



ELECTORAL AREA G

RURAL LAND USE BYLAW NO. 1335, 1998

**CONSOLIDATED FOR CONVENIENCE
ONLY AND HAS NO LEGAL SANCTION**

Adopted: March 20, 1999

REGIONAL DISTRICT OF CENTRAL KOOTENAY
Electoral Area 'G' Rural Land Use Bylaw No. 1335, 1998
Adopted March 20, 1999

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LIST OF AMENDMENTS TO RURAL LAND USE BYLAW No. 1335, 1998, UP TO (see date at bottom of last page of amendments), WHICH ARE INCLUDED IN THIS CONSOLIDATED VERSION OF THE BYLAW

<i>Bylaw No. (File No.)</i>	<i>Adopted</i>	<i>Amendment</i>	<i>Intent</i>
1452 <i>(Z0010G-6036.000)</i>	January 27, 2001	Schedule 'B', Map Sheet 8 of 12, rezoning Block A, District Lot 1242, Kootenay District Plan X59, SL 48, (Ref. Plan 62096I) except Plan NEP19236 from OPEN SPACE (OS) to RURAL RESIDENTIAL (R2)	To permit construction of a dwelling on the property.
1453 <i>(Z0011G-5945.100)</i>	January 27, 2001	Schedule 'B', Map Sheet 6 of 12, Parcel B (KP163717) Block 20, District Lot 1242, Kootenay District Plan 640 from COMMUNITY RESIDENTIAL (R1) to COMMERCIAL (C1).	To permit operation of a hotel and tour business
1487 <i>(Z0101G-Block)</i>	January 26, 2002	Schedule 'B', Map Sheets 2, 3 and 4 of 12 by altering the zone designation of properties as listed in Schedule 'A' of Bylaw 1487. See list attached.	To rezone those properties removed from the ALR resulting from the RD's block exclusion application.
1756	July 23, 2005	Schedule 'B' Map by rezoning a 3.04 ha portion of Lot 1, District Lot 1242, Kootenay District Plan 9217, except part included in Plan 17954 from RURAL RESIDENTIAL (R3) to COMMERCIAL (C1).	To allow for the development of 10 cabins (approx. 550 sq. ft. each) for tourist accommodation.
1878 <i>(Z0716G-05613.100)</i>	June 23, 2007	Schedule 'B' Map by rezoning Subsidy Lot 66, District Lot 1237, Kootenay District, Plan X70 from OPEN SPACE (OS) to RURAL RESIDENTIAL (R3)	To allow the property owners to building a single family dwelling.
1902 <i>(Text Amendment)</i>	June 23, 2007	Schedule 'A' amendments: Sec. 110 – amend Kennels (maximum ten dogs over 1 year of age) - Sec. 118 – amend Kennels (maximum ten dogs over 1 year of age) - Interpretation – amend definition of Veterinary clinic	Text Amendment

1904 (Z0706G-05852.000)	August 25, 2007	Schedule 'B' Map by rezoning a 4 ha. Portion of a property legally described as Sublot 1, District Lot 1241, Kootenay District, Plan X58, Except Part included in Plan NEP23657 (PID 016-313-551) from Country Residential (R2) to Commercial (C1)	To allow for the existing Apex Guest House, construction of two guest cabins and related camping facilities.
1939 Z0715G-5250-22	March 29, 2008	replace Schedule 'A', Part II, Section 56 with "Despite any other provision of this bylaw, any lot located on any land rated as an "E" or "P" on a Non Standard Flood and Erosion Area of the Regional District of Central Kootenay Floodplain Management Bylaw No. 1650, 2004, and amendments thereto, cannot be further subdivided unless flood protective works are constructed to an appropriate standard as determined by the authority having jurisdiction and maintained by an ongoing authority."	To update language to comply with the current Floodplain Management Bylaw No. 1650.
1943 Z0718G-5250-25	March 29, 2008	Schedule 'A', Part II, Forest Land Reserve (FR) Permitted Uses, 160, the following be removed: "A use specifically permitted by the Forest Land Commission."	To remove outdated references in the FR designation to the defunct Forest Land Commission.
1971 4600-27-Z0802-RDCK-MTI	December 13, 2008	Amend Enforcement Regulations	To allow Municipal Ticketing on violations to the bylaw.
2007 Z0817G-05622.250	January 24, 2009	Amend Schedule 'B' Map by rezoning PID 009-219-099 – Lot 5, DL 1237, PL 16092 from Rural Residential (R3) to Country Residential (R2)	To facilitate a 2-lot subdivision.
2041 4600-28-Z0821	June 25, 2009	Amend Schedule 'A' Interpretation by adding definitions for ACCESSORY BUILDING OR STRUCTURE and PRINCIPAL DWELLING; Replace Schedule 'A' Community Residential (R1), Development Regulations 102.	To clarify the intent, size and number of accessory buildings or structures in the R1 zones.
2098 4600-31-Z0913	May 20, 2010	Add 86.A Shipping Containers	The amendments include language to allow shipping containers in all zones with restrictions

MAY 20, 2010

Properties and zoning amendments listed in Schedule 'A' of Electoral Area 'G' Rural Land Use Amendment Bylaw No. 1487

From Agriculture (AG) Rural Residential (R3)

Folio	PID	LEGAL
707.05621.000	015-732-819	DL 1237, Plan 1761, Blk 2, SL 71, for MHR see Folio 7075621001
707.05620.000	011-191-317	DL 1237, Plan 1747, SL 71
707.05615.100	016-328-604	DL 1237, Plan X70, Pcl A, SL 67 (Ref PI 120783I)
707.05608.004	017-777-984	DL 1237, Plan X70, SL 62, except Plan 6791
707.01322.600	007-725-256	DLs 273 and 1237, Plan 17516, Lot B
707.01322.500	007-725-094	DLs 273 and 1237, Plan 17516, Lot A
707.01316.000	012-455-431	DL 273, Blk 3, except Plan R134
707.01314.100	014-430-410	DL 273, Plan 5661, Manufactured Home Reg. 33604

From Agriculture (AG) to Commercial (C1) / Rural Residential (R2)

Folio	PID	LEGAL
707.01320.100	017-564-026	DL 273, Blk 6, except Plan R134 NEP23345 & exc. Pcl A Ref PI 497861

From Agriculture (AG) to Environmental Reserve (ER)

Folio	PID	LEGAL
G-Crown	Crown	DL 273, SL 71
G-Crown	Crown	DI 273, Block 2

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Electoral Area G Rural Land Use Bylaw No. 1335, 1998

A bylaw to guide the development and redevelopment within a portion Electoral Area G pursuant to Part 26 of the Municipal Act of British Columbia.

The BOARD of the Regional District of Central Kootenay in open meeting assembled, ENACTS as follows:

TITLE

This Bylaw may be cited for all purposes as the **Electoral Area G Rural Land Use Bylaw No. 1335, 1998**.

APPLICATION

The Electoral Area G Rural Land Use Bylaw No. 1335, 1998 applies to the portion of Electoral Area G of the Regional District of Central Kootenay as outlined on Zoning Maps 1 - 12 of Schedule 'B'.

The provisions of this Bylaw include:

Schedule 'A' - Interpretation, Part I (Objectives and Policies) and Part II (General Regulations)

Schedule 'B' - Zoning (Maps 1 - 12),

The attached schedules form part of this Bylaw and constitute the Regional District of Central Kootenay's, **Electoral Area G Rural Land Use Bylaw No. 1335, 1998** pursuant to Part 26 of the *Municipal Act* of British Columbia.

AUTHORITY AND REQUIREMENT OF THE LEGISLATION

1. Jurisdiction of Local Government

- 1.1. Section 886 of the *Municipal Act* gives the Regional District authority to enact a rural land use bylaw.
- 1.2. Section 887 of the *Municipal Act* lists the elements that may be addressed in a rural land use bylaw.
- 1.3. Section 904 of the *Municipal Act* allows the Regional District to require owners or occupiers of land, buildings or structures to provide off-street parking and loading spaces.
- 1.4. Section 946(4) of the *Municipal Act* allows the Regional District to establish the minimum parcel size to allow subdivision to provide a residence for a relative.

2. **Amendment Procedure**

- 2.1. The Rural Land Use Bylaw may be amended by the Board of the Regional District on its own initiative or in response to an application for amendment.
- 2.2. Amendments to this bylaw may be made pursuant to all applicable requirements of the *Municipal Act* and any applicable Regional District of Central Kootenay Planning Procedures Bylaw.

Bylaw 1971

3. **Administration**

- 3.1. The Bylaw Enforcement Officer and such other persons appointed by the Board of the Regional District of Central Kootenay is hereby authorized to administer and enforce this Bylaw and to enter, at all reasonable times, on any property to inspect and determine whether all regulations, prohibitions, and requirements of this Bylaw are being met.

4. **Violation**

- 4.1. Any person who:
 - Violates any of the provisions of this Bylaw commits an offence;
 - Causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
 - Neglects or omits to do anything required under this Bylaw;
 - Carries out, causes, or permits to be carried out any use, construction or subdivision in a manner prohibited by or contrary to any of the provisions of this Bylaw;
 - Fails to comply with an order, direction or notice given under this Bylaw; or
 - Prevents or obstructs or attempts to prevent or obstruct the authorized entry of a bylaw enforcement officer onto property;Will be guilty, upon summary conviction, of an offence under this Bylaw..

5. **Penalty & Offence**

- 5.1. Any person who violates bylaw provisions may, on summary conviction, be liable to a minimum penalty of not less than two hundred dollars (\$200.00), plus the cost of prosecution, pursuant to the *Offence Act of British Columbia*.
- 5.2. Penalties will double upon the third and subsequent offences.
- 5.3. The penalties imposed under this section are a supplement and not a substitute for any other remedy to an infraction of this bylaw.
- 5.4. Penalties are subject to the conditions of the RDCK Municipal Ticket Information Utilization Bylaw No. 1907, 2007.
- 5.5. Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.

6. Units of Measure

6.1. All units of measure contained within this bylaw are metric standards. The approximate imperial measurement equivalents are provided for convenience only.

7. Severability

7.1. If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, the validity of the remaining portions of this bylaw shall not be affected.

8. Appeals

8.1. An appeal for a minor variance may be available to the Board of Variance in accordance with section 901 of the *Municipal Act*.

8.2. A Development Variance permit may be issued by the Board subject to section 922 of the *Municipal Act*.

9. Repeal

9.1. The North Electoral Area G Rural Land Use Bylaw No. 1266, 1997, is hereby repealed.

READINGS, APPROVAL AND ADOPTION

READ A FIRST TIME this 24th day of October, 1998.

READ A SECOND TIME this 24th day of October, 1998.

WHEREAS A PUBLIC HEARING was held on the 25th day of November, 1998.

READ A THIRD TIME this 12th day of December, 1998.

APPROVED under **Section 54 of the Highways Act** this 15th day of December, 1998.

“Dale Jeffs”

District Development Technician, Ministry of Transportation and Highways

APPROVED by the Minister of Municipal Affairs and Housing this 11th day of March, 1999, approval #990067.

ADOPTED this 20th day of March, 1999.

“H. Cunningham”

Chair

“Barry Baldigara”

Secretary

I hereby certify the foregoing to be a true and correct copy of **Electoral Area G Rural Land Use Bylaw No. 1335, 1998** as read a THIRD time by the Regional Board on the day of , 19 .

Dated at Nelson, B.C. this day of , 199 .

Secretary

I hereby certify the foregoing to be a true an correct copy of **Electoral Area G Rural Land Use Bylaw No. 1335, 1998**.

DATED this day of , 199 .

Secretary

Electoral Area G Rural Land Use Bylaw No. 1335, 1998

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Schedule 'A'

Electoral Area G Rural Land Use Bylaw No. 1335, 1998

INTERPRETATION

In this bylaw, unless the context otherwise requires:

ACCESSORY means a use or structure naturally and normally incidental, subordinate and devoted to the principal use or structure and located on the same lot or site, but not for purposes of human habitation unless specifically stated;

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

BUILDING means a structure having a roof supported by columns, posts or walls, used for the shelter or accommodation of persons, animals, chattels, or property of any kind, and includes a mobile home;

BYLAW ENFORCEMENT OFFICER means the Bylaw Enforcement Officer of the Regional District of Central Kootenay;

COMMUNITY SEWER SYSTEM means a common sewer, or system of sewerage or sewage disposal, which serves two (2) or more lots and is regulated under the *Health Act* and/or *Waste Management Act*;

COMMUNITY WATER SYSTEM means a system of waterworks approved within the meaning of the *Health Act* which is (1) owned, operated and maintained by the Regional District, an Improvement District, an Irrigation District or Utility operating under the jurisdiction of the Ministry of Environment, Lands & Parks, or (2) a waterworks system operated and maintained by a Strata Corporation, or (3) a water users' community as defined in the *Water Act*;

DAY CARE FACILITY means a building licensed as a community care facility under the *Community Care Facility Act* and in which care, supervision or any form of educational or social training not provided under the *School Act* is provided for any portion of the day to three (3) or more children under six (6) years of age not forming part of the operator's family;

DWELLING means a building, occupied exclusively as a home, residence or sleeping place by one (1) or more persons, but shall not include hotels, motels, auto courts, motor hotels or institutions;

DWELLING UNIT means one (1) or more habitable rooms constituting a self-contained unit with a separate entrance, and used or intended to be used together for living and sleeping purposes for not more than one (1) family and containing a separate and properly ventilated kitchen with a sink and cooking facilities and a bathroom with a water closet, wash basin and a bath and/or shower;

DWELLING, MULTIPLE FAMILY means any building consisting of three (3) or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence of a family;

DWELLING, DUPLEX means any building divided into two (2) dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence of one (1) family;

DWELLING, SINGLE DETACHED means any building consisting of one dwelling unit which is occupied or intended to be occupied as the permanent home or residence of one (1) family;

EXTERIOR SIDE LOT LINE means the lot line or lines not being the front or rear lot line, common to the lot and a street;

FAMILY means: one (1) or more persons related by blood, marriage, adoption or foster parenthood, occupying a dwelling unit; or not more than five (5) unrelated persons sharing a dwelling unit; or residents of a group home;

FARM ANIMALS means horses, cattle, sheep, goats, swine, mink, poultry, rabbits and species regulated by the *Game Farm Act*;

FARM BUSINESS means a business in which one or more farm operations are conducted, and includes a farm education or farm research institution to the extent that the institution conducts one or more farm operations;

FARM OPERATION means an activity in carrying out a farm business as defined in the *Farm Practices Protection Act*.

FEED LOT means a commercial enterprise in which livestock, poultry, or game, to an equivalent of ten (10) or more animal units, are kept in a confined area and sustained by a means other than grazing, and fed in an intensive manner for the purpose of growing and finishing;

FRONT LOT LINE means the lot line common to the lot and an abutting street, or where there is more than one (1) lot line common to abutting streets, the shortest of these lines shall be considered as the front lot line; or in the case of a lot abutting two (2) parallel or approximately parallel streets, the lot lines abutting these two (2) streets shall be considered as front lot lines;

GAME means game as defined in the *Game Farm Act* that is being raised for a farm operation under licence issued pursuant to that Act;

G.F.A. means the Gross Floor Area;

G.L.A. means Gross Leasable Area;

GROSS FLOOR AREA means the sum of the horizontal areas of each storey of the building measured from the exterior faces of the exterior walls. The gross floor area measurement is exclusive of areas of unfinished basements, unfinished attics, attached garages, carports, breezeways, and unenclosed porches, balconies and terraces;

GROSS LEASABLE AREA means the total floor area designed for tenant occupancy and exclusive use, including any basements, mezzanines or upper floors, expressed in square metres and measured from the centreline of joint partitions and from outside wall faces;

GROUP CARE FACILITIES means structures used for the housing of up to eight special needs individuals;

HEIGHT means the vertical distance measured from the average finished ground level at the perimeter of a building or structure to the highest point of the structure;

HIGHWAY includes all public streets, roads, ways, trails, lanes, bridges, trestles, ferry landings and approaches and any other public ways;

HOBBY AGRICULTURE means the growing, rearing, producing and harvesting of agricultural products and the rearing of livestock, excluding feed lots, mink farms, mushroom farms, poultry farms and pig farms;

INTERIOR SIDE LOT LINE means the lot line or lines, not being the front or rear lot line, common to more than one lot or to the lot and a lane;

JUNKYARD means an open area where old or used materials including, but not limited to metals, paper, rags, rubber tires, bottles and vehicles, are bought, sold, exchanged, stored, baled, packed, disassembled or handled for commercial or non commercial purposes;

KENNEL means a building, structure, compound, group of pens or cages or property where four or more dogs or cats are, or are intended to be trained, cared for, bred, boarded or kept;

LANDSCAPE SCREEN means a continuous fence, wall, compact evergreen hedge or combination thereof that would effectively screen the property which it encloses and is broken only by access drives, walks and lanes;

LIVESTOCK means any ungulate including cattle, goats, horses, sheep, swine, farmed game, mules, asses, musk oxen, llamas and alpacas;

LODGE means an establishment for the use of tourists consisting of three or more attached or detached sleeping units and which includes a restaurant and recreation facilities;

LOT has the same meaning as parcel under the *Municipal Act*, and means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway;

MANUFACTURED HOME means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to be moved from one place to another by being towed or carried, and to provide a dwelling house or premises, and which conforms to the requirements of the British Columbia Building Code;

MANUFACTURED HOME PARK means a manufactured home park as defined in any applicable Manufactured Home Park Bylaw currently in effect in the Regional District of Central Kootenay;

MIXED USE DEVELOPMENT means the use of a building or buildings on a site involving more than one (1) permitted use as defined in the appropriate zone and incorporates a residential use as being integral to the development;

OUTDOOR RECREATIONAL ACTIVITIES means development which provides facilities for use by the public at large for sports and active recreation conducted outdoors excluding shooting ranges;

PERMANENT FOUNDATION means a foundation that irreversibly alters the land that it is constructed on and is physically difficult to remove once a structure is no longer required;

PERSONAL SERVICE ESTABLISHMENT means uses which provide personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects. This includes barber shops, hairdressers, manicurists, tailors, dressmakers, shoe repair shops, dry-cleaning establishments, tanning salons, electrolysis salons, laundries and other similar uses;

POULTRY means any domesticated birds kept for eggs, meat, feathers, hide or cosmetic or medicinal purposes and includes broilers, layers, turkeys, ostriches, rheas, emus, game birds and poultry breeders;

PRINCIPAL DWELLING means a principal residential unit that,

- a consists of a self-contained set of rooms located in a building,
- b is used or intended for use as a residential premises,
- c contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and
- d is not a secondary or accessory dwelling unit, or any vehicle.

Bylaw 2041

PRINCIPAL USE means the main purpose for which land, buildings or structures are ordinarily used;

REAR LOT LINE means the lot line opposite to, and most distant from the front lot line, or, where the rear portion of the lot is bounded by intersecting side lot lines, the rear lot line shall be deemed to be the point of such intersection;

RECREATIONAL VEHICLE means a vehicle, trailer, coach, structure or conveyance designed to travel or to be transported on the highways and constructed or equipped to be used as a temporary living or sleeping quarter by travellers;

RECREATIONAL VEHICLE PARK means any parcel of land used to accommodate recreational vehicles and occupants or campers for a temporary period of time;

REGIONAL BOARD means the Board of the Regional District of Central Kootenay;

REGIONAL DISTRICT means the Regional District of Central Kootenay;

RELATIVE means father, mother, father-in-law, mother-in-law, son, daughter, sister, brother, grandchildren, grandparents, and great-grandparents.

RESOURCE PROCESSING means a use providing for the processing of primary mineral resources, including preliminary grading, washing, and crushing of such materials, but excluding all other processing or manufacturing;

SERVICE STATION means any building or land used for the retail sale of motor fuels and lubricants and may include automobile diagnostic centres, the servicing and minor repairing of motor vehicles, the sale of automotive accessories;

SITE AREA means the area of a lot or part thereof sufficient to satisfy the provisions for each permitted use in this bylaw;

SITE COVERAGE means the area of a lot covered by structures, buildings, driveways, parking areas and outdoor storage;

SLEEPING UNIT means either a unit in a rest home or a room without cooking facilities used for the temporary accommodation of travellers;

STORAGE YARD means an area outside an enclosed building where construction materials and equipment, solid fuels, lumber and new building materials, monuments and stone products, public service and utility equipment or other new goods, materials, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed;

STRUCTURE means any construction fixed to, supported by, or sunk into land or water, excluding concrete and asphalt paving or similar surfacing of a lot;

UNATTENDED PUBLIC UTILITY BUILDING OR STRUCTURE means a building or structure containing unattended equipment necessary for the operation of community water, sewer or gas distribution systems, radio or television antennae, telecommunication relay stations, automatic telephone exchanges, navigational aids, electrical substations or generating stations, fire halls, or other similar facilities or utilities;

*Bylaw
1902*

VETERINARY CLINIC means a facility designed for the care and treatment of animals under the supervision of a Doctor of Veterinary Medicine; excluding facilities designed and intended for the burial or cremation of animals treated on or off site;

WOOD PRODUCT MANUFACTURING includes a sawmill, a planer mill, lumber remanufacturing, log storage yards, shakemills, particle board plants and hard board plants.

PART I - OBJECTIVES AND POLICIES

DEVELOPMENT OBJECTIVES

1. To preserve lifestyles of residents of the Plan Area while at the same time ensuring government interference in the day to day lives of residents and property owners is minimized.
2. To encourage the appropriate use of land in recognition of the desires of area residents, existing uses, resource constraints and opportunities, compatibility between uses, and the efficient provision of community services.
3. To maintain opportunities for rural living through development which respects the lifestyles of area residents and the natural environment.
4. To encourage environmentally sensitive resource development practices that minimize the impacts on nearby lands.
5. To maintain the integrity of the area's visual environment.
6. To have regard for the safe use of environmentally sensitive or hazardous lands.
7. To protect against loss of life and to minimize property damage associated with flooding events.
8. To facilitate the provision of recreation opportunities for residents and visitors.
9. To facilitate resource processing activities where these uses will have minimal impact on residential uses.
10. To accommodate commercial and industrial developments that service the local communities and drive through market.
11. To ensure that the public has an opportunity for review of proposals for resource extraction and processing on lands which are not designated as open space, quarry, or industrial. Such a review should be conducted through the rezoning or temporary industrial use permitting processes.
12. To encourage the preservation and use of the Burlington Northern right-of-way for railway use.
13. To co-operate with Senior Governments to protect fish, wildlife and other significant habitats in balance with development and human use and enjoyment of green space.
14. To encourage the preservation of good agricultural lands within the ALR and to promote agricultural activities on those lands.

POLICIES

Residential Development

15. Community Residential applies to small lot subdivisions and to those lands serviced by community water systems and/or sewage systems or in areas which may be easily serviced by community water and/or sewer in the near future. The minimum lot size shall be 1000 square metres where a lot is serviced by a community water and/or community sewer system.
16. In the community of Ymir, the consolidation of existing small lots currently owned by the Crown shall be encouraged to be consolidated with adjacent privately owned lots.
17. Country Residential applies to low density rural lands not expected to be provided with community water or sewer services in the near future or where residents wish to preserve the country lifestyles of their neighbourhoods. The minimum lot size shall be one (1) hectare.
18. Rural Residential applies to large parcels two (2) hectares or greater of predominantly private lands where:
 - (1) soil conditions, topography or water supply may not permit more intense development,
 - (2) residents wish to preserve the rural character of an area, or
 - (3) the primary land uses and activities are large lot residential or agriculture related.
19. Manufactured Home Park zoning will apply to lands which currently or are proposed to be occupied by a Manufactured Home Park.

Agricultural Development

20. Agricultural use of lands within the British Columbia Agricultural Land Reserve shall be encouraged.
21. Applications for the removal, subdivision and non-farm use of lands presently in the Agricultural Land Reserve shall be supported if such development relate to lands that do not have value for agriculture as determined by the Agricultural Land Commission and subdivision and development conforms with this bylaw.
22. The consolidation of small farm parcels under 0.8 hectares (2 acres) with other agricultural parcels to encourage more efficient use of farm lands within the Agricultural Land Reserve is supported.
23. The minimum lot size for lots in the Agricultural Land Reserve on Schedule 'B' is eight hectares (20 acres) provided the property has been approved by the Provincial Agricultural Land Commission for subdivision.
24. The minimum lot size for land zoned Agricultural which are not in the Agricultural Land Reserve shall be two hectares (5 acres).

25. The clustering of development in either single detached or multi-residential dwellings on marginal agricultural lands within the Agricultural Land Reserve subject to lot consolidation and the maintenance of buffers will be considered and promoted by the Regional Board subject to the *Agricultural Land Commission Act*, Regulations and Orders. Such development will encourage the maintenance of agricultural land and green space while encouraging lower cost services to the residential units.
26. All lands in the Agricultural Land Reserve are subject to the *Agricultural Land Commission Act*, Regulations and Orders.

Commercial Development

27. Commercial development in the rural planning area will primarily be oriented toward community, tourist and pass-through traveller markets.
28. Future development applications for larger commercial activities will be considered by the Regional Board after consultation with the Public.
29. Existing commercial land uses as identified on Sheets 1 to 12 of Schedule 'B' are designated as Commercial.
30. Small scale home based business operations will be permitted and encouraged in conjunction with the principal residential use of properties. These operations will be subject to regulations that will ensure they remain compatible with adjacent residential uses.
31. Rezoning for Tourist Commercial developments may be considered by the Regional Board throughout the Plan Area.

Industrial Development

32. The Industrial designation applies to lands designated on Maps 1 to 12 of Schedule 'B'.
33. Existing aggregate processing uses in the area are recognized. However, further industrial or quarry operations are discouraged by the Regional District unless mitigative measures are taken to ensure such development will have little negative impact on the neighbouring property owners.
34. Future applications for Industrial uses in the rural planning area will be considered on a site specific basis.
35. Existing Industrial uses on lands which have significant negative impact on adjacent residential lands shall be discouraged unless significant mitigative measures are followed.

Open Space

36. Open Space applies to very large parcels of Crown land where:
 - (1) soil conditions, topography or water supply may not permit more intense development; or

- (2) the primary land uses and activities are forestry, mining, range land, farm or outdoor recreation;

Environmental

37. Environmental Reserve applies to Crown land where:

- (1) there is a need to provide and protect leave areas or buffers adjacent to the Salmo River in order that development will have minimal impact on all habitats within the buffer;
- (2) soil conditions, topography or water supply may not permit more intense development;
- (3) the primary human land uses and activities are for passive recreation; or
- (4) the land is environmentally sensitive to development.

38. The Regional District encourages voluntary stewardship of private lands throughout the Plan Area.

Recreation

39. Public and commercial recreation development compatible with adjacent land uses shall be considered by the Regional Board upon application for rezoning.
40. Existing recreational properties shall be encouraged for continued recreational development and are designated as Park and Recreation.
41. Further recreational development within the plan area is encouraged.

Land Use Change and Development

42. Applications for changes in zoning shall be evaluated on the basis of a variety of criteria, including, but not limited to:
 - (1) the wishes of residents about changes in the character of their communities;
 - (2) the long term capability of the land to sustain the proposed development with respect to water supply and sewage disposal;
 - (3) existing land uses and densities in the area;
 - (4) economic considerations;
 - (5) access;
 - (6) topography;
 - (7) potential impacts on adjacent properties (e.g., noise, odours, traffic generation); and
 - (8) impact on fish and wildlife resources.
43. Rezoning applications for the processing of aggregate resources shall be considered on the basis of a variety of criteria including, but not necessarily limited to:

- (1) mitigative measures to ensure domestic water quality is maintained,
- (2) the extent of visual screening,
- (3) the type of manufacturing proposed,
- (4) the prevailing wind direction,
- (5) the potential for noise and dust,
- (6) compatibility of adjacent land uses,
- (7) accessibility,
- (8) the characteristics of the aggregate deposits, and
- (9) availability to residents.

Temporary Industrial/Commercial Permit Areas

44. The Regional District may consider issuing temporary permits to allow Commercial/Industrial services not normally available to an area if no suitable site exists which permits such operation. An example would be to allow a small asphalt plant to operate for the purpose of paving driveways in a predominantly residential area where no site zoned appropriately exists within a suitable distance. Only areas zoned as Commercial, Industrial, and Quarry are designated as either temporary industrial or temporary commercial permit areas pursuant to Section 921 of the *Municipal Act*.
45. Temporary permits for the following industrial uses may be considered by the Regional Board provided that no permanent structures are constructed:
 - (1) Portable wood products manufacturing operations on sites where these operations are not already permitted under this bylaw,
 - (2) Sand and gravel processing operations including concrete production, and asphalt processing operations on sites where these operations are not already permitted under this bylaw.
46. If a temporary industrial or commercial use is of a nature that is expected to continue permanently, a rezoning application will be required in order to consider a permanent land use designation change.
47. Temporary industrial or commercial use permits shall be considered where such permits are deemed appropriate having regard for surrounding land uses.
48. Security deposits in an amount suitable for the reclamation of land to a suitable state shall be required pursuant to Section 925 of the *Municipal Act*.

Hazard Lands

49. The watershed upstream of the alluvial fans of Hall Creek, Barrett Creek, Ymir Creek, Hidden Creek, Porcupine Creek and Rumbling Creek, are sensitive to future change caused by extreme meteorological events, logging or wild fire. The extent and severity of the flood hazard on the alluvial fans of these creeks could be modified by such changes upstream. The watersheds of these creeks are therefore identified as Sensitive / Hazardous (S/H) on Map 1 of Schedule 'B'.
50. The alluvial fans of Hall Creek, Barrett Creek, Ymir Creek, Hidden Creek, Porcupine Creek, Rumbling Creek are subject to significant flood hazards and are subject to any applicable floodplain management bylaw currently in effect.
51. The Regional Board encourages the Ministry of Forests to impose the strictest regulation of logging of Crown lands in all community and domestic watersheds.

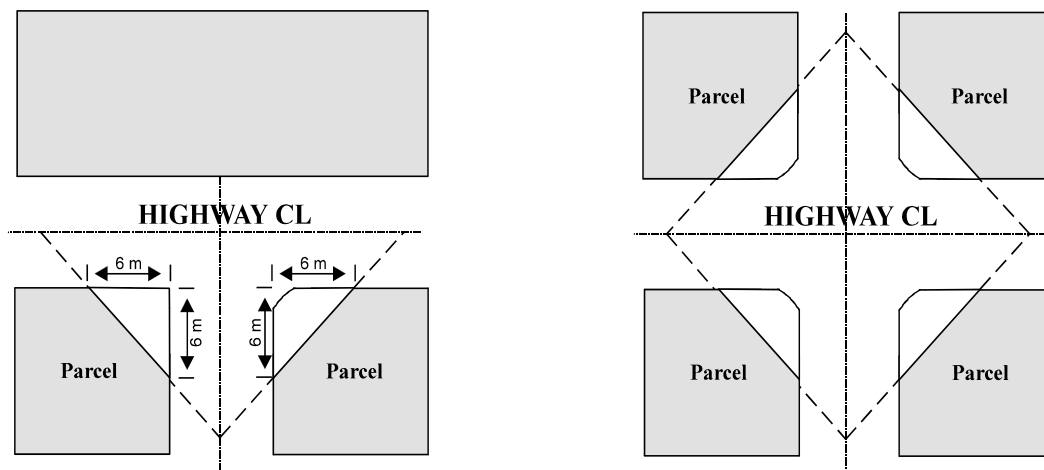
PART II - GENERAL REGULATIONS

Non-Conforming Uses and Siting Grandfathering

52. Non-conforming uses and siting shall comply with all applicable requirements of Section 911 of the *Municipal Act*.

Clear Vision Area

53. No person who owns or occupies land at the intersection of two (2) or more highways may place or grow any tree, shrub, plant, fence or other structure within the sight triangle above an elevation such that an eye one (1) metre (3.28 ft) above the surface elevation on one highway cannot see an object one (1) metre (3.28 ft) above the surface elevation of the other highway.



SIGHT TRIANGLE (not to scale)

Site Areas

54. There shall be no minimum site area for parks, playgrounds and unattended public utility buildings and structures.

55. The minimum parcel size for a parcel subdivided under section 946 of the *Municipal Act* shall be the minimum site area of the zone in which the parcel is located.
56. Despite any other provision of this bylaw, any lot located on any land rated as an "E" or "P" on a Non Standard Flood and Erosion Area of the Regional District of Central Kootenay Floodplain Management Bylaw No. 1650, 2004, and amendments thereto, cannot be further subdivided unless flood protective works are constructed to an appropriate standard as determined by the authority having jurisdiction and maintained by an ongoing authority.
57. Lots that are shown on a plan duly filed in the Land Title Office, which have less than the minimum site area required in this Bylaw may be used for any permitted use in the zone where the lot is located provided that the method by which sewage is to be disposed of complies with any restrictions set out under any regulation under the *Health Act* and provided that all other requirements applicable to the zone can be met.
58. Notwithstanding any other provision of this bylaw, no subdivision shall be permitted where the proposed lots cannot each accommodate two (2) full septic systems as determined by the Ministry of Health where no community sewer system is in place.

Reduction of Minimum Site Areas

59. Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum site area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.
60. Where it is not possible to create a lot that has the minimum site area required for a zone, the minimum site area requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:
 - (1) a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
 - (2) a lot existing at the time of the adoption of this bylaw that is divided by a highway or Forest Service road where the boundaries of the highway or road will be the boundaries of the proposed lots;
 - (3) a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw; or
 - (4) a lot divided by a zone boundary where the subdivision is along the zone boundary.
61. The minimum site area for a lot created under section 60 shall be 0.2 hectares (.5 acre) where serviced by a community water system and 0.4 hectares (1 acre) where not serviced by a community water system.
62. Notwithstanding section 61, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so

as to allow property owners to legitimize the structure as long as no lot is reduced in site area.

Subdivision Servicing Requirements

63. Unless section 64 applies, all subdivisions shall comply with the provisions of the *Local Services Act* and the Subdivision Regulations thereto.
64. All subdivisions shall be in full compliance with any subdivision bylaw in effect from time to time for the Bylaw area.
65. All subdivisions shall comply with the *Health Act* and the *Waste Management Act*.

Setbacks

66. Unless otherwise stated, no principal or accessory building or structure except a fence may be located within 7.5 metres (25 ft) of a front or exterior side lot line or within three (3) metres (10 ft) of any other lot line.

Setback Exceptions

67. Where the top surface of an underground structure projects no more than 0.6 metre (2 ft) above the average finished ground elevation, that structure may be sited in any portion of a lot.
68. Free-standing lighting poles, warning devices, antennae, masts, solar collectors, utility poles, wires, flag poles, may be sited on any portion of a lot.
69. Where chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or ornamental features project beyond the face of the building, the minimum distance to an abutting lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metre (2 ft) providing such reduction shall apply only to the projecting feature.
70. Where steps, eaves, sunlight control projections, canopies, balconies, or porches project beyond the face of a building, the minimum distance to an abutting front line as permitted elsewhere in this bylaw may be reduced by not more than 1.2 metres (4 ft) and the minimum distance to an abutting site lot line or rear lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metre (2 ft) provided such reduction shall apply only to the projecting feature.

Home Occupations

71. A Home Occupation, where permitted, is subject to the requirements that:
 - (1) The activity shall be conducted in a dwelling unit or accessory building;
 - (2) Use Area:
 - (a) The total floor area devoted to any or all home occupations shall not exceed 100 square metres (1075 ft²) in the R1, R2, R4 and AG zones; and

- (b) The total floor area devoted to any or all home occupations shall not exceed 200 square metres (2153 ft²) in the R3 zone;
- (3) Employees:
 - (a) No more than two (2) persons who are not a resident of the dwelling may be employed in the home occupation in the R1, R2, R4 and AG zones; and
 - (b) No more than four (4) persons who are not a resident of the dwelling may be employed in the home occupation in the R3 zone.
- (4) No change is made in the external appearance of the building which would indicate that a home occupation is being conducted therein, except for one (1) unilluminated sign not exceeding one (1) square metre (10 ft²) in size;
- (5) External storage of materials, equipment or finished products shall be screened from view from adjacent properties and road right-of-ways;
- (6) There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference, or emissions other than that normally associated with a dwelling;
- (7) No dwelling unit or accessory building used for home occupations involving automotive mechanical or body repairs, electronic repairs, wood working, or iron working may be located within 15 metres (50 ft) of a lot line.
- (8) The maximum number of vehicles permitted for repair on any lot at any one time shall be limited to:
 - (a) two (2) for lots zoned R1 and R4; and
 - (b) six (6) for lots zoned R2, R3, and AG.
- (9) Home Occupations which include the caring of more than eight (8) individuals at any one time shall not be permitted.

Bed and Breakfast Accommodation

- 72.** Bed and Breakfast accommodation, where permitted, is subject to the requirements that:
- (1) The activity shall be confined to the principal dwelling or one accessory building;
 - (2) Employees:
 - (a) No more than two (2) persons who are not a resident of the premises may be employed in the business in the R1, R2, and AG zones;
 - (b) No more than four (4) persons who are not a resident of the premises may be employed in the business in the R3 zone.
 - (3) Number of Rooms:
 - (a) No more than three (3) sleeping rooms may be used for the bed and breakfast accommodation in the R1 or AG zones;
 - (b) No more than six (6) sleeping rooms may be used for the bed and breakfast accommodation in the R2 or R3 zones;

- (4) No change is made in the external appearance of the building which indicates a bed and breakfast operation is being conducted on the premises, except for one (1) unilluminated sign not larger than one (1) square metre (11 ft²) in area.

Uses Permitted in All Zones

73. The following uses shall be permitted in any zone, except in the ALR, where approval of the ALC is required:
- (1) Parks and Playgrounds;
 - (2) Fire Halls; and
 - (3) Unattended Public Utility Buildings and Structures.

Parking Space Requirements

74. Off-street parking spaces for each building and use shall be provided in accordance with the following table:

<u>Use</u>	<u>Parking Space Requirement</u>
Bed and Breakfast	1 per room or unit
Commercial	4.4 per 100 m ² (1076 ft ²) G.L.A.
hotel	0.8 per unit
motel (with restaurant)	0.7 per unit
motel (without restaurant)	0.54 per unit
restaurant	
- dining room	12.7 per 100m ² (1076 ft ²) G.F.A.
- takeout	13.3 per 100m ² (1076 ft ²) G.F.A.

75. Off-street parking spaces shall be a minimum are of 17 square metres (183 ft²) and shall have convenient vehicular access to a public thoroughfare at all times.
76. Each parking space shall have a length of not less than 5.8 metres (19 ft) and a width of not less than 2.6 metres (8.5 ft) and a height of not less than 2.2 metres (7.3 ft).
77. Off-street parking for residential uses and motels shall be on site.
78. Off-street parking for uses other than those in section 74 shall be on site or within 100 metres (328 ft) of the site.
79. Required parking and associated manoeuvring aisles in all Commercial and Industrial zones shall be finished with asphalt pavement or concrete pavement.

Off-Street Loading Facilities

- 80.** Off-street loading facilities for commercial and industrial uses involving the receipt and delivery of goods or materials by vehicles shall be one (1) space for the first 1,200 m² (13000 ft²) of gross floor area or fraction thereof, plus an additional space for each additional 2,000 m² (21500 ft²) of gross floor area or fraction thereof.
- 81.** Off-street loading facilities shall:
- (1) be provided on the same site as the use it serves;
 - (2) be set back a minimum of six (6) metres (20 ft) from the designated fronting street;
 - (3) have a minimum of 30 m² (330 ft²) in area, at least three (3) metres (10 ft) in width and four (4) metres (13 ft) in height for each space;
 - (4) not project into any street, lane or public thoroughfare;
 - (5) have unobstructed vehicular access to a public street or lane;
 - (6) have a durable dust free surface.

Keeping of Farm Animals

- 82.** For the purposes of this bylaw, Animal Units (A.U.) means equivalencies as indicated in the following table:

Sheep	A.U.	Swine	A.U.
ewe	.14	sow	.33
yearling ewe	.10	boar-young (18-90 kg)	.20
lamb ewe	.07	boar-mature	.33
ram	.14	gilt	.33
yearling ram	.10	bred gilt	.33
lamb ram	.07	weaner (less than 18 kg)	.10
nursing lamb	.05	feeder (18-91 kg)	.20
feeder lamb	.10	suckling pig	.01
breeding lamb	.10		

Cattle	A.U.	Poultry	A.U.
cow & calf	1.00	chickens	.015
2 yr. old	1.00	turkeys, raised	.0125
yearling	.67	turkeys, breeding stock	.02
calf	.25	geese	.02
bull	1.00	ducks	.015

Horses	A.U.	Other	A.U.
horse	1.00	goats	.14
colts, 1-2 yrs	.50	rabbit	.025
colts under 1 yr	.50	mink	.025
pony	.50		

- 83.** Where the keeping of farm animals are permitted, the following regulations shall be complied with:
- (1)** On lots of less than or equal to 0.4 hectare (1 acre), the total number of farm animals shall not exceed 0.5 animal units. *For example, where a lot is smaller than 0.4 hectare (1 acre) in area, a maximum of 33 chickens could be kept (0.5 A.U. divided by 0.015 A.U. per chicken = 33.33 chickens).*
 - (2)** On lots of greater than 0.4 hectare (1 acre), the total number of farm animals shall not exceed two animal units per hectare. *For example, where a two hectare lot exists a property owner could house 6 yearling cattle (2 hectares times 2 A.U. per hectare divided by .67 = 5.97 yearlings).*
 - (3)** No buildings, structures or enclosures used for housing more than 0.5 animal units; no drinking or feeding troughs; and no manure piles may be located within 15 metres (50 ft) of a lot line in the R1, R2 and R3 zones.
 - (4)** Subsection (3) does not apply to fences adjacent to lot lines which are used for enclosures for the grazing of animals.

Hazard Land Development

- 84.** Notwithstanding any other provisions of this bylaw, development on flood hazard lands should be floodproofed in accordance with those provisions specified in the Regional District of Central Kootenay Floodplain Management Bylaw No. 1000, 1993 and amendments thereto.

Mining Activities

- 85.** Any mineral or mining management activity relating to the exploration development or production of minerals, sand, gravel, coal or quarries that is classified as a "mineral" under the *Mineral Tenure Act* or a "mine" under the *Mines Act* shall not be restricted by any terms or conditions of this bylaw so long as the Ministry of Energy and Mines (Mines Branch Division) manages the activities and land for that purpose.

Zone Designations

- 86.** For the purpose of this bylaw, the land subject to regulation in this bylaw is divided into the following zones:

<u>ZONE</u>	<u>SHORT FORM</u>
Community Residential	R1
Country Residential	R2
Rural Residential	R3
Manufactured Home Park	R4
Agriculture	AG
Commercial	C1
Light Industrial	M1

Heavy Industrial	M2
Industrial Railway	M3
Medium Industrial	M4
Park and Recreation	PR1
Special Recreation	PR2
Open Space	OS
Quarry	Q
Forest Land Reserve	FR
Environmental Reserve	ER
Institutional	I1
Special Institutional	I2

Shipping Containers

- 86.A** Shipping containers shall be permitted for use as accessory buildings subject to the requirements that:
- (1)** The maximum number of shipping containers for storage or other accessory use permitted on a lot at any one time shall be limited to:
 - None for lots zoned R1, or R4
 - 1 for lots zoned R2
 - 2 for lots zoned R3, C1, M1, M4, I1 or I2
 - unlimited in zones not listed.
 - (2)** Any shipping container placed on a lot as an accessory building must comply with site coverage, siting, size and setback requirements for that zone.
 - (3)** Any shipping container used as an accessory building must be screened from view from the roadway(s) and adjacent residential properties using a landscape screen of a height no less than 2.5 meters.

Zone Boundaries

- 87.** The extent of each zone is shown on Zoning Maps 1 to 12 of Schedule 'B', which is incorporated in and forms part of this bylaw.
- 88.** Where the zone boundary is designated as following a road allowance, creek or other body of water, the centre line of the road allowance, creek or body of water shall be the zone boundary.
- 89.** Where a zone boundary does not follow a legally defined line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning sheets referred to in section 87
- 90.** All Crown owned land within a distance of thirty (30) metres of the Salmo River shall be deemed to be zoned Environmental Reserve (ER).
- 91.** Any area which may not be specifically shown on Zoning Maps 1 to 12 shall be deemed to be zoned Open Space (OS).

COMMUNITY RESIDENTIAL (R1)

Permitted Uses

92. Land, buildings and structures in the Community Residential (R1) zone shall be used for the following purposes only:

Dwellings:

- Single Detached
- Duplex;

Accessory Uses:

- Accessory structures normally incidental to a permitted use;
- Bed and Breakfast Accommodation;
- Hobby Agriculture;
- Home Occupation;
- Keeping of Farm Animals;
- Sale of Site Grown Agricultural Produce.

Development Regulations

93. The minimum site area for each permitted use shall be provided as follows:

(1) LEVEL OF SERVICES PROVIDED

	Community Water Supply and Community Sewer System	Community Water Supply Only	On Site Servicing Only
Single Detached Unit	0.1 hectare (.25 acres)	0.2 hectare (.5 acres)	0.5 hectare (1.25 acres)
Duplex Dwelling Unit	0.1 hectare (.25 acres)	0.2 hectare (.5 acres)	0.5 hectare (1.25 acres)

94. The maximum Site Coverage permitted shall be 50 percent of the lot area.

95. The minimum setback for any principal or accessory structure shall be 4.5 metres from the front and exterior side lot line and 1.5 metres from any interior side lot line or rear lot line.

96. Buildings and structures shall not cover more than 33 percent of the site area.

97. Not more than one single detached dwelling or one duplex may be permitted on any lot smaller than one hectare (2.5 acres). On lots larger than one hectare, one single detached dwelling or duplex shall be permitted for every one hectare of land area.

98. The keeping of farm animals shall comply with the requirements of sections 82 and 83.

99. Farm animals shall be caged, fenced or housed at all times.

- 100.** Buildings and structures in the case of a lot which may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 101.** No accessory buildings and structures shall exceed six metres (20 ft) in height, except towers; retaining walls; radio and television antennae; and chimneys; flag poles; lighting polls and scenery lofts.
- 102.** The maximum G.F.A. of an accessory building or structure shall not exceed 100 square metres and the total G.F.A. devoted to all accessory buildings and structures shall not exceed the cumulative gross floor area of all permitted dwellings.

COUNTRY RESIDENTIAL (R2)

Permitted Uses

103. Land, buildings and structures in the Country Residential (R2) zone shall be used for the following purposes only:

Dwellings:

- Single Detached
- Duplex;

Kennels (maximum ten dogs over 1 year of age);

Nurseries, Greenhouses and Florists;

Accessory Uses:

- Accessory structures normally incidental to a permitted use;
- Bed and Breakfast Accommodation;
- Hobby Agriculture;
- Home Occupation;
- Keeping of Farm Animals;
- Sale of Site Grown Agricultural Produce;
- Portable Sawmills for processing of material harvested on site only.

Development Regulations

104. The minimum site area for each permitted use shall be one (1) hectare (2.5 acres).

105. Kennels shall not be permitted on lots less than eight hectares (20 acres).

106. Animals which are kept in a kennel operation shall be fully contained within an enclosure a minimum of 30 metres (100 ft) from any property line.

107. The maximum Site Coverage permitted shall be 50 percent of the lot area.

108. Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of section 104

109. Buildings and structures in the case of a lot which may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.

RURAL RESIDENTIAL (R3)

Permitted Uses

110. Land, buildings and structures in the Rural Residential (R3) zone shall be used for the following purposes only:

Dwellings:

- Single Detached,
- Duplex;

Kennels (maximum ten dogs over 1 year of age);

Nurseries, Greenhouses and Florists;

Portable Sawmills;

Veterinary Clinics;

Accessory Uses:

- Accessory structures normally incidental to a permitted use;
- Bed and Breakfast Accommodation;
- Hobby Agriculture;
- Home Occupation;
- Keeping of Farm Animals;
- Sale of Site Grown Agricultural Produce.

Bylaw 1902

Development Regulations

111. The minimum site area for each permitted use shall be two (2) hectares (5 acres).

112. The maximum site coverage permitted shall be 50 percent of the lot area.

113. Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of section 111

114. Animals which are kept in a kennel operation shall be fully contained within an enclosure a minimum of 30 metres (100 ft) from any property line.

115. Buildings and structures in the case of a lot which may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.

MANUFACTURED HOME PARK (R4)

Permitted Uses

116. Land, buildings and structures in the Manufactured Home Park (R4) zone shall be used for the following purposes only:

- Manufactured Home Park
- Accessory Uses
- Home Based Businesses.

Manufactured Home Parks

117. Manufactured Home Parks shall comply with all regulations in any applicable Manufactured Home Park bylaw adopted by the Regional Board.

AGRICULTURE (AG)

Permitted Uses

118. Land, buildings and structures in the Agriculture (AG) zone shall be used for the following purposes only;

Dwellings:

- Single Detached;
- Farm Business;
- Farm Operation;
- Fish Farms;
- Horse Riding Arena and Boarding Stable;
- Kennel (maximum ten dogs over 1 year of age);
- Nursery, Greenhouses and Florist;
- Parks and Recreation Reserve;
- Silviculture and Forest Protection Practices;
- Veterinary Clinic;

Accessory Uses:

- Bed and Breakfast Accommodation;
- Home Based Businesses;
- Sale of Site Grown Agricultural Produce;
- Secondary residences as approved by the ALC;
- Portable Sawmills for processing of material harvested on site only.

119. The minimum lot area shall be eight (8) hectares (20 acres).

120. Notwithstanding section 119, the minimum lot area on land which is not within the Agricultural Land Reserve shall be two (2) hectares (5 acres).

Buildings Per Lot

121. No more than one single detached dwelling may be located on a lot.

122. Notwithstanding section 121, where a lot is classified as a farm under the *Assessment Act*, additional dwellings which are necessary to accommodate people employed on the farm, may be located on the lot.

123. Notwithstanding section 121, in addition to a single family dwelling, one single wide manufactured home to be inhabited by a relative of the occupants of the principal dwelling or farm help defined as a person paid to work on the farm may be permitted where:

- (1) the manufactured home is not sited on a permanent foundation with a basement excavation,
- (2) the manufactured home is removed from the property within 90 days when no longer required by the relative, and
- (3) the manufactured home is no wider than 4.27 metres (14 ft).

124. Additions, including porches, to a manufactured home permitted under section 123 shall not exceed 24 square metres (260 ft²) in floor area.

Special Setbacks

- 125.** No buildings, structures or enclosures used for housing more than 0.5 animal units; no drinking or feeding troughs and no manure piles may be located within 25 metres (82 ft) of an existing house on an adjacent parcel.
- 126.** Section 125 does not apply to fences adjacent to lot lines which are used for enclosures for the grazing of farm animals.
- 127.** The minimum setback for a kennel shall be 30 metres (100 ft) from any lot line.
- 128.** The minimum setback for a feed lot operation shall be 30 metres (100 ft) from a creek, river or lake.

Other

- 129.** Notwithstanding any other provision of this bylaw, development of lands within the Agricultural Land Reserve shall comply with all applicable regulations of the *Agricultural Land Commission Act*, Regulations and Orders.
- 130.** Buildings and structures in the case of a lot which may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.

COMMERCIAL (C1)

Permitted Uses

- 131.** Land, buildings and structures in the Commercial (C1) zone shall be used for the following purposes only:
- Business, Professional and Government Offices;
 - Campground;
 - Commercial Green House;
 - Day Care Facility;
 - Farmer's Market;
 - Group Care Facility;
 - Golf Course;
 - Horse Riding Arena and Boarding Stable;
 - Hotels;
 - Lodges and Seasonal Resorts;
 - Accessory Uses to Lodges:
 - laundromats,
 - curioshops,
 - convenience stores;
 - Motels;
 - Motor Vehicle Sales and Rentals;
 - Manufactured Home and Trailer Sales;
 - Mixed Use Developments;
 - Neighbourhood Pubs;
 - Personal Service Establishments;
 - Recreational Vehicle Parks;
 - Restaurants;
 - Retail Stores;
 - Service Stations;
 - Accessory Uses:
 - advertising signs;
 - two dwelling units.

Development Regulations

132. The minimum site area for each permitted use shall be provided as follows:

(1) LEVEL OF SERVICES PROVIDED

	Community Water Supply and Community Sewer System	Community Water Supply Only	On Site Servicing Only
Motel, Hotel - first sleeping or housekeeping unit	0.2 hectare (.5 acre)	0.4 hectare (1 acre)	0.4 hectare (1 acre)
- each additional sleeping unit	200 m ² (2153 ft ²)	300 m ² (3230 ft ²)	600 m ² (6460 ft ²)
- each additional housekeeping unit	200 m ² (2153 ft ²)	400 m ² (4306 ft ²)	0.1 hectare (.25 acre)
Other Permitted Uses (1 acre)	0.4 hectare (1 acre)	0.4 hectare (2.5 acres)	1 hectare

133. Notwithstanding section 149, the minimum lot size for a golf course shall be four (4) hectares (10 acres).

134. The maximum site coverage permitted shall be 50 percent of the lot area.

LIGHT INDUSTRIAL (M1)

Permitted Uses

135. Land, buildings and structures in the Light Industrial (M1) zone shall be used for the following purposes only:

Building Supply Stores and Yards;

Car Washes;

Commercial Workshops:

- machine shops,
- welding shops,
- government garages and workshops;

Contractors' Offices, Shops and Yards;

Construction, Sales, Repair and Storage of:

- boats,
- trailers, and
- prefabricated buildings;

Food Processing;

Light Manufacturing Including:

- wood products,
- fibreglass products,
- canvas products,
- finished concrete products,
- ceramic products;

Machine Shops and Parts Manufacturing;

Manufactured Home and Trailer Sales;

Motor Vehicle Sales and Rentals;

Plumbing, Heating and Glass Sales and Service;

Repair Shops (enclosed);

Sales, Rental and Servicing of:

- motor vehicles
- equipment;

Service Stations;

Sheet Metal Shops;

Warehousing:

- mini warehouses,
- cold storage plants,
- feed and seed storage and distribution;

Accessory Uses:

- one dwelling unit;
- business office.

Development Regulations

136. The minimum site area for each permitted use shall be one (1) hectare (2.5 acres)

137. The maximum site coverage permitted shall be 50 percent of the lot area.

- 138.** Excepting a fence, no building or structure in conjunction with a permitted use may be located within:
- (1)** 15 metres (50 ft) of the front or exterior side lot lines,
 - (2)** 4.5 metres (15 ft) of the rear or interior side lot lines, or
 - (3)** 25 metres (82 ft) of a rear or interior side lot line that abuts residential zone.

HEAVY INDUSTRIAL (M2)

Permitted Uses

- 139.** Land, buildings and structures in the Heavy Industrial (M2) zone shall be used for the following purposes only:
All uses permitted in the M1 and M3 zones;
Asphalt Plant;
Autowrecking, Junkyards, Salvage and Scrap Metal Yards
Concrete and Cement Manufacturing and Storage;
Landfills;
Trucking depot / warehouse;
Waste Transfer Stations;
Wood Product Manufacturing;
Accessory Uses:
- one dwelling unit;
- business office.

Development Regulations

- 140.** The minimum site area for each permitted use shall be two (2) hectares (5 acres).
- 141.** The maximum site coverage permitted shall be 50 percent of the lot area.
- 142.** Excepting a fence, no building or structure in conjunction with a permitted use may be located within:
- (1)** 15 metres (50 ft) of the front or exterior side lot lines,
 - (2)** 4.5 metres (15 ft) of the rear or interior side lot lines, or
 - (3)** 25 metres (82 ft) of a rear or interior side lot line that abuts residential zone.
- 143.** Auto wrecking, Junkyards, Salvage and Scrap Metal yards shall be screened from view from adjacent residential properties by a landscape screen or solid fence which is a minimum of 2.5 (8 ft) metres in height.

INDUSTRIAL RAILWAY (M3)

Permitted Uses

- 144.** Land, buildings and structures in the Industrial Railway (M3) zone shall be used for the following purposes only:
All operations necessary for the operation of a railway;
Accessory Uses:
- one dwelling unit;
 - warehousing.
- 145.** The minimum site area for each permitted use shall be two (2) hectares (5 acres).

MEDIUM INDUSTRIAL (M4)

Permitted Uses

- 146.** Land, buildings and structures in the Medium Industrial (M4) zone shall be used for the following purposes only:
- Sawmills;
 - Shakemills;
 - Wood product manufacturing;
 - Accessory Uses:
 - one dwelling unit;
 - business office.

Development Regulations

- 147.** The minimum site area for each permitted use shall be two (2) hectare (5 acres).
- 148.** The maximum site coverage permitted shall be 70 percent of the lot area.
- 149.** Excepting a fence, no building or structure or portable sawmill shall be located within:
- 15 metres (50 ft.) of the front or exterior side lot line;
 - 4.5 metres (15 ft.) of the rear or interior side lot lines.
- 150.** Notwithstanding Section 149, no building or structure excepting a dwelling may be located closer than 25 metres (80 ft.) from a rear or interior side lot line that abuts a residential zone.

PARK AND RECREATION (PR1)

Permitted Uses

- 151.** Land, buildings and structures in the Park and Recreation (PR) zone shall be used for the following purposes only:
- Community Recreation Centres;
 - Golf Courses;
 - Natural and Historic Interpretation Facilities;
 - Outdoor Recreational Activities;
 - Recreation Facilities;
 - Ski Resorts
- Accessory Uses:
- one dwelling unit;
 - concession booth;
 - restaurant;
 - pub.
- 152.** The minimum site area for each permitted use shall be one (1) hectare (2.5 acres).

SPECIAL RECREATION (PR2)

Permitted Uses

- 153.** Land, buildings and structures in the Special Recreation (PR2) zone shall be used for the following purposes only:
- Outdoor Recreational Activities;
 - Shooting Range;
 - Accessory Uses:
 - one dwelling unit
 - concession booth.
- 154.** The minimum site area for each permitted use shall be two (2) hectares (5 acres).

OPEN SPACE (OS)

Permitted Uses

- 155.** Land, buildings and structures in the Open Space (OS) zone shall be used for the following purposes only:
- Agriculture;
 - Outdoor Recreational Activities;
 - Recreational Reserves;
 - Resource Based Activities:
 - resource processing;
 - forest harvesting;
 - mineral exploration and mining.
- 156.** The minimum site area shall be 15 hectares (37 acres).

QUARRY (Q)

Permitted Uses

- 157.** Land, buildings and structures in the Quarry (Q) zone shall be used for the following purposes only:
- Asphalt Plant;
 - Concrete Batch Plant;
 - Gravel Pits;
 - Processing of Aggregate:
 - preliminary grading,
 - crushing,
 - screening,
 - washing;
 - Quarries;
 - Accessory Uses:
 - one dwelling unit,
 - business office.
- 158.** The minimum site area shall be five (5) hectares (12.4 acres).
- 159.** The minimum setback for any aggregate processing operation including asphalt plant or concrete batch plant shall be 100 metres (328 ft) from any lot line.

FOREST LAND RESERVE (FR)

Permitted Uses

160. Land, buildings and structures in the Forest Reserve (FR) Zone shall be used for the following purposes only:

Timber production;

Forage production and grazing by livestock and wildlife;

Forest or wilderness oriented recreation, scenery and wilderness purposes;

Water fisheries and wildlife, biological diversity and cultural heritage resources purposes;

A use or occupation authorized under the *Coal Act*, *Geothermal Resources Act*, *Mineral Tenure Act*, *Mines Act*, or *Petroleum and Natural Gas Act*;

Accessory Use

- one single detached dwelling.

161. The minimum site area for each permitted use shall be ten (10) hectares (25 acres).

ENVIRONMENTAL RESERVE (ER)

Permitted Uses

- 162.** Land, buildings and structures in the Environmental Reserve (ER) Zone shall be used for the following purposes only:
- Agriculture;
 - Bird Sanctuary;
 - Environmental Reserve;
 - Recreational Reserve;
 - Accessory Uses:
 - interpretative facilities.
- 163.** The minimum site area shall be one (1) hectare (2.5 acres).

INSTITUTIONAL (I1)

Permitted Uses

- 164.** Land, buildings and structures in the Institutional (I1) zone shall be used for the following purposes only:
- Cemeteries;
 - Churches;
 - Colleges - including student residences;
 - Convention Facilities;
 - Day-care Centres;
 - Group Care Facilities;
 - Hospitals;
 - Public Utility Offices;
 - Schools;
 - Accessory Uses:
 - one dwelling unit.

Development Regulations

- 165.** The minimum site area for each permitted use shall be one hectare (2.5 acres).
- 166.** The maximum site coverage permitted shall be 50 percent of the lot area.

SPECIAL INSTITUTIONAL (I2)

Permitted Uses

- 167.** Land, buildings and structures in the Special Institutional (I2) zone shall be used for the following purposes only:
- Business, Professional and Government Offices;
 - Aggregate storage;
 - Accessory Uses:
 - one dwelling unit.

Development Regulations

- 168.** The minimum site area for each permitted use shall be one hectare (2.5 acres).
- 169.** The maximum site coverage permitted shall be 50 percent of the lot area.