

Regional District of Kitimat-Stikine  
**LAKELSE LAKE**  
**ZONING BYLAW NO. 57**

Adopted July 21, 1979

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**This Consolidated version includes the following amendments to August 11, 2008:**

<u>Amendment Bylaw No.</u>	<u>Date of Adoption</u>	<u>Description</u>
271	February 16, 1991	Map & Text
309	February 15, 1992	Text
556	August 8, 2008	Text

**NOTE:** This zoning bylaw is consolidated for convenience only. Where there is a discrepancy between this consolidated version and the Amendment Bylaw, then the Amendment Bylaw shall be deemed to be the true and correct version. Where there is a discrepancy between this consolidated version and the original bylaw, then the original bylaw shall be deemed to be the true and correct version.

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## TABLE OF CONTENTS

<b>1.</b>	<b>Title</b>	<b>1</b>
<b>2.</b>	<b>Application</b>	<b>1</b>
<b>3.</b>	<b>Definitions</b>	<b>1</b>
<b>4.</b>	<b>Basic Provisions</b>	
	1.4.0 Prohibition	4
	1.5.0 Non-Conforming use	4
<b>5.</b>	<b>Administration and Enforcement</b>	
	1.6.0 Administration	4
	1.7.0 Violation	4
	1.8.0 Penalty	4
	1.9.0 Severability	5
	1.10.0 Amendment	5
	1.11.0 Board of Variance	5
<b>6.</b>	<b>Supplementary Regulations</b>	
	1.12.0 Flood Damage Prevention	5
	1.13.0 Agricultural Land Reserve	7
	1.14.0 Other Regulations	7
<b>7.</b>	<b>Zones and Regulations</b>	
	2.2.0 Residential I (RI)	8
	2.3.0 Commercial I (CI)	11
	2.4.0 Commercial II (CII)	13
	2.5.0 Rural I (RRI)	14
	2.6.0 Park (P)	16
<b>8.</b>	<b>Parking Requirements</b>	
	3.1.0 Off-Street Parking Requirements	17
	3.1.1 Off-Street Parking Provisions	18

## **INTERPRETATION & ADMINISTRATION**

### **1.1.0 Title**

This Bylaw may be cited as the “Regional District of Kitimat-Stikine Electoral Area “C”, Lakelse Lake Zoning Bylaw No. 57,” and further referred to as “this Bylaw”.

### **1.2.0 Application**

This Bylaw shall be applicable to Electoral Area “C” of the Kitimat-Stikine Regional District as outlined on Schedule “A” which is attached to and forms part of this Bylaw.

### **1.3.0 Definitions**

In this Bylaw, unless the context otherwise requires:

**ACCESSORY** means a use or building which is ancillary to a principal use or building situated on the same site.

**AGRICULTURAL PRODUCTION and ANIMAL HUSBANDRY** means a use providing for the growing, rearing, producing and harvesting of agricultural products; and includes the processing on an individual farm of the primary agricultural products grown, reared, produced, or harvested on that farm, and the storage of farm machinery, implements, and agricultural supplies, and repairs to farm machinery, and implements used on that farm.

**AUTOCOURT or MOTEL** means a building or group of buildings containing sleeping units, occupied or intended to be occupied temporarily by automobile tourists or transients, with each unit having its own individual outside access and parking space located adjacent thereto and each dwelling unit being self-contained with or without cooking facilities, having its own bathroom with a water closet, wash basin, and bath or shower.

**BUFFER AREA** means a screened area, natural or man made, the purpose of which is to minimize conflicts between incompatible zones.

**COMMUNITY SEWER SYSTEM** means a common sewer or a system of sewerage or sewage disposal which serves two or more parcels approved under the provisions of the Health Act or Pollution Control Act or both where applicable and is owned, operated, and maintained by an Improvement District under the Water Act or Municipal Act or by a Regional District or by a company.

**COMMUNITY WATER SYSTEM** means a system of waterworks which serves two or more parcels and which is owned, operated and maintained by an Improvement District under the Water Act or Municipal Act, or a Regional District, or which is regulated under the Water Utilities Act.

**DWELLING UNIT** means one or more rooms, used for the residential accommodation of one or more individuals and contains sleeping, cooking, and toilet facilities.

DWELLING, SINGLE FAMILY means any detached building consisting of one dwelling unit which is occupied or intended to be occupied as the permanent home or residence of one family.

DWELLING, TWO FAMILY means any detached building consisting of two dwelling units which are occupied or intended to be occupied as the permanent home or residence of two families.

EXTRACTION INDUSTRIAL USE means a use providing for the extraction, grading, crushing, screening, and storage of sand, gravel, minerals, and peat, and the manufacturing, wholesaling, retailing, and storage of sand, gravel, minerals, and peat products.

FAMILY means an individual, or two or more persons related by blood or marriage, or five or fewer persons not necessarily related by blood or marriage.

GASOLINE SERVICE STATION shall mean a business for the retail sale of motor fuels or lubricating oils, including the servicing or repair of motor vehicles, the sale of automobile accessories and the rental of trailers and motor vehicles and shall not include any other sales and services.

GUEST HOUSE means any detached building consisting of one or more rooms used for the seasonal accommodation of one or more individuals and may contain sleeping, cooking and toilet facilities.

HEIGHT means the vertical distance from the average finished ground level at the perimeter of the building structure to the highest point of the roof surface of a flat roof, to the decline of a mansard roof, and to the mean level between the eaves and ridge of a gable, hip, or dormer, or other pitched roof, and in the case of a structure without a roof, to the highest point of the structure.

HIGHWAY means a highway as defined by the Municipal Act.

HOME OCCUPATION means any livelihood which is incidental both to the use of a dwelling unit for residential purposes and to the residential use of a site occupied by a dwelling.

HOTEL means a building in which there are more than six sleeping units wherein accommodation without private cooking facilities is provided for transient lodgers, and a public dining area.

LANE means a public way or minor street affording only secondary means of access to a parcel, and not less than six meters in width.

LIVESTOCK and FARM ANIMALS means horses, cattle, sheep, goats, swine, poultry and domestic fowl, exotic animals, game and similar farmed or fur bearing animals.

MEDICAL HEALTH OFFICER means the Medical Health Officer appointed pursuant to the Health Act.

MOBILE HOME means a single-family dwelling unit suitable for year-round occupancy, especially designed to be moved along the highway from time to time, and which arrives at the site where it is to be occupied complete and ready for occupancy except for placing on foundation and supports, connection of utilities, and some incidental assembly.

OUTDOOR RECREATION FACILITIES means those private, or public enterprises operated for entertainment which require improvements within a large area of open land.

PARKING LOT shall mean an open or underground area, other than a street, used for temporary parking for motor vehicles.

PROPERTY means both land and improvements affixed to the land.

SETBACK means the required minimum distance between a building or use and each of the respective lot lines.

SITE means any lot, block, or other area in which land is held or into which land is subdivided and considered as a unit devoted to a certain use or occupied by a building or a group of buildings that are united by a common interest or use.

SLEEPING UNIT means one or more habitable rooms used or intended to be used for sleeping, or sleeping and living purposes, but not including a sink or cooking facilities. A bathroom containing a water closet, washbasin and bath or shower may be shared.

SUBDIVISION means the division of land into two or more parcels whether by plan or by metes and bound description or otherwise.

TOURIST RESORT means a building or group of buildings designed as an integrated unit together with its ancillary parking and landscaped areas to provide for the accommodation, food service, personal service and amusement, and recreational service of its patrons and guests.

Unless otherwise defined herein, any word or expression in this Bylaw shall have the same meaning as any similar word or expression contained in the Land Registry Act and amending legislation.

#### **1.4.0 Prohibition**

Subject to the provisions of the Municipal Act, respecting non-conforming uses, no person shall erect, construct, locate, alter, reconstruct or maintain any building, or locate or carry on any industrial, business trade or calling or use any land or building or structure or surface of water or air space contrary to the provisions of this Bylaw.

#### **1.5.0 Non Conforming Use**

1. A lawful use of premises existing or lawfully under construction at the time of the adoption of the Zoning Bylaw, although such use does not conform to the provisions of this Bylaw, may be continued, subject to the provisions of Section 705 of the Municipal Act, respecting non-conforming uses.
2. A building existing prior to the date of the Bylaw which fails to comply with the siting requirements herein shall not by reason thereof be deemed to be non-conforming. Any subsequent structural alterations or additions to such buildings shall be permitted only in accordance with the siting requirements of this Bylaw.

#### **1.6.0 Administration**

1. This Bylaw shall be administered by a person or persons appointed by the Board of the Regional District of Kitimat-Stikine.
2. The officers appointed under subsection (1) above, may enter at all reasonable times, upon any property subject to the regulations of this Bylaw, in order to ascertain whether such regulations are being obeyed.

#### **1.7.0 Violation**

1. It is unlawful for any person to cause or suffer, or permit any building or structure to be constructed, reconstructed, altered, moved, extended, occupied, or used, or any land to be occupied or used, in contravention of this Bylaw or otherwise to contravene or fail to comply with this Bylaw.
2. It is unlawful for any person to prevent or obstruct any official appointed under Section 1.6.0 from the carrying out of their duties under this Bylaw.

#### **1.8.0 Penalty**

1. Any person who violates the provisions of the Bylaw is liable on summary conviction to a penalty not exceeding Five Hundred (\$500.00) dollars, and not less than One Hundred (\$100.00) dollars, and also the cost of prosecution.
2. Each day during which such violation is continued shall be deemed to constitute a new and separate offence.
3. Upon conviction, the magistrate may direct that no prosecution under Subsection (2) may be made, with respect to the continuance of the violation, for such a period as he directs.

### **1.9.0 Severability**

If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any court, such decision shall not affect the validity of the remaining portions of this Bylaw.

### **1.10.0 Amendment Procedures**

In addition to the requirements of the Municipal Act, the following requirements for amendment to this Bylaw shall apply:

1. Any person applying to have this Bylaw amended shall apply in writing to the Regional District of Kitimat Stikine, fully describing the proposed change and furnishing reasons in support of the application. For rezoning, the application shall include a registered plan showing the location of the property sought to be rezoned, a sketch map outlining existing use, including natural features, such as trees, rock outcrops, gullies and creeks, a sketch map outlining the proposed use of the property and if the applicant is not the owner, the owner's consent to the application for rezoning.
2. Where an application for amendment to this Bylaw has been refused, no re-application for the same amendment shall be considered within six (6) months of the previous application.

### **1.11.0 Board of Variance**

The Board of Variance duly established in accordance with the provisions of the Municipal Act shall hear and determine any appeal pursuant to Section 709 of the Municipal Act.

### **1.12.0 Flood Damage Prevention**

1. For the purpose of this section, the following definitions shall apply:

NATURAL BOUNDARY means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream, or other body of water, a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.

WATERCOURSE is any natural or manmade depression with well defined banks and a bed 0.6 meters or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 250 hectares or more, or as required by a designated official of the Ministry of Environment of the Province of BC.

2. Notwithstanding any other provisions of the bylaw, no dwelling unit, building, or structure or any part thereof, shall be constructed, reconstructed, moved, extended or located:
  - a) with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a mobile home the ground level on which it is located, lower than:
    - i) elevation 75 meters (Geodetic Survey of Canada) in the immediate vicinity of Lakelse Lake, including bordering swamps,
    - ii) 3 meters above the natural boundary of the Lakelse River, Williams Creek, and Coldwater Creek, but in the case of Lakelse River the elevation requirement shall not exceed 75 meters (Geodetic Survey of Canada),
    - iii) 1.5 meters above the natural boundary of Sockeye Creek, Furlong Creek, Hatchery Creek, Schulbuckhand Creek, Clearwater Creek, Andalus Creek, Ena Creek, Herman Creek, or any other watercourse shown on the National Topographic System Sheet 103 I/7 East,
    - iv) 1.5 meters above the natural boundary of any lake other than Lakelse Lake and bordering swamps.
  - b) within:
    - i) 7.5 meters of the natural boundary of a lake or swamp,
    - ii) 30 meters of the natural boundary of the Lakelse River downstream of the easterly limit of the Herman Creek fan, Williams Creek, and Coldwater Creek,
    - iii) 15 meters of the natural boundary of watercourses listed in 2 a) iii) above or the natural boundary of the Lakelse River upstream of the easterly limit of the Herman Creek fan.
  - c) except where existing dwelling units, buildings and structures are not in compliance with required flood construction levels, these dwelling units, buildings and structures may be extended, at the peril of the owner, to a maximum of 25% of existing floor area at elevations not lower than the existing floor levels.
3. Where landfill is used to achieve the required elevations stated in Clause 2 a) above, no portion of the landfill slope shall be closer than the distances in Clause 2 b) from the natural boundary, and the face of the landfill slope shall be adequately protected against erosion from floodwaters.
4. Provided that with the approval of the Deputy Minister of Environment, or his/her designate, the requirements may be reduced.



### **1.13.0 Agricultural Land Reserve**

Notwithstanding anything in this Bylaw contained, land within the Regional District of Kitimat-Stikine designated as “Agricultural Land Reserve” pursuant to the Land Commission Act, shall be subject to:

- i) the Land Commission Act,
- ii) regulations made under the Land Commission Act, and,
- iii) relevant orders of the Provincial Land Commission made under the Land Commission Act;

that is to say, without limiting the generality of the foregoing, where land within an “Agricultural Land Reserve” is also within a land zone established under this Bylaw, the bylaw shall be binding only insofar as it is not contrary to, in conflict with, inconsistent with or repugnant to the Land Commission Act, regulations made thereunder and orders of the Provincial Land Commission.

1. Where land outside an “Agriculture Land Reserve” is zoned for an agriculture use, this Bylaw shall be binding without qualifications.
2. Where land presently within an “Agricultural Land Reserve” is pursuant to the Land Commission Act, regulations made thereunder, or orders of the Provincial Land Commission:
  - i) excluded from an Agricultural Land Reserve, or,
  - ii) exempted by the Land Commission Act, or,
  - iii) exempted by the regulations made under the Land Commission Act, or an order of the Provincial Land Commission,the provisions of the Bylaw shall be binding.

### **1.14.0 Other Regulations**

Nothing contained in these regulations shall relieve the owner or developer of any land from the responsibility to seek out and comply with the legislation or regulations applicable to his/her undertaking.

### **2.1.0 Zones**

#### **Designation**

1. For the purpose of this Bylaw, part of the area outlined in Schedule “A” is classified and divided into the following zones:
  - a) Residential I            RI
  - b) Commercial I            CI
  - c) Commercial II            CII
  - d) Rural                      RRI
  - e) Parkland                  P

2. The extent of each zone is shown on Schedule "A", which is attached to and forms part of this Bylaw, and which bears the words Schedule "A". This is the zoning map referred to in Section 2.1.0, part of Lakelse Lake Zoning Bylaw No. 57, and signed and dated by the Chair and the Secretary-Administrator.
3. When the zone boundary is designated as following a road allowance or creek, the centre line of such road or creek, shall be the zone boundary.
4. Where the zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, location of the boundary shall be determined by scaling from the zoning map referred to in Section 2.1.0 2.

## **2.2.0 RESIDENTIAL I - RI**

### **Permitted Uses**

This zone provides for seasonal and permanent residential development of a character appropriate to a lake environment.

In a Residential I zone, the use of land, buildings, and structures is restricted to:

- a) one single family dwelling
- b) for lots with a minimum site area of 6000 square meters, one single family dwelling or one two family dwelling
- c) parks and playgrounds
- d) public utility buildings and structures
- e) professional practice, art or craft provided that the use is conducted by the residents, excluding boarder, and is confined to the interior of the dwelling and does not:
  - i) create a nuisance by reason of sound, sight or smell,
  - ii) involve storage exterior to a building of any material used directly or indirectly in the processing or resulting from the processing of any product of such professional practice, art or craft,
  - iii) involve material or products that produce inflammable or explosive vapors or gases under ordinary temperatures,
  - iv) create a traffic problem,
  - v) involve retailing other than products from professional practice, art or craft.
- f) one guest house not to exceed 56.0 square meters in total floor area provided that the method by which sewage is to be disposed of is in compliance with the Sewage Disposal Regulation in the Health Act or Environmental Management Act.
- g) bed and breakfast within the principal dwelling only using up to a maximum of three (3) bedrooms. No additional cooking facilities shall be provided for the bed and breakfast operation.
- h) accessory buildings and structures.

### **2.2.1 Standards**

Every use of land and every building or structure permitted in Residential I Zones shall conform with the provisions of sections 2.2.2 to 2.2.13 inclusive.

## 2.2.2 Minimum Parcel Area

1. The minimum area of parcels of land that can be created by subdivision is as follows:

	<u>Level of Service Provided</u>	
	Community Sewer System	No Community Sewer System & No Community Water Supply
a) One Single Family Dwelling & one (1) Guest House	1660 square meters	5000 square meters
b) One Two Family Dwelling & one (1) Guest House	1660 square meters	6000 square meters

2. On sites in the Residential I zone that are shown on a plan duly filed in the Land Registry Office prior to the passing of the regulations of this bylaw which have less than the minimum area required in section 2.2.2 1, one single family dwelling is permitted on each site if the method by which sewage is to be disposed of is in compliance with the Drinking Water Protection Act, Health Act and the Environmental Management Act.
3. On sites in the Residential I zone which are less than five thousand (5000) square meters in area one (1) guest house is permitted on each site if the method by which sewerage is to be disposed of is in compliance with the Drinking Water Protection Act, Health Act and the Sewage Disposal Regulation.
4. On sites in the Residential I zone that are shown on a plan duly filed in the Land Registry Office prior to the passing of the regulations of this bylaw which have more than five thousand (5000) square meters in area, two guest homes are permitted on each site if the method by which sewage is to be disposed of is in compliance with the Drinking Water Protection Act, Health Act and the Environmental Management Act.

## 2.2.3 Frontage

In the RI Zone, the frontage for each parcel to be created by subdivision shall be no less than 15% of its perimeter where the lot is serviced by community sewer and 20% of its perimeter where the lot is not serviced by community sewer.

## 2.2.4 Buildings Per Site

1. Not more than one principal building containing either a single family dwelling or a two family dwelling (duplex) shall be located on a site, except in the case of a guest house which is in compliance with this bylaw.
2. For the purpose of this bylaw, two existing guest homes on any site which meet the maximum floor area and siting requirement is deemed to be a conforming use provided that potable water supply and the method by which sewage is to be disposed of is in compliance with the Drinking Water Protection Act, Health Act and the Environmental Management Act.

### **2.2.5 Site Coverage**

Dwellings, buildings, and structures shall not cover more than thirty-three per centum (33%) of the site area.

### **2.2.6 Setback & Height**

1. No dwelling, building or structure of part thereof except a fence, shall be located within
  - a) 7.5 meters of a front lot line.
  - b) 2.0 meters of any side lot line.
  - c) 7.5 meters of a rear lot line.
2. No dwelling unit shall exceed a height of 10.0 meters or two stories in height.
3. No ancillary building or structure shall exceed 6 meters in height.

### **2.2.7 Floor Area**

Floor area for a dwelling unit shall conform to Building Code requirements.

Guest houses shall not exceed 56.0 square meters in floor area.

Accessory buildings and structures shall not exceed 68 square meters in total floor area.

### **2.2.8 Provisions for Mobile Homes on Individual Sites**

All mobile homes shall be:

- a) restricted from moving and be securely anchored against the effect of wind, and
- b) placed on a foundation and adequately skirted.

### **2.2.9 Visibility**

There shall be no obstruction to the line of vision by buildings or structures between the height of 1.0 meters and 3.0 meters above the established grade of a road within an area bounded by the centerlines of intersecting or intercepting highways and a line joining a point on each of the centerlines 24.0 meters from their intersection.

### **2.2.10 Storage**

No site shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard and any vehicle which has not been licensed for a period of one year and not housed in garage or carport shall be deemed to be a derelict vehicle or junk.

### **2.2.11 Parking**

Off-street parking shall be provided in accordance with section 3.1.0 and 3.1.1.

### **2.2.12 Signs & Notices**

Subject to the Motor Vehicle Act and the Transportation Act, the following signs and notices are permitted:

- a) one sign not exceeding 1.0 square meter in area for uses permitted in section 2.2.0
- b) one "For Rent", "For Sale", professional practice, art or craft identity sign not to exceed 1.0 square meter in area on any site.
- c) election and safety information signs and notices not to exceed 1.0 square meter in area.

### **2.2.13 Animal Control**

The keeping of livestock and farm animals is not permitted in the Residential I Zone.

### **2.3.0 Commercial I – CI**

#### Permitted Uses

This zone provides for the orderly development of facilities for convenience shopping and local services and to accommodate tourists and vacationers in areas which are particularly located and suited for such use.

In a Commercial I Zone, the use of land, buildings, and structures is restricted to the following:

- a) retail outlets not to exceed a floor area of 200 square meters,
- b) laundromats not to exceed a floor area of 100 square meters,
- c) restaurants,
- d) autocourts, motels, and hotels,
- e) neighbourhood pubs licensed under the Liquor Licensing Act,
- f) private and public recreational facilities,
- g) gasoline service stations,
- h) one single family dwelling unit in conjunction with commercial use,
- i) accessory buildings and structures,
- j) float plane facilities.

### **2.3.1 Standards**

Every use of land and every building or structure permitted in Commercial I Zones shall conform to the provisions of Section 2.3.2 to 2.3.9 inclusive.

### **2.3.2 Combined Commercial Residential Dwelling Unit**

1. Where a site is used for combined commercial and residential use, the residential use shall:
  - i) be contained in the same building,
  - ii) be located over or behind the other use, and,
  - iii) have a separate entrance from outside.

2. Where a site is used for a gasoline service station, auto court motel, or hotel, the dwelling unit may be a part of, or separate from the gasoline service station, auto court, motel, or hotel building.
3. The minimum main floor area of a dwelling unit shall conform to Building Code requirements.

### 2.3.3 Signs and Notices

Subject to the Motor Vehicle Act and Highways Act, a sign or signs not exceeding 5.0 square meters in total on any site is permitted.

### 2.3.4 Site Area

The minimum site area required shall be as follows:

Type	<b>Minimum Site Area</b>		
	<b><u>Level of Service Provided</u></b>		
	Community Water Supply and Community Sewer System	Community Water Supply but no Community Sewer System	Neither Community Water nor Community Sewer
	<u>Square Meters</u>	<u>Square Meters</u>	<u>Square Meters</u>
a) auto courts, motels, & hotels	1,700	1,700	1,700
i) area per sleeping unit	100	200	600
b) gasoline service station	950	950	1,700
c) other commercial uses	550	700	1,700

### 2.3.5 Sewerage Disposal

Where the site is not serviced by a community sewer system, there shall be sufficient area on the site to dispose of human and other wastes in accordance with the authority having jurisdiction.

### 2.3.6 Site Coverage

Building and structures shall not cover more than sixty per centum (60%) of the site area.

### **2.3.7 Setback & Height**

1. No dwelling unit, building or structure or part thereof except a fence, shall be located within 7.5 meters of a front lot line.
2. No dwelling unit, building, or structure or part thereof except a fence shall be located within 2.0 meters of any side lot line.
3. No dwelling unit shall be located within 7.5 meters of a rear lot line.
4. No dwelling unit, building, or structure shall exceed a height of 10.0 meters or two storeys in height.

### **2.3.8 Parking**

Off-street parking shall be provided in accordance with the provisions of Sections 3.1.0 and 3.1.1.

### **2.3.9 Loading**

Adequate space for loading, unloading, and maneuvering of vehicles shall be provided on the site.

## **2.4.0 Commercial II – CII**

### **Permitted Uses**

The zone provides for the orderly development of tourist resorts in proper relationship to thoroughfares, waterways, surrounding uses and natural amenities.

In a Commercial II Zone, the use of the land, buildings and structures is restricted to the following:

- a) tourist resorts
- b) accessory buildings and structures
- c) gasoline services station
- d) groceteria

### **2.4.1 Standards**

Every use of land and every building or structure permitted in the Commercial II Zone shall conform to the provisions of Section 2.4.2 to 2.4.7 inclusive.

### **2.4.2 Signs & Notices**

Subject to the Motor Vehicle Act and Highways Act, a sign or signs not exceeding 5.0 square meters in total on any site is permitted.

### **2.4.3 Site Area**

The minimum site area required shall be 100 hectares.

### **2.4.4 Sewerage Disposal**

Where the site is not serviced by a community sewer system, there shall be sufficient area on the site to dispose of human and other wastes in accordance with the authority having jurisdiction.

### **2.4.5 Setback and Height**

1. No dwelling unit, building or structure or part thereof except a fence, shall be located within 7.5 meters of a lot line.
2. No dwelling unit, building, or structure shall exceed a height of 10.0 meters or two storeys in height.

### **2.4.6 Parking**

Off-street parking shall be provided in accordance with the provisions of Sections 3.1.0 and 3.1.1.

### **2.4.7 Loading**

Adequate space for loading, unloading and maneuvering of vehicles shall be provided on the site.

## **2.5.0 RURAL I - RRI**

### **Permitted Uses**

This zone provides for rural lifestyles, for the holding of land in large sites for future development, and for the accommodation of forestry, mining, transportation, recreation and water uses and activities.

In the Rural I Zone, the use of land, buildings, and structures is restricted to:

- a) agricultural production and animal husbandry,
- b) single family dwelling,
- c) one mobile home on an individual site,
- d) outdoor recreation facilities,
- e) professional practices, homecraft or home occupation provided that the use does not:
  - i) create a nuisance by reason of sound, sight, or smell,
  - ii) involve storage exterior to a building of any material used directly or indirectly in the processing or resulting from the processing of the product of such craft or occupation,



- iii) involve material or products that produce inflammable or explosive vapours or gases under ordinary temperatures,
- iv) create an unnecessary traffic problem, or,
- v) involve retailing other than products from professional practice, homecraft or home occupation.

- f) extraction industrial use,
- g) public service and utility buildings and structures with no garages for the repair and maintenance of equipment,
- h) guest house,
- i) accessory buildings, and structures.

### **2.5.1 Standards**

Every use of land and every building or structure permitted in Rural I Zones, shall conform with the provisions of Sections 2.5.2 to 2.5.9 inclusive.

### **2.5.2 Site Area**

1. Minimum site area shall be two (2) hectares.
2. On sites in Rural I zones that are shown on a plan duly filed in the Land Registry Office prior to the passing of the regulations of this Bylaw, which has less than the minimum area required in Section 2.5.2 1 one dwelling unit is permitted on each site if the method by which sewage is to be disposed of is in compliance with the Health Act.
3. On sites in Rural I zones which are less than seventeen hundred (1700) square meters in area one (1) guest house is permitted on each site if the method by which sewerage is to be disposed of is in compliance with the Health Act.
4. On sites in Rural I zones which are greater than seventeen hundred (1700) square meters in area two (2) guest houses are permitted on each site if the method by which sewerage is to be disposed of is in compliance with the Health Act.

### **2.5.3 Buildings Per Site**

Not more than one building containing dwelling unit or units shall be located on a site, except in the case of guest homes which are in compliance with this Bylaw.

### **2.5.4 Setback and Height**

1. No dwelling unit, building, or structure, or part thereof except a fence shall be located with 7.5 meters of a lot line.
2. No dwelling unit, building or structure shall exceed a height of 10.0 meters or two storeys in height except buildings and structures ancillary to agricultural production.

### **2.5.5 Floor Area**

The minimum floor area for a dwelling unit shall conform to the requirement of the National Building Code. Guest houses, professional, homecraft and home occupation buildings shall not exceed 55.0 square meters in area.

### **2.5.6 Provisions For Mobile Homes on Individual Sites**

All mobile homes shall be:

- a) restricted from moving and be securely anchored against the effect of high winds, and,
- b) placed on a foundation and adequately skirted.

### **2.5.7 Visibility**

There shall be no obstruction to the line of vision by buildings or structures between the height of 1.0 meter and 3.0 meters above the established grade of streets within an area bounded by the centerlines of intersecting or intercepting highways and a line joining a point on each of the centerlines 24.0 meters from their intersection.

### **2.5.8 Storage**

No site shall be used for the wrecking or storage of derelict vehicles or equipment or as a junkyard, and any vehicles which has not been licensed for a period of one year and is not housed in a garage or carport shall be deemed to be a derelict vehicle or junk.

### **2.5.9 Parking**

Off-street parking shall be provided in accordance with the provisions of Sections 3.1.0 and 3.1.1.

### **2.6.0 Park – P**

#### **Permitted Uses**

This zone provides for the location and development of recreational and other related services and facilities which serve the community.

In the Park zone, the use of land, buildings and structures is restricted to:

- a) playgrounds,
- b) ball fields,
- c) concession stands ancillary to recreation facilities,
- d) beaches,
- e) campgrounds,
- f) picnic grounds,
- g) boat launchings,
- h) wharf facilities,
- i) community centre,
- j) fire hall.

### 3.1.0 Off-Street Parking

Off-street parking spaces for each building and use shall be provided in accordance with the following table:

<u>Use</u>	<u>Parking Requirements</u>
Beach, swimming	One parking space for 8.5 square meters developed beach above HWM (high water mark)
Boat sales and repairs	One parking space per two employees plus one parking space per 90 square meters of display area including outside
Campground	One parking space per camp space
Café and restaurants	One parking space per three seats
Café, take-out window	Eight parking spaces
Clubs, lodges	One parking space per four seats
Gasoline Service Station	One parking space per two employees on duty and one parking space per service bay
Grocery, corner	One parking space per 15.0 square meters of retail floor area
Golf Course	50 parking spaces
Golf driving range	One parking space per tee and one parking space per two employees
Hotel	One parking space per two rooms and one parking space per three seats in café, etc.
Institutional	Church – Rural - one parking space per four seats, Suburban - one parking space per ten seats, Cultural – One parking space per 40 square meters gross floor area, Hospital – One parking space per two employees counted as total of two shifts and one parking space per five beds, Recreation Center – One parking space per 9.0 square meters ice area and one parking space per 4.0 square meters pool surface, and one parking space per four players capacity of other sport, School, elementary – One parking space per employee, School, secondary – One parking space per employee and one parking space per ten students.

Laundromat	One parking space per three washing machines
Motel	One parking space per unit and one parking space per three seats in café, etc.
Marina	One parking space per boat berth and one parking space per two employees
Nursery, greenhouse	One parking space per 15.0 square meters gross floor area of retail sales buildings
Offices, business	One parking space per 18.0 square meters gross leasable area
Pool	One parking space per 4.0 square meters pool water surface
Public Utility Building	One parking space per two employees counted as two shifts
Residential	Two parking spaces per dwelling unit
Stadium	One parking space per three seats
Store, retail	One parking space per 15.0 square meters gross floor area
Store, personal service	One parking space per 15.0 square meters gross floor area
Tourist attraction	One parking space per four persons capacity

### 3.1.1 Provisions

1. Every required off-street parking space shall be of a minimum area of 18.0 square meters and shall have at all times convenient vehicular access to a public thoroughfare.
2. Required off-street parking for residential uses, motels and autocourts shall be on the site.
3. Required off-street parking for uses other than referred to in Section 3.1.1 2 shall be on or within one hundred and seventy-five (175) meters of the site.

**This Bylaw may be cited as Regional District of Kitimat-Stikine Electoral Area C Lakelse Lake Zoning Bylaw No. 57.**

#### NOTE: AS TO THE BASE BYLAW

READ a first time this \_\_\_\_\_ 28th \_\_\_\_\_ day of \_\_\_\_\_ May \_\_\_\_\_, 1977

READ second time this \_\_\_\_\_ 24th \_\_\_\_\_ day of \_\_\_\_\_ June \_\_\_\_\_, 1978

READ as amended a third time this \_\_\_\_\_ 21st \_\_\_\_\_ day of \_\_\_\_\_ April \_\_\_\_\_, 1979

Approved by the Lieutenant-Governor in Council this 3<sup>rd</sup> \_\_\_\_\_ day of \_\_\_\_\_ July \_\_\_\_\_, 1979

Reconsidered and finally adopted this \_\_\_\_\_ 21st \_\_\_\_\_ day of \_\_\_\_\_ July \_\_\_\_\_, 1979