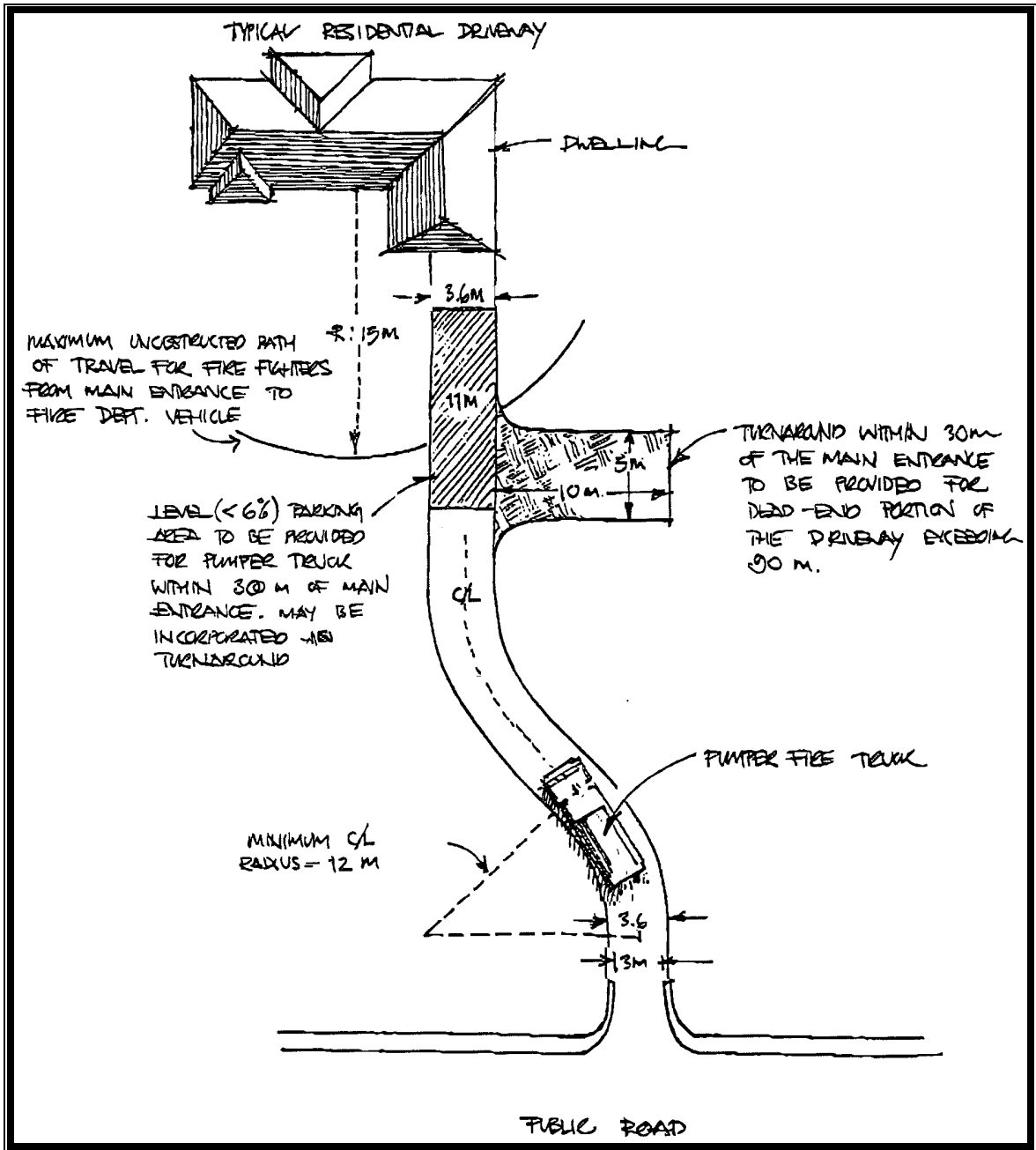
# SCHEDULE "C" - CHANNEL RIDGE SUBDIVISION BLOCKS

BL451 (10/11)



## 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.*



## 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 of 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.

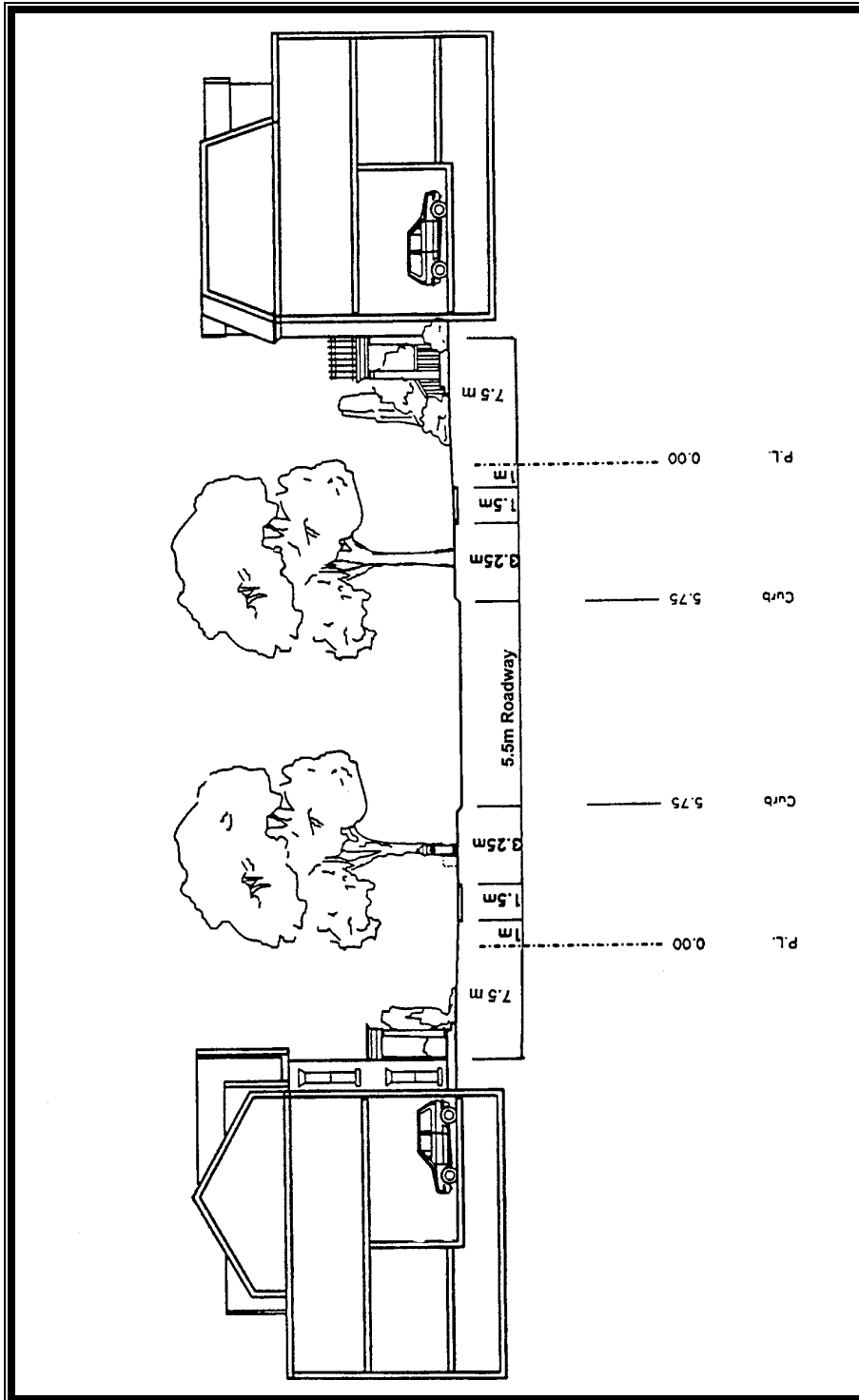
14. The trailer sewage *disposal* station must be located in an area that is separate from any roadway and out of which a trailer may be easily and conveniently moved.
15. Trailer sewage *disposal* stations must be constructed in a manner approved by the Medical Health Officer.
16. If no flush fixtures 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*.

## SCHEDULE "G" - SIDEWALKS – TYPICAL DIMENSIONS

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

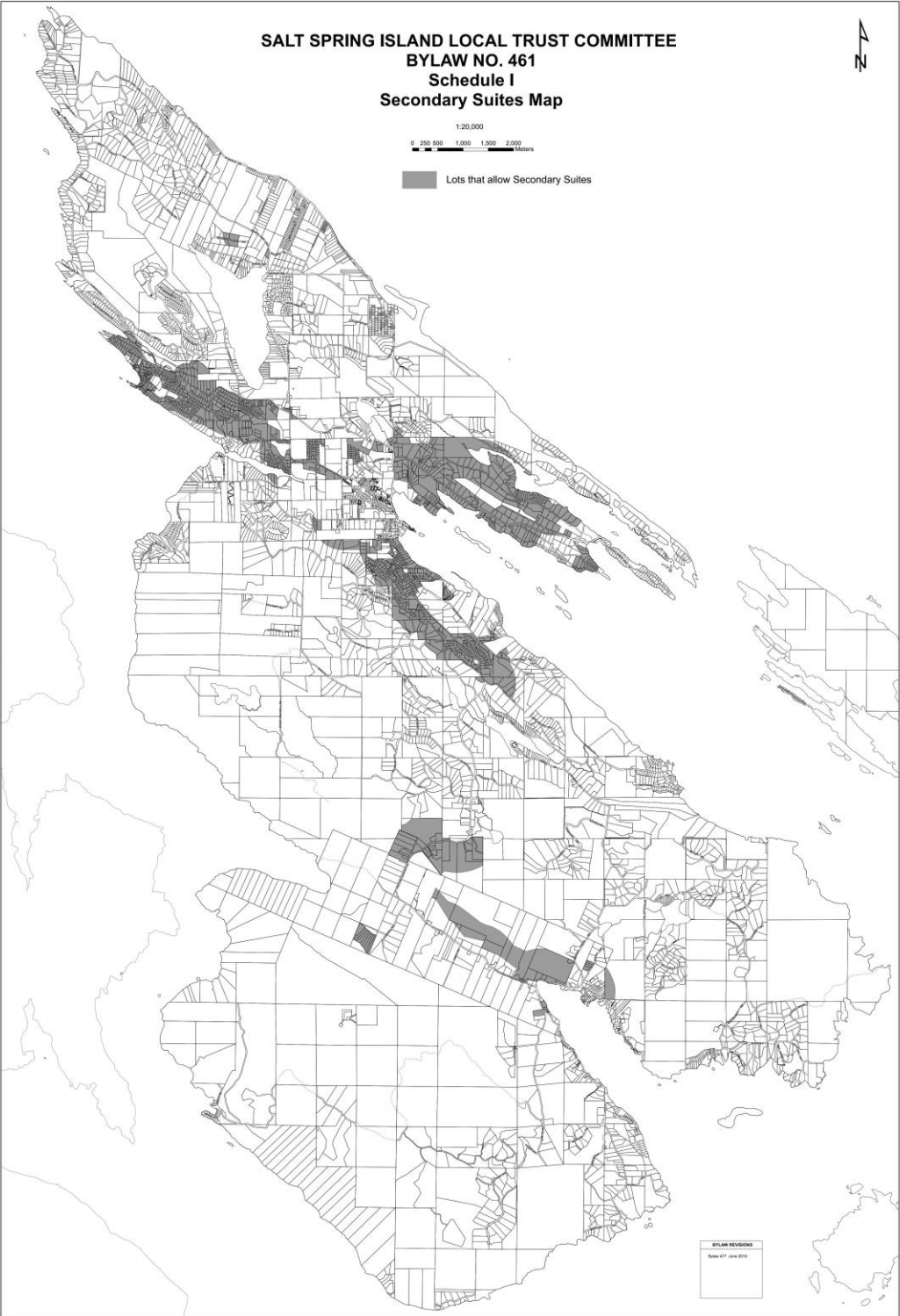


## SCHEDULE "H" - POTABLE WATER QUALITY STANDARDS

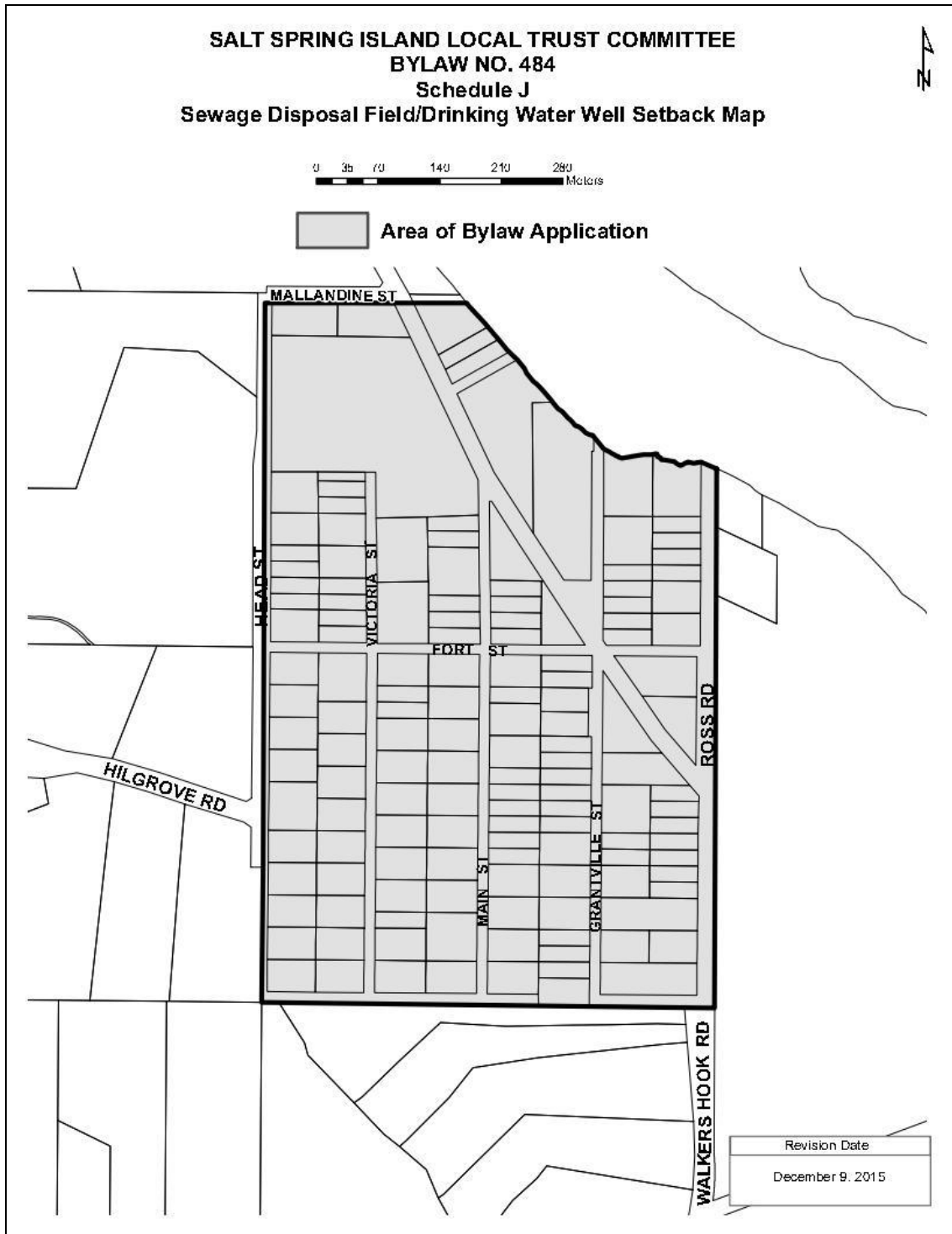
BL492 (12/16)

WATER QUALITY PARAMETER	STANDARD (less than THE following UNLESS OTHERWISE INDICATED)
ARSENIC	0.010 MG/L
CHLORIDE	250 MG/L
FECAL COLIFORM	0/100 ML
FLUORIDE	1.5 MG/L
HARDNESS (AS CaCO <sub>3</sub> )	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

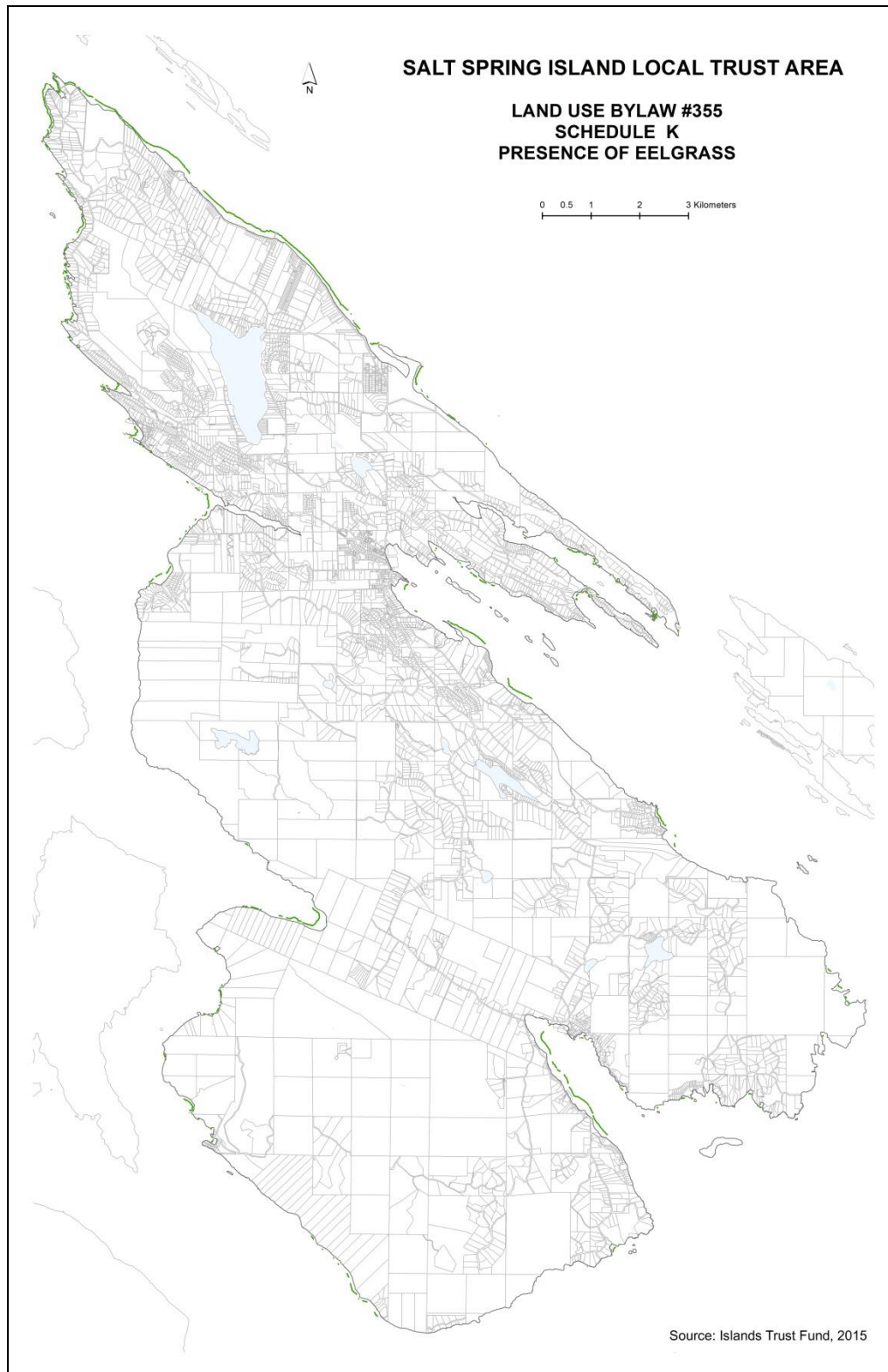
# SCHEDULE "I" - SECONDARY SUITES MAP



# SCHEDULE "J" - SEWAGE DISPOSAL FIELD/DRINKING WATER WELL SETBACK MAP



# SCHEDULE "K" - PRESENCE OF EELGRASS MAP



# SCHEDULE "L" - BUILDING SITING

BL508 (03/19)

Lot 1, Section 3, Range 3 East, North Salt Spring Island, Cowichan District,  
Plan 11914, Except Parts in Plans VIP56622 and VIP59981

