KEATS ISLAND

LAND USE BYLAW NO. 78, 2002

AS AMENDED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAWS: 92, 94, 98,108, 130, 143, 152 and 158.

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

Consolidated: December 19, 2025

CONSOLIDATED BYLAW TEXT AMENDMENTS

Bylaw Number	Amendment Number	Adoption Date
Bylaw No. 92	Amendment No. 2, 2004	October 11, 2007
Bylaw No. 94	Amendment No. 4, 2004	October 11, 2007
Bylaw No. 98	Amendment No. 1, 2007	March 5, 2008
Bylaw No. 108	Amendment No. 1, 2008	September 9, 2009
Bylaw No. 130	Amendment No. 1, 2015	March 8, 2018
Bylaw No. 143	Amendment No. 2, 2016	October 1, 2020
Bylaw No. 152	Amendment No. 1, 2020	February 4, 2021
Bylaw No. 158	Amendment No. 1, 2023	February 29, 2024
Bylaw No. 154	Amendment No. 1, 2021	September 9, 2025

GAMBIER ISLAND LOCAL TRUST COMMITEE
BYLAW NO. 78

A Bylaw to adopt a Land Use Bylaw to regulate the use, siting and size of buildings and structures, the provision of parking, landscaping and screening and the subdivision of land for Keats Island and surrounding area, including the surface of the sea, as a Land Use Bylaw within the Gambier Island local Trust Area.

WHEREAS the Gambier Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the *Gambier Island Local Trust Area*, pursuant to the *Islands Trust Act*;

AND WHEREAS the Gambier Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Gambier Island Local Trust Committee enacts as follows:

1. The following schedules attached hereto are hereby made part of this Bylaw and adopted as the Land Use Bylaw for that part of the Gambier Island Local Trust Area known as Keats Island and surrounding area as shown on Schedule B:

   .1 Schedule A (Land Use Bylaw Text)
   .2 Schedule B (Zoning Map)

2. Bylaw No. 96 cited as “The Sunshine Coast Regional District Land Use Regulation By-law No. 96, 1974” and all of its amendments as it applies to the area as shown on Schedule B are repealed.

3. Bylaw 103 cited as “The Sunshine Coast Regional District Subdivision Regulations By-law No. 103, 1975” and all of its amendments as it applies to the area as shown on Schedule B are repealed.

4. This Bylaw may be cited for all purposes as the “Keats Island Land Use Bylaw, 2002.”.

READ A FIRST TIME this	15th	day of	August	, 2002.
PUBLIC HEARING HELD this	27th	day of	September	, 2002.
READ A SECOND TIME this	28th	day of	September	, 2002.
READ A THIRD TIME this	28th	day of	September	, 2002
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this	8th	day of	October	, 2002
ADOPTED this	30th	day of	November	, 2002

SECRETARY **CHAIRPERSON**

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SCHEDULE A – LAND USE BYLAW TEXT

PART 1 - ADMINISTRATION AND INTERPRETATION

1.1 APPLICATION

1. This Bylaw shall apply to that part of the Gambier Island Local Trust Area as shown on Schedule B. Without limiting the generality of the foregoing, this includes Keats Island, Home Island, Preston Island, the larger of the two Shelter Islets and the area 1,000 metres seaward of the Keats Island shoreline. Encompassed in this area of application are the entire land area of all islands, islets, reefs, rocks, and the seabed, and also all surface waters and air spaces.

1.2 INTERPRETATION

Referencing

.1 In the system used for referencing provisions, the first reference indicates parts of the bylaw, the second indicates sections, the third indicates subsections, the fourth indicates articles, and the fifth indicates clauses:

- Part 1
- Section 1.1
- Subsection .1
- Article a)
- Clause i.

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Units of Measurement

.2 Metric dimensions are used in this Bylaw. Imperial equivalents, shown in parentheses are approximate, are provided for convenience only, and do not form part of this Bylaw.

Severability

.3 If any provision of this bylaw is for any reason held invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

Covenants

.4 Where under this bylaw an owner of land is required or authorized to grant any covenant, the covenant shall be granted to the Gambier Island Local Trust Committee (Local Trust Committee) in priority to all financial charges and all other covenants and easements (whether registered or not) and delivered in registerable form satisfactory to the Local Trust Committee prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant shall indemnify the Local Trust Committee in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenanter.

1.3 COMPLIANCE

Conformity

.1 No person may use or occupy or permit any land, water surface, building or structure to be used or occupied, or subdivide any land, except as permitted by this Bylaw.

.2 No person may construct, reconstruct, place, alter, extend or maintain any building, structure or sign except as permitted by this Bylaw.

.4 Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their use of land, buildings or structures.

.5 The use of land, buildings or structures that is lawful at the time of adoption of this Bylaw, although not conforming to the provisions of Part B of this Schedule, may be considered as “legal non-conforming”, and continued subject to the provisions of Section 911 of the *Local Government Act*.

Inspection

.6 The Bylaw Investigations Officer and any other officer of the Islands Trust who may be appointed in that capacity, are authorized to enter, at all reasonable times, upon any property subject to the provisions of this Bylaw, to ascertain whether the regulations of this Bylaw are being or have been complied with.

Enforcement

.7 Violation

Any person who does any act or thing or permits any act or thing to be done in contravention of the provisions 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.

.8 Penalty

Any person who violates any of the provisions of this Bylaw is, upon summary conviction by a court of competent jurisdiction, liable to a penalty of not more than five thousand dollars ($5000) and the cost of prosecution. Each day that such violation continues, or is allowed to continue, constitutes a separate offence.

1.4 AVOIDANCE OF CONFLICTING USES OR SITING

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

1.5 DEFINITIONS

.1 In this Bylaw;

access route means an access route in a bare land strata plan.

accessory in relation to a use, building or structure means incidental, secondary 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 the common property in a bare land strata plan, on a strata lot in that strata plan.

accessory guest cottage means a single family residential dwelling regulated as to use, size and other conditions so as to attribute criteria that insure it is a secondary and associated use and structure to the principal dwelling on a lot.

agriculture means the use of land for the growing, rearing, harvesting, or production of agricultural plants, crops, livestock, and other farm animals on land-based areas.

alternative transportation vehicle means a golf cart or garden tractor, licensed and insured under the *Motor Vehicle Act*, or an all terrain vehicle for which a permit has been issued under the *Motor Vehicle (All Terrain) Ac*t.

anchoring means the securing of a boat or vessel to the seabed by means of apparatus normally carried on board.

Approving Officer means the Approving Officer for Keats Island appointed pursuant to 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.

barge ramp means a structure placed on the foreshore for the purpose of loading and unloading barges, launching boats, and permitting the removal of boats from the water.

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boat house means a building or structure that is located on the land-based portion of a waterfront lot, and that is used to house small boats, and equipment associated with moorage and boating activities conducted on the adjacent foreshore.

building means a structure used or intended to be used for supporting or sheltering any use or occupancy.

building inspector means a person appointed as building inspector by the Sunshine Coast Regional District.

campsite means an area intended for the temporary accommodation of travellers or visitors using tents.

caretaker residential means the use of a dwelling for the accommodation of a person or persons engaged in custodial or management activities associated with the lot upon which they are accommodated.

commercial means occupied with or engaged in an activity or enterprise for the purposes of generating personal, professional, or business income for an individual, proprietorship, partnership, or corporation, and not including activities and enterprises engaged in by non-profit organizations, government agencies, public service utilities, or public services.

commercial visitor accommodation means a commercial enterprise that consists of the temporary rental of commercial visitor accommodation units, campsites, or bed spaces to travellers or vacationers who maintain a residence elsewhere, and includes bed and breakfast, and vacation rental uses.

commercial visitor accommodation unit means a dwelling, building, room, set of rooms, dwelling, accessory guest cottage, sleeping cabin, or campsite that is let as a single unit for commercial visitor accommodation.

communal moorage means non-commercial boat mooring facilities which are owned, operated, and administered cooperatively by individuals, a non-commercial organization, or by a strata corporation, for the provision of specifically allocated boat moorage spaces only to Keats Island Planning Area residents, lot owners, and invitees, and for which user fees may be charged.

community hall means a public assembly building used for recreational, social, charitable, educational, entertainment and cultural activities, open to the public and owned or operated by a non-profit group or Regional District for the benefit of the Keats Island community generally.

community service means the use of land, buildings or structures for the servicing of the Keats Island community with hydro maintenance yards, community wells and pump houses, public recreational facilities, community halls, public parking lots, and public service utility uses, but does not include any use or facility operated on a commercial basis for profit.

community sewer system means a system for collecting, treating and disposing of sewage from more than one lot, and which is owned, operated and maintained by an improvement district, a Regional District, a water utility, a strata corporation, or society.

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

confectionary and gift shop means a building or structure which is used for the selling of confectionary items such as ice cream, candy, and non-alcoholic beverages, and private institutional camp-related giftware items such as apparel and stationery to the camp patrons and the general public. A similar facility open to camp patrons only is not restricted in floor area, and is considered a permitted private institutional camp use.

contractor's yard means the use of land for the storage of heavy machinery or materials by a building contractor or subcontractor for use off the lot on which they are located, provided that such areas and associated structures are located on lots not less than 4 hectares (10 acres) and are screened from adjacent lots and public rights of way by a fence or a landscape screen.

covenant means a covenant under the *Land Title Act*.

derelict vehicle means a vehicle eligible for licensing under the *Motor Vehicle Act* to operate on a highway which has not been so licensed for a period of 8 months or more, and which is visible from a public roadway, or from adjacent land.

dock means a marine-based structure, usually comprised of a float, ramp and pier which is used for the private moorage of boats or vessels in association with a permitted residential use on the adjacent upland.

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dormitory means a building without a kitchen that provides sleeping quarters and washroom facilities for the temporary accommodation of persons attending or employed at a private institutional camp.

dwelling means a residential building used for a single household and containing sleeping and living areas plus a single set of facilities for food preparation and eating.

Engineer means a member of the Association of Professional Engineers and Geoscientists of British Columbia.

farm means pertaining to agriculture.

fence means a structure used as an enclosure or separation, and includes any gates, screens and walls associated with the structure.

fire hall means a building or structure which is used to house a fire truck, fire fighting equipment, first aid equipment and related emergency response supplies.

fire hut means an accessory building or structure which is used to house fire fighting equipment, first aid equipment and related emergency response supplies.

floating boathouse means a floating building or structure used to house boats, or to store equipment.

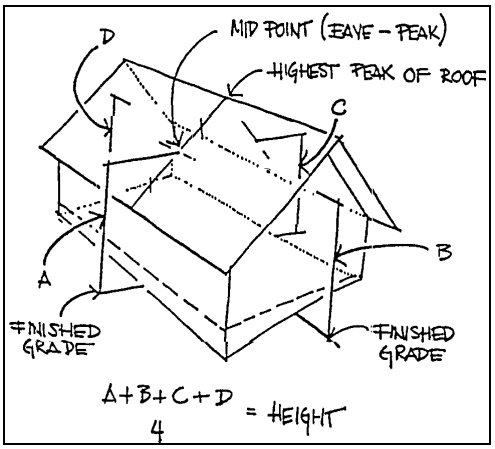
float home means any residential structure designed to float on water but not intended or suitable for navigation.

floor area means the total area of each floor in a building where the floor to ceiling height is greater than 1.5 m (5 ft), measured to the exterior surface of the perimeter walls, and includes the floor area of balconies, decks, porches and similar projections enclosed by siding, glazing, screening or other materials.

forestry means all activities related to the development and care of forests, including harvesting of timber, seedling and tree nursery, and including the processing of timber harvested on the same lot.

frontage means the length of that lot boundary which abuts a highway, other than a lane or a walkway in a bare land strata plan.

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



highway includes a publicly owned street, road, lane, bridge and any other way open to the use of the public, but does not include private rights of way, access routes or easements on private property, or walkways or easements for public pedestrian trails.

home occupation means a commercial use, business, occupation, profession, or artistic endeavour that is clearly accessory and secondary to a residential use on a lot, and that meets all the provisions set forth in this Bylaw pertaining to home occupation.

horticulture means the use of land for the growing of fruit, vegetables, flowers, or ornamental plants.

kitchen means a room or area of a room that is equipped, used and intended to be used for residential activities related to the storage, preparation, and heating of food for a single household.

land-based means the area upland or above the natural boundary of the sea.

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

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landscaped area means an area significantly altered by human activity where there is the continuous maintenance of no vegetation, cultivated vegetation and/or landscape materials, including but not limited to stones, boulders, cobblestones, pavers and decorative concrete.

legal non-conforming with respect to buildings or structures means construction which does not conform to the provisions of this Bylaw and which existed lawfully at the time of its adoption; and with respect to use means a specific use of land.

log dump means the use of land and adjacent foreshore for the purposes of removing timber from the island on which it was harvested, by means of dumping logs into the sea and assembling them into floating log booms for transport.

lot means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the *Bare Land Strata Regulations* under the *Strata Property Act*.

lot coverage means the total area of those portions of a lot that are covered by buildings or structures divided by the area of the lot.

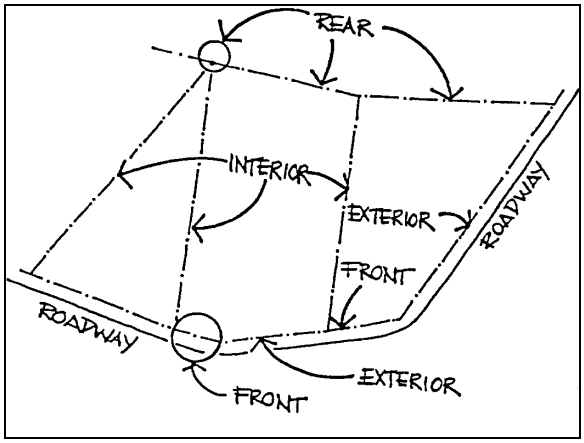
lot line means the boundary of a lot, and

exterior side lot line means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway;

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

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

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



marine-based means seaward or below the natural boundary of the sea.

Medical Health Officer means the Medical Health Officer appointed pursuant to the *Health Act*

moorage means the tying of a boat or vessel:

(a) to a wharf, dock, or float; or

(b) to a mooring buoy that is in turn anchored to the seabed.

mooring buoy means a small floating device used only for the moorage of boats or vessels and for supporting the lines, cable, or chain to which it is tethered.

natural boundary means the visible high water mark of the sea, a lake, a stream or other body of water, 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 body of water a character distinct from that of the bank, and in the case of a lot having a surveyed high water mark means the high water mark.

panhandle lot means a lot that gains frontage on a highway by means of a strip of land that is narrower than the main portion of the lot to an extent that it would not be usable for the siting residential buildings under the setback provisions of this bylaw.

park means any land dedicated as park under the *Park Act,* the *Land Title Act* or the *Local Government Act*, which is open to the general population and reserved for outdoor recreational, scenic, or nature conservation purposes, and may include undesignated Crown islets within the planning area covered by this Bylaw.

parking lot means an area not within a building used for the temporary, daily, or overnight off-street parking of more than 3 motor vehicles.

personal watercraft means a vessel less than five metres (16 feet) 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.

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platform means an unenclosed flat surface raised from the ground to serve for the loading and offloading of materials and supplies.

BL 92

portable sawmill means a sawmill that is attached to or carried in a vehicle or on a trailer for the purpose of moving it from property to property to mill timber grown on the lot on which the portable sawmill is located at the time of milling, and in which the operation of the portable sawmill on any one lot does not exceed 30 consecutive days or 45 days total in one calendar year.

principal with respect to a use of a building means primary and chief.

private institutional camp means a use conducted by a non-profit society or other non-commercial organization which provides for public or private assembly and overnight accommodation of persons for recreational, educational, and religious purposes, but excludes correctional and related rehabilitational uses.

BL143 Mar/2021 **public service utility use** means a use providing for the servicing of part, or all of Keats Island with water, sewer, solid waste disposal, electricity, telephone, cablevision, fire fighting, and similar services.

public wharf means a wharf serving the general public for the purpose of loading and unloading people, goods and material, plus temporary moorage space for the boating public.

pump/utility house means an accessory building or structure that is used only for the purposes of housing a well head, water pumping equipment, electrical power and communication connection or service equipment and/or incidental storage of materials associated with the lot upon which the pump/utility house is located.

residence means:

a) occupancy or use of a building or part thereof as a dwelling; and

b) the dwelling occupied or used.

BL 92 **residential** means used for the domicile and home life of a person or persons, and for this purpose, does not include a vacation rental.

restaurant means the commercial use of a building where food and beverages are sold to the public primarily for immediate consumption.

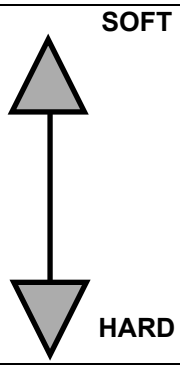
BL 92 **retaining wall** means the placement of riprap or a structure between lands of different elevations to protect structures and/or to prevent erosion.

roadway means the travelled portion of a highway.

setback means the horizontal distance that a building or structure must be sited from a specified lot line, building or feature.

BL154 09/2025 **shoreline protection measures** means hard or soft modifications to the shoreline, or adjacent seaward or landward areas, for the purpose of protection and stabilization against erosion. 'Hard' measures refer to the use of materials with impermeable surfaces (e.g., stone, concrete) whereas 'soft' measures refer to less rigid materials such as biotechnical vegetation measures (i.e. the specialized use of woody plant materials to stabilize soil) or beach enhancement.

Range of measures varying from soft to hard include:

• **Vegetation enhancement** • **Upland drainage control** • **Biotechnical measures** • **Beach enhancement** • **Anchor trees** • **Gravel placement** • **Rock (rip rap) revetments** • **Gabions** • **Concrete groins** • **Retaining walls or bulkheads** • **Seawalls**	

sleeping cabin means an accessory dwelling unit, which despite the definition of "dwelling unit" and "residential" in this bylaw includes only sleeping quarters and washroom facilities and does not contain a kitchen and is used for the temporary accommodation of non paying guests of the occupants of a dwelling on the same lot.

BL 92 **structure** means anything that is constructed or erected and that is fixed to, supported by or sunk into land or water, but excludes:

- fences;
- surfaced areas of gravel, concrete, or other similar material comprising driveways and uncovered parking areas; and

- underground sewage disposal systems including septic tanks, absorption fields and related appurtenances.

temporary means, in relation to a period of occupancy or use by any particular individual: not exceeding 45 days in a calendar year, not more than 30 of which are continuous.

third party sign means a sign conveying information not pertaining to the lot on which it is located.

utility means broadcast transmission, electrical, telephone, sewer or water services and facilities established or licensed by a government (excluding private radio or television towers) and includes navigation aids.

BL 92 **vacation rental** means the act of advertising and using a dwelling unit, accessory guest cottage, sleeping cabin, building, or campsite for economic gain by renting by the day, week or any period less than one month to travellers or vacationers who maintain a residence elsewhere.

watercourse means any natural or man-made depression with well-defined banks and a bed 0.6 metres or more below the surrounding land, serving to give direction to a current of water at least part of the year, or having a drainage area of two square kilometres.

wetland means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support aquatic life, and that under normal conditions supports, vegetation typically adapted for life in saturated soil conditions, including marshes, swamps and bogs.

wharf means a marine-based structure, usually comprised of a pier, ramp(s) and float(s), which is available in association with a public use, provincial marine park, private institutional or communal moorage use.

zone means a zone established by this Bylaw.

PART 2 – GENERAL LAND USE REGULATIONS

2.1 USES BUILDINGS, AND STRUCTURES

Uses in all Zones

.1 Only the uses expressly permitted in Part 4 of this Bylaw are permitted in the relevant zones shown on Schedule B. Without limiting the generality of the foregoing the following uses are prohibited in every zone:

- airport and airstrip facility uses and related accessory buildings and structures and the use of water areas within residential zones, parks and conservation zones for permanent sea plane facilities;
- aquaculture;
- heliport and helipad, other than for emergency evacuation or occasional, intermittent use;
- disposal of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged pursuant to a permit under the Sewage Disposal Regulation of the *Waste Management Act*;
- junkyard, auto wrecking yard, and storage of derelict vehicles, subject to Subsection 2.1.25;
- storage of junk;
- refuse dump and the disposal or storage of hazardous or toxic waste;
- the rental or sale of personal watercraft;
- the use of a vessel anchored, moored, or secured to a piling, dolphin, wharf, pier, or floating breakwater as a residence;
- the use of a buoy, float, dock, wharf, ramp or related structure for commercial or industrial use of any kind; and
- cell phone and telecommunication towers.

Buildings and Structures in all Zones

.2 Only the buildings and structures expressly permitted in Part 4 of this Bylaw are permitted in the relevant zones shown on Schedule B. Without limiting the generality of the foregoing the following buildings and structures are prohibited in every zone:

- buildings and structures for uses prohibited in Subsection 2.1.1;
- float home; and
- float plane hangar.

Temporary Residence while Constructing

BL 92 .3 While a valid building permit for a single family residential dwelling remains in effect, a maximum of one of the following may be used as a temporary dwelling subject to subsections 2.1.4 and 2.1.4(1):

- accessory building
- structure
- sleeping cabin
- guest cottage
- travel trailer
- recreation vehicle

.4 The use of a travel trailer or recreation vehicle as a temporary dwelling in subsection 2.1.3 is subject to:

- the provision of a domestic water supply and sewage disposal facility satisfactory to the Medical Health Officer;
- the travel trailer or recreation vehicle being located on the same lot as the dwelling subject to the valid building permit; and

- the travel trailer or recreation vehicle meeting the setback regulations in Part 4 of this Bylaw

.4(1) The use of an accessory building, structure, sleeping cabin, or guest cottage as a temporary dwelling in subsection 2.1.3 is subject to:

- the use and density regulations in Part 4 of this Bylaw permitting the placement or construction of an accessory building, structure, sleeping cabin or guest cottage;
- the provision of a domestic water supply and sewage disposal facility satisfactory to the Medical Health Officer; and
- the accessory building, structure, sleeping cabin or guest cottage being located on the same lot as the dwelling subject to the valid building permit.

.4(2) For the purpose of interpretation of subsections 2.1.3, 2.1.4 and 2.1.4(1) a building permit is deemed to be valid if it has been issued by an authorized building inspector and a temporary or permanent occupancy permit has not been issued or the building inspector has not revoked the building permit for any reason or the building permit has not lapsed. .

Accessory Buildings and Structures

.5 A building or structure accessory to a dwelling may not be used for human habitation, except:

- as provided for in Part 4, or
- as specifically permitted in a zone.

BL 108 .6 In the COMMUNITY RESIDENTIAL 1 (CR1) ZONE, buildings or structures accessory to residential uses and dwellings but not including sleeping cabins are prohibited from containing toilets, bathtubs or showers. Sinks are permitted.

.7 Pump/utility houses and fire huts in all zones may have the necessary plumbing fixtures for those permitted uses.

.8 For purposes of Subsection 2.1.5, unless a building or structure, excluding an attached deck and patio, is attached to a principal building by a completely enclosed structure having walls, roof and floor, it is for the purposes of this Bylaw deemed not to be part of the principal building, but is deemed to be an accessory building or structure.

.9 A boathouse is not an accessory building.

Use of Common Property

.10 Land comprising the common property in a strata plan is not a lot for the purposes of the density regulations set out in Part 4 but may be used for permitted accessory uses to principal uses located on strata lots in the same strata plan.

2.2 HOME OCCUPATIONS

.1 A home occupation when permitted in any zone shall be subject to subsections 2.2.2 to 2.2.11.

.2 The home occupation must be operated by a resident of a dwelling on the lot.

.3 The home occupation use must not alter the residential character or appearance of the land or premises in which the home occupation is located, with the exception of a permitted sign and any required parking spaces and screening.

.4 Every home occupation other than horticulture or agricultural use shall be carried out wholly within a permitted dwelling or accessory building, except that outdoor areas may be used for storage of articles used in the home occupation if the storage area is enclosed by a fence or landscape screen.

.5 The area used for a home occupation use, including floor area within a building and any outdoor storage area, shall not exceed 65 square metres (700 square feet) of which not more than 14 square metres (150 square feet) may be used for display or storage of goods or articles offered for sale that are grown, produced, manufactured or processed on the premises.

.6 Storage of heavy machinery or building material storage (that is not for use exclusively on the site where it is stored) and contractor's yards are not permitted as part of a home occupation on lots less than 4.0 hectares (10 acres).

BL 92 .7 A business in which an operator takes a portable sawmill to other properties for the purpose of milling timber grown on the lot is permitted as a home occupation.

.7(1) Home Occupations involving the business of operating a portable sawmill may maintain a business office for the portable sawmill home occupation and the portable sawmill(s) may be stored on the same lot as the business office, provided the portable sawmill(s) is screened from view or stored inside an accessory building. Timber may not be brought onto the lot for milling for commercial gain.

.7(2) For the purpose setback regulations in Part 4 of this Bylaw, portable sawmills are considered a structure.

.8 Sale of goods or articles produced, manufactured or processed on the lot is permitted.

.9 The home occupation must not produce any persistent noise, vibration, glare, smoke, fumes, odours, litter, fire hazard, electrical interference, or any other nuisance ordinarily detectable off the lot on which the home occupation is operated.

.10 Not more than two full-time equivalent persons may be employed or engaged on the premises in any home occupation, of which at least one shall reside on the premises where the home occupation is conducted. The number of employees engaged in the home occupation off the lot where the home occupation is located is not restricted.

BL 92 .11 Except as expressly permitted in Part 4 of this Bylaw, the following are prohibited as home occupations:

- restaurant;
- retail store;
- commercial visitor accommodation use including bed and breakfast and vacation rental use;
- salvage or junk business;
- commercial retail or service business uses; and
- any use prohibited by Subsection 2.1.1 of this Bylaw.

2.3 RESIDENTIAL DENSITY FOR LOTS IN MORE THAN ONE ZONE

.1 Where a lot is located in two or more zones, additional dwelling units may only be constructed if and to the extent that the density regulation for the zone in which the dwelling is to be constructed is complied with.

2.4 FENCES AND LANDSCAPE SCREENS

.1 The maximum height of a fence is 2.5 metres (8 feet) on any lot that is less than 0.5 hectares (1.25 acres).

.2 The provision of protective netting reasonably required to control animal nuisances, or a landscaping screen is exempt from the provisions of Section 2.4 of this Bylaw.

.3 All outdoor storage related to home occupation use, including contractor's yards, and all derelict vehicles must be screened from view from an adjacent lot or roadway by a landscape screen.

.4 Where a landscape screen is required by this bylaw, it shall be provided in the form of:

- existing vegetation of the required height that provides a complete and permanent visual screen between the uses being separated;
- a row of drought-tolerant evergreen plants that will attain the required height, planted and maintained continuously so as to provide a complete and permanent visual screen between the uses being separated; or
- a solid wooden fence which is continuous, except for points of vehicular or pedestrian access/egress.

2.5 STORAGE OF JUNK

.1 No lot may be used for the storage or wrecking of derelict vehicles or junk which is not completely enclosed in a building or structure, or which is visible from adjoining lots or public rights of way.

2.6 COMPLIANCE WITH DENSITY REGULATIONS

.1 Where a development variance permit for a dwelling, accessory guest cottage or sleeping cabin is made in respect of a lot on which this bylaw permits the construction of more than one dwelling, the applicant shall provide a plan showing the location on the lot of all existing dwellings and accessory guest cottages or sleeping cabins and indicate the area of the lot.

2.7 MEASURMENT OF SETBACKS

Buildings and Structures

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

.2 The following features may project into a required setback area:

- steps, eaves gutters, cornices, sills, chimneys, or similar features, provided they do not project more than 1.0 metre (3 feet) into the required setback area or 0.5 metres (1.5 feet) in the case of a side yard setback area;
- balconies, decks and sunshades, provided that they do not project more than 1.0 metre (3 feet) into the required setback area;
- retaining walls may be located in any required setback area except the setback from the natural boundary of the sea.

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.3

a) No building or structure may be constructed, altered, extended or located within 7.5 metres (24.6 feet) of the natural boundary of the sea, except a platform with a maximum area of 5 square metres, or a set of stairs or a walkway for the purposes of accessing the foreshore or a permitted float, dock, wharf or other permitted marine related structure.

b) Notwithstanding subsection 2.7.3, for properties zoned Rural Comprehensive the setback shall be 15 metres (49.2 feet).

.4 Unless a greater minimum setback is specified in respect of a zone, no building or structure except a fence, pump/utility house, or fire hut may be located:

- within 5.0 metres (16.4 feet) of any front lot line;
- within 1.5 metres (5 feet) of any rear lot line;
- within 1.5 metres (5 feet) of any interior side lot line; or
- within 3.0 metres (10 feet) of any exterior side lot line.

BL 92

.5 Private floats and docks shall be located within the seaward boundary of the upland property served and shall be setback 5.0 metres from the projection of those lot lines. This setback regulation does not apply to a shared lot boundary between residential lots served by the same private float and dock.

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.6 Private floats and docks shall be sited at least 10 metres from any existing dock or structure.

Sewage Disposal Fields

BL 92

.7 No underground sewage disposal system, including all septic tanks, absorption fields and related appurtenances may be sited within 30.0 metres (100 feet) of a watercourse, well or source of domestic water supply.

BL154 09/2025

2.8 HEIGHT

.1 Unless specified elsewhere in the bylaw, no part of any building or structure may exceed 11.0 metres (36.10 feet) in height unless otherwise specified in this bylaw.

.2 The height restrictions in this Bylaw do not apply to water towers, fire alarm towers, bell towers, farm silos, wind generators, radio and television antennae, chimney stacks, flag poles.

.3 All height measurements to determine compliance with this Bylaw shall be taken from the average of the natural grade levels at the midpoints of all of the walls of the building or structure in question, to the highest point of the building or structure.

2.9 SITING COMPLIANCE

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.1 Every applicant for a development variance permit and development permit must provide a plan signed by a B.C. Land Surveyor showing the location on the lot of all existing and proposed buildings, structures and sewage disposal fields in relation to lot and zone boundaries, lakes, wetlands, watercourses, wells and the sea, and in relation to other buildings on the lot, unless the Local Trust Committee determines that the provision of such a plan is not reasonably necessary to establish whether the proposed buildings, structures and sewage adsorption fields comply with the siting requirements of the Bylaw.

PART 3 - ESTABLISHMENT OF ZONES

3.1 DIVISION INTO ZONES

.1 For purposes of this Bylaw, the area included in Schedule B is divided and designated into the following zones:

Community Residential 1	CR1
Comprehensive Development 1	CD1
Comprehensive Development 2	CD2
Rural Residential	RR
Rural Comprehensive	RC
Private Institutional 2	PI2
Private Conservation	PC
Community Service 1	CS1
Natural Area Community Park	P1
Provincial Marine Park	P2
Marine 1 – Public Wharf	M1
Marine 2 – Communal Moorage	M2
Marine 3 – Public Barge Ramp	M3
Marine 4 – Private Log Dump	M4
Marine Conservation	MC
Marine General	MG

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3.2 INTERPRETATION

BL 92 .1 Determination of Zone Boundaries on Schedule B:

- Where zone boundaries coincide with lot boundaries, the boundaries are common.
- Where a zone boundary is shown as following any highway, right-of-way, or stream, the centre line of such highway right-of-way, or stream is the zone boundary.
- Where land-based and marine-based zone boundaries coincide, the common boundary shall be the natural boundary of the sea.
- Where a zone boundary includes both land and marine-based areas, the marine-based portion of the zone shall be deemed to extend 150 metres beyond the natural boundary of the sea.
- Where a zone boundary 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 shall be determined by scaling from Schedule “B”, Land Use Designation and Zoning Map.

.3 In Part 4, the headings are part of the bylaw and must be included in the interpretation of the Bylaw

Lots with Area in More than One Zone.

.4 In the circumstance of a split zoned lot, a separate calculation of the number of dwellings, sleeping cabins, accessory guest cottages or other buildings or structures permitted on the lot shall be made for each area within a zone and dwellings, sleeping cabins, accessory guest cottages or other buildings and structures may only be sited and constructed in full accordance with the density regulation for the applicable zone.

PART 4 - ZONE REGULATIONS

4.1 COMMUNITY RESIDENTIAL 1 (CR1) ZONE

Permitted Uses

.1 The following uses of land, buildings and structures are permitted in the land-based area:

- single family residential;
- home occupation, subject to Section 2.2;
- horticulture;
- public service utility uses; and
- natural area parks and conservation.

.2 The following uses of land and structures are permitted in the marine-based area:

- non-commercial anchorage and moorage of private vessels, where such use is accessory to a permitted residential use on the adjacent upland.

Permitted Buildings and Structures

.3 The following buildings and structures are permitted in the land-based area:

- single family dwelling;

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- buildings and structures accessory to a permitted use subject to Section 2.1.6 and 2.1.7;
- community sewer system facilities;
- electrical and telecommunication utilities;
- pedestrian trails;
- fences, subject to Section 2.4;
- fire huts;
- pump/utility houses;
- utility poles, wires, traffic controls and underground utility systems; and
- signs, subject to Section 5.

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.4 The following structures are permitted in the marine-based area:

- mooring buoys, floats, docks, dock ramps and stairs providing marine access to a lot abutting the water area in which the structure is located; including dolphins and pilings necessary for the establishment or operation of a use permitted in this zone;
- marine navigational aids; and
- signs, subject to Section 5.

Marine-Based Structures Limitations

.5 No building of any kind may be erected, constructed or placed on any float, dock, ramp, stairs or pier.

BL154 09/2025

.6 The maximum area that may be covered by dock floats in the marine-area is 47 square metres (505.9 square feet).

.7 Despite Subsection 4.1.6, the maximum float area may be increased by 30 square metres (322.9 square feet) per residential dwelling served by the dock, up to a maximum float size of 154 square metres (1,130.2 square feet), provided a covenant is registered on the dock prohibiting the use or construction of a dock on or from that residential lot and identifying the property on which the shared dock shall be situated and an easement is registered on title to the lot where the shared dock is located granting the occupants of each participating property the right to use the shared dock freely.

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.8 The maximum width of a ramp associated with a dock is 1.5 metres (4.9 feet).

Density

.9 One single family residential dwelling and one sleeping cabin are permitted per lot.

.10 A maximum of one dock is permitted in the marine-area abutting each water front lot.

Floor Area

.11 The maximum floor area of a fire hut is 9.3 square metres (100 square feet).

.12 The maximum floor area of a sleeping cabin is 18.6 square metres (200 square feet),

Setbacks

.13 The setback requirements of Section 2.7 apply.

Height

BL 108

.14 The height requirements of Section 2.8 apply to single family dwellings.

.15 The maximum height of buildings and structures accessory to single family dwellings is 4.6 metres (15.0 feet).

Lot Coverage

.16 The maximum combined lot coverage of buildings and structures is 33 per cent of the lot area.

Subdivision Lot Area Requirements

.17 The minimum lot area permitted by subdivision is 4.0 hectares (10 acres).

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4.2 COMPREHENSIVE DEVELOPMENT 1 (CD1) ZONE

Permitted Uses

.1 The following uses of land, buildings and structures are permitted in the land-based area:

- single family residential;
- home occupation, subject to Section 2.2;
- horticulture;
- uses, buildings and structures accessory to a permitted use;
- public service utility uses; and
- natural area parks and conservation.

.2 The following uses of land, buildings and structures are permitted in the marine-based area:

- non-commercial anchorage and moorage of private vessels, where such use is accessory to a permitted residential use on the adjacent upland.

Permitted Buildings and Structures

.3 The following buildings and structures are permitted in the land-based area:

- single family dwelling;
- buildings and structures accessory to a permitted use;
- community sewer system facilities;
- electrical and telecommunication utilities;
- pedestrian trails;
- fences, subject to Section 2.4;
- fire huts;
- pump/ utility houses;
- utility poles, wires, traffic controls and underground utility systems; and
- signs, subject to Part 5.

.4 The following structures are permitted in the marine-based area:

- mooring buoys, floats, docks, dock ramps, stairs and piers providing marine access to a lot abutting the water area in which the structure is located; including dolphins and pilings necessary for the establishment or operation of a use permitted in this zone.
- marine navigational aids; and
- signs, subject to Part 5.

Marine Based Structures Limitations

.5 No building may be erected, constructed or placed on any float, dock, ramp, stairs or pier.

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.6 The maximum area that may be covered by dock floats in the marine-area is 120 square metres (1292 square feet).

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.7 The maximum width of a ramp associated with a dock is 1.8 metres (5.9 feet).

Density

.9 A maximum of one single family residential dwelling is permitted on lots less than 2.0 hectares (5 acres).

.10 A maximum of nine single family residential dwelling units are permitted on lots of 2.0 hectares (5 acres) or larger.

BL152
Mar/2021

.11 A maximum of three docks are permitted in the marine-area.

Floor Area

.12 The maximum floor area of a fire hut is 9.3 square metres (100 square feet).

Setbacks

.13 The setback requirements of Section 2.7 apply.

Height

.14 The height requirements of Section 2.8 apply to land-based areas.

Lot Coverage

.15 The maximum combined lot coverage of buildings and structures is 25 per cent of the lot area.

Subdivision Lot Area Requirements

.16 The minimum lot area permitted by subdivision is 4.0 hectares (10 acres).

4.3 COMPREHENSIVE DEVELOPMENT 2 (CD2) ZONE

Subdivision

BL143
Mar/2021

.1 Land in the CD2 zone may be subdivided only as follows, and only in the following sequence:

a) so as to create, together with such park and highway dedications as the approving officer may require, the three parcels described as follows, which parcels must have an area no more than 5% greater than and no more than 5% less than the areas indicated:

(i) a 3.40 ha parcel for nature conservation uses;

(ii) a 19.0 ha parcel to be further subdivided by strata plan for residential development, only as described in Subsection b);

(iii) a 68.0 ha parcel for institutional camp and nature conservation uses, which parcel may not be further subdivided,

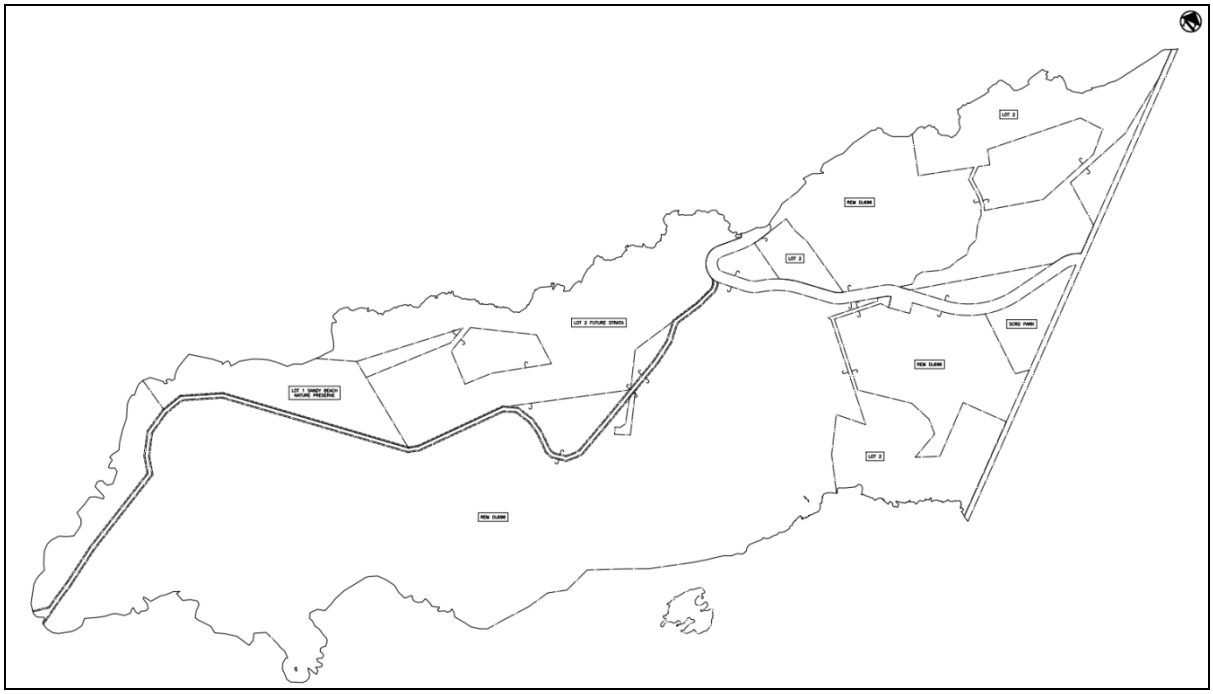
which subdivision shall be in general compliance, as to the location and configuration of each of the three parcels, with the Block Subdivision Plan; and

b) so as to create not more than 110 strata lots by strata subdivision of the parcel described under Subsection a)(ii), in accordance with the Strata Subdivision Plan, and the subdivision may vary from the Strata Subdivision Plan but not so as to affect the distribution of strata lots as among the six principal lot clusters, or so as to create any lot with an area or width less than 95% of that of the smallest or narrowest lot shown on the Strata Subdivision Plan.

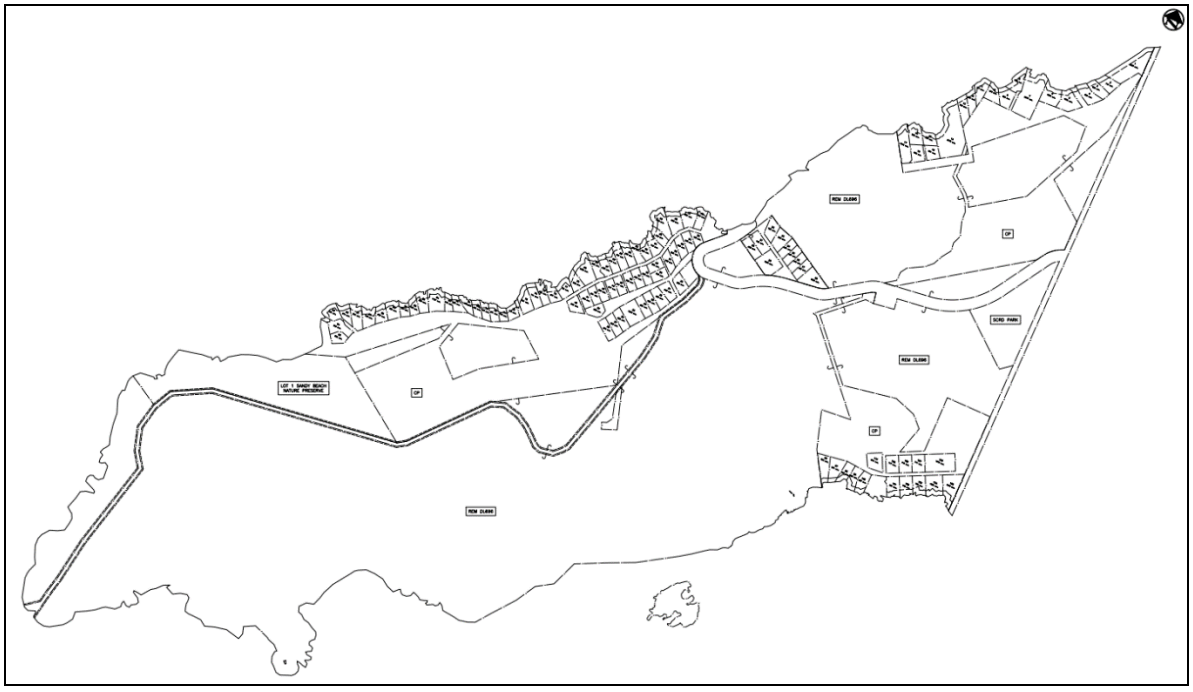
.2 In Section 4.3.1, “Block Subdivision Plan” means Revision No. 3 of Drawing No. KEY-BLK prepared by Creus Engineering Ltd. for the Convention of Baptist Churches of B.C. and dated September 6, 2017, a print copy of which is set out below and an original digital version of which is in the records of the Islands Trust, and “Strata Subdivision Plan” means Revision No. 3 of Drawing No. KEY-STR prepared by Creus Engineering Ltd. for the Convention of Baptist Churches of B.C. and dated September 6, 2017, a print copy of which is set out below and an original digital version of which is in the records of the Islands Trust.

.3 Section 7.4.1 of this bylaw does not apply to the subdivision described in Subsection b).

.4 The parcels created by subdivision under Section 4.4.1a)(i), (ii) and (iii) respectively are referred to in this Section 4.3 as the Sandy Beach Parcel, the Residential Parcel and the Camp Parcel.



Block Subdivision Plan.



Strata Subdivision Plan.

Permitted Uses

.5 The Sandy Beach Parcel may be used only for natural area parks and conservation once it has been created by subdivision.

.6 The following uses of land, buildings and structures are permitted on the Residential Parcel once it has been created by subdivision:

- single family residential uses
- home occupations, subject to Section 2.2
- horticulture and other uses accessory to a permitted residential use
- public service utility uses and private utility uses including pump/utility houses
- natural area parks and conservation

.7 The following uses of land, buildings and structures are permitted on the Camp Parcel once it has been created by subdivision:

- private institutional camp
- residential uses accessory to a private institutional camp use
- one confectionery and gift shop accessory to a private institutional camp use
- public service utility uses and private utility uses including pump/utility houses
- natural area parks and conservation

Permitted Buildings and Structures

.8 The following types of buildings and structures are permitted on the Residential Parcel:

- single family dwellings on individual strata lots
- buildings and structures accessory to a permitted residential use
- community sewer system facilities
- public service utility uses
- pedestrian trails
- fire huts
- fences, subject to Section 2.4
- signs accessory to single family residential uses, subject to Part 5

.9 The following uses of land, buildings and structures are permitted on the Camp Parcel:

- up to five dwellings
- dormitories and campgrounds for overnight accommodation
- non-residential buildings and structures accessory to a private institutional camp use
- up to three boathouses accessory to a private institutional camp use
- community sewer system facilities
- public service utility uses
- pedestrian trails
- fire huts
- fences, subject to Section 2.4

- signs accessory to a private institutional camp use, subject to Part 5

Density of Use

.10 A maximum of one single family dwelling is permitted per lot on the Residential Parcel.

.11 The maximum floor area of a fire hut on the Residential Parcel is 9.3 square metres.

.12 The maximum aggregate floor area of dormitories and dwellings on the Camp Parcel is 4195 square metres.

.13 The maximum aggregate floor area of buildings and structures other than dormitories and dwellings on the Camp Parcel is 3231 square metres.

.14 The floor area of a boathouse on the Camp Parcel must not exceed 60 square metres.

.15 The floor area of a confectionery and gift shop on the Camp Parcel must not exceed 200 square metres.

Setbacks

.16 The minimum setback between buildings on the Residential Parcel is 3.0 metres.

.17 The minimum setback from any lot line of any building or structure on the Camp Parcel, other than a fence, pump house, fire hut or boat house, is 10 metres.

Height of Buildings and Structures

.18 The maximum height of buildings and structures accessory to a permitted residential use on the Residential Parcel is 4.6 m.

.19 The maximum height of buildings and structures on the Camp Parcel is 13.0 metres except that a boat house may not exceed a height of 4.6 metres.

Lot Coverage

.20 The maximum lot coverage of all buildings and structures on the Residential Parcel is 33%.

.21 The maximum lot coverage of all buildings and structures on the Camp Parcel is 5%.";

4.4 RURAL RESIDENTIAL (RR) ZONE

Permitted Uses

.1 The following uses of land, buildings and structures are permitted in the land-based area:

- single family residential;
- home occupation, subject to Section 2.2;
- horticulture;
- agriculture on lots larger than 2.0 hectares;
- public service utility uses; and
- natural area parks and conservation.

.2 The following uses of land, buildings and structures are permitted in the marine-based area:

- non-commercial anchorage and moorage of private vessels, where such use is accessory to a permitted residential use on the adjacent upland.

Permitted Buildings and Structures

.3 The following buildings and structures are permitted in the land-based area:

- single family dwelling;
- buildings and structures accessory to a permitted use;
- boathouse, on lots larger than 2.0 hectares;
- community water storage and distribution;
- community sewer system facilities;
- electrical and telecommunication utilities;
- pedestrian trails;
- fences, subject to Section 2.4;
- fire huts;
- pump/ utility houses;
- utility poles, wires, traffic controls and underground utility systems; and
- signs, subject to Part 5.

.4 The following structures are permitted in the marine-based area:

- mooring buoys, floats, docks, dock ramps, stairs, and piers providing marine access to a lot abutting the water area in which the structure is located; including dolphins and pilings necessary for the establishment or operation of a use permitted in this zone;
- marine navigational aids; and
- signs, subject to Part 5.

Marine-Based Structures Limitations

.5 No building may be erected, constructed or placed on any float, dock, ramp, stairs or pier.

.6 The maximum area that may be covered by dock floats in the marine-area is 47 square metres (505.9 square feet).

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.7 Despite Subsection 4.4.6, the maximum float area may be increased by 30 square metres (322.9 square feet) per residential dwelling served by the dock, up to a maximum float size of 154 square metres (1,130.2 square feet), provided a covenant is registered on the dock prohibiting the use or construction of a dock on or from that residential lot and identifying the property on which the shared dock shall be situated and an easement is registered on title to the lot where the shared dock is located granting the occupants of each participating property the right to use the shared dock freely.

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.8 The maximum width of a ramp associated with a dock is 1.5 metres (8 feet).

Density

.9 A maximum of:

- one single family residential dwelling and one sleeping cabin per lot are permitted on lots smaller than 0.8 hectares (2 acres);
- one single family residential dwelling and one accessory guest cottage are permitted on lots of 0.8 hectares (2 acres) or larger but less than 8.0 hectares (20 acres); and
- two single family residential dwellings are permitted on lots of 8.0 hectares (20 acres) or larger.

.10 Despite Subsection 4.4.9:

- one additional single family residential dwelling per lot is permitted lots of 2.0 hectares (5 acres) or larger in which a conservation covenant or pedestrian trail right of way has been dedicated to satisfaction of the Gambier Island Local Trust Committee; and
- two single family residential dwellings are permitted per strata lot on bare land strata developments where the average overall lot area density is at least 4.0 hectares (10 acres) (including common property) and the lot area is at least 1.0 hectare (2.5 acres) or larger in which a conservation covenant or pedestrian trail right of way has been dedicated to the satisfaction of the Gambier Island Local Trust Committee.

.11 A maximum of one dock is permitted in the marine-area abutting each waterfront lot.

.12 A maximum of one boat house is permitted per lot.

Floor Area

.13 The maximum floor area of an accessory guest cottage is 95 square metres (1027 square feet).

.14 The maximum floor area of a boat house is 25 square metres (269 square feet).

.15 The maximum floor area of a fire hut is 9.3 square metres (100 square feet).

.16 The maximum floor area of a sleeping cabin is 37.2 square metres (400 square feet),

Setbacks

.17 The setback requirements of Section 2.7 apply.

Height

BL 108

.18 The height requirements of Section 2.8 apply except to boathouses which are restricted to a maximum height of 4.6 metres (15.0 feet).

Lot Coverage

.19 The maximum combined lot coverage of buildings and structures is 25 per cent of the lot area.

Subdivision Lot Area Requirements

.20 The minimum lot area permitted by subdivision is 1.0 hectare (2.5 acres).

.21 the minimum average lot area permitted by subdivision is 4.0 hectares (10 acres);

4.5 RURAL COMPREHENSIVE (RC) ZONE

Permitted Uses

.1 The following uses of land, buildings and structures are permitted in the land-based area:

- single family residential;
- home occupation, subject to Section 2.2;
- horticulture;
- public service utility uses;
- agriculture on lots larger than 2.0 hectares (5 acres);
- forestry on lots larger than 20.0 hectares (50 acres);
- natural area parks and conservation; and
- gravel storage and processing on District Lot 1829, Group 1, New Westminster District.

.2 The following uses of land, buildings and structures are permitted in the marine-based are:

- non-commercial anchorage and moorage of private vessels, where such use is accessory to a permitted use on the adjacent upland.

Permitted Buildings and Structures

.3 The following buildings and structures are permitted in the land-based area:

- buildings and structures accessory to a permitted use;
- community sewer system facilities;
- electrical and telecommunication utilities;
- pedestrian trails
- fences, subject to Section 2.4;
- fire huts;
- pump/ utility houses;
- utility poles, wires, traffic controls and underground utility systems; and
- signs, subject to Part 5.

.4 The following buildings and structures are permitted in the marine-based area:

- mooring buoys, floats, docks, dock ramps, stairs and piers providing marine access to a lot abutting the water area in which the structure is located; including dolphins and pilings necessary for the establishment or operation of a use permitted in this zone.
- marine navigational aids; and
- signs, subject to Part 5.

Marine-Based Structures Limitations

.5 No building may be erected, constructed or placed on any float, dock, ramp, stairs or pier.

.6 The maximum area that may be covered by dock floats in the marine-area is 47 square metres (505.9 square feet).

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.7 Despite Subsection 4.5.6 of this subsection, the maximum float area may be increased by 30 square metres (322.9 square feet) per residential dwelling served up to a maximum float size of 154 square metres (1,130.2 square feet).

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.8 The maximum width of a ramp associated with a dock is 1.5 metres (4.9 feet).

Density

.9 A maximum of:

- one single family residential dwelling per lot is permitted on lots smaller than 1.0 hectares (2.5 acres);
- one single family residential dwelling and one guest cottage are permitted on lots of 1.0 hectares (2.5 acres) or larger but less than 16.0 hectares (40 acres); and
- one single family residential dwelling per 8.0 hectares is permitted on lots of 16.0 hectares (40 acres) or larger.

.10 Despite Subsection 4.5.9:

- one additional single family residential dwelling per 4.0 hectares (10 acres) is permitted on lots of 8.0 hectares (20 acres) or larger in which a conservation covenant or pedestrian trail right of way has been dedicated to satisfaction of the Gambier Island Local Trust Committee; and

.11 A maximum of one dock is permitted in the marine-area abutting each waterfront lot for each principal residential dwelling unit on the lot.

.12 maximum of one boat house is permitted for each principal residential dwelling unit located on a lot larger than 16.0 hectares (40 acres).

Floor Area

.13 The maximum floor area of a boat house is 25 square metres (269 square feet).

.14 The maximum floor area of a fire hut is 9.3 square metres (100 square feet).

Setbacks

.15 The setback requirements of Section 2.7 apply.

Height

BL 108

.16 The height requirements of Section 2.8 apply except to boathouses which are restricted to a maximum height of 4.6 metres (15.0 feet).

Lot Coverage

.17 The maximum combined lot coverage of buildings and structures is 20 per cent of the lot area.

Subdivision Lot Area Requirements

.18 The minimum lot area permitted by subdivision is 1.5 hectare (3.75 acres).

.19 The minimum average lot area permitted by subdivision is 8.0 hectares (20 acres).

.20 Despite subsections 4.5.18 and 4.5.19, in the case where an area of not less than 20 per cent of a lot's land area has been dedicated for conservation purposes, community park, trail, greenbelt, public access easement, or pedestrian trail right-of-way to satisfaction of the Gambier Island Local Trust Committee, for subdivision of land within this zone:

- the minimum lot area permitted by subdivision is 1.0 hectare (2.5 acres); and
- the minimum average lot area is 4.0 hectares (10.0 acres).

.21 For the purpose of calculating the average lot size under Subsection 4.5.20, the area of any land dedicated shall be used and any density which is transferred from another lot shall be used.

4.6 PRIVATE INSTITUTIONAL 2 (PI2) ZONE

Permitted Uses

.1 The following uses of land, buildings and structures are permitted in the land-based area:

- single family residential;
- home occupation, subject to Section 2.2;
- horticulture;
- private institutional camp;
- caretaker residential accessory to a permitted private institutional camp use located in the area identified on Schedule B as PI2(a);
- non-commercial confectionary and gift shop accessory to a permitted private institutional camp use and located in the area identified on Schedule B as PI2(a);
- public service utility uses;
- agriculture, on lot larger than 2.0 hectares (5 acres);
- forestry, on lots having larger than 20.0 hectares (50 acres); and
- natural area parks and conservation.

.2 The following uses of land, buildings and structures are permitted in the marine-based area

- non-commercial anchorage and moorage of private vessels, where such use is accessory to a permitted use on the adjacent upland; and
- recreational activities accessory to a permitted private institutional camp use.

Permitted Buildings and Structures

.3 The following buildings and structures are permitted in the land-based area:

- single family dwelling
- caretaker dwelling accessory to a private institutional camp use and located in the area identified on Schedule B as PI2(a);
- buildings and structures accessory to a permitted residential, horticulture, agricultural or forestry use;
- overnight accommodation buildings, structures, and campground accessory to a permitted private institutional camp use and located in the area identified on Schedule B as PI2(a);
- non-residential buildings and structures accessory to a permitted private institutional camp use and located in the area identified on Schedule B as PI2(a);
- community sewer system facilities;
- boathouse accessory to a residential use on lots larger than 2.0 hectares
- electrical and telecommunication utilities;
- pedestrian trails;
- fences, subject to Section 2.4;
- fire huts;
- pump/ utility houses;
- utility poles, wires, traffic controls and underground utility systems; and
- signs, subject to Part 5.

.4 The following buildings and structures are permitted in the marine-based area:

- floating boathouse accessory to a permitted marine-based use;
- swimming floats accessory to a permitted marine-based use;

- buoys, floats, docks, wharves, stairs, floating breakwaters, dolphins and pilings, and buildings necessary for the establishment or operation of a use permitted in this zone or a principal residential use permitted in Section 4.5 (Rural Comprehensive (RC) Zone);
- barge ramp;
- marine navigational aids; and
- signs, subject to Part 5.

Marine-Based Structures Limitations

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.5 The maximum area that may be covered by structures in the marine-based area:

- dock floats, that are accessory to a private institutional use on the adjacent upland lot, is 1,500 square metres (16,145 square feet).
- that are accessory to a residential dwelling unit located on the adjacent upland lot is 47 square metres (500 square feet) per permitted residential dwelling unit, provided the lot on which the dwelling units are located is larger than 16.0 hectares (40 acres).
- Despite Subsection 4.6.5, Despite Subsection 4.1.6, the maximum float area may be increased by 30 square metres (322.9 square feet) per residential dwelling served by the dock, up to a maximum float size of 154 square metres (1,130.2 square feet), provided a covenant is registered on the dock prohibiting the use or construction of a dock on or from that residential lot and identifying the property on which the shared dock shall be situated and an easement is registered on title to the lot where the shared dock is located granting the occupants of each participating property the right to use the shared dock freely.

.6 The maximum height of a building or structure on a float or wharf in the marine-based area is 5.0 metres (16.5 feet) measured from the surface of the float or wharf.

.7 The height restrictions in subsection 4.7.6 do not apply to wharf cranes, lights and signs.

Density

.8 A maximum of one private institutional camp is permitted per area zoned Private institutional 2, which includes:

- a maximum of one caretaker residential dwelling accessory to a permitted private institutional camp; and
- a maximum of one non-commercial confectionary and gift shop accessory to a permitted private institutional camp.

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.9 A maximum of:

- one single family dwelling and one accessory guest cottage are permitted on lots that are 0.8 hectares (2.0 acres) or larger and less than 24.0 hectares (60 acres).
- one single family dwelling is permitted in respect of each full 12.0 hectares (30 acres) of lot area on lots of 24.0 hectares (60 acres) or more.

.10 Despite Subsection 4.7.9, a maximum one single family dwelling is permitted in respect of each full 6.0 hectares (15 acres) of lot area on lots that are 12.0 hectares (30 acres) or larger and on which a conservation covenant, or pedestrian trail right of way has been dedicated to the satisfaction of the Gambier Island Local Trust Committee.

.11 A maximum of one boat house is permitted on the land-based area per marine-based private institutional wharf.

.12 Despite Subsection 4.7.11:

- maximum of one additional boat house is permitted on lots larger than 2.0 hectares (5 acres) and less than 24.0 hectares (60 acres); and
- a maximum of one additional boat house for each single family dwelling located on the lot is permitted on lots that are 24.0 hectares (60 acres) or larger.

.13 A maximum of three private institutional camp wharves are permitted in the water area.

Floor Area

.14 The maximum combined floor area of all buildings and structures used for private institutional camp and overnight accommodation of persons is 11,000 square metres (118500 square feet) per lot.

.15 The maximum combined total area used for private institutional camp tent sites is 0.2 hectares (21500 square feet) per lot.

.16 The maximum floor area of a boat house is 30.0 square metres (322.5 square feet).

.17 The maximum combined floor area of a confectionary and gift shop is 200 square metres (2153 square feet.).

.18 The maximum floor area of a fire hut is 9.3 square metres (100 square feet).

.19 The maximum floor area of a pump/utility house is 9.3 square metres (100 square feet).

Setbacks

.20 The minimum setback for private institutional camp buildings or structures except a fence, pump/utility house, fire hut, permitted marine related structure, or boat house is 10.0 metres (33 feet) from any lot line.

.21 The setback requirements of Section 2.7 apply to residential dwellings, caretaker residential dwellings and buildings and structures accessory to a permitted residential or caretaker residential use.

Height

BL 108 .22 The maximum height of buildings or structures is 13.0 metres (40 feet) except for boathouses which are restricted to a maximum height of 4.6 metres (15.0 feet).

Lot Coverage

.23 The maximum combined lot coverage of buildings and structures is 5.0 per cent of the lot area.

Subdivision Lot Area Requirements

.24 The minimum lot area permitted by subdivision is 12.0 hectare (30.0 acres).

.25 Despite Subsection 4.7.24, in the case where an area of not less than 20 percent of a lot area has been dedicated for conservation purposes, community park, trail, greenbelt, public access, easement or pedestrian trail right-of-way or other form of betterment to the satisfaction of the Gambier Island Local Trust Committee, for subdivision of land within this zone:

- the minimum lot size is 1.5 hectares (3.75 acres); and
- the minimum average lot area shall is 6.0 hectares (15.0 acres).

.26 For the purpose of calculating the average lot size under Subsection 4.7.25, the area of any land dedicated shall be used and any density which is transferred from another lot shall be used.

4.7 PRIVATE CONSERVATION (PC) ZONE

Permitted Uses

.1 The following uses of land, buildings and structures are permitted:

- protection and maintenance of natural features and habitat;
- public service utility uses; and
- natural area parks and conservation.

Permitted Structures

.2 The following structures are permitted:

- electrical and telecommunication utilities;
- pedestrian trails
- fences, subject to Section 2.4;
- fire huts;
- pump/ utility houses;
- utility poles, wires, traffic controls and underground utility systems; and
- signs, subject to Part 5.

Floor Area

.3 The maximum floor area of a fire hut is 9.3 square metres (100 square feet).

.4 The maximum floor area of a pump/utility house is 9.3 square metres (100 square feet).

Setbacks

.5 The minimum setback for structures except a fence, pump/utility house, or fire hut is 1.5 metres (5 feet) of any lot line.

Height

.6 The maximum height of structures is 5.0 metres (16.5 feet).

Lot Coverage

.7 The maximum combined lot coverage of buildings and structures is 1.0 per cent of the lot area.

Subdivision Lot Area Requirements

.8 The minimum lot area permitted by subdivision is 40.0 hectare (100.0 acres).

4.8 COMMUNITY SERVICE 1 (CS1) ZONE

Permitted Uses

.1 The following uses of land, buildings and structures are permitted:

- community service uses;
- outdoor recreation; and
- natural area parks and conservation.

Permitted Buildings and Structures

.2 The following buildings and structures are permitted:

- fire hall;
- community recreational playing field;
- buildings and structures, accessory to a permitted use;
- electrical and telecommunication utilities;
- pedestrian trails;
- fences, subject to Section 2.4;
- fire huts;
- pump/ utility houses;
- utility poles, wires, traffic controls and underground utility systems; and
- signs, subject to Part 5.

Floor Area

.3 The maximum floor area of fire hall is 37 square metres (400 square feet).

.4 The maximum floor area of a fire hut is 9.3 square metres (100 square feet).

.5 The maximum floor area of a pump/utility house is 9.3 square metres (100 square feet).

Setbacks

.6 The minimum setback for structures except a fence, pump/utility house, or fire hut is 1.5 metres (5 feet) of any lot line.

Height

.7 The maximum height of structures is 4.6 metres (15.0 feet).

Lot Coverage

.8 The maximum combined lot coverage of buildings and structures is 10.0 per cent of the lot area.

Subdivision Lot Area Requirements

.9 The minimum lot area permitted by subdivision is 4.0 hectare (10.0 acres).

4.9 NATURAL AREA COMMUNITY PARK (P1) ZONE

Permitted Uses

.1 The following uses of land and structures are permitted:

- protection and maintenance of natural features and habitat;
- nature interpretation; and
- natural area parks and conservation.

Permitted Buildings and Structures

.2 The following buildings and structures are permitted:

- structures accessory to a permitted use
- electrical and telecommunication utilities;
- pedestrian trails
- fences, subject to Section 2.4;
- fire huts;
- pump/ utility house;
- utility poles, wires, traffic controls and underground utility systems; and
- signs, subject to Part 5.

Floor Area

.3 The maximum floor area of a fire hut is 9.3 square metres (100 square feet).

.4 The maximum floor area of a pump/utility house is 9.3 square metres (100 square feet).

Setbacks

.5 The minimum setback for structures except a fence, pump/utility house, or fire hut is 4.6 metres (15 feet) from any lot line.

Height

.6 The maximum height of structures is 3.0 metres (20.0 feet).

Lot Coverage

.7 The maximum combined lot coverage of buildings and structures is 1.0 per cent of the lot area.

Subdivision Lot Area Requirements

.8 The minimum lot area permitted by subdivision is 12.0 hectare (30.0 acres).

4.10 PROVINCIAL MARINE PARK (P2) ZONE

INFORMATION NOTE: Section 14 of the *Interpretation Act* exempts the Province from being constrained by the regulations of local bylaws; therefore, the zoning regulations in this Bylaw have no effect on the Provincial Park. The zoning would come into effect, however, should the Province decide to lease or otherwise dispose of all or portions of the Provincial Park.

Permitted Uses

.1 The following uses of land, buildings and structures are permitted in the land-based area:

- park use;
- caretaker residential;
- campground; and
- natural area parks and conservation.

.2 The following uses of land, buildings and structures are permitted in the marine-based area:

- park use;
- public boat anchorages and moorage associated with park use;
- electrical and telecommunication utilities;
- pedestrian trails;
- fences, subject to Section 2.4;
- fire huts;
- pump/ utility houses;
- utility poles, wires, traffic controls and underground utility systems; and
- signs, subject to Part 5.

Permitted Buildings and Structures

.3 The following buildings and structures are permitted in the land-based area:

- caretaker dwelling; and
- uses and structures accessory to a permitted use.

.4 The following buildings and structures are permitted in the marine-based area:

- public wharf
- marine navigational aids; and
- signs, subject to Part 5.

Marine Based Structures Limitations

.5 No building of any kind may be erected, constructed or placed on any float, dock, ramp, stairs or pier.

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.6 The maximum area that may be covered by a wharf float in the marine-area is 600 square metres (6,458 square feet).

.7 The maximum width of a ramp associated with a wharf is 2.4 metres (8 feet).

Density

.8 A maximum of one caretaker's residence is permitted per lot.

.9 A maximum of one tenting site per one hectare is permitted up to a maximum of 33 sites per lot.

.10 A maximum of one public wharf is permitted in the marine-area.

Floor Area

.11 The maximum floor area of a fire hut is 9.3 square metres (100 square feet).

.12 The maximum floor area of a pump/utility house is 9.3 square metres (100 square feet).

Setbacks

.13 The minimum setback for structures except a fence, pump/utility house, fire hut or marine related structure is 7.6 metres (25 feet) from any lot line.

Height

.14 The maximum height of structures is 4.6 metres (15.0 feet).

Lot Coverage

.15 The maximum combined lot coverage of buildings and structures is 5.0 per cent of the lot area.

Subdivision Lot Area Requirements

.16 The minimum lot area permitted by subdivision is 40.0 hectare (100.0 acres).

4.11 MARINE 1 – PUBLIC WHARF (M1) ZONE

Permitted Uses

.1 The following uses of land, buildings and structures are permitted:

- navigational uses;
- public service utility uses;
- loading, unloading and temporary storage of freight;
- temporary mooring facilities for passenger ferry, charter vessels, water taxis, pleasure craft, fishing boats and sea planes; and
- non-commercial boat moorage.

Permitted Buildings and Structures

.2 The following buildings and structures are permitted:

- buoys, floats, wharves, wharf ramps, walkways, piers, floating breakwaters, dolphins and pilings, and buildings necessary for the establishment or operation of a use permitted in this zone;
- marine navigational aids; and
- signs, subject to Part 5.

Height

.3 The maximum height of buildings and structures located on a public wharf is 5.0 metres (16.5 feet) measured from the surface of the wharf

Floor Area

.4 The maximum combined floor area for buildings and structures is 14.0 square metres (150 square feet).

4.12 MARINE 2 – COMMUNAL MOORAGE (M2) ZONE

Permitted Uses

.1 The following uses of land and structures are permitted:

- non-commercial anchorage and moorage of private vessels serving only single family uses on any Keats Island upland lot, and for which user fees may be charged; and
- boat and seaplane loading and unloading associated with single family uses on any Keats Island upland lot.

Permitted Buildings and Structures

.2 The following buildings and structures are permitted:

- buoys, floats, wharves, walkways, floating breakwaters, dolphins and pilings necessary for the establishment or operation of a use permitted in this zone;
- marine navigational aids; and
- signs, subject to Part 5.

Marine Based Structures Limitations

.3 No building of any kind may be erected, constructed or placed on any float, pier, ramp, or walkway.

.4 The maximum area that may be covered by dock floats in the marine-area is 600 square metres (6,458 square feet).

.5 The maximum width of a ramp associated with a dock is 1.5 metres (4.9 feet).

"**Site Specific Regulations**

.6 The following Table 4.1 indicates where despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the regulations:

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Table 4.1

Site Specific Zone	Site Specific Regulations
M2(a)	a) Despite 4.12.4 the maximum size of a dock in the marine area is 47 square metres (505.9 square feet). The maximum area may be increased by 30 square metres (322.9 square feet) per residential lot served up to a maximum size of 154 square metres (1,130.2 square feet).
M2(b)	a) Despite 4.12.2 non-commercial anchorage, moorage of private vessels, and recreational activities accessory to private institutional uses on the adjacent upland are permitted. b) Despite 4.12.3 the maximum height of a building or structure on a float or wharf in the M2(b) area is 5.0 metres (16.5 feet) measured from the upper surface of the float or wharf. c) Despite 4.12.4 the maximum area covered by docks in the entire M2(b) zone, including wharf floats and connecting ramps and piers, is 1,500 square metres (16,145 square feet).

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4.13 MARINE 3 – PUBLIC BARGE RAMP (M3) ZONE

Permitted Uses

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.1 The following uses of land and structures are permitted:

- barge loading and unloading; and
- navigational uses.

Permitted Buildings and Structures

.2 The following buildings and structures are permitted:

- public barge ramp;
- marine navigational aids; and
- signs, subject to Part 5.

Marine Based Structures Limitations

.3 The maximum width of a ramp is 7.0 metres (22 feet).

.4 Ramps shall not be sited or extend toward the sea beyond 20.0 metres (66 feet) from the surveyed high water mark or where no plan exists, from the natural boundary of the sea;

.5 Signs or markers, other than those required by government agencies, shall not have placards exceeding 3.0 square metres (32.3 square feet); and

Height

.6 The maximum height of a ramp is 1.5 metres (4.5 feet) above the natural elevation of the foreshore.

4.14 MARINE 4 – PRIVATE LOG DUMP (M4) ZONE

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Permitted Uses

.1 The following uses of land and structures are permitted:

- private log dump; and
- log storage, including movement of log booms.

Permitted Buildings and Structures

.2 The following buildings and structures are permitted:

- buoys, floats, dolphins and pilings, necessary for the establishment or operation of a use permitted in this zone;
- marine navigational aids; and
- signs, subject to Part 5.

Height

.3 The maximum height of a structure associated with a log dump use is 10.0 metres (33 feet) measured from the surface of the water

Area

.4 The maximum combined area of structures associated with a log dump use is 60.0 square metres (648 square feet).

4.15 MARINE CONSERVATION (MC) ZONE

Permitted Uses

.1 The following uses of land and structures are permitted:

- ecological reserve; and
- research and educational activities related to the marine environment, including nature interpretation.

Structures

.2 No permanent building or structure of any kind, other than a navigational aid, may be erected, constructed or placed.

4.16 MARINE GENERAL (MG) ZONE

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Permitted Uses

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.1 The following uses of land and structures are permitted:

- research and educational activities related to the marine environment, including nature interpretation;
- navigational uses; and
- the establishment and use of telecommunication utilities.

Structures

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.2 No permanent building or structure of any kind, other than navigational aids or telecommunication utilities, may be erected, constructed or placed.

PART 5 – SIGN REGULATIONS

5.1 NUMBER AND TOTAL AREA OF SIGNS

.1 Every sign shall comply with the provisions pertaining to number of signs and maximum total area of signs set out in Table 1 in respect of the zone in which the sign is proposed to be located:

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TABLE 1: Sign Regulations

Zone	Number of Signs Permitted on Each Lot	Maximum Total Sign Area Permitted on Each Lot
CR1 CD1 CD2 RR RC	no limit	3 m^2 (32.3 square feet) per residential lot
PI2	no limit	20 m^2 (216 square feet)
PC CS1	no limit	3 m^2 (32.3 square feet)
P1 P2 M1 MC	None, excepting those that are approved by a Public Authority	Non-applicable
M2 M3 M4	2 per water lot or licence area	3 m^2 (32.3 square feet)

.2 Real estate signs on properties for sale may be displayed in any zone, subject to the sign not exceeding 1.0 square metre (10.8 square feet) in area and being located on the subject property. Such signs shall be removed within 14 days of property sale.

5.2 EXEMPT SIGNS

.1 Signs exempted from the provisions of Subsection 5.1.1 are:

- Directional signs, traffic signs, marine navigational signs, and those approved by a government agency or public authority;
- Warning signs, such as private property signs, no trespassing, no vehicles, and no hunting signs;
- Interpretive signs, and public notice boards.

5.3 PROHIBITED SIGNS

.1 Any sign that is internally illuminated; any sign with moving parts or flashing lights; any sign hung from, or in any way affixed to, any other sign; and any noise-making sign is prohibited.

.2 Any sign that refers or directs attention to a home occupation or service no longer in operation shall be removed within 30 days after the operation of the business or service ends.

.3 Third Party signs are prohibited on lands subject to this bylaw.

PART 6 - PARKING REGULATIONS

6.1 REQUIREMENT FOR PARKING SPACES

.1 Every owner or occupier of land which is accessible by constructed public road shall provide and maintain off-road motor vehicle or alternative transportation vehicle parking spaces in conformity with the standards set out in Table 2 in respect of the use or occupancy that is applicable to the owner's land.

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TABLE 2: Off-Street Parking Requirements	
Use of Building or Lot	**Number of Standard and Disabled Parking Spaces Required**
Residential (CR1, CD1, RR, RC Zones)	1 per dwelling
Private Institutional (CD2, PI2 Zones)	1 per dwelling
Public Wharf (M1 Zone)	2 Disabled Parking Spaces 2 Temporary Loading Parking Spaces
Home Occupation (CR1, CD1, RR, RC Zones)	1 per non-resident employee

6.2 STANDARDS FOR PARKING SPACES

.1 Parking spaces shall be at least 2.75 metres in width and 6.25 metres in length, exclusive of maneuvering aisles, and have an unobstructed vertical clearance of at least 2.0 metres.

.2 All required off-road parking spaces shall be located on the lot on which the use, building or structure being served is located and in the same zone, or on an adjoining lot that constitutes a part of the same site or premises. Parking spaces located on a highway shall not be taken into account in determining compliance with the standards in this part.

.3 In the case of a parking space for the disabled, it shall be located in the closest point as is practical to the use for which the disabled parking space is required.

PART 7- SUBDIVISION

7.1 COMPLIANCE WITH MINIMUM AND AVERAGE LOT SIZES

.1 Subdivisions shall comply with the minimum and average lot area regulations set out in Part 4. For the purposes of this bylaw, the average lot area is the sum of the areas of the proposed lots divided by the number of proposed lots.

.2 If an owner of land being subdivided dedicates as parkland more than 5 percent of the land being subdivided, the area greater than 5 percent may, for the purpose of determining compliance with average lot area regulations set out in Part 4, be included in the total area of lots being created, and the park or parks are deemed not to be lots.

7.2 EXPEMPTIONS FROM MINIMUM AND AVERAGE LOT SIZES

.1 The average and minimum lot sizes specified in Part 4 do not apply if the lot being created is to be used solely for unattended equipment necessary for the operation of

- electrical and telecommunication utilities; or
- community sewer water or system; or
- telephone receiving antenna; or
- radio or television antenna; or
- telecommunication relay; or
- automatic telephone exchange; or
- air or marine navigational aid; or
- electrical substation.

and the owner grants to the Gambier Island Local Trust Committee a covenant under the *Land Title Act* restricting the use of the lot to that use.

.2 The average and minimum lot sizes specified in Part 4 do not apply:

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- if the lot being created is for park use, pedestrian trails, a conservation area or a nature reserve, or dedication to the Crown; or
- if the lot being created results from the consolidation of two or more lots; or
- to the adjustment of boundaries between lots, provided the area of any lot would not be increased to an extent that it could be subdivided into more lots than would be permitted under this bylaw without the boundary adjustment.

7.3 RESIDENCE FOR A RELATIVE

.1 No lot having an area of less than 20.0 hectares (50 acres) may be subdivided under the *Local Government Act* to provide a residence for a relative of the owner.

INFORMATION NOTE: No land on Keats Island is in the Agricultural Land Reserve.

7.4 LOT CONFIGURATION

.1 The frontage of any lot in a proposed subdivision shall be at least 10% of its perimeter, and in no case may the frontage be less than 30.0 metres (100 feet).

.2 No lot in a proposed subdivision may have a depth greater than five times its width.

7.5 PANHANDLE LOTS

.1 If a panhandle lot proposed to be created has sufficient area to be further subdivided under the provisions of this bylaw, the minimum width of the access strip of land is 20.0 metres (66 feet).

.2 If a panhandle lot proposed to be created has s insufficient area to be further subdivided, the minimum width of the access strip of land is 10.0 metres (33 feet).

7.6 COVENANTS AGAINST FURTHER SUBDIVISION AND DEVELOPMENT

.1 If a proposed subdivision is to yield the maximum number of lots permitted by the applicable minimum and average lot areas specified in Part 4, and one or more of the lots being created has an area equal to or greater than twice the applicable average lot size, the applicant shall grant a covenant complying with Subsection 1.2.4 in respect of every such lot, prohibiting further subdivision of the lot and prohibiting construction, erection, or occupancy on the lot of more than the applicable zone's permitted number of single family residential dwelling units and, if an accessory guest cottage or sleeping cabin is a permitted use of the lot, more than that zone's permitted number of such accessory guest cottages or sleeping cabins.

.2 If a subdivision is proposed that is to yield fewer than the maximum number of lots permitted by the applicable minimum and average lot sizes 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 size; and
- one or more of the lots being created has an area less than the applicable average lot size;

the applicant shall grant a covenant complying with Subsection 1.2.4 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 sizes specified by this bylaw; and
- the construction, erection, or occupancy on the lot of single family residential dwelling units and, if permitted by this bylaw, sleeping cabins or accessory guest cottages so as to create greater density of such development on the original lot than would have been created had the original lot been developed to the greatest density permitted by this bylaw.

.3 If 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, sleeping cabin or accessory guest cottage if the common property were a lot, the applicant shall grant a covenant complying with Subsection 1.2.4 in respect of the common property prohibiting the further subdivision of the common property, the construction of any residential dwelling unit, sleeping cabin or accessory guest cottage on the common property, and the disposition of the common property separately from the strata lots.

7.7 WATER SUPPLY

.1 Where a community water supply system is proposed to serve a subdivision:

- the water system must comply in all respects with provincial enactments;
- no community water supply system must be supplied with water that is not obtained on the island on which the system is located; and
- if the community water system is to be supplied by a well, the immediate catchment area of the well, as defined by an engineer, is to be protected from pollution by a covenant complying with Subsection 1.2.4 prohibiting the installation of sewage disposal fields or other sanitary facilities.

7.8 SEWAGE DISPOSAL

.1 Each lot that is proposed to be created by subdivision shall be demonstrated by the applicant to contain an area or areas of sufficient size and appropriate characteristics to satisfy the requirements of the Sewage Disposal Regulation under the *Health Act* for conventional septic tank or package treatment plan sewage disposal systems in respect of the buildings, structures and uses that are permitted on the lot by this bylaw.

.2 No sewage may be disposed of by means of discharge to a watercourse or the sea or on a lot other than that on which it was generated, except where that lot is used only for the purpose of sewage disposal, then sewage may be disposed of on that lot, provided that there is no discharge to a watercourse or the sea.

7.9 LOTS DIVIDED BY A ZONE BOUNDARY

.1 If a lot proposed to be subdivided is divided by a zone boundary, a separate calculation of the number of lots permitted shall be made for each portion, and no lot may be created in respect of any fractional area resulting from such calculation.

.2 The creation of an additional lot lying within two or more zones is prohibited unless part of a lot is within a Private Conservation Zone. If lots lying within two or more zones are subdivided, lot boundaries should correspond with zone boundaries.

7.10 SPLIT LOTS

.1 No additional lot which is divided into two or more portions by a highway or other lot may be created by subdivision.

7.11 DOUBLE FRONTED LOTS

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

7.12 CHARACTERSITICS OF PUBLIC ACCESS TO WATER BODIES

INFORMATION NOTE: The Approving Officer may require that highways giving access to the shore of any body of water, 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 percent.

7.13 ROADWAY STANDARDS

INFORMATION NOTE: For information on road standards see the Letter of Agreement between the Islands Trust and the Ministry of Transportation and Highways, dated October 20, 1992 and amended July 18, 1996.

PART 8 – PERMITS

8.1 TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS

BL 94 .1 The Local Trust Committee may issue a Temporary Commercial and Industrial Use Permit for "commercial sawmill" on the upland portion of any lot zoned Community Residential 1 (CR1), Comprehensive Development 1 (CD1), Comprehensive Development 2 (CD2) , Rural Comprehensive (RC), Rural Residential (RR), and Private Institutional 2 (PI2) subject to the following guidelines:

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- the proposed sawmill, raw logs and milled timber is located as close to the centre of the lot as possible
- the proposed sawmill, raw logs and milled timber is screened from adjacent lots and public rights-of-way
- the proposed sawmill operates during daylight hours only
- the proposed sawmill should be screened and/or enclosed in such a way that the noise at the property line does not exceed 50 decibels

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PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES

Information Note: Development Permit Areas are designated and described in Section 7 of the Keats Island Official Community Plan and their locations are shown on Schedule E of that Plan.

9.1 DP-1 RIPARIAN AREAS

Definitions

.1 Terms used in Section 9.1 that are defined in the Provincial *Riparian Areas Regulation* have the same meaning as the definition given in the *Regulation*.

Applicability

.2 The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 9.1.3:

- subdivision of land
- construction of, addition to, or alteration of a building or other structure
- removal, alteration or destruction of vegetation
- disturbance of soils
- creation of non-structural, impervious or semi-impervious surfaces
- application of artificial fertilizer, pesticides or herbicides
- any other development, as that term is defined under the Provincial *Riparian Areas Regulation*

Exemptions

.3 The following activities are exempt from any requirement for a DP-1 development permit:

a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;

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b) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;

c) repair or replacement of a septic field in situ;

d) the removal of trees that have been examined by an arborist and certified in writing to pose a threat to life or property;

e) With the exception of trees and vegetation containing nests protected under Section 34 of the Wildlife Act, cutting of vegetation and trees more than 10 metres (32.8 feet) from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;

f) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, involving mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;

g) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;

h) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;

i) ecological restoration or enhancement projects undertaken or authorized by a public body;

j) work authorized by Fisheries and Oceans Canada under Section 35 of the Fisheries Act;

k) emergency procedures to prevent, control or reduce immediate threats to life or property including:

   i. emergency actions for flood-protection and erosion protection;

   ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and

   iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;

   iv. creation of a fire break in accordance with the *Wildfire Act*.

l) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (1.6 feet) on either side of the fence, or 1.5 metres (4.9 feet) on either side of the fence in agricultural areas;

m) The construction of a private trail if all of the following apply;

   v. The trail is 1 metre (3.28 feet) wide or less;

   vi. No trees are removed;

   vii. The surface of the trail is pervious;

   viii. The trail is designed to prevent soil erosion where slopes occur; and

   ix. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the high water mark of a stream.

n) Disturbance of soils more than 10 metres (32.8 feet) from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;

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o) The constructing of a small accessory building more than 10 metres (32.8 feet) from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres (32.8 feet) squared.

INFORMATION NOTE: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

INFORMATION NOTE: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

INFORMATION NOTE: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

.4 Prior to undertaking any applicable development activities within DP-1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

a) In general, all development in this development permit area (DPA) should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) has, as part of the assessment report defined in the RAR, made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the assessment report submitted to the provincial RAR Notification System (RARNS).

b) The development permit should only allow within any Streamside Protection and Enhancement Area (SPEA) activities identified by the QEP in a RAR assessment report, the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the development permit. The width of the SPEA may be less than the width of the DPA.

c) Where a QEP's RAR assessment report describes an area within the DPA as suitable for development, that is, where the SPEA is less than the width of the DPA, the development permit should only allow the development to occur in compliance with the measures described in the RAR assessment report. Monitoring and regular reporting by a QEP at the applicant's expense may be required during construction and development phases, as specified in a development permit.

d) If the nature of the proposed project within the DPA changes after the RAR assessment report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.

e) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report.

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9.2 DP-2 STREAMSIDE PROTECTION

Applicability

.1 The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 9.2.2:

- construction of, addition to, or alteration of a building or other structure
- removal, alteration or destruction of vegetation
- disturbance of soils
- creation of non-structural, impervious or semi-impervious surfaces
- application of artificial fertilizer, pesticides or herbicides

Exemptions

.2 The following activities are exempt from any requirement for a DP-2 development permit:

a) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;

b) repair or replacement of a septic field in situ;

c) the removal of trees that have been examined by an arborist and certified in writing to pose a threat to life or property;

d) With the exception of trees and vegetation containing nests protected under Section 34 of the Wildlife Act, cutting of vegetation and trees more than 15 metres (49.21 feet) from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;

e) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land; manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;

f) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;

g) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;

h) ecological restoration or enhancement projects undertaken or authorized by a public body;

i) work authorized by Fisheries and Oceans Canada under Section 35 of the Fisheries Act;

j) emergency procedures to prevent, control or reduce immediate threats to life or property including:

   i. emergency actions for flood-protection and erosion protection;

   ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and

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   iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;

   iv. creation of a fire break in accordance with the *Wildfire Act*.

k) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (1.6 feet) on either side of the fence;

l) The construction of a private trail if all of the following apply;

   i. The trail is 1 metre (3.28 feet) wide or less;

   ii. No native trees are removed;

   iii. The surface of the trail is pervious;

   iv. The trail is designed to prevent soil erosion where slopes occur; and

   v. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the high water mark of a stream.

m) Disturbance of soils more than 15 metres (49.21 feet) from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;

n) The constructing of a small accessory building more than 15 metres (49.21 feet) from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres squared (107.6 square ft).

INFORMATION NOTE: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

INFORMATION NOTE: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

INFORMATION NOTE: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

.3 Prior to undertaking any applicable development activities within DP-2, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

a) In general, all development in this development permit area (DPA) should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems.

b) Native vegetation and trees are to be retained or replaced to control erosion, protect banks and protect fish and wildlife habitat.

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c) Applicants are to provide a report, prepared by a qualified professional with experience in surface water management and the protection of habitat. The report should indicate the type of conditions that should be incorporated into the development permit to achieve the objectives and comply with the guidelines of this Development Permit Area.

d) Where this DPA includes unique native species dependent on streamside habitat identified by a qualified professional as worthy of particular protection, their habitat areas should be left undisturbed. The owner should be required to follow any measures identified by the professional for protecting the streamside habitat over the long term and these measures should be included as conditions of the development permit.

e) If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.

9.3 DP-3 SHORELINE

Applicability

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.1 The following activities shall require a Development Permit whenever they occur within Development Permit Area No. 3, unless specifically exempted under Subsection 9.3.2:

- construction, addition or alteration of a building, structure, utility, or shoreline protection measure;
- land alteration, including vegetation removal and disturbance of soils; and
- subdivision of land.

Exemptions

.2 The following activities are exempt from the requirement to obtain a development permit for DP-3:

a) Repair and maintenance of lawful buildings, structures or utilities, including the replacement of building components as may be necessary to implement such repair and maintenance, provided always that any work is conducted entirely within the footprint of the existing building, structure, or utility and does not degrade the ecology of land within DP-3;

b) Alterations of previously disturbed land and to pre-existing buildings, structures and utilities located between 7.5 metres and 15 metres from the natural boundary of the sea, provided always that the alteration:

i. Takes place entirely within the perimeter of previously disturbed land or within the footprint of a pre-existing building, structure, or utility;
ii. Does not alter, disturb or otherwise harm previously undisturbed land or native vegetation anywhere within DP3; and
iii. Does not result in environmental degradation of any kind anywhere within DP3 or to the ecology of the foreshore.

c) Repair and maintenance of soft shoreline protection measures that were designed and implemented at the direction of a Qualified Professional, provided that any such work is limited to maintaining the original design parameters of the measure;
d) Repair or replacement of a septic field site in the same location as the existing septic field;
e) The installation of a mooring buoy;
f) Construction or repair of the following structures sited within the setback from the natural boundary of the sea:
   i. A platform not exceeding 5 square metres in area;
   ii. A set of stairs or a walkway for the purpose of accessing the foreshore or a permitted marine related structure;
g) Small-scale, manual removal of non-native, invasive plants or noxious weeds, conducted in accordance with best land management practices;
h) Construction of a fence provided no native tree species are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence;
i) The construction of a trail provided always the trail is:
   i. Designed and situated to minimize vegetation disturbance and entirely avoid the removal of native trees and the erosion of soil on sloping terrain;
   ii. A width of 1 metre or less;
   iii. For personal and non-vehicular use only; and
   iv. Surfaced with soil, gravel, mulch or other natural materials permeable to water.
j) Repair and maintenance of existing roads, driveways, paths and trails, provided always there is no expansion of the width or length and no increase in the total area surfaced with concrete, pavers, asphalt or other materials impervious to water;
k) Gardening and property maintenance activities, not involving artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including lawn mowing, weeding, shrub pruning, vegetation planting and minor soil disturbances that do not alter the general contours of the land; The pruning, trimming or limbing of trees provided it cannot reasonably be expected to result in the death or removal of the tree;
l) The pruning, trimming or limbing of trees provided it cannot reasonably be expected to result in the death or removal of the tree;
m) The removal of trees that pose an immediate threat to life or property, as determined by an International Society of Arboriculture (ISA) certified arborist or registered professional forester and certified in writing;
n) Works required to prevent, control or reduce risk to or loss of human life, the natural environment or public or private property, including:
   i. Forest fire, flood and erosion protection works;
   ii. Protection, repair or replacement of public facilities;
   iii. Clearing of an obstruction from a bridge, culvert, dock wharf or stream;
   iv. Bridge repairs.
o) A farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*;
p) Forest management activities, as defined in the *Private Management Forest Land* Regulation, on land classified as managed forest land under the *Private Managed Forest Land Act;*
q) The subdivision of land parcels where a conservation covenant satisfactory to and in favour of the Gambier Island Local Trust Committee or the Islands Trust Conservancy Board has already been registered for the maintenance of natural drainage and protection of environmentally sensitive areas;
r) Consolidation of legal lots by subdivision; and
s) Works conducted and/or authorized by the Province and its Ministries or Agencies, and by Fisheries and Oceans Canada (or subsequent federal department), with respect to trail construction, stream enhancement and fish and wildlife habitat restoration. For clarity, private

moorage, shoreline protection measures or placement of fill below the natural boundary of the sea authorized by the Province and its Ministries or Agencies, requires a development permit.

General Guidelines

.3 The following guidelines apply for development permits within the DP-3 area:

a) Development in the shoreline area should minimize impacts on the ecological health and disruption to coastal sediment transport processes.
b) Construction and additions to, upland buildings or structures should be located and designed to avoid the need for shoreline protection measures throughout the life of the structure.
c) Development on steep slopes or bluffs should be set back sufficiently from the top of the slope or bluff to ensure that shoreline protection measures will not become necessary during the life of the structure, as demonstrated by a geotechnical analysis by a Geotechnical Engineer or Professional Geoscientist.
d) Consideration should be given to minimizing the impacts of sea level rise and storm surges.
e) Development design should prevent the release of sediment to the shore and to any watercourse or storm sewer that flows to the marine shore. An erosion and sediment control plan that includes actions to be taken prior to land clearing and site preparation may be required.
f) Areas that include critical habitat of any species at risk (as defined by the *Species at Risk Act* (SARA), including terrestrial or aquatic provincial red- and blue-listed species or SARA-listed species; or where a rare species has been identified by Islands Trust mapping, should be left undisturbed. If disturbance cannot be avoided, then development and mitigation measures should be undertaken under the supervision of a Registered Professional Biologist with advice from applicable government agencies.
g) Development activities along the foreshore or in marine areas should be conducted during the low-risk timing window for spawning and nursery periods. All development below the natural boundary of the sea should minimize degradation of the marine ecosystem and disturbance of the substrate.
h) All development below the natural boundary of the sea should minimize degradation of the marine ecosystem and disturbance of the substrate.

Guidelines - Construction and Replacement of Docks and Ramps

.4 The following guidelines apply to applications for development permits within the DP-3 area:

a) Docks, floats and ramps should be sited to avoid interference with sensitive ecosystems such as eelgrass beds, forage fish habitat, and natural processes such as currents and littoral drift. This will require an environmental assessment by a Qualified Environmental Professional.
b) Decking materials should allow for a minimum of 43% open space to allow for light penetration to the water surface. Light transmitting materials may be made of various materials shaped in the form of grids, grates, and lattices to allow for light passage to the water surface.
c) Piers on pilings and floating docks are preferred over solid-core piers or ramps. Piers should use the minimum number of pilings necessary, with preference to greater distance between pilings over increasing the number of pilings.
d) Docks should be constructed so that they do not rest on the seabed at low water/low tide levels and to allow the free flow of water beneath dock floats at all times.
e) Docks should be constructed of stable materials that do not have the potential to degrade the marine ecosystem or the ecology of the foreshore over time.
f) Preference is given to mooring buoys that are seagrass-friendly and are designed to reduce scouring of the sea floor. These include buoys with a mid-line float so as to prevent unnecessary damage to eelgrass habitat.

Guidelines - Shoreline Modifications

.5 The following guidelines apply to applications for development permits within the DP-3 area:

a) Shoreline protection or stabilization measures should not be undertaken for the sole purpose of changing the measurement of setbacks on a property or to reclaim land lost due to erosion.
b) Shoreline protection measures should not be undertaken for the purpose of extending lawns or gardens, or to provide space for additions to existing or new structures.
c) Shoreline protection measures may be considered to protect existing structures as provided by a report, prepared by a Qualified Professional(s), which describes the following:
    i. need for the proposed modification to protect existing structures;
    ii. any natural hazards, erosion, or interruption of geohydraulic processes that may arise from the proposed modification, including at sites on other properties or foreshore locations;
    iii. cumulative effect of shoreline protection along the drift sector where the works are proposed; and
    iv. whether there will be any degradation of the marine ecosystem or loss of fish or wildlife habitat because of the modification.
d) Shoreline protection measures should be designed by a Qualified Professional, and should:
    i. Limit the size of the works to the minimum necessary to prevent damage to existing structures or established uses on the adjacent upland;
    ii. Rely on non-structural shoreline protection measures when feasible;
    iii. Be designed to avoid erosion or other physical damage to adjacent or down-current properties, or public land; and
    iv. Address compatibility with adjacent shoreline protection works.
e) Structural shoreline protection measures such as concrete walls, lock block or stacked rock (rip rap), may be considered when a geotechnical and biophysical analysis provided by a Qualified Professional demonstrates the following:
    i. An existing structure is at immediate risk from shoreline erosion caused by tidal action, currents or waves;
    ii. erosion is not being caused by upland conditions, such as the loss of vegetation and uncontrolled drainage associated with upland development;
    iii. All possible on site drainage solutions by directing drainage away from the shoreline have been exhausted;
    iv. Non-structural shoreline protection measures are not feasible or not sufficient to address the stabilization issues;
    v. The shoreline protection measure is designed so that neighbouring properties are not expected to experience additional erosion; and
    vi. All shoreline protection structures are installed upland of the present natural boundary of the sea.
f) An existing shoreline protection structure may be replaced provided that:
    i. The replacement structure is of the same size and footprint as the existing structure;
    ii. The replacement structure is designed, located, sized and constructed to mitigate the loss of ecological functions, and include habitat restoration measures when feasible; and
    iii. Replacement walls or bulkheads do not encroach seaward of the natural boundary or seaward of the existing structure unless there are significant safety or environmental concerns.
g) Materials used for shoreline protection should be constructed of stable and uncontaminated materials that do not have the potential to degrade the marine ecosystem or the ecology of the foreshore over time.
h) Placement of fill upland of the natural boundary of the sea greater than (10) cubic metres in volume should only be considered when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Fills shall be located, designed and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration.

i) Placement of fill below the natural boundary of the sea should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, as allowed by the relevant provincial and/or federal authorities.
j) All upland fill and beach nourishment materials should be clean and free of debris and contaminants.

Guidelines - Vegetation Management and Restoration

.6 The following guidelines apply to applications for development permits within the DP-3 area:

a) Existing native vegetation and trees should be retained or replaced wherever possible to protect against erosion and slope failure, and to minimize disruption to fish and wildlife habitat.
b) Existing vegetation and trees to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
c) In areas cleared of native vegetation during development, replanting requirements and a security deposit to restore the natural environment or control erosion may be required.
d) Sparsely vegetated areas may not require planting.
e) Vegetation species used in replanting should be suitable for the soil, light and groundwater conditions of the site, native to the area, and be selected for erosion control and/or fish and wildlife habitat values as needed. The use of suitably adapted non-invasive, non-native vegetation may be permitted in a replanting program when conditions render the use of native species materially less suitable for erosion control and habitat strengthening.
f) Replanting may be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native plant species, irrigation, and the replacement of unhealthy, dying or dead stock at the owner's expense.

SCHEDULE B – ZONING MAP

(See the fold-out map attached to the end of this document)