

District of Squamish
BYLAW NO. 2771, 2020

A bylaw to amend the District of Squamish
Zoning Bylaw No. 2200, 2011

WHEREAS the District of Squamish deems it necessary and appropriate to amend Zoning Bylaw No. 2200, 2011;

NOW THEREFORE the Council of the District of Squamish, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as “District of Squamish Zoning Bylaw 2200, 2011 Amendment Bylaw (Marine Zones) No. 2771, 2020”.
2. Zoning Bylaw No. 2200, 2011, as amended, is amended by replacing Schedule A with the zoning maps attached as “Schedule A” attached to and forming part of this Bylaw.
3. Zoning Bylaw No. 2200, 2011, as amended, is further amended as follows:

(a) **Section 1 (Interpretation)** Subsection 1.3 (Definitions) is amended by adding the following definitions in alphabetical order:

AQUATIC CROWN LAND means all Crown land situated below the natural boundary or below the highest, high water mark of any water body unless otherwise Crown Granted to another party.

BERTHAGE means the tying of a vessel or seaplane to a wharf, float or dock.

BOAT LIFT means a mechanism for lifting boats from the water, or between water on different elevations.

CHART DATUM means the lowest normal tide (0.0m) used as the reference point for the measurement of tidal height and water depth; tidal height will be corrected using the closest secondary port the reference port in the Canadian Tide and Current Tables with further correction made for daylight savings as required.

COMMUNITY WATER ACCESS means any structure that provides public water access and recreation opportunities for the general public, including wharves, docks, piers, boardwalks and other marine access facilities.

DRY DOCK means a use on water or on dry land (inside or outside a building) in which space is rented or sold for the purpose of storing boats.

FLOAT means that portion of a dock structure that is generally used for mooring boats.

FLOODPLAIN SETBACK means Floodplain Setback as defined by District of Squamish Floodplain Management Bylaw No. 2676, 2019, as amended from time to time.

FORESHORE means that land lying between the highest water mark and the lowest water mark that is alternatively covered by water and exposed with the normal rise and fall of the level of the body of water.

GANGWAY means a structure extending into navigable water used to accommodate pedestrian traffic other than a pier or wharf.

NATURAL BOUNDARY means Natural Boundary as defined by District of Squamish Floodplain Management Bylaw No. 2676, 2019, as amended from time to time.

LAND BASED MARINA FACILITIES means the use of the upland adjacent to a marina for marina offices, retail and rental uses associated with a marina such as boat and/or bicycle rentals, laundering facilities, showers and restrooms, and waste and recycling facilities.

LIVE-ABOARD means the use of a vessel that is designed or intended to be used for navigational purposes as a residential dwelling unit.

LOG SORT OPERATIONS means activities and related improvements for centralized dry land log sorting, scaling, bundling and watering/dewatering for booming, dumping or barging, storage and transport, and excludes log transfer sites.

LOG STORAGE means activities and related improvements such as dolphins or pilings for transient water-based log storage which consists of rafts of flat or bundled booms for transport to mills, but excludes float camps and ancillary structures such as fuel barges or platforms.

LOG TRANSFER SITE means a facility and related foreshore improvements for the transfer of logs from forest harvest areas to tide-water, and excludes centralized log sort operations.

MARINE FUEL SALES means a marine service use in which fuel for boats is sold and includes both liquid and alternative fuel service for hybrid or electric vessel propulsion systems.

MARINE NAVIGATION means to actively travel in, on, through or immediately above water.

MARINE NAVIGATION AID means any sort of sign, marker or structure necessary to accommodate the needs of marine navigation, underwater conservancies and habitat protection areas.

MARINE ORIENTED COMMERCIAL means the use of land, buildings or structures providing for sale of marine-oriented goods and services.

MARINE ORIENTED TOURIST AND RECREATION USE means the use of land, buildings or structures for commercial recreation, entertainment, or educational and water-based activities.

MARINE RETAIL, RENTALS and REPAIRS means the sale, rental or repair of goods directly related to marine activities, and includes sale of seafood from a boat.

MARINE TRANSPORTATION SERVICES means the commercial use and berthage of watercraft for passenger ferry services, tug-boat services, boat rentals and charters, and water taxis.

MOORAGE FACILITY means a float on the surface of the water that is affixed to the sea bed, which may be connected to the shoreline or a pier structure by means of a gangway that is used as a landing or wharfing space for pleasure or commercial craft.

PILINGS AND DOLPHINS mean vertical poles, concrete bars, or other materials forming a structural support that extends above the water level as a mooring post and is unconnected to the shore.

PRIVATE MOORAGE FACILITY means a moorage facility which is associated with a single lot of adjacent upland residential property.

PUBLIC AUTHORITY USE means a public authority use such as RCMP or police, Canadian Coast Guard, or marine search and rescue squad.

PUBLIC BOAT LAUNCH means a public boat ramp facility to launch and retrieve vessels or watercraft from the water by means of a boat trailer or hand launching of small crafts.

SEA DIKE means Sea Dike as defined by District of Squamish Floodplain Management Bylaw No. 2676, 2019, as amended from time to time.

UPLAND means a non-aquatic parcel of land that is bordering on a water body.

VESSEL means any boat, ship, or other watercraft designed, used or capable of being used solely or partly for navigation in, on, through or immediately above water, without regard to method or lack of propulsion, and includes a vessel that is under construction, being re-purposed or dismantled.

WATER-BASED LOG HANDLING means activities and related improvements for active log dumping, sorting, booming, storage and barging associated only with an immediate upland log sort or log transfer site.

WATERCOURSE means Watercourse as defined by District of Squamish Floodplain Management Bylaw No. 2676, 2019, as amended from time to time.

(b) **Section 1 (Interpretation)** Subsection 1.3 (Definitions) is further amended by deleting the following definitions:

BOAT CHARTER means a boat hired with an operator and used for transporting people for the purpose of fishing, diving, sight-seeing, or other form of recreation or as a water taxi. (Bylaw 2386, 2015)

BOATSHED means a covered, floating structure that is fixed in position on the water, either totally enclosed or open on the sides, and used for the storage and protection of boats. (Bylaw 2386, 2015)

DOCK means a structure including ramps, floats, anchors and pilings which extend over the foreshore into the ocean and is fixed directly or indirectly to, or supported by, water or land for the purpose of providing access to and from boats, barges, and float planes which may be attached to the structure. (Bylaw 2386, 2015)

HIGH WATER MARK means the boundary between the land and the sea, whether created by natural or artificial means; (Bylaw 2386, 2015)

INDUSTRIAL means a use providing for the processing, fabricating, assembly, storing, transporting, distributing, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials, or things; includes without limitation the operation of truck and shipping terminals, docks, railway service spur, passenger depots, marinas, heliport and seaplane facilities, auction and liquidation sales, sawmill, artisan uses, pulp mill and log booming handling. Includes cannabis production and indoor food production. The use excludes bulk gas and fuel loading and storage facilities. (Bylaw 2824, 2021)

LOT means a block, parcel or other area in which land is held or into which land is subdivided.

MARINA means a use providing moorage space for watercraft either free of charge or for payment of fee, but excludes use of any watercraft as living quarters, except for a caretaker.

MARINA OR FLOAT HOME MOORAGE means a waterfront facility for the moorage of one or more floating homes and the land and water premises on which such facility is located. (Bylaw 2440, 2016)

PIER means a structure extending into navigable water for use as a landing place, promenade or to protect or form a harbor. (Bylaw 2440, 2016)

WALKWAY OR DOCK means a structure extending into navigable water used to accommodate pedestrian traffic other than a pier or wharf. (Bylaw 2440, 2016)

And replacing with the following definitions in alphabetical order:

BOAT RENTALS AND CHARTERS means a business use where watercraft are rented or operated for the purposes of providing marine tours or charters, and includes incidental parking and servicing of watercrafts for charter.

BOATSHED means a covered, floating structure either totally enclosed or open on the sides, used to provide shelter and protected moorage of a vessel, with or without storage of associated supplies and equipment.

DOCK means a floating structure including ramps, floats, anchors and pilings which extend over the foreshore into the ocean, and may be fixed directly or indirectly to, or supported by, water or land and to which boats, barges, and seaplanes may be moored or tied, but does not include any buildings or structures placed or erected upon it.

FLOAT HOME MOORAGE means a waterfront moorage facility for the moorage of one or more floating homes and the land and water premises on which such facility is located.

HIGH WATER MARK means the visible boundary between the land and the sea, whether created by natural or artificial means.

INDUSTRIAL means a use providing for the processing, fabricating, assembly, storing, transporting, distributing, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials, or things; includes without limitation the operation of truck and shipping terminals, docks, railway service spur, passenger depots, heliport and seaplane facilities, auction and liquidation sales, sawmill, artisan uses, pulp mill and log handling. Includes cannabis production and indoor food production. The use excludes bulk gas and fuel loading and storage facilities. (Bylaw 2824, 2021)

LOT means a block, parcel or other area in which land or water is held or subdivided.

MARINA means a commercial use of a water area providing moorage for watercraft, either free of charge or for payment of a fee, and includes associated storage, servicing, marine retail sales and rentals, tackle and convenience food sales, and sewage pump-out facilities.

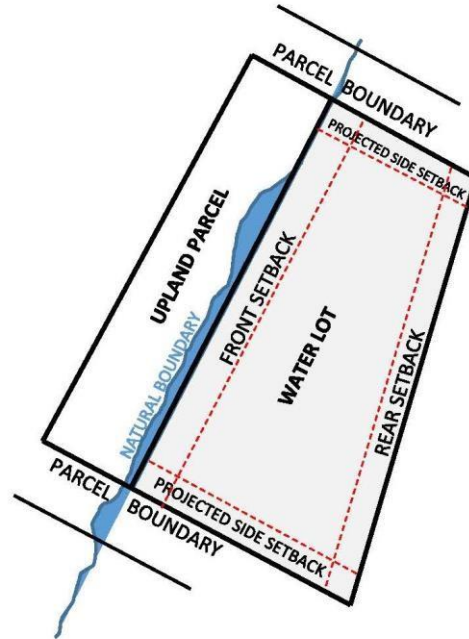
PIER means a structure raised above the surface of the water and supported by pilings or similar support structures, that is used as a walkway or viewing platform, or to protect or form a harbour, but does not include any buildings or structures placed or erected upon it.

(c) **Section 4 (General Regulations)** is amended by adding Subsection 4.50 (Marine General) as follows:

4.50 MARINE GENERAL

- a. The following uses are permitted in all marine (M) zones:
 - i. Marine navigation
 - ii. Marine navigation aids
 - iii. Marine park
 - iv. Public authority use
- b. Without limiting subsection 4.50 (a), marine navigation and navigation aids are also permitted within navigable marine waters in the P-4 Zone.
- c. Except in a permitted marina or moorage facility, the following uses are prohibited in all marine zones:
 - i. the anchoring or moorage of a vessel for a continuous period exceeding 48 hours; or
 - ii. the anchoring or moorage of a vessel for more than a total of 72 hours within any 30-day period, whether or not the vessel is anchored or moored in more than one location within any marine zone during the 30-day period.
- d. Without limiting any other prohibitions provided for in this bylaw, private moorage facilities are prohibited within all marine (M) zones.
- e. A pier or gangway may be located on the natural boundary or abutting parcel line of adjacent upland but may not limit or impede pedestrian access along the foreshore.
- f. A moorage facility and associated gangway providing shared access serving two abutting water lots may be located on a shared parcel line.
- g. All on water buildings and structures shall be setback 7.5 metres from the toe of a sea dike as defined in the District of Squamish Floodplain Management Bylaw No. 2676, 2019, as amended from time to time.
- h. All on-water uses and structures extending seaward below the natural boundary within aquatic crown land must be approved by the Province of British Columbia and be fully contained within the boundaries of the water lot tenure area.

- i. All on-water buildings, marinas and facilities for commercial uses and floating homes must be serviced with a community water and sewer system.
- j. Notwithstanding the definitions of height or height datum in the Zoning Bylaw, the height of any floating building or structure on a water lot where permitted in this bylaw shall be measured from the surface of the water vertically up to the roof height, as calculated in the height section of this bylaw.
- k. The calculation of water lot coverage for marine zones is inclusive of all fixed and floating structures, including piers, moorage facilities, walkways, docks and floats.
- l. Except as otherwise provided for in this bylaw, relative to the upland and natural boundary, setbacks from property lines for a water lot shall be calculated as follows:



- m. The projected side property line for which setbacks are calculated for marine zones is the perpendicular extension from the general trend of the shoreline, commencing at the intersection of the side property line of an upland parcel and the natural boundary.
- n. Gangways providing public access from the upland to docks and floats shall be no less than 1.5 metres in width and no more than 1.8 metres in width.
- o. Primary access walkways on docks and floats shall be a minimum of 3.0 metres in width; internal access walkways or

individual access slips for boats shall be a minimum of 1.5 metres in width.

- p. Individual boatsheds or shelters are not permitted, except for use by a Public Authority, or as community recreational facility storage. Despite any other provision in this bylaw, boatsheds shall not exceed a height of 5.5 metres.

(d) **Section 5 (Establishment of Zones)** subsection 5.1 (Zone Designation) is amended by adding the following zones:

Designation	Section	Zone	Intent
M1	39G	Marine General	The intent of this zone is to provide regulation for the use of the marine coastal area within the District of Squamish pertaining to general marine navigation, public access and recreation as well as aquaculture activities.
M2	39H	Marine Mixed Use	The intent of this zone is to provide for a variety of marine commercial uses and the orderly development of marina infrastructure, associated moorage and related and marine retail and recreation activities.
M3	39I	Marine Recreation	The intent of this zone is to provide public marine recreation areas and regulate activities, access and moorage for community use.

M4	39J	Marine Log Storage	The intent of this zone is to provide regulation for the use of the marine coastal area for water-based log handling adjacent to immediate upland log sort facilities, as well as water-based log storage.
M5	39K	Marine Transportation Infrastructure	The intent of this zone is to provide for and regulate major marine transportation infrastructure at the Darrell Bay Ferry Terminal.

Subsection 5.1 (Zone Designation) is further amended by deleting the intent statement of the I-5 Zone as follows:

I-5	37	Log Sort	The intent of this zone is to provide for land for the sorting of logs.
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and replacing with the following:

I-5	37	Log Sort	The intent of this zone is to provide for and regulate land and tide water access for the sorting, transfer and transportation of logs.
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- (e) **Section 39** is amended by adding subsections 39G, 39H, 39I, 39J and 39K with new marine zones presented in “Schedule B” to this bylaw.
- (f) **Section 19A Ecological Reserve (P-4)** subsection 19A.1 (Permitted Uses) is amended by adding (b) marine park.
- (g) **Section 22 Resource (RE)** subsection 22.1 (Permitted Uses) is amended by deleting 22.1 (e) forestry, excluding log sort operations, and replacing with the following:
 - (e) log transfer site;
- (h) **Section 27 Recreational Commercial (C-5)** subsection 27.1 (Permitted Uses) is amended by deleting subsections 27.1 (g) and 27.9 (Marina Use).

- (i) **Section 37 Log-Sort (I-5)** sub-section 37.6 (Special Screening Requirements) is amended by deleting and replacing as follows:

37.6 SCREENING

Screening and landscaping shall be provided in accordance with Section 4.7 of this Bylaw.

- (j) **Section 41.7 (Off-Street Parking Requirements)** Table 3 is amended by deleting Minimum Vehicle Parking Requirements for “Marina” as follows:

Marina	0.25 spaces per slip or berth <i>(Bylaw 2440, 2016)</i>
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And replacing with the following:

Marina	0.25 spaces per slip or berth for long-term moorage <i>0 spaces per slip or berth providing short-term/visitor moorage (less than 72 hours)</i>
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- (k) **Section 41.7 (Off-Street Parking Requirements)** Table 3 is further amended by adding the following uses and minimum vehicle parking requirements:

Public boat launch	15 vehicle/boat-trailer spaces for each boat-launching lane or aisle on a launching ramp, whether or not a fee is charged
Boat rentals and charters	0.5 spaces per slip or berth for each boat for hire
Live-Aboard	1 space per Live-Aboard / slip
Marine fuel sales	1 space per employee
Ferry terminal	1 space per employee and 2 spaces per 100m ² of gross floor area for accessory uses
Marine transportation services	0.25 spaces per boat slip or berth
Restaurant (Marine M2)	2 spaces per 100m ² of gross floor area

(a) **Section 41.2 (Location of Parking Facilities)** is amended by adding the following after subsection 41.2 (c):

(d) Notwithstanding subsection 41.2 (a) and (b), off-street parking required for marine uses on a water lot shall be located on an immediately abutting upland lot, or may be located within the downtown area shown on Schedule D (Downtown Squamish Off-street Parking Requirements) on condition that:

- i. Pursuant to Section 219 of the Land Title Act, a restrictive covenant shall be registered on title of that lot limiting the use of that lot or portion of it to the provision of off-street parking for the benefiting owner; and
- ii. An easement is registered on that lot in favour of the benefiting owner permitting access to the parking spaces.

(e) The owner or occupier of a water lot for which off-street parking spaces are required, rather than provide the required spaces on an immediately abutting upland lot or off-site per subsection 41.2 (d), shall pay to the District a sum per space as specified in the District of Squamish Payment In Lieu of Off-Street Parking Spaces Bylaw No. 2553, 2017, to a maximum of 4 spaces.

4. Zoning Bylaw No. 2200, 2011 is amended so that the numerical and alphabetical ordering of its provisions, and any and all references to those numbers and letters that appear in any provisions of the bylaw, are revised to be consistent with the amendments of this bylaw.

READ A FIRST TIME this 16 day of March, 2021.

READ A SECOND TIME as amended this 18 day of May, 2021.

Pursuant to the Local Government Act, **NOTICE WAS ADVERTISED ON** 27 day of May, 2021 and 3 day of June, 2021.

PUBLIC HEARING HELD on this 8 day of June, 2021.

SECOND READING RESCINDED this 8 day of June, 2021.

READ A SECOND TIME this 19 day of July, 2022.

Pursuant to the Local Government Act, **NOTICE WAS ADVERTISED ON** 25 day of August, 2022 and 1 day of September, 2022.

READ A THIRD TIME this day of .

APPROVED pursuant to section 52(3)(a) of the Transportation Act this day of , .

ADOPTED this day of , .

Karen Elliott, Mayor

Robin Arthurs, Corporate Officer

District of Squamish

BYLAW NO. 2771, 2020

SCHEDULE B – NEW MARINE ZONES

SECTION 39G | Marine General (M-1)

The intent of this zone is to provide regulation for the use of the marine coastal area within the District of Squamish pertaining to general marine navigation, public access and recreation as well as aquaculture activities.

39G.1 PERMITTED USES

The following principal uses and no others are permitted:

- (a) Aquaculture, subject to Section 39G.2
- (b) Marine navigation
- (c) Community Water Access, subject to use Section 39G.2
- (d) Marine oriented tourist and recreation use, subject to 39G.2
- (e) Public boat launch, subject to use Section 39G.2

The following accessory uses and no others are permitted:

- (f) Accessory uses
- (g) Accessory structure
- (h) Assembly, outdoor

39G.2 CONDITIONS OF USE

- (a) Aquaculture activities and structures shall be permitted subject to licensing under the Fisheries Act and tenure for aquatic crown land approved by the Province of British Columbia where required.
- (b) Public Boat Launch shall provide parking on the immediately upland parcel in accordance with the parking requirements in this bylaw.
- (c) Without limiting generality of any section or part of the zoning bylaw, including Section 4 General Regulations, a dock for Community Water Access shall:
 - a. Be limited to a maximum of one (1) per lot;
 - b. Be situated such that there is no less than 1.5 metres of minimum water depth below the dock or float (under the maximum design load) at the lowest water level or tide;
 - c. Not include any building or structure other than posts, rails, gangway and supports as may be necessary for safety and access;

- d. Not exceed an area of 50m²; and
 - e. Otherwise comply with all laws that apply to the installation and use of a dock on aquatic crown land as outlined by the Province of B.C.
- (d) Marine oriented tourist and recreation use is permitted adjacent to an upland parcel zoned for commercial use.
 - (e) Notwithstanding 39G.2 (c), structures for marine oriented tourist and recreation use are permitted on a dock or float providing Community Water Access to a maximum of one (1) per lot and an area of 10m² or less.
 - (f) Within the M1 Zone, breakwaters and groynes, and other similar structures that impede the natural flow or movement of water or beach material, are not permitted uses or structures.

SECTION 39H | Marine Mixed Use (M-2)

The intent of this zone is to provide for a variety of marine commercial uses and the orderly development of marina infrastructure, associated moorage and related and marine retail and recreation activities.

39H.1 PERMITTED USES

The following principal uses and no others are permitted:

- (a) Assembly
- (b) Public boat launch
- (c) Boat lift
- (d) Boatshed, subject to Section 4.50 (Marine General)
- (e) Boat rentals and charters
- (f) Community and institutional use, civic
- (g) Outdoor recreation storage facility
- (h) Piers, docks, wharves and floats
- (i) Marine oriented tourist and recreation uses
- (j) Marina, subject to Section 39H.6
- (k) Marine transportation services
- (l) Restaurant, subject to Section 39H.6
- (m) Interpretive centre

The following accessory uses and no others are permitted:

- (n) Accessory uses
- (o) Assembly
- (p) Floating breakwaters, accessory to marina use
- (q) Live-Aboard, accessory to marina use and subject to Section 39H.6
- (r) Marine fuel sales, accessory to marina and subject to Section 39H.6
- (s) Marine retail, rentals and repairs, accessory to marina use and subject to Section 39H.6
- (t) Portable food vending
- (u) Temporary commercial vending

39H.2 MAXIMUM HEIGHT

Principal Building	Accessory Building
Building on fixed pier: 6.0 metres Building (floating): 6.0 metres from surface of water Number of storeys shall not exceed 1.	4.58 metres from surface of water

39H.3 MAXIMUM DENSITY

Principal Building	1 per water lot
Pier or wharf	1 per water lot
Restaurant Gross Floor Area	150 m ²
Retail sales associated with marina use	30 m ²

39H.3 MAXIMUM WATER LOT COVERAGE

Total water lot coverage (all structures)	50%
Marine fuel sales, accessory to marina	No more than 3% of marina berths available for moorage
Maximum coverage of buildings	5%
Maximum coverage of boatsheds (subject to subsection 4.50 p)	10%

39H.4 MINIMUM SETBACKS FOR BUILDINGS AND STRUCTURES

The minimum setback for any portion of a building or structure on the water to any property line projection are as follows:

Front Setback	Rear Setback	Projected Side Setback
7.5 m	3.0 m	3.0 m 5.0 m if adjacent to a dedicated street end providing public water access or a park

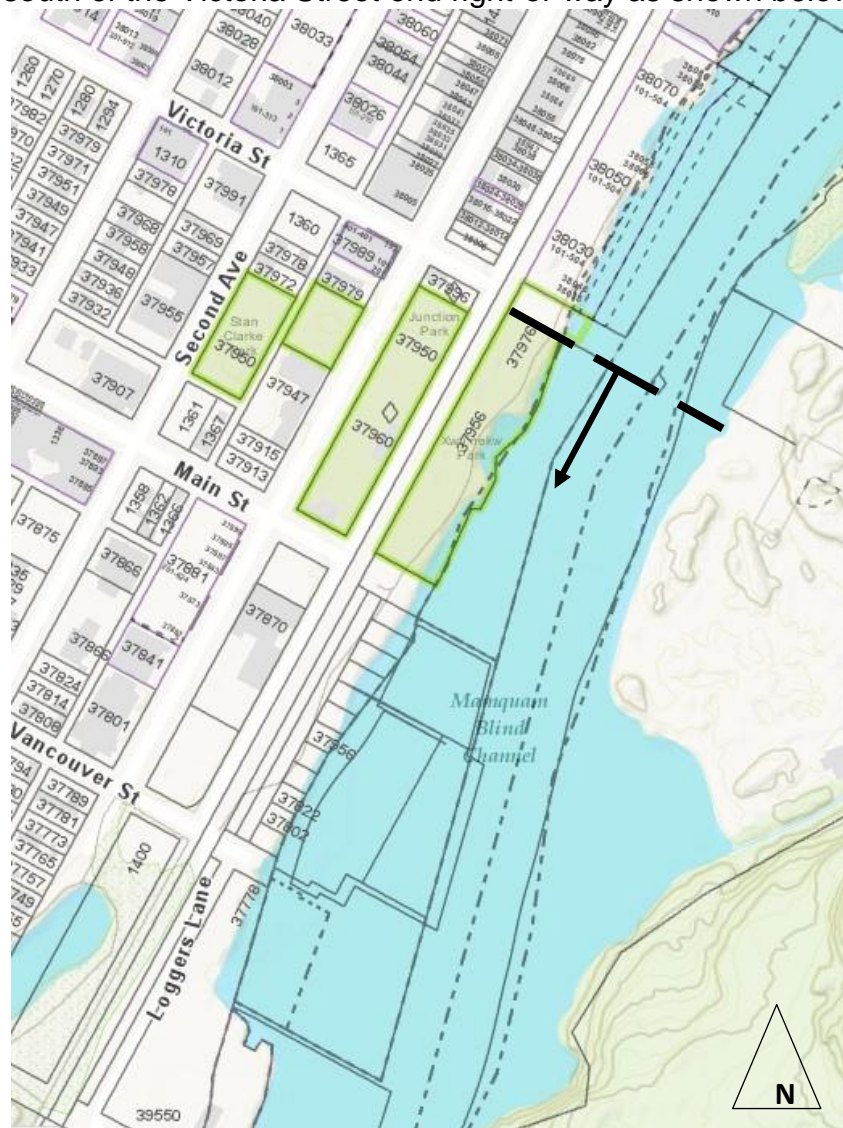
39H.5 OFF-STREET PARKING

Off-street parking spaces for buildings and uses shall be provided in accordance with Section 41 of this Bylaw.

39H.6 CONDITIONS OF USE

- (a) Marinas are permitted on the condition that both temporary and long-term moorage are available to members of the boating public, including provision of a minimum of 1 boat slip for short-term/visitor use (stays of 72 hours or less) per 20 slips of long-term moorage.

- (b) Live-Aboards are permitted accessory to a marina to a maximum of 10 Live-Aboards, subject to provision of a pump-out connection for land based sewage disposal within 150 metres of any Live-Aboard.
- (c) Marine fuel sales are permitted accessory to a marina use only if situated south of the Victoria Street end right-of-way as shown below:



- (d) Marinas must be serviced with shore power.
- (e) On-water uses accessed by the public shall be connected to the upland by pier, or accessible gangway to accommodate pedestrian access, recycling and garbage as well as commercial loading activities.
- (f) The storage of boats for boat rentals and charters shall not be located at areas required for vehicle parking under this bylaw.
- (g) Temporary commercial vending is subject to Section 4.34 of this bylaw.

SECTION 39I | Marine Recreation (M-3)

The intent of this zone is to provide public marine recreation areas and regulate activities, access and moorage for community use.

39I.1 PERMITTED USES

The following principal uses and no others are permitted:

- (a) Assembly
- (b) Public boat launch
- (c) Boatshed, subject to Section 4.50 (Marine General)
- (d) Community Water Access, subject to Section 39I.5
- (e) Marine oriented tourist and recreation uses
- (f) Marine park
- (g) Marine transportation services
- (h) Moorage facility, subject to Section 39I.5
- (i) Interpretive centre

The following accessory uses and no others are permitted:

- (j) Accessory uses
- (k) Portable food vending
- (l) Temporary commercial vending

39I.2 MAXIMUM WATER LOT COVERAGE

Maximum water lot coverage (total)	40%
Maximum coverage of boatsheds	10%

39I.3 MINIMUM SETBACKS FOR BUILDINGS AND STRUCTURES

The minimum setback for any portion of a building or structure on the water to any property line projection are as follows:

Front Setback	Rear Setback	Projected Side Setback
7.5 m	3.0 m	3.0 m 5.0 m if adjacent to a dedicated street end providing public water access or a park

39I.4 OFF-STREET PARKING

Off-street parking spaces for buildings and uses shall be provided in accordance with Section 41 of this Bylaw.

39I.5 CONDITIONS OF USE

- (a) Without limiting subsection 4.50 (m) of this bylaw, on LOT A DISTRICT LOTS 7056 AND 486 PLAN EPP67657, PID 030-095-344, gangways providing public access from the upland to docks and floats shall be no less than 1.5 metres in width.

SECTION 39J | Marine Log Storage (M-4)

The intent of this zone is to provide regulation for the use of the marine coastal area for water-based log storage as well as water-based log handling adjacent to immediate upland log sort operations or log transfer sites..

39J.1 PERMITTED USES

The following principal uses and no others are permitted:

- (a) Log storage, subject to Section 39J.2
- (b) Water based log handling, subject to Section 39J.2

39J.2 CONDITIONS OF USE

- (a) Log storage activities and structures shall be permitted subject to requirements of the Fisheries Act and tenure for aquatic crown land approved by the Province of British Columbia.
- (b) Water-based log-handling is only permitted where adjacent to and operated in conjunction with an immediate upland log sort or logtransfer site.

39J.3 SETBACKS

- (a) Log storage shall be located and setback from the high water mark and in sufficient water depths so as to preclude any tidal grounding on the foreshore.
- (b) Setbacks for in-water structures for log transfer and log storage shall be determined at Development Permit.
- (c) Log storage shall be setback at least 5 metres from a water lot boundary that immediately abuts a water lot or parcel zoned P-4, or M-2.

SECTION 39K | Marine Transportation Facilities (M-5)

The intent of this zone is to provide for and regulate major marine transportation infrastructure at the Darrell Bay Ferry Terminal.

39K.1 PERMITTED USES

The following principal uses and no others are permitted:

- (a) Docks, floats and piers
- (b) Ferry terminal
- (c) Marine transportation services
- (d) Pilings and dolphins
- (e) Public Boat Launch

The following accessory uses and no others are permitted:

- (f) Floating breakwaters
- (g) Minor vessel repair
- (h) Office
- (i) Surface parking for ferry terminal and marine transportation services

39K.2 MAXIMUM HEIGHT OF BUILDINGS AND STRUCTURES

For buildings and structures above the natural boundary:

Principal Building	Accessory Building
10 meters and 2 storeys, except for boat hoists and ramp mechanisms for ferry terminal	4.58 metres

39K.3 MAXIMUM DENSITY

Pier or wharf	1 per each immediately abutting upland parcel
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39K.4 MAXIMUM WATER LOT COVERAGE

Maximum water lot coverage	40%
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39K.5 MINIMUM SETBACKS FOR BUILDINGS AND STRUCTURES

Below the natural boundary, buildings and structures within the water lot shall be setback as follows:

Front Setback	Rear Setback	Projected Side Setback
7.5 m	3.0 m	15 m

Above the natural boundary, buildings and structures shall be setback a minimum of 15 metres from the high water mark on the foreshore and 6.10 metres from the side property line.

39K.6 OFF-STREET PARKING

Off-street parking spaces for buildings and uses shall be provided in accordance with Section 41 of this Bylaw.

39K.7 CONDITIONS OF USE

Office and surface parking accessory uses must be situated above the natural boundary.