

**LEQ'Á:MEL FIRST NATION
ZONING LAW
APRIL 2016**



LEQ'Á:MEL COUNCIL RESOLUTION

ZONING LAW

WHEREAS the Leq'á:mel First Nation has an inherent right to self-government which emanates from our people, culture and land and which is recognized and affirmed by section 35 of the *Constitution Act, 1982*;

AND the Leq'á:mel First Nation has taken over control and management of Leq'á:mel Reserve lands and resources pursuant to the *Framework Agreement on First Nation Land Management* and has enacted the *Leq'á:mel Land Code* effective the 25th day of January 2010;

AND under the *Leq'á:mel Land Code*, Leq'á:mel Council is authorized to pass various laws relating to lands including laws relating to land use planning under section 30.0 of the Code;

NOW THEREFORE the Council of Leq'á:mel First Nation, at a duly convened meeting, enacts this Leq'á:mel First Nation Zoning Law as a law of the Leq'á:mel First Nation

A QUORUM for the Leq'á:mel First Nations consists of 4.

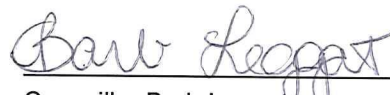
DATED this 26th day of April, 2016.


Chief Alice Thompson


Councillor Shawn Gabriel


Councillor Daniel Kelly


Councillor Justin Laslo


Councillor Barb Leggat


Councillor Sandy McDonald


Councillor Darrel McKamey

ZONING LAW

TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
2.0	ADMINISTRATION	3
3.0	DEFINITIONS	4
4.0	GENERAL REGULATIONS	9
5.0	ESTABLISHMENT OF ZONES.....	15
6.0	R1- RESIDENTIAL ZONE.....	16
7.0	C1- COMMERCIAL ZONE.....	18
8.0	CD1 – COMPREHENSIVE DEVELOPMENT ZONE.....	19
9.0	P1 - PUBLIC USE ZONE	21
10.0	P2 - RECREATION, PARKS AND OPEN SPACE ZONE	22
11.0	EPA – ENVIRONMENTAL PROTECTION AREA ZONE	24
12.0	A1- AGRICULTURE ZONE.....	25
13.0	I1- INDUSTRIAL ZONE.....	26
14.0	MHP - MOBILE HOME PARK ZONE.....	28
15.0	PARKING	30
	ZONING LAW MAPS - SCHEDULES A-K.....	32

SCHEDULES

Schedule A – Reserves Overview

Schedule B – Yaalstrick IR#1

Schedule C – Lackaway IR#2

Schedule D – Lakway Cemetery IR#3

Schedule E – Papekwatchin IR#4

Schedule F – Aylechootlook IR#5

Schedule G – Holachten IR#8

Schedule H – Zaitscullachan IR#9

Schedule I – Skweahm IR#10

Schedule J – Lakahahmen IR#11

Schedule K – Sumas Cemetery IR#12

1.0 INTRODUCTION

What is a Zoning Law?

This Zoning Law controls the use of land on all Leq'á:mel First Nation reserves and takes direction from the Leq'á:mel Land Code and the Leq'á:mel First Nation Land Use Plan. This Law divides Leq'á:mel land into zones and establishes rules and regulations about:

- How land may be used within each zone;
- Where buildings and other structures can be located on a piece of property;
- The types of buildings that are permitted and how they may be used; and
- The parcel sizes and dimensions, setbacks, density (i.e. number of units).

Why is a Zoning Law useful?

A Zoning Law sets out regulations for new development so that Leq'á:mel First Nation can manage land in a way that is supported by members and protects the community's interests (such as environment, heritage, economic development). The Zoning Law aims to prevent incompatible or inappropriate land uses, and it can prevent development in areas that the community does not want to build on (such as environmentally sensitive areas). This gives certainty for future economic development because it ensures new development meets the desires of the community and that adjacent uses will be compatible over time.

How will this Zoning Law affect community members?

This Zoning Law applies to all new development on Leq'á:mel First Nation lands, including Allotment lands (i.e. CP lands). However, all existing uses are grandfathered, as noted in this Law. So, if the use, siting, or density does not currently conform to the Zoning Law, there will be no penalty or pressure to have it changed unless the parcel is to be redeveloped. At that time, the new regulations would be enforced.

This Zoning Law regulates future development. If a new development proposal conforms with the regulations in this Zoning Law, then development can proceed. However, if a development proposal does not comply with this Zoning Law, the developer (which could be a Leq'á:mel member, a CP holder, an outside investor, or Leq'á:mel First Nation) must request a zoning amendment from Chief and Council before the new development can occur. The process for changing or amending the Zoning Law to accommodate future development is outlined in the Leq'á:mel First Nation Development Procedures Manual which is a separate document that outlines the process for approvals of new development to ensure compliance with this Zoning Law AND the Leq'á:mel First Nation Land Use Plan.

ZONING LAW

SCHEDULE OF ZONING AMENDMENTS AND VARIANCES

AMENDMENT NUMBER	DATE OF AMENDMENT	TYPE OF AMENDMENT (MAPPING/TEXT/BOTH)	SUMMARY OF AMENDMENT

2.0 ADMINISTRATION

Application

- 2.1 This Zoning Law shall be applicable to all Leq'á:mel First Nation reserve lands. The locations of the zones established in this Law are shown on Schedules A to K, which are attached to and form part of this Law.
- 2.2 The Zoning Law has been created to implement the objectives and policies in the Leq'á:mel Land Use Plan. The Leq'á:mel Development Procedures Manual establishes the process for obtaining development approval. The Leq'á:mel Development Guidelines establish desired building and neighbourhood design criteria. These documents should be read in conjunction with the Zoning Law.

Compliance

- 2.3 Land, including air space and the surface of the water, shall not be used and buildings and structures shall not be constructed, altered, located or used except as specifically permitted in this Zoning Law.

Severability

- 2.4 If any section, subsection, clause, sentence or phrase of this Law is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

Metric Measurement

- 2.5 All measurements in this Zoning Law shall be made in metric. Conversions to imperial have been provided for ease of use. However, if there is a discrepancy as a result of an error or rounding, the metric measurements in the Zoning Law will be considered valid.

3.0 DEFINITIONS

ACCESSORY BUILDING, USE, OR STRUCTURE means a use, detached building, or structure that is subordinate, customarily incidental, and exclusively devoted to the principal use, building or structure located on the same parcel.

AGENT means a Person who acts on behalf of an Owner or Developer;

AGRICULTURE means the use of land for growing plants and raising livestock and includes the storage and sale of agricultural products and the storage and repair of farm machinery and implements used on the individual farm on which the storage and repair is taking place.

BED AND BREAKFAST means temporary tourist accommodation which is incidental, subordinate and contained within a single family dwelling intended primarily for the accommodation of the traveling public and may include the provision of breakfast to the guests.

BUILDING means any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING HEIGHT means the vertical distance from the grade to the highest point of the roof surface of a flat roof, the deck line of a mansard roof, and to the beam height level between the eaves and ridge of a gable, hip, or gambrel roof.

CAMPGROUND means a site occupied and maintained for the temporary accommodation of recreation vehicles or tents.

COMMUNITY ADMINISTRATIVE AND CULTURAL FACILITIES means building and lands that are used for the governance of the Leq'á:mel First Nation or used for public functions or services. Typical facilities include a community centre, library, museum, place of worship, auditorium, educational facility, or gallery.

CONSERVATION AREA means the maintenance of the natural environment for the purpose of preservation, research, observation and outdoor uses such as hiking, hunting and fishing, and includes the erection and use of trail shelters and other similar structures ancillary to the foregoing uses, but does not include the use of a dwelling house, a mobile home, a tourist vehicle or a tourist trailer.

CONVENIENCE RETAIL STORE means the retail sale of goods required by local area residents or employees on a day to day basis. Typical uses include small food stores, drug stores, and variety stores selling confectionery, tobacco, groceries, alcohol, beverages, pharmaceutical and personal care items, hardware or printed matter.

COUNCIL means the governing body of Leq'á:mel First Nation, comprised of the Chief and Councillors.

DEVELOPER means a person who holds a valid lease or sub-lease, or intends to lease or sub-lease, with an owner or lessee.

ZONING LAW

DWELLING OR DWELLING UNIT means one or more habitable rooms designed for use by and occupied by not more than one family and in which a separate kitchen and sanitary facilities are provided for the exclusive use of such a family, with a private entrance from outside the building or from a common hallway or stairway inside the building.

DWELLING, DUPLEX means a building that is divided horizontally or vertically into two (2) separate dwelling units in the manner illustrated in Figure 1.1 below, where each of the dwelling units has an independent entrance either directly from the outside or through a common vestibule.

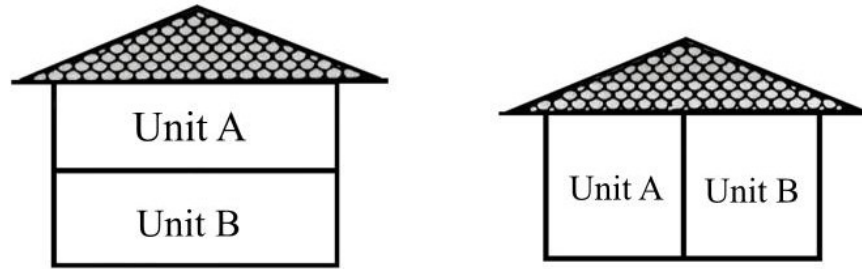


FIGURE 1.1 - ILLUSTRATION OF DUPLEX DWELLING

DWELLING, MULTIPLE FAMILY means a townhouse, which is a row of dwelling units in building that is divided horizontally, or an apartment dwelling.

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

EATING AND DRINKING ESTABLISHMENT means a building or use such as a restaurant, café, pub, or similar use to provide food and beverages to the public.

ELDER'S LODGE means a dwelling where Elders live and are supported by staff that help with day to day functions.

FISHERIES BASED FACILITIES means facilities related to catching and processing fish. This includes fishing docks as well as processing and manufacturing facilities such as canneries or smoking fish.

HOME BASED BUSINESS means a small scale business activity use not on an industrial scale that is clearly ancillary and subordinate to the principal residential use of the parcel and is wholly within the dwelling unit or a building that is accessory to the dwelling unit and that is carried out primarily by the owner or occupant of the property.

LONGHOUSE means a building for the purpose of traditional and cultural uses and spiritual practices.

MARINE BASED FACILITIES means a facility located within or abutting a water body, that is designed and intended to moor, berth or store boats or other watercraft, and includes a boat launch, boat lift, pier,

ZONING LAW

dock, wharf or boathouse and does not include space for human habitation or a commercial service or repair operation.

MOBILE HOME means a factory constructed dwelling unit designed to be towed from site to site and subject to Canadian Standards Association (CSA) Z240 Mobile Home Series of Standards. CSA Z240 Standards are specifically for homes that may be moved from one home site to another.

MODULAR HOME means a dwelling unit constructed on-site from modules assembled in a factory. These homes have a CSA A277 label to show that they were built in a certified factory and must meet local land laws and applicable building codes.

MOBILE HOME PARK means a parcel of land upon which two or more mobile homes are located, and includes all buildings and structures used or intended to be used as part of such Mobile Home Park, but excludes any dwelling unit that is not a mobile home.

NON-CONFORMING means that which does not conform, comply or agree with the provisions of this Law as of the date it was made.

NOXIOUS USE means any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, vibration or refuse matter.

OFFICE means a building or part thereof designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration, or where not conducted on the site thereof, the administration of an industry.

OUTDOOR RECREATION FACILITY means facilities which are available to the public at large for sports and active recreation conducted outdoors. Typical uses include but are not limited to ball fields and soccer fields. Outdoor recreation services do not include camping.

OWNER means any person lawfully in possession of land, buildings or structures.

LAND CODE means the *Leq'á:mel Land Code*.

LANDS MANAGER means the person appointed or designated by Council under this Law and charged with the duty of administering and enforcing the provisions of this Law¹.

LANDS OFFICE means the department established by Council to manage Leq'á:mel lands.²

PARCEL means any lot, block, or other area in which land is held or into which it is subdivided, but does not include a highway.

¹ *Land Code*, section 8.3 and 8.4

² *Land Code*, section 4.0 and section 8.0

ZONING LAW

PARCEL LINE, FRONT means the shortest Parcel Line common to a parcel and a highway other than a Lane as shown in Figure 1.2 below.

PARCEL LINE, REAR means the parcel line which lies the most opposite to and is not connected to the Front Parcel Line as shown in Figure 1.2 below.

PARCEL LINE, SIDE means a parcel line other than a front or rear parcel line as shown in Figure 1.2 below.

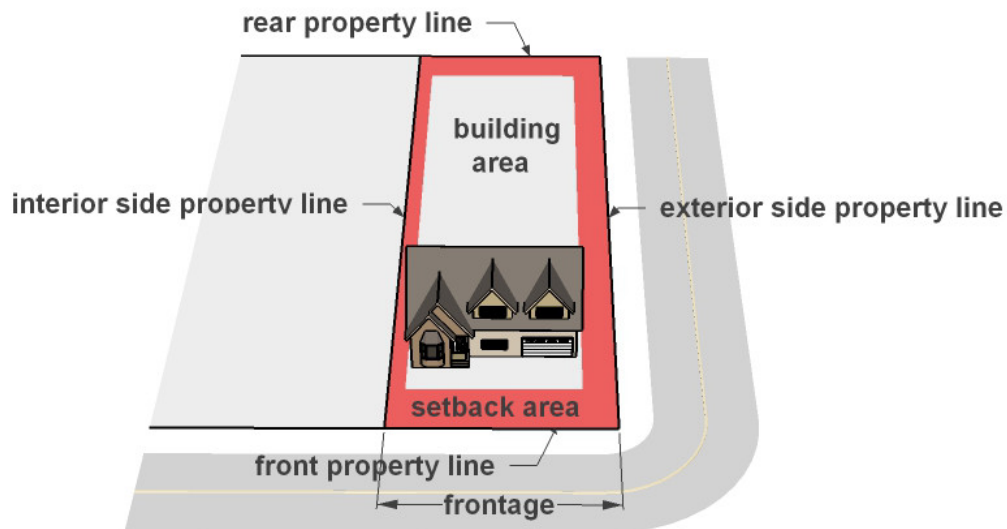


FIGURE 1.2

PARK means an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features, and used for both passive and active forms of recreation.

PERMITTED LAND USE means the principal permissible purpose for which land, buildings or structures may be used.

PERSON includes an individual, an association, a chartered organization, a firm, a partnership and a corporation.

PERSONAL SERVICE ESTABLISHMENT means a building or part of a building in which professional or personal services are provided including the sale of goods accessory to the provision of such services and without restricting the generality of this definition, includes personal and pet grooming, medical or dental practice, dry cleaners, electrical appliance repairs, financial services, laundrettes, optical or watch repairs, photographers, show repairs, tailors, printing shops, dressmakers and similar services.

PERSONAL CULTURAL FACILITY means a food smoking facility, sweat lodge, prayer area or other spaces dedicated to spiritual and cultural uses.

ZONING LAW

PRINCIPAL BUILDING means the building, which contains the principal use of the parcel and shall include attached garages or carports, but does not include an Accessory Building.

PRINCIPAL USE means the main purpose for which land, buildings or structure are ordinarily used.

PUBLIC UTILITY means a building or space used in conjunction with the supply of local utility services including a water or sewage pumping station, a water storage reservoir, a gas regulator building, a hydro substation, a telephone building and corridors for the pipe or wire systems connected with the supply of these services.

QUALIFIED ENVIRONMENTAL PROFESSIONAL means an:

- a) Individual who is registered and in good standing in British Columbia with an appropriate professional organization, acting under that associations' code of ethics and subject to disciplinary action by that association;
- b) Individual whose area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal; and
- c) Individual who is acting within that individual's area of expertise.

RESERVE/RESERVE LANDS means the reserves of Leq'á:mel First Nation.

RETAIL STORE means a building where goods, wares, merchandise, or things are offered for sale.

SECONDARY SUITE means a portion of a single family dwelling which is established as a separate dwelling unit from the principal part of the house, and contains a separate entrance from the exterior and a lockable door between the two parts of the house.

SERVICE STATION means a building or lot used or intended for the retail sale of motor fuels and lubricants, and which may include the servicing and minor repairs of motor vehicles and the sale of automobile accessories, but specifically excludes structural or body repair and painting.

SETBACK means the required minimum or maximum distance between a building, structure or use and each of the respective parcel lines.

STRUCTURE means any construction fixed to, supported by or sunk into land or water including a Manufactured Home or Mobile Home, but does not include concrete, asphalt, brick or tile surfaced areas.

USE means the same as permitted land use.

ZONE means a designated area of land use shown on Schedules A to K hereto.

4.0 GENERAL REGULATIONS

Application

- 4.1 Except as otherwise specified, Part 4 – General Regulations applies to all Zoning Designations established under this Zoning Law.

Prohibition

- 4.2 No building or structure shall hereafter be erected or altered, nor shall the use of any land, building or structure hereafter be changed, in whole or in part, except in conformity with the provisions of this Law.

Uses Permitted in All Zoning Designations

- 4.3 The following uses are permitted in all zones:
- .1 Public parks, playgrounds and outdoor recreation areas, except golf courses and golf driving ranges;
 - .2 Public utility facilities for local transmission of water, wastewater, electrical power, telephone, natural gas, cable television and other similar service (but not including sewage treatment plants, electrical substations, storage yards, works yards, maintenance buildings or maintenance offices);
 - .3 Temporary construction and project sales offices provided that the use is removed within 30 days of the completion of the project; and
 - .4 Storage of construction materials on a site for which construction has been authorized by the authority having jurisdiction, provided they are removed within 30 days of completion of the project.

Number of Principal Buildings on a Parcel

- 4.4 Not more than one principal building shall be permitted on any parcel.

Non-Conforming Uses

- 4.5 Subject to Section 4.2, existing uses and requests for development made prior to the date of the adoption of this law are grandfathered and therefore allowed to continue. Any changes in the land use (such as changes from residential to commercial use) or construction of new structures (such as a fence or an accessory building) made after the adoption of this Zoning Law must comply with this Zoning Law.
- 4.6 If a Building or Structure, the use of which does not conform to the provisions of a Law, is damaged or destroyed to the extent of 75% or more of its value above its foundations as

ZONING LAW

determined by the building inspector, is to be repaired or reconstructed, it must conform to this Law.

Exceptions to Height Limitations

- 4.7 The height limitations of this Law do not apply to chimneys, church spires, water tanks, elevator enclosures, flag poles, television or radio antennae, electrical transmission facilities, ventilators, or skylights.

Accessory Buildings and Structures

- 4.8 .1 Accessory building, use, and structures, including private garages, are permitted in any zone within the reserve, but shall not:
- a. Be used for human habitation or located in a required front yard;
 - b. Exceed 4 metres in height in any residential zone;
 - c. Be built within 2 metres of the main building; or
 - d. Be considered an accessory building attached to the main building unless the accessory building meets the regulations for the principal building.
- .2 No accessory building, use, or structure shall be erected on any parcel unless the principal building to which the accessory building is an incidental use has been erected or will be erected simultaneously with said accessory building.

Temporary Uses Permitted

- 4.9 Nothing in this Law prevents uses incidental to construction, such as a construction camp or other such temporary work camp, a tool shed, scaffold or other building or structure incidental to the construction, or a sign not more than 4.5 square metres in area incidental to the construction, if these uses are permitted only for so long as they are necessary for work in progress which has neither been finished nor abandoned.
- 4.10 Nothing in this Law prevents Leq'á:mel members from constructing a temporary, seasonal fish camp in accordance with cultural use.

Occupancy of Incomplete Buildings

- 4.11 In any zone, no new buildings shall be occupied before the main side walls and roof have been erected and roofing has been completed and, in the case of a dwelling, kitchen, heating and sanitary conveniences have been installed and rendered useful.

Environmental Protection

- 4.12 Environmental Assessment Report from a qualified environmental professional including information as to whether Approvals or Notifications are required by other government agencies. This should also include recommendations regarding mitigation and protection measures;
- 4.13 If development is within 30 metres of a watercourse, identify appropriate setbacks established by a qualified environmental professional;
- 4.14 Archeological Assessment report prepared by a qualified professional including the requirements of the Stóllō Heritage Policy;
- 4.15 Geotechnical Assessment prepared by a qualified Professional Engineer that includes consideration of the site suitability according to the Environmental Management Act and the Contaminated Sites Regulation. This report must also indicate how impacts will be mitigated including soil stability and fill.

Setbacks

- 4.16 Buildings and structures erected in any zone shall conform to the following setback requirements from road centre lines and high water marks of any water course, bay or lake:
 - .1 Provincial highway – 13 metres
 - .2 Roads other than a Provincial highway – 10 metres
 - .3 Water setback
 - a. No grazing of livestock and no building, mobile home or unit, manufactured home or structure or any part thereof shall be constructed, reconstructed, moved, extended or located within 30 metres of the natural boundary of any fish-bearing watercourse
 - b. The setback required may be varied upon approval of an environmental assessment completed by a Qualified Environmental Professional.

Setback Exceptions

- 4.17 No building or structure other than the following shall be located in the area of setback required by this Law:
 - .1 Signs;
 - .2 Fences;
 - .3 Steps provided they are not closer than 1 metre from any side parcel;
 - .4 A patio, terrace, porch, balcony, sidewalk, hard surfacing or canopy provided they are not closer than 2 metres from any parcel line;
 - .5 Arbours, trellises, fish ponds, ornaments, flag poles or similar landscape features, provided they are not closer than 1 metre from any parcel line;

ZONING LAW

- .6 Eaves, gutters, cornices, sills, bay windows, chimneys, open porches, canopies, sun shades or similar features, provided such features do not exceed 1 metre from any parcel line;
- .7 A parking space or loading space; and
- .8 Landscape screens.

Occupation of Vehicles

- 4.18 No car, truck, coach, or streetcar body shall be used for permanent human habitation in any zone, whether or not mounted on wheels.

Parking of Derelict Motor Vehicles

- 4.19 No derelict motor vehicle shall be parked or stored in any zone unless:
- .1 the vehicle is stored inside a building; or
 - .2 the area where vehicles are kept is fully screened on all sides by an opaque fence, landscaping or berm.

Bed and Breakfast

- 4.20 Where expressly permitted in a zone, a Bed and Breakfast shall comply with the following regulations:
- .1 The Bed and Breakfast facility shall be entirely contained within the dwelling;
 - .2 One additional parking space shall be provided for each room; and,
 - .3 A maximum of one sign shall be permitted per parcel advertising a Bed and Breakfast and shall not exceed 0.3 square metres in area and shall not be illuminated.

Home Based Business

- 4.21 Where expressly permitted in a zone, a home based business shall comply with the following regulations:
- .1 Only members of the family are employed in the home based business;
 - .2 There is not external display of advertising other than a non-illuminated sign, not more than 0.3 square metres in area, to indicate to persons outside that any part of the dwelling unit or lot is being used for a purpose other than residential;
 - .3 Home based businesses are only permitted in a single family dwelling;
 - .4 Not more than 20% of the dwelling unit area is used for the purpose of the home based business;
 - .5 The home based business is secondary to the main residential use and does not change the residential character of the dwelling home or dwelling unit;

ZONING LAW

- .6 The home based business does not create or become a nuisance. In particular, in regard to noise, traffic or parking; and
- .7 A private garage is not used for the home based business.

Secondary Suites

- 4.22 Where expressly permitted within a zone, a secondary suite shall comply with the following regulations:
- .1 The secondary suite shall have its own separate cooking, sleeping, and bathing facilities;
 - .2 The secondary suite shall have direct access to the outside without passing through any part of the principal dwelling unit;
 - .3 The secondary suite shall be located within a single family dwelling unit;
 - .4 No more than one secondary suite is permitted per parcel;
 - .5 The secondary suite shall not exceed the lesser of 90m² or 40% of the gross floor area of the principal building;
 - .6 A secondary suite is not permitted in conjunction with a bed and breakfast use, and a bed and breakfast is not permitted within a secondary suite; and
 - .7 A home-based business is not permitted within a secondary suite.

Noxious Uses

- 4.23 No use is permitted which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, vibration or refuse matter in accordance with Leq'á:mel First Nation's Disorderly Conduct and Nuisances on Leq'á:mel Lands By-Law No. 1997-01.

Gravel Pits, Stone Quarries

- 4.24 Gravel pits and stone quarries are prohibited, except in an Industrial zone.

Utility Installations

- 4.25 Notwithstanding the provisions of this Law, the minimum area and width of lots used for utility installations, such as a booster station, natural gas facility, hydro-electric outlet, transmission tower, or storm water detention pond, may be less than required in this Law. Utility installations shall be permitted in all zones.

Variance

- 4.26 An Owner, Agent or Developer of any land, Building or Structure affected by this Law may apply to the Leq'á:mel Lands Manager for a variance from the provisions of this Law as identified in the Leq'á:mel First Nation Development Procedures Manual, as long as it does not vary use or density.

Amendment

- 4.27 .1 The Owner, Agent or Developer of any land, building or structure may make application to the Leq'á:mel First Nation Lands Office for an amendment to the Zoning Law;
- .2 Where an Owner, Agent or Developer of any land requests an amendment to this Law, they shall submit an application to the Lands Manager as outlined in the Leq'á:mel First Nation Development Procedures Manual;
- .3 Where Council requests an amendment to this Law, it shall:
- a. Pass a resolution setting out a description of the proposed amendments; and
 - b. The reasons for requesting the proposed amendments.

Enforcement and Inspection

- 4.28 The Lands Manager may, at all reasonable hours, enter and inspect any land, building, structure or other property for the purpose of determining whether this Law is being complied with.

Offence

- 4.29 .1 A person who uses land, or who erects or uses any building or structure or any part of land or a building or structure, in a manner contrary to any provision of this Law, or who otherwise violates any provision of this Law or causes or permits any such violation, commits an offence.
- .2 A person who interferes with or obstructs the Lands Manager in the administration and enforcement of this Law commits an offence.
- .3 Where an act or omission in contravention of this Law continues for more than one day, such act or omission shall be deemed to be a separate offence committed on each day during which it continues, and may be punished as such.

Penalty

- 4.30 A person who commits an offence under this Law is liable on summary conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 30 days, or to both.

ZONING LAW

5.0 ESTABLISHMENT OF ZONES

5.1 All areas within Leq'á:mel First Nation reserve lands shall be divided into the following Zones identified and described below.

ZONE	ZONE DESCRIPTION
R1	Residential
C1	Commercial
CD1	Comprehensive Development Zone
P1	Public Use
P2	Recreation, Parks and Open Space
EPA	Environmental Protection Area
A1	Agricultural
I1	Industrial
MHP	Mobile Home Park

Zone Boundaries

- 5.2
- .1 Where a Zone boundary is shown in Schedules A to K (Zoning Maps), as following a road right-of-way or watercourse, the centre line of the right-of-way or watercourse shall be the Zone boundary
 - .2 Where a Zone boundary does not follow a legally defined line and where the distances are not specifically indicated, the location of the Zoning boundary shall be determined by scaling from the Zoning Maps shown on Schedules A to K of this Zoning Law.

6.0 R1- RESIDENTIAL ZONE

Purpose

- 6.1 The purpose of this zone is to provide for residential development that will accommodate people living on Leq'á:mel First Nation reserve lands. This zone will permit multiple family dwellings, single family dwellings and secondary suites.

Permitted Uses

- 6.2 The following uses and no others shall be permitted in the R1 Zone:

- .1 Single family dwelling;
- .2 Duplex dwelling;
- .3 Multiple family dwelling under three stories;
- .4 Home based business;
- .5 Bed and breakfast;
- .6 Modular home;
- .7 Elders lodge;
- .8 Personal cultural facilities;
- .9 Secondary suites; and
- .10 Accessory building, use, or structure.

Regulations

- 6.3 Within the regulations table, Column 1 sets out the matter to be regulated, and Column 2 sets out the regulations:

Column 1		Column 2
.1	Minimum Parcel Size for New Subdivisions: a) For parcels connected to community sewer system b) For parcels connected to onsite septic system	1200 square metres (0.3 acres) 7300 square metres (1.8 acres)
.2	Minimum Setback	
	a. Front parcel line	6.0 metres (20 feet)
	b. Side parcel line	4.5 metres (15 feet)

ZONING LAW

Column 1		Column 2
	c. Rear parcel line	4.5 metres (15 feet)
.3	Minimum Floor Area for: a. Single Family Dwelling Unit (main floor) b. Multiple Family Dwelling Unit	70.0 square metres (752 square feet) 55.0 square metres (590 square feet)
.4	Minimum Parcel Width for New Subdivisions	10.0 metres (33 feet)
.5	Maximum Height of Principal Buildings	11.0 metres (36 feet)
.6	Minimum Dwelling Unit Width	4.0 metres (13 feet)

Conditions of Use

- 6.4 Mobile homes are not permitted in this zone.
- 6.5 Where a duplex or multiple family dwelling is divided into two separate parcels, the minimum interior side parcel line setback shall not apply where there is a common wall shared between the dwellings.
- 6.6 All proposed developments should conform to the recommendations established in the Leq'á:mel First Nation Development Guidelines.

7.0 C1- COMMERCIAL ZONE

Purpose

- 7.1 The purpose of this zone is to regulate the development of a variety of commercial uses on Leq'á:mel First Nation reserve lands.

Permitted Uses

- 7.2 The following uses and no others shall be permitted in the C1 Zone:

- .1 Service Station;
- .2 Convenience retail store;
- .3 Retail store;
- .4 Eating and drinking establishments;
- .5 Office;
- .6 Personal Service Establishment; and
- .7 Accessory building, use, or structure.

Regulations

- 7.3 Within the regulations table, Column 1 sets out the matter to be regulated, and Column 2 sets out the regulations:

Column 1		Column 2
.1	Minimum parcel size for New Subdivisions	300 square metres (3200 square feet)
.2	Minimum Setback	
	a. Front parcel line	6.0 metres (20 feet)
	b. Side parcel line	6.0 metres (20 feet)
	c. Rear parcel line	6.0 metres (20 feet)
.3	Maximum Height of Principal Buildings	15.0 metres (49 feet)
.4	Maximum Height of Accessory Buildings or Structures	5.0 metres (16 feet)

Conditions of Use

- 7.4 All proposed developments should conform to the recommendations established in the Leq'á:mel First Nation Development Guidelines.

8.0 CD1 – COMPREHENSIVE DEVELOPMENT ZONE

Purpose

- 8.1 The purpose of this zone is to permit a mixture of single and multi-family residential with compatible commercial uses that promote a pedestrian friendly neighbourhood with some local amenities for residents. Provision is also made for the development of multiple family dwelling units, either in combination uses (i.e. residential and commercial) or separate residential buildings. This zone has been established to enable a variety of uses at Skweahm I.R. 10 (Schedule I).

Permitted Uses

- 8.2 The following uses and no others shall be permitted in the CD1 Zone:

- .1 Single family dwelling;
- .2 Multiple family dwelling under three stories;
- .3 Service station;
- .4 Business and professional office;
- .5 Convenience retail store;
- .6 Medical and dental clinic;
- .7 Personal service establishment;
- .8 Public buildings and uses;
- .9 Restaurants and cafes; and
- .10 Accessory building, use, or structure.

Regulations

- 8.3 Within the regulations table, Column 1 sets out the matter to be regulated, and Column 2 sets out the regulations:

Column 1		Column 2
.1	Minimum Parcel Size for New Subdivisions	300 square metres (3200 square feet)
.2	Minimum Setback from Rear Parcel Line for All Uses Except Single and Multiple Family Dwellings	3.0 metres (10 feet)
.3	Minimum Setback from Parcel Lines for Single and Multiple Family Dwellings a. Front and rear parcel line b. Side parcel line	4.5 metres (15 feet) 3.0 metres (10 feet)

ZONING LAW

Column 1		Column 2
.4	Minimum Floor Area for c. Single Family Dwelling Unit (main floor) d. Multiple Family Dwelling Unit	70.0 square metres (752 square feet) 55.0 square metres (590 square feet)
.5	Maximum Height of Principal Buildings	14.0 metres (46 feet)
.6	Maximum Height of Accessory Buildings or Structures	5.0 metres (16 feet)

Conditions of Use

- 8.4 Where a parcel is used for combined commercial and residential use, the residential use shall:
- a. be contained in the same building as the commercial use;
 - b. be located over or behind the commercial use; and
 - c. have a separate entrance from the outside.
- 8.5 Where a multiple family dwelling is divided into two separate parcels, the minimum interior side parcel line setback shall not apply where there is a common wall shared between the dwellings.
- 8.6 All proposed developments should conform to the recommendations established in the Leq'á:mel First Nation Development Guidelines.

9.0 P1 - PUBLIC USE ZONE

Purpose

- 9.1 The purpose of this zone is to identify lands for community facilities, as well as the conservation and enjoyment of culturally important areas. This zone will allow for community and office uses.

Permitted Uses

- 9.2 The following uses and no others shall be permitted in the P1 Zone:

- .1 Community administrative and cultural facilities;
- .2 Longhouse;
- .3 Health centre;
- .4 Cemetery;
- .5 Daycare;
- .6 School;
- .7 Conservation area;
- .8 Recreation facilities (including sports fields);
- .9 Office; and
- .10 Accessory building, use, or structure.

Regulations

- 9.3 Within the regulations table, Column 1 sets out the matter to be regulated, and Column 2 sets out the regulations:

Column 1		Column 2
.1	Minimum Parcel Size for New Subdivisions	1000 square metres (10,700 square feet)
.2	Minimum Setback:	
	a. Front parcel line	7.5 metres (25 feet)
	b. Side parcel line	3.0 metres (10 feet)
	c. Rear lot line	7.5 metres (25 feet)

Conditions of Use

- 9.4 All proposed developments should conform to the recommendations established in the Leq'á:mel First Nation Development Guidelines.

10.0 P2 - RECREATION, PARKS AND OPEN SPACE ZONE

Purpose

10.1 The purpose of this zone is to provide for parks, open space, and natural areas to serve the recreational needs of the community whether it is active or passive.

Permitted Uses

10.2 The following uses and no others shall be permitted in the P2 Zone:

- .1 Boat launch;
- .2 Campground;
- .3 Commercial based facilities related to recreation and leisure based activities;
- .4 Conservation area;
- .5 Fish camp;
- .6 Interpretive centre;
- .7 Outdoor recreation facilities (including cultural centres);
- .8 Parks;
- .9 Picnic areas;
- .10 Playgrounds;
- .11 Trails; and
- .12 Ancillary recreational facilities (including picnic shelters).

Regulations

10.3 Within the regulations table, Column 1 sets out the matter to be regulated, and Column 2 sets out the regulations:

Column 1		Column 2
.1	Minimum Parcel Size for New Subdivisions	1000 square metres (10,700 square feet)
.2	Minimum Setback:	
	a. Front parcel line	7.5 metres (25 feet)
	b. Side parcel line	3.0 metres (10 feet)
	c. Rear lot line	7.5 metres (25 feet)

Conditions of Use

- 10.4 Parcels used for outdoor recreation purposes shall be kept in their natural state except where modifications are necessary to facilitate outdoor recreation. Permitted site modifications may include earthworks required for construction and development of access roads, trails, picnic sites, or playing fields.
- 10.5 All proposed developments should conform to the recommendations established in the Leq'á:mel First Nation Development Guidelines.

11.0 EPA – ENVIRONMENTAL PROTECTION AREA ZONE

Purpose

11.1 The purpose of this zone is to conserve lands and protect areas that have significant environmental, historical and cultural values. No development is permitted on these lands.

Permitted Uses

11.2 The following uses and no others shall be permitted in the EPA Zone:

- .1 Open space.

Conditions of Use

11.3 No subdivision of land is permitted.

11.4 No development of any kind is permitted on lands within this zone. These areas shall be kept in their natural state.

12.0 A1- AGRICULTURE ZONE

Purpose

12.1 The purpose of this zone is to preserve land for agriculture and related land uses.

Permitted Uses

12.2 The following uses and no others shall be permitted in the A1 Zone:

- .1 Agriculture;
- .2 Conservation areas
- .3 Greenhouses;
- .4 Single family dwelling;
- .5 Temporary Campground; and
- .6 Accessory building, use, or structure.

Regulations

12.3 Within the regulations table, Column 1 sets out the matter to be regulated, and Column 2 sets out the regulations:

Column 1		Column 2
.1	Minimum Parcel Size for New Subdivisions	8 Hectares (20 acres)
.2	Minimum Setback of Principal building from all parcel lines	
	a. Front Parcel Line	7.5 metres (25 feet)
	b. Side parcel line	6.0 metres (20 feet)
	c. Rear parcel line	7.5 metres (25 feet)
.3	Maximum Height of Principal Buildings	15.0 metres (49 feet)

Conditions of Use

12.4 All proposed developments should conform to the recommendations established in the Leq'á:mel First Nation Development Guidelines.

13.0 I1- INDUSTRIAL ZONE

Purpose

13.1 The purpose of this zone is to provide for a broad range of industrial uses on Leq'á:mel First Nation reserve lands.

Permitted Uses

13.2 The following uses and no others shall be permitted in the I1 Zone:

- .1 Manufacturing;
- .2 Gravel operation;
- .3 Marine based facilities;
- .4 Docks;
- .5 Resource based facilities and manufacturing (such as sawmill);
- .6 Boat storage;
- .7 Boat launch;
- .8 Fisheries based facilities;
- .9 Public utility;
- .10 Waste transfer station;
- .11 Warehouse or storage establishment;
- .12 Yard for fuel, lumber, building materials, contractor's equipment or similar material, and;
- .13 Accessory building, use or structure.

Regulations

13.3 Within the regulations table, Column 1 sets out the matter to be regulated, and Column 2 sets out the regulations:

Column 1		Column 2
.1	Minimum Parcel Size for New Subdivisions	560 square metres (.14 acres)
.2	Minimum Setback	
	a. Front parcel line	7.5 metres (25 feet)
	b. Side parcel line	6.0 metres (20 feet)
	c. Rear parcel line	6.0 metres (20 feet)

ZONING LAW

Column 1		Column 2
.3	Maximum Height of Principal Buildings	15.0 metres (49 feet)
.4	Maximum Height of Accessory Buildings or Structures	5.0 metres (16 feet)

Conditions of Use

- 13.4 All proposed developments should conform to the recommendations established in the Leq'á:mel First Nation Development Guidelines.

14.0 MHP - MOBILE HOME PARK ZONE

Purpose

14.1 The purpose of this zone is to regulate the development of mobile home parks.

Permitted Uses

14.2 The following uses and no others shall be permitted in the MHP Zone:

- .1 Modular home;
- .2 Mobile home; and
- .3 One single family dwelling reserved for the operator of the mobile home park; and
- .4 Accessory building, use or structure.

Regulations

14.3 Within the regulations table, Column 1 sets out the matter to be regulated, and Column 2 sets out the regulations:

Column 1		Column 2
.1	Minimum Parcel Size for New Subdivisions	0.6 hectares (1.5 acres)
.2	Maximum Density	20 dwelling units per hectare
.3	Maximum Site Coverage (all buildings)	40%
.4	Minimum Building Width	
	a. Mobile home (CSA Z240)	3.5 metres (12 feet)
	b. Modular home (CSA A277)	6.0 metres (20 feet)
.5	Maximum Density in the Manufactured Home Park	
	a. Mobile home	1 per internal parcel
	b. 10% of the area must be devoted to public park space	

Conditions of Use

- 14.4 All proposed developments should conform to the recommendations established in the Leq'á:mel First Nation Development Guidelines.
- 14.5 No Mobile Homes are permitted on Lakahahmen IR#11 (Schedule J) on the following parcels:
- a. 74951 CLSR BC Lot 6-1
 - b. 74951 CLSR BC Lot 6-2.

15.0 PARKING

Application of Parking Regulations

15.1 Off street parking space is to be provided and maintained in all zones as required by this section.

Location

15.2 Off street parking shall be located on the same parcel as the use they serve.

Dimensions and Access

- 15.3
- .1 Each off street parking space shall be a minimum of 2.7 metres in width, 5.5 metres in length and 2.2 metres in height
 - .2 Where more than 10 parking spaces are provided, they must be so designed that vehicles are not required to back out onto a highway.

Surface

15.4 If more than two parking spaces are required, the parking spaces shall be hard surfaced so as to provide a surface that is durable and dust free and shall be graded and drained so as to properly dispose of all surface water.

Disabled Parking

15.5 Disabled Parking shall be provided in accordance with applicable building code(s).

Parking Requirements

- 15.6
- .1 The number of off street parking spaces for motor vehicles required for any use is calculated according to Off-street Parking Requirements shown in the table below whereby Column 1 classifies the type of use and Column 2 sets out the number of required off-street parking spaces that are to be provided for each use in Column 1.
 - .2 With respect to a use permitted under this Law, which is not specifically referred to in Column 1 of the table below, the number of off-street parking spaces is calculated on the basis of the requirements for a similar use that is listed in off-street parking requirements.
 - .3 All developments must comply with the Leq'á:mel First Nation Development Guidelines. Including parking for bicycles and other non-motorized forms of transportation.

Off-Street Parking Requirements

Column 1		Column 2
1.	Large community gathering places including community halls, schools, restaurants, and cultural centres	1 space per 10 seats or 1 per 10 m ² of the floor area used for assembly, whichever is greater
2.	Retail uses such as stores, service stations and other facilities selling goods	1 for each 35 m ² of net retail floor space
3.	Office uses including administration, business offices and places of work	1 space per 70 m ² of net office space
4.	Residential Dwelling Units	2 for each dwelling unit 1 additional space for a secondary suite 1 additional space for each bedroom available for a bed and breakfast accommodation 1 additional space for any other home based business

ZONING LAW MAPS - SCHEDULES A-K

All maps applicable to this Zoning Law are included in Schedules A to K as labelled below and attached to this document:

Schedule A – Reserves Overview

Schedule B – Yaalstrick IR#1

Schedule C – Lackaway IR#2

Schedule D – Lakway Cemetery IR#3

Schedule E – Papekwatchin IR#4

Schedule F – Aylechootlook IR#5

Schedule G – Holachten IR#8

Schedule H – Zaitscullachan IR#9

Schedule I – Skweahm IR#10

Schedule J – Lakahahmen IR#11

Schedule K – Sumas Cemetery IR#12

LEQ'A:MEL
FIRST NATION

Schedule A
Reserves Overview
Zoning Bylaw

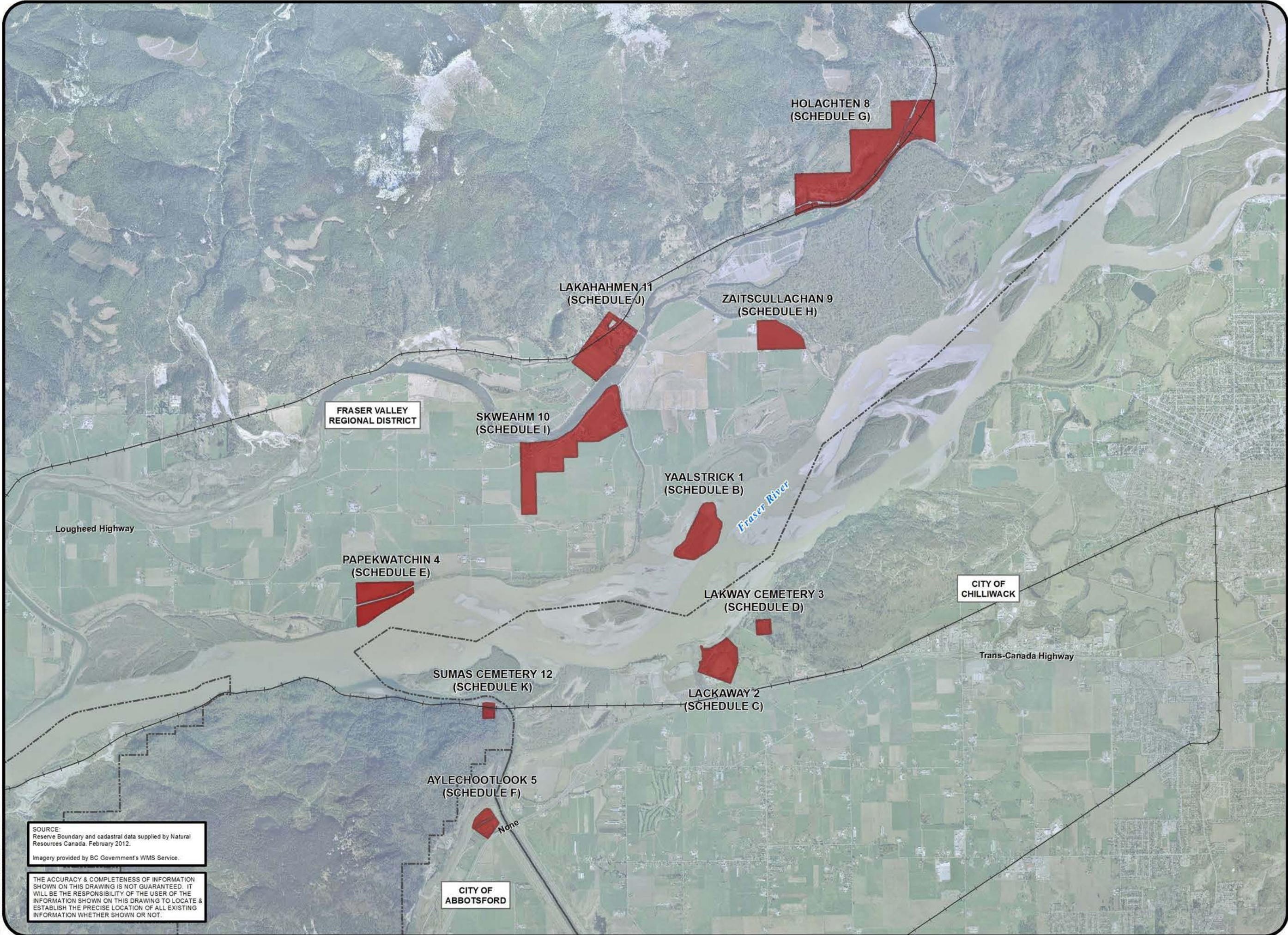
Legend

Reserve Boundary

MARCH 5, 2012

N

0 350 700 1,400
Meters



SOURCE:
Reserve Boundary and cadastral data supplied by Natural Resources Canada, February 2012.

Imagery provided by BC Government's WMS Service.

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LEQ'A:MEL
FIRST NATION

Schedule B
Yaalstrick 1
Zoning Bylaw

Legend

 Reserve Boundary

Zoning Designations

 EPA - Environmental
Protection Area

NOTE:
Reserve Boundary also
represents zoning boundary.

March 7, 2016

SOURCE:
Reserve Boundary and cadastral data supplied by Natural
Resources Canada, February 2016.

Water Features supplied by GeoBase website.
www.geobase.ca

Imagery provided by ESRI basemaps.

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N



0 20 40 80 Meters

Fraser River

LEQ'A:MEL
FIRST NATION

Schedule C
Lackaway 2
Zoning Bylaw

Legend

Reserve Boundary

Zoning Designations

P2 - Recreation, Parks
and Open Space

NOTE:
Reserve Boundary also
represents zoning boundary.

MARCH 5, 2012

SOURCE:
Reserve Boundary and cadastral data supplied by Natural
Resources Canada, February 2012.

Water Features supplied by GeoBase website.
www.geobase.ca

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N

0 25 50 100 Meters



LEQ'A:MEL
FIRST NATION

Schedule D
Lakway Cemetery 3
Zoning Bylaw

Legend

Reserve Boundary

Zoning Designations

P1 - Public Use

NOTE:
Reserve Boundary also
represents zoning boundary.

MARCH 5, 2012

SOURCE:
Reserve Boundary and cadastral data supplied by Natural
Resources Canada, February 2012.

Water Features supplied by GeoBase website,
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0 10 20 40 Meters

LEQ'A:MEL
FIRST NATION

Schedule E
Papekwatchin 4
Zoning Bylaw

Legend

Reserve Boundary

Zoning Designations

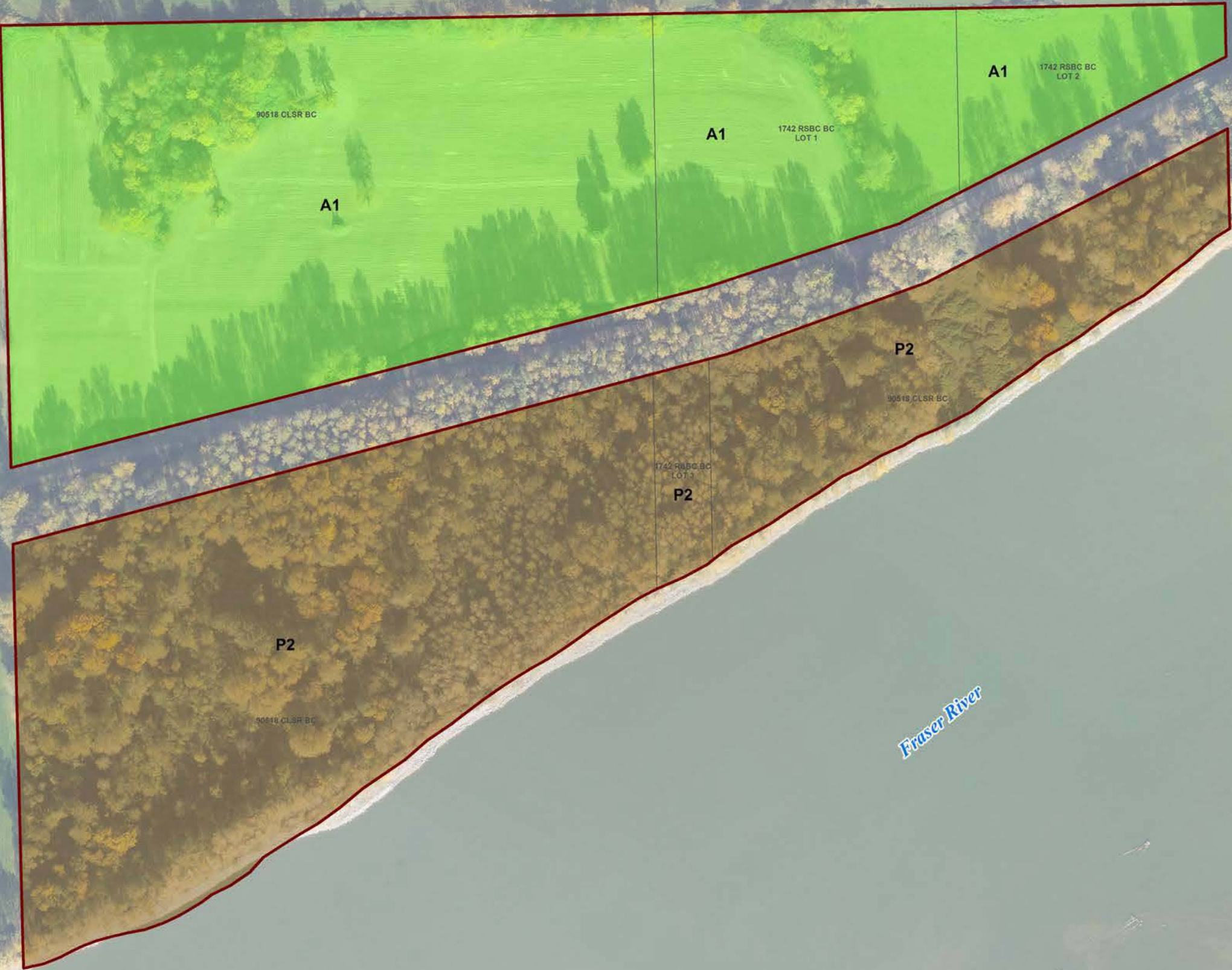
- A1 - Agriculture
- P2 - Recreation, Parks
and Open Space

NOTE:
Reserve Boundary also
represents zoning boundary.

MARCH 5, 2012

N

0 25 50 100 Meters



SOURCE:
Reserve Boundary and cadastral data supplied by Natural
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Water Features supplied by GeoBase website,
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FIRST NATION

Schedule F
Aylechootlook 5
Zoning Bylaw

Legend

Reserve Boundary

Easement

Zoning Designations

P2 - Recreation, Parks
and Open Space

NOTE:
Reserve Boundary also
represents zoning boundary.



SOURCE:
Reserve Boundary and cadastral data supplied by Natural
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Water Features supplied by GeoBase website.
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MARCH 5, 2012

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LEQ'A:MEL
FIRST NATION

Schedule G
Holachten 8
Zoning Bylaw

Legend

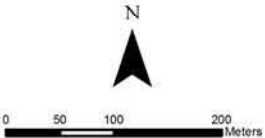
- Reserve Boundary
- Easement
- Railway
- Zoning Designations
 - A1 - Agriculture
 - MHP - Mobile Home
 - Park
 - P1 - Public Use
 - P2 - Recreation, Parks and Open Space
 - R1 - Single Family Residential

Note:
Black dashed lines indicate zoning designations based on unsurveyed boundaries.
Reserve Boundary also represents zoning boundary.

MARCH 5, 2012

SOURCE:
Reserve Boundary and cadastral data supplied by Natural Resources Canada, February 2012.
Water Features supplied by GeoBase website, www.geobase.ca

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LEQ'A:MEL
FIRST NATION

Schedule H
Zaitscullachan 9
Zoning Bylaw

Legend

- Reserve Boundary
- Zoning Designations
- A1 - Agriculture

NOTE:
Reserve Boundary also
represents zoning boundary.

MARCH 5, 2012

N

0 20 40 80 Meters

57936 CLSR BC
A1

Tremblay Island Road

Zaitscullachan Slough

SOURCE:
Reserve Boundary and cadastral data supplied by Natural
Resources Canada, February 2012.
Water Features supplied by GeoBase website,
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LEQ'A:MEL
FIRST NATION

Schedule I
Skweahm 10
Zoning Bylaw

Legend

- Reserve Boundary
- Easement
- Railway
- Zoning Designations**
- A1 - Agriculture
- C1 - Commercial
- CD1 - Comprehensive Development
- I1 - Industrial
- MHP - Mobile Home Park
- P2 - Recreation, Parks and Open Space
- R1 - Single Family Residential

Note:
Black dashed lines indicate zoning designations based on unsurveyed boundaries.
Reserve Boundary also represents zoning boundary.

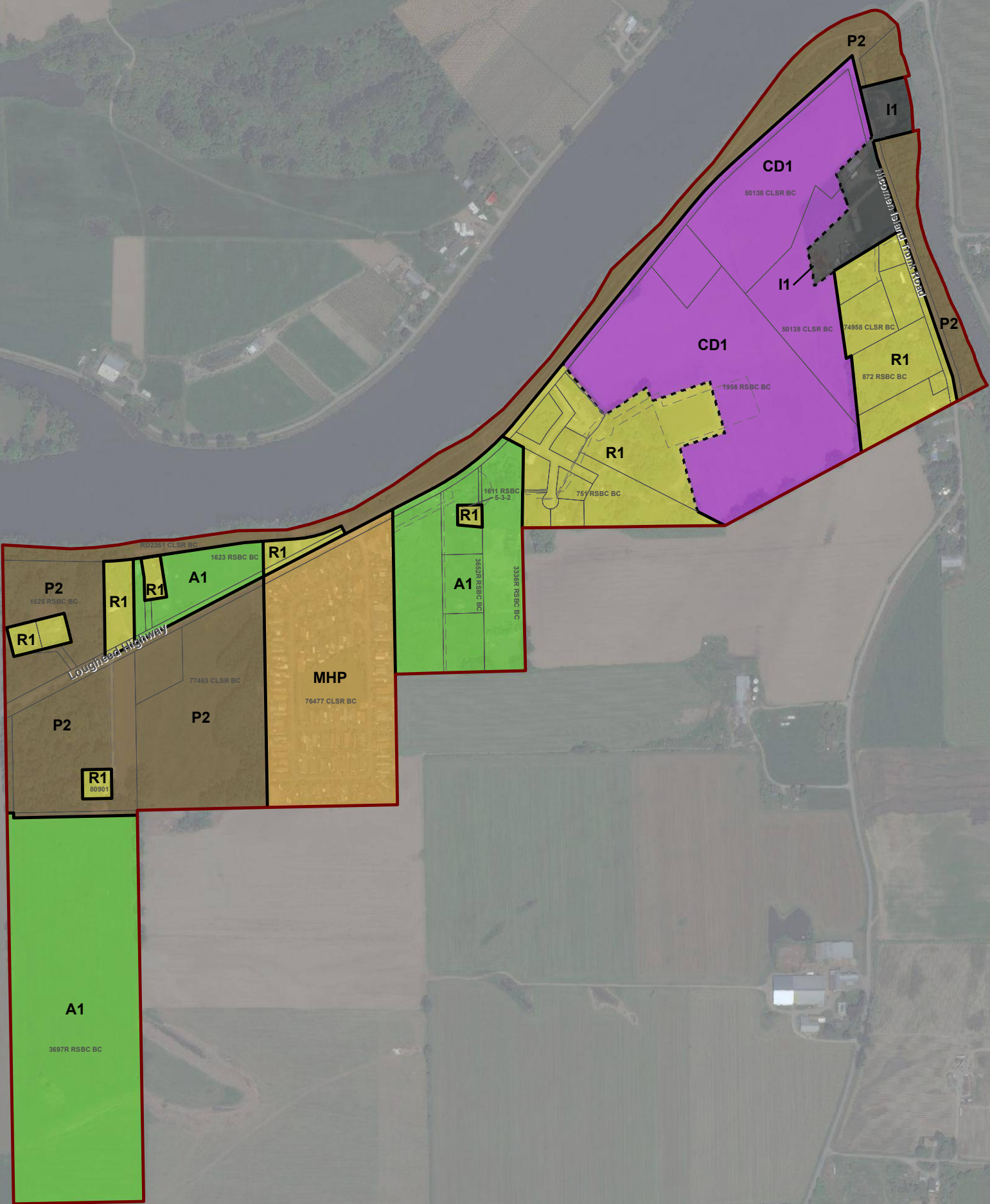
April 13, 2016

N

0 50 100 200 Meters

SOURCE:
Reserve Boundary and cadastral data supplied by Natural Resources Canada. February 2016.
Water Features supplied by GeoBase website. www.geobase.ca
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LEQ'A:MEL
FIRST NATION

Schedule J
Lakahahmen 11
Zoning Bylaw

Legend

- Reserve Boundary
Easement
Railway
- Zoning Designations**
- A1 - Agriculture
 - C1 - Commercial
 - MHP - Mobile Home Park
 - P1 - Public Use
 - P2 - Recreation, Parks and Open Space
 - R1 - Single Family Residential

NOTE:
Reserve Boundary also represents zoning boundary.

March 7, 2016

N

0 25 50 100 Meters



SOURCE:
Reserve Boundary and cadastral data supplied by Natural Resources Canada. February 2016.

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www.geobase.ca

Imagery provided by ESRI basemaps.

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LEQ'A:MEL
FIRST NATION

Schedule K
Sumas Cemetery 12
Zoning Bylaw

Legend

- Reserve Boundary
- Easement
- Railway
- Zoning Designations
- P1 - Public Use

NOTE:
Reserve Boundary also
represents zoning boundary.

MARCH 5, 2012

SOURCE:
Reserve Boundary and cadastral data supplied by Natural
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