

3708 Starboard Crescent



Zoning

Dated Version: July 22, 2024

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Rural Residential 1



DPA Compilation Map

Dated Version: Nov. 21, 2024

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None showing



Sensitive Ecosystems Map

Dated Version: Feb. 15, 2007

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None Showing

PART 3 GENERAL REGULATIONS

3.1 Permitted in All Zones

Except where specifically prohibited, the following uses, building and structures are permitted in any *zone* except the Ecological (ECO) Zone:

- (1) *uses, buildings and structures*, which are *accessory* to a *principal* permitted use, building or structure on the same lot, including accessory horticulture;
- (2) parks other than playgrounds and playing fields, hiking and bicycling paths, horse riding trails and ecological reserves;
- (3) *Construction trailers* solely for construction purposes on a *lot* being developed, and for a period not to exceed the duration of such construction or for one year, whichever is less;
- (4) One *pump/utility shed* with a maximum floor area of 10 m²;
- (5) water supply facilities, including reservoirs, treatment plants, pumping stations and intake structures;
- (6) electricity and telephone lines for the distribution of service to North Pender Island or South Pender Island, and water and sewer service lines;
- (7) solar collectors in any land *zone* for the purposes of supplying power to the *lot* on which the *structure* is located;
- (8) wind generators in any land *zone* for the purposes of supplying power to the *lot* on which the *structure* is located;
- (9) the use of land under the *Private Managed Forest Land Act* for forest management activities related to timber production or harvesting;
- (10) where *agriculture* is permitted in any *zone*, *farm retail sales* is permitted if the *lot* has *Farm Status* or is located within the Agricultural Land Reserve, and the total indoor and outdoor floor area for the *farm retail sales* shall not exceed 300 m²; and,
- (11) despite Subsection 3.1(10), road-side produce stands not exceeding 10 m² in floor area and used for the selling of farm products that are grown or reared on the land upon which the stand is located.

3.2 Prohibited in All Zones

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

- (1) yacht clubs and *marinas* the use of which is restricted to members of a private club;
- (2) 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 or the *Waste Management Act*;
- (3) the disposal or storage of hazardous or toxic waste, other than the temporary storage of such waste in the Recycling Facility (RF) Zone and the General Industrial (GI) Zone, and for the purposes of this exception "temporary" means that not more than 6 months' accumulation of such waste may be stored;
- (4) fur farming, except as permitted in the Agricultural Land Reserve by a person licensed under the *Fur Farm Act*;
- (5) the sale and rental of personal watercraft;
- (6) derelict or abandoned docks, floats, ramps or walkways;
- (7) airport and airstrip facilities and related accessory buildings and structures; and
- (8) heliports and helipad, other than for emergency evacuation use.

Information Note: All aeronautics uses are federally regulated under the *Aeronautics Act*.

3.3 Siting and Setback Regulations

- (1) No *building or structure*, other than those in Subsection 3.3(2), may be sited, nor fill placed to support a *building or structure*, within:
 - (a) 15 metres upland of the *natural boundary* of the sea;
 - (b) 1.5 metres from the *natural boundary* of the sea as measured on the vertical plane; and,
 - (c) 7.6 metres upland of the *natural boundary* of a lake, wetland or stream,and for the purpose of this subsection paved areas of asphalt, concrete or similar material are "*structures*".
- (2) The following *buildings or structures* are exempt from Subsection 3.3(1):
 - (a) Walkways, stairs or a ramp accessory to a permitted private *dock* in the Water 1 or Water 6 Zones and stairs to access the foreshore with a width less than 1.2 metres and a length less than 3 metres;
 - (b) Anchor pads or abutments up to 1.5 metres in width for the purpose of securing a permitted private or community *dock* or wharf to the upland *lot*;
 - (c) *Pump/utility shed* with a *floor area* of 10 m² or less; and,
 - (d) Fences.

PART 5 ZONE REGULATIONS

5.1 Rural Residential 1 (RR1) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Dwelling*;
 - (b) *Cottage*;
 - (c) *Secondary Suite*;
 - (d) *Accessory home business*;
 - (e) *Accessory rabbit, poultry raising*; and,
 - (f) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.
- (4) Despite Subsection 5.1(2), in those instances where a *dwelling* of 56.0 m² or less in *floor area* existed on September 23, 1999 on a lot 0.6 hectares or larger, one additional *principal dwelling* is permitted.

Siting and Size

- (5) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*;
 - (b) 3 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.
- (6) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.1(5) must be increased by 3 metres.
- (7) All *buildings and structures* must not exceed 4.6 metres in *height* and one storey except for a *dwelling or cottage*.
- (8) *Lot coverage* may not exceed 25 percent.

- (9) The maximum *floor area* per *lot*:

BL 229

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)

- (10) The maximum *floor area* of a *cottage* must not exceed 80 m².
- (11) Despite Subsection 5.1(9), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this Bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this Bylaw.

Conditions of Use

- (12) *Accessory* rabbit and poultry raising is only permitted on a *lot* that does not abut a lake or reservoir used as a source of *potable* water supply.
- (13) A *lot* 2.4 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (14) No *lot* having an area less than 0.4 hectares, or in the case where a community water or community sewage system is provided, an area less than 0.25 hectares may be created by subdivision in the Rural Residential 1 Zone.
- (15) No subdivision plan shall be approved in the Rural Residential 1 Zone unless the *lots* created by the subdivision have an average area of at least 0.6 hectares.

Site-Specific Regulations

- (16) The following table denotes locations 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 location where the specific regulations cited in column three apply:

		Table 5.1	
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	RR1(a)	Trincomali Improvement District	Despite 5.1(1)(c), <i>secondary suites</i> are not permitted.

Stewardship Tips



Islands Trust

Living on the islands, you will make many decisions about how you use, enjoy, and care for your property.

With over 67% of land in the Trust Area privately owned, residents have an important role to play in protecting and stewarding this special place. The maintenance, building and landscaping decisions you make affect your energy use, drought and flood resistance, windbreaks, and fire protection. The decisions you make can also impact plants and animals in your environment, cultural sites, and affect the region's ability to withstand the impacts of climate change.



Encompassing the waters and islands of the Salish Sea between southern Vancouver Island and the mainland, the Islands Trust Area has been home to Indigenous Peoples since time immemorial. The region features spectacular beauty, extensive cultural sites, and some of the world's most precious and endangered ecosystems.



LAND

TREES

WATER

SHORELINES

Get to Know the Land

Plan ahead: identify environmental values and ensure protection of cultural sites before site clearing, planning, and design.

The Trust Area is situated within the territories of the Coast Salish Peoples and includes many gathering places, village sites and cultivated harvesting areas, dating back over 14,000 years.

Locate development (new buildings, driveways, landscaping and septic systems) away from areas of cultural significance or with high environmental value, like shorelines, wetlands, rare ecosystems (such as Garry oak meadows), and wildlife trees.

Cluster development in one area to minimize site disturbance, protect natural areas, and save money.

Remove invasive species that can out-compete native species. Invasive plants can also pose threats to human and animal health, fuel wildfires, and devalue a property.



▲ American bushtit
(*Psaltirparus minimus*)

Think About the Trees

Healthy forests are vibrant, diverse ecological communities with rich environmental and community values. They are also among the islands' greatest natural assets for climate change resilience and water protection.

Minimize tree cutting and soil disturbance. The islands' trees and soils have vital ecological and climate values, important to both people and wildlife.

Protect forests on your property to support their key functions in providing wildlife habitat, absorbing carbon, and storing rainwater. Healthy forests protect against extreme wildfires, drought, and flooding.

If you do have to address hazard trees, consider leaving the trunk behind to provide shelter and food for wildlife.

Are there any eagle, heron or other raptor nests on your property? These nests are protected by legislation. Section 34 of the B.C. Wildlife Act prohibits interference with nesting trees of raptors, whether or not the nests are active.

Leave some fallen trees, logs, and branches on the ground for insects, amphibians, reptiles, small mammals, and birds. These materials also improve soil nutrients and moisture retention, and reduce fire hazard.



▲ Sharp-tailed snake
(*Contia tenuis*)

Water is Essential and in Short Supply

Natural areas that hold and filter rainwater, such as healthy forests, meadows and wetlands, help protect the islands' precious groundwater.

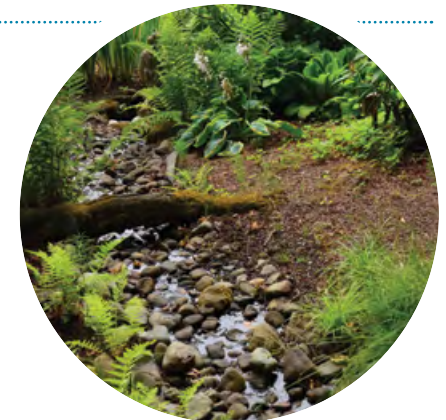
Observe the way water flows over the land and design any landscaping and development to maintain natural drainage patterns.

Landscape with native, drought-hardy plants and shrubs, rather than water-demanding lawns and ornamentals.

Minimize the use of hard impervious surfaces, such as concrete, that promote runoff and negatively impact water infiltration into soils and groundwater reservoirs.

Convert portions of existing lawn or landscaping to rain gardens, designed to hold, filter and slowly release surface water runoff from roads, roofs, or other impervious structures into the landscape.

If your property has a stream or wetland, retain a protective buffer of native trees and vegetation around it.



Care for Marine Shorelines

Island shorelines are valuable for ecological and cultural reasons. Much of the Salish Sea's marine life, including salmon, whales, and birds, relies on nearshore habitat for spawning, early life, or food.

From clam gardens, to fish weirs, to middens, island shorelines are sensitive ecological and cultural areas that require continued preservation and protection.

Locate residences and infrastructure further inland to reduce the need for shoreline protection. Avoid hard shoreline structures, such as seawalls, riprap and retaining walls, that can harm fish and wildlife, and which may not prevent erosion.

Consider 'soft' shoreline designs to reduce erosion, which use natural vegetation, logs, and low slopes to stabilize soils and provide upland drainage and habitat.

Protect critical seagrass habitat. Seagrasses are incredible carbon sinks, provide habitat for fish and wildlife, and protect shorelines from damaging wave action. Consider sharing a dock among several neighbours to reduce the loss of these important ecosystems.



▲ Smolts in sea grass
TAVISH CAMPBELL

Protect Nature

Join the growing community of island landowners who are creating a natural legacy for the future. Consider donating a covenant (easement) on your property if there are ecologically or culturally valuable areas that you want to protect permanently. Conservation covenants are registered on title and can give you significant tax benefits.



Visit Islands Trust Conservancy to learn more ways to protect nature on the land you love



Discover locations of sensitive ecosystems and protected places near you on Islands Trust's mapping platform



Find land stewardship resources to care for habitat, garden with native plants and protect against invasive plants

Contact Islands Trust for more information on natural areas stewardship, protection of cultural and archaeological sites, as well as land-use zoning bylaws that can affect your plans to use and develop your property.

✉ information@islandstrust.bc.ca ☎ 250-405-5151 (Victoria)

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