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100 SCOPE AND APPLICABILITY

100.1 – COMPLIANCE

- 100.1 (1) No land, building, or structure within the District (“District of Coldstream”) shall be developed, used, constructed, erected, modified, converted, enlarged, re-built or re-constructed, altered, placed, maintained, or subdivided, except in conformity with the provisions of this Bylaw, unless otherwise exempt.
- (2) Any authorized person of the District appointed by Council to administer or enforce this Bylaw is hereby authorized to enter at all reasonable times upon any property to ascertain whether the regulations and provisions of this Bylaw are being or have been complied with, including:
- (a) a Registered Building Official;
 - (b) a Bylaw Compliance Officer;
 - (c) a Fire Prevention Officer;
 - (d) a Planner or Director of Development Services; or
 - (e) Chief Administrative Officer.
- (3) A person who violates or contravenes any provision of this Bylaw is subject to the following, including but not limited to:
- (a) a penalty as prescribed under the District’s *Bylaw Notice Enforcement Bylaw*;
 - (b) a fine per offence, as prescribed under the District’s *Municipal Ticket Information Utilization Bylaw*; and
 - (c) is liable upon summary conviction, to the maximum fines plus costs under the *Offence Act*, and the *Community Charter*.
- (4) Each day that a violation continues to occur is deemed to be a separate offence against this Bylaw.
- (5) Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed by this Bylaw or any other applicable statute, law or legislation.
- (6) In addition to this Bylaw, a person is responsible for ascertaining and complying with the requirements of any and all applicable:
- (a) District bylaws;
 - (b) Provincial Statutes and Regulations; and
 - (c) Federal Statutes and Regulations.

- (7) An application will be processed under *Zoning Bylaw No. 1726, 2018*, as read on the date of repeal, provided that:
- (a) a Technical Review Letter had been issued for a Development Permit or Development Variance Permit; or
 - (b) a complete Building Permit was submitted for development prior to the effective date of this Bylaw.
- (8) The use of land, including the surface of water, of buildings, and of structures must be in accordance with the permitted uses specified in this Bylaw. All other uses, by exclusion, are explicitly prohibited.

100.3 – OFFICIAL ZONING MAPS

- 100.3 (1) The extent of each area zoned is shown in **Schedule B** of this Bylaw.
- (2) Zone boundaries on the Zoning Map are to be interpreted as follows:
- (a) Where a Zone boundary follows a lane, road, utility right-of-way (ROW), or easement, it follows the centre line, unless otherwise clearly indicated on the Zoning Map;
 - (b) Where a Zone boundary is shown as approximately following the District boundary, it follows the District boundary;
 - (c) Where a Zone boundary is shown as approximately following the foreshore or high-water mark of a watercourse, it follows that line;
 - (d) Where a Zone boundary is shown as approximately following a lot line, it follows the lot line;
 - (e) Where a Zone boundary is shown as approximately following a topographic contour line or a top-of-bank line, it follows that line; and
 - (f) Where a Zone boundary is shown as being generally parallel to, or as an extension of any of the features listed in this section, it shall be so.
- (3) When any Lane or Road is closed or the dedication has been removed, in accordance with **Section 40** of the *Community Charter*, the Lane or Road will have the same land use Zone as the abutting lot or parcel.
- (4) Where abutting lands are governed under different land use Zones, the centreline of road will determine the Zone boundary, unless the Zone boundary is shown clearly following the edge of the Lane or Road.
- (5) Where a Zone boundary does not follow a legally defined line, the location of the boundary is determined by scaling from the Zoning Map.
- (6) Where a lot is divided into more than 1 Zone (or Split Zone), each Zoned portion of the lot is considered as a separate lot for the purpose of determining Zone provisions.

- (7) For the purpose of determining the interior lot line setback for a Split Zone lot, the Zone boundary separating uses on the same legal lot is considered to be the interior lot line for the abutting uses.

100.4 – ZONE REGULATIONS

- 100.4 (1) Under each land use zone, the **Permitted Uses Table** sets out the Uses, Buildings, and Structures permitted under a specific zone. Only the Uses, Buildings, and Structures listed under that Zone are permitted therein.
- (2) Under each land use zone, the **Development Regulations Table** sets out the development regulations that apply to that specific zone.
- (3) Under each land use zone, the **Subdivision Regulations Table** sets out the subdivision regulations that apply to that specific zone.
- (4) Land must not be subdivided, and Buildings, Structures, or Uses must not be constructed, located, or altered in contravention of the regulations established under the **Subdivision Regulations Table** and the **Development Regulations Table**, respectively.
- (5) A **Site-Specific Use** is permitted on the legally described parcel of land under a land use zone, as of the date of adoption of this Bylaw, and in subsequent amendments adopted therein.

100.5 – ILLUSTRATIONS

- 100.5 (1) Examples and illustrations are for the purposes of clarification and convenience. Where there is a direct conflict between an illustration and the text of this Bylaw, the text shall prevail.

200 – DEFINITIONS & INTERPRETATIONS

200 DEFINITIONS & INTERPRETATIONS

A

ACCESSORY BUILDING OR STRUCTURE means a building or structure that is ancillary and subordinate to the principal use located on the same lot.

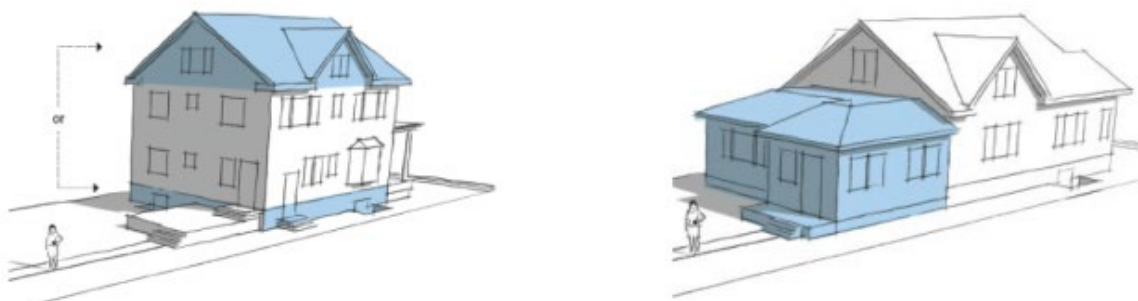


Figure 200.1: Examples of an Attached **Accessory Dwelling Unit (ADU)** or **Secondary Suite**.

ACCESSORY DWELLING UNIT (ADU), ATTACHED means a non strata titled, self-contained Dwelling Unit located within a Principal Building on the lot, and which is ancillary and subordinate to the principal residence. In addition, the use shall not exceed 90 m², and must be a minimum of 20.5 m². The use may also be defined as a **Secondary Suite** (see **Figure 200.1**). The use excludes a Bed & Breakfast.



Figure 200.2: Example of a Detached ADU, include a **Garden Suite** (left) and a **Carriage House** (right).

ACCESSORY DWELLING UNIT (ADU), DETACHED means a non strata titled, self-contained detached Dwelling Unit, ancillary and subordinate to the Principal Building and Primary Residence on the lot. In addition, the use shall not exceed 90 m², and must be a minimum of 20.5 m² (see **Figure 200.2**). The use includes:

- (a) **Garden Suite** – a detached at-grade ADU that located within the rearyard setback area of a residential lot, with a maximum allowable Building Height of 1 storey;
- (b) **Carriage House** – a detached 2-storey ADU, with a Dwelling Unit located above required off-street parking; and
- (c) excludes a Bed & Breakfast.

ACCESSORY USE means a use that is ancillary and subordinate to the principal use on the same lot.

200 – DEFINITIONS & INTERPRETATIONS

AGRICULTURE means the use of a lot for any of the following:

- (a) animal husbandry, including the breeding, raising, rearing, or keeping of domestic livestock, including alpacas, bees, camels, cattle, donkeys, fowl, goats, horses, llamas, pigs, poultry, rabbits, sheep, or any combination thereof;
- (b) horticulture, including the cultivation of fruits, vegetables, flowers, ornamental plants, and any combination thereof;
- (c) timber production, harvesting, and silviculture;
- (d) turf production with Provincial approval under the *Agricultural Land Commission Act*;
- (e) the breeding, raising, rearing, or keeping of game animals, with Provincial approval under the *Game Farm Act*;
- (f) the breeding, raising, rearing, or keeping of chinchillas, fischers, foxes, martens, minks, nutrias, and the like, with Provincial approval under the *Fur Farm Regulation*;
- (g) a brewery, cidery, distillery, meadery, or winery with Provincial approval under the *Liquor Control and Licensing Act*, and in accordance with provisions under the *ALR Use Regulation*;
- (h) farm activities including:
 - i. clearing, draining, irrigating, or cultivating land;
 - ii. the use of farm machinery, equipment, and structures;
 - iii. the application of fertilizers, manure, pesticides, biological control agents, including ground and aerial spraying; and
 - iv. the storage of agricultural products and the products of on-farm processing and on-farm product preparation.
- (i) excludes a breeding and/or boarding kennel use.

AGRICULTURE, HOBBY FARM means a small-scale farm operation located on a rural lot and intended for use as a supplementary source of household income. If the use is on a lot not located within the ALR, any sale of farm product would be regulated as a Rural Home-Based Business.

AGRICULTURE, INTENSIVE means the use of a lot(s) located within the ALR for the purposes of a commercial farming operation, including commercial vegetable and/or fruit production, poultry farms, dairy farms, greenhouses, nurseries, feed lots, and like uses.

AGRICULTURE LAND COMMISSION (ALC) means an autonomous administrative Provincial agency, independent of the Government of British Columbia, that is responsible for administering the *Agricultural Land Commission Act (ALCA)*. The ALC is the administrative tribunal that adjudicates applications within the ALR, prioritizing and protecting agricultural land and its uses. ALC policies provide interpretation and clarification on the regulations and guidelines.

AGRICULTURAL LAND RESERVE (ALR) means a Provincial designation which preserves agriculture as the principal and primary use on the lot, and non-agricultural uses are restricted. The *ALR Use Regulation* specifies land uses which are permitted within the ALR.

200 – DEFINITIONS & INTERPRETATIONS

AGRI-TOURISM means an accessory use which is ancillary to the Farm Operation, for the purposes of recreational, entertainment, education, or any combination thereof, and on a lot with a Farm Classification. The use excludes a Bed & Breakfast.

AMENITY SPACE, INDOOR means a shared common area which is provided for the use of the occupants within a building for cultural, recreational, or social purposes.

AMENITY SPACE, OUTDOOR means a shared common or limited common area which is provided for the use of the occupants of a lot, for cultural, recreational, or social purposes. The use may also be restricted exclusively to the occupant of a Dwelling Unit.

ANIMAL SHELTER means a building used for the temporary care of lost, abandoned, or neglected animals.

APARTMENT means a minimum of four dwelling units connected by common areas and a shared main entrance into the building. The use may include shared parking of motor vehicles, bike storage, laundry facilities, and personal storage lockers, where applicable.

APPROVING OFFICER means a Subdivision Approving Officer appointed under the *Land Title Act* (LTA) or the *Local Government Act* (LGA).

ASSEMBLY USE means a gathering of persons for religious, charitable, philanthropic, social, entertainment, cultural, education, and recreational purposes.

ATTIC means a finished or unfinished space between the roof and the ceiling of the upper most storey.

AUTOMOTIVE REPAIR means a commercial or industrial building used for motor vehicle repair, inspection, painting, and servicing. The use excludes Automotive Wrecking or Recycling and Salvage Yard.

AUTOMOTIVE SALES means the use of a commercial lot for the display, lease, sale, rental and/or financing of motor vehicles. The use excludes Automotive Repair and Automotive Wrecking.

AUTOMOTIVE WRECKING means an industrial use where motor vehicles are collected, stored, disassembled, shredded, sold, or crushed for recycling purposes.

B

BASEMENT means a portion of a Building that is directly below the main floor with a Building Height not exceeding 1.8 m above the Finished Grade.

200 – DEFINITIONS & INTERPRETATIONS

BASEMENT, WALKOUT means:

- (a) where 60% of the Basement is partially buried within the slope with a Building Height not exceeding 1.8 m above the Finished Grade;
- (b) where not more than 40% of the Basement is greater than 3.6 m above the Finished Grade;
- (c) is not permitted on a lot with a slope gradient of 5% or less; and
- (d) is not permitted on a lot within 60 m of a watercourse or a Geodetic Survey Canada Datum of less than 393.2 m.

BED & BREAKFAST means a *short-term rental* accommodation use occurring solely within the Principal Building and Primary Residence on the lot, and with a valid Business Licence issued by the District. The use is not permitted within an Accessory Dwelling Unit (ADU).

BEDROOM means a room within a Dwelling Unit intended as a sleeping accommodation and may include an ensuite washroom or bathroom. The use excludes the use of a Kitchen or Wet Bar.

BEEKEEPING means the keeping and maintaining of bees or beehives on an agricultural or rural lot occupied by the beekeeper.

BOARDING means shared accommodations by unrelated persons within a Dwelling Unit. The use may commonly be referred to as a roommate, long-term tenant, or housing co-op. The use excludes Bed & Breakfast.

BOARDING HOUSE means shared accommodations within a Dwelling Unit for up to 8 unrelated persons. The use excludes any cooking facilities within a bedroom and/or sleeping area, and is restricted to not more than 1 Kitchen within the Dwelling Unit. The use excludes a Bed & Breakfast.

BOAT LAUNCH means a ramp which extends from an upland parcel or a public right-of-way (ROW) access across the foreshore and into the watercourse, for the purpose of facilitating the placement and removal of a boat and other watercraft or vessels.

BOULEVARD means a portion of District lands between a lot line and a road, including curbs, sidewalks, tree strips, and any combination thereof.

BREEZEWAY means an enclosed or unenclosed structure used to connect the Principal Building on the lot with an Accessory Building.

BUILDING means any construction, wholly or partially, enclosed by a roof(s) supported by walls, columns, or posts.

BUILDING ENVELOPE AREA means the remainder of the lot after excluding any required building setback areas and/or restrictive covenant areas (see Figure **200.4**).

200 – DEFINITIONS & INTERPRETATIONS

BUILDING FAÇADE means a portion of any exterior elevation which is exposed to public view, extending from the finished grade to the eaves or top of the parapet wall, and the entire length of the building elevation, including sections of the building divided by a firewall.

BUILDING HEIGHT means the vertical distance from the Finished Grade of a Building or Structure measured to (see **Figure 200.3**):

- (a) the mid-point elevation of a Gable, Hip, Dormer, Gambrel, or a similar type pitched roof;
- (b) the deck line elevation of a Mansard roof; or
- (c) the highest point of a flat or monopitch roof surface.

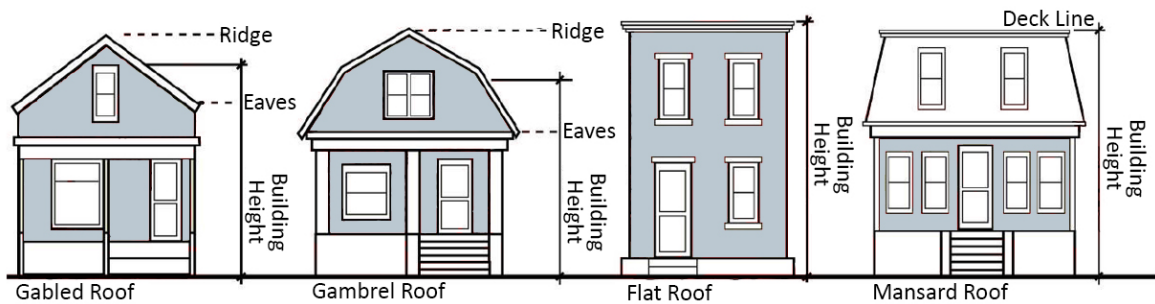


Figure 200.3: Example of Building Height

BUILDING INSPECTOR, REGISTERED means a person appointed by the District Council to administer provisions under the District’s Building Bylaw and the *BC Building Code* (BCBC).

BUILDING PERMIT means a Permit issued by a Registered Building Official (RBO) in accordance with the District’s Building Bylaw and *BC Building Code* (BCBC).

BYLAW COMPLIANCE OFFICER means a Peace Officer appointed by the District Council to administer and enforce provisions under any and all applicable District bylaws therein, in accordance with the *Community Charter*.

200 – DEFINITIONS & INTERPRETATIONS

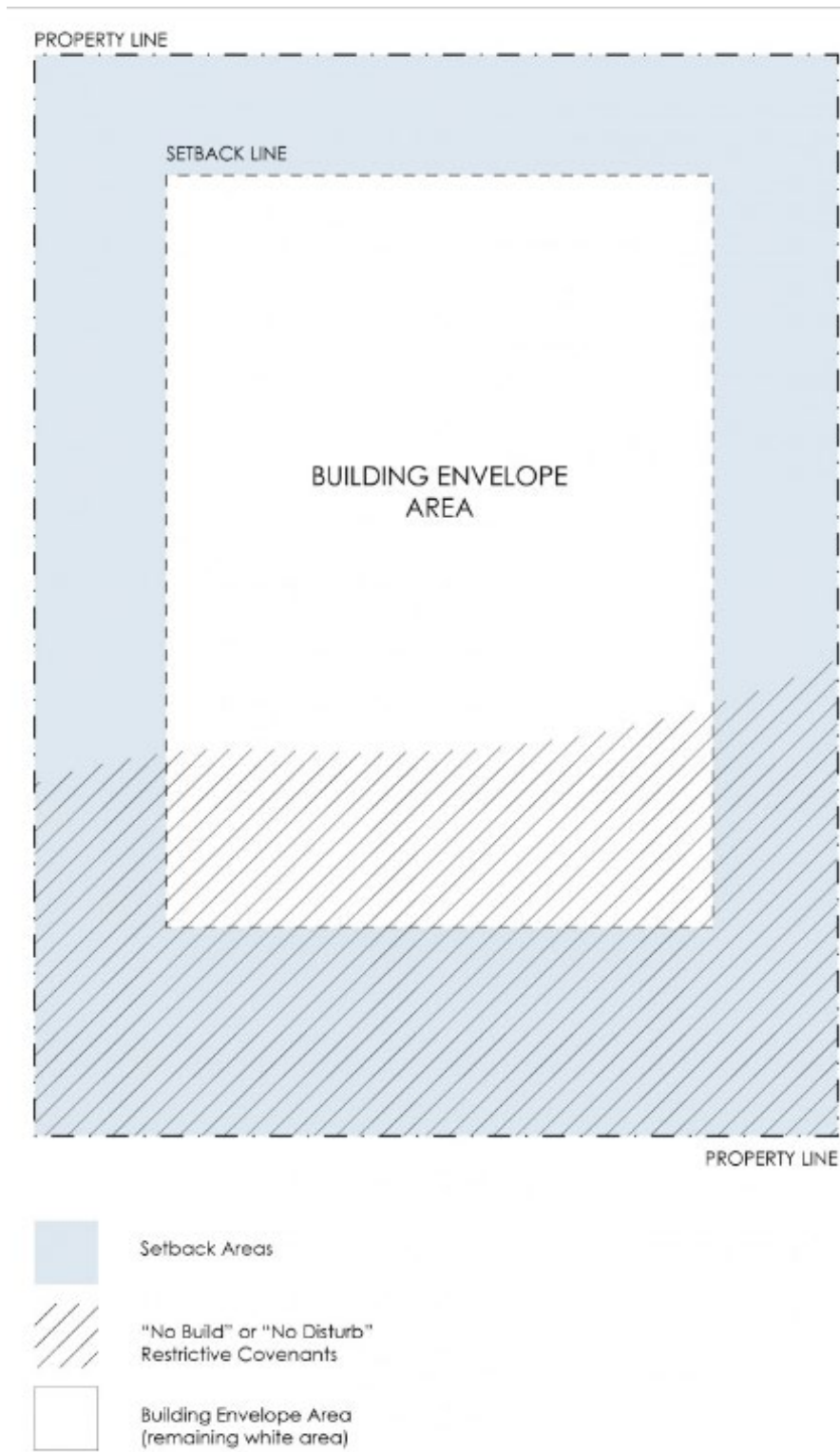


Figure 200.4: Building Envelope Area

200 – DEFINITIONS & INTERPRETATIONS

C

CANNABIS RETAIL means a retail use licenced under the *Cannabis Control and Licensing Act*, and is not a permitted use in any Zone unless authorized under a Site-Specific Text Amendment. The use includes the retail sale of any products containing cannabis.

CAMPSITE means a portion of a lot used for seasonal occupancy for the travelling public, and includes the use of tents and/or recreational vehicles for a period not greater than 9 months within a calendar year.

CAMPGROUND means a lot used for seasonal occupancy for the travelling public, and includes the use of tents and/or recreational vehicles for a period not greater than 9 months within a calendar year. Seasonal occupancy within a Campground shall not exceed 3 consecutive months.

CARPORT means a roof structure, free-standing or attached to a principal building, which is not enclosed on more than two sides, used for the storage of a motor vehicle. The use cannot be greater than 6 m in horizontal distance, if connected to a Principal Building.

CAR WASH means a use within a building or structure used for the cleaning of motor vehicles. The use may include an Office as an ancillary and subordinate use.

CEMETERY means a lot, or a portion thereof, used for interment for human remains, and includes ceremonial burial, memorials, and columbarium.

CERTIFICATE OF TITLE means a certificate issued by the Land Title Office identifying the Registered Owner of a lot or parcel of land.

CIVIC USE means a use providing a public institutional function, including:

- (a) Local, Provincial, or Federal Government Services;
- (b) Public Education;
- (c) Emergency and Protective Services (such as Fire, Police, Ambulance, and Search & Rescue);
- (d) Community Centre;
- (e) Sports & Recreation Facilities;
- (f) Parks & Open Space; and
- (g) Lands owned by the District.

COMMERCIAL STORAGE means a self-contained building(s) containing lockers available for rent for the purposes of storing personal goods, or used exclusively for storing bulk goods. The use excludes the storage of hazardous materials, as defined under the *Hazardous Products Act (HPA)* and *Hazardous Materials Information Review Act (HMIRR)*.

200 – DEFINITIONS & INTERPRETATIONS

COMMERCIAL MOTOR VEHICLE (CMV) means a motor vehicle, trailer, or semi-trailer used for the shipment of material, equipment, goods, materials, and/or passengers, and as prescribed under the *Motor Vehicle Act* (MVA) and *Commercial Transportation Regulations*, and includes the following:

- (a) a CMV with a Registered Gross Vehicle Weight (RGVW) in excess of 4,500 kg; or
- (b) a bus with a designated seating capacity of more than 10 persons, including the driver.

COMMERCIAL MOTOR VEHICLE SALE means the use of an industrial lot for the display, lease, sale, rental, repair, maintenance, and/or financing of Commercial Motor Vehicles (CMVs). The use excludes Automotive Wrecking.

COMMERCIAL UNIT means a separate, self-contained area within a commercial or industrial building used to operate a business.

COMMUNITY CARE, MAJOR means a premises, or part thereof, licenced by the Province of BC, that is being used in accordance with the *Community Care and Assisted Living Act*. The use includes:

- (a) a childcare centre with more than 8 children; or
- (b) a residence for more than 10 persons.

COMMUNITY CARE, MINOR means a premises, or part thereof, licenced by the Province of BC, that is being used in accordance with the *Community Care and Assisted Living Act*. The use includes:

- (a) a childcare use operated by the Registered Owner of the lot, providing supervision for not more than 8 children; or
- (b) a residence for 10 persons or less, with not more than 6 persons who are under supervised care.

COMMUNITY SEWER means a public sanitary sewer or sewerage disposal system which is owned, operated, and maintained by the District or its agents.

COMMUNITY WATER means a public water works system which is owned, operated, and maintained by the District.

CONGREGATE HOUSING means housing in which hospitality services are provided for the residents in care, and includes common areas, shared amenities, and personal services.

CONTROLLED-ACCESS HIGHWAY means a Provincial highway defined under the *Transportation Act*.

COUNCIL means the Municipal Council of the Corporation of the District of Coldstream.

CRAWL SPACE means a non-habitable floor area used for storage and/or utilities that is 1.5 or less in clearance from floor to ceiling.

200 – DEFINITIONS & INTERPRETATIONS

CSA means Canadian Standards Association.

CULTURAL AND RECREATION USE means recreation, social, community, arts & crafts, private clubs, sports, cultural exhibits, and live entertainment. The use is permitted within a community hall, social club, private club, library, museum, art gallery, auditorium, theatre, cinema, concert hall, and the like.

D

DBH means the diameter of a tree at breast height or 1.4 m above the highest point of the natural grade of the lot measured from the base of a tree.

DENSITY means:

- (a) the minimum Lot Area; and
- (b) the total number of Dwelling Units permitted to be built on a Lot.

DISTRIBUTION CENTRE means an industrial building used for the storage of goods, products, and materials intended for inbound and outbound delivery, and includes the parking of commercial vehicles as an ancillary and subordinate use. Ancillary and subordinate uses, including but not limited to, office, indoor display area, administrative support, and dispatch operations, and shall be limited to 10% of the GFA of the building devoted to the warehousing use.

DISTRICT means the Corporation of the District of Coldstream.

DWELLING UNIT means a building, or portion thereof, that is designed to be a self-contained, independent, separate residence, for the exclusive use of an individual household. The use is limited to one Kitchen.

DWELLING UNIT, DUPLEX means a Principal Building, fee simple or strata, that is divided horizontally or vertically into 2 separate Dwelling Units on the same lot, with (see **Figure 200.5**):

- (a) 50% of the common wall or floor/ceiling system affixed or attached;
- (b) a separate and independent entrance for each Dwelling Unit;
- (c) greater than 90 m²; and
- (d) excludes units affixed or attached by a breezeway.

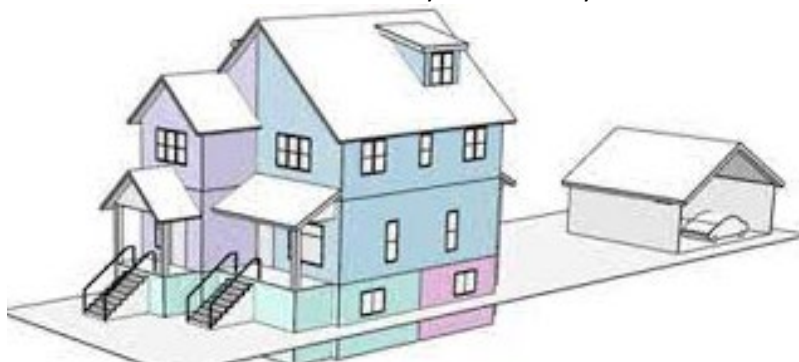


Figure 200.5: Example of a Duplex with Secondary Suites.

200 – DEFINITIONS & INTERPRETATIONS

DWELLING UNIT, DETACHED DUPLEX means a pair of Detached Dwelling Units, fee simple or strata, with a minimum GFA of 100 m², which are located on a corner lot or a lot with a rear lane access (see **Figure 200.6**). Both Dwelling Units would be considered a Principal Building, with a shared Accessory Building for the purposes of providing off-street parking.

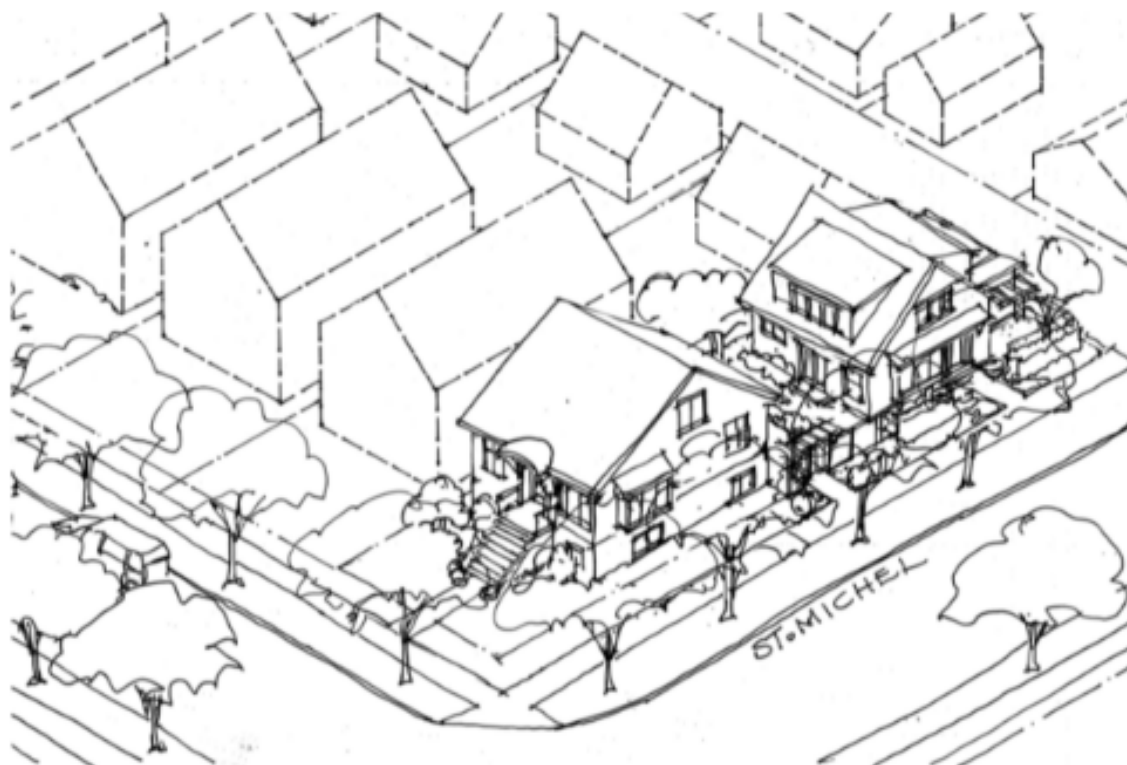


Figure 200.6: Example of Detached Duplex Dwelling Unit on a corner lot.

DWELLING UNIT, FOURPLEX means a multi-family residential building, fee simple or strata, that is divided horizontally or vertically into 4 separate Dwelling Units on the same lot, with:

- (a) 50% of the common wall or floor/ceiling system affixed or attached;
- (b) a separate and independent entrance for each Dwelling Unit;
- (c) greater than 90 m²; and
- (d) excludes units affixed or attached by a breezeway.

DWELLING UNIT, ROWHOUSE means a multi-family ground orientated residential building consisting of 3 or more Dwelling Units, not sharing more than 2 party walls, with direct ground-level access.

DWELLING UNIT, SINGLE-DETACHED means a single-family residential building intended as the principal use on the lot.

200 – DEFINITIONS & INTERPRETATIONS

DWELLING UNIT, TOWNHOUSE means a multi-family residential building consisting of 4 or more Dwelling Units on a lot with ground-level access. The use may be stacked and must have ground level access by the way of a shared staircase by not more than 2 Dwelling Units. The use requires a shared amenity space.



Figure 200.7: Example of a Triplex Dwelling Unit

DWELLING UNIT, TRIPLEX means a multi-family residential building, fee simple or strata, that is divided horizontally or vertically into 3 separate Dwelling Units on the same lot, with (see **Figure 200.7**):

- (a) 50% of the common wall or floor/ceiling system affixed or attached;
- (b) a separate and independent entrance for each Dwelling Unit;
- (c) greater than 90 m²; and
- (d) excludes units affixed or attached by a breezeway.

E

EDUCATION, PRIVATE means a non-publicly funded educational institution which relies on tuition-generated revenue to operate. The use includes Dwelling Units, if the Boarding use is administered directly by the private education institution, as prescribed under the *Independent School Act*.

EDUCATION, PUBLIC see CIVIC USE.

EQUIPMENT RENTAL means an industrial use for the purposes of renting of heavy equipment and tools primarily for construction or landscape works. The use may also include party rentals, film production rentals, and prop house.

200 – DEFINITIONS & INTERPRETATIONS

F

FARM BUILDING means an agricultural building that is associated with the practice of farming, and used primarily for the housing of farm equipment, livestock, feed, and horticultural products. The use excludes residential occupancy.

FARM CLASSIFICATION means a use of the land which qualifies as an agricultural use, in accordance with the *Farm Class Regulation* under the *Assessment Act*.

FARM OPERATION means the use of land for agricultural purposes, consisting of one or more lots with a Farm Classification.

FARM RETAIL SALES means the retail sale of farm products bred, cultivated, grown, harvested, or reared on a lot with a Farm Classification, in accordance with the *Assessment Act*, and as prescribed under the *Agricultural Land Reserve (ALR) Use Regulation*.

FARMER means the registered owner or operator of a Farm Operation.

FINANCIAL SERVICES means a commercial use that provides financial services for monetary transactions in a business office setting, and includes:

- (a) credit union;
- (b) chartered bank;
- (c) trust company;
- (d) mortgage broker;
- (e) insurance company;
- (f) pension fund;
- (g) investment bank; and
- (h) underwriter.

FLOOR AREA, GROSS (GFA) means the sum of the horizontal areas of each floor of a building, measured from the interior face of the exterior wall or window wall.

FLOOR AREA, NET means a GFA less than the following;

- (a) off-street parking and loading areas;
- (b) common amenity spaces;
- (c) common areas and corridors;
- (d) exit stairways; and
- (e) building mechanical systems.

FLOOR AREA RATIO (FAR) means the numerical value of the net floor area of all buildings and structures on a lot, divided by the area of the lot. FAR excludes:

- (a) a Streamside Protection & Enhancement Area (SPEA); and
- (b) a lot area with a slope greater than 30%.

200 – DEFINITIONS & INTERPRETATIONS

FLOOD CONSTRUCTION LEVEL (FCL) means the minimum elevation above the natural boundary of a water body, minimum crest elevation, or any obstruction that could causing ponding, below which no habitable area shall be built, constructed, or placed. An area below FCL shall not be used for habitation, business, mechanical or electrical infrastructure, or storage of goods, that may be damaged by flood water (see **Figure 200.8**).

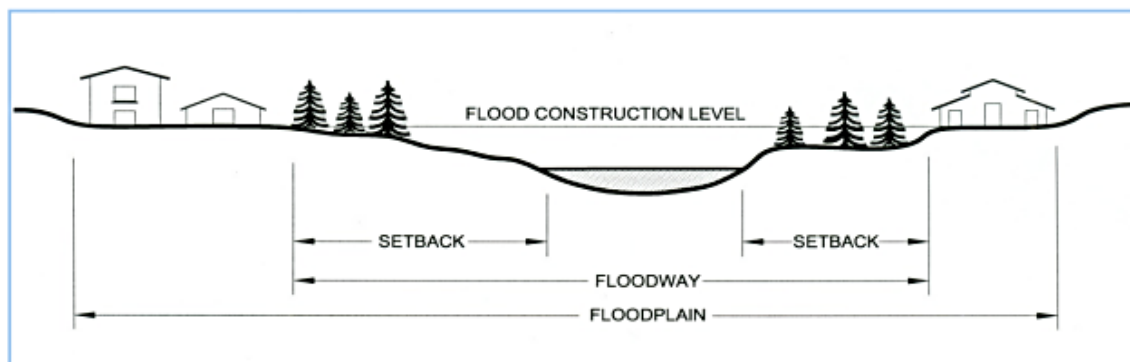


Figure 200.8: Flood Construction Level (FCL)

FOOD PRIMARY means an establishment where prepared food and beverages are offered for sale to the public. Typical uses include, but are not limited to:

- (a) bakery;
- (b) café;
- (c) restaurant; and
- (d) restaurant with drive-through, where permitted.

FOOD PRIMARY LICENCED means an establishment where food and beverages are offered for sale to the public, including the service of alcohol and liquor, as authorized by the British Columbia Liquor and Cannabis Regulation Branch (LCRB). The use may include the retail sales of alcoholic beverages for off-site consumption as an Accessory Use.

G

GALLEY or **WET BAR** means a use within a Dwelling Unit, or an Office, intended for food preparation, and contains a bar sink, refrigerator, hotplate, microwave, or any combination thereof. Ventilation and exhaust hoods, and appliances utilizing a 220V/240V electrical service or natural gas connection, is not permitted in conjunction with this use.

GARAGE means a Building or a portion thereof, intended to be used for the purposes of providing off-street parking and personal storage on a residential lot. For a Commercial use, see **AUTOMOTOVE REPAIR**.

GRADE, FINISHED means the finished ground elevation of the building area. Finished Grade is determined by taking the lot elevation at every location of grade change within the building area.

200 – DEFINITIONS & INTERPRETATIONS

GRADE, EXISTING or **NATURAL GRADE** means a ground surface prior to human alteration or the angled plane within a steep sloped area, as established by a British Columbia Land Surveyor (BCLS).

GREENHOUSE means a structure used for the purposes of horticulture.

GREENHOUSE NURSERY means a development used primarily for the cultivation and storage of produce, bedding, flowers, ornamental plants, trees, bushes, sod, and for retail sale of such items to the public at-large. The use excludes landscaping, excavating, or soil processing.

GROSS FLOOR AREA means the sum of all areas of each storey in each building on a lot measured between the exterior walls of such building.

GROUND-ORIENTATED means a use located within a multi-storey building that has its main entrance fronting or publicly facing a local, collector, or arterial road, and may have a secondary access via a shared indoor lobby or corridor.

H

HARD SURFACES means any ground surface material, including but not limited to, concrete, asphalt, brick, concrete blocks, patio stones, paving stones, and swimming pools, but excludes permeable materials, such as crushed gravel, crushed stone, pervious concrete, and porous asphalt.

HERTIAGE BUILDING means a building or structure formally designated by the British Columbia Register of Historic Places (BCRHP), in accordance with provisions under *Heritage Conservation Act* (HCA). A Building may have *heritage value* but would not be considered a Heritage Building unless otherwise designated.

HOME-BASED BUSINESS means a commercial business or enterprise conducted on a residential lot where the registered owner or the tenant is the business licensee, and the lot is their primary fixed address.

HOTEL means a multi-storey building which contains sleeping units used or intended to be used for the temporary accommodation of the travelling public. Accessory or ancillary uses may include banquet hall, meeting rooms, laundry facilities, outdoor amenity areas, Retail, Food Primary, Food Primary Licence, Liquor Primary, or any combination thereof.

I

INDUSTRIAL means a use providing for the processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing, repairing, recycling, wrecking, or salvaging of goods and materials, with an office area not exceeding 25% of the GFA of the Principal Building on the lot. The use may include the sale of heavy industrial equipment and farm machinery.

200 – DEFINITIONS & INTERPRETATIONS

INDUSTRIAL, LIGHT means a use providing for the processing, fabricating, assembling, storing, storing, disturbing, wholesaling, testing, servicing, and repairing of goods and materials, with an office area not exceeding 40% of the GFA of the Principal Building on the lot.

K

KITCHEN means a use within a Dwelling Unit, or an Office, intended for food and meal preparation. The use contains a standard-sized kitchen sink, venting apparatus associated with a cooking facility, and appliances utilizing a 220V/240V electrical service connection, a natural gas connection, or any combination thereof.

KITCHEN, COMMERCIAL means a use intended for food and meal preparation and retail sale to the public at-large, and includes a fire suppression system. The use is not permitted on lands within the ALR, unless otherwise approved by ALC Decision.

KITCHEN, SUMMER means a small outdoor accessory structure, partially enclosed, used for food and meal preparation.

L

LANDSCAPING means the altering, modifying, reshaping, or enhancing a portion of a lot for the purposes of beautification and screening, and typically includes the planting of ornamental plants, shrubs, trees, fencing, lawn works, and ornamental structures (e.g. bird bath, statute).

LANE means a road allowance between 3 m to 9 m in width, for the purposes of providing public access between adjoining lots or as a private driveway within a stratified lot.

LIQUOR PRIMARY means a use where the sale of alcoholic beverages to the public is the primary focus, and may include a bar, nightclub, dance hall, or public house. The “off-sales” of alcohol is permitted as an Accessory Use. The use is permitted under a Provincial Liquor Primary Licence issued by the Liquor and Cannabis Regulation Branch (LCRB) and a valid Business Licence issued by the District.

LOCK-OFF UNIT means a self-contained Dwelling Unit on a strata lot within a strata building. The Dwelling Unit must have direct independent access to the common area (such as an internal corridor or hallway) of the strata building, or a separate entrance along the exterior of the strata building. A fire-rated locking door shall be installed between the separate Dwelling Units. The use cannot be less than 18.5 m² and not greater than 28 m². The use must meet *BC Building Code* (BCBC) requirements, and not permitted as a Bed & Breakfast use. The use would be considered an “Accessory Dwelling Unit” or ADU within a strata lot. The use is not permitted to be subdivided from the principal Dwelling Unit (see **Figure 200.9**).

200 – DEFINITIONS & INTERPRETATIONS

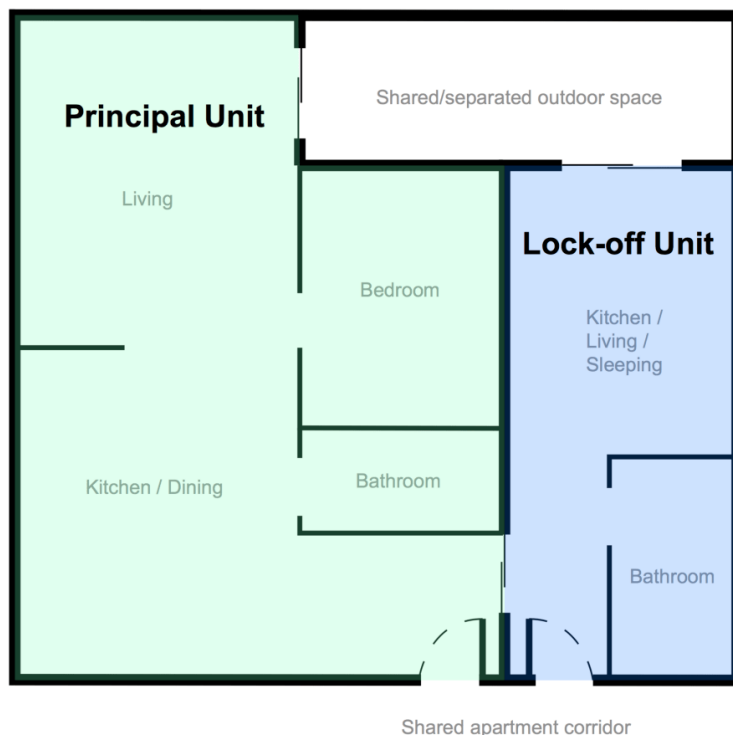


Figure 200.9: Example of a Lock-Off Unit, Apartment

LOG SORT YARD means a parcel of land used for the grading, sorting, management, and storage of logs for sale and shipment.

LOT means a parcel of land legally defined by a registered plan or description with the Land Title Office.

LOT AREA means the total horizontal area of all lot lines.

LOT, CORNER means a lot located at the intersection of two or more roads.

LOT COVERAGE means the area of a lot covered by Buildings, Structures, and Hard Surfaces.

LOT DEPTH means the horizontal distance between the mid-points of the front and rear lot lines.

LOT, DOUBLE-FRONTING or **THROUGH LOT** means a lot which abuts two roads parallel to the lot.

LOT FRONTAGE means that length of a parcel boundary which immediately adjoins a Local, Collector, or Arterial Road.

LOT LINE means the legally defined boundaries of a lot.

LOT LINE, EXTERIOR means a lot line common to a lot and the road.

200 – DEFINITIONS & INTERPRETATIONS

LOT LINE, FRONT means:

- (a) a lot line common to the lot and an abutting road;
- (b) where there is more than one abutting road, the shortest lot line common to the lot and the abutting road; or
- (c) where the abutting lot lines are equal in length, the lot line is where the majority of the buildings on adjacent lots are facing.

LOT LINE, INTERIOR means a lot line common to an adjoining lot or a walkway.

LOT LINE, REAR means:

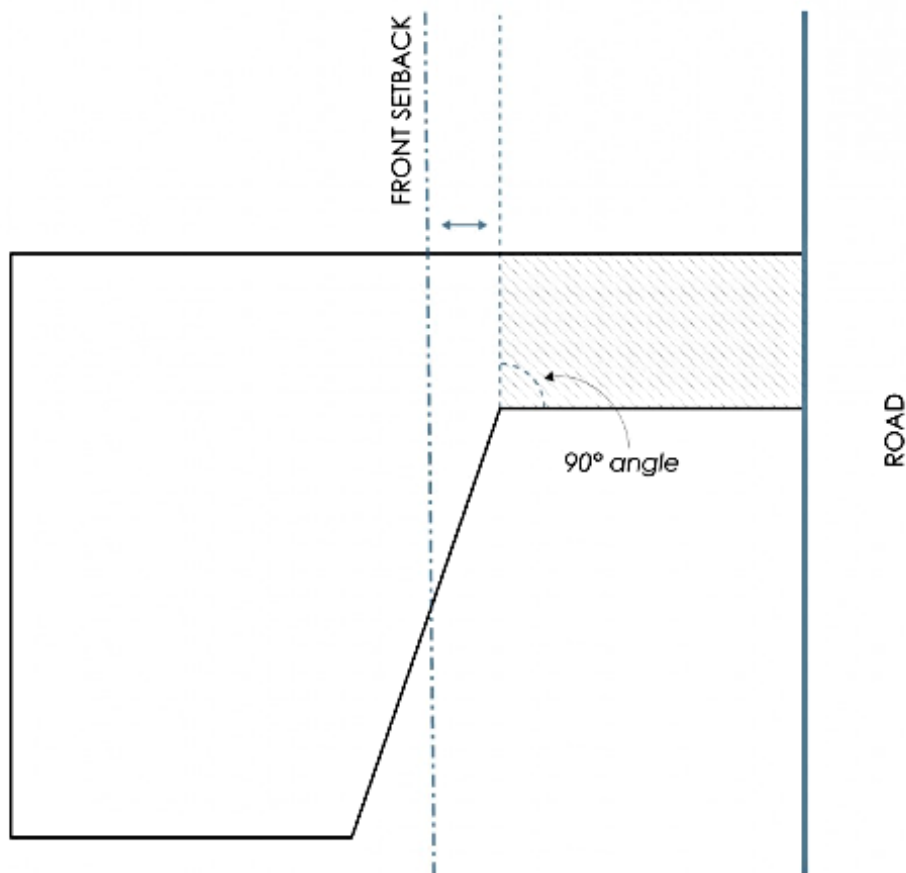
- (a) the lot line(s) opposite to the front lot line;
- (b) the point of intersection which is furthest from and opposite to the front lot line;
or
- (c) lot lines that form a continuation of the rear lot lines of adjacent lots located within the same subdivision.

LOT, PANHANDLE means a lot which with a primary legal access via a narrow strip of land, commonly referred to as a panhandle. The front lot line is calculated from the end of the panhandle (see **Figure 200.9**).

LOT, PIE-SHAPED means a parcel where a portion of the lot has a greater lot width at one end than at the other opposite end.

LOT, STRATA means parcel legally defined by a registered plan with the Land Title Office, and in accordance with the *Strata Property Act*.

200 – DEFINITIONS & INTERPRETATIONS



LEGEND




| | | |
|---|---|--|
|  Panhandle |  Front Setback |  Front setback is calculated from the end of the panhandle |
|---|---|--|

Figure 200.9: Example of a Pan-Handle Lot.

M

MANUFACTURED HOME means a Dwelling Unit built according to the following standards:

- CAN/CSA Z240 MH standard, designed, constructed, or manufactured to be moved from one location to another; or
- CAN/CSA A277 Modular Home standard, built in two or more sections, to be assembled on a permanent foundation.

MANUFACTURED HOME PARK means any lot on which two or more manufactured homes are situated.

200 – DEFINITIONS & INTERPRETATIONS

MANUFACTURING means the use of an industrial building for the purpose of assembling, developing, moulding, inspecting, finishing, treating, testing, or altering goods and materials for the purpose of sale.

MANUFACTURING, CUSTOM INDOOR means a light industrial, small-scale production of finished goods, materials, or products, made primarily by the use of hand tools or handcrafted. The use includes artisan crafts and studio, woodworking, blacksmith, textiles, and printing.

MECHANICAL PENTHOUSE means an enclosed structure located on the roof of a building that is intended to screen mechanical and electrical equipment, air conditioning, ventilation, and stairs. On a residential Dwelling Unit, the use must not exceed 10 m².

MEDICAL OFFICE means a health office or clinic used by a physician, dentist, chiropractor, acupuncturist, therapist, lab technician, registered nurse, nurse practitioner, optometrist, pharmacist, and/or regulated allied health professional, for diagnosis, examination, and treatment of patients.

MINI STORAGE means an industrial use within a Building for the storage of:

- (a) personal items and effects;
- (b) non-hazardous goods, materials, and supplies for a business use;
- (c) not permitted on lands within the ALR; and
- (d) not permitted as Shipping Containers, unless approved for use as a Building under the *BC Building Code* (BCBC).

MOBILE FOOD VENDOR means a vendor who sells food and beverages to the public at-large from a Commercial Motor Vehicle which is fully self-sufficient and self-contained, can function independently without the need for a service connection.

MOTEL means a one or two-storey building which contains sleeping units used or intended to be used for the temporary accommodation of the travelling public. Accessory or ancillary uses may include meeting rooms, laundry facilities, an outdoor amenity area, Food Primary and Food Primary Licenced.

N

NON-CONFORMING USE means an existing use of a lot or building which was lawful prior to the adoption of this Bylaw. The use cannot be further expanded. A Non-Conforming Use is no longer applicable if:

- (a) the use has been discontinued for a period greater than 6 months; and
- (b) more than 75% of the value of the building or structure above its foundation has been damaged or destroyed, as determined by a Registered Building Official.

NOT APPLICABLE (N/A) means that there is no regulation under that specific category within the Zone. However, other regulations within the Bylaw still apply.

200 – DEFINITIONS & INTERPRETATIONS

O

OFFICE means a building or portion thereof used for administrative functions, including but limited to, business administration, consulting, professional services, financial services, non-profit organizations, administrative support, and the like.

OFF-STREET PARKING means a use on a portion of a lot for the storage of motor vehicles, and:

- (a) in a Residential Zone, a driveway apron, garage or carport, on a permeable hard surface, or any combination thereof, for use by the registered owner and/or tenant of the lot; or
- (b) in all other Zones, a surface parking lot, above or below grade parking structure, or any combination thereof, for use by the public at-large.

OFFICIAL COMMUNITY PLAN (OCP) means a long-range plan as outlined under the *Local Government Act* (LGA), for the purposes of guiding land use management, economic development, environmental sustainability, and governance.

ONSITE SEWAGE SYSTEM means an onsite system of pipes, pumps, and equipment used for the collection, storage, and treatment of wastewater and discharge of treated effluent. The use must meet provisions under the *Sewerage Systems Regulation*, and be approved by the Regional Health Authority. A report shall be prepared by a ROWP or ASTT, where applicable.

OUTDOOR STORAGE means a use on a portion of a lot for the accessory storage of equipment, materials, and goods, not involving any building or structure. The use is permitted on a dust-free surfaced area.

P

PARCEL means any lot, block, or other area in which land is held or into which it is subdivided, and as described in a certificate of title or by a reference plan registered with the Land Title Office.

PARK means a public open space or outdoor recreation area for use by the Public.

PARTY WALL means a dividing wall, ceiling, or floor system that is shared between two or more lots. The use may be administered under a Party Wall Agreement or as common property under the *Strata Property Act*.

PATIO means a platform with a building height which does not exceed 0.6 m from the existing grade at any point.

PERMANENT FOUNDATION means any structural system capable of transferring loads from a structure to the earth at a depth below the established frost line without exceeding the safe load bearing capacity of the supporting soil.

200 – DEFINITIONS & INTERPRETATIONS

PERSONAL SERVICE ESTABLISHMENT (PSE) means a business in which a person provides a service to or on the body of another person, in accordance with provisions and guidelines under the *Public Health Act*. PSE operators must ensure compliance with District bylaws and Provincial guidelines for cleaning, disinfecting, and sterilization of critical and semi-critical medical devices.

PET DAYCARE means a use within a building which offers grooming and personal care services for domesticated household pets. The use excludes overnight boarding.

POST-SECONDARY INSTITUTION means a facility used for educational purposes, and may include a college, university, or vocational school.

POTABLE WATER means a safe water supply which has been approved by a Medical Health Officer (MHO) for consumption, in accordance with the Provincial *Health Act*.

PRIMARY USE See *PRINCIPAL USE*.

PRINCIPAL BUILDING means a building to accommodate a Principal Use on a lot.

PRINCIPAL RESIDENCE means a Dwelling Unit that is the registered owner's fixed address and permanent place of residence for legal and tax purposes.

PRINCIPAL USE means the primary and predominant use permitted on a lot, to which all other uses are accessory and subordinate to therein.

PROFESSIONAL SERVICES means a service rendered or performed by a *Qualified Professional* in a field of expertise, including but not limited to, accountant, actuary, architect, applied science technologist, land surveyor, solicitor, engineer, wildlife biologist, notary public, underwriter, real estate agent, or a similar professional practice.

PUBLIC HOUSE See *FOOD PRIMARY LICENCED*.

PUBLIC UTILITY means a use which provides essential services to the District in the form of hydro electricity, natural gas, water, sewer, telecommunications, and recycling and waste disposal, and entities governed under the *Utilities Commission Act*, which may have charges registered on the title of a lot.

200 – DEFINITIONS & INTERPRETATIONS

Q

QUALIFIED PROFESSIONAL (QP) means a qualified person who holds the appropriate qualifications, accreditations, certifications, education, expertise, and/or experience to perform or undertake the work for which they are retained. A Qualified Professional may include, but is not limited to:

- (a) Architect or Architectural Technologist AIBC;
- (b) Applied Science Technologists & Technicians (ASTT);
- (c) Registered Professional Engineer (P.Eng);
- (d) Registered Wildlife Biologist (RPBio);
- (e) ISA Certified Arborist or Arborist Technician;
- (f) Registered Professional Forester (RPF);
- (g) British Columbia Land Surveyor (BCLS);
- (h) Solicitor or Notary Public;
- (i) Registered Onsite Wastewater Practitioner (ROWP);
- (j) Professional Agrologist (P.Ag);
- (k) Licensed Residential Builder; and/or
- (l) Accredited Practitioner or Registered Professional acceptable to the District.

R

RECREATIONAL VEHICLE means:

- (a) a transportable vehicle intended as a temporary accommodation for travel, vacation, or recreational use; or
- (b) a self-propelled motor vehicle intended as a temporary accommodation for travel, vacation, or recreational use.

RECREATION VEHICLE SALE means the use of an industrial lot for the display, lease, sale, rental, repair, maintenance, and/or financing of commercial motor vehicles (CMV). The use excludes Automotive Wrecking.

RECYCLING DEPOT means a facility which is used for the purchasing, collection, sorting, and temporary storage of recyclable goods, primarily contained within the Principal Building on the lot.

RECYCLING DROP OFF means a facility used for the collection and storage of recyclable materials until the items can be transferred to a regional recycling processing facility, primarily contained within the Principal Building on the lot.

RESIDENTIAL, RURAL means a residential use on a parcel of land that is serviced by water or a private well, and where wastewater is treated by an onsite sewage system.

RESIDENTIAL, URBAN means a residential use on a parcel of land that is fully serviced by water and sewer.

200 – DEFINITIONS & INTERPRETATIONS

RETAIL means the use of a building, or part thereof, for the sale or rental of a new or used items, goods, or products to the public at-large. The use excludes cannabis and its derivatives.

RETAINING WALL means a structure designed to hold back, stabilize, or support an earthen bank. If the use exceeds 1.2 m in height, an engineered design is typically required, to be certified by a Professional Engineer.

ROAD means a District right-of-way that is created to provide ingress or egress to one or more lots, parcels, or tracts of land, excluding a private driveway. Road Classifications include the following:

- (a) *Local Road*, designed to provide access to abutting properties and carry low traffic volumes;
- (b) *Collector Road*, designed to provide access between local and arterial roads and to carry low to moderate traffic volumes; or
- (c) *Arterial Road*, designed to carry high traffic volumes and may include *Controlled-Access Highways*;
- (d) Driveway access shall be directed onto the lower Road Classification, whenever possible; and
- (e) Driveway access onto an Arterial Road or Controlled-Access Highway may be limited or restricted by the District, whenever possible.

S

SEASONAL FEEDING AREA means an area:

- (a) used for forage or other crop production; and
- (b) used seasonally for feeding livestock, poultry or farmed game that is primarily sustained by supplemental feed, but does not include a confined livestock area or grazing area.

SECONDARY SUITE See *ACCESSORY DWELLING UNIT, ATTACHED (ADU)*.

SENIORS HOUSING means age-restricted housing for persons 55 years of age or older designed in the form of apartment or multi-unit residential housing, or multiple sleeping units where residents are provided with common living facilities.

SENIORS HOUSING, ASSISTED means housing in the form of apartment or multi-unit residential housing, or multiple sleeping units, where residents are provided with common living facilities and where residents do not require continual 24-hour care and supervision. The use includes patient care, healthcare assistance, hospitality services, and onsite emergency monitoring and emergency response services.

200 – DEFINITIONS & INTERPRETATIONS

SENIORS HOUSING, RESIDENTIAL CARE means housing intended for senior residents, who on account of their physical, mental or psychiatric condition, which require continual 24-hour care and supervision, as well as assistance with the performance of the personal functions and activities necessary for daily living. The use includes community care facilities operated under the *Community Care and Assisted Living Act*.

SENIORS HOUSING, SUPPORTIVE means housing in the form of apartment or multi-unit residential housing or multiple sleeping units, where residents are provided with common living facilities and where residents do not require continual 24-hour care. The use includes patient care, healthcare assistance, hospitality services, and onsite emergency monitoring and emergency response services. Residents do not require onsite medical assistance and support. The use may be operated under the *Community Care and Assisted Living Act*.

SERVICE STATION means a premises used for the servicing, fueling, charging, and washing of motor vehicles, and may include a convenience store and automotive repair.

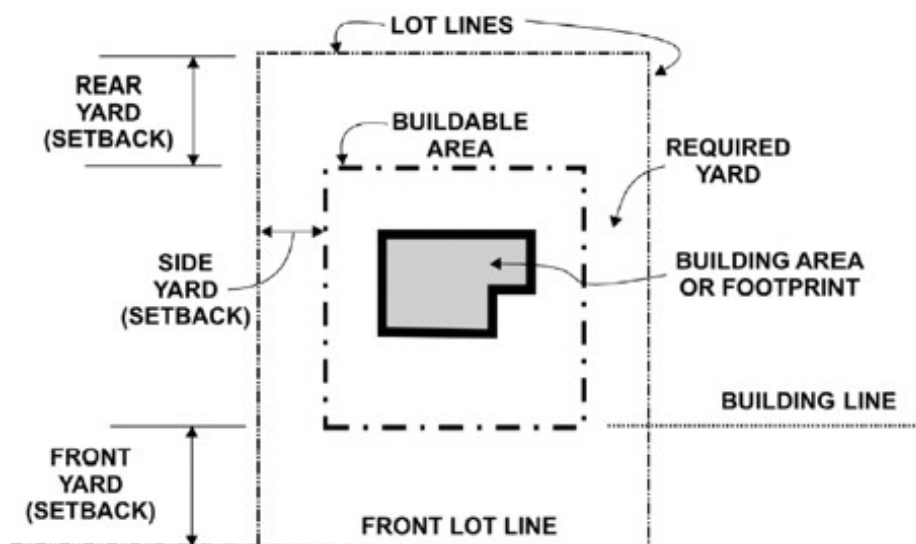


Figure 200.10: Example of Setbacks, Lot Lines, and Yards

SETBACK means the horizontal distance from a Lot Line to a Building or Structure (see **Figure 200.10**).

SHIPPING CONTAINER means a portable storage container used for transport of goods by means of rail, semi-trailer truck or articulated lorry, and by sea. The use is not permitted on as a permanent Building or Structure unless it meets *BC Building Code* (BCBC) requirements and is approved by a Registered Building Official (RBO) under a Building Permit.

SHOPPING CENTRE means a complex of Retail, Office, Personal Service, Professional Services, Medical Office, and any combination thereof, grouped within an enclosed pedestrian mall or plaza, designed, operated, and managed as an integrated commercial space with shared common parking.

200 – DEFINITIONS & INTERPRETATIONS

SHORT-TERM RENTAL (STR) See BED & BREAKFAST.

SIGN Refer to **SCHEDULE C**.

SLAUGHTER HOUSE means a premises engaged in commercial abattoir operations.

SOIL EXTRACTION means the removal, crushing, screening, storage, or mixing of unconsolidated earth material including sand, soil, and gravel; may also include rock removal, crushing, screening, and storage.

SPLIT ZONE means a lot or parcel with more than 1 land use Zoning designation.

STREAMSIDE PROTECTION & ENHANCEMENT AREA (SPEA) means an area that is adjacent to a watercourse that links aquatic to terrestrial ecosystems, and includes both the riparian area and the adjacent upland. The SPEA may be determined by using a simple assessment method or a detailed assessment method as prescribed by the District and/or a **Qualified Environmental Professional (QEP)**. Any changes in or about a watercourse may also require Provincial approval under the *Water Sustainability Act (WSA)*.

STORAGE YARD means an area outside of an enclosed building where materials, goods, products, vehicles, equipment, or machinery are displayed, stored, baled, piled, handled, sold, or distributed. The use excludes scrap metal recycling and automobile wrecking.

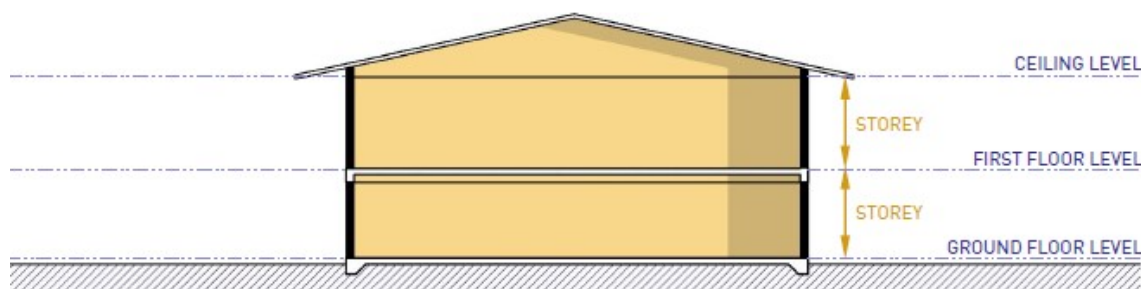


Figure 200.11: Example of a Building Storey.

STOREY means:

- (a) a habitable space between 2 floors;
- (b) portion of a Building which is situated between the top of any floor and the top of the floor surface above; or
- (c) if there is no floor above, that portion between the top of the floor surface and the ceiling above; and
- (d) excludes a basement, crawl space, attic, mezzanine, and mechanical penthouse or floor.

STREET See ROAD.

200 – DEFINITIONS & INTERPRETATIONS

STRUCTURE means any construction fixed to, supported by, or sunk into land or water. The use excludes a fence for the purposes of a setback within a Zone.

SUBDIVISION means:

- (a) the division of a parcel or lot;
- (b) the consolidation of a lot;
- (c) a boundary realignment; or
- (d) strata-titling of a strata corporation into individual strata lots.

T

TEMPORARY FARM WORKER (TFW) means a person employed on a farm on a temporary or seasonal basis. The use shall be undertaken under the Temporary Foreign Worker Program (TFWP) and include a Labour Market Impact Assessment (LMIA).

TEMPORARY FOREIGN WORKER HOUSING (TFWH) means an additional residence or non-adhering residential use that includes:

- (a) an existing Single-Detached Dwelling (e.g. farmhouse, picker's cabin);
- (b) a manufactured home placed on a temporary foundation without a basement; or
- (c) any combination thereof.

TEMPORARY USE means a non-permanent use occurring on a lot specified under an approved Permit issued by the District.

TOP OF BANK means the natural topographical area where the elevation of land is at its peak, measured from the high-water mark to the toe of the slope. The minimum distance from the TOB is typically 15 m, and may be determined by a Qualified Professional, in accordance with the *Riparian Areas Protection Regulation* (RAPR). See also STREAMSIDE ENHANCEMENT & PROTECTION AREA (SPEA).

U

USE means the purpose for which any lot, parcel, tract of land, building, or structure is used, occupied, or employed.

V

VEHICLE means a motor vehicle as defined under the *Motor Vehicle Act* (MVA).

VEHICLE, WRECKED means a motor vehicle that is inoperable or unable to operate safely on the road, and includes vehicle parts, and a parked vehicle that is disassembled or in disrepair.

VETERINARY HOSPITAL means a building used for diagnosing, surgically, and medically treating animals. The use excludes the boarding of animals.

200 – DEFINITIONS & INTERPRETATIONS

W

WAREHOUSING means storage, distribution, and wholesaling of goods.

WATERCOURSE includes any of the following that provides fish habitat:

- (a) a watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek, brook or stream; and
- (c) a ditch, spring, or wetland that is connected by surface flow to (a) or (b).

WET BAR See GALLEY.

WORKS means any and all the design, installation, and construction of approved servicing and infrastructure for a lot and lands beyond.

Y

YARD means an area created by a building setback from a lot line.

YARD, FRONT means the area between the side lot lines extending from the front lot line to the nearest wall or supporting member of a building or structure.

YARD, REAR means the area between the side lot lines extending from the rear lot line to the nearest wall or supporting member of a building or structure.

YARD, SIDE means that part of the lot which extends from a front yard to the rear yard between the side lot line and the nearest wall or supporting member of a building or structure.

Z

ZONE means the area into which the District is divided, and for which specific regulations are outlined for each parcel or lot.

311 – LANDSCAPING

301 GENERAL REGULATIONS

- 301.1 (1) General regulations shall apply to the use and development of all properties within the District. Notwithstanding the provisions contained in a General Regulation, the requirements contained in a Zone or Schedule shall apply.
- (2) All dimensions, measurements, and calculations within this Bylaw are expressed in Standard International System of Units (“Metric”).
- (3) Where the calculation for allowable density results in a fraction, any fraction:
- (a) less than 0.5 shall be disregarded; and
 - (b) 0.5 or greater shall be considered equivalent to 1.
- (4) For a parcel of land outside of the **Agricultural Land Reserve (ALR)**, any parcel created by subdivision under **Section 514** of the **Local Government Act (LGA)** shall be a minimum of 1 ha, and:
- (a) a Restrictive Covenant must be registered as part of any approved subdivision, with the condition that the newly created parcel shall not be sold for a period of 5 years from the date of subdivision approval, excluding an estate sale; and
 - (b) where a parcel is a panhandle lot, the panhandle portion shall not be calculated as part of the minimum lot area.
- (5) At the discretion of the Approving Officer, the consolidation or adjustment of lot lines to create 2 or more lots into a single lot may be permitted, even if the consolidated lot may not comply with the required minimum lot area specified within the Zone.
- (6) At the discretion of the Approving Officer, where it is not possible to create a lot that has the minimum lot area required under the Zone, the minimum lot area may be reduced where the proposed subdivision involves any one of the following, including:
- (a) a boundary adjustment that does not create, or make it possible to create, an additional lot;
 - (b) a lot that is divided by a Road, and where the Road forms the boundary of the lot;
 - (c) a lot where 2 or more Single-Detached Dwellings, a Duplex, or a combination thereof, existed prior to adoption of this Bylaw; or
 - (d) a lot divided by a Zone boundary.
- (7) At the discretion of the Approving Officer, where a Dwelling Unit has been constructed across a legal property line prior to the adoption of this Bylaw, lot lines may be adjusted in order to legitimize the Building.
- (8) A lot that is shown on a Plan filed at the Land Title Office, which has less than the minimum lot area required under the Zone, may be used as permitted under the Zone where the lot is located.

311 – LANDSCAPING

- (9) At the discretion of the Approving Officer, a bisecting lot subdivision may be considered, in which the proposed subdivision is intended to establish a legal boundary along a Watercourse or a Road (that has been built or constructed to District standards), and where the subdivision is suitable for the intended use.

301.2 – USES PERMITTED IN ALL ZONES

- 301.2 (1) The following uses are permitted in all Zones:
- (a) Civic Use operated by the District; and
 - (c) Public Utility.
- (2) Unless otherwise specified within this Bylaw, there is no minimum requirements for uses permitted under Section 301.2(1).
- (3) The minimum setback for a Building from all lot lines shall not be less than 1.5 m.

301.3 – NON-CONFORMING USE AND SITING

- 301.3 (1) An existing Building or Structure for which a Building Permit has been issued and approved by a Registered Building Official, where the existing Building or Structure may no longer comply with the siting requirements under this Bylaw, is thereby considered Non-Conforming with respect to their siting.
- (2) A Building or Structure may be constructed, repaired, altered, or extended therein, provided that the Works conform to every other provision in respect to this Bylaw.
- (3) Any lot or parcel that is less than the minimum required lot size for the applicable Zone shall not be considered non-conforming.

301.4 – ROAD DEDICATION

- 301.4 (1) Where a lot is reduced in size as a result of a dedication, expropriation, or purchase for a public use by the District, Province of British Columbia, Government of Canada, or a Public Utility, the buildings and structures thereon are deemed to conform with the provisions of this Bylaw.
- (2) In conjunction with a Subdivision, where land dedicated from a lot for the purposes of lane, road, or highway widening:
- (a) the parcel may have less than the minimum lot area specified under the applicable Zone;
 - (b) the lot will not be deemed to be non-conforming;
 - (c) that the Subdivision may be authorized by the Subdivision Approving Officer; and

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- (d) renders the setbacks of existing buildings or structures non-conforming to requirements of the applicable Zone, the setbacks will be deemed to be conforming to the requirements of that Zone.

301.5 – BUILDING HEIGHT AND SETBACK EXCEPTIONS

- 301.5 (1) The height of a Building and Structure that is permitted within this Bylaw may be exceeded the maximum allow height under the following uses:
- (a) a Mechanical Penthouse;
 - (b) heating and venting;
 - (c) an architectural feature forming part of a building used as a place of worship, including a church, mosque, temple, synagogue, or monastery;
 - (d) commissioned Public Art;
 - (e) a Civic Use operated by the District;
 - (f) a Public Utility;
 - (g) wind turbine generator; and
 - (h) telecommunications apparatus and equipment approved by the Government of Canada.
- (2) A portion or part thereof of a Building or Structure is permitted to project into the required setback of a Zone under the following:
- (a) a chimney, cornices, bay windows, or ornamental features, extending not more than 0.6 m from the building face or façade;
 - (b) a cantilevered wall section and/or deck, extending not more than 0.6 m from the building face or façade, and the cantilevered wall and/or deck shall not exceed 30% of the total area of the building face or façade; and
 - (c) steps, eaves, or open porches may not extend more than 1 m from the building face or façade.

301.6 – HOME-BASED BUSINESS, RURAL

- 301.6 (1) A **Home-Based Business, Rural** is permitted in all Rural zones, provided that:
- (a) the use is accessory and subordinate to an existing residential use on the lot;
 - (b) the use is permitted under an approved and valid Business Licence issued by the District;
 - (c) the use adheres to all applicable Sign regulations under **Schedule C** of this bylaw;
 - (d) the use must adhere to any and all applicable District bylaws associated with the use;
 - (e) the use does not exceed 80 m² within a Principal or Accessory Building;
 - (f) the use does not have more than 2 employees;
 - (g) the use shall not discharge or emit:
 - i. odorous, toxic, noxious matter, or vapour;
 - ii. heat, glare, or radiation;

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- iii. recurring or frequent ground vibration;
 - iv. a noise decibel limit not exceeding 70 dBA;
 - v. electrical interference; or
 - vi. any other Public Health or Safety Hazard;
- (i) the use excludes the following:
 - i. storage, mini-storage, repair, sales, maintenance, and/or servicing of any and all Motor Vehicles;
 - ii. the use of a Shipping Container(s) for Mini-Storage;
 - (j) the use is operated by a persons designated as the Registered Owner of the lot. If operated by a tenant, written permission from the Registered owner must be provided with the Business Licence to be approved by the District;
 - (k) the use is restricted to the occupant of the lot, which serves as their Principal Residence and fixed address;
 - (l) Driveway access onto a public road must be shared, unless a separate driveway access is authorized in writing by the Director of Infrastructure;
 - (m) for properties with Farm Classification, associated outdoor storage is permitted under the following:
 - i. 10% of the lot area to a maximum of 500 m² is permitted for the storage of equipment, goods, and materials;
 - ii. permanent Buildings and/or Structures are not permitted in conjunction with the associated outdoor storage; and
 - iii. hard surfaced areas are not permitted in conjunction with the associated outdoor storage; surfaces must be permeable or pervious.

301.7 – HOME-BASE BUSINESS, URBAN

- 301.7 (1) A **Home-Based Business, Urban** is permitted in all Residential zones provided that:
- (a) the use is accessory and subordinate to an existing Residential use on the lot;
 - (b) the use is permitted under an approved Business Licence issued by the District;
 - (c) the use adheres to all applicable Sign regulations under **Schedule C** of this bylaw;
 - (d) the use must adhere to any and all applicable District bylaws associated with the use;
 - (e) the use shall occur entirely within a Principal Building or Accessory Building;
 - (f) the use must not exceed 20% of the GFA within a Principal Building or Accessory Dwelling Unit (ADU);
 - (g) outdoor storage is strictly prohibited in conjunction with the use;
 - (h) no employees permitted, except for the registered owner of the lot or a tenant of the Dwelling Unit;
 - (i) the use shall not discharge or emit:
 - i. odorous, toxic, noxious matter, or vapour;
 - ii. heat, glare, or radiation;

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- iii. recurring or frequent ground vibration;
 - iv. a noise decibel limit not exceeding 50 dBA for an 8-hour period or less;
 - v. electrical interference; and
 - vi. any other Public Health or Safety Hazard.
- (j) the use excludes the following:
- i. repair, sales, maintenance, and/or servicing of any and all Motor Vehicles;
 - ii. the use of a Shipping Container for storage;
- (k) the use is operated by a persons designated as the Registered Owner of the lot. If operated by a tenant, written permission from the Registered Owner must be provided with the Business Licence;
- (l) the use is restricted to the occupant of the lot, which serves as their Principal Residence and fixed address; and
- (m) unless authorized under an approved and valid Business Licence issued by the District, no customers or clients are permitted on the premises in conjunction with the use.

301.8 – BED & BREAKFAST

- 301.8 (1) For the purposes of this section, a Bed & Breakfast use includes a *Short-Term Rental (STR) accommodation*.
- (2) A Bed & Breakfast is permitted under the following conditions:
- (a) on lot located within the **Agricultural Land Reserve (ALR)**;
 - (b) on a lot zoned **R3, R4, RBB, or CD-R1**;
 - (c) the use is restricted to a lot with a **Single-Detached Dwelling**;
 - (d) the accommodations shall not exceed 2 bedrooms within the Principal Building and Primary Residence on the lot;
 - (e) not permitted on a lot under 1 ha serviced by Onsite Sewage, unless a **Registered Onsite Wastewater Practitioner (ROWP)** provides a report stating:
 - i. that the Onsite Sewage is not malfunctioning;
 - ii. that the Onsite Sewage is equipped to treat effluent for a minimum of 8 residents;
 - iii. that the Onsite Sewage has been appropriately constructed and installed, given the projected demand to be placed by the Building or improvements that are intended to be serviced by the system; and
 - iv. the location of the Onsite Sewage, Buildings, and Permanent Structures, to be certified by a British Columbia Land Surveyor (BCLS).
 - (f) must have a valid **Business Licence** issued and approved by the District;
 - (g) must be operated by:
 - i. the Registered Owner of the lot or parcel; and

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- ii. within the Registered Owner’s primary residence and permanent fixed address.
 - (h) the use is not permitted within an **Accessory Dwelling Unit (ADU)**, including:
 - i. Carriage House;
 - ii. Garden Suite; or
 - iii. Secondary Suite
 - (i) a minimum driveway width of 6 m; and
 - (j) no signage advertising the use is permitted on the lot.
- (3) Where applicable, a cooking facility within a Bed & Breakfast is limited to a Galley or Wet Bar.

301.9 – COMMUNITY CARE

- 301.9 (1) Where a Community Care use is permitted on a lot, pursuant to the *Community Care & Assisted Living Act*, the use is subject to the following:
 - (a) the operator must have an approved and valid Business Licence issued by the District;
 - (b) where there are more than 2 persons under supervised care, the operator must provide the following supporting documentation, including:
 - i. proof of registration with the Interior Health Authority or registration with a Childcare Resource and Referral (CCRR) centre;
 - ii. any Electrical and Gas Permits issued by Technical Safety BC (TSBC) applicable to the use or change of use;
 - iii. current contact information, including direct email and phone number; and
 - iv. a Fire Safety Plan, including locations of fire exits, smoke alarms, carbon monoxide alarms, and fire extinguishers.
 - (c) the use must comply with applicable District Bylaws.
- (2) A Community Care, Minor, must:
 - (a) be operated by the Registered Owner of the lot;
 - (b) be operated with the Principal Building on the lot;
 - (c) not exceed 8 persons under supervised care; and
 - (d) is restricted to 1 use per lot.
- (3) Community Care for more than 8 persons must comply with *BC Building Code (BCBC)* requirements for “assembly occupancy”.

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301.10 – TEMPORARY REAL ESTATE OFFICE

- 301.10 (1) Despite any other requirements of this Bylaw, a *Temporary Real Estate Sales Office* may be established on a parcel of land with subdivision approval for the sole purpose of undertaking the sales and marketing the lots. The use is subject to the following:
- (a) an approved Subdivision Plan with a minimum of 20 lots, fee simple or strata-titled;
 - (b) be a minimum of 20.5 m²;
 - (c) be a maximum of 90 m²;
 - (d) must be fully serviced by Community Water and Sewer;
 - (e) must meet **BC Building Code** (BCBC) requirements, if intended to as an Accessory Building or Detached Accessory Dwelling Unit (ADU) upon completion of the sales and marketing of the subdivision;
 - (f) must be provided with 1 native deciduous yard tree, with a minimum caliper of 3 cm or greater, along any and all front or exterior side yard of the lot;
 - (g) must comply with any applicable **Development Permit** conditions, where applicable;
 - (h) if not intended for use as a permanent building on an approved subdivided lot, the *Temporary Real Estate Office* must be removed within 1 year of the date of registration of the Subdivision Plan, unless an extension is formally granted by District Council; and
 - (i) a residential use is not permitted in conjunction with the *Temporary Real Estate Office*.

301.11 – TEMPORARY RESIDENCE DURING NEW CONSTRUCTION

- 301.11 (1) A *Temporary Residence* is permitted during the period of new construction of a Principal Building on a residential lot, under the following conditions:
- (a) must be on a parcel with a minimum of lot area of 0.4 ha or greater;
 - (b) allows for a **Recreation Vehicle** (RV) to be used as a *Temporary Residence* during the period of new construction under an active **Building Permit** issued by the District;
 - (c) the *Temporary Residence* shall not be granted or provided with a permanent service connection;
 - (d) the *Temporary Residence* shall not be placed on any permanent foundation;
 - (e) the *Temporary Residence* is not permitted any Accessory Buildings or Structures in conjunction with the use, except for an Accessory Building or Structure 10 m² or less;

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- (f) a Restrictive Covenant must be registered, pursuant to the *Land Title Act*, to prohibit the *Temporary Residence* from continuing after the period of construction ends. The Restrictive Covenant must also include an agreement by the registered owner to indemnify and 'save harmless' the District against all costs and expenses incurred by the District, in default by the registered owner, in the demolition or removal of the *Temporary Residence*, and/or legal costs incurred in pursuing such legal remedies, as the District sees fit. The Restrictive Covenant must be registered as a condition precedent to the issuance of a Building Permit for the new Principal Residence;
- (g) a blanket Statutory Right-of-Way (SROW) must be granted to the District, permitting the District to enter onto the registered owner's lot for the purpose of demolition or removal the *Temporary Residence* in the event that the Owner defaults. The SROW plan must be registered as a condition precedent to the issuance of a Building Permit for the new Principal Residence;
- (h) an irrevocable unconditional Letter of Credit (LOC) from a chartered bank be drafted in favour of the District, and held as a Performance Security with respect to the demolition or removal of the *Temporary Residence*. The amount of the LOC must be 1.5 times the estimated cost of demolition or removal of the *Temporary Residence*, which estimate shall be obtained from a Qualified Professional, as determined by the District. The LOC must be provided as a condition precedent to the issuance of a Building Permit for the new Principal Residence; and
- (i) for the purposes of this section, "period of construction" means from the date of issuance of the Building Permit to the granting of an Occupancy Permit by the Registered Building Official (RBO). A formal written notice must be provided to the District within 30 days after an Occupancy Permit has been granted by the RBO, notifying the District that the *Temporary Residence* use on the lot has ended.

301.12 – ONSITE STORAGE

- 301.12 (1) The onsite storage of the following is not permitted on any lot with more than 2 Dwelling Units:
- (a) Recreation Vehicle, excluding:
 - i. a Class B RV (or Camper Van); or
 - ii. a mounted Truck Camper.
 - (b) Class 1 Boat or greater;
 - (c) Tow or utility trailer; and
 - (d) the outdoor storage of any building materials, supplies, and equipment, is not permitted for any purpose whatsoever, unless authorized under a Building Permit issued by the District for active construction occurring on the lot.

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- (2) Onsite storage excludes vehicles and equipment parked on the lot undertaking residential construction or landscaping and maintenance work.
- (3) Where permitted, Shipping Containers must be sited in accordance with provisions under the Zone. For the purposes of this section, a Shipping Container is considered an Accessory Structure.
- (4) A Shipping Container shall not have any third-party advertising affixed on the surface of the structure.
- (5) Shipping Containers are permitted on an Industrial lot under the following conditions:
 - (a) used for the storage of goods, materials, or products that are manufactured, packaged, and/or produced on the lot;
 - (b) used for the storage of bulk goods, materials, or products as part of a commercial transportation and logistics operation;
 - (c) permitted be doubled-stacked; and
 - (d) not used the storage of personal items and effects unrelated to the business operation occurring on the lot.
- (6) In addition, a Shipping Container is permitted on a lot designated for a Civic or Assembly Use under the following conditions:
 - (a) for the storage of goods, materials, supplies, products, and equipment associated with the Civic or Assembly Use;
 - (b) must provide a Site Plan and a list of contents that are stored therein;
 - (c) must post the issued and approved Permit by the District in a clearly visible and unobstructed location on the surface of the structure;
 - (d) the structure must be located within the legal boundaries of the parcel, and not permitted over any Statutory Right-of-Way (SROW) or Easement;
 - (e) if the Shipping Container is placed on a lot more than 30 days, it must be screened with 1 of the following:
 - i. a minimum of 2 yard trees planted 3 m from the structure, with a minimum caliper of 3 cm dbh or a tree height of 1.75 m, and in good health and structural condition; OR
 - ii. with raised garden beds along the length and width of the structure on a minimum of 3 sides, landscaped with ornamental plants and grasses.
 - (f) must not have any additions to the structure or be stacked.

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- (7) A Shipping Container is permitted on a lot designated for an Agriculture use under the following conditions:
- (a) a Shipping Container permitted on a lot with a minimum of 2 ha, and an additional Shipping Container per 2 ha parcel of land;
 - (b) under a valid Permit issued by the District for the use, which must be posted and clearly displayed on the exterior of the structure;
 - (c) must provide a Site Plan and a list of contents that are stored therein;
 - (d) the structure must be located within the legal boundaries of the parcel, and not permitted over any Statutory Right-of-Way (SROW) or Easement;
 - (e) must plant a minimum of 1 deciduous yard tree 3 m from the structure, with a minimum caliper of 3 cm dbh or a tree height of 1.75 m, for landscaping and screening purposes;
 - (f) the yard tree must be well maintained and in good structural health and condition, otherwise, the shipping container must be removed from the lot; and
 - (g) must be associated with the Farm Operation, and not with any Non-Farm Use or Home-Based Business.

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- 311.1 (1) A landscape screen shall consist of the following:
- (a) a treated wood, iron, stone, or noise attenuation fence;
 - (b) a hedge in good structure health and condition; or
 - (c) a yard tree with a minimum caliper of 3 cm or greater or a minimum height of 1.75 m, and in good structure health and condition.
- (2) On a lot designated for Residential use, a fence shall not exceed:
- (a) a height of 2 m along the rear and interior lot lines;
 - (b) a height of 1.2 m along the front and exterior lot lines, excluding fencing with a minimum transparency of 33% or greater to lands beyond, including but not limited to:
 - i. a lattice fence is permitted a maximum height of 2 m;
 - ii. a wrought iron fence is permitted a maximum height of 2 m;
 - iii. a chain-linked fence is permitted a maximum height of 2 m; and
 - iv. excludes any fencing material or screening which would obstruct the clear line of sight entering onto in intersection of a Lane, Road, or Controlled-Access Highway.
 - (c) posts not exceeding a height of 10 cm, measured from the upper most surface of the fence panel; and
 - (d) where a hedge used as a fence, the hedge must not exceed a height of 1.2 m on a Corner Lot, measured from a distance of 7.5 m from an intersection, along all applicable lot lines.
- (3) On a lot designated for Commercial use, a fence shall not exceed:
- (a) a height of 2 m along the rear and interior lot lines;
 - (b) a height of 1.2 m along the front and exterior lot lines;
 - (c) posts not exceeding a height of 10 cm, measured from the upper most surface of the fence; and
 - (d) where a hedge is used as a fence, the hedge must not exceed a height of 1 m along all drive aisles and points of egress onto a Lane, Road, or Controlled-Access Highway, and must be well maintained and in good health and structural condition.
- (4) On a lot designated for Industrial use, a fence shall not exceed:
- (a) a height of 2.5 m along the rear and interior lot lines;
 - (b) a height of 1.2 m along the front and exterior lot lines, except:
 - i. a chain-link fence, which is permitted a maximum height of 2 m; and

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- ii. a minimum setback of 2 m along the front and exterior lot lines to allow for decorative landscaping or a regularly maintained grassed area.
 - (c) any barbed wire mounted above a chain-linked fence along the rear, interior, and exterior lot lines, shall not exceed 0.5 m; and
 - (d) where is hedge is used as a fence, the hedge is permitted along the rear and interior lot lines and must be well maintained and in good health and structural condition.
- (5) Fence height is determined by measuring the base of the structure to the upper most surface. On a lot or parcel located within a steep sloped area, a lot grading plan with cross sections and elevations may be required by the District to determine the fence height. If so, a Qualified Professional may be required to prove out provisions under this Bylaw.

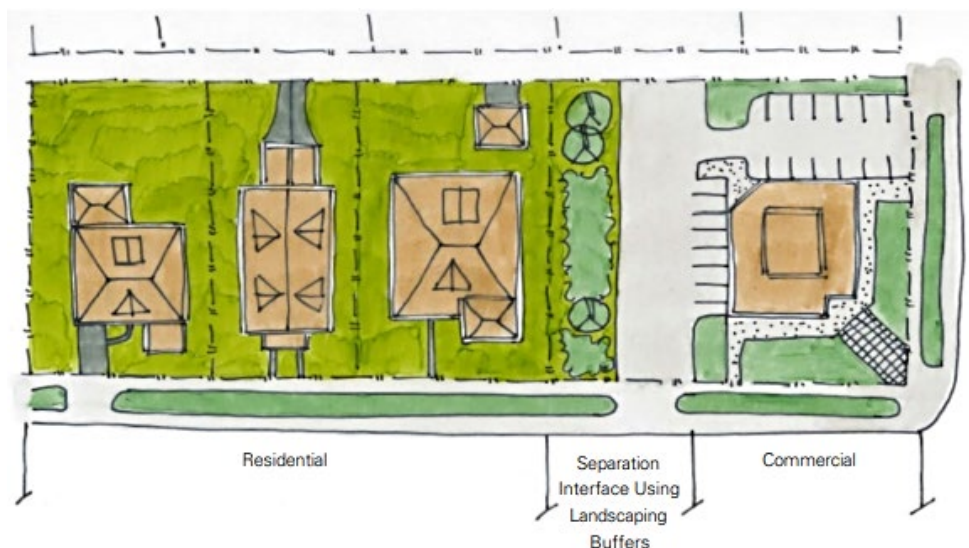


Figure 311.1(i): Example of a landscape buffer between Residential Zones

- (6) Landscaping of a lot designated for a Commercial or Industrial use must comply with the following:
- (a) a minimum landscape buffer of 2 m in width on a lot abutting a Residential Zone, consisting of the following:
 - i. ornamental plants and grasses;
 - ii. hedges;
 - iii. fencing;
 - iv. xeriscaping;
 - v. deciduous yard trees with a minimum caliper of 3 cm dbh or a tree height of 1.75 m; or
 - vi. any combination thereof.

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- (b) a minimum landscape buffer of 3 m in width on a lot abutting a Local, Collector Road, Arterial, or Controlled-Access Highway, consisting of the following:
 - i. ornamental plants and grasses;
 - ii. bioswales;
 - iii. hedges;
 - iv. fencing;
 - v. xeriscaping;
 - vi. deciduous yard trees with a minimum caliper of 3 cm dbh or a tree height of 1.75 m; or
 - vii. any combination thereof.
 - (c) yard trees planted along an abutting Lane, Road, or Controlled-Access Highway shall be spaced a minimum of 3 m apart, and a minimum of 6 m from a driveway access onto a Lane, Road, or Controlled-Access Highway; and
 - (d) all required landscaped areas shall meet or exceed the Canadian Landscape Standard (CLS), where applicable.
- (7) Any and all landscaped areas must be well maintained by the Registered Owner of the lot, including the removal of any invasive plant species.
- (8) Natural landscaping or native gardening is permitted with a landscape plan approved by the District.
- (9) Notwithstanding any other provisions within this Bylaw, the *Streamside Enhancement & Protection Area (SPEA)* is to remain in its natural condition or landscaped in accordance with a certified report provided by a Qualified Environmental Professional (QEP), including any steam bank armouring along the foreshore to reduce bank cutting and erosion.
- (10) All **Small-Scale Multi-Unit Housing (SSMUH)** construction must provide a minimum of 1 yard tree per lot, and must meet the following requirements (see **Figure 311.1(ii)**):
 - (a) a yard tree with a minimum caliper of 3 dbh or a tree height of 1.75 m;
 - (b) yard tree must be a native tree species and non-invasive;
 - (c) planted a minimum distance of 3 m from a Building; and
 - (d) exempt if the lot has an existing mature tree with diameter greater than 20 cm dbh, that is in good condition and structural health, as determined by an ISA Certified Arborist.

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Figure 311.1(ii): Example of a Yard Tree providing landscape screening, shade, and acting as a potential wind break.

- (11) Where the retention of mature or significant tree is required on a lot or parcel, a certified Arborist Report shall be submitted to the District prior to a Development Application or Building Permit, including:
- (a) ISA certification number and Tree Risk Assessor number (for hazard tree assessment);
 - (b) date of the site inspection;
 - (c) date the report was written;
 - (d) civic address of the lot or parcel;
 - (e) description of any and all onsite trees to include tree tag numbers, DBH, structural condition and health, tree inventory, tree risk assessment, tree protection fencing, critical root zones (CRZs), and site photos with labels;
 - (f) description of damage sustained to any mature tree to be removed or replaced, including:
 - i. 2:1 for 20 cm DBH; and
 - ii. 3:1 for 30 cm DBH
 - (g) tree survey prepared by a BC Land Surveyor, including location of any and all easements, rights-of-way, restrictive covenant areas, and onsite sewage (where applicable);
 - (h) comfort letter submitted to the District by the certified Arborist after the Building Permit has been completed or finalized to ensure the established tree protection areas and CRZs have not been encroached upon during the period of construction;
 - (i) proof of Professional Liability Insurance;
 - (j) provision of a Performance Security by the Registered Owner of the lot or parcel; and
 - (k) for the purposes of this section, a mature tree is a minimum of 20 cm dbh.

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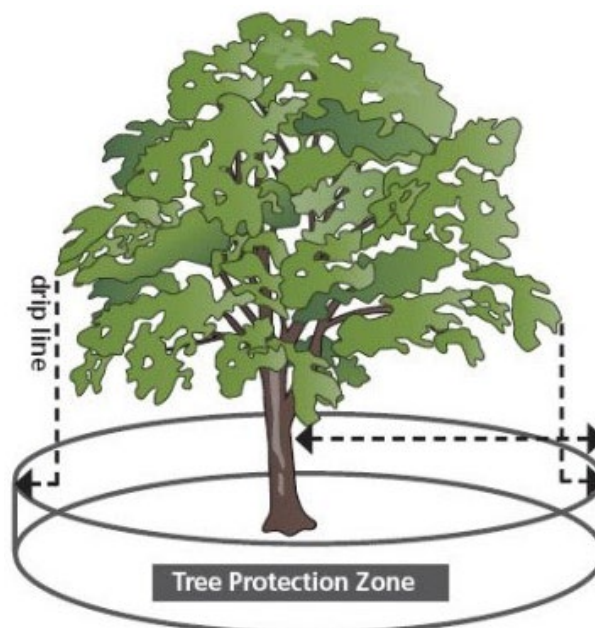


Figure 311.1(iii): Tree Protection Zone

- (12) Any surface parking lot with 10 motor vehicles or greater must incorporate landscaped islands with a minimum of 1.5 m of landscaping, and:
 - (a) required at the end of each parking aisle; and
 - (b) at increments of not more than 10 parking spaces apart.

- (13) Landscaping must not obstruct visibility within 7.5 m from any intersection, measured from the corner of all exterior lot lines abutting a Road or Controlled-Access Highway.

- (14) An in-ground swimming pool is subject to the following provisions:
 - (a) must adhere to all required setbacks under the applicable Zone for a Structure, excluding non-conforming in-ground Structure authorized by a Building Permit; and
 - (b) fencing shall be installed around the in-ground Structure, in accordance with **Building Bylaw**.

- (15) An above-ground swimming pool is subject to the following provisions:
 - (a) must adhere to all required setbacks under the applicable Zone for a Structure, excluding non-conforming in-ground Structure authorized by a Building Permit; and
 - (b) fencing shall be installed around the above-ground Structure, in accordance with **Building Bylaw**.

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311.2 – RETAINING WALL

- 311.2 (1) A Building Permit is required for any Retaining Wall greater than 1.2 m in height, measured from the base of the wall to the upper most wall surface.
- (2) A Retaining Wall must not exceed 2 m in height, measured from the base of the wall to the upper most wall surface.
- (3) A Retaining Wall shall be built or constructed in accordance with the following:
- (a) within the legal boundaries of a lot or parcel, including any and all footings and drainage works; and
 - (b) a minimum of 0.5 m from a Statutory Right-of-Way (SROW) or Road Right-of-Way (ROW); or
 - (c) except where permitted by the District and/or Public Utility under an Encroachment Agreement, with a charge registered in favour of the District and/or Public Utility.
- (4) A series of Retaining Walls must have a horizontal separation of 2 m between each section or segment of a combined wall structure.
- (5) A series of Retaining Walls is restricted to not more than 3 sections or segments, and:
- (a) a maximum building height of 6 m, measured from the base of the wall to the upper most surface;
 - (b) a minimum total horizontal separation of 4 m between the 1st section or segment and the 3rd section or segment; and
 - (c) horizontal separation must be landscaped with ornamental plants, native ground vegetation or scrubs, and/or xeriscaped.
- (6) Any structure built on the surface of a retaining wall shall be included in the Building Height of the combined wall structure.
- (7) Where a Retaining Wall was legally constructed under an approved Permit issued by the District, the Retaining Wall may be replaced at the non-conforming building height under the following:
- (a) the structure is located within the legal boundaries of the lot;
 - (b) there are no legal encumbrances affecting the location of the structure;
 - (c) existing site conditions limit the ability of the structure to comply with provisions under this section of the Bylaw.

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311.3 – LIGHTING

- 311.3 (1) Outdoor lighting must not:
- (a) result in any light spillage or trespass onto any abutting or adjacent lots;
 - (b) use lighting colour temperatures exceeding 4,000 K; and
 - (c) interfere with any pedestrian, bike, or vehicular traffic.
- (2) Outdoor lighting must be directed or focused onto the area intended to be lit or illuminated.

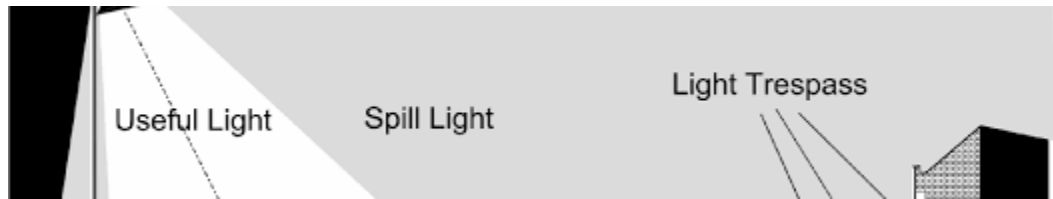


Figure 311.3(i): Example of light spillage or trespass onto an adjacent lot.

- (3) With the exception of decorative seasonal fixtures affixed to a Building or Structure not exceeding a continuous 90-day period, flashing or blinking exterior lighting is not permitted on any lot, excluding caution or safety lighting.
- (4) Exterior neon lighting is not permitted on any Residential lot.

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312.1 – FENCE HEIGHT

- 312.1 (1) Despite other provisions within this Bylaw, a lot with an average natural slope of 5% or less, the fence height shall be calculated from the centre line of road fronting the parcel, including (see **Figure 312.1(i)**):
- (a) Cottonwood Lane;
 - (b) Jacques Drive;
 - (c) Kalamalka Road;
 - (d) Kalavista Drive;
 - (e) Kirkland Drive;
 - (f) Postill Drive;
 - (g) Tebo Drive; and
 - (h) Torrent Drive.
- (2) A fence shall not exceed:
- (a) a height of 2 m along the rear and interior lot lines;
 - (b) a height of 1.2 m along the front and exterior lot lines, excluding fencing with a minimum transparency of 33% or greater to lands beyond, including but not limited to:
 - i. a lattice fence is permitted a maximum height of 2 m;
 - ii. a wrought iron fence is permitted a maximum height of 2 m;
 - iii. a chain-linked fence is permitted a maximum height of 2 m; and
 - iv. excludes any fencing material or screening which would obstruct the clear line of sight entering onto in intersection of a Lane, Road, or Controlled-Access Highway.
 - (c) posts not exceeding a height of 10 cm, measured from the upper most surface of the fence panel; and
 - (d) where a hedge used as a fence, the hedge must not exceed a height of 1.2 m on a Corner Lot, measured from a distance of 7.5 m from an intersection, along all applicable lot lines.
- (3) A Retaining Wall must not exceed 2 m in height, measured from the base of the wall to the upper most wall surface.
- (4) Where fencing is placed on the upper surface a Retaining Wall, the combined height shall be calculated from the centre line of road fronting the parcel, if the lot has an average natural slope of 5% or less.

312 – KALAVISTA NEIGHBOURHOOD

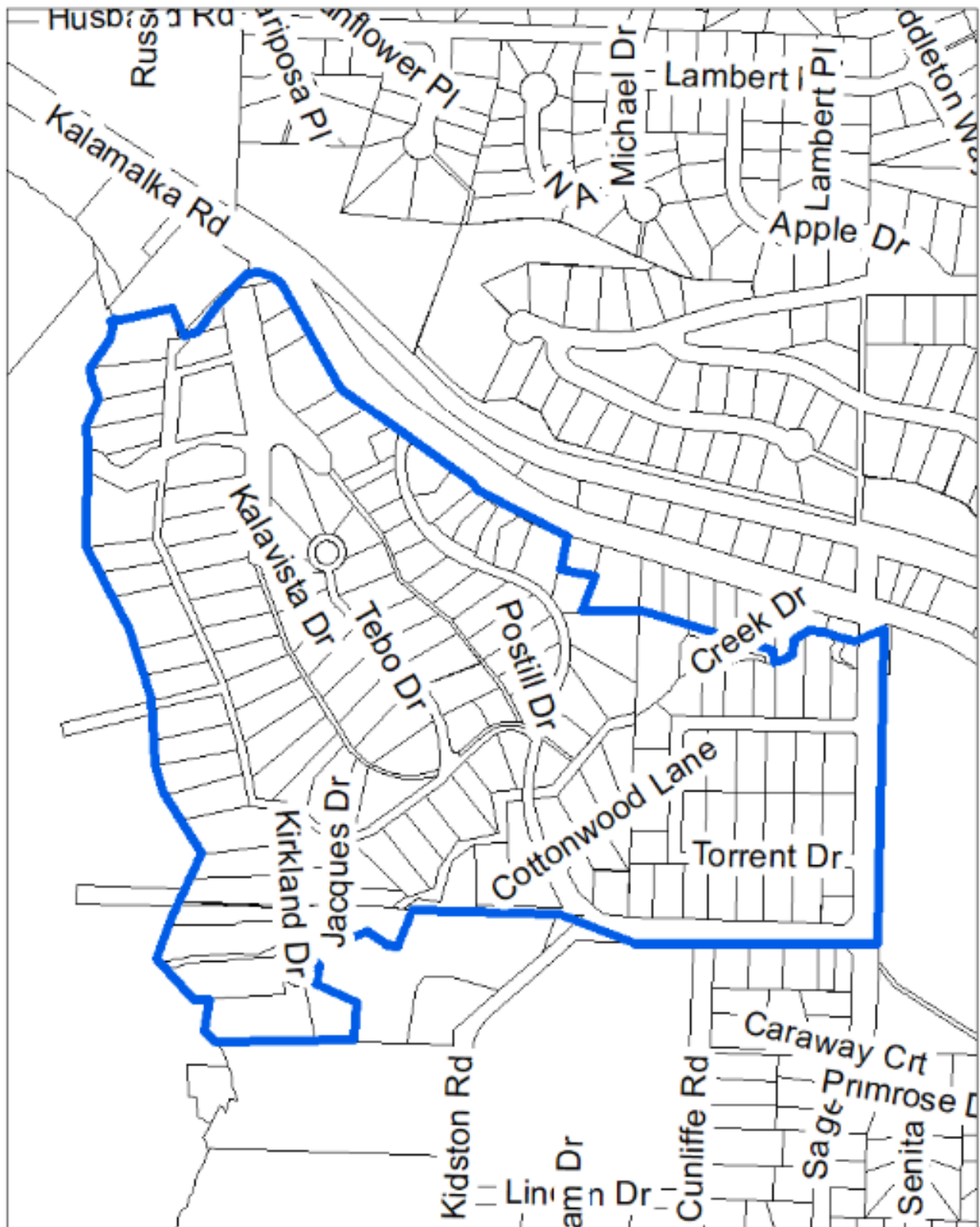


Figure 312.1(i): Lots highlighted in **BLUE** identify the boundaries of the Kalavista Neighbourhood.

321 – PARKING

321 PARKING

321.1 – OFF-STREET PARKING

- 321.1 (1) This section of the Bylaw applies to the each of the following:
- (a) a new Building or Structure;
 - (b) a Building or Structure being enlarged or increased in floor area;
 - (c) a proposed change is use; and
 - (d) excludes a modular, portable, or prefabricated classroom on a lot or parcel operated by School District No. 22.
- (2) Where 10 or more off-street parking spaces are required on a lot, a parking plan shall be included with the preliminary site layout plan and landscaping plan as part of a Development Permit application. The Parking Plan must:
- (a) be drawn to scale and be consistent with the preliminary site layout plan and landscaping plan;
 - (b) provide cross section and elevation drawings;
 - (c) clearly show the dimensions and area of required loading spaces, parking spaces, driveways, pedestrian walkways, and drive aisles;
 - (d) fire access plan with a minimum 6 m wide clearance for an emergency vehicle, fire hydrant locations, and safe egress from the lot or parcel without having to reverse onto a road or into oncoming traffic; and
 - (e) confirmation of recycling and waste collection turning radius, vehicle clearance, circulation, and collect of materials onsite without having to reverse onto a road or into oncoming traffic.

Dimensions.Guide | Parking Spaces

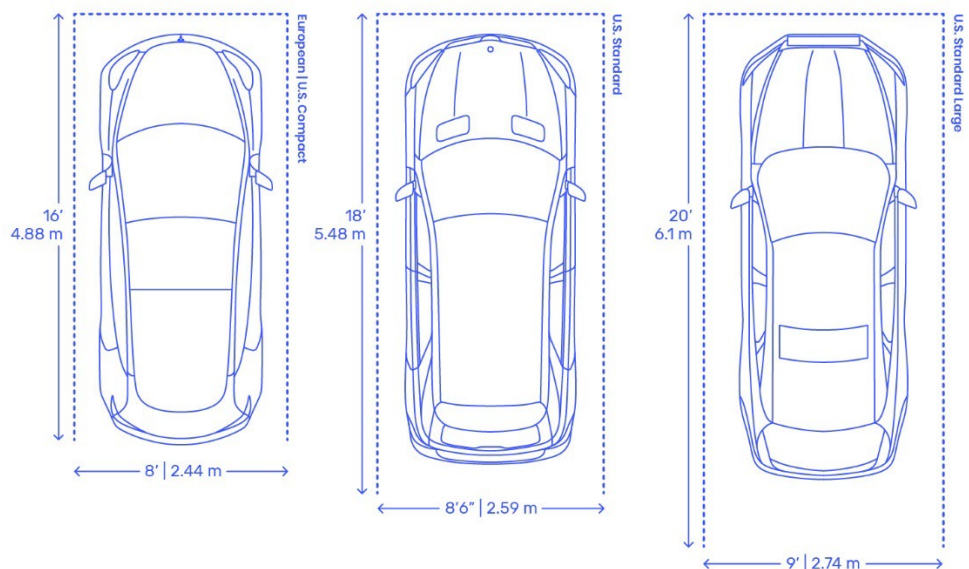


Figure 321.1(i): Example of standard parking space dimensions.

321 – PARKING

- (3) All parking spaces must have:
 - (a) a minimum length of 6 m;
 - (b) a minimum width of 2.5 m; and
 - (c) on a lot with 10 parking spaces or greater, up to 40% of the total required parking spaces may be:
 - i. a minimum length of 4.8 m;
 - ii. a minimum width of 2.4 m; and
 - iii. must be clearly marked “Small Car Parking Only”, on lots designated for a Commercial, Industrial, or Civic Use, and for parking areas designated for Residential Visitor Parking.
- (4) That notwithstanding, Small-Scale Multi-Unit (SSMU) lots designated under *Provincial Policy Manual & Site Standards*, may incorporate parking spaces within the building envelope (e.g. carport or garage) with the following parking dimensions:
 - (a) a minimum length of 4.8 m; and
 - (b) a minimum width of 2.4 m.
- (5) Wheel stops 0.9 m from the edge of the paved parking surface, must be provided on lot or parcel requiring a minimum of 10 parking spaces, where applicable (see **Figure 321.1(ii)**).

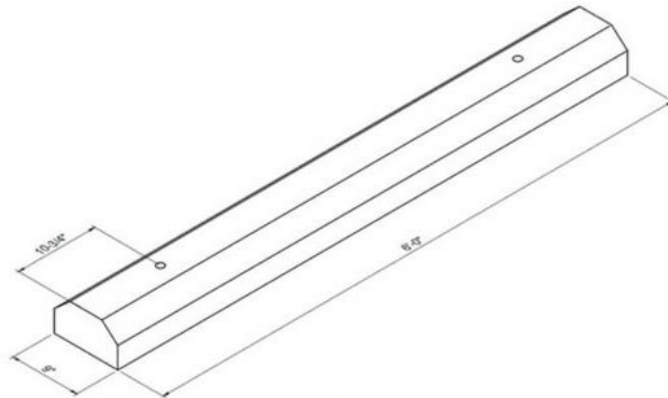


Figure 321.1(ii): Example of a standard wheel stop or parking block.

- (6) Parking spaces are not permitted to back out onto a Controlled-Access Highway, and must be designed with a turnaround or maneuvering aisle within the legal boundaries of the lot.
- (7) Shared off-street parking for 2 or more Commercial uses may be permitted where:
 - (a) parking demand for the uses occurs at different peak periods within a 4-hour duration;
 - (b) the uses may share up to a maximum of 25% of the required parking spaces; and

321 – PARKING

- (c) where peak parking demand overlaps, a parking demand study shall be prepared by a Qualified Professional and approved by the District.
- (8) Where the required off-street parking is provided within the building envelope, the enclosed parking area shall not count towards the GFA.
- (9) Unless otherwise exempt by the District, off-street parking areas with 10 or more parking spaces shall:
 - (a) be paved (or crushed gravel for Agricultural uses);
 - (b) have delineated parking spaces be clearly marked by painted lines on a paved surface (or wheel stops on crushed gravel surfaces);
 - (c) exterior lighting used to illuminate parking areas shall adhere to provisions within this section of the Bylaw; and
 - (d) stormwater runoff must be detained onsite.
- (10) All off-street gravel parking areas shall be:
 - (a) kept free of any noxious weeds and invasive plants;
 - (b) be treated to suppress dust and particulate matter; and
 - (c) stormwater runoff must be detained onsite.

321.2 – ACCESSIBLE PARKING REQUIREMENTS

- 321.2 (1) A minimum of 1 accessible parking space shall be provided for a Building requiring 10 or more parking spaces, and:
- (a) 1 additional accessible parking space per 50 parking spaces;
 - (b) be located within the shortest accessible route to the main entrance of a Building or Structure for which they are required; and
 - (c) excludes Small-Scale Multi-Unit (SSMU) lots, as prescribed under *Bill 44: Housing Statutes (Residential Development) Amendment Act, 2023*.
- (2) Where 2 or more Buildings are located on the same lot or parcel, a minimum of 1 accessible parking space shall be provided per Building for the following uses:
- (a) Civic;
 - (b) Commercial;
 - (c) Industrial; and
 - (d) Institutional.
- (3) Accessible parking spaces shall comply with the following:
- (a) 4.1 m in width, including a minimum access space of 1.4 m;
 - (b) 6 m in length;
 - (c) must have a firm slip resistant and level surface;
 - (d) be clearly identified using the International Symbol of Access (See **Figure 321.2(i)**); and
 - (e) if the minimum access space of 1.4 m is shared with an adjacent accessible parking space, the shared minimum access must be clearly marked and delineated.

321 – PARKING



Figure 321.2(i): International Symbol of Access (ISA).

- (4) Multi-Family Residential Buildings exceeding 6 Dwelling Units shall provide 1 accessible parking space, which may be included in any required visitor parking.

321.3 – OFF-STREET BICYCLE PARKING

- 321.3 (1) Long-term bicycle parking must be located in a fully enclosed and secured room within the Building for which they are required. The total area shall be a minimum of 1.75 m² per required bicycle parking space and be located adjacent to an elevator (where applicable) or main entrance of the Building.
- (2) Short-term bicycle parking must be:
 - (a) be located in a highly visible location near a Building main entrance;
 - (b) have access routes that provided a minimum clearance width of 2 m;
 - (c) be provided in permanently anchored racks that provide a minimum of 2 points of contact with the bicycle frame; and
 - (d) be well-lit and in a highly visible location.

321 – PARKING

321.4 – OFF STREET LOADING

- 321.4 (1) Commercial and Industrial uses shall provide a minimum of 1 off-street loading space per 500 m² of GFA.
- (2) Off-street loading shall be located on the same lot or parcel as the Building or Use for which it is required.
- (3) All off-street loading spaces shall be of sufficient dimensions to accommodate Commercial Motor Vehicles (CMVs) used for the transportation of goods and products to and from a Building or Use, without encroaching upon any drive aisles, driveways, parking spaces, pedestrian walkways, or road.
- (4) Exterior Building lighting used to illuminate a loading space shall adhere to provisions within this section of the Bylaw.

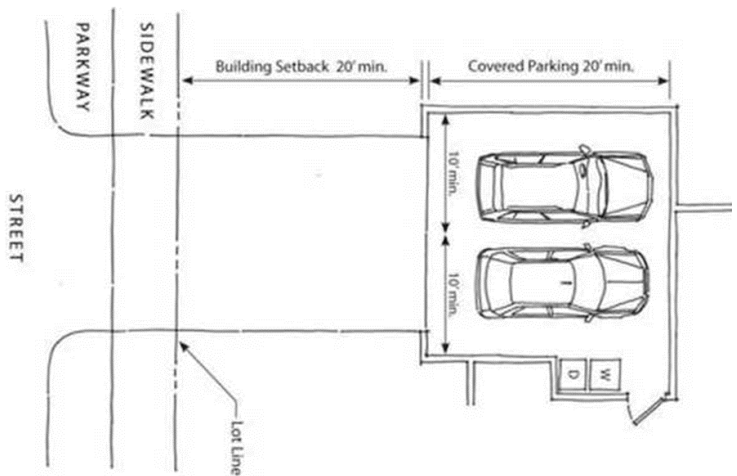
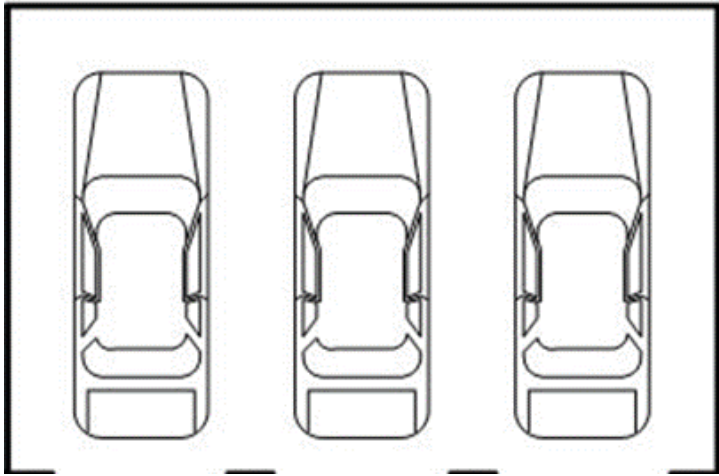
321 – PARKING

321.5 – SCHEDULE OF REQUIRED OFF-STREET PARKING

- 321.5 (1) The minimum number of off-street parking spaces required for any use shall be calculated in accordance with the provisions under Table 1. Where a specific use is not referenced, the required number of off-street parking spaces shall be the same as a similar use listed.
- (2) In a mixed-used development, required parking spaces may be shared between Commercial and Residential visitor parking.
- (3) Where the parking calculation results in a fractional parking space, any fraction:
 (a) less than 0.5 shall be disregarded; and
 (b) 0.5 or greater shall be considered equivalent to 1 parking space.
- (4) Where applicable, a development requiring approval from the Ministry of Transportation & Infrastructure shall adhere to parking requirements established by the Ministry therein.

| TABLE 1 – SCHEDULE OF REQUIRED OFF-STREET PARKING | |
|--|---|
| AGRICULTURAL | |
| Use | Minimum Parking Spaces Required |
| Agriculture – Residential | (a) 2 parking spaces per Single-Detached Dwelling; and (b) 1 parking space per Accessory Dwelling Unit |
| Agriculture, Intensive | (a) 1 parking space per 93 m ² of farm industrial GFA (b) 1 parking space per 32 m ² of office use |
| Farm Retail Sales | (a) 1 parking space per 20 m ² of office, display, and retail; and a minimum of 4 parking spaces |
| Greenhouse and Plant Nursery | (a) 1.5 spaces per 15 m ² of retail sales area |

321 – PARKING

| RESIDENTIAL | |
|--------------------------|---|
| Use | Minimum Parking Spaces Required |
| Single-Detached Dwelling | <p>(a) 2 parking space per Dwelling Unit</p>  <p>Figure 321.5(i): Example of 2 parking spaces located within the building envelope, and 4 parking spaces located on the driveway apron.</p> |
| Accessory Dwelling Unit | (a) 1 parking space per Dwelling Unit |
| Duplex | (a) 2 parking space per Dwelling Unit |
| Triplex | <p>(a) 6 parking spaces, including Secondary Suite or ADU</p>  <p>Figure 321.5(ii): Example of 3 parking spaces located within the building envelope, with the remaining 3 parking spaces located on the driveway apron. Under a Triplex with a Secondary Suite or ADU proposal, the Primary Residence would need to provide the required off-street parking for the Secondary Suite or ADU.</p> |

321 – PARKING

| | |
|--|--|
| Fourplex | <p>(a) 6 parking spaces</p> <p>□ Minimum of 1 parking space per Dwelling Unit (4), with 2 parking spaces dedicated to a Dwelling Unit based on unit size (GFA) or number of bedrooms. 2 additional parking spaces may be added, where feasible.</p> |
| Rowhouse | <p>(a) 2 parking space per Dwelling Unit</p> <p>(b) 0.2 visitor parking spaces per Dwelling Unit on a lot with greater than 6 Dwelling Units</p> |
| Ground-Orientated Townhouse | <p>(a) 2 parking spaces per Dwelling Unit, and</p> <p style="padding-left: 20px;">i. if tandem, only 1 parking space is permitted to be enclosed within the building envelope of the strata unit</p> <p>(b) 1 parking space per Dwelling Unit on a lot with 6 Dwelling Units or less</p> <p>(c) 0.2 visitor parking spaces per Dwelling Unit, excluding a lot with 6 Dwelling Units or less</p> |
| Stacked Townhouse | <p>(a) 2 parking spaces per Dwelling Unit, and</p> <p style="padding-left: 20px;">i. if tandem, only 1 parking space is permitted to be enclosed within the building envelope of the strata unit</p> <p>(b) 1 parking space per Dwelling Unit on a lot with 6 Dwelling Units or less</p> <p>(c) 0.2 visitor parking spaces for each Dwelling Unit, excluding a lot with 6 Dwelling Units or less</p> <p>(d) 1 bicycle parking space per Dwelling Unit, excluding a lot with 6 Dwelling Units or less</p> |
| Apartment or Condominium | <p>(a) 1 parking space per studio or 1-bedroom Dwelling Unit</p> <p>(b) 1.5 parking spaces per 2-bedroom Dwelling Unit or greater, except:</p> <p style="padding-left: 20px;">i. an apartment building containing 6 Dwelling Units or less, a minimum of 1 parking space per Dwelling Unit</p> <p>(c) 0.2 visitor parking spaces per Dwelling Unit, excluding an apartment building containing 6 Dwelling Units or less</p> <p>(d) 0.5 parking space per Dwelling Unit for a Rental Apartment located on a frequent transit corridor</p> <p>(e) 1 bicycle parking space per Dwelling Unit, excluding an apartment building containing 6 Dwelling Units or less</p> |
| Bed & Breakfast (or “Short-Term Rental” Accommodation) | <p>(a) 1 parking space per bedroom, in addition to Single-Detached Dwelling and ADU parking requirements; and</p> |

321 – PARKING

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|-----------------------|--|
| | (b) provision of a parking plan in conjunction with a Business Licence application |
| Seniors Housing | (a) 1 parking space per 3 beds (b) 0.2 visitor parking spaces per Dwelling Unit (c) 0.1 bicycle parking space per Dwelling Unit |
| Home-Based Business | (a) 1 parking space for Home-Based Business, Urban, excluding: i. a home-based office where no customers or clients are on the premises. (b) 2 parking spaces for Home-Based Business, Rural, and 1 additional space for an employee (where applicable) |
| Lock-Off Unit | (a) No additional parking required |
| Mobile Home Park | (a) 2 parking space per Dwelling Unit |
| COMMERCIAL | |
| Use | Minimum Parking Spaces Required |
| Automotive | (a) 1 parking space per 35 m ² of GFA |
| Campground | (a) 1 parking space per camp site |
| Child Care Centre | (a) 1 parking space per 30 m ² of GFA or 4 parking spaces, whichever is greater (b) 2 parking spaces must be designated for drop-off/pick-up |
| Food Primary | (a) 1 space per 50 m ² of GFA for a coffee shop, café, or tea house (b) 1 space per 20 m ² of GFA for a restaurant (c) 1 parking space per 20 m ² of GFA for a Drive-Through Restaurant, and: i. a minimum queuing length of 6 vehicles in advance of the drive-through pick-up window (d) 5 bicycle parking spaces for 2,500 m ² GFA or less, and: i. 1 additional space per 500 m ² of GFA |
| Food Primary Licenced | (a) 1 parking space per 10 m ² of GFA for a Public House (b) must have a minimum of 4 parking spaces (c) 5 bicycle parking spaces for 2,500 m ² GFA or less, and: i. 1 additional space per 500 m ² of GFA |
| Golf Course | (a) 3 parking spaces per fairway; and (b) 10 parking spaces for Food Primary or Food Primary Licenced (where applicable) |
| Hotel | (a) 0.8 parking spaces per room |

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|---|--|
| | (b) 1 space per 20 m ² of GFA for a restaurant |
| Medical Office | (a) 1 parking space per 30 m ² of GFA (b) 3 bicycle parking spaces |
| Motel | (a) 0.7 parking spaces per room (b) 0.5 parking spaces per room, without a Food Primary use |
| Office | (a) 1 parking space per 40 m ² of GFA (b) 1 bicycle parking space per 500 m ² of GFA |
| Personal Service Establishment | See RETAIL |
| Pet Daycare | See RETAIL |
| Retail | (a) 1 parking space per 35 m ² of GFA (b) 1 parking space per 30 m ² of GFA for Financial Services (c) 3 parking spaces per classroom for a For-Profit Post-Secondary Education (d) 5 bicycle parking spaces for 2,500 m ² GFA or greater, and 1 additional space per 500 m ² GFA |
| Service Station | (a) 3 parking spaces per lot; (b) 1 parking space per 35 m ² of Retail use (c) 3 bicycle parking spaces |
| INDUSTRIAL | |
| Use | Minimum Parking Spaces Required |
| Building Supply | (a) 1 parking space per 100 m ² of GFA (b) 1 parking space per 40 m ² of GFA for office use and administrative support |
| Commercial Motor Vehicle Repair/Leasing/Sales | (a) 1 parking space per 100 m ² of GFA (b) 1 parking space per 40 m ² of GFA for office use and administrative support |
| Landscaping | (a) 1 parking space per 35 m ² of GFA |
| Manufacturing | (a) 1 parking space per 100 m ² of GFA (b) 1 parking space per 40 m ² of GFA for office use and administrative support |
| Manufactured Home Sales | (a) 1 parking space per 450 m ² of display and sale area; and (b) minimum 4 parking spaces |
| Self Storage or Mini-Storage | (a) 1 parking space per 800 m ² of GFA; |

321 – PARKING

| | |
|--|---|
| | <ul style="list-style-type: none"> (b) 1 parking space per 40 m² of GFA for office use and administrative support; and (c) a minimum of 4 parking spaces |
| Recreation Vehicle (RV) Sales/Leasing/Repair/Rental | <ul style="list-style-type: none"> (a) 1 parking space per 100 m² of GFA (b) 1 parking space per 40 m² of GFA for office use and administrative support |
| Warehousing and Distribution | <ul style="list-style-type: none"> (a) 0.5 parking spaces per 100 m² of GFA, with a parking minimum of 2 spaces (b) 2.5 parking spaces per 100 m² of GFA for office use or administrative support use |
| CIVIC USE | |
| Use | Minimum Parking Space Required |
| Assembly | (a) 1 parking space per 10 m ² GFA |
| Civic Use – Government Office | (a) 1 parking space per 33 m ² of GFA |
| Civic Use – Park | (a) 1 parking space per 50 m ² of recreational space |
| Public School | <ul style="list-style-type: none"> (a) 1.5 parking space per classroom (b) 9 parking spaces for drop-off and pick-up (c) 1 parking space per 10 m² of GFA for gymnasium (d) 1 bicycle parking space per classroom |
| Post-Secondary Institution | <ul style="list-style-type: none"> (a) 10 parking spaces per classroom (b) 1 parking space per 40 m² of GFA for office use and administrative support (c) 1 parking space 10 m² of GFA for lecture theatre and gymnasium (d) 3 bicycle parking spaces per classroom |

325 – FLOODPROOFING REGULATIONS

325 FLOODPROOFING REGULATIONS

- 325.1 (1) A Building and/or Structure must not be constructed where the underside of the floor system of any area used for habitation, business, or storage of goods, is damageable by floodwaters.
- (2) A Building and/or Structure must not be built or constructed lower than:
(a) 393.2 m Geodetic Survey Canada Datum for Kalamalka Lake; or
(b) 1.5 m above the natural boundary of a Watercourse.
- (3) No person shall place any structural support for a habitable area or fill required to support a habitable area on land located within a designated floodplain setback area.

FLOODPROOFING

*Architectural Design Flood Mitigation Measures
Retrofitting Existing Structures*

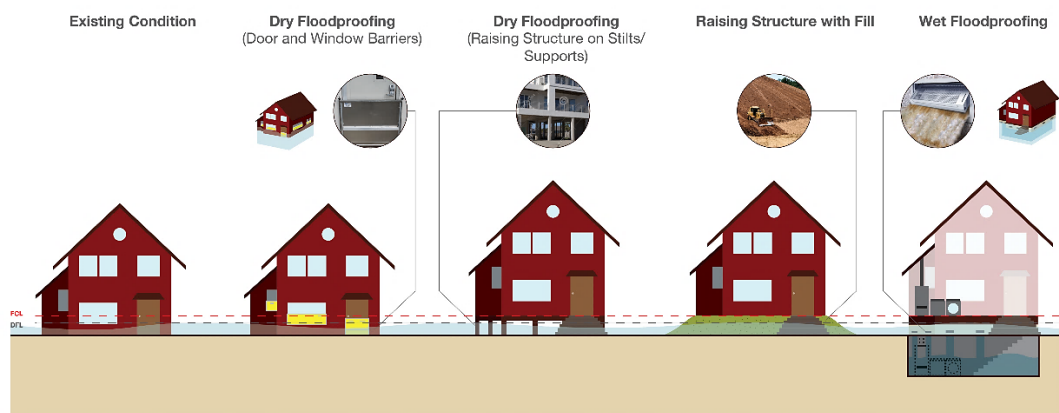


Figure 325.1: Examples for floodproofing a Building.

401 AGRICULTURAL FARM ZONE (A1)

INTENT

401.1 The intent of the Agricultural Farm Zone is to accommodate residential and agricultural uses on large rural lots, typically located on lands within the Agricultural Land Reserve (ALR).

PERMITTED USES

401.2

| Permitted Uses Table | |
|----------------------|---|
| (1) Principal Use | <ul style="list-style-type: none"> (a) Agriculture (b) Agriculture, Hobby Farm (c) Agriculture, Intensive (d) Community Care, Minor (e) Manufactured Home (f) Public Utility (g) Single-Detached Dwelling (h) Veterinary Clinic |
| (2) Accessory Use | <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Accessory Dwelling Unit, Attached (“Secondary Suite”) (c) Accessory Dwelling Unit, Detached <ul style="list-style-type: none"> i. Carriage House; or ii. Garden Suite. (d) Accessory Use (e) Agri-Tourism (f) Bed & Breakfast (g) Direct Farm Marketing (h) Dog Kennel (i) Gathering for an Event (j) Home-Based Business, Rural (k) Manufactured Home (l) On-Farm Processing (m) On-Farm Product Preparation (n) Temporary Farm Worker Housing (TFWH) |

SITE SPECIFIC USE

401.3 (1) 2 Single-Detached Dwellings are permitted on Lot 1 Section 20 Township 6 Osoyoos Division Yale District Plan KAP17218, located at 10257 Ricardo Road.

DEVELOPMENT REGULATIONS

401.4

| Development Regulations Table | |
|--|--|
| (1) Maximum number of Dwelling Units per Lot | (a) 1 Single-Detached Dwelling with a Secondary Suite; and (b) 1 Manufactured Home*; or (c) 1 ADU* |
| | <input type="checkbox"/> <i>Manufactured Home or Detached ADU is permitted on a lot 4 ha or greater (See Section 401.6)</i> |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 7.5 m |
| (3) Rear Lot Line | (a) 7.5 m |
| (4) Exterior Lot Line | (a) 7.5 m |
| (5) Interior Lot Line | (a) 3 m |
| (6) Minimum Setback Between Buildings | (a) 3 m |
| (7) Setback from Major Roads | (a) 9 m, where the any Lot Line abuts: <ul style="list-style-type: none"> i. Aberdeen and North Aberdeen Road ii. Buchanan Road from Nickel Drive to the SE Quarter of Section 26, Township 6 iii. Kalamalka Road iv. Learmouth Road from Highway 6 to the District Boundary v. Park Lane vi. Reid Road from Learmouth Road to Whitevale Road vii. Ricardo Road viii. School Road ix. Warren Road |
| (8) Setback from Watercourses | (a) Setback distance to be determined by the classification of the watercourse; (b) Drainage Ditch – 5 m; (c) Dyke – 10 m; and (d) Certified Report to be provided by a QEP where non-conforming setbacks exists. |

| Maximum Building Height | |
|--------------------------------|--|
| (9) Building Height | (a) Residential Use – 11 m or 3 storeys, whichever is less; and <ul style="list-style-type: none"> i. the 3rd storey shall not exceed 80% of the storey immediately below. (b) Accessory Non-Farm Building – 4.5 m (c) Farm Building – 8 m or 2 storeys (d) ADU – 8 m or 2 storeys (e) Manufactured Home – 4.5 m |
| Maximum Lot Coverage | |
| (10) Lot Coverage | (a) 30% for all Buildings and Structures <ul style="list-style-type: none"> i. that notwithstanding, an additional 25% lot coverage is permitted for Greenhouses used for crop production; and (b) 10% for all impervious hard-surfaced areas |
| Floor Area | |
| (11) Minimum Floor Area | (a) Single-Detached Dwelling – 100 m ² (b) ADU – 20.5 m ² (c) Manufactured Home – 46.4 m ² <ul style="list-style-type: none"> i. CSA A-277 standard Modular Home; or ii. CSA Z-240 standard Mobile Home |
| (12) Maximum Floor Area | (a) Single-Detached Dwelling – 500 m ² <ul style="list-style-type: none"> i. including 90 m² for a Secondary Suite; and ii. excluding 42 m² for an attached garage or carport (b) Detached ADU – 90 m ² (c) All Dwelling Units located on the same lot shall not exceed a total GFA of 500 m ² |

SUBDIVISION REGULATIONS

401.5

| Subdivision Regulations Table | |
|--------------------------------------|---|
| (1) Lot Area (Minimum) | (a) 10 ha (b) Pan-Handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) 30 m (b) Pan-Handle Lot – Not Permitted |

CONDITIONS OF USE

- 401.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Bed and Breakfast (or *Short-Term Rental accommodation*);
 - (b) Community Care, Minor
 - (c) Home-Based Business, Rural;
 - (d) Temporary Residence During New Construction; and
 - (d) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) A **Single-Detached Dwelling** shall not exceed 500 m², and:
- (a) excludes 42 m² GFA for an attached garage or carport;
 - (b) includes 90 m² for a Secondary Suite;
 - (c) located not more than 60 m from a Road or Controlled-Access Highway; and
 - (d) where applicable, located not more than 50 m from the panhandle portion of the lot.
- (5) An **Accessory Dwelling Unit, Detached (ADU)** is permitted on a lot 4 ha or greater, and may include the following use:
- (a) Carriage House (see **Figure 401.6.1**);
 - (b) Garden Suite; or
 - (c) Manufactured Home placed on a non-permanent foundation.

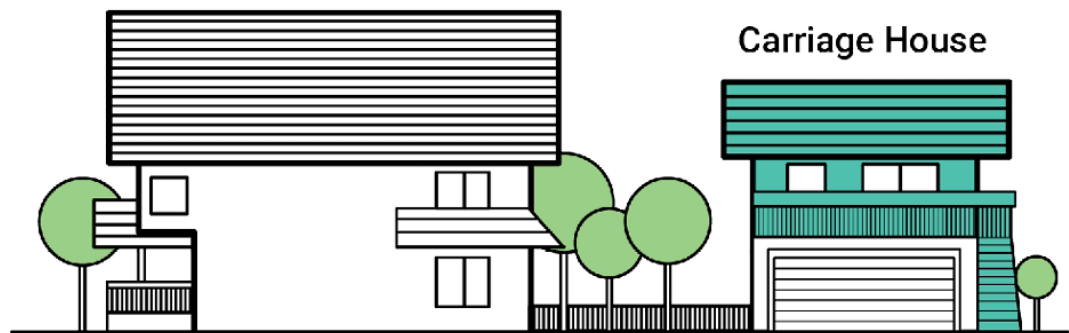


Figure 401.6.1: For example, a Single-Detached Dwelling and a Carriage House is permitted on a lot 4 ha or greater. Strata titling of the Carriage House is not permitted.

- (6) Strata titling of an ADU or Manufactured Home is not permitted.

- (7) Where there is more than 1 Dwelling Unit on the lot, all combined GFA shall not exceed 500 m², unless authorized under a ALC decision.
- (8) An ADU or Manufactured Home must meet the following requirements:
 - (a) located not more than 50 m of the Principal Building and Primary Residence on the lot; and
 - (b) located not more than 60 m of a Road, Controlled-Access Highway, or panhandle portion of the lot.
- (9) A **Direct Farm Marketing** use must:
 - (a) be accessory and ancillary to the agricultural use being carried out on the same property;
 - (b) restricted to farm products grown, reared, raised, or produced on the same lot or parcel and on farm operations which are located in the ALR, and may include up to 50% of products not produced in the local farming area;
 - (c) must be contained wholly within a building and occupy an area not greater than 300 m² in size, excluding any office space, washroom facilities, wholesale storage and processing facilities;
 - (d) may have an outside display area of not greater than 100 m² in size, which area must be contiguous with the farm retail sales area;
 - (e) signage is restricted to the following requirements:
 - i. 1 wall sign;
 - ii. 1 free-standing sign not exceeding 3 m in height, a fascia area not exceeding of 3 m² (32.3 ft²), and a minimum distance of 2 m from any Lot Line;
 - iii. Illuminated signage shall be restricted to a light colour temperature not exceeding 4,000K;
 - iv. free-standing signage must be incorporated into an area not greater than 10 m²; and
 - v. free-standing signage must have a landscaped area equal to the total surface area of the sign and supporting structure, with native plants, ornamental flowering plants and grasses, and/or perennial plants used as ground cover.
 - (f) must have a valid business license issued by the District and in compliance with all applicable District Bylaws.

- (10) **Temporary Farm Worker Housing (TFWH)** is permitted on a lot under the following:
- (a) a minimum parcel size of 4 ha, except:
 - i. where the TFWH use was approved under a Building Permit prior to the adoption of this Bylaw;
 - (b) must have a Farm Classification as prescribed under the *Assessment Act*;
 - (c) a maximum of 40 **Temporary Farm Workers (TFWs)** per farm operation may reside on the lands, except:
 - i. Lot 1 District Lots 57, 79, 84 and 86 Osoyoos Division Yale District Plan EPP27553 Except Plans EPP87268 and EPP91161, where a maximum of 218 TFWs may reside on the lands (*ALC 69463*).
 - (d) TFWH shall be located within a **Manufactured Home** or an existing **Single-Detached Dwelling**;
 - (e) a **Manufactured Home** must be placed on a non-permanent foundation;
 - (f) total useable floor area of the TFWH shall be a minimum of 10 m² per person, excluding washrooms, kitchen, laundry rooms, mechanical rooms, or storage areas; and
 - (g) the use of TFWH as a rental unit for persons other than workers employed on the farm is strictly prohibited.
- (11) An intensive agricultural use is not permitted on lands located outside of the ALR.
- (12) A Dog kennel is permitted on a parcel with a minimum lot area of 2 ha or greater.

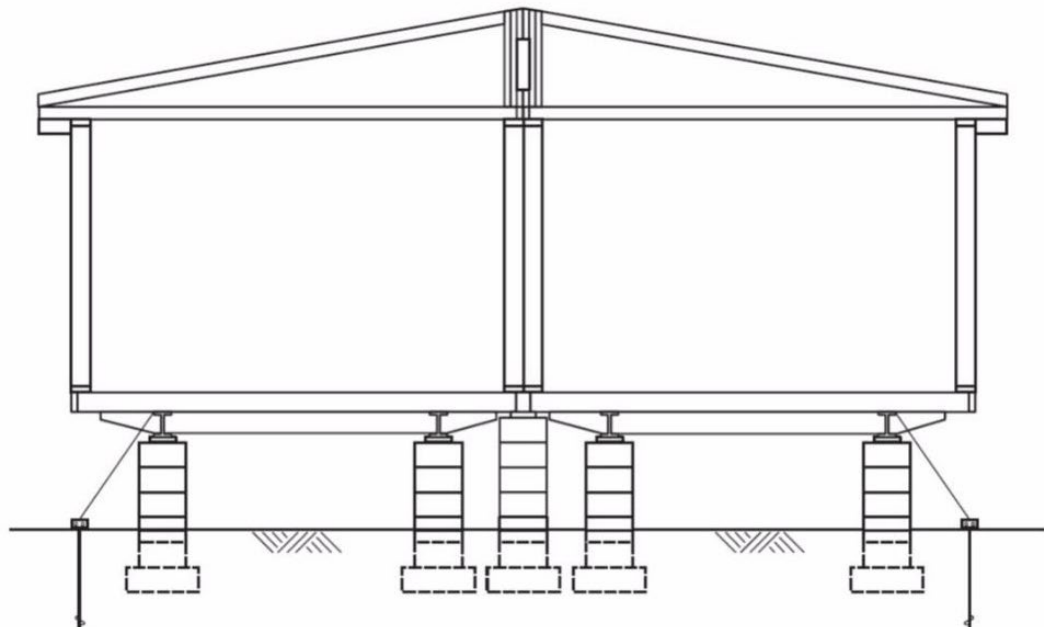


Figure 401.1: Example of a **Manufactured Home** placed on a non-permanent foundation.

AGRICULTURAL SETBACKS

401.8

| Agricultural Setbacks Table – Minimum Distance | | | |
|--|---|--------------------------------------|-----------------------------------|
| Use | Front & Exterior Lot Lines | Interior & Rear Lot Lines | Distance from Water Supply |
| (a) Greenhouse and Nursery (b) Turf (c) Wind Turbine (d) Tree Farm (e) Farm Building (Agricultural Machinery) | 9 m | 3 m | 30 m |
| (f) Mushroom farming | 60 m | 60 m | 30 m |
| (g) Feedlot (h) On-Farm Composting (i) Manure storage | i. 60 m from an Urban Residential Lot; and ii. 30 m from all lot lines | | 30 m |
| (j) Livestock (k) Poultry (l) Farmed Game (m) Fur-bearing animals (n) Cannabis Production i. outdoor field; or ii. structure placed on a soil base (o) Dog Kennel | i. 30 m from an Urban Residential Lot; and ii. 15 m from all lot lines | | 30 m |
| (p) Horse riding rings and exercise yards (q) Barn or Stable (r) Detention Pond (s) Storage of Grain, Hay, Silage, Straw | 7.5 m | 3 m | 30 m |
| (t) Beekeeping | 7.5 m | 7.5 m | 30 m |
| (u) Field Crop | 4.5 m | 3 m | 30 m |
| <p>□ Where a lot abuts a Collector Road, Arterial Road, or a Controlled-Access Highway, the greater required setback shall apply.</p> | | | |

(1) Where a specific use is not referenced, the minimum Agricultural Setbacks required shall be the same as a similar use listed.

402 AGRICULTURAL SMALL LOT ZONE (A2)

INTENT

402.1 The intent of the Agricultural Small Lot Zone is to accommodate Rural lots located within the Agricultural Land Reserve (ALR).

PERMITTED USES

| | |
|-------|--|
| 402.2 | Permitted Uses Table |
| | <ul style="list-style-type: none"> (1) Principal Use <ul style="list-style-type: none"> (a) Agriculture (b) Agriculture, Hobby Farm (c) Community Care, Minor (d) Manufactured Home (e) Single-Detached Dwelling (f) Veterinary Clinic |
| | <ul style="list-style-type: none"> (2) Accessory Use <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Bed & Breakfast (c) Direct Farm Marketing (d) Gathering for an Event (e) Home-Based Business, Rural (f) Secondary Suite |

SITE SPECIFIC USE

402.3 N/A

DEVELOPMENT REGULATIONS

| | | |
|-------|--|--|
| 402.4 | Development Regulations Table | |
| | (1) Maximum number of Dwelling Units per Lot | <ul style="list-style-type: none"> (a) Single-Detached Dwelling with a Secondary Suite; OR (b) Manufactured Home |
| | Minimum Setbacks | |
| | (2) Front Lot Line | (a) 7.5 m |
| | (3) Rear Lot Line | <ul style="list-style-type: none"> (a) 7.5 m – Principal Building; (b) 2 m – Accessory Building |

| | |
|---------------------------------------|--|
| (4) Exterior Lot Line | (a) 7.5 m |
| (5) Interior Lot Line | (a) 2 m |
| (6) Minimum Setback Between Buildings | (a) 3 m |
| (7) Setback from Major Roads | (a) 9 m, where the any Lot Line abuts: <ul style="list-style-type: none"> i. Aberdeen and North Aberdeen Road ii. Buchanan Road from Nickel Drive to the SE Quarter of Section 26, Township 6 iii. Kalamalka Road iv. Learmouth Road from Highway 6 to the District Boundary v. Park Lane vi. Reid Road from Learmouth Road to Whitevale Road vii. Ricardo Road viii. School Road ix. Warren Road |
| (8) Setback from Watercourses | (a) Setback distance to be determined by the classification of the watercourse; (b) Drainage Ditch – 5 m; (c) Dyke – 10 m; and (d) Confirmation from a QEP will be required where non-conforming setbacks exists. |
| (9) Agricultural Setbacks | (a) Refer to A1 Zone |
| Maximum Building Height | |
| (10) Building Height | (a) Single-Detached Dwelling – 11 m or 3 storeys <ul style="list-style-type: none"> i. the 3rd storey shall not exceed 80% of the storey immediately below. (b) Manufactured Home – 4.5 m (c) Accessory Building – 4.5 m |
| Maximum Lot Coverage | |
| (11) Lot Coverage | (a) 35% for all Buildings and Structures (b) 15% for all impervious hard-surfaced areas |
| Building Floor Area | |
| (12) Minimum Floor Area | (a) Single-Detached Dwelling – 100 m ² (b) Secondary Suite – 20.5 m ² (c) Manufactured Home – 46.5 m ² |

| | |
|-------------------------|--|
| | <ul style="list-style-type: none"> i. CSA A-277 standard Modular Home; or ii. CSA Z-240 standard Mobile Home |
| (13) Maximum Floor Area | <ul style="list-style-type: none"> (a) Single-Detached Dwelling – 500 m² <ul style="list-style-type: none"> i. including 90 m² for Secondary Suite; and ii. excluding 42 m² for attached garage or carport. (b) All Dwelling Units located on the same lot shall not exceed a total GFA of 500 m² |

SUBDIVISION REGULATIONS

| | | |
|----------------------------|--------------------------------------|------------------------------------|
| 402.5 | Subdivision Regulations Table | |
| (1) Lot Area (Minimum) | (a) 2 ha | (b) Pan-Handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) 18 m | (b) Pan-Handle Lot – Not Permitted |

CONDITIONS OF USE

- 402.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Bed & Breakfast (or *Short-Term Rental accommodation*);
 - (b) Community Care, Minor
 - (c) Home-Based Business, Rural; and
 - (d) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) Where there is more than 1 Dwelling Unit on a lot, all combined GFA shall not exceed 500 m², unless authorized under an ALC decision.

- (5) A **Secondary Suite** is not permitted on a lot less than 1 ha, except where a **Registered Onsite Wastewater Practitioner (ROWP)** or Professional Engineer provides a report stating:
- (a) that the Onsite Sewage is not malfunctioning;
 - (b) that the Onsite Sewage is equipped to treat effluent for a minimum of 8 residents;
 - (c) that the Onsite Sewage has been appropriately constructed and installed, given the projected demand to be placed by the Building or improvements that are intended to be serviced by the system; and
 - (d) the location of the Onsite Sewage, Buildings, and Permanent Structures, to be certified by a **British Columbia Land Surveyor (BCLS)**.

501 URBAN MULTI-UNIT RESIDENTIAL ZONE (R1)

INTENT

501.1 The intent of the Urban Multi-Unit Residential Zone is to accommodate Small-Scale Multi-Unit (SSMU) housing on fully serviced urban lots, in accordance with *Bill 44: Housing Statutes (Residential Development) Amendment Act, 2023*.

PERMITTED USES

501.2

| Permitted Uses Table | |
|----------------------|---|
| (1) Principal Use | <ul style="list-style-type: none"> (a) Community Care, Minor (b) Duplex (c) Fourplex (d) Single-Detached Dwelling (e) Triplex |
| (2) Accessory Use | <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Accessory Dwelling Unit, Attached <ul style="list-style-type: none"> i. Secondary Suite (c) Accessory Dwelling Unit, Detached <ul style="list-style-type: none"> i. Carriage House; or ii. Garden Suite (d) Agriculture, Urban (e) Home-Based Business, Urban |

SITE SPECIFIC USE

501.3 A **Manufactured Home** is permitted on Lot 2 District Lot 3888 Osoyoos Division Yale District Plan EPP75420.

DEVELOPMENT REGULATIONS

501.4

| Development Regulations Table | |
|--|--|
| (1) Maximum number of Dwelling Units per lot | Lots less than 280 m ² |
| | (a) Single-Detached Dwelling with up to 2 ADUs (b) Duplex with an ADU; OR (c) Triplex |
| | Lots greater than 280 m ² |
| | (a) Single-Detached Dwelling with up to 3 ADUs; (b) Duplex with up to 2 ADUs; (c) Triplex with an ADU; OR (d) Fourplex |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 6 m |
| (3) Rear Lot Line | (a) Principal Building – 6 m (b) Accessory Buildings and Structures – 1.5 m (c) ADU – 1.5 m |
| (4) Interior Lot Line | (a) 1.5 m |
| (5) Exterior Lot Line | (a) 4 m |
| (6) Minimum Setback Between Buildings | (a) 3 m |
| Maximum Building Height | |
| (7) Principal Building | (a) 11 m or 3 storeys; and i. the 3 rd storey shall not exceed 80% of the storey immediately below. |
| (8) Accessory Building | (a) Carriage House ADU – 8 m or 2 storeys (b) Garden Suite ADU – 4.5 m or 1 storey (c) Accessory Building or Structure – 4.5 m |
| Maximum Lot Coverage | |
| (9) Lot Coverage | (a) 50% for all Buildings and Structures; and (b) 15% for all impervious hard surfaced areas |
| Minimum Floor Area | |
| (10) Principal Building | (a) 100 m ² or greater. |

| | |
|----------|--|
| (11) ADU | (a) a minimum of 20.5 m ² ; and (b) not greater than 90 m ² . |
|----------|--|

SUBDIVISION REGULATIONS

| | | |
|-------|--------------------------------------|---|
| 501.5 | Subdivision Regulations Table | |
| (1) | Lot Area (Minimum) | (a) 600 m ² (b) 300 m ² – ½ Duplex lot (c) Pan-Handle Lot – Not Permitted |
| (2) | Lot Width (Minimum) | (a) 12 m (b) 9 m – ½ Duplex lot (c) Pan-Handle Lot – Not Permitted |

CONDITIONS OF USE

- 501.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Bed and Breakfast (or *Short-Term Rental accommodation*);
 - (b) Community Care, Minor
 - (c) Home-Based Business, Urban; and
 - (d) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) A **Duplex, Triplex, or Fourplex** is permitted under the following requirements:
- (a) 50% of the common wall or floor/ceiling system is affixed or attached;
 - (b) a separate and independent entrance for each Dwelling Unit;
 - (c) designed and constructed simultaneously, utilizing a Party Wall Agreement or as common property (common wall/floor/ceiling system); and
 - (d) excludes Dwelling Units affixed or attached by:
 - i. a breezeway; and
 - ii. a garage or carport exceeding a width of 6 m.

- (5) A **Detached Duplex** is permitted under the following requirements:
- (a) must be located on a corner lot or a lot with a rear lane access;
 - (b) must be designed with an Accessory Building to provide shared off-street parking; and
 - (c) the Accessory Building shall be designed utilizing a Party Wall Agreement or as common property.
- (6) Urban Agriculture is restricted to the keeping of up to 4 hens, and:
- (a) restricted to a lot with a **Single-Detached Dwelling** and not more than 1 **ADU**;
 - (b) all hens must be provided a coop, run, and enclosure;
 - (c) have a minimum enclosed area of 0.4 m² per hen;
 - (d) not permitted to be located within a front yard setback area, and a minimum of 3 m from all remaining lot lines;
 - (e) be well maintained, and
 - i. kept clean, dry, and free of odours;
 - ii. removal of any attractants for vermin;
 - iii. regular removal and disposal of manure or composted;
 - iv. hens are not euthanized or slaughtered on the premises;
 - v. hens must be disposed of at an approved facility;
 - vi. adhere to Biosecurity Procedures recommended by the Canadian Food Inspection Agency (CFIA); and
 - vii. no roosters permitted.

502 URBAN LARGE LOT RESIDENTIAL ZONE (R2)

INTENT

502.1 The intent of the Urban Large Lot Residential Zone is to accommodate a Single-Detached Dwelling with an Accessory Dwelling Unit (ADU) on an urban lot that is serviced by onsite sewage. Urban Large Lots Residential (R2) may be rezoned to Urban Multi-Unit Residential Zone (R1), if serviced by District sewerage.

PERMITTED USES

| | |
|-------|--|
| 502.2 | Permitted Uses Table |
| | <ul style="list-style-type: none"> (1) Principal Use <ul style="list-style-type: none"> (a) Community Care, Minor (b) Single-Detached Dwelling |
| | <ul style="list-style-type: none"> (2) Accessory Use <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Accessory Dwelling Unit (ADU) <ul style="list-style-type: none"> i. Carriage House; ii. Garden Suite; or iii. Secondary Suite (c) Agriculture, Urban (d) Home-Based Business, Urban |

SITE SPECIFIC USE

502.3 N/A

DEVELOPMENT REGULATIONS

502.4

| Development Regulations Table | |
|--|--|
| (1) Maximum number of Dwelling Units per lot | (a) Single-Detached Dwelling; (b) Single-Detached Dwelling with a Secondary Suite; OR (c) Single-Detached Dwelling with a Carriage House or Garden Suite permitted on a lot 1 ha or greater. |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 6 m |
| (3) Rear Lot Line | (a) Principal Building – 6 m (b) Accessory Buildings and Structures – 1.5 m (c) ADU – 1.5 m |
| (4) Interior Lot Line | (a) 1.5 m |
| (5) Exterior Lot Line | (a) 4 m |
| (6) Minimum Setback Between Buildings | (a) 3 m |
| Maximum Building Height | |
| (7) Principal Building | (a) 11 m or 3 storeys; and i. the 3 rd storey shall not exceed 80% of the storey immediately below. |
| (8) Accessory Building | (a) Carriage House ADU – 8 m or 2 storeys (b) Garden Suite ADU – 4.5 m or 1 storey (c) Accessory Building or Structure – 4.5 m |
| Maximum Lot Coverage | |
| (9) Lot Coverage | (a) 35% for all Buildings and Structures; and (b) 15% for all impervious hard surfaced area |
| Minimum Floor Area | |
| (10) Principal Building | (a) 100 m ² or greater. |
| (11) ADU | (a) a minimum of 20.5 m ² ; and (b) not greater than 90 m ² . |

SUBDIVISION REGULATIONS

| | | |
|-------|--------------------------------------|--|
| 502.5 | Subdivision Regulations Table | |
| (1) | Lot Area (Minimum) | (a) 2 ha (b) Pan-Handle Lot – Not Permitted |
| ii. | Lot Frontage (Minimum) | (a) Corner Lot – 15 m (b) Interior Lot – 12 m (c) Pan-Handle Lot – Not Permitted |

CONDITIONS OF USE

- 502.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Bed & Breakfast (or *Short-Term Rental accommodation*);
 - (b) Community Care, Minor
 - (c) Home-Based Business, Urban; and
 - (d) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (2) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (3) Strata titling of an Accessory Dwelling Unit (ADU) is not permitted.
- (4) A **Secondary Suite** is not permitted on a lot less than 1 ha, except where a **Registered Onsite Wastewater Practitioner** (ROWP) or Professional Engineer provides a report stating:
- (a) that the Onsite Sewage is not malfunctioning;
 - (b) that the Onsite Sewage is equipped to treat effluent for a minimum of 8 residents;
 - (c) that the Onsite Sewage has been appropriately constructed and installed, given the projected demand to be placed by the Building or improvements that are intended to be serviced by the system; and
 - (d) the location of the Onsite Sewage, Buildings, and Structures, to be certified by a **British Columbia Land Surveyor** (BCLS).

- (5) Urban Agriculture is restricted to the following:
 - (a) not more than 4 hens; and
 - (b) not more than 2 beehives and nucleus colonies.

- (6) The keeping of hens must meet the following requirements:
 - (a) all hens must be provided a coop, run, and enclosure;
 - (b) must have a minimum enclosed area of 0.4 m² per hen;
 - (c) not permitted to be located within a front yard setback area, and a minimum of 3 m from all remaining lot lines;
 - (d) be well maintained, and
 - i. kept clean, dry, and free of odours;
 - ii. removal of any attractants for vermin;
 - iii. regular removal and disposal of manure or composted;
 - iv. hens are not euthanized or slaughtered on the premises;
 - v. hens must be disposed of at an approved facility;
 - vi. adhere to Biosecurity Procedures recommended by the Canadian Food Inspection Agency (CFIA); and
 - vii. no roosters permitted.

503 RURAL RESIDENTIAL ZONE (R3)

INTENT

503.1 The intent of the Rural Residential Zone is to accommodate a Residential Use on Rural parcels that are serviced by onsite sewerage, which may be located within a Development Permit Area (DPA).

PERMITTED USES

503.2

| Permitted Uses Table | |
|---|--|
| (1) Principal Use | |
| (a) Community Care, Minor | |
| (b) Manufactured Home OR Single-Detached Dwelling | |
| (2) Accessory Use | |
| (a) Accessory Buildings and Structures | |
| (b) Accessory Dwelling Unit (ADU) with Single-Detached Dwelling | |
| i. Carriage House; | |
| ii. Garden Suite; or | |
| iii. Secondary Suite | |
| (c) Agriculture, Hobby Farm | |
| (d) Bed & Breakfast | |
| (e) Home-Based Business, Rural | |

SITE SPECIFIC USE

503.3 A Warehouse use is permitted on Lot A Plan EPP20176, located at 8465 Buchanan Road.

DEVELOPMENT REGULATIONS

503.4

| Development Regulations Table | |
|--|---|
| (1) Maximum number of Dwelling Units per lot | (a) Manufactured Home; (b) Single-Detached Dwelling; (c) Single-Detached Dwelling with a Secondary Suite; OR (d) Single-Detached Dwelling with a Carriage House or Garden Suite permitted on a lot with a minimum lot area of 1 ha or greater. |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 7.5 m |
| (3) Rear Lot Line | (a) Principal Building – 7.5 m (b) Accessory Buildings and Structures – 2 m |
| (4) Interior Lot Line | (a) 2 m |
| (5) Exterior Lot Line | (a) 7.5 m |
| (6) Setback Between Buildings | (a) 3 m |
| (7) Agricultural Setbacks | (a) Refer to A1 Zone |
| Maximum Building Height | |
| (8) Principal Building | (a) 11 m or 3 storeys; and i. the 3 rd storey shall not exceed 80% of the storey immediately below. |
| (9) Accessory Building | (a) Carriage House ADU – 8 m or 2 storeys (b) Garden Suite ADU – 4.5 m or 1 storey (c) Accessory Building – 4.5 m |
| Maximum Lot Coverage | |
| (10) Lot Coverage | (a) 35% for all Buildings and Structures; and (b) 15% for all impervious hard surfaced areas |
| Minimum Floor Area | |
| (11) Principal Building | (a) 100 m ² or greater. |
| (12) ADU | (a) a minimum of 20.5 m ² ; and (b) not greater than 90 m ² . |

SUBDIVISION REGULATIONS

| 503.5 Subdivision Regulations Table | |
|-------------------------------------|--|
| (1) Lot Area (Minimum) | (a) 2 ha (b) Pan-Handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) Corner Lot – 15 m (b) Interior Lot – 12 m (c) Pan-Handle Lot – Not Permitted |

CONDITIONS OF USE

- 503.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Bed & Breakfast (or *Short-Term Rental accommodation*);
 - (b) Community Care, Minor
 - (c) Home-Based Business, Rural; and
 - (d) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) Strata titling of an Accessory Dwelling Unit (ADU) is not permitted.
- (5) A Detached ADU is permitted on a lot 1 ha or greater.
- (6) A **Secondary Suite** is not permitted on a lot less than 1 ha, except where a **Registered Onsite Wastewater Practitioner (ROWP)** or Professional Engineer provides a report stating:
- (a) that the Onsite Sewage is not malfunctioning;
 - (b) that the Onsite Sewage is equipped to treat effluent for a minimum of 8 residents;
 - (c) that the Onsite Sewage has been appropriately constructed and installed, given the projected demand to be placed by the Building or improvements that are intended to be served by the system; and
 - (d) the location of the Onsite Sewage, Buildings, and Permanent Structures, to be certified by a **British Columbia Land Surveyor (BCLS)**.

-
- (7) The keeping of animals under a Hobby Farm use is permitted on a lot 2 ha or greater, and limited to the following:
- (a) up to 6 hens;
 - (b) up to 6 beehives and nucleus colonies;
 - (c) up to 2 livestock, including cattle, goats, horses, sheep, and swine; and
 - (d) up to 2 additional animal units per category on a lot 4 ha or greater.

504 RURAL LARGE LOT RESIDENTIAL ZONE (R4)

INTENT

504.1 The intent of the Rural Large Lot Residential Zone is to accommodate a Residential Use on large rural parcels that are located within a Development Permit Area (DPA) and serviced by Onsite Sewage.

PERMITTED USES

| | |
|-------|--|
| 504.2 | Permitted Uses Table |
| | <ul style="list-style-type: none"> (1) Principal Use <ul style="list-style-type: none"> (a) Community Care, Minor (b) Manufactured Home OR Single-Detached Dwelling |
| | <ul style="list-style-type: none"> (2) Accessory Use <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Accessory Dwelling Unit (ADU) with Single-Detached Dwelling <ul style="list-style-type: none"> i. Carriage House; ii. Garden Suite; or iii. Secondary Suite. (c) Agriculture (Restricted) <ul style="list-style-type: none"> i. range land; ii. silviculture; and iii. forestry. (d) Bed & Breakfast (e) Home-Based Business, Rural (f) Manufactured Home |

SITE SPECIFIC USE

504.3 N/A

DEVELOPMENT REGULATIONS

504.4

| Development Regulations Table | |
|--|---|
| (1) Maximum number of Dwelling Units per lot | (a) Single-Detached Dwelling; (b) Single-Detached Dwelling with a Secondary Suite; (c) Single-Detached Dwelling with a Carriage House or Garden Suite; OR (d) Manufactured Home. |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 7.5 m |
| (3) Rear Lot Line | (a) Principal Building – 7.5 m (b) Accessory Buildings and Structures – 2 m |
| (4) Interior Lot Line | (a) 2 m |
| (5) Exterior Lot Line | (a) 7.5 m |
| (6) Setback Between Buildings | (a) 3 m |
| (7) Agricultural Setbacks | (a) Refer to A1 Zone |
| (8) Riparian Area Setback | (a) Within 30 m of a watercourse, to be determined by a QEP. |
| Maximum Building Height | |
| (9) Principal Building | (a) 11 m or 3 storeys; and i. the 3 rd storey shall not exceed 80% of the storey immediately below |
| (10) Accessory Building | (a) Accessory Building or Structure – 8 m or 2 storeys (b) ADU – 8 m or 2 storeys |
| Maximum Lot Coverage | |
| (11) Lot Coverage | (a) 25% for all Buildings and Structures; and (b) 10% for all impervious hard surface areas |
| Minimum Floor Area | |
| (12) Principal Building | (a) 100 m ² or greater. |
| (13) Secondary Suite | (a) a minimum of 20.5 m ² ; and (b) not greater than 90 m ² . |

SUBDIVISION REGULATIONS

| 504.5 Subdivision Regulations Table | |
|-------------------------------------|--|
| (1) Lot Area (Minimum) | (a) 30 ha (b) Pan-handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) Corner Lot – 60 m (b) Interior Lot – 50 m (c) Pan-handle Lot – Not Permitted |

CONDITIONS OF USE

- 504.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Bed & Breakfast (or *Short-Term Rental accommodation*);
 - (b) Community Care, Minor
 - (c) Home-Based Business, Rural; and
 - (d) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) Strata titling of an Accessory Dwelling Unit (ADU) is not permitted.

511 ROWHOUSE ZONE (R11)

INTENT

511.1 The intent of the Rowhouse Zone is to accommodate more than 6 Dwelling Units in a ground-orientated multi-family residential development on a Corner Lot or on a Lot with rear lane access.

PERMITTED USES

511.2

| Permitted Uses Table | |
|--|--|
| (1) Principal Use | |
| (a) Community Care, Minor | |
| (b) Rowhouse | |
| (2) Accessory Use | |
| (a) Accessory Buildings and Structures | |
| (b) Carriage House or Lock-Off Unit | |
| (c) Home-Based Business, Urban | |

SITE SPECIFIC USE

511.3 N/A

DEVELOPMENT REGULATIONS

| | | |
|--------------------------------|--|---|
| 511.4 | Development Regulations Table | |
| (1) | Maximum number of Dwelling Units per hectare | (a) 115 uph |
| Minimum Setbacks | | |
| (2) | Front Lot Line | (a) 6 m (b) 4 m – if abutting a sidewalk with off-street parking located at the rear of Building |
| (3) | Rear Lot Line | (a) Principal Building – 6 m (b) Accessory Buildings and Structures – 1.5 m |
| (4) | Interior Lot Line | (a) 3 m |
| (5) | Exterior Lot Line | (a) 4 m |
| (6) | Minimum Distance between Rowhouse and ADU | (a) 3 m |
| Maximum Building Height | | |
| (7) | Principal Building | (a) 11 m or 3 storeys |
| (8) | Accessory Building | (a) Accessory Building or Structures – 4.5 m (b) Carriage House ADU – 8 m or 2 storeys |
| Maximum Lot Coverage | | |
| (9) | Lot Coverage | (a) 60% for all Buildings and Structures; and (b) 15% for all impervious hard surfaced areas |
| Minimum Floor Area | | |
| (10) | Dwelling Unit – Rowhouse | (a) 100 m ² or greater |
| (11) | Detached ADU | (a) a minimum of 20.5 m ² ; and (b) not greater than 90 m ² |
| (12) | Lock-Off Unit | (a) a minimum of 18.5 m ² ; and (b) not greater than 28 m ² |

SUBDIVISION REGULATIONS

| | | |
|-------|--------------------------------------|--|
| 511.5 | Subdivision Regulations Table | |
| (1) | Lot Area (Minimum) | <ul style="list-style-type: none"> (a) 1,215 m²; (b) Lots must be fully serviced by Community Water and Sewer; and (c) Pan-handle Lot – Not Permitted. |

CONDITIONS OF USE

- 511.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Community Care, Minor
 - (b) Home-Based Business, Urban; and
 - (c) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) Where applicable, tandem parking shall meet the following requirements:
- (a) 1 parking space within a garage or carport;
 - (b) 1 parking space on the driveway apron; and
 - (c) be accessed via a rear lane or shared common driveway.
- (5) Where applicable, a Lock-Off Unit must have:
- (a) a minimum of 1 large window to the exterior of the building;
 - (b) the window must be operable to allow for natural ventilation and air flow;
 - (c) must have a separate entrance into a shared common area or exterior of the Building;
 - (d) must be separated by a fire-rated door;
 - (e) a Galley or Wet Bar may be installed in lieu of a full Kitchen;
 - (f) not more than 1 Lock-Off-Unit per Dwelling Unit; and
 - (g) Bed & Breakfast use not permitted.

512 TOWNHOUSE ZONE (R12)

INTENT

512.1 The intent of the Townhouse Zone is to accommodate more than 6 Dwelling Units in a multi-family residential development.

PERMITTED USES

| | |
|-------|--|
| 512.2 | Permitted Uses Table |
| | (1) Principal Use (a) Community Care, Minor (b) Townhouse |
| | (2) Accessory Use (a) Accessory Buildings and Structures (b) Home-Based Business, Urban (c) Lock-Off Unit |

SITE SPECIFIC USE

512.3 N/A

DEVELOPMENT REGULATIONS

512.4

| Development Regulations Table | |
|--|---|
| (1) Maximum number of Dwelling Units per hectare | (a) 115 uph |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 6 m (b) 4 m – if abutting a sidewalk |
| (3) Rear Lot Line | (a) Principal Building – 6 m (b) Accessory Buildings and Structures – 3 m |
| (4) Interior Lot Line | (a) 3 m |
| (5) Exterior Lot Line | (a) 4 m |
| Maximum Building Height | |
| (6) Principal Building | (a) 11 m or 3 storeys |
| (7) Accessory Building | (a) Accessory Building or Structure – 4.5 m |
| Maximum Lot Coverage | |
| (8) Lot Coverage | (a) 60% for all Buildings and Structures; and (b) 15% for all impervious hard surfaced areas |
| Minimum Floor Area | |
| (9) Dwelling Unit – Townhouse | (a) 100 m ² or greater |
| (10) Lock-Off Unit | (a) a minimum of 18.5 m ² ; and (b) not greater than 28 m ² . |
| Common Amenity Area | |
| (11) Outdoor Amenity Space per Dwelling Unit (Minimum) | (a) 10 m ² |

SUBDIVISION REGULATIONS

| | | |
|-------|--------------------------------------|--|
| 512.5 | Subdivision Regulations Table | |
| (1) | Lot Area (Minimum) | (a) 4,050 m ² ; (b) Lots must be fully serviced by Community Water and Sewer; and (c) Pan-handle Lot – Not Permitted. |

CONDITIONS OF USE

- 512.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Community Care, Minor
 - (b) Home-Based Business, Urban; and
 - (c) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) Where applicable, tandem parking shall meet the following requirements:
- (a) 1 parking space within a garage or carport;
 - (b) 1 parking space on the driveway apron; and
 - (c) design and layout for required off-street parking spaces and/or loading areas must not result in a parked motor vehicle impeding or encroaching onto a fire lane.
- (5) A Lock-Off Unit must have:
- (a) a minimum of 1 large window to the exterior of the building;
 - (b) the window must be operable to allow for natural ventilation and air flow;
 - (c) must have a separate entrance into a shared common area or from the exterior of the Building;
 - (d) must be separated by a fire-rated door;
 - (e) a Galley or Wet Bar may be installed in lieu of a full Kitchen; and
 - (f) not more than 1 Lock-Off-Unit per Dwelling Unit.

520 APARTMENT ZONE (R20)

INTENT

520.1 The intent of the Apartment Zone is to accommodate 6 or more multi-family residential Dwelling Units on a fully serviced urban residential lot.

PERMITTED USES

| | |
|-------|---|
| 520.2 | Permitted Uses Table |
| | (1) Principal Use (a) Apartment (b) Community Care, Minor |
| | (2) Accessory Use (a) Accessory Buildings and Structures (b) Home-Based Business, Urban (Restricted) (c) Lock-Off Unit |

SITE SPECIFIC USE

520.3 N/A

DEVELOPMENT REGULATIONS

520.4

| Development Regulations Table | |
|--|---|
| (1) Maximum number of Dwelling Units per hectare | (a) 115 uph |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 6 m (b) 1.5 m – if abutting a sidewalk with off-street parking located at the rear of Building |
| (3) Rear Lot Line | (a) Principal Building – 6 m (b) Accessory Buildings and Structures – 1.5 m |
| (4) Interior Lot Line | (a) 3 m (b) 1.5 m – if abutting a Civic or Commercial Zone |
| (5) Exterior Lot Line | (a) 4 m (b) 1.5 m – if abutting a sidewalk with off-street parking located at the rear of Building |
| Maximum Building Height | |
| (6) Principal Building | (a) 11 m or 3 storeys |
| (7) Accessory Building | (a) 4.5 m |
| Maximum Lot Coverage | |
| (8) Lot Coverage | (a) 70% for all Buildings and Structures; and (b) 15% for all impervious hard surfaced areas |
| Minimum Floor Area | |
| (9) Dwelling Unit – Townhouse | (a) 100 m ² or greater. |
| (10) Lock-Off Unit | (a) a minimum of 18.5 m ² ; and (b) not greater than 28 m ² . |
| Common Amenity Area | |
| (11) Outdoor Amenity Space per Dwelling Unit (Minimum) | (a) 3 m ² |

SUBDIVISION REGULATIONS

| | | |
|-------|--------------------------------------|--|
| 520.5 | Subdivision Regulations Table | |
| (1) | Lot Area (Minimum) | (a) 4,050 m ² ; (b) Lots must be fully serviced by Community Water and Sewer; and (c) Pan-handle Lot – Not Permitted. |

CONDITIONS OF USE

- 520.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Community Care, Minor; and
 - (c) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) A Lock-Off Unit must have:
- (a) a minimum of 1 large window to the exterior of the building;
 - (b) the window must be operable to allow for natural ventilation and air flow;
 - (c) must have a separate entrance into a shared common area or exterior of the Building;
 - (d) must be separated by a fire-rated door;
 - (e) a Galley or Wet Bar may be installed in lieu of a full Kitchen;
 - (f) not more than 1 Lock-Off-Unit per Dwelling Unit;
 - (g) Bed & Breakfast use not permitted; and
 - (h) the use is not permitted within a Rental-Only Building.
- (5) An Urban Home-Based Business use in an Apartment is restricted to the following, with no signage permitted for the use:
- (a) Home Office.

590 MANUFACTURED HOME RESIDENTIAL ZONE (R90)

INTENT

590.1 The intent of the Manufactured Home Residential Zone is to accommodate Manufactured Homes on fee-simple or bare land strata lots.

PERMITTED USES

| | |
|-------|---|
| 590.2 | Permitted Uses Table |
| | (1) Principal Use (a) Community Care, Minor (b) Manufactured Home |
| | (2) Accessory Use (a) Accessory Buildings and Structures (b) Home Occupation, Urban |

SITE SPECIFIC USE

590.3 N/A

DEVELOPMENT REGULATIONS

590.4

| Development Regulations Table | |
|---|---|
| (1) Maximum number of Buildings per lot | (a) 1 Manufactured Home; and (b) 1 Accessory Building |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 6 m |
| (3) Rear Lot Line | (a) Principal Building – 6 m (b) Accessory Buildings and Structures – 2 m |
| (4) Interior Lot Line | (a) 2 m |
| (5) Exterior Lot Line | (a) 6 m |
| (6) Setback between Buildings | (a) 3 m |
| Maximum Building Height | |
| (7) Principal Building | (a) 4.5 m |
| (8) Accessory Building | (a) 4.5 m |
| Maximum Lot Coverage | |
| (9) Lot Coverage | (a) 35% for all Buildings and Structures; and (b) 15% for all impervious hard surfaced areas |
| Minimum Floor Area | |
| (10) Principal Building | (a) 46.5 m ² |
| Maximum Floor Area | |
| (11) Accessory Building | (a) 80 m ² |

SUBDIVISION REGULATIONS

590.5

| Subdivision Regulations Table | |
|--------------------------------------|--|
| (1) Lot Area (Minimum) | (a) Lots serviced by Community Water and Community Sewer – 300 m ² (b) Lots serviced by Community Water and Onsite Sewage – 1 ha |
| (2) Lot Frontage (Minimum) | (a) Corner Lot – 15 m (b) Interior Lot – 10 m (c) Panhandle Lot – Not Permitted |

CONDITIONS OF USE

- 590.6 (1) Refer to Section 300 of this Bylaw for the following uses, including but not limited to:
- (a) Community Care, Minor
 - (b) Home-Based Business, Urban;
 - (c) Landscaping;
 - (d) Lighting;
 - (e) Off-Street Parking;
 - (f) Onsite Storage; and
 - (g) Retaining Walls.
- (2) A Manufactured Home is restricted to the following:
- (a) Modular home built under A-277 CSA standard; or
 - (b) Mobile homes built under Z-240 CSA standard.

591 MANUFACTURED PARK ZONE (R91)

INTENT

591.1 The intent of the Manufactured Home Park Zone is to accommodate Manufactured Homes placed on rental pad.

PERMITTED USES

| | |
|-------|--|
| 591.2 | Permitted Uses Table |
| | (1) Principal Use (a) Community Care, Minor (b) Manufactured Home |
| | (2) Accessory Use (a) Accessory Buildings and Structures (b) Home Occupation, Urban (c) Park (d) Single-Detached Dwelling with Secondary Suite |

SITE SPECIFIC USE

591.3 N/A

DEVELOPMENT REGULATIONS

591.4 (1) Development Regulations are subject to the *Manufactured Home Regulations and Control Bylaw, 1972*, as amended.

CONDITIONS OF USE

- 591.5 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Community Care, Minor
 - (b) Home-Based Business, Urban; and
 - (c) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) A Single-Detached Dwelling with a Secondary Suite is permitted as an Accessory Use on the lot.

599 RESIDENTIAL BED & BREAKFAST ZONE (R99)

INTENT

599.1 The intent of the Residential Bed & Breakfast Zone is to accommodate a Bed & Breakfast use on a fully serviced lot that was previously zoned for such as use under *Zoning Bylaw No. 1726, 2018*. A **Bed & Breakfast** use is only permitted under a valid **Business Licence** issued by the District of Coldstream, and within a **Single-Detached Dwelling**.

PERMITTED USES

| | |
|-------|---|
| 599.2 | Permitted Uses Table |
| | <p>(1) Principal Use</p> <ul style="list-style-type: none"> (a) Community Care, Minor (b) Single-Detached Dwelling with a Bed & Breakfast (c) Duplex (d) Triplex (e) Fourplex |
| | <p>(2) Accessory Use</p> <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Accessory Dwelling Unit (ADU) <ul style="list-style-type: none"> i. Carriage House ii. Garden Suite iii. Secondary Suite (c) Home-Based Business, Urban |
| | <ul style="list-style-type: none"> <input type="checkbox"/> A Bed & Breakfast use is not permitted on a lot with a Duplex, Triplex, Fourplex, or a Detached ADU (Carriage House or Garden Suite). <input type="checkbox"/> A Bed & Breakfast use is not permitted within a Secondary Suite. |

SITE SPECIFIC USE

599.3 N/A

DEVELOPMENT REGULATIONS

599.4

| Development Regulations Table | |
|--|---|
| (1) Maximum number of Dwelling Units per lot | (a) Single-Detached Dwelling with a Secondary Suite and Bed & Breakfast use - OR - (b) Single-Detached Dwelling with up to 3 ADUs; (c) Duplex with up to 2 ADUs; (d) Triplex with up to 1 ADU; and (e) Fourplex ☐ For a Secondary Suite use, a Long-Term Rental shall be a minimum of 90 consecutive days or 3 months in tenure, in accordance with the Short-Term Rental Accommodations Act . The use is also subject to provisions under the Residential Tenancy Act . |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 6 m |
| (3) Rear Lot Line | (a) Principal Building – 6 m (b) Accessory Buildings and Structures – 1.5 m |
| (4) Interior Lot Line | (a) 1.5 m |
| (5) Exterior Lot Line | (a) 4 m |
| (6) Setback between Buildings | (a) 3 m |
| Maximum Building Height | |
| (7) Principal Building | (a) 11 m or 3 storeys; and i. the 3 rd storey shall not exceed 80% of the storey immediately below. |
| (8) Accessory Building | (a) Accessory Building or Structure – 4.5 m (b) Carriage House ADU – 8 m or 2 storeys (c) Garden Suite ADU – 4.5 m or 1 storey |
| Maximum Lot Coverage | |
| (9) Lot Coverage | (a) 50% for all Buildings and Structures; and (b) 15% for all impervious hard surfaced areas |

| Minimum Floor Area | |
|-------------------------|--|
| (10) Principal Building | (a) 100 m ² or greater. |
| (11) Secondary Suite | (a) a minimum of 20.5 m ² ; and (b) not greater than 90 m ² . |

SUBDIVISION REGULATIONS

599.5

| Subdivision Regulations Table | |
|-------------------------------|--|
| (1) Lot Area (Minimum) | (a) 600 m ² (b) Pan-Handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) Corner Lot – 15 m (b) Interior Lot – 12 m (c) Pan-Handle Lot – Not Permitted |

CONDITIONS OF USE

- 599.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Bed & Breakfast (or *Short-Term Rental accommodation*);
 - (b) Community Care, Minor
 - (c) Home-Based Business, Urban; and
 - (d) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) Home-Based Business restricted to the following:
- (a) Home Office.
- (5) A Bed & Breakfast use must abide by the provisions under a Home-Based Business, Urban.

- (6) A **Bed & Breakfast** use is permitted within a **Single-Detached Dwelling** on the lot under the following conditions:
- (a) must have a valid **Business Licence** issued and approved by the District;
 - (b) must be operated by the Registered Owner of the lot;
 - (c) must be the Registered Owner's permanent fixed address;
 - (d) not more than 2 bedrooms;
 - (e) a lot with a minimum driveway width of 6 m;
 - (f) no Kitchen permitted with the use (limited to a Galley or Wet Bar); and
 - (g) the use is strictly prohibited within a Secondary Suite.

601 LOCAL COMMERCIAL ZONE (C1)

INTENT

601.1 The intent of the Local Commercial Zone is to accommodate small-scale commercial uses that serve local residents within a neighbourhood.

PERMITTED USES

601.2

Permitted Uses Table

- | |
|---|
| <p>(1) Principal Uses</p> <ul style="list-style-type: none"> (a) Community Care, Major (b) Financial Services (c) Food Primary (d) Food Primary Licenced (e) Liquor Primary (f) Medical Office (g) Office – Professional Services (h) Personal Service Establishment (i) Pet Daycare (j) Public House (k) Retail |
| <p>(2) Accessory Uses</p> <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Apartment – Dwelling Units |

SITE SPECIFIC USE

601.3 N/A

DEVELOPMENT REGULATIONS

601.4

| Development Regulations Table | |
|--|---|
| (1) Maximum number of Dwelling Units per hectare | (a) 115 uph |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 6 m (b) 1.5 m – if abutting a sidewalk with off-street parking at located the rear of Building |
| (3) Rear Lot Line | (a) 6 m (b) 1.5 m – on a lot abutting a rear lane |
| (4) Interior Lot Line | (a) 3 m (b) 0 m – if abutting a Civic or Commercial Zone |
| (3) Exterior Lot Line | (a) 4 m (b) 1.5 m – if abutting on sidewalk |
| Maximum Building Height | |
| (4) Principal Building | (a) Commercial – 8 m (b) Mixed Use – 11 m or 3 storeys |
| (7) Accessory Building | (a) 4.5 m |
| Maximum Lot Coverage | |
| (8) Lot Coverage | (a) 60% for Buildings and Structures; and (b) 25% for all impervious hard surfaced areas |
| Minimum Floor Area | |
| (9) Dwelling Unit | (a) 20.5 m ² |

SUBDIVISION REGULATIONS

| 601.5 Subdivision Regulations Table | |
|-------------------------------------|--|
| (1) Lot Area (Minimum) | (a) 800 m ² – Lot serviced by Community Water and Community Sewer (b) 1 ha – Lot serviced by Community Water and Onsite Sewage (c) Pan-handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) 18 m (b) Pan-handle Lot – Not Permitted |

CONDITIONS OF USE

- 601.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Community Care
 - (b) Home-Based Business, Urban; and
 - (c) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) Where applicable, outdoor display areas must be located not more than 0.6 m from the face of the Building, and not impede or disrupt pedestrian traffic, or create a safety or tripping hazard.
- (5) Where applicable, outdoor display areas must not be located over an off-street parking or loading space.
- (6) An Apartment is permitted on a Commercial lot under the following:
- (a) the lot must be fully serviced by both Community Water and Community Sewer;
 - (b) Dwelling Units must be located on the 2nd Floor of the Commercial Building, and be provided a separate main entrance and lobby area; and
 - (c) Home-Based Business use is restricted to a Home Office or Professional Services, with no signage permitted for the use.

-
- (7) A Commercial lot is limited to 1 Accessory Building on the lot, and:
 - (a) the Accessory Building shall not exceed 42 m² GFA; and
 - (b) excludes an Accessory Building for a Civic Use or Public Utility.

 - (8) Outdoor storage on the lot is not permitted unless authorized under a Permit issued by the District.

602 REGIONAL COMMERCIAL ZONE (C2)

INTENT

602.1 The intent of the Regional Commercial Zone is to accommodate Commercial uses that provide goods and services to a broader retail trade area.

PERMITTED USES

602.2

| Permitted Uses Table for C1 Zone | |
|----------------------------------|--|
| (1) Principal Use | <ul style="list-style-type: none"> (a) Community Care, Major (b) Cultural and Recreation Use (c) Financial Services (d) Food Primary (e) Food Primary Licenced (f) Hotel (g) Liquor Primary (h) Medical Office (i) Motel (j) Office (k) Public House (l) Personal Service Establishment (m) Pet Daycare (n) Retail |
| (2) Accessory Use | <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Apartment – Dwelling Units |

SITE SPECIFIC USE

602.3 N/A

DEVELOPMENT REGULATIONS

| 602.4 Development Regulations Table | |
|--|--|
| (1) Maximum number of Dwelling Units per hectare | (a) 115 uph |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 6 m |
| (3) Rear Lot Line | (a) 6 m (b) 4 m – if abutting a Civic or Commercial Zone |
| (4) Interior Lot Line | (a) 3 m |
| (5) Exterior Lot Line | (a) 4 m (b) 1.5 m – if abutting a sidewalk; excluding: i. minimum setback from a Controlled-Access Highway (see BC Ministry of Transportation & Infrastructure – <i>Highway Permits & Approval Manuals</i>). |
| Maximum Building Height | |
| (6) Building Height | (a) Accessory Building – 5 m (b) Commercial – 8 m (c) Mixed Use – 11 m or 3 storeys |
| Maximum Lot Coverage | |
| (7) Lot Coverage | (a) 60% for all Buildings and Structures; and (b) 25% for all impervious hard surfaced areas |
| Minimum Floor Area | |
| (8) Dwelling Unit | (a) 20.5 m ² |

SUBDIVISION REGULATIONS

| 602.5 Subdivision Regulations Table | |
|-------------------------------------|--|
| (1) Lot Area (minimum) | (a) 0.8 ha – Lot serviced by Community Water and Community Sewer (b) 2 ha – Lot serviced by Community Water and Onsite Sewage (c) Pan-handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) 30 m (b) Pan-handle Lot – Not Permitted |

CONDITIONS OF USE

- 602.6 (1) Where applicable, outdoor display areas must be located not more than 0.6 m from the face of the Building, and not impede or disrupt pedestrian traffic, or create a safety or tripping hazard.
- (2) Where applicable, outdoor display areas must not be located over an off-street parking or loading space.
- (3) An Apartment is permitted on a Commercial lot under the following:
- (a) the lot must be fully serviced by both Community Water and Community Sewer;
 - (b) Dwelling Units must be located on the 2nd Floor of the Commercial Building, and be provided a separate main entrance and lobby area; and
 - (c) Home-Based Business use is restricted to a Home Office or Professional Services, with no signage permitted for the use.
- (4) A Commercial lot is limited to 1 Accessory Building on the lot, and:
- (a) the Accessory Building shall not exceed 42 m² GFA; and
 - (b) excludes an Accessory Building for a Civic Use or Public Utility.
- (5) Outdoor storage on the lot is not permitted unless authorized under a Permit issued by the District.
- (6) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Community Care; and
 - (b) Onsite Storage.

-
- (7) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (8) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.

603 SERVICE STATION ZONE (C3)

INTENT

603.1 The intent of the Service Station Zone is to accommodate automotive services along a Collector Road, Arterial Road, or Controlled-Access Highway.

PERMITTED USES

603.2

| Permitted Uses Table | |
|---|--|
| (1) Principal Use | |
| (a) Automotive Repair | |
| (b) Food Primary | |
| (c) Liquor Primary | |
| (d) Retail | |
| (e) Service Station | |
| (2) Accessory Use | |
| (a) Accessory Buildings and Structures | |
| (b) Single-Detached Dwelling with Secondary Suite | |

SITE SPECIFIC USES

603.3 N/A

DEVELOPMENT REGULATIONS

603.4

| Development Regulations Table | |
|--------------------------------------|--|
| Minimum Setbacks | |
| (1) Front Lot Line | (a) 7.5 m |
| (2) Rear Lot Line | (a) Principal Building – 6 m (b) Accessory Building – 2 m (c) Single-Detached Dwelling with Secondary Suite – 6 m |
| (3) Interior Lot Line | (a) Principal Building – 6 m (b) Accessory Building – 2m (c) Single-Detached Dwelling with Secondary Suite – 2 m |
| (4) Exterior Lot Line | (a) 6 m |
| (5) Setback between Buildings | (a) 3 m |
| Maximum Building Height | |
| (6) Principal Building | (a) 8 m |
| (7) Accessory Building | (a) 4.5 m |
| Maximum Lot Coverage | |
| (8) Lot Coverage | (a) 55% for all Buildings and Structures; and (b) 30% for all impervious hard surfaced areas |
| Minimum Floor Area | |
| (9) Principal Building | (a) 100 m ² |
| Maximum Number of Buildings | |
| (10) Buildings | (a) 1 Commercial Building; (b) 1 Single-Detached Dwelling with Secondary Suite (where applicable); and (c) 1 Accessory Building (excluding Buildings 10 m ² or under) |

SUBDIVISION REGULATIONS

| 603.5 Subdivision Regulations Table | |
|-------------------------------------|--|
| (1) Lot Area (Minimum) | (a) 1,015 m ² – Lot serviced by Community Water and Community Sewer (b) 1 ha – Lot serviced by Community Water and Onsite Sewage (c) Pan-handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) 30 m (b) Pan-handle Lot – Not Permitted |

CONDITIONS OF USE

- 603.6 (1) Fuel islands shall be:
- (a) a minimum of 30 m from the centre line of a Controlled-Access Highway;
 - (b) a minimum of 30 m from the centre line of an Arterial Road; and
 - (c) a minimum of 15 m from the centre line of a Collector Road.
- (2) All motor vehicles under service must be stored within the Principal Building overnight.
- (3) Outdoor display areas must be located not more than 0.6 m from the face of the Building, and not impede or disrupt pedestrian traffic, or create a safety or tripping hazard.
- (4) Wrecked Vehicles are not permitted to be stored on the lot, except:
- (a) where the Wrecked Vehicle is waiting to be taken into a service bay;
 - (b) where the Wrecked Vehicle is awaiting a same-day tow; and
 - (c) where the Wrecked Vehicle is stored within the Principal Building overnight.
- (5) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Home-Based Business, Urban; and
 - (b) Onsite Storage.
- (6) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (7) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.

604 TOWN CENTRE ZONE (C4)

INTENT

604.1 The intent of the Town Centre Zone is to accommodate mixed-use developments within a designated village or town centre.

PERMITTED USES

604.2

| Permitted Uses Table | |
|------------------------------------|--|
| (1) Principal Use | |
| (a) Assembly | |
| (b) Civic | |
| (c) Community Care, Major | |
| (d) Cultural and Recreation Use | |
| (e) Financial Services | |
| (f) Food Primary | |
| (g) Food Primary Licenced | |
| (h) Hotel | |
| (i) Liquor Primary | |
| (j) Medical Office | |
| (k) Office | |
| (l) Personal Service Establishment | |
| (m) Pet Daycare | |
| (n) Public House | |
| (o) Retail | |
| (2) Accessory Use | |
| (a) Apartment | |
| (b) Townhouse | |

SITE SPECIFIC USE

604.3 N/A

DEVELOPMENT REGULATIONS

| 604.4 Development Regulations Table | |
|--|--|
| (1) Maximum number of Dwelling Units per hectare | (a) 115 uph |
| Minimum Setbacks | |
| (2) Front Lot Line | (a) 6 m (b) 1.5 m – if abutting a sidewalk with off-street parking located at the rear of Building |
| (3) Rear Lot Line | (a) 6 m (b) 30 m from ALR Boundary, with a minimum 15 m wide landscape buffer, where applicable |
| (4) Interior Lot Line | (a) 1.5 m (b) 30 m from ALR Boundary, with a minimum 15 m wide landscape buffer, where applicable |
| (5) Exterior Lot Line | (a) 4 m (b) 1.5 m – if abutting a sidewalk with off-street parking located at the rear of Building |
| Maximum Building Height | |
| (6) Building Height | (a) Accessory Building – 4.5 m (b) Commercial – 8 m or 2 storeys (c) Mixed Use – 11 m or 3 storeys |
| Maximum Lot Coverage | |
| (7) Lot Coverage | (a) 65% for all Buildings and Structures; and (b) 15% for all impervious hard surfaced areas |
| Minimum Floor Area | |
| (8) Dwelling Unit | (a) Apartment – 20.5 m ² ; (b) Townhouse – 100 m ² |

SUBDIVISION REGULATIONS

| 604.5 Subdivision Regulations Table | |
|-------------------------------------|---|
| (1) Lot Area (Minimum) | (a) 400 m ² ; (b) Lots must be fully serviced by Community Water and Community Sewer; and (c) Pan-handle Lot – Not Permitted |
| (3) Lot Frontage (Minimum) | (a) 12 m (b) Pan-handle Lot – Not Permitted |

CONDITIONS OF USE

- 604.6 (1) Where applicable, outdoor display areas must be located not more than 0.6 m from the face of the Building, and not impede or disrupt pedestrian traffic, or create a safety or tripping hazard.
- (2) Where applicable, outdoor display areas must not be located over an off-street parking or loading space.
- (3) An Apartment is permitted on a Commercial lot under the following:
- (a) Dwelling Units must be located on the 2nd Floor of the Commercial Building, and be provided a separate main entrance and lobby area; and
 - (b) Home-Based Business use is restricted to a Home Office or Professional Services, with no signage permitted for the use.
- (4) A Townhouse is permitted on a Commercial lot under the following:
- (a) Dwelling Units must be:
 - i. a minimum of 60 m from the Main Street or Front Lot Line;
 - ii. located along a private road or lane; and
 - iii. if on a Corner Lot or Double-Front Lot, located along on an Urban Local Road.
 - (b) Home-Based Business use is restricted to a Home Office or Professional Services, with no signage permitted for the use.
- (5) A Commercial lot is limited to 1 Accessory Building on the lot, and:
- (a) the Accessory Building shall not exceed 42 m² GFA; and
 - (b) excludes an Accessory Building for a Civic Use or Public Utility.

- (6) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
 - (a) Community Care; and
 - (b) Home-Based Business, Urban.

- (7) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
 - (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.

- (8) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.

- (9) Outdoor storage on the lot is not permitted unless authorized under a Permit issued by the District.

690 COMMERCIAL RECREATION ZONE (C90)

INTENT

690.1 The intent of the Commercial Recreational Zone is to accommodate outdoor recreation uses on a Commercial lot.

PERMITTED USES

690.2

| Permitted Uses Table |
|---|
| 1. Principal Use (a) Golf Course and Driving Range (b) Sports Field and Athletic Facility |
| (2) Accessory Use (a) Accessory Buildings and Structures (b) Food Primary (c) Food Primary Licenced (d) Retail (e) Single-Detached Dwelling with Secondary Suite |

SITE SPECIFIC USE

690.3 N/A

DEVELOPMENT REGULATIONS

690.4

| Development Regulations Table | |
|---|---|
| Maximum Gross Floor Area (GFA) | |
| (1) Principal Building – Commercial | (a) 200 m ² |
| (2) Accessory Building – Commercial | (a) 100 m ² |
| Maximum Density | |
| (3) Maximum Number of Buildings Per Lot | (a) 1 Principal Building – Commercial; (b) 2 Accessory Buildings – Commercial; (c) 1 Single-Detached Dwelling; and (d) 2 Accessory Buildings – Residential |
| Minimum Setbacks | |
| (4) Front Lot Line | (a) 15 m |
| (5) Rear Lot Line | (a) 15 m |
| (6) Interior Lot Line | (a) 15 m |
| (7) Exterior Lot Line | (a) 15 m |
| (8) Setback Between Buildings | (a) 3 m |
| Maximum Building Height | |
| (9) Principal Building | (a) 8 m |
| (10) Accessory Building | (a) 4.5 m (b) Single-Detached Dwelling – 11m or 3 storeys i. the 3 rd storey shall not exceed 80% of the storey immediately below. |
| Maximum Lot Coverage | |
| (11) Lot Coverage | (a) 10% for all Buildings and Structures; and (b) 5% for all impervious hard-surfaced areas |

SUBDIVISION REGULATIONS

| 690.5 | Subdivision Regulations Table | |
|-------------------------------|--|--|
| (1) Lot Area (Minimum) | (a) 2 ha (b) Pan-handle Lot – Not Permitted | |
| (2) Lot Frontage (Minimum) | (a) 30 m (b) Pan-handle Lot – Not Permitted | |

CONDITIONS OF USE

- 690.6 (1) Outdoor storage of any goods, materials, and products is not permitted outside of normal business hours of operation, and must be stored within a permitted Building or Structure.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) A Single-Detached Dwelling is intended for use as the caretaker's residence, and not permitted for use as a tourist accommodation.

691 CAMPGROUND ZONE (C91)

INTENT

691.1 The intent of the Campground Zone is to accommodate a campground recreational use on a Commercial lot.

PERMITTED USES

691.2

| Permitted Uses Table | |
|----------------------|---|
| (1) Principal Use | (a) Campground |
| (2) Accessory Use | (a) Accessory Buildings and Structures (b) Food Primary (c) Mini-Golf (d) Office – Administrative Support (e) Retail (f) Single-Detached Dwelling with Secondary Suite |

SITE SPECIFIC USE

- 691.3 (1) On Lot B Section 22 Township 9 Osoyoos Division Yale Land District Plan EPP56625, located at 15408 Kalamalka Road (commonly referred to as “Dutch’s Campground”), the following Buildings and Structures are permitted on a campsite:
- (a) Accessory Building 10 m² or less;
 - (b) Deck or Patio not exceeding a 0.6 in Building Height, without manipulating grade; and
 - (c) **Arizona Room**, for the purposes of this section means:
 - i. an outdoor room enclosed by walls consisting of insect screening, and not intended as a habitable room or storage area;
 - ii. may be placed over a Deck or Patio; and
 - iii. emergency egress from the RV must not open into the Arizona Room.

DEVELOPMENT REGULATIONS

691.4

| Development Regulations Table | |
|---|---|
| Maximum Gross Floor Area (GFA) | |
| (1) Principal Building – Commercial | (a) 200 m ² |
| (2) Accessory Building – Commercial | (a) 100 m ² |
| Maximum Density | |
| (3) Maximum Number of Buildings Per Lot | (a) 1 Principal Building – Commercial; (b) 2 Accessory Buildings – Commercial; and (c) 1 Single-Detached Dwelling with Secondary Suite |
| Minimum Setbacks | |
| (4) Front Lot Line | (a) 6 m |
| (5) Rear Lot Line | (a) 6 m |
| (6) Interior Lot Line | (a) 3 m |
| (7) Exterior Lot Line | (a) 4 m |
| (8) Setback Between Buildings | (a) 3 m |
| Maximum Building Height | |
| (9) Principal Building | (a) 8 m |
| (10) Accessory Building | (a) 4.5 m (b) Single-Detached Dwelling – 11 m or 3 storeys; and i. the 3 rd storey shall not exceed 80% of the storey immediately below. |
| Maximum Lot Coverage | |
| (11) Lot Coverage | (a) 30% for all Buildings and Structures; and (b) 25% for impervious hard surface area |

SUBDIVISION REGULATIONS

| 690.5 Subdivision Regulations Table | |
|-------------------------------------|--|
| (1) Lot Area (Minimum) | (a) 0.4 ha – Lot serviced by Community Water and Community Sewer (b) 1 ha – Lot serviced by Community Water and Onsite Sewage (c) Pan-handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) 30 m (b) Pan-handle Lot – Not Permitted |

CONDITIONS OF USE

- 690.6 (1) Each campsite must be:
- (a) a minimum of 140 m²;
 - (b) clearly distinguishable from adjacent campsites within the designated campground area;
 - (c) accessible from the internal road of the lot; and
 - (d) restricted from accessing a Road or Controlled-Access Highway.
- (2) Each campsite is permitted:
- (a) 1 Recreation Vehicle (including Park Modal RVs); or
 - (b) 3 tents.
- (3) The following is not permitted on any campsite:
- (a) Permanent Building;
 - (b) Permanent Structure; or
 - (c) Shipping Container.
- (4) A Campground must provide a landscape buffer area of not less than:
- (a) 3 m in width along the front lot line;
 - (b) 3 m in width along all other lot lines; and
 - (c) 15 m in width along a watercourse, measured from top-of-bank.

701 LIGHT INDUSTRIAL ZONE (I1)

INTENT

701.1 The intent of the Light Industrial Zone is to accommodate a mix of Light Industrial uses.

PERMITTED USES

701.2

| Permitted Uses Table |
|--|
| <p>(1) Principal Use</p> <ul style="list-style-type: none"> (a) Agriculture (on lands within the ALR) (b) Agriculture, Intensive (on lands within the ALR) (c) Automobile Repair (d) Automotive Sales (e) Farm Equipment Repair (f) Farm Equipment Sales (g) Food Primary (h) Food Processing and Packaging (i) Greenhouse Nursery (j) Mini-Storage (k) Recreation Vehicle Sales (l) Recycling Drop-Off (m) Warehouse |
| <p>(2) Accessory Use</p> <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Office and Administrative Support (c) Personal Service Establishment (d) Retail (e) Single-Detached Dwelling with Secondary Suite OR Manufactured Home |

SITE SPECIFIC USE

701.3 N/A

DEVELOPMENT REGULATIONS

701.4

| Development Regulations Table | |
|---|--|
| Minimum Setbacks | |
| (1) Front Lot Line | (a) 15 m from ALR (b) 9 m from a Road or Controlled-Access Highway fronting a Residential Zone (c) 6 m from all other Zones |
| (2) Rear Lot Line | (a) 15 m from ALR (may require 8 m landscape buffer – see Official Community Plan, DPA) (b) 9 m from a Residential Zone (c) 6 m from all other Zones |
| (3) Interior Lot Line | (a) 15 m from ALR (may require 8 m landscape buffer – see Official Community Plan, DPA) (b) 9 m from a Residential Zone (c) 6 m from all other Zones |
| (4) Exterior Lot Line | (a) 15 from ALR (b) 9 m from a Road or Controlled-Access Highway fronting a Residential Zone (c) 6 m from all other Zones |
| (5) Minimum Setbacks from Major Roads | (a) 9 m, where the any Lot Line abuts: <ol style="list-style-type: none"> i. Aberdeen and North Aberdeen Road ii. Buchanan Road from Nickel Drive to the SE Quarter of Section 26, Township 6 iii. Kalamalka Road iv. Learmouth Road from Highway 6 to the District Boundary v. Park Lane vi. Reid Road from Learmouth Road to Whitevale Road vii. Ricardo Road viii. School Road ix. Warren Road |
| <p>☐ <i>Where there is more than one applicable setback, the greater minimum setback shall apply.</i></p> | |
| Maximum Building Height | |
| (6) Principal Building | (a) 11 m or 3 storeys |
| (7) Accessory Building | (a) 8 m (b) Single-Detached Dwelling – 11 m or 3 storeys; and <ol style="list-style-type: none"> i. the 3rd storey shall not exceed 80% of the storey immediately below. |

| | |
|--|---|
| Maximum Lot Coverage | |
| (8) Lot Coverage | (a) 50% for all Buildings and Structures; and (b) 15% for all impervious hard-surfaced areas |
| Maximum Number of Residential Buildings | |
| (9) Single-Detached Dwelling; OR (10) Manufactured Home | (a) 1 Dwelling Unit (b) a Secondary Suite use is permitted within a Single-Detached Dwelling, if the lot is located within the ALR and is greater than 1 ha. |

SUBDIVISION REGULATIONS

| | | |
|-------|--------------------------------------|--|
| 701.5 | Subdivision Regulations Table | |
| | (1) Lot Area (Minimum) | (a) 0.4 ha – Lots serviced by Community Water and Community Sewer (b) 1 ha – Lots serviced by Community Water and Onsite Sewage (c) Pan-handle Lot – Not Permitted |
| | (2) Lot Frontage (Minimum) | (a) 25 m (b) Pan-handle Lot – Not Permitted |

CONDITIONS OF USE

- 701.6 (1) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (2) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (3) Outdoor storage is limited to goods, materials, products, and equipment stored on the lot during regular hours of operation, and must be stored within a Building or Structure at the close of business at the end of day.
- (4) The use shall not discharge or emit:
- (a) odorous, toxic, noxious matter, or vapour;
 - (b) heat, glare, or radiation;
 - (c) recurring or frequent ground vibration;
 - (d) an outdoor noise decibel limit not exceeding 80 dBA for a continuous 8-hour period;
 - (e) electrical interference; or
 - (f) any other Public Health or Safety Hazard.

- (5) On lots 0.4 ha or greater, Commercial Motor Vehicles (CMVs) must have sufficient turning radii, maneuvering, or a hammerhead turnaround on the lot, without having to reverse into oncoming traffic egressing or accessing the lot, including delivery, pick-up, and waste and recycling collection.
- (6) CMVs and equipment associated with the business operation must be parked in designated parking spaces on the lot, either clearly marked on a paved surface or with wheel stops on a gravel surface.
- (7) Agricultural uses are not permitted on a lot:
 - (a) outside of the ALR; and
 - (b) without a Farm Classification as prescribed under the *Assessment Act*.
- (8) Where applicable, refer to the A1 Zone for Agricultural Setbacks.
- (9) Where applicable, a Single-Detached Dwelling or Manufactured Home must be a minimum of 7.5 m from a permitted industrial use on the lot.

702 GENERAL INDUSTRIAL ZONE (I2)

INTENT

702.1 The intent of the General Industrial Zone is to accommodate a broader range of industrial uses on a large lot or parcel.

PERMITTED USES

702.2

| Permitted Uses Table | |
|----------------------|---|
| (1) Principal Use | <ul style="list-style-type: none"> (a) Agriculture (on lands within the ALR) (b) Agriculture, Intensive (on lands within the ALR) (c) Automobile Repair and Sales (d) Automotive Wrecking and Salvaging (e) Bulk Landscape Supplies (f) Commercial Motor Vehicle Repair and Sales (g) Farm Equipment Repair and Sales (h) Heavy Equipment and Machinery (i) Manufacturing (j) Recreation Vehicle Repair and Sales (k) Recycling Depot (l) Transportation and Logistics (m) Warehouse |
| (2) Accessory Use | <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Single-Detached Dwelling with Secondary Suite or Manufactured Home |

SITE SPECIFIC USES

702.3 N/A

DEVELOPMENT REGULATIONS

702.4

| Development Regulations Table | |
|---|--|
| Minimum Setbacks | |
| (1) Front Lot Line | (a) 15 m from ALR (b) 9 m from a Road or Controlled-Access Highway fronting a Residential Zone (c) 6 m for all other Zones |
| (2) Rear Lot Line | (a) 15 m from ALR (may require 8 m landscape buffer – see Official Community Plan, DPA) (b) 9 m from a Residential Zone (c) 6 m from all other Zones |
| (3) Interior Lot Line | (a) 15 m from ALR (may require 8 m landscape buffer – see Official Community Plan, DPA) (b) 9 m from a Residential Zone (c) 6 m from all other Zones |
| (4) Exterior Lot Line | (a) 15 m from ALR (b) 9 m from a Road or Controlled-Access Highway fronting a Residential Zone (c) 6 m from all other Zones |
| (5) Minimum Setback from Major Roads | (a) 9 m, where the any Lot Line abuts: <ul style="list-style-type: none"> i. Aberdeen and North Aberdeen Road ii. Buchanan Road from Nickel Drive to the SE Quarter of Section 26, Township 6 iii. Kalamalka Road iv. Learmouth Road from Highway 6 to the District Boundary v. Park Lane vi. Reid Road from Learmouth Road to Whitevale Road vii. Ricardo Road viii. School Road ix. Warren Road |
| <p>☐ <i>Where there is more than one applicable setback, the greater minimum setback shall apply.</i></p> | |
| Maximum Building Height | |
| (6) Principal Building | (a) 18 m |

| | |
|--|--|
| (7) Accessory Building | (a) 11 m (b) Single-Detached Dwelling – 11 m or 3 storeys; and i. the 3 rd storey shall not exceed 80% of the storey immediately below. |
| Maximum Lot Coverage | |
| (8) Lot Coverage | (a) 55% for all Buildings and Structures; and (b) 15% for impervious hard-surfaced areas |
| Maximum Number of Residential Buildings | |
| (9) Single-Detached Dwelling; OR (10) Manufactured Home | (a) 1 Dwelling Unit (b) a Secondary Suite use is permitted within a Single-Detached Dwelling, if the lot is located within the ALR and is greater than 1 ha |

SUBDIVISION REGULATIONS

702.5

| Subdivision Regulations Table | |
|-------------------------------|--|
| (1) Lot Area (Minimum) | (a) 0.4 ha – Lots serviced by Community Water and Community Sewer (b) 2 ha – Lots serviced by Community Water and Onsite Sewage (c) Pan-handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) 30 m (b) Pan-handle Lot – Not Permitted |

CONDITIONS OF USE

- 702.6 (1) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (2) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (3) On lots 0.4 ha or greater, Commercial Motor Vehicles (CMVs) must have sufficient turning radii, maneuvering, or a hammerhead turnaround on the lot, without having to reverse into oncoming traffic egressing or accessing the lot, including delivery, pick-up, and waste and recycling collection.

- (4) The use shall not discharge or emit:
- (a) odorous, toxic, noxious matter, or vapour;
 - (b) heat, glare, or radiation;
 - (c) recurring or frequent ground vibration;
 - (d) an outdoor noise decibel limit exceeding 85 dBA for a continuous 8-hour period;
 - (e) electrical interference; or
 - (f) any other Public Health or Safety Hazard.
 - (g) Agricultural uses are not permitted on a lot:
 - (h) outside of the ALR; and
 - (i) without a Farm Classification as prescribed under the *Assessment Act*.
- (5) Where applicable, refer to the A1 Zone for Agricultural Setbacks.
- (6) Where applicable, a Single-Detached Dwelling or Manufactured Home must be a minimum of 7.5 m from a permitted industrial use on the lot.
- (7) Storage of goods, materials, and equipment is not permitted within a front yard setback area of the lot.

710 RESOURCE INDUSTRIAL ZONE (I10)

INTENT

710.1 The intent of the Resource Industrial Zone is to accommodate industrial use, primarily a log sort yard, and agriculture.

PERMITTED USES

| | |
|-------|--|
| 710.2 | Permitted Uses Table |
| | (1) Principal Use <ul style="list-style-type: none">(a) Agriculture (on lands within the ALR)(b) Agriculture, Intensive (on lands within the ALR)(c) Log Sort Yard |
| | (2) Accessory Use <ul style="list-style-type: none">(a) Accessory Buildings and Structures(b) Single-Detached Dwelling with Secondary Suite or Manufactured Home |

SITE SPECIFIC USE

710.3 N/A

DEVELOPMENT REGULATIONS

710.4

| Development Regulations Table | |
|---|--|
| Minimum Setbacks | |
| (1) Front Lot Line | (a) 15 m from ALR (b) 9 m from a Road or Controlled-Access Highway fronting a Residential Zone (c) 6 m from all other Zones |
| (2) Rear Lot Line | (a) 15 m from ALR (may require 8 m landscape buffer – see Official Community Plan, DPA) (b) 9 m from a Residential Zone (c) 3 m from all other Zones |
| (3) Interior Lot Line | (a) 15 m from ALR (may require 8 m landscape buffer – see Official Community Plan, DPA) (b) 9 m from a Residential Zone (c) 6 m from all other Zones |
| (4) Exterior Lot Line | (a) 15 m from ALR (b) 9 m from a Road or Controlled-Access Highway fronting a Residential Zone (c) 6 m from all other Zones |
| (5) Minimum Setbacks from Major Roads | (a) 9 m, where the any Lot Line abuts: <ul style="list-style-type: none"> i. Aberdeen and North Aberdeen Road ii. Buchanan Road from Nickel Drive to the SE Quarter of Section 26, Township 6 iii. Kalamalka Road iv. Learmouth Road from Highway 6 to the District Boundary v. Park Lane vi. Reid Road from Learmouth Road to Whitevale Road vii. Ricardo Road viii. School Road ix. Warren Road |
| □ Where there is more than one applicable setback, the greater minimum setback shall apply. | |
| Maximum Building Height | |
| (6) Principal Building | (a) 11 m or 3 storeys |

| | |
|--|--|
| (7) Accessory Building | (a) 8 m (b) Single-Detached Dwelling – 11 m or 3 storeys; and i. the 3 rd storey shall not exceed 80% of the storey immediately below. |
| Maximum Lot Coverage | |
| (8) Lot Coverage | (a) 10% for all Buildings and Structures; and (b) 5% for all impervious hard-surfaced areas |
| Maximum Number of Residential Buildings | |
| (9) Single-Detached Dwelling; OR (10) Manufactured Home | (a) 1 Dwelling Unit (b) a Secondary Suite use is permitted within a Single-Detached Dwelling, if the lot is located within the ALR and is greater than 1 ha |

SUBDIVISION REGULATIONS

| | | |
|----------------------------|--------------------------------------|---|
| 710.5 | Subdivision Regulations Table | |
| (1) Lot Area (Minimum) | | (a) 20 ha (b) Pan-handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | | (a) 30 m (b) Pan-handle Lot – Not Permitted |

CONDITIONS OF USE

- 710.6 (1) The log sort area must be treated with dust suppression materials, as required from time to time, to minimize the impact of dust on adjoining land uses.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) The use shall not discharge or emit:
- (a) odorous, toxic, noxious matter, or vapour;
 - (b) heat, glare, or radiation;
 - (c) recurring or frequent ground vibration;
 - (d) an outdoor noise decibel limit exceeding 85 dBA for a continuous 8-hour period;

- (e) electrical interference; or
 - (f) any other Public Health or Safety Hazard.
- (5) Agricultural uses are not permitted on a lot:
 - (a) outside of the ALR; and
 - (b) without a Farm Classification as prescribed under the *Assessment Act*.
- (6) Where applicable, refer to the A1 Zone for Agricultural Setbacks.
- (7) Where applicable, a Single-Detached Dwelling or Manufactured Home must be a minimum of 7.5 m from a permitted industrial use on the lot.
- (8) Storage of goods, materials, and equipment is not permitted within a front yard setback area of the lot.

801 CIVIC ONE ZONE (P1)

INTENT

801.1 The intent of the Civic One Zone is to accommodate civic, institutional, and public uses.

PERMITTED USES

801.2

| Permitted Uses Table | |
|----------------------|---|
| (1) Principal Use | <ul style="list-style-type: none"> (a) Agriculture (on lands within the ALR) (b) Agriculture, Intensive (on lands within the ALR) (c) Assembly (d) Civic Use – Government (e) Civic Use – Park (f) Civic Use – Public Education K – 12 (g) Community Care, Major (h) Medical Office (i) Office – Non-Profit Organization (j) Post-Secondary Institution (k) Public Utility |
| (2) Accessory Use | <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Apartment (c) Seniors Housing (d) Single-Detached Dwelling with Secondary Suite |

SITE SPECIFIC USE

- 801.3 (1) Lot 21 Block 9 District Lot 3888 Osoyoos Division Yale District Plan 4068, located at 8505 Kalavista Drive, the Off-Street Parking of the following is strictly prohibited:
 - (a) boat trailer;
 - (b) boat storage; and
 - (c) boat launch.

- (2) Parcel A Plan KAP6907B Section 23 Township 6 Osoyoos Division Yale District (See DD149196F), located at 9691 School Road, the following uses are permitted:
 - (a) no restrictions on the number of Buildings for the purposes of providing Seniors Housing on a lot within a minimum parcel size of 1 ha.

DEVELOPMENT REGULATIONS

801.4

| Development Regulations Table | |
|--|---|
| Minimum Setbacks | |
| (1) Front Lot Line | (a) 6 m (b) 1.5 m – if abutting a sidewalk with off-street parking located at the rear of Building |
| (2) Rear Lot Line | (a) 6 m (b) 1.5 m – on a lot abutting a Civic or Commercial Zone |
| (3) Interior Lot Line | (a) 2 m |
| (4) Exterior Lot Line | (a) 4 m (b) 1.5 m – if abutting a sidewalk |
| <p>□ A minimum setback for a Public Utility Building is 1.5 m from all lot lines.</p> | |
| Maximum Height | |
| (5) Principal Building | (a) 11 m |
| (6) Accessory Building | (a) 8 m |
| Lot Coverage | |
| (7) Lot Coverage | (a) 50% for all Buildings and Structures; and (b) 20% for impervious hard-surfaced areas |
| Maximum Number of Residential Buildings | |
| (8) Single-Detached Dwelling with ADU | (a) 1 Dwelling Unit; and i. 1 ADU not exceeding 90 m ² |

SUBDIVISION REGULATIONS

| | |
|---|--|
| 801.5 Subdivision Regulations Table | |
| (1) Lot Area (Minimum) | (a) 600 m ² – Lots serviced by Community Water and Community Sewer (b) 1 ha – Lots serviced by Community Water and Onsite Sewage (c) Pan-handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) 15 m (b) Pan-handle Lot – Not Permitted |
| <input type="checkbox"/> <i>There is no minimum lot area or lot frontage for a lot dedicated for a trail, park, playground, community garden, or unattended Public Utility Building or Structure.</i> | |

CONDITIONS OF USE

- 801.6 (1) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (2) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (3) Where applicable, Agricultural uses are not permitted on a lot:
- (a) outside of the ALR;
 - (b) without a Farm Classification as prescribed under the *Assessment Act*; and
 - (c) refer to the A1 Zone for Agricultural Setbacks.

810 PARKS AND OPEN SPACE ZONE (P10)

INTENT

810.1 The intent of the Parks and Open Space Zone is to accommodate natural areas and recreation use.

PERMITTED USES

| | |
|--|-----------------------------|
| 810.2 | Permitted Uses Table |
| <p>(1) Principal Use</p> <ul style="list-style-type: none">(a) Agriculture (on lands within the ALR)(b) Agriculture, Intensive (on lands within the ALR)(c) Civic Use – Government(d) Civic Use – Park(e) Public Utility | |
| <p>(2) Accessory Use</p> <ul style="list-style-type: none">(a) Accessory Buildings and Structures(b) Single-Detached Dwelling with Secondary Suite | |

SITE SPECIFIC USE

810.3 N/A

DEVELOPMENT REGULATIONS

810.4

| Development Regulations Table | |
|---------------------------------------|--|
| Maximum Number of Buildings | |
| (1) Principal Building | (a) 1 Civic Use |
| (2) Accessory Building | (a) 2 |
| (3) Single-Detached Dwelling with ADU | (a) 1 Dwelling Unit; and (b) 1 ADU not exceeding 90 m ² |
| Minimum Setbacks | |
| (4) Front Lot Line | (a) 6 m |
| (5) Rear Lot Line | (a) 1.5 m |
| (6) Interior Lot Line | (a) 1.5 m |
| (7) Exterior Lot Line | (a) 6 m |
| Maximum Building Height | |
| (8) Principal Building | (a) 11 m or 3 storeys |
| (9) Accessory Building | (a) 8 m (b) Single-Detached Dwelling – 11 m or 3 storeys; and i. the floor area of the upper most storey shall not exceed 80% of the storey immediately below. |
| Maximum Lot Coverage | |
| (10) Lot Coverage | (a) 10% for all Buildings and Structures; and (b) 5% for all impervious hard-surfaced areas |

SUBDIVISION REGULATIONS

| 810.5 Subdivision Regulations Table | |
|---|--|
| (1) Lot Area (Minimum) | (a) 300 m ² – Lots serviced by Community Water and Community Sewer (b) 1 ha – Lots serviced by Community Water and Onsite Sewage (c) Pan-handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) 12 m (b) Pan-handle Lot – Not Permitted |
| <p>☐ <i>There is no minimum lot area or lot frontage for a lot dedicated for a trail, park, playground, community garden, or unattended Public Utility Building or Structure.</i></p> | |

CONDITIONS OF USE

- 810.6 (1) Non-Profit Organizations may operate on District owned lands, subject to District approval.
- (2) Special Events hosted on District owned lands are subject to the terms and conditions of the approved Permit issued by the District.
- (3) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (4) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (5) Agricultural uses are not permitted on a lot:
- (a) outside of the ALR;
 - (b) without a Farm Classification as prescribed under the *Assessment Act*.
- (6) Where applicable, refer to the A1 Zone for Agricultural Setbacks.

811 WATERFRONT ZONE (P11)

INTENT

811.1 The intent of the Waterfront Zone is to provide for the recreational use for upland property owners and allow for public access to the foreshore, in accordance with the *Riparian Areas Protection Regulation* (RAPR) and minimizing impacts within the *Streamside Protection and Enhancement Area* (SPEA).

PERMITTED USES

| | |
|-------|---|
| 811.2 | <p>Permitted Uses Table</p> |
| | <p>(1) Principal Use</p> <ul style="list-style-type: none"> (a) Civic Use – Boat Launch (b) Civic Use – Kalamalka Beach Park (c) Foreshore Public Access (d) Park (e) Public Lake Access |
| | <p>(2) Accessory Use</p> <ul style="list-style-type: none"> (a) Boat Launch (b) Boat Lift (c) Dock, Private (d) Moorage Bouy |

SITE SPECIFIC USE

811.3 N/A

DEVELOPMENT REGULATIONS

811.4

| Development Regulations Table | |
|---|---|
| Minimum Setbacks | |
| (1) RAPR Setback to be determined by a Qualified Environmental Professional (QEP) | <ul style="list-style-type: none"> (a) 5 m; <ul style="list-style-type: none"> i. Class C stream; ii. drainage ditch; iii. ALR lot with Farm Classification; and iv. Flood Hazard Assessment may be required. (b) 15 m; or <ul style="list-style-type: none"> i. Yellow-coded watercourse; ii. 3:1 net habitat benefit for compensation; and iii. adequate buffers designated for nesting trees, in accordance with the <i>Wildlife Act</i>. (c) 30 m <ul style="list-style-type: none"> i. Red-coded watercourse; ii. flooding or erosion concerns; iii. 2:1 net habitat benefit for compensation; and iv. adequate buffers designated for nesting trees, in accordance with the <i>Wildlife Act</i>. |

CONDITIONS OF USE

- 811.5 (1) Docks, boatlifts, and mooring buoys must meet the following requirements:
- (a) 1 private dock or pier is permitted per fee simple waterfront lot;
 - (b) 1 boat slip may be approved per Dwelling Unit for a strata waterfront lot;
 - (c) shall conform to provisions under **Schedule D**;
 - (d) must have approval by the Province of British Columbia for boat access;
 - (e) a Commercial use or a Home-Based Business is not permitted in conjunction with a private moorage use; and
 - (f) any apparatus needed for the construction of a dock must be removed from the foreshore within 30 days of substantial completion of the Structure, as determined by the Registered Building Official (RBO).
- (2) Boating activity is prohibited in designated swimming areas. Designated swimming areas are identified by the placement of buoys approved by Transport Canada.
- (3) Vessel speed is restricted to 8 km/hr within 75 m of the shoreline, commencing at Lot 12 Plan 10545 (12904 Kinloch Drive), thence following the shoreline in a northwesterly direction to the easterly boundary of Lot 1 Plan 20911 (7607 Westkal Road), in accordance with the *Vessel Operation Restriction Regulation (VORR)*.

- (4) Overnight accommodation on a vessel is strictly prohibited.
- (5) Moorage of vessels is prohibited in front of publicly owned lands, boundaries of which are defined as projecting at right angles to the foreshore.

901 WHISPER RIDGE COMPREHENSIVE DEVELOPMENT ZONE (CD-R1)

INTENT

901.1 The intent of the Whisper Ridge Meadows Comprehensive Development is to accommodate freehold strata lots on large residential rural parcels within a steep sloped area, as part of Plan KAS2383.

PERMITTED USES

| | |
|-------|--|
| 901.2 | Permitted Uses Table |
| | <p>(1) Principal Uses</p> <ul style="list-style-type: none"> (a) Agriculture, Hobby Farm (b) Community Care, Minor (c) Park (d) Single-Detached Dwelling |
| | <p>(2) Accessory Uses</p> <ul style="list-style-type: none"> (a) Accessory Buildings and Structures (b) Bed & Breakfast (c) Home-Based Business, Rural (d) Secondary Suite |

SITE SPECIFIC USE

901.3 N/A

DEVELOPMENT REGULATIONS

| | | |
|-------|--------------------------------------|---|
| 901.4 | Development Regulations Table | |
| | Minimum Setbacks | |
| | (2) Front Lot Line | <ul style="list-style-type: none"> (a) Principal Building – 6 m (b) Accessory Building – 7.5 m (c) Agricultural Building – 7.5 m |
| | (5) Rear Lot Line | <ul style="list-style-type: none"> (a) Principal Building – 6 m (b) Accessory Buildings and Structures – 2 m (c) Agricultural Building – 6 m |

901 – WHISPER RIDGE COMPREHENSIVE DEVELOPMENT ZONE

CD-R1

| | |
|---|---|
| (6) Interior Lot Line | (a) Single-Detached Dwelling – 3 m (b) Accessory Building – 2 m (c) Agricultural Building – 6 m |
| (7) Exterior Lot line | (a) 6 m |
| (8) Minimum Distance Between Buildings | (a) 3 m |
| (9) Agricultural Setbacks | (a) See A1 Zone |
| Maximum Building Height | |
| (8) Principal Building | (a) 11 m or 3 storeys; and i. the 3 rd storey shall not exceed 80% of the storey immediately below. |
| (10) Accessory Building | (a) 4.5 m |
| (11) Farm Building | (a) 8 m |
| <i>Farm Building means a structure designed and constructed for the purpose of animal husbandry and/or storage of agricultural equipment, and not intended for any other purpose.</i> | |
| Maximum Lot Coverage | |
| (11) Lot Coverage | (a) 20% for all Buildings and Structures; and (b) 5% for all impervious hard-surfaced areas |
| Maximum Floor Area | |
| (12) Accessory Building | (a) 112 m ² |
| <ul style="list-style-type: none"> □ A Building Scheme are charges registered on title under Section 220 of the Land Title Act that contains terms which are placed upon a lot or parcel by a Developer at time of subdivision. A Building Scheme may prohibit a use permitted under the Zoning Bylaw. A Local Government will not regulate or enforce provisions under a Building Scheme. | |

SUBDIVISION REGULATIONS

901.5

| Subdivision Regulations Table | |
|---|--|
| (1) Lot Area (Minimum) | (a) 2 ha (b) if walking trails, equestrian trails, tot parks, and common amenity spaces are established within the strata, the minimum lot area of the freehold strata lots may be further reduced to 0.4 ha. (c) Pan-handle Lot – Not Permitted |
| (2) Lot Frontage (Minimum) | (a) 30 m (b) Pan-handle Lot – Not Permitted |
| <p>□ <i>There is no minimum lot area or lot frontage for a lot dedicated for a trail, park, playground, community garden, or unattended Public Utility Building or Structure.</i></p> | |

CONDITIONS OF USE

- 901.6 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Bed and Breakfast (*or Short-Term Rental accommodation*);
 - (b) Building Height and Setback Exemptions;
 - (c) Community Care, Minor
 - (d) Home-Based Business, Rural; and
 - (e) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) A **Secondary Suite** is not permitted on a lot less than 1 ha, except where a **Registered Onsite Wastewater Practitioner (ROWP)** or Professional Engineer provides a report stating:
- (a) that the Onsite Sewage is not malfunctioning;
 - (b) that the Onsite Sewage is equipped to treat effluent for a minimum of 8 residents;
 - (c) that the Onsite Sewage has been appropriately constructed and installed, given the projected demand to be placed by the Building or improvements that are intended to be serviced by the system; and
 - (d) the location of the Onsite Sewage, Buildings, and Structures, to be certified by a **British Columbia Land Surveyor (BCLS)**.

- (4) The keeping of farm animals is restricted to the following:
- (a) not more than 4 hens;
 - (b) not more than 2 beehives and nucleus colonies; and
 - (c) not more than 2 horses.
- (5) The keeping of urban hens must meet the following provisions:
- (a) all hens must be provided a coop, run, and enclosure;
 - (b) have a minimum enclosed area of 0.4 m² per hen;
 - (c) not permitted to be located within a front yard setback area, and a minimum of 3 m from all remaining lot lines;
 - (d) be well maintained, and
 - i. kept clean, dry, and free of odours;
 - ii. removal of any attractants for vermin;
 - iii. regular removal and disposal of manure or composted;
 - iv. hens are not euthanized or slaughter on the premises;
 - v. hens must be disposed of at an approved facility;
 - vi. adhere to Biosecurity Procedures recommended by the Canadian Food Inspection Agency (CFIA); and
 - vii. no roosters permitted.

902 COLDSTREAM MEADOWS COMPREHENSIVE DEVELOPMENT ZONE (CD-R2)

INTENT

902.1 The intent of the Coldstream Meadows Comprehensive Development Zone is to accommodate a range of Seniors Housing on a parcel located within the Agricultural Land Reserve (ALR).

PERMITTED USES

902.2

| Permitted Uses Table | |
|-----------------------------|---|
| (1) Principal Use | <ul style="list-style-type: none">(a) Agriculture(b) Apartment, Seniors Housing(c) Rowhouse, Seniors Housing(d) Seniors Housing, Assisted(e) Seniors Housing, Residential Care(f) Seniors Housing, Supportive(g) Townhouse, Seniors Housing |
| (2) Accessory Use | <ul style="list-style-type: none">(a) Accessory Buildings and Structures(b) Assembly(c) Medical Office(d) Park(e) Retail |

902 – COLDSTREAM MEADOWS COMPREHENSIVE DEVELOPMENT ZONE

CD-R2

DEVELOPMENT REGULATIONS

902.3

| Development Regulations Table | |
|--|--|
| Maximum Density | |
| (1) Dwelling Units | (a) 270, including: i. 195 Assisted and Supportive Seniors Housing Dwelling Units |
| Minimum Setbacks | |
| (3) Park, shown as Lot 2 Plan EPP31760 | (a) 4.5 m |
| (4) All other Uses | (a) 15 m |
| (5) Agricultural Buffer | (a) 15 m |
| Maximum Building Height | |
| (6) Agricultural Building | (a) 10 m |
| (7) Rowhouse, Seniors Housing | (a) 8 m – refer to Map Area #2 |
| (8) Townhouse, Seniors Housing | (a) 8 m – refer to Map Area #2 |
| (9) Apartment, Seniors Housing | (a) 12 m – refer to Map Areas #3 and #4 |
| (10) Non-Residential Building | (a) 8 m – refer to Map Areas #2 and #5 |
| □ Refer to Figure 902.1 for Mapping Areas 1 – 5 | |
| Maximum Lot Coverage | |
| (11) Lot Coverage | (a) 20% for all Buildings and Structures; and (b) 5% for all impervious hard-surfaced areas |

902 – COLDSTREAM MEADOWS COMPREHENSIVE DEVELOPMENT ZONE



SUBDIVISION REGULATIONS

| | | |
|-------|--------------------------------------|--------------------|
| 902.4 | Subdivision Regulations Table | |
| | (1) Lot Area (Minimum) | (a) Not applicable |
| | (2) Lot Frontage (Minimum) | (a) Not applicable |

CONDITIONS OF USE

- 902.5 (1) Refer to Section 301 of this Bylaw for the following uses, including but not limited to:
- (a) Building Height and Setback Exemptions; and
 - (b) Onsite Storage.
- (2) Refer to Section 311 of this Bylaw for **Landscaping** requirements, including but not limited to:
- (a) Fencing;
 - (b) Retaining Walls; and
 - (c) Outdoor Lighting.
- (3) Refer to Section 321 of this Bylaw for **Off-Street Parking** requirements.
- (4) The following events, up to 24 per year, are permitted within the Chapel for members of the public who are non-strata residents:
- (a) Religious Assembly;
 - (b) Weddings;
 - (c) Gathering for an Event; and
 - (d) Temporary classroom facilities for programs sponsored by School District No. 22.
- (5) Retail use is permitted on the ground floor of a Seniors Housing Apartment.
- (6) Medical Office use is permitted on the ground floor of a Seniors Housing Apartment.

902 – COLDSTREAM MEADOWS COMPREHENSIVE DEVELOPMENT ZONE

CD-R2

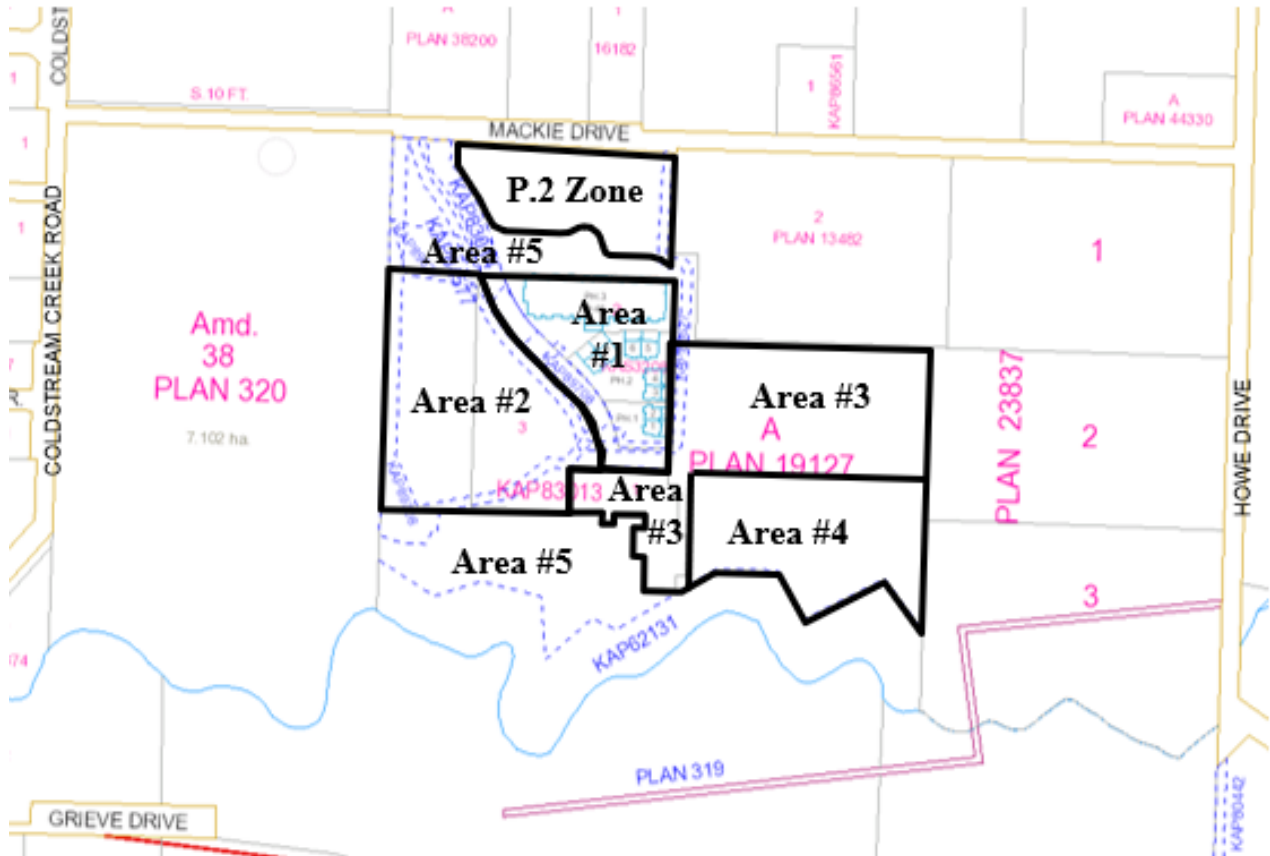


Figure 902.1: Coldstream Meadows Comprehensive Development Zone.

911 COLDSTREAM STATION COMPREHENSIVE DEVELOPMENT ZONE (CD-C1)

INTENT

911.1 The intent of the Coldstream Station Comprehensive Development Zone is to accommodate the commercial development on Lot 1 Plan EPP108686, located at 16500 Kalamalka Road.

PERMITTED USES

911.2

| Permitted Uses Table | |
|------------------------------------|--|
| (1) Principal Use | |
| (a) Assembly | |
| (b) Civic | |
| (c) Food Primary | |
| (d) Retail | |
| (2) Accessory Use | |
| (a) Office | |
| (b) Personal Service Establishment | |

DEVELOPMENT REGULATIONS

911.3

| Development Regulations Table | |
|--------------------------------|----------|
| Minimum Setbacks | |
| (1) Front Lot Line | (a) 0 m |
| Maximum Building Height | |
| (2) Principal Building | (a) 11 m |

911 – COLDSTREAM STATION COMPREHENSIVE DEVELOPMENT ZONE

CD-C1

SUBDIVISION REGULATIONS

911.4

| Subdivision Regulations Table | |
|--------------------------------------|------------------------|
| (1) Lot Area (Minimum) | (a) 753 m ² |
| (2) Lot Frontage (Minimum) | (a) 37.8 m |

CONDITIONS OF USE

- 911.5 (1) Notwithstanding provisions under Section 300 of this Bylaw, any and all required off-street parking and loading shall be subject to an agreement with the parking provider, located on Lot A Plan EPP52625, located at 16506 Kalamalka Road.
- (2) Recycling and Waste Collection amenities are subject to an agreement with the registered owner of Lot A Plan EPP52625, located at 16506 Kalamalka Road.
- (3) Freestanding Signage must not exceed a height of 2 m, and must be installed or posted within a landscaped area. The Freestanding Signage may be illuminated with lighting fixtures not exceeding a color temperature of 4,000K.
- (4) Projecting Signage is limited to 1 per Building.

SCHEDULE B – ZONING MAP
(MAP -SEE LAST PAGE OF BYLAW)

SCHEDULE C – SIGNAGE

DEFINITIONS

(1) In this Schedule,

AGRICULTURAL BUSINESS IDENTIFICATION SIGNAGE means a sign that is intended to advertise a farm operation or agricultural cooperative. Signage to include logo and text prepared by the British Columbia Ministry of Agriculture.

ANIMATED SIGNAGE means a sign that includes action, motion, sound, or any combination thereof.

AWNING SIGN means signage applied, attached, or painted onto the Building Face, refer to **Figure 1.1**.



Figure 1.1: Example of an Awning Sign.

BANNER SIGNAGE means a sign made of nylon, canvas, vinyl, or similar material that is not adhered to a rigid backing or support, refer to **Figure 1.2**.

BILLBOARD means a large outdoor advertising space intended for high-traffic areas, and not permitted on any parcel of land within the District.

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

BUILDING FACE means the exterior wall of a Building.

BUILDING FRONTAGE means an area along the front lot line setback and/or exterior lot line setback of a lot.



Figure 1.2: Example of Banner Signage.

CANOPY means a rigid and roofed structure projecting from a Building Face that is attached to and entirely supported by a Building.

CLEARANCE means the vertical distance between the lowest point of the sign structure and the finished grade.

CONSTRUCTION PROJECT SIGNAGE means a temporary sign displayed on lands actively under development, which may display project details and contact information of the Builder, Developer, Architect, Engineer, and Financiers, associated with the project (refer to **Figure 1.3**).



Figure 1.3: Example of Construction Project Signage.

COPY means the letters, characters, symbols, numbers, or graphics that make up the content of the signage.

COPY AREA means the smallest area, measured in square meters (m²), that encompasses all copy on a sign, refer to **Figure 1.4**.



Figure 1.4: Example of Copy Area.

DIRECTIONAL SIGNAGE means a sign indicating the name and direction of a business, place, service, event, or strata residence.

ELECTRONIC MESSAGE BOARD means a sign that contains electronic copy.

ELECTION SIGNAGE means a temporary sign authorized by a registered political party, candidate, or registered election advertising sponsor, and must display a telephone number or mailing address located within the Province of British Columbia.

FASCIA SIGNAGE means a sign, illuminated or non-illuminated, attached to and supported by the exterior wall of a Building.

FREESTANDING SIGNAGE means a sign that is structurally self-supporting and not attached to a Building or Structure. The sign is to be built or installed within a landscaped area.

GRADE means the average elevation of the finished ground directly below the sign structure.

HEIGHT means the building height or vertical distance from the finished grade to the uppermost surface of the sign structure.

HOME-BUSINESS SIGNAGE means a window sign advertising a permitted Home-Based Business.

ILLUMINATED SIGNAGE means signage lit by lighting affixed internally or externally to a sign structure, including Marquee Signage.

MONUMENT SIGNAGE means a freestanding sign structure that is (refer to **Figure 1.5**):

- (a) attached to a permanent foundation or mounted on a solid base greater than in length and width than the mounted signage;
- (b) not dependent or reliant on any pole or post for support; and
- (c) may incorporate lighting fixtures using warm or neutral colour temperatures not exceeding 4,000 K.

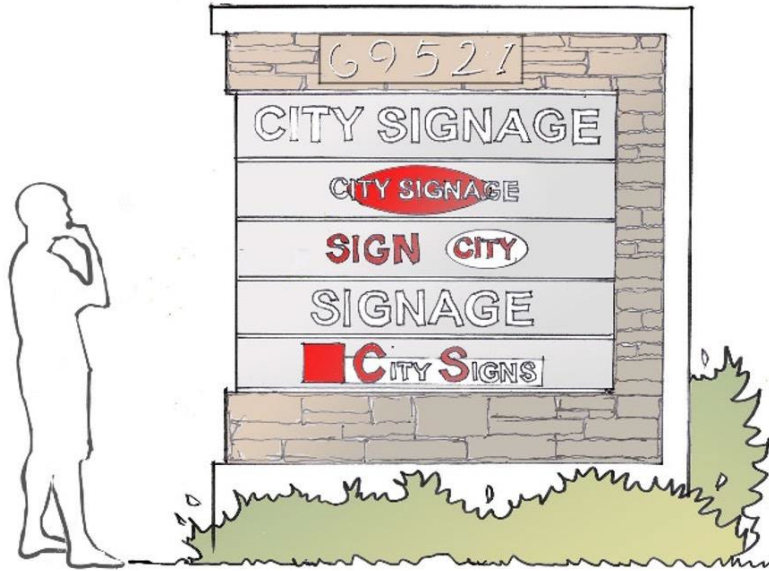


Figure 1.5: Example of Monument Signage.

MURAL SIGNAGE means signage created on the exterior of a Building as part of a painted mural, with the intent to advertise a business, project, activity, or service (refer to **Figure 1.6**).

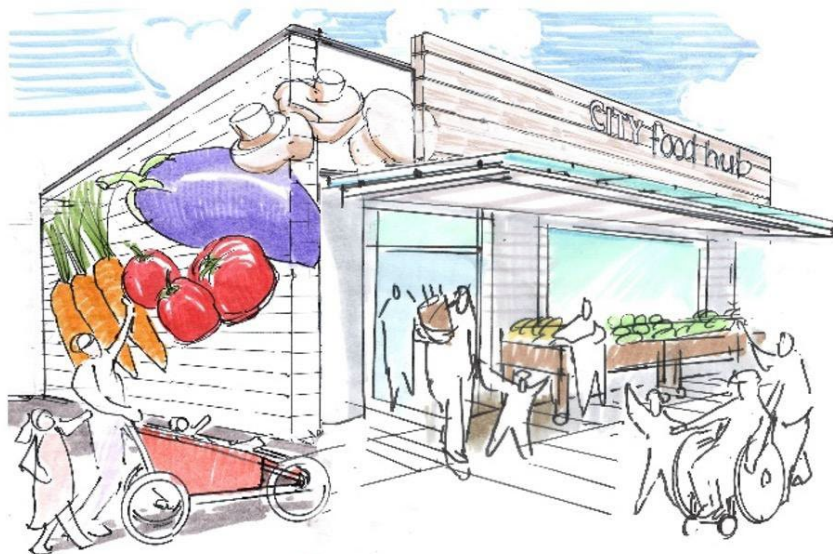


Figure 1.6: Example of Mural Signage.

PERMIT means approved from a Registered Building Official (RBO) to erect, install, display, alter, or relocate signage.

PROJECTING SIGNAGE means a sign that is attached to and supported entirely by the Building Face (refer to **Figure 1.7**).



Figure 1.7: Example of Projecting Signage.

REAL ESTATE SIGNAGE means a temporary sign indicating that the premises on which the signage is erected is for sale, lease, or rent.

ROOF-MOUNTED SIGNAGE means a sign mounted on the roof of a Building or Structure (refer to **Figure 1.8**).



Figure 1.8: Example of Roof-Mounted Signage.

SANDWICH BOARD means a temporary sign that (refer to **Figure 1.9**):

- (a) consisting of 2 flat panels attached or hinged at one end, or at the midpoint of the sign structure;
- (b) is capable of being self-supported; and
- (c) is not affixed to the ground, Building, or Motor Vehicle.

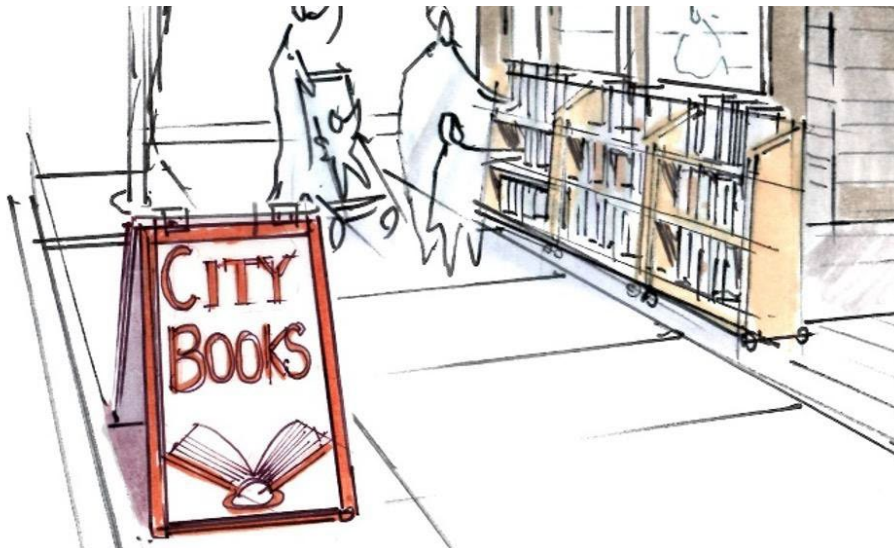


Figure 1.9: Example of Sandwich Board Signage.

SERVICE STATION CANOPY means a permanent structure intended to provide lighting and shelter to fuel pump islands located on a lot approved for a Service Station use.

SERVICE STATION CANOPY SIGNAGE means a sign attached to, applied, or mounted to the Service Station Canopy (refer to **Figure 1.10**).

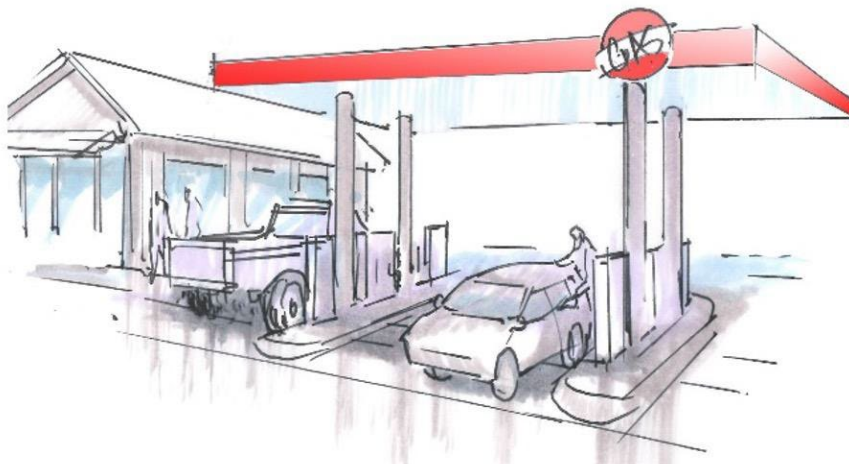


Figure 1.10: Example of Service Station Canopy Signage.

SIGN FASCIA AREA means (refer to **Figure 1.11**):

- (a) the total surface area, measured in square metres (m²), within the outer edge of frame or border of a sign; or
- (b) where the sign has no frame, border, or background, the total area within the shortest perimeter surrounding the sign copy.



Figure 1.11: Example of Sign Area.

STOP WORK ORDER means a Notice issued by the **Registered Building Official (RBO)** that directs the cessation of work.

SUSPENDED SIGNAGE means a sign that is suspended from and located entirely under an awning or canopy (refer to **Figure 1.12**).

TEMPORARY SIGNAGE means a non-permanent sign attached to a Building or erected on a parcel of land for a continuous period not exceeding 6 months, unless otherwise approved by the District.



Figure 1.12: Example of Suspended Signage.

THIRD PARTY ADVERTISING means a sign advertising a business, activity, product, or service that is not operated on the lot upon which the signage is located.

VEHICLE-MOUNTED SIGNAGE means a sign attached, applied, installed, mounted, or placed on a Motor Vehicle (or trailer) where the principal purpose is to serve as signage (refer to **Figure 1.13**).

WAYFINDING SIGNAGE means a sign conveying directions to significant locations to the public, including Monument Signage.

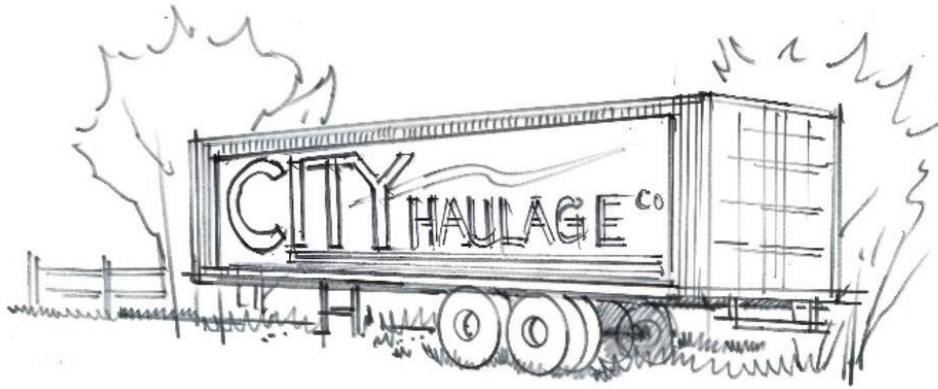


Figure 1.13: Example of Vehicle-Mounted Signage.

WINDOW SIGNAGE means a sign that is applied, attached, painted, or displayed in or on a window (refer to Figure 1.14).



Figure 1.14: Example of Window Signage.

PERMIT APPLICATION, FEES AND INSPECTION

- (2) A Building Permit must be obtained for a sign structure, unless otherwise exempt under this Bylaw. The Applicant must pay the fees required, as prescribed under the District’s Building and Plumbing Bylaw.
- (3) Mural Signage is exempt from a Building Permit in terms of a sign structure.
- (4) A Permit shall be obtained from the District prior to installation, alteration, or relocation, of any Fascia, Projecting, Freestanding, or Monument Signage.
- (5) Any persons installing signage partially or entirely over a District property shall submit a written request to the District for approval, and enter into an Encroachment Agreement in favour of the District.
- (6) If work for which the Permit has been issued has not been carried out within 1 year from the date of issuance of the Permit, the Permit shall be deemed to have been abandoned, and subsequently closed.

GENERAL REGULATIONS

- (7) Signage is solely restricted to a permitted commercial, industrial, or agricultural use on the lot, for which a Business Licence has been issued and approved by the District of Coldstream (“the District”). Third Party Advertising on a lot or premises is not permitted.
- (8) All Signage must be well maintained and not be in a state of disrepair or neglect.
- (9) Construction Project Signage must be removed from the premises not more than 30 days after receiving substantial completion from the Registered Building Official (RBO).
- (10) Signage which has been deemed to have been abandoned, or the purpose of which no longer applies as event has lapsed, must be removed by the Registered Owner of the lot within 30 days upon receipt of written notification from the District. For the purposes of this section, a continuous period exceeding 6 months would be deemed abandoned or lapsed.
- (11) Where the signage meets with the provisions of this Schedule, the following may be installed without a Permit issued by the District:
 - (a) Directional Signage;
 - (b) Provincial and Civic Signage;
 - (c) Election Signage located on private property;
 - (d) Real Estate Signage located on private property; and
 - (e) Signage as part of a seasonal display not exceeding 90 days in duration, and located on private property.

- (12) The following signage is restricted to 1 per lot:
- (a) Agricultural Business Identification;
 - (b) Construction Project;
 - (c) Home-Based Business;
 - (d) Real Estate; and
 - (e) Development Notification Signage.
- (13) For Construction Project Signage and Development Notification Signage, not more than 1 Sign structure is permitted, regardless of the number of lots involved or project phases. Signage must be displayed centrally along the lot frontage. Where the parcel is a Double-Fronting Lot, signage shall be displayed along the lot frontage where the majority of Buildings face the Road or Controlled-Access Highway.
- (14) Where illuminated, internal or external light source must not exceed a colour temperature of 4,000K, nor cause undue glare or nuisance to adjacent properties or to the travelling public. That notwithstanding, the following signage is not permitted to be illuminated:
- (a) Agricultural Business Identification;
 - (b) Construction Project or Development Notification;
 - (c) Election;
 - (d) Home-Based Business; and
 - (e) Real Estate.
- (15) Wall-mounted signage greater than 8 cm in thickness must comply with the following:
- (a) be attached or affixed to the wall a minimum of 2.5 m above the finished grade of any sidewalk or ground surface; or
 - (b) be attached or affixed to the wall a minimum of 4.5 m above the finished grade of any driveway, lane, or parking space.
- (16) Projecting Signage must:
- (a) not project more than 1 m from any wall surface;
 - (b) be located a minimum of 3 m above the finished grade of any sidewalk or ground surface;
 - (c) be located a minimum 4.5 m above the finished grade of any driveway, lane, or parking space; and
 - (d) not encroach upon a public right-of-way or easement.
- (17) Copy Area shall not exceed 45% of the Sign Fascia Area.
- (18) Freestanding Signage must not exceed a height of 6 m.

ELECTION SIGNAGE

- (19) Election Signage may be erected a maximum of 45 days prior to a Civic Election, or on the day when a Federal or Provincial election is formally announced.
- (20) Election Signage must not be located within 100 m of:
 - (a) a District Electoral Office;
 - (b) a place where a vote is being held; or
 - (c) Public school
- (21) Any and all Election Signage must be removed within 72 hours after the close of voting.
- (22) Where Election Signage causes a safety concern or damage to District property, District administration will remove the applicable signage and notify the candidate thereafter.
- (23) The candidate will be held liable for any damage to underground utilities or infrastructure as the result of the installation of signage on District property.

PROHIBITED SIGNAGE

- (24) The following signage is prohibited within the District:
 - (a) Animated Signage;
 - (b) Billboard;
 - (c) Electronic Message Board;
 - (d) Neon Sign;
 - (e) Off-Premise Signage (excluding Farm Produce Sales);
 - (f) Roof-Mounted Signage;
 - (g) Third Party Advertising; and
 - (h) Vehicle-Mounted Signage.

SIGN FASCIA AREA

(25) See Table 1 – Sign Fascia Area:

| Table 1 – Sign Fascia Area | |
|--|-------------------------------|
| Signage | Maximum Permitted Fascia Area |
| (a) Home-Business | 0.5 m ² |
| (b) Directional | 0.5 m ² |
| (c) Real Estate | 0.5 m ² |
| (d) Election | 1 m ² |
| (e) Freestanding | 1 m ² |
| (f) Wayfinding | 1 m ² |
| (g) Sandwich Board | 1 m ² |
| (h) Monument | 3 m ² |
| (i) Agricultural Business Identification | 3 m ² |
| (j) Construction Project | 3 m ² |

SETBACKS

(26) All Signage must be setback a minimum of:

- (a) 1 m from all lot lines;
- (b) 1.5 m from a driveway;
- (c) 1.5 m from a fire hydrant; and
- (d) 6 m from an intersection.

AGRICULTURAL SIGNAGE

- (27) Off-premise signage advertising Farm Produce Sales is permitted under the following:
- (a) have an approved Permit issued by the District for the use;
 - (b) permitted up to 3 Sandwich Board Signage per Farm Operation or Agricultural Cooperative;
 - (c) provide proof of Farm Classification as prescribed under the *Assessment Act*;
 - (d) maximum Sign Fascia Area of 1 m² per surface area.

CONTROLLED SIGN PERMIT

- (28) District Council may, by Special Resolution, issue a "Controlled Sign Permit" for the following:
- (a) special event signage to be located within a District right-of-way;
 - (b) not more than 1 Sandwich Board Signage;
 - (c) not more than 1 Banner Signage affixed to a Building or Structure; and
 - (d) provided that all special event signage is removed within 72 hours from the date of Permit issuance.

SANDWICH BOARD SIGNS

- (29) Sandwich board signs are permitted under the following:
- (a) not to be located on District roadway or public property
 - (b) may not be lit, animated or powered; and
 - (c) maximum of 1 per business.

SCHEDULE D – DOCK REGULATIONS

DEFINITIONS

(1) In this Schedule,

BOAT LAUNCH means a ramp that extends from the foreshore and into a watercourse, the purpose of which is to launch or retrieval of a boat or watercraft.

BOAT LIFT means an uncovered structure attached to a dock, which facilitates the retrieval of a boat or watercraft from a waterbody.

DOCK, PRIVATE means a structure built or constructed within a riparian area, and affixed to the aquatic land. Excluding Foreshore Public Access, a private dock is restricted to personal use for the Registered Owner of the upland parcel. Commercial use of a private dock is not permitted.

FORESHORE means the Crown land between the natural boundary of the upland parcel and the low water level of a watercourse or waterbody.

FORESHORE PUBLIC ACCESS means unimpeded and unrestricted public recreational access along the waterfront, in accordance with Provincial regulations.

PUBLIC PIER means a publicly accessible platform, supported by piles or pillars, which extends from shore over water.

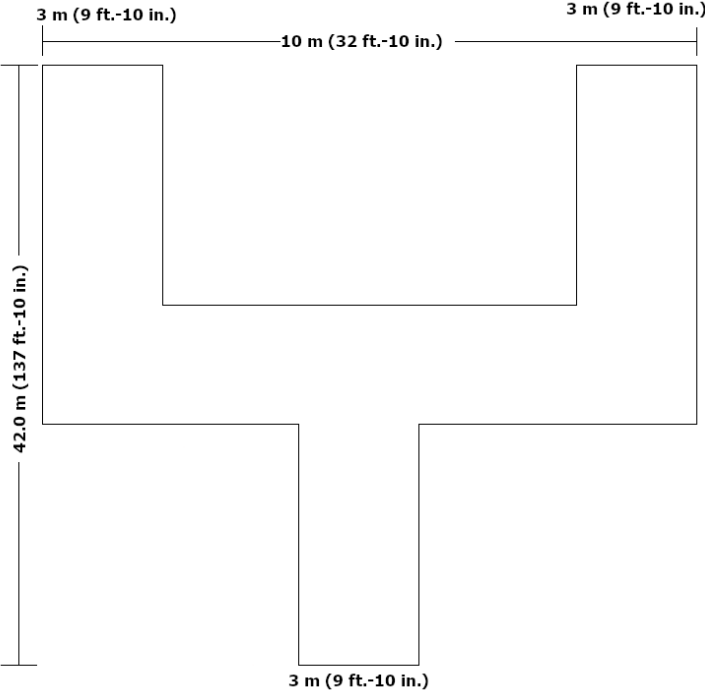
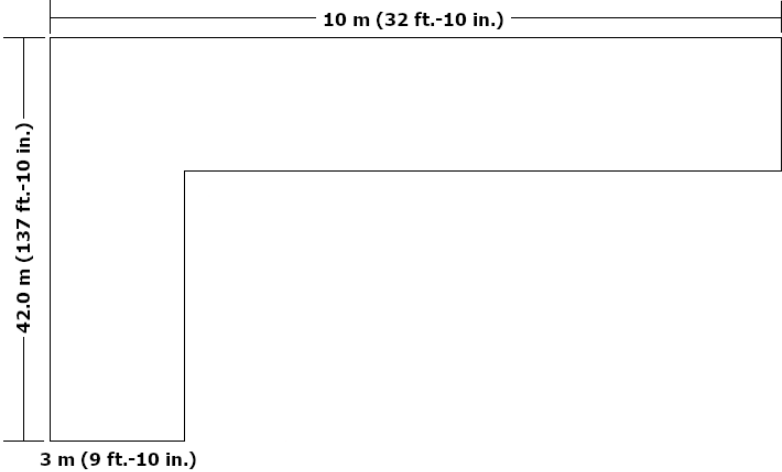
QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) means a Registered Wildlife Biologist or an Applied Technician or Technologist, and certified to conduct a riparian assessment under the *Riparian Area Protection Regulation (RAPR)*.

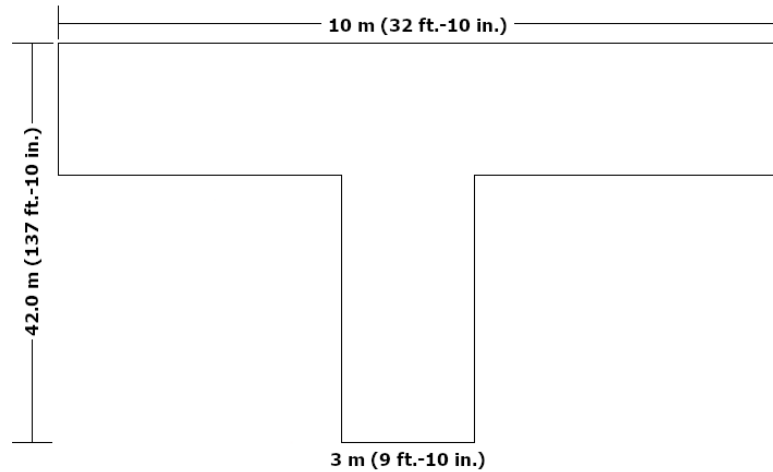
GENERAL REGULATIONS

- (2) The construction, placement, and use of private moorage facilities on Crown land requires authorization from the Ministry of Forest, Lands, Natural Resource Operations, and Rural Development (FLNRORD). A Private moorage facility is intended for private residential use, including but is not limited to, a boat launch, boat lift, and dock.
- (3) Buildings and Structures unrelated to a moorage use or purpose are not permitted on a private dock.
- (4) Unless authorized under a Development Permit issued and approved by the District, the following is not permitted within the *Riparian Areas Protection Regulation (RAPR)* setback and *Streamside Protection and Enhancement Area (SPEA)*:
 - (a) altering the shoreline;
 - (b) altering the natural habitat;
 - (c) placement of fill;
 - (d) hot tub and/or swimming pool;
 - (e) dredging of the foreshore;
 - (f) retaining wall; and
 - (g) bank armouring.
- (5) Public access along the foreshore must not be impede by any means whatsoever.
- (6) Moorage facilities with a private dock are permitted under the following:
 - (a) 1 private dock per waterfront lot;
 - (b) where applicable, a private dock is permitted to accommodate 1 Boat slip per strata lot;
 - (c) private dock must not be greater than 42 m from the natural boundary of the upland parcel;
 - (d) private dock must not exceed a width of 3 m;
 - (e) where there is less than a 1.5 m water depth, a private dock must not exceed a width of 1.5 m;
 - (f) L -, U - or T-shaped private dock is permitted, if the structure does not exceed 10 m in width;
 - (g) where a dock platform is raised by more than 0.3 m above any point on the public foreshore, steps must be provided for public access over the private dock, and must not be blocked or impeded by a fence, gate, or any other means;
 - (h) a minimum setback of 5 m between lot lines of the upland parcel, projected at right angles onto the foreshore;
 - (i) if a private dock is adjacent to a District right-of-way or publicly owned land, the private dock must have a minimum setback of 6 m, projected at right angles onto the foreshore;
 - (j) siting of a private dock must be undertaken in a manner that is consistent with the orientation of neighbouring docks to avoid any potential navigational hazards, vessel strikes, or running aground;

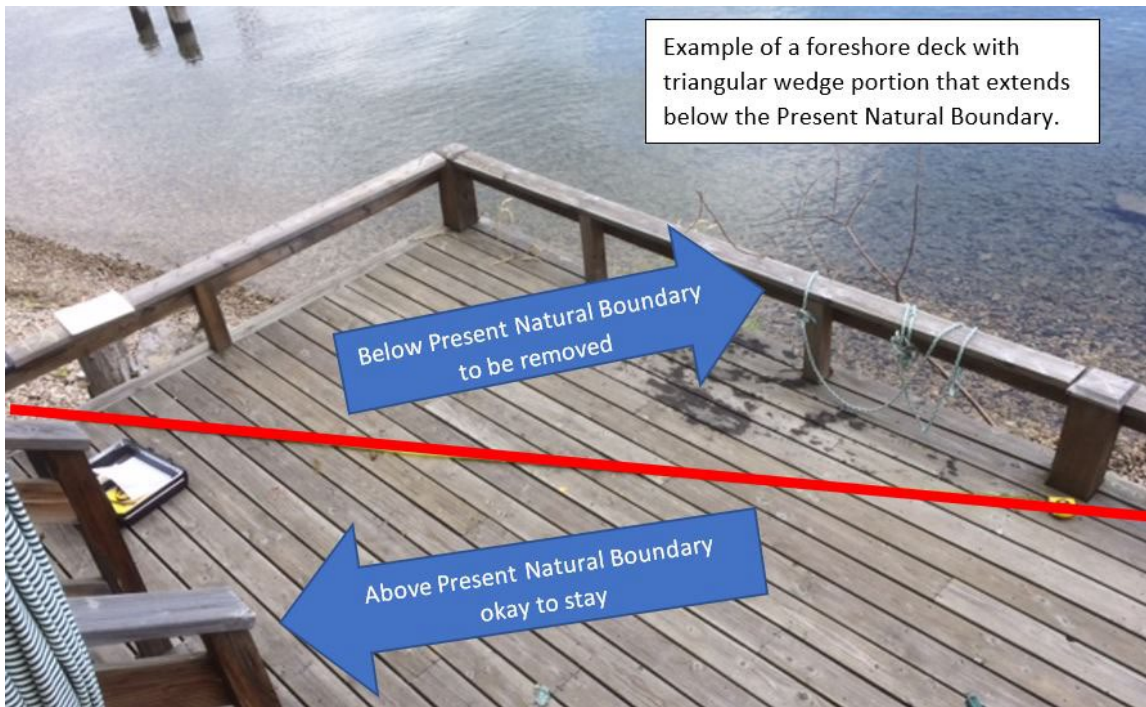
SCHEDULE D – DOCK REGULATIONS

D



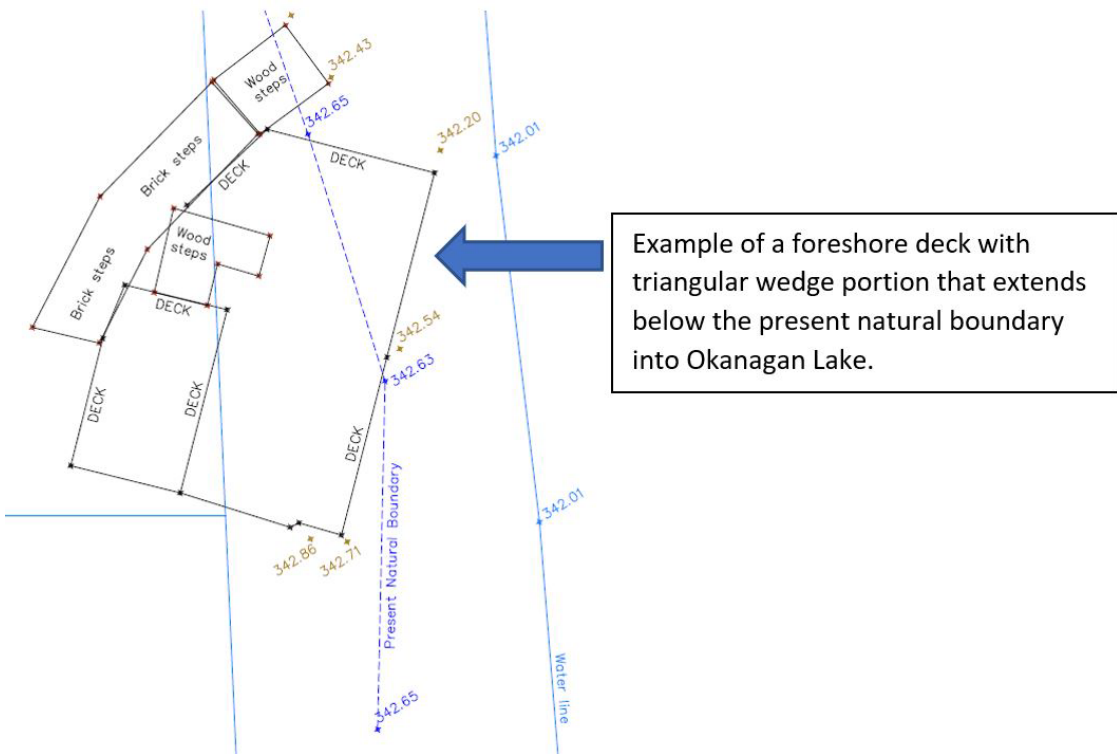


- (k) private dock must be supported by piles made of non-toxic materials;
 - (l) roof or covered structures are not permitted on a private dock;
 - (m) hot tub not permitted on a private dock; and
 - (n) except as permitted by Federal regulations, aircraft are not permitted to use a private dock for take-off, storage, or landing.
- (7) Roof or covered structures must not be used, constructed, or maintained for a Boat Lift.
 - (8) Where District authorization is required, the Applicant must submit the following, including but not limited to:
 - (a) legal survey prepared by a BC Land Surveyor, including the Natural Boundary and *Streamside Protection & Enhancement Area (SPEA)*; and
 - (b) a covering letter from a **Qualified Environmental Professional (QEP)**, where a **Development Permit** is not applicable.
 - (9) The Registered Owner of the lot is responsible for complying with all applicable Federal and Provincial legislation, including securing any and all necessary approvals to allow for the use.
 - (10) Non-compliance with District bylaws will result in a private moorage facility not being eligible under the *Land Act* authorization.



Example of a foreshore deck with triangular wedge portion that extends below the Present Natural Boundary.

Figure D.1: Example of non-moorage structures along the foreshore.



Example of a foreshore deck with triangular wedge portion that extends below the present natural boundary into Okanagan Lake.

Figure D.2: Typically, a survey is completed by a BC Land Surveyor (BCLS) to determine the PNB. The Province may require that an encroachment which extends beyond the PNB be removed prior to authorizing a private moorage facility.