



**REGIONAL DISTRICT OF CENTRAL KOOTENAY
ZONING BYLAW No. 1675, 2004**

ADOPTED: NOVEMBER 20, 2004

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

**REGIONAL DISTRICT OF CENTRAL KOOTENAY
ZONING BYLAW No. 1675, 2004**

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<p>LIST OF AMENDMENTS TO REGIONAL DISTRICT OF CENTRAL KOOTENAY ZONING BYLAW No. 1675, 2004 UP TO (see date at bottom of last page of amendments) WHICH ARE INCLUDED IN THIS CONSOLIDATED VERSION OF THE BYLAW</p>
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Bylaw No. File No.	Adopted	Amendment	Purpose
<p>1698 Z0405A-1173.000 Wynndel Box</p>	<p>January 22, 2005</p>	<p>Rezoning PID 016-364-694 Pcl 2 (Expl. Plan 14020I) DL 191, KD; and PID 005-212-260 Pcl A (RP 43715I) of Pcl 4 (27388I) DL 191 from Country Residential (R2) to Medium Industrial (M2).</p>	<p>To permit subject properties to be utilized as part of the sawmill operation.</p>
<p>1738 4600-24 Z0503B-1575-1675 78602597000 78602598000 78602617000 78605526000 78604553000 78602715000 78602718000 78602740100 78602781000 78605835100</p>	<p>August 27, 2005</p>	<p>Redesignate properties legally described as:</p> <ul style="list-style-type: none"> • Parcel 3 (see 160532I) of Parcel A (1) (Ref Plan 1652I) Lot A District Lot 812 KD Plan 1014 PID 012-833-771, • Parcel A (Ref Plan 1652I) of Lot A District Lot 812 KD Plan 1014, except Parcel 3 (see 160532I) PID 012-330-850, • Lot A, District Lot 812, KD Plan NEP20079, PID 017-971-918, • Lot 1, District Lot 5617, KD Plan 4249, PID 014-988-437, • That part of Lot 28, District Lot 812, KD Plan 730A, LYING EAST OF HIGHWAY INCLUDED IN PL R145 EXC PL 1757, PID 016-091-531, and • Lot A, District Lot 812, KD Plan 1757, District Lot 812, PID 015-626-113 <p>from 'Suburban Residential (R1)' to 'Institutional (I)'.</p> <ul style="list-style-type: none"> • Lot 1, District Lot 4592, KD Plan 2378, Except Plan NEP20353, PID 015-276-376, and • Lot 1, District Lot 812, KD Plan 6026, PID 010-829-849 <p>from 'Country Residential (R2)' to 'Institutional (I)'.</p> <ul style="list-style-type: none"> • 1 ha portion of a property legally described as Parcel B (see 20387I) of the Northeast Quarter of Section 9, District Lot 812, KD Plan 730, PID 010-246-266 <p>from 'Agriculture 2 (AG2)' to 'Institutional (I)'</p> <ul style="list-style-type: none"> • 7.24 ha portion of a property legally described as District Lot 7786 KD, Except Parts included in Plans 17439 and 18381, PID 007-161-107 <p>from 'Commercial (C2)' to 'Industrial (M2)'</p> <p>In order to reflect the current uses of the properties.</p>	
<p>1766</p>	<p>November 26, 2005</p>	<p>Add Areas I & J into Bylaw. Add Schedule B Include New Division 2 Add Section 605 Sub 4 Add Division 9A Country Residential (R2SA – South Arrow) Add Division 13A Rural Resource (R4SA – South Arrow)</p>	<p>Include all of Areas I and J into Bylaw</p>

Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004

Bylaw No. File No.	Adopted	Amendment	Purpose
		Include in Division 5 – Guest Add Division 38A Comprehensive Development (CD1)	
1788 Z0510I-08897.340 Knaack	February 25, 2006	<ul style="list-style-type: none"> • Include zone in Division 6 • Add Division 38B Comprehensive Development (CD2) • Rezone Lot 5, District Lot 7245, Kootenay District Plan 4784, In Trust for School Purposes See DD 14122 (PID 014-833-484) from Institutional (I) to Comprehensive Development (CD2) 	To permit subject property to allow uses in zone.
1806 78606319000 Creston Landfill	May 27, 2006	Rezone a 3 ha portion of DL 16037 KD PID 014-586-941 from Agriculture 2 (AG2) to Heavy Industrial (M3)	To allow RDCK Waste Mgmt Dept. to subdivide and develop the 3 ha site to provide an alternate access from Mallory Road to the Creston Landfill and locate a weigh scale, scale house and waste transfer station on the subject site.
1833 70910065060 Vicars	November 25, 2006	Rezone Lot 2, District Lot 12370, Kootenay District Plan NEP23682 (PID 023-670-975) from Neighbourhood Commercial (C1) to General Commercial (C2)	To allow development of a mini warehouse storage operation. Development Permit required
1798 70909034000 Arrow Lakeside Resort	January 27, 2007	Add "Mixed Use Developments" to the list of "Permitted Uses" identified in Division 23, Section 2300 of the "Tourist Commercial (C3)" zone	To allow development of a condominium complex and marina
1873 5100-23	June 23, 2007	Schedule B be amended as per Schedule A of Bylaw 1873 Section 619 be amended by adding the Ootischenia Suburban Residential (R1A) zone Division 7, Suburban Residential (R1) zone be amended by adding Ootischenia Suburban Residential (R1A) zone	Ootischenia Planning Review
1818 Z0601B-04391.000 J.H. Huscroft Sawmill	August 25, 2007	Rezone Lots 1 & 2, Plan 5104 and Pcl A (see 124108I) of Lot 25, Plan 1455, all DL 3864 from Suburban Residential (R1) to Medium Industrial (M2) and rezoning Lot 1, DL 3864, Plan NEP76811 from Heavy Industrial (M3) to Medium Industrial (M2) NOTE All property is now consolidated to: Lot A, District Lot 3864, KD, Plan NEP84365	To allow for removal of the homes on the properties and consolidate the lots with the existing J.H. Huscroft Sawmill.
1916 Z0709C-02284.000	October 27, 2007	rezoning a roughly 10 ha portion of a property legally described as Lot 1, District Lot 774, KD, Plan 11059 (PID 011-724-340) from Agriculture 3 (AG3) to Light Industrial (M1)	To accommodate the existing potato processing operation as well as a proposed commercial scale water bottling business.
1892 Z0702A-01476.000 Craven	February 23, 2008	Rezone Lot 28, District Lot 279, KD, Plan 1391, Except that part lying east of Cory Road as shown on said Plan (PID 015-722-228) from Country Residential (R2) to Suburban Residential (R1)	To allow an 8 lot residential subdivision of the property.

Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004

Bylaw No. File No.	Adopted	Amendment	Purpose
1926 4600-26 (07)	February 23, 2008	addition to wording in Section 603.5	adding "or is within the ALR or created under Section 946 of the Local Government Act" to Section 603.5 – reduction of minimum lot size for a single lot for subdivision within the ALR.
1980 Z0803J-07285.100 McCarthy	July 26, 2008	rezone PID 025-798-031 & 025-798-049 – Lots 1 & 2, Plan NEP74484, District Lot 4598 from General Commercial (C2) to Ootischenia Suburban Residential (R1A)	to potentially allow the applicant to subdivide 2 lots with on-site services or up to 10 lots on community water and sewer.
1575 Z0814B-04467.000 Petersen	September 20, 2008	rezone PID 016-342-139 – The Southwest Quarter of the North Half of Sublot 4, District Lot 4592, Kootenay District Plan X30, Except Parcel A (Reference Plan 58359I) and Parcel B (Reference Plan 82789I) from Agriculture 2 (AG2) to Agriculture 1 (AG 1)	to accommodate subdivision of the property into two equal lots of 5.35 hectares (13.2 acres).
1949 Z0713I-01586.100 South East Fire	September 20, 2008	rezone PID 015-885-844 – Lot 3, District Lot 302A, Kootenay District, Plan 1318, Except part included in Plan 12613 from Country Residential (R2I) to Institutional (I) Site Specific - Division 32, Institutional Permitted Uses, 3200, "Government Offices" be added as a permitted use; and - Division 5, Interpretation – GOVERNMENT OFFICES means an office where government employees work.	to permit a Provincial administrative building, and associated uses for the Ministry of Forests Protection Branch.
1985 Z0813B-04300.100 Gerlinsky	October 25, 2008	rezone PID 005-204-569 – Lot 1, District Lot 2546, Kootenay District Plan 13762 from Neighbourhood Commercial (C1) to Suburban Residential (R1)	to allow for the placement of an additional single family dwelling on the property for a relative.
1973 4600-27-Z0802- RDCK-MTI	December 13, 2008	Amend Enforcement Regulations	To allow Municipal Ticketing on violations to the bylaw.
2046 Z0905B-04591.160 Smith	June 25, 2009	Rezoning a 2.0 ha (4.94 acre) portion of PID 013-669-630 – Lot 1, District Lot 4592, Kootenay District Plan 18348 from Heavy Industrial (M3) to Country Residential (R2) and the remaining 6 ha (14.82 acre) portion of the subject property from Heavy Industrial (M3) to Medium Industrial (M2).	To allow for future subdivision of the property into several 1 ha (2.47 acre) parcels appropriate for both residential and industrial use.
2010 4600-28-Z0821	June 25, 2009	Add definitions for: Accessory Building or Structure and Principal Dwelling; delete and replace Schedule 'A' Division 7 Suburban Residential (R1), Development Regulations 701, 8	To clarify the intent, size and number of accessory buildings or structures in the R1 zones.
1822 Z0602J-10064.005 Woods	June 25, 2009	Rezoning a 9.6 ha portion of a property legally described as District Lot 12367, Except Parts included in Plans 5198, 10912, 14116, 14228, NEP21786,	To allow for the subdivision of the property to a maximum of nine 1 ha Country Residential lots.

Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004

Bylaw No. File No.	Adopted	Amendment	Purpose
		NEP62159, R256 and NEP79251 (PID 007-740-069) from Rural Residential (R3) to Country Residential (R2)	
2057	November 26, 2009	Add Area K into Bylaw. Add Schedule B Include New Division 2 Add Division 9B Suburban Residential K (R1K) Add Division 9B Country Residential K (R2K) Add Division 12B Rural Residential K (R3K) Add Division 13B Rural Resource K (R4K) Add Division 15A Seasonal Residential (R7) Add Division 20A Agriculture 4 K (AG4K) Add Division 25A Small Scale Tourism Accommodation K (C5K) Add Division 25B Resort Commercial (C6)	Include all of Area K into Bylaw
2038 4600-29-Z0904	December 10, 2009	Amend AG1 1600, 1601 7, 1601 9 Amend AG2 1700, 1701 7, 1701 9 Amend AG2-A 1800, 1801 6, 1801 8 Amend AG3 1900, 1901 7, 1901 9 Amend AG4 2000, 2001 7, 2001 12	The amendments include language that supports small scale food processing in the RDCK, while protecting residents from the negative impacts of large scale feedlot or abattoir operations, or other large volume, industrial food processing.
2097 4600-31-Z0913	May 20, 2010	Add Section 610A Shipping Containers	The amendments include language to allow shipping containers in all zones with restrictions
2122 4600-20-Z0820K- 29105030 Nakusp Greenscapes	May 20, 2010	Rezoning a 17.20 hectare portion of PID 014-028-085 - District Lot 9152, Kootenay District, Except Plan NEP23532; a 1.10 hectare portion of PID 014-028-051 - District Lot 9149, Kootenay District; and a 8.75 hectare portion of PID 005-543-894 - District Lot 7896, Kootenay District, Except Plans 5875 and 17277 from Open Space (OS) to Rural Residential K (R3K)	To allow an 11 lot subdivision along Alexander Road
2125	May 20, 2010	Amend "Accessory" definition	to permit <u>any size</u> of accessory building or structure as noted in Division 5 – Accessory, in the Country Residential (R2), and Rural Residential (R3) designations
2110 4600-20-Z0914K-Block	June 24, 2010	Lot A, DL 100 & 2451, Plan 23675 – C3 to R7 DL 2451, except Plans 9709, NEP22912, NEP79667 – R1 to R7 Lot C, DL 397, Plan NEP65355, exc. Plan NEP71611 – R2K to R3K Lot A, DL 397, Plan NEP76869 – R2K to R3K Lot 114, DL 397, Plan 980, exc. Plan	As a result of the adoption of a new Official Community Plan for Electoral Area K and the inclusion of Area K in the RDCK Zoning Bylaw No. 1675.

Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004

Bylaw No. File No.	Adopted	Amendment	Purpose
		NEP76869 – R2K to R3K Lot 115, 116, 117, 118, 119, DL 397, Plan 980 – R2K to R3K Lots 2 & 3, DL 8513, Plan 1331, exc. Plan 10178 – R2K to R1K Lot 4, DL 8513, Plan 1331, exc. Plan 15588 – R2K to R1K Lot 3, DL 8513, Plan 1379 – R2K to R1K Lot A, DL 8513, Plan 11930 – R2K to R1K Lot B, DL 8513, Plan 11930 – R2K to R1K Sec 22 Twp 69, Pcl A (T16306) exc. Plan NEP63485 – AG2 to R2K Sec 22 Twp 69 Part NE ¼ Part SW of SRW R308 – AG2 to R2K Lot A, DL 183A, Plan NEP23556 – R2K to R1K Lot 2, DL 7604, Plan 918 – R2K to C3 Lot B, Sec 18, Twp 70 Plan NEP89323 – AG4K to R3K Lot A, Sec 18, Twp 70 Plan 89323 – AG4K to AG2	
2157 Z1005-4600_29_Text_Abattoir	July 29, 2010	Amending Schedule 'A' Agricultural Zones to allow for small scale food processing that processes more than 50% of off farm product and limited to livestock processing with specified setbacks.	Text Amendment for small scale food processing
2133 Z0908J-09926.000	January 13, 2011	Rezoning PID 013-236-971 – The east Half of the North Half of DL 11917 KD from Rural Residential (R3) to Rural Residential (R3) Site Specific including definition of ANIMAL PHYSICAL REHABILITATION FACILITY, limited to parcel no less than 8 ha, no more than 15 animals at a time, confined within building b/n 9 pm and 6 am	To accommodate an animal rehabilitation facility.
2176 Z1003K-02839.000	January 11, 2011	rezoning a 22 ha (55 acre) portion of the property legally described as PID 005-517-966, District Lot 8186, Kootenay District, Except Parcel A (Explanatory Plan 85896l) from Institutional (I) to Resort Commercial (C6)	To recognize existing tourist commercial use following an error in zoning during the Area K OCP review.
2206 4420-20-Z1101A_2205_1178	May 19, 2011	Re-designation of PID 010-977-732 DL 15727 Kootenay District Except Part Plan 12945 from Country Residential (R2) to Tourist Commercial (C3)	To reflect current tourist commercial operation
2181 4420-20-Z1006B-04570.000	June 23, 2011	Re-designation of PID 012-564-842 Lot 2 DL 4592 KD Plan 8148 from Tourist Commercial (C3) to Rural Residential B (R3B)	To accommodate proposed 5 lot residential subdivision
2199 4420-20-Z1007J-10063.020	June 23, 2011	Re-designation of PID 009-994-360 Lot 2 DL 12366 KD Plan 14472 from Rural Residential (R3) to Country Residential (R2)	To accommodate proposed 2 lot subdivision.
2211 4420-20-Z1102A-	June 23, 2011	Application of zoning within the portion of Electoral Area 'A' Boswell	Application of zoning within the portion of Electoral Area 'A' Boswell

Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004

Bylaw No. File No.	Adopted	Amendment	Purpose
2211_1675			
2227 4420-20Z1104I- 08897.340	September 22, 2011	Amendment to Section 3800 Permitted Use to remove 'detached' and replace with 'one dwelling'	To allow for development of a dwelling within an existing structure.
2225	January 19, 2012	Add Area F into Bylaw. Add Schedule E Include No. 5 & 6 Division 2 Include No. 302 Division 3 Include No. 5 Section 605 Division 6 Amend No. 12, Section 607 Division 6 Amend Section 619 Division 6 to include R1F and R6F Add Division 7C Suburban Residential F (R1F) Add Division 15B High Density Residential (R6F) Add Division 12B Rural Residential K (R3K)	Include all of Area F into Bylaw
2266 4420-20-Z1109B- 03005.000	April 12, 2012	Amendment to re-designate PID 012-128-147 Lot 7 Block 25 DL 812 KD Plan 1428 from Institutional (I) to Country Residential (R2)	To recognize current use of Lister School property for private residential use
2251 4420-20Z1107F- 04910.000	April 12, 2012	Amendment to re-designate PID 016-066-367 Block F DL 917 KD Plan 764 from Country Residential (R2) to Suburban Residential F (R1F)	To facilitate a two lot subdivision

May, 2012

REGIONAL DISTRICT OF CENTRAL KOOTENAY ZONING BYLAW No. 1675, 2004

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REGIONAL DISTRICT OF CENTRAL KOOTENAY

ZONING BYLAW No. 1675, 2004

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

DIVISION 1 TITLE

- 100 This Bylaw may be cited for all purposes as the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004.

DIVISION 2 APPLICATION

- 200 The Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 applies to the following areas of the Regional District:

- 1 A portion of Electoral Area A – Wynndel/Eastshore Kootenay Lake, a portion of Electoral Area B and all of Electoral Area C as identified on Schedule ‘A’ – Zoning Map.
- 2 All of Electoral Area I and all of Electoral Area J – Lower Arrow/Columbia as identified on Schedule ‘B’ – Zoning Map (I,J).
- 3 All of Electoral Area K – The Arrow Lakes as identified on Schedule ‘C’ – Zoning Map (K).
- 4 A portion of Electoral Area A – Boswell as identified on Schedule ‘D’ - Zoning Map (Boswell, portion of Electoral Area A)
- 5 All of Electoral Area F as identified on Schedule ‘E’ – Zoning Map (F)

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Bylaw 2211

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- 201 The provisions of this Bylaw include:

- 1 Schedule ‘A’ – Zoning Map;
- 2 Schedule ‘B’ – Zoning Map (I,J);
- 3 Schedule ‘C’ – Zoning Map (K)
- 4 Schedule ‘D’ – Zoning Map (Boswell, portion of Electoral Area A)
- 5 Schedule ‘E’ – Zoning Map (F)
- 6 The boundaries of the zones listed in this Bylaw, together with any explanatory legends, notations and reference in respect thereof, are delineated and described on the “Zoning Map” noted which consists of a computer record compiled by means of geographic information software. The “Zoning Map” is kept in the office of the Secretary and in the Planning Department at the Regional District office. The Schedules form part of this

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Bylaw. A generalized diagrammatic representation of the Zoning Map is annexed to this Bylaw as Schedule 'A', Schedule 'B', Schedule 'C', Schedule 'D', and Schedule 'E'. The Zoning Map forming part of this Bylaw is at a scale that provides clear and more detailed information than the generalized diagrammatic representation shown on Schedule 'A', Schedule 'B', Schedule 'C', Schedule 'D', and Schedule 'E'. In the event of a conflict or inconsistency between Schedules and the Zoning Map, and in the event that the Zoning Map shows and provides more information than Schedules, then in all such cases the Zoning Map shall govern.

- 202 The attached schedules form part of this Bylaw and constitute the **Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004** pursuant to Part 26 of the *Local Government Act* of British Columbia.

DIVISION 3 TRANSITION

- 300 The Regional District of Central Kootenay, Creston Valley Land Use Bylaw No. 795, 1989, is hereby repealed.
- 301 The Zoning portion of Electoral Area K – The Arrow Lakes Rural Land Use Bylaw No. 1248, 1997 is hereby repealed.
- 302 The Zoning portion of Electoral Area F Rural Land Use Bylaw No. 951, 1992 is hereby repealed

Bylaw 2225

DIVISION 4 AUTHORITY AND REQUIREMENTS OF THE LEGISLATION

Jurisdiction of Local Government

400

- 1 Section 903 of the *Local Government Act* lists the elements that may be addressed in a zoning bylaw.
- 2 Section 904 of the *Local Government Act* allows the Regional District to require owners or occupiers of land, buildings or structures to provide off-street parking and loading spaces.
- 3 Section 908 of the *Local Government Act* allows the Regional District to regulate the number, size, type, form, appearance and location of any signs.
- 4 Section 909 of the *Local Government Act* allows the Regional District Board to set standards for and to regulate the provision of screening and landscaping to mask and separate uses.
- 5 Section 946(4) of the *Local Government Act* allows the Regional District to establish the minimum parcel size to allow subdivision to provide a residence for a relative.

Amendment Procedure

401

- 1 The Zoning Bylaw may be amended by the Board of the Regional District on its own initiative or in response to an application for amendment.
- 2 Amendments to this bylaw may be made pursuant to all applicable requirements of the *Local Government Act* and any applicable Regional District of Central Kootenay Planning Procedures Bylaw.

Administration

402

Bylaw 1973

- 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.

Violation

403

- 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.

Penalty & Offence

404

- 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*.
- 2 Penalties will double upon the third and subsequent offences.

- 3 The penalties imposed under this section are a supplement and not a substitute for any other remedy to an infraction of this bylaw.
- 4 Penalties are subject to the conditions of the RDCK Municipal Ticket Information Utilization Bylaw No. 1907, 2007.
- 5 Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.

Units of Measure

405 All units of measure contained within this bylaw are metric standards.

Severability

406 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.

Appeals

407

- 1 An appeal for a minor variance may be available to the Board of Variance in accordance with Section 901 of the *Local Government Act*.
- 2 A Development Variance permit may be issued by the Board subject to Section 922 of the *Local Government Act*.

DIVISION 5 INTERPRETATION

In this bylaw, unless the context otherwise requires:

Bylaw 2125

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;

Bylaw 2010

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;

ACCESSORY TOURIST ACCOMMODATION means bed and breakfast operations with a maximum of four (4) sleeping units and camping facilities with a maximum of six (6) campsites providing temporary accommodation of the travelling public;

ALLUVIAL FAN means an alluvial deposit of a stream where it issues from a steep mountain valley or gorge upon a plain or at the junction of a tributary stream with the main stream or other water body;

Bylaw 2133

ANIMAL PHYSICAL REHABILITATION FACILITY means a facility for the care, examination and treatment of sick, ailing, infirm, injured or post-operative pets, and may include accessory short term accommodation of pets, pet grooming and pet clinics, but does not include animal breeding and boarding, or animal shelters.

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

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 manufactured home;

Bylaw 2211

BUFFER AREA means a landscaped area intended to separate one use from another;

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

CABIN means one (1) self-contained structure, or one (1) unit within an existing structure, no larger than 100 m² that is used for tourism rental accommodation only. More than one (1) unit within a structure shall be counted as more than one (1) cabin;

CAMPGROUND means a parcel of land to accommodate tents, trailers, park model trailers and recreational vehicles with designated sites and may offer central washrooms or full or partial hook-ups. A campground may also include patron amenity areas and facilities such as a sani-dump station, showers, laundry facilities, playgrounds, picnic and days use areas, hiking and bicycling trails, pool tennis courts, recreation centre, marina, boat launch, retail store and other similar uses;

COMMERCIAL BACK COUNTRY RECREATION means remote facilities for the purpose providing accommodation for backcountry recreation activities such as hiking, skiing, biking, kayaking and similar activities;

COMMUNITY CARE FACILITY means any facility that is defined under the Community Care Facility Act;

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

COMMUNITY WATER SYSTEM means a system of waterworks 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 Water, Land and Air Protection, 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, 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 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 and where each unit shares a common party wall or floor/ceiling;

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;

EDUCATIONAL FACILITIES means buildings including residences, structures and grounds associated with the operation of a school, college, university or training centre established and operated pursuant to the *School Act*, *College and Institute Act*, *University Act*, *Private Post Secondary Education Act*;

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, fur-bearing animals, poultry and rabbits;

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 and Protection Act*.

FARM PRODUCTS means commodities or goods derived from the cultivation and husbandry of land, plants and animals (except pets and exotic animals not prescribed by the Minister under the *Farm Practices Protection Act*) and any other similar activity including aquaculture as defined in the *Fisheries Act*, game farming within the meaning of the *Game Farm Act*, and the raising or keeping of fur bearing animals, within the meaning of the *Fur Farm Act*.

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;

Site Specific - Lot 3, District Lot 302A, Kootenay District, Plan 1318, Except part included in Plan 12613 - Division 5, Interpretation – GOVERNMENT OFFICES means an office where government employees work.

GROSS FLOOR AREA means the sum of the horizontal areas of each story 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 (8) special needs individuals;

GUEST for the purposes of the R2SA and R4SA zones means a family member or others occupying a cabin or recreation vehicles at the invitation of the owner.

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 means a street, road, bridge, viaduct and any other way open to the use of the public, but does not include a private right-of-way on private property;

HORTICULTURE means growing of fruits, vegetable, flowers or ornamental plants for resale with or without greenhouses;

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

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;

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 screens the property that it encloses and is broken only by access drives, walks and lanes;

LIVESTOCK means cattle, horses, swine, farmed game, mules, asses, musk oxen, llamas, alpacas, ostriches, rheas and emus;

LOT has the same meaning as parcel under the *Local Government 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;

MARINA means the use of land or surface of water for the sale, servicing and/or rental of boats, marine engines, marine supplies, marine fuel, and docking facilities for the use of recreational boating vessels;

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 residential use as being integral to the development;

OUTDOOR RECREATIONAL ACTIVITIES means development that provides facilities for use by the public at large for sports and active recreation conducted outdoors and may include Tourist Accommodation for remote locations;

PARK MODEL TRAILER means a recreational unit that meets the following criteria:

- (a) it is built on a single chassis that may be mounted on wheels;
- (b) it is designed to facilitate relocation from time to time;
- (c) it is designed as living quarters for seasonal camping and may be connected to those utilities necessary for operation of installed fixtures and appliances; and
- (d) it has a gross floor area, including lofts, not exceeding 50 m² when in the set up mode, and having a width not greater than 2.6 metres in the transit mode;

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 that 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;

POULTRY means any domesticated birds kept for eggs, meat, feathers, hide or cosmetic or medicinal purposes and includes, but not limited to broilers, layers, turkeys, partridge species, pheasant species, quail, silkie and squab;

PRINCIPAL BUILDING means the main building on a lot in which the majority of the space is used for a permitted principal use or uses;

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.

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;

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

REGIONAL DISTRICT means the Regional District of Central Kootenay;

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

RETREAT CENTRE means a facility that includes overnight accommodation that primarily delivers spiritual and/or physical well-being programmes and includes church camps and similar uses;

SCREENING means a fence or landscaping or combination thereof that obstructs certain view of the property;

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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;

SIGN means a free standing or projecting structure designed to be used for the purposes of displaying information including the advertising for a business onsite and includes a signboard or hoarding;

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 residential care facility 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 a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures;

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;

VETERINARY CLINIC means a facility designed for the care and treatment of animals under the supervision of a Doctor of Veterinary Medicine;

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

WRECKED VEHICLE means a vehicle as defined by the *Motor Vehicle Act*, that is:

- (a) dilapidated, physically wrecked or disabled so that it cannot be operated by its own mode of power, or
- (b) a vehicle that is dilapidated or appears to be physically wrecked although it could be operated by its own mode of power but is not displaying thereon a lawful current licence for its operation on a highway.

DIVISION 6 GENERAL REGULATIONS

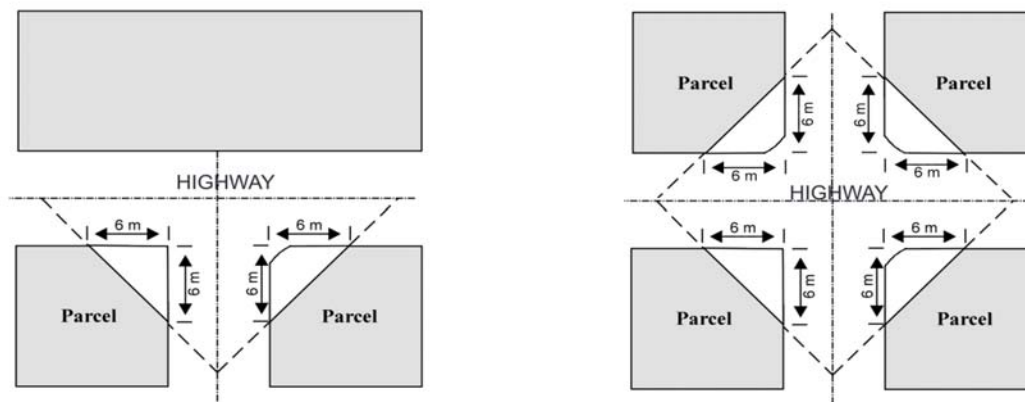
Non-Conforming Uses and Siting “Grandfathering”

600 Non-conforming uses and siting shall comply with all applicable requirements of Section 911 of the *Local Government Act*.

Clear Vision Area

601 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 above the surface elevation on one highway cannot see an object one (1) metre above the surface elevation of the other highway as shown on the site triangle on Figure 1. The Ministry of Transportation and Infrastructure is the final authority for sight distance on the roads under their jurisdiction and for the purpose of subdivision.

Bylaw 2211



SIGHT TRIANGLE (Figure 1)

Site Areas

602

- 1 There shall be no minimum site area for trails, parks, playgrounds and unattended public utility buildings and structures.
- 2 The minimum parcel size for a parcel subdivided under Section 946 of the *Local Government Act* shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.
- 3 Despite any other provision of this bylaw, where a parcel of land is located in the Agricultural Land Reserve as identified under the *British Columbia Agricultural Land Commission Act*, no subdivision shall be permitted without approval from the Agricultural Land Commission.

- 4 Despite any other provision of this bylaw, any lot located on any land rated as an “E” or “P” on a Non Standard Flood & 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.
- 5 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.
- 6 Despite 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 Medical Health Officer where no community sewer system is in place.
- 7 No newly created lot shall be bisected by a legally dedicated road.

Reduction of Minimum Site Areas

603

- 1 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.
- 2 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:
 - a a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
 - b a lot that, at the time of adoption of this bylaw, is divided by a highway or Forest Service road and where the boundaries of the highway or road will be the boundaries of the proposed lots;
 - c 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
 - d a lot divided by a zone boundary.

- 3 The minimum site area for a lot created under Sub-sections 1 and 2 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.
- 4 Despite Sub-section 3, 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.
- 5 A reduction of the minimum lot size for a single lot for subdivision within any Agricultural zone shall be permitted subject to:
 - the lot being no smaller than 0.4 hectares in area; and
 - where the lot is serviced by a community water system; and
 - where the remainder of the lot is consolidated with an adjacent property that has an agricultural tax assessment from the British Columbia Assessment Authority or is within the ALR or created under Section 946 of the *Local Government Act*.

Bylaw No. 1926

Subdivision Servicing Requirements

604

- 1 Unless Sub-section 2 applies, all subdivisions shall comply with the provisions of the *Local Services Act* and the Subdivision Regulations thereto.
- 2 Despite Sub-section 1, all subdivisions shall be in full compliance with any Regional District of Central Kootenay Subdivision Bylaw currently in effect for the area.
- 3 All subdivisions shall comply with the *Drinking Water Protection Act*, the *Health Act* and the *Waste Management Act*.

Setback Requirements

605

- 1 Unless otherwise stated, no principal or accessory building or structure except a fence may be located within 7.5 metres of a front or exterior side lot line or within 1.5 metres of any other lot line. Lands subject to Schedule 'D' (Boswell, portion of Electoral Area 'A') for lots on the Kootenay Lake side of Highway 3A shall be permitted a 3 metre setback from front or exterior side lot line due to general topographical constraints, subject to approval by the Ministry of Transportation and Infrastructure.
- 2 Despite Sub-section 1, on all lots adjacent to land zoned Agriculture, a minimum of a ten (10) metre setback shall be required from any portion of the Agricultural Land Reserve boundary.

Bylaw 2211

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- 3 Unless otherwise stated, no portable sawmill may be located within 100 metres from a property line. In Schedule 'D' (Boswell portion of Electoral Area 'A') this is reduced to 10 meters from a property line.

Bylaw 2211

- 4 Despite Sub-section 1, on all lots having a residential zone and are less than 0.2 hectares in area, the minimum setback to front or exterior lot lines shall be 4.5 metres, with the exception of Schedule 'D' (Boswell portion of Electoral Area 'A') for lots on the Kootenay Lake side of Highway 3A that shall be permitted a 3 meter setback from front or exterior side lot lines due to general topographical constraints, subject to approval by the Ministry of Transportation and Infrastructure.

Bylaw 2225

- 5 Despite Sub-section 1, for all of Electoral Area F, unless otherwise stated in the zone, no principal or accessory building or structure except a fence may be located within 4.5 metres of a front or exterior side lot line or within 1.5 metres of any other lot line.

Setback Exceptions

606

- 1 Where the top surface of an underground structure projects no more than 0.6 metre above the average finished ground elevation, that structure may be sited in any portion of a lot.
- 2 Freestanding lighting poles, warning devices, antennae, masts, solar collectors, utility poles, wires, flagpoles, up to ten (10) metres in height may be sited on any portion of a lot.
- 3 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 providing such reduction shall apply only to the projecting feature.
- 4 Where steps, eaves, sunlight control projections, canopies, balconies, or porches project beyond the face of a building, the minimum distance to an abutting front lot line as permitted elsewhere in this bylaw may be reduced by not more than 1.2 metres 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 provided such reduction shall apply only to the projecting feature.

Home Based Businesses

607 A Home Based Business, where permitted, is subject to the requirements that:

- 1 The activity shall be conducted in a dwelling unit or accessory building;

- 2 The floor area devoted to the Home Based Business shall not exceed 100 square metres on any R1, R2, R3, R5, R6, C5 and AG zoned lot;
- 3 The floor area devoted to the Home Based Business shall not exceed 200 square metres on any lot in the R4 zone;
- 4 No more than two (2) persons who are not a resident of the dwelling may be employed in the Home Based Business in on any R1, R2, R3, R6, C5 and AG zoned lot.
- 5 No more than four (4) persons who are not a resident of the dwelling may be employed in the Home Based Business on a lot in the R4 zone;
- 6 No change is made in the external appearance of the building which would indicate that a Home Based Business is being conducted therein; except for one un-illuminated sign not exceeding:
 - i 0.4 square metre on a lot in the R1 and R6 zones;
 - ii one (1) square metre on any R2, R3, R4 and AG zoned lot.
- 7 External storage of materials, equipment or finished products shall be screened from view from adjacent properties and road right-of-ways;
- 8 There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference, or emissions other than that normally associated with a dwelling;
- 9 No dwelling unit or accessory building used for Home Based Businesses involving automotive mechanical or body repairs, electronic repairs, wood working, or iron working may be located within 15 metres of a lot line.
- 10 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, R2; C5 and
 - b six (6) on any R3, R4, and AG zoned lot.
- 11 Home Based Businesses that include the caring of more than eight individuals at any one time shall not be permitted.
- 12 No commodities may be offered for sale except those produced on the premises, or in Schedule 'D'; (Boswell portion of Electoral Area 'A') commodities from other home-based businesses in the RDCK may also be sold; (Electoral Area F) commodities may be offered for sale, including those produced on or off the premises.
- 13 Two off-street parking spaces shall be provided in excess of those required for the dwelling unit.

Bylaw 2211

Bylaw 2225

Accessory Tourist Accommodation

- 608 Accessory Tourist Accommodation operations where permitted are subject to the requirements that:

- 1 The proprietor resides in the principal dwelling;
- 2 No more than two (2) persons who are not a resident of the premises may be employed in the tourist accommodation operation on any R1, R2, R3, R4, R6, C5 and AG zoned lot;
- 3 No change is made in the external appearance of the building, which indicates a Accessory Tourist operation is being conducted on the premises, except for one un-illuminated sign not larger than:
 - i. 0.4 square metre on a lot zoned R1 or R6; and
 - ii. one (1) square metre on any R2, R3, R4, C5 or AG zoned lot.
- 4 Bed and Breakfast accessory tourist accommodation operations shall be confined to the principal dwelling;
- 5 No more than three (3) sleeping rooms with a maximum of eight (8) lodgers may be used for the bed and breakfast accessory tourist accommodation in a dwelling in any R1, R2, R3, R6 and AG zoned lot;
- 6 No more than four (4) sleeping rooms with a maximum of eight (8) lodgers may be used for the accessory tourist accommodation in a dwelling in the R4 and C5 zones;
- 7 Accessory tourist accommodation camping operations shall be limited to a maximum of six (6) campsites on any R3, R4, AG or C5 zoned lot;
- 8 Accessory tourist accommodation camping operations shall not be permitted on any lots zoned R1, R2 or R6;
- 9 Accessory tourist accommodation camping operations shall only be permitted on lots 1.2 hectares or larger;
- 10 Subject to the requirements of the Interior Health Authority, accessory tourist camping operations shall be required to provide washroom facilities and may offer full or partial hook-ups, laundry facilities and other similar facilities;
- 11 Accessory tourist camping operations shall not include recreation centres, marinas, boat launches, retail stores and other similar facilities.

Storage

- 609 Except in the M2 and M3 zones, no lot may be used as a junkyard, auto wrecking yard or for the outdoor storage of more than two (2) wrecked vehicles in any R1, R2, R5 and R6 zones or more than six (6) wrecked vehicles in any R3, R4 and AG zone.

Uses Permitted in All Zones

- 610 The following uses shall be permitted in any zone:
- 1 Parks, Playgrounds and Trails;

- 2 Fire Halls; and
- 3 Unattended Public Utility Buildings and Structures.

Shipping Containers

Bylaw 2097

610A 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, R1A, R1K, R5, R6, R7, C4 or ER
 - 1 for lots zoned R2, R2I, R2SA, R2K, C5, C5K, or I
 - 2 for lots zoned R3, R3B, R3I, R3K, AG4, AG4K, C1, C2, C3, M1, or M2.
 - unlimited in other zones.
- 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 metres.

Parking Space Requirements

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

Application of Regulations

The Ministry of Transportation standards for required parking spaces will apply when dealing with matters that are within its jurisdiction, such as highway access permits.

Regional District standards will apply with respect to the location, design and construction of the parking spaces. Regional District standards with respect to the required number of spaces will also apply in any situations where the Ministry of Transportation standards are lower, or where the Ministry of Transportation has no jurisdiction.

General Provisions

- 1 Space for the off-street parking and loading of motor vehicles in respect of a class of building or use under this Bylaw must be provided and maintained in accordance with the provisions of this Bylaw except where the buildings and structures are intended to be accessed exclusively by hiking, skiing, snowmobile, horseback, boat or aircraft.
- 2 The number of off-street parking and loading spaces for motor vehicles required for any use or class of building is calculated according to the table contained in this Section. In cases of mixed uses, the total requirements for off-street parking or off-street loading will be the sum of the requirements for

the various uses calculated separately unless otherwise permitted. Required off-street parking spaces for one use will not be considered as required off-street parking spaces for any other use.

- 3 In reference to a building or use permitted under this Bylaw which is not specifically referred to in the table below, the number of off-street parking and loading spaces is calculated on the basis of the requirements for a similar class of building or use that is listed.
- 4 Where the calculation of the required off-street parking or loading space results in a fraction, one parking space must be provided in respect of the fraction.
- 5 Where seating accommodation is the basis for a unit of measurement under this section and consists of benches, pews, booths or similar seating accommodation, each 0.5 m of length of such seating shall be deemed to be one seat.
- 6 Off-street parking and loading spaces must be located on the same parcel as the building or use they serve unless a suitably zoned site is located within 50 metres of the site.
- 7 Where some or all of the off-street parking is provided on a parcel other than that on which the use, building or structure being served is located, a covenant under section 219 of the *Land Title Act* must be registered in the Land Title Office in favour of the Regional District of Central Kootenay against the parcel to be used for parking, reserving the off-street parking spaces that are not on the same parcel as the use, building or structure that they are intended to serve, for as long as that use, building or structure exists.

Off-Street Parking Space Standards

- 8 Off-street parking spaces shall be a minimum of 17 square metres and shall have at all times convenient, vehicular access to a public thoroughfare.
- 9 Each parking space shall have a length of not less than 5.8 metres and a width of not less than 2.6 metres and a height of not less than 2.2 metres.
- 10 Where a parking space abuts a wall along its side, the width of the parking space shall be increased by 0.6 metres from the minimum required.
- 11 Access and manoeuvring aisles must not be less than 3.6 metres for one-way traffic and 6.6 metres for two-way traffic.
- 12 Required parking and associated manoeuvring aisles in all Multi-Unit Residential, Commercial and Industrial zones shall be surfaced with either asphalt or concrete pavement, be adequately provided with lighting and drainage facilities, have access to and from highways and provide one (1) disabled person's parking space for every ten (10) parking spaces required.

- 13 In all parking areas containing more than five (5) parking spaces, every off-street parking space must have curbs, or wheel stops, to prevent vehicles from overhanging parcel lines, landscaped areas or walking corridors.
- 14 All parking areas must contain adequate provisions so that vehicles may turn around on the parcel.
- 15 All parking areas shall be so designed that motor vehicles do not back out onto a public road.
- 16 The maximum slope for the required off-street parking in all Multi-Unit Residential, Commercial and Industrial zones to accommodate more than 3 spaces is 6%. The maximum slope applies only to the area that provides the required parking spaces and not to the driveway providing access to the required parking spaces.
- 17 Excepting Recreational Vehicles (maximum two) and Farm Vehicles, not more than one (1) vehicle with a gross vehicle weight in excess of 4000 kg shall be permitted on a lot in a residential or agricultural zone at any time, except vehicles that are required for construction, repair, servicing or maintenance of a premises which may be on the lot during daylight hours.
- 18 Where off-street parking is required by this Bylaw and where access for a person with disabilities is required, parking space(s) will be provided in accordance with the British Columbia Building Code and amendments thereto.
- 19 Where drive-through facilities are installed, there must be adequate magazine storage provided on the parcel to accommodate three (3) automobiles between the property line and the ordering station. Direct access to off-street parking spaces from the magazine storage is prohibited.

Off-Street Loading Facilities

612

- 1 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 of gross floor area or fraction thereof, plus an additional space for each additional 2,000 m² of gross floor area or fraction thereof.
- 2 Off-street loading facilities shall:
 - a be provided on the same parcel as the use it serves;
 - b be set back a minimum of six (6) metres from the designated fronting street;
 - c have a minimum of 30 m² in area, at least three (3) metres in width and four (4) metres in height for each space;

- d not project into any street, lane or public thoroughfare;
- e have unobstructed vehicular access to a public street or lane;
- f be located to the rear or side of a principal building if possible; and
- g have a durable dust free surface.

Off-Street Parking and Loading Space Requirements

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
Residential	Single-detached	2 spaces per dwelling unit	0	
	Duplex	2 spaces per dwelling unit /4 spaces total	0	
	Multi Residential	1.2 spaces per dwelling unit	0	
	Accessory Home Based Business Use	2 spaces	0	Plus 2 spaces for the operators residence
	Accessory Bed & Breakfast, Room & Board	1 space per guest room/rental unit	0	Plus 2 spaces for operators residence
	Accessory Produce Sales Use	1 space per 20 m ² of floor area	0	Plus 2 spaces for operators residence
	Congregate/Seniors housing	0.75 space per sleeping unit	0	
Commercial	All uses in a C zone, except as listed below	4 spaces per 100 m ² of GFA	0	
	Building Supply, Garden Supply, Nursery	1 spaces per 100 m ² of display, sales, greenhouse and storage area	1	Minimum 10 spaces per business
	Campground	1 space per camp site	0	
	Childcare Centre	4.4 spaces per 100 m ² of GFA	0	
	Food and Beverage Services	1 space per 4 seats or 10 spaces per 100 m ² of customer service area, whichever is greater	0	
	Food and Beverage Services Drive-in/Take-out Only	10 spaces	0	
	Gasoline Station, Auto Repair Shop, Auto-body Shop, Car Wash	2 spaces per gasoline pump, 2 spaces per service bay and 2 spaces per 100 m ² or GFA	0	Minimum 5 spaces per business
	Golf Course	6 spaces per hole	0	

Regional District of Central Kootenay Zoning Bylaw No.1675, 2004

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
	Golf Driving Range	1 per tee plus 1 space per 2 employees	0	
	Hotel/Motel	1 space per guest room plus 1 per 5 seats of 15 m ² of customer service area in any eating and drinking establishments with the motel	0	Plus number of spaces required for each incidental use
	Laundromats	1 per 3 washing machines	0	
	Library, Museum, Art Gallery	2.5 spaces per 100 m ² of GFA	0	
	Marina	1 per 2 boat spaces plus 1 per 2 employees	0	
	Offices, Medical or Dental Offices	3.4 spaces per 100 m ² of GFA	0	Minimum 5 spaces per building
	Outdoor Retail Sales, Public Market	2 spaces per stall or sales area	1	
	Ski Resort	½ space per person hourly lift capacity	0	
	Tourist Attraction	1 per 4 persons capacity	0	
	Vehicle or Equipment Sales and Rental	1 space per 70 m ² of Sales Floor Area, 1 per service bay plus 1 per 30 m ² of office area	1	Minimum 5 spaces per business
	Veterinarian, Animal Hospital, Kennel	1 per 2 employees plus 3 per veterinarian	0	
Public	Assembly Hall, Auditorium, Convention Centre, Church, Theatre, Funeral Home, Clubhouse	1 space per 5 seats of capacity or 10 per 100 m ² of floor area used for customers, patrons or clients, whichever is greater	1	
	Arena, Swimming Pool	1 space per 5 seats plus 2 per 100 m ² of customer service area	0	
	Beach, swimming	1 per 10 m ² of developed beach above the natural boundary of the water body	0	
	Billiard Hall	1 space per pool table plus 2 spaces per 100 m ² of GFA	0	
	Bowling Alley	2 spaces per bowling alley plus 1 space per 100 m ² of GFA	0	
	College or University	1 per 5 students and staff	0	

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
	Curling Rink	4 spaces per curling sheet plus 1 space per 100 m ² of GFA	0	
	Hospital, Care Facility	1 space per 4 beds, 1 space per 2 employees plus 10 spaces for doctors (hospitals only)	0	
	School (Elementary)	2 spaces per classroom including gymnasium, assembly hall and library or 1.2 spaces employee, whichever is greater	0	
	School (Secondary)	3 spaces per classroom including gymnasium, assembly hall and library or 1.2 spaces per employee plus 1 space per 10 students who are at Grade 11 or higher.	0	
Industrial	All uses in an Industrial zone, except as listed below	1.5 spaces per 100 m ² of GFA, 1 space/employee plus one space for every commercially licensed vehicle for that address	1	
	Auction Hall	10 spaces per 100 m ² of GFA	1	
	Pulp Mill, Saw Mill, Particle Board Plant, Asphalt Plant, Concrete Batch Plant	0.8 spaces per employee	1	
	Truck Repair Shop, Bulk Fuel Depot, Gasoline Key Lock	1 space per 420 m ² of operation area	1	Operation area is defined as lot area minus areas used for parking facilities and landscaping
	Truck Terminal, Freight Station	2 spaces	Truck Loading Bay	

Keeping of Farm Animals

613

- 1 Where the keeping of farm animals are permitted on lots outside the AG1, AG2, AG2-A and the AG3 zones, the following regulations shall be complied with:
 - a two (2) livestock for every 0.4 hectare, with the minimum lot size of 0.4 hectare.

- b six (6) sheep or goats for every 0.4 hectare, with a minimum lot size of 0.4 hectare.
- c 12 head of poultry or rabbits for every 0.4 hectare, with the minimum lot size of 0.2 hectare.
- d No buildings, structures or enclosures used for housing Farm Animals; no drinking or feeding troughs; and no manure piles may be located within:
 - 15 metres of a lot line in the R1, R2, R3 and R4 zones; and
 - 25 metres of a lot line in the AG4 zone.
- e Sub-section 1d does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of animals.

Hazard Land Development

- 614 Despite any other provisions of this bylaw, development on flood hazard lands should be flood proofed in accordance with those provisions specified in the Regional District of Central Kootenay Floodplain Management Bylaw No. 1650, 2004 and amendments thereto. Subdivision potential may be limited by the Approving Officer due to site-specific hazards.

Manufactured Home Parks

- 615 Where a site contains two (2) or more manufactured homes and meets the density requirements of the R1, R2, R3, and R4 then the parcel is not a manufactured home park pursuant to this bylaw.

Agricultural Land Commission

- 616 Despite any other provision of this bylaw, development of lands within the Agricultural Land Reserve is subject to the *British Columbia Agricultural Land Commission Act*, Regulations and Orders.

Mining Activities

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

Signs

- 618 Unless otherwise prescribed in this bylaw, all signs are subject to the requirements that;
- 1 No sign shall be located within 1.5 metres of any lot line.
 - 2 Signs shall be limited to the following;

- a A maximum height of 7.5 metres,
 - b A maximum area of ten (10) square metres,
 - c A maximum width of 1.5 metres, and
 - d One sign for each public road access.
- 3 Signs shall only be used for the advertising of businesses and activities located onsite. The advertising of businesses and activities other than those located onsite shall be prohibited.
 - 4 Signs advertising community events or public service announcements or political campaign signs during an election are exempt from the requirements of Subsections 1, 2 and 3.
 - 5 Signs associated with the operation of onsite businesses and activities such as parking, loading, vehicle movement, employee and visitor safety and other similar signs are exempt from the requirements of Subsections 1, 2, and 3.
 - 6 Signs may be illuminated provided that glare is contained onsite when adjacent to any residential, agricultural, institutional, park and recreation zoned property.
 - 7 In Schedule 'D' (Boswell portion of Electoral Area 'A'), no sign shall be located within 1.5 meters of any lot line or on any portion of the lot subject to vision triangle requirements.

Signs shall be limited to the following:

- a. A maximum height of 5 metres;
- b. A maximum area of 6 square metres;
- c. A maximum width of 2.5 metres; and
- d. One sign for each public road access

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Zone Designations

619 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>
Suburban Residential	R1
Ootischenia Suburban Residential	R1A
Suburban Residential K	R1K
Suburban Residential F	R1F
Country Residential	R2

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Country Residential I	R2I
Country Residential (South Arrow)	R2SA
Country Residential K	R2K
Rural Residential	R3
Rural Residential B	R3B
Rural Residential I	R3I
Rural Residential K	R3K
Rural Resource	R4
Rural Resource (South Arrow)	R4SA
Rural Resource K	R4K
Manufactured Home Park	R5
Multi-Unit Residential	R6
Seasonal Residential	R7
High Density Residential	R6F
Agriculture 1	AG 1
Agriculture 2	AG 2
Agriculture 2 – A	AG 2-A
Agriculture 3	AG 3
Agriculture 4	AG 4
Agriculture 4 K	AG4K
Neighbourhood Commercial	C1
General Commercial	C2
Tourist Commercial	C3
Heritage Commercial	C4

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Small Scale Tourism Accommodation	C5
Small Scale Tourism Accommodation K	C5K
Resort Commercial	C6
Comprehensive Development	CD1
Light Industrial	M1
Medium Industrial	M2
Heavy Industrial	M3
Industrial Logging	M4
Industrial – Railway	M5
Industrial – Airport	M6
Institutional	I
Park and Recreation	PR
Special Recreation 1	PR1
Open Space	OS
Quarry	Q
Environmental Reserve	ER
Forest Reserve	FR

Zone Boundaries

620

- 1 The extent of each zone is shown on Schedule 'A' – Zoning Map, which is incorporated in and forms part of this bylaw.
- 2 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.
- 3 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 Sub-section 1.

- 4 Any area not specifically shown on Schedule 'A' shall be deemed to be zoned Open Space (OS).

Landscaping Requirements - Applicability

- 621 Due regard should be given to the following to incorporate landscaping into neighbourhood design:
- 1 Provision of privacy for outdoor and indoor spaces through use of plant screens, walls or fences;
 - 2 Separation of distinct areas allocated to different types of activities;
 - 3 Reduction of glare or illumination from automobile traffic, street lighting or other sources;
 - 4 Direction of pedestrian circulation away from privacy areas onto designated paths with vegetation and varied paving textures;
 - 5 Curtailing erosion on steep grades;
 - 6 Control of noise from streets or activity areas;
 - 7 Environmental modification, such as the blocking of wind.

General Regulations for Landscaping

622

- 1 In a multi-unit residential development including manufactured home parks, any part of a lot not used for structures and associated parking areas should be fully landscaped and properly maintained as a landscaping area, or as undisturbed forest.
- 2 At least 30 percent of the total area of any lot used for multi-unit residential purposes shall be maintained as open space landscaped area in a permeable state.
- 3 Any off-street parking area, exterior display area or loading area on a lot used for Commercial or Industrial purposes shall:
 - a be provided with screening in the form of a fence not less than 1.5 metre in height or by a hedge not less than 1.5 metre in height at the time of planting where adjacent to a lot in any Residential zone; such screening shall be planted or installed so that no person shall be able to see through it;
 - b be separated from any directly abutting lot in any Residential zone and from any adjoining highway other than a lane, by a fully and suitably landscaped and properly maintained strip not less than 1.5 metres in width.
- 4 Where any lot is used for commercial, industrial and institutional purposes, any part of such lot that is not used for buildings, exterior display areas,

parking or loading facilities shall be maintained as a landscaped area, or as undisturbed forest.

- 5 Where any off-street parking area for four (4) or more vehicles is located within 4.5 metres of a front or exterior side lot line, it shall be screened by an evergreen hedge not less than 1.5 metre in height at the time of planting. The minimum width of soil area for the hedge shall be 0.75 metres. The hedge shall be planted one (1) metre from curbs or wheel stops.
- 6 The design, installation and maintenance of any landscaping area or screen should be in conformity with the current specifications of the "British Columbia Landscape Standard" prepared by the B.C. Society of Landscape Architects and the B.C. Nursery Trades Association. In Schedule 'D' (Boswell portion of Electoral Area 'A') these standards do not apply where endemic, native plantings are used for landscaping.
- 7 In the Quarry zone, a landscape screen or a continuous three (3) metre high opaque fence shall be maintained within the 100 metre setback required for any processing operation.

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Development Permit Variances

- 623 Pursuant to Section 920 of the *Local Government Act*, setback and height variances may be approved by the Regional District on a Development Permit where community plan objectives for the form and character of commercial, industrial and multi-family developments can be achieved provided that no siting variances cross a property line.

DIVISION 7 SUBURBAN RESIDENTIAL (R1)

Permitted Uses

- 700 Land, buildings and structures in the Suburban Residential (R1) zone shall be used for the following purposes only:
- Dwellings:
- Single Detached
 - Duplex;
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Keeping of Farm Animals;
 - Sale of Site Grown Horticultural Produce.

Development Regulations

701

- 1 The minimum site area for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

	Community Water Supply and Community Sewer System	Community Water Supply Only	On Site Servicing Only
Single Detached Dwelling	700 m ²	0.2 hectares	1 hectare
Duplex Dwelling	1000 m ²	0.4 hectares	1 hectare

- 2 The maximum Site Coverage is 50 percent of the site area.
- 3 Buildings and structures shall not cover more than 33 percent of the site area.
- 4 The keeping of farm animals shall comply with the requirements of sections 613 except that under all circumstances swine shall not be kept on any lot.
- 5 Farm animals and poultry shall be caged, fenced or housed at all times.
- 6 No principal building may exceed ten (10) metres in height.
- 7 No accessory buildings or structures may exceed six (6) metres in height, except towers; retaining walls; radio and television antennae; and chimneys; flag poles; lighting poles; and scenery lofts.

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- 8 The maximum gross floor area of an accessory building or structure shall not exceed 100 square metres and the total gross floor area devoted to all accessory buildings and structures shall not exceed the cumulative gross floor area of all permitted dwellings.
- 9 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 10 Landscape screens or fences not exceeding a height of one (1) metre may be sited on any portion of a lot.
- 11 Fences not exceeding a height of two (2) metres may be sited to the rear of the front lot line setback or exterior side setback on a lot.

DIVISION 8 OOTISCHENIA SUBURBAN RESIDENTIAL (R1A)

Permitted Uses

- 800 Land, buildings and structures in the Suburban Residential (R1) zone shall be used for the following purposes only:
- Dwellings:
- Single Detached
 - Duplex;
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Keeping of Farm Animals;
 - Sale of Site Grown Horticultural Produce.

Development Regulations

801

- 1 The minimum site area for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

	Community Water Supply	On Site Servicing Only
Single Detached Dwelling	0.2 hectares	1 hectare
Duplex Dwelling	0.4 hectares	1 hectare

- 2 The maximum Site Coverage is 50 percent of the site area.
- 3 Buildings and structures shall not cover more than 33 percent of the site area.
- 4 The keeping of farm animals shall comply with the requirements of sections 613 except that under all circumstances swine shall not be kept on any lot.
- 5 Farm animals and poultry shall be caged, fenced or housed at all times.
- 6 No principal building may exceed ten (10) metres in height.
- 7 No accessory buildings or structures may exceed six (6) metres in height, except towers; retaining walls; radio and television antennae; and chimneys; flag poles; lighting poles; and scenery lofts.
- 8 The maximum size of any accessory building shall not exceed 54 square metres. A maximum of one accessory building is permitted on lots less than 2000 square metres.

- 9 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 10 Landscape screens or fences not exceeding a height of one (1) metre may be sited on any portion of a lot.
- 11 Fences not exceeding a height of two (2) metres may be sited to the rear of the front lot line setback or exterior side setback on a lot.

DIVISION 9 SUBURBAN RESIDENTIAL K (R1K)

Permitted Uses

- 900 Land, buildings and structures in the Suburban Residential K (R1K) zone shall be used for the following purposes only:
- Dwellings:
- Single Detached
 - Duplex;
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Day Care Facility;
 - Home Based Business;
 - Horticulture;
 - Keeping of Farm Animals;
 - Sale of Site Grown Horticultural Produce;
 - Secondary Suite or Carriage House as per Section 702 B.

Development Regulations

901

- 1 The minimum site area for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

	Community Water and Sewer	Community Water or Sewer	On Site Servicing Only
Single Detached Dwelling	700 m ²	0.2 hectares	1 hectare
Duplex Dwelling	1000 m ²	0.4 hectares	1 hectare

- 2 The maximum Site Coverage is 50 percent of the site area.
- 3 Buildings and structures shall not cover more than 33 percent of the site area.
- 4 The keeping of farm animals shall comply with the requirements of Section 613.
- 5 Farm animals and poultry shall be caged, fenced or housed at all times.
- 6 No principal building may exceed ten (10) metres in height.
- 7 No accessory buildings or structures may exceed six (6) metres in height, except towers; retaining walls; radio and television antennae; and chimneys; flag poles; lighting poles; and scenery lofts.
- 8 The maximum gross floor area of an accessory building or structure shall not exceed 100 square metres and the total gross floor area devoted to all accessory buildings and structures shall not exceed the cumulative gross floor area of all permitted dwellings.

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

Secondary Suites and Carriage Houses

902

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) secondary suite OR carriage house per lot is permitted as an accessory use to a single detached dwelling subject to the following:
 - the minimum site area for the suite shall be the same as for duplex dwelling above depending on level of servicing
 - a maximum gross floor area of 90m²
 - the secondary suite or carriage house shall not be a vehicle
 - the secondary suite or carriage house shall have a separate entrance and separate living, sleeping sanitary and kitchen facilities from the single detached dwelling.
- 2 The minimum separation distance between a carriage house, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
- 3 A secondary suite shall not comprise more than 40% of the total floor area of the dwelling.
- 4 One (1) additional off-street parking space shall be provided for a secondary suite or a carriage house.
- 5 Recreation vehicles shall not be used as rental accommodation.
- 6 Secondary suites shall not be used as tourist accommodation.

DIVISION 10 SUBURBAN RESIDENTIAL F (R1F)

Bylaw 2225

Permitted Uses

- 1000 Land, buildings and structures in the Suburban Residential F (R1F) zone shall be used for the following purposes only:
- Dwellings:
- Single Detached
 - Duplex;
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Keeping of Farm Animals;
 - Sale of Site Grown Horticultural Produce.

Development Regulations

1001

- 1 The minimum site area for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

	Community Water Supply and Community Sewer System	Community Water Supply Only	On-Site Servicing Only
Single Detached Dwelling	700 m2	0.2 hectares	0.5 hectare
Duplex Dwelling	1,000 m2	0.4 hectares	0.5 hectare

- 2 The maximum Site Coverage is 50 percent of the site area.
- 3 Buildings and structures shall not cover more than 33 percent of the site area.
- 4 Subdivision of lots between 0.5 to 1.0 ha are subject to a qualified professional assessment for on-site water and sewer capacity, prior to approval.
- 5 The keeping of farm animals shall comply with the requirements of sections 613 except that under all circumstances swine shall not be kept on any lot.
- 6 Farm animals and poultry shall be caged, fenced or housed at all times.
- 7 No principal building may exceed ten (10) metres in height.

- 8 No accessory buildings or structures may exceed six (6) metres in height, except towers; retaining walls; radio and television antennae; and chimneys; flag poles; lighting poles; and scenery lofts.
- 9 The maximum gross floor area of an accessory building or structure shall not exceed 100 square metres and the total gross floor area devoted to all accessory buildings and structures shall not exceed the cumulative gross floor area of all permitted dwellings.
- 10 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 11 Landscape screens or fences not exceeding a height of one (1) metre may be sited on any portion of a lot.
- 12 Fences not exceeding a height of two (2) metres may be sited to the rear of the front lot line setback or exterior side setback on a lot.

DIVISION 11 COUNTRY RESIDENTIAL (R2)

Permitted Uses

1100 Land, buildings and structures in the Country Residential (R2) zone shall be used for the following purposes only:

Dwellings:

- Single Detached
- Duplex;

Accessory Uses:

- Accessory Tourist Accommodation;
- Home Based Business;
- Keeping of Farm Animals;
- Sale of Site Grown Horticultural Produce;
- Portable Sawmills for processing of material harvested on site only.

Development Regulations

1101

- 1 The minimum site area for each permitted use shall be one (1) hectare.
- 2 The minimum parcel size for a parcel subdivided for a relative under Section 946 of the *Local Government Act*, with the approval of the Medical Health Officer, shall be 0.8 hectare.
- 3 The maximum site coverage permitted shall be 50 percent of the lot area.
- 4 The keeping of farm animals shall comply with the requirements of Section 613.
- 5 Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of Sub-section 1.
- 6 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate further subdivision of the lot or adjacent lots.
- 7 Portable Sawmills shall be located a minimum of 30 metres from any property line.
- 8 A garage may be constructed on a lot prior to construction of a dwelling subject to the maximum size of 56 square metres.

DIVISION 12 COUNTRY RESIDENTIAL I (R2I)

Permitted Uses

1200 Land, buildings and structures in the Country Residential I (R2I) zone shall be used for the following purposes only:

Dwellings:

- Single Detached
- Duplex;
- Horticulture

Accessory Uses:

- Accessory Tourist Accommodation;
- Home Based Business;
- Keeping of Farm Animals;
- Sale of Site Grown Horticultural Produce;
- Portable Sawmills for processing of material harvested on site only.

Development Regulations

1201

- 1 The minimum site area shall be one (1) hectare.
- 2 Not more than one (1) single detached dwelling or one (1) duplex dwelling shall be located on a lot, except where the lot has a single detached dwelling; a manufactured home may be placed on the lot to provide temporary accommodation for immediate family of the occupant of the principal dwelling.
- 3 The minimum parcel size for a parcel subdivided for a relative under Section 946 of the *Local Government Act*, with the approval of the Medical Health Officer, shall be 0.8 hectare.
- 4 The maximum Site Coverage permitted shall be 50 percent of the lot area.
- 5 The keeping of farm animals shall comply with the requirements of Section 613.
- 6 Portable sawmills shall be located a minimum of 30 metres from any property line.
- 7 A garage may be constructed on a lot prior to construction of a dwelling subject to the maximum size of 56 square metres.

DIVISION 13 COUNTRY RESIDENTIAL (R2SA – South Arrow)

Permitted Uses

1300 Land, buildings and structures in the Country Residential (R2SA – South Arrow) zone shall be used for the following purposes only:

Dwellings:

- Single Detached
- Duplex;

Nurseries, Greenhouse and Florists;

Accessory Uses:

- Bed and Breakfast Accommodation;
- Home Occupation;
- Keeping of Farm Animals;
- Sale of Site Grown Agricultural Produce;
- Portable Sawmills for processing of material harvested on site only;
- Temporary Guest Accommodation as per Section 902 A.

Development Regulations

1301

- 1 The minimum site area for each permitted use shall be one (1) hectare.
- 2 The minimum parcel size for a parcel subdivided for a relative under Section 946 of the *Local Government Act*, with the approval of the Interior Health Authority, shall be 0.8 hectare.
- 3 The maximum site coverage permitted shall be 50 percent of the lot area.
- 4 The keeping of farm animals shall comply with the requirements of Section 613.
- 5 Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of Section 901 A. 1.
- 6 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate further subdivision of the lot or adjacent lots.

Temporary Guest Accommodation:

1302

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a single detached or duplex dwelling subject to the following,
 - the minimum site area for the guest cabin shall be 1.4 ha, and
 - a maximum gross floor area per cabin of 75 m².

- 2 Subject to Section 611.17., a recreation vehicle may be used for temporary guest accommodation provided that no more than two (2) recreation vehicles shall be located on a lot and recreation vehicles shall be required to be licensed and remain mobile consistent with the original design of the vehicle, and a recreation vehicle that has its wheels or towing hitch removed, or is placed on footings or foundation, or includes additions such as porches, decks or a roof structure or in any way is altered or situated so as to be permanently affixed to the lot shall be considered a dwelling or guest cabin.
- 3 The minimum separation distance between a guest cabin, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
- 4 Each guest cabin or recreation vehicle that is used as temporary guest accommodation shall have sufficient site area to accommodate two (2) off-street parking spaces.
- 5 Temporary guest accommodation cabins or recreation vehicles shall not be used as rental accommodation.

DIVISION 14 COUNTRY RESIDENTIAL K (R2K)

Permitted Uses

1400 Land, buildings and structures in the Country Residential K (R2K) zone shall be used for the following purposes only:

Dwellings:

- Single Detached

- Duplex;

Horticulture;

Accessory Uses:

- Bed and Breakfast Accommodation;

- Day Care Facility

- Home Occupation;

- Keeping of Farm Animals;

- Portable Sawmills for processing of material harvested on site only;

- Sale of Site Grown Horticultural Produce;

- Secondary, Garage and Garden Suites as per section 902 B

- Temporary Guest Accommodation as per Section 903 B.

Development Regulations

1401

- 1 The minimum site area for each permitted use shall be one (1) hectare.
- 2 The minimum parcel size for a parcel subdivided for a relative under Section 946 of the *Local Government Act*, with the approval of the Interior Health Authority, shall be 0.8 hectare.
- 3 The maximum site coverage permitted shall be 50 percent of the lot area.
- 4 The keeping of farm animals shall comply with the requirements of Section 613.
- 5 Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of Section 901 B. 1.
- 6 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate further subdivision of the lot or adjacent lots.

Secondary Suites and Carriage Houses

1402

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) secondary suite OR carriage house per lot is permitted as an accessory use to a single detached dwelling subject to the following:

- the minimum site area shall be 1 hectare
 - a maximum gross floor area of 90 m²

 - the secondary suite or carriage house shall not be a vehicle
 - the secondary suite or carriage house shall have a separate entrance and separate living, sleeping sanitary and kitchen facilities from the single detached dwelling.
- 2 The minimum separation distance between a carriage house, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
 - 3 A secondary suite shall not comprise more than 40% of the total floor area of the primary dwelling.
 - 4 One (1) additional off-street parking space shall be provided for a secondary suite or a carriage house.
 - 5 Recreation vehicles shall not be used as rental accommodation.
 - 6 Secondary suites shall not be used as tourist accommodation.

Temporary Guest Accommodation

1403

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a single detached or duplex dwelling subject to the following,
 - the minimum site area for the guest cabin shall be 1.4 ha, and
 - a maximum gross floor area for a cabin of 100 m².
2. Subject to Section 611.17, a recreation vehicle may be used for temporary guest accommodation provided that no more than two (2) recreation vehicles shall be located on a lot and recreation vehicles shall be required to be licensed and remain mobile consistent with the original design of the vehicle, and a recreation vehicle that has its wheels or towing hitch removed, or is placed on footings or foundation, or includes additions such as porches, decks or a roof structure or in any way is altered or situated so as to be permanently affixed to the lot shall be considered a dwelling or guest cabin.
3. The minimum separation distance between a guest cabin, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
4. Each guest cabin or recreation vehicle that is used as temporary guest accommodation shall have sufficient site area to accommodate two (2) off-street parking spaces.

DIVISION 15 RURAL RESIDENTIAL (R3)

Permitted Uses

- 1500 Land buildings and structures in the Rural Residential (R3) zone shall be used for the following purposes only:
- Dwellings:
- Single Detached
 - Duplex;
- Horticulture;
- Veterinary Clinics;
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Keeping of Farm Animals;
 - Sale of Site Grown Horticultural Produce;
 - Portable Sawmills for processing of material harvested on site only;
- Animal Physical Rehabilitation Facility - Site Specific – Part E ½ of N ½ of DL 11917

Bylaw 2133

Development Regulations

1501

- 1 The minimum site area for each permitted use shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 The keeping of farm animals shall comply with the requirements of Section 613.
- 4 Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of Sub-section 1.
- 5 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 6 Portable sawmills shall be located a minimum of 30 metres from any property line.
- 7 A garage may be constructed on a lot prior to construction of a dwelling subject to the maximum size of 56 square metres.
- 8 An animal rehabilitation facility shall be limited to a parcel no less than 8 ha (20 acres), no more than 15 animals on the premises at any time and animals are to be confined within a building between the hours of 9:00 pm and 6:00 am.

Bylaw 2133

DIVISION 16 RURAL RESIDENTIAL B (R3B)

Permitted Uses

1600 Land, buildings and structures in the Rural Residential B (R3B) zone shall be used for the following purposes only:

Dwellings:

- Single Detached

- Duplex;

Horticulture;

Veterinary Clinics;

Accessory Uses:

- Accessory Tourist Accommodation;

- Home Based Business;

- Keeping of Farm Animals;

- Sale of Site Grown Horticultural Produce;

- Portable Sawmills subject to Section 1101 Sub-section 6.

Development Regulations

1601

- 1 The minimum site area for each permitted use shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 The keeping of farm animals shall comply with the requirements of Section 613.
- 4 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 5 Despite Subsection 1, a manufactured home on a non-permanent foundation may be permitted in addition to a Single Detached dwelling.
- 6 A portable sawmill operation, where permitted, is subject to the following requirements:
 - a The minimum parcel size shall be 2.0 hectares;
 - b The portable sawmill is limited to a band saw mill powered by an engine of no more than 42 Horsepower;
 - c The property owner will continue to reside in the principal residence on the property;
 - d Despite the site area requirements detailed elsewhere in the R3 Zone, the maximum area used for a portable sawmill use, including external storage shall not exceed 0.4 hectares;

- e Any portion of a property used for a portable sawmill use shall be located a minimum of 30 metres from any property line;
 - f No more than three (3) persons who are not residents of the principal dwelling may be employed in the portable sawmill use;
 - g No change is made in the external appearance of buildings that would indicate that a portable sawmill use is being conducted thereon; except for one un-illuminated sign not exceeding 0.2 square metres;
 - h External storage of materials, mill and other equipment, finished product and parking shall be screened from view from adjacent residential uses and road right-of-ways with a landscape screen of no less than 1.8 metres in height;
 - i No commodities may be offered for sale except those produced on the premises;
 - j There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference or emissions other than that normally associated with a dwelling;
 - k Operation of the sawmill shall be limited to between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday;
 - l There shall be no operation of the sawmill on Sundays or Statutory Holidays;
 - m Access to the portable sawmill site shall minimize the impact of any related traffic on neighbouring properties and have approval from the applicable authorities; and
 - n Any sawmill operation under this section may be subject to an annual inspection to ensure compliance with the Zoning Bylaw.
- 7 A garage may be constructed on a lot prior to construction of a dwelling subject to the maximum size of 56 square metres.

DIVISION 17 RURAL RESIDENTIAL I (R3I)

Permitted Uses

1700 Land, buildings and structures in the Rural Residential I (R3I) zone shall be used for the following purposes only:

Dwellings:

- Single Detached

- Duplex;

Horticulture;

Veterinary Clinics;

Accessory Uses:

- Accessory Tourist Accommodation;

- Home Based Business;

- Keeping of Farm Animals;

- Sale of Site Grown Horticulture Produce;

- Portable Sawmills for processing of material harvested on site only.

Development Regulations

1701

- 1 The minimum parcel size shall be two (2) hectares.
- 2 One single detached dwelling or duplex is permitted and one additional single detached dwelling or duplex shall be permitted per every additional four (4) hectares of lot area.
- 3 The minimum parcel size for a parcel subdivided for a relative under Section 946 of the Local Government Act, with the approval of the Medical Health Officer, shall be 1.6 hectares.
- 4 The maximum site coverage permitted shall be 50 percent of the lot area.
- 5 The keeping of farm animals shall comply with the requirements of sections 613.
- 6 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 7 A garage may be constructed on a lot prior to construction of a dwelling subject to the maximum size of 56 square metres.
- 8 Portable sawmills shall be located a minimum of 30 metres from any property line.

DIVISION 18 **RURAL RESIDENTIAL K (R3K)**

Bylaw 2057

Permitted Uses

1800 Land, buildings and structures in the Rural Residential K (R3K) zone shall be used for the following purposes only:

Dwellings:

- Single Detached

- Duplex;

Horticulture;

Veterinary Clinics;

Accessory Uses:

- Bed and Breakfast;

- Home Based Business;

- Keeping of Farm Animals;

- Sale of Site Grown Horticultural Produce;

- Small Scale Wood Product Manufacturing subject to Section 1302

- Temporary Guest Accommodation subject to Section 1303

Development Regulations

1801

- 1 The minimum site area for each permitted use shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 The keeping of farm animals shall comply with the requirements of Section 613.
- 4 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 5 Despite Subsection 1, a manufactured home on a non-permanent foundation may be permitted in addition to a Single Detached dwelling.
- 6 A garage may be constructed on a lot prior to construction of a dwelling subject to the maximum size of 56 square metres. In Schedule 'D' (Boswell portion of Electoral Area 'A') this is increased to 75 square meters.

Bylaw 2211

Small Scale Wood Product Manufacturing

1802 A small scale wood product manufacturing operation is subject to the following requirements:

- 1 The minimum parcel size shall be 2.0 hectares;

- 2 The sawmill is limited to a band sawmill powered by an engine of no more than 42 Horsepower;
- 3 The property owner will continue to reside in the principal residence on the property;
- 4 Despite the site area requirements detailed elsewhere in the R3K Zone, the maximum area used for a small scale wood processing business, including external storage shall not exceed 0.4 hectares;
- 5 Any portion of a property used for a small scale wood product manufacturing use shall be located a minimum of 30 metres from any property line;
- 6 No more than three (3) persons who are not residents of the principal dwelling may be employed in the business;
- 7 External storage of materials, mill and other equipment, finished product and parking shall be screened from view from adjacent residential uses and road right-of-ways with a landscape screen of no less than 1.8 metres in height;
- 8 No commodities may be offered for sale except those produced on the premises;
- 9 There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference or emissions other than that normally associated with a dwelling;
- 10 Operation of the sawmill shall be limited to between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday;
- 11 There shall be no operation of the small scale wood product manufacturing operation on Sundays or Statutory Holidays;
- 12 Access to the small scale wood products manufacturing site shall minimize the impact of any related traffic on neighbouring properties and have approval from the applicable authorities; and
- 13 Any sawmill operation under this section may be subject to an annual inspection to ensure compliance with the Zoning Bylaw.

Temporary Guest Accommodation

1803

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, two (2) cabins per lot for the temporary accommodation of guests is permitted as an accessory use to a single detached or duplex dwelling subject to the following,

Bylaw 2211

- the minimum site area for the guest cabin shall be 1.4 ha, and
 - a maximum gross floor area for a cabin of 100 m².
- 2 Subject to Section 611.17, a recreation vehicle may be used for temporary guest accommodation provided that no more than two (2) recreation vehicles shall be located on a lot and recreation vehicles shall be required to be licensed and remain mobile consistent with the original design of the vehicle, and a recreation vehicle that has its wheels or towing hitch removed, or is placed on footings or foundation, or includes additions such as porches, decks or a roof structure or in any way is altered or situated so as to be permanently affixed to the lot shall be considered a dwelling or guest cabin.
 - 3 The minimum separation distance between a guest cabin, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
 - 4 Each guest cabin or recreation vehicle that is used as temporary guest accommodation shall have sufficient site area to accommodate two (2) off-street parking spaces.

DIVISION 19 RURAL RESOURCE (R4)

Permitted Uses

- 1900 Land, buildings and structures in the Rural Resource (R4) zone shall be used for the following purposes only:
- Dwellings:
- Single Detached
 - Duplex;
- Horse Riding Stables and Boarding Stables;
- Horticulture;
- Kennels;
- Nurseries, Greenhouses and Florists;
- Veterinary Clinics;
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Keeping of Farm Animals;
 - Sale of Site Grown Horticultural Produce;
 - Portable Sawmills.

Development Regulations

1901

- 1 The minimum site area for each permitted use shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 The keeping of farm animals shall comply with the requirements of Section 613.
- 4 Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of Sub-section 1.
- 5 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 6 Portable Sawmills shall be located a minimum of 30 metres from any property line.
- 7 The minimum setback for a kennel shall be 30 metres from any lot line.
- 8 A garage may be constructed on a lot prior to construction of a dwelling subject to the maximum size of 56 square metres.

DIVISION 20 RURAL RESOURCE (R4SA – South Arrow)

Permitted Uses

2000 Land, buildings and structures in the Rural Resource (R4SA – South Arrow) zone shall be used for the following purposes only:

Dwellings:

- Single Detached
- Duplex;

Horse Riding Stables and Boarding Stables;

Kennels;

Nurseries, Greenhouses and Florists;

Veterinary Clinics;

Accessory Uses:

- Bed and Breakfast Accommodation;
- Home Occupation;
- Keeping of Farm Animals;
- Sale of Site Grown Agricultural Produce;
- Portable Sawmills;
- Temporary Guest Accommodation as per Section 1302 A.

Development Regulations

2001

- 1 The minimum site area for each permitted use shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 The keeping of farm animals shall comply with the requirements of Section 613.
- 4 Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of Section 1301 A. 1.
- 5 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 6 Portable Sawmills shall be located a minimum of 30 metres from any property line.
- 7 The minimum setback for a kennel shall be 30 metres from any lot line.

Temporary Guest Accommodation:

2002

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply one (1) cabin per lot for the temporary

accommodation of guests is permitted as an accessory use to a single detached or duplex dwelling subject to a maximum gross floor area of 75 m²

- 2 Cabins used as temporary guest accommodation may be located on existing lots less than the two (2) hectares minimum site area required pursuant to Section 1301 A provided that the subject lot has a minimum site area of 1.4 ha.
- 3 Subject to Section 611. 17., a recreation vehicle may be used for temporary guest accommodation provided that:
 - no more than two (2) recreation vehicles shall be located on a lot; and
 - recreation vehicles shall be required to be licensed and remain mobile consistent with the original design of the vehicle, and
 - a recreation vehicle that has its wheels or towing hitch removed, or is placed on footings or foundation, or includes additions such as porches, decks or a roof structure or in any way is altered or situated so as to be permanently affixed to the lot shall be considered a dwelling or guest cabin.
- 4 The minimum separation distance between a guest cabin, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
- 5 Each guest cabin or recreation vehicle that is used as temporary guest accommodation shall have sufficient site area to accommodate two (2) off-street parking spaces.
- 6 Temporary guest accommodation cabins or recreation vehicles shall not be used as rental accommodation.

DIVISION 21 RURAL RESOURCE K (R4K)

Bylaw 2057

Permitted Uses

2100 Land, buildings and structures in the Rural Resource (R4K) zone shall be used for the following purposes only:

Dwellings:

- Single Detached

- Duplex;

Horse Riding Stables and Boarding Stables;

Kennels;

Horticulture;

Veterinary Clinics;

Accessory Uses:

- Bed and Breakfast Accommodation;

- Home Occupation;

- Keeping of Farm Animals;

- Sale of Site Grown Agricultural Produce;

- Portable Sawmills;

- Temporary Guest Accommodation as per Section 1302 B.

Development Regulations

2101

- 1 The minimum site area for each permitted use shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 The keeping of farm animals shall comply with the requirements of Section 613.
- 4 Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of Section 1301 B 1.
- 5 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 6 Portable Sawmills shall be located a minimum of 30 metres from any property line.
- 7 The minimum setback for a kennel shall be 30 metres from any lot line.

Temporary Guest Accommodation

2102

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply one (1) cabin per lot for

the temporary accommodation of guests is permitted as an accessory use to a single detached or duplex dwelling subject to a maximum gross floor area of 75 m²

- 2 Cabins used as temporary guest accommodation may be located on existing lots less than the two (2) hectares minimum site area required pursuant to Section 1301 A provided that the subject lot has a minimum site area of 1.4 ha.
- 3 Subject to Section 611. 17., a recreation vehicle may be used for temporary guest accommodation provided that:
 - no more than two (2) recreation vehicles shall be located on a lot; and
 - recreation vehicles shall be required to be licensed and remain mobile consistent with the original design of the vehicle, and
 - a recreation vehicle that has its wheels or towing hitch removed, or is placed on footings or foundation, or includes additions such as porches, decks or a roof structure or in any way is altered or situated so as to be permanently affixed to the lot shall be considered a dwelling or guest cabin.
- 4 The minimum separation distance between a guest cabin, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
- 5 Each guest cabin or recreation vehicle that is used as temporary guest accommodation shall have sufficient site area to accommodate two (2) off-street parking spaces.
- 6 Temporary guest accommodation cabins or recreation vehicles shall not be used as rental accommodation.

DIVISION 22 MANUFACTURED HOME PARK (R5)

Permitted Uses

2200 Land, buildings and structures in the Manufactured Home Park (R5) zone shall be used for the following purposes only:
Manufactured Home Park.

Development Regulations

2201

- 1 Manufactured Home Parks shall comply with all applicable regulations in any applicable Mobile Home Park bylaw or Manufactured Home Park bylaw adopted by the Board.
- 2 Landscaping shall be provided in accordance with Sections 621 and 622.

DIVISION 23 MULTI-UNIT RESIDENTIAL (R6)

Permitted Uses

2300 Land, buildings and structures in the Multi-Unit Residential (R6) zone shall be used for the following purposes only:

Dwellings:

- Duplex;
- Multiple Family;
- Single Detached

Accessory Uses:

- Accessory Tourist Accommodation;
- Home Based Business.

Development Regulations

2301

- 1 The minimum site area (per unit) for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

	Community Water Supply And Community Sewer System	Community Water Supply Only	On Site Servicing Only
Single Detached Dwelling Unit	700 m ²	0.2 hectare	1 hectare
Duplex Dwelling Unit	500 m ²	0.4 hectare	0.75 hectare
Multi-Unit Dwelling Unit	300 m ²	0.1 hectare	0.4 hectare

- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 Landscaping shall comply with all applicable requirements of sections 621 and 622.

DIVISION 24 High Density Residential (R6F)

Permitted Uses

- 2400 Land, buildings and structures in the High Density Residential (R6F) zone shall be used for the following purposes only:
Dwellings:
- Single Detached

Development Regulations

2401

- 4 The minimum site area is 300 m², with Community Water Supply and Community Sewer System
- 5 The maximum Site Coverage permitted shall be 60% of the lot area.
- 6 The minimum lot width shall be no less than 12 m except those lots located on a radii and the minimum lot depth shall be no less than 25 m.
- 7 Development in this zone may be subject to the requirements of a Development Permit

DIVISION 25 SEASONAL RESIDENTIAL (R7)

Permitted Uses

- 2500 Land, buildings and structures in the Seasonal Residential (R7) zone shall be used for the following purposes only:
 Dwellings:
 - Single Detached
 - Duplex;
 Accessory Uses:
 - Accessory Tourist Accommodation;
 - Home Based Business;
 - Keeping of Farm Animals;
 - Sale of Site Grown Horticultural Produce.

Development Regulations

- 2501 1 The minimum site area for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

	Community Water Supply AND Community Sewer System	Community Water OR Sewer	On Site Servicing Only
Single Detached Dwelling	700 m ²	0.2 hectares	1 hectare
Duplex Dwelling	1000 m ²	0.4 hectares	1 hectare

- 2 The maximum Site Coverage is 50 percent of the site area.
- 3 Buildings and structures shall not cover more than 33 percent of the site area.
- 4 The keeping of farm animals shall comply with the requirements of sections 613 except that under all circumstances swine shall not be kept on any lot.
- 5 Farm animals and poultry shall be caged, fenced or housed at all times.
- 6 No principal building may exceed ten (10) metres in height.
- 7 No accessory buildings or structures may exceed six (6) metres in height, except towers; retaining walls; radio and television antennae; and chimneys; flag poles; lighting poles; and scenery lofts.

- 8 The maximum size of any accessory building shall not exceed 54 square metres. A maximum of one accessory building is permitted on lots less than 2000 square metres.
- 9 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 10 Landscape screens or fences not exceeding a height of one (1) metre may be sited on any portion of a lot.
- 11 Fences not exceeding a height of two (2) metres may be sited to the rear of the front lot line setback or exterior side setback on a lot.
- 12 Single family dwellings may be used for short term rentals.

DIVISION 26 AGRICULTURE 1 (AG1)

Permitted Uses

Bylaw 2038

- 2600 Subject to the *British Columbia Agricultural Land Commission Act*, Regulations and Orders, land, buildings and structures in the Agriculture 1 (AG1) zone shall be used for the following purposes only:
All activities designated as “Farm Use” as defined in the *Agricultural Land Commission Act* and Part 2 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*;
- Dwellings:
- Single Detached;
 - Duplex;
- Horse Riding Arena and Boarding Stables;
Keeping of Farm Animals;
Kennel;
Recreation Reserve;
Sale of Agricultural Produce Grown by the Agricultural Business;
Veterinary Clinic;
Small scale food processing facilities by Development Permit (with the exception of lands within Electoral Areas B, I and J-Lower Arrow/Columbia);
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Secondary Residences (subject to Section 1601 Sub-sections 3 and 4);
 - Portable Sawmills for processing of material harvested on site only.

Development Regulations

2601

- 1 The minimum lot area shall be: four (4) hectares in the Agricultural Land Reserve and two (2) hectares outside the Agricultural Land Reserve.
- 2 The maximum site coverage permitted shall be 35 percent of the lot area unless an area not larger than 60 percent of the lot is covered with greenhouses.
- 3 No more than one single detached dwelling or duplex may be located on a lot except where:
 - a lot is classified as a farm under the *Assessment Act*, one additional dwelling to accommodate people employed on the farm may be located on the lot as long as the lot is larger than four (4) hectares.
- 4 In addition to that permitted in Sub-section 3, one manufactured home to be inhabited by a member of the immediate family of the owner of the principal dwelling may be permitted where:

- a the manufactured home is not sited on a permanent foundation with a basement excavation,
- b the manufactured home is removed from the property within 90 days when no longer required by the member of the immediate family, and
- c the manufactured home is no wider than nine (9) metres.
- d additions, including porches, to a manufactured home permitted under this section shall not exceed 24 square metres in floor area.

5 No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within five (5) metres of a lot line.

6 Sub-section 5 does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.

7 In Areas C and K the minimum setback for a kennel or small scale food processing that processes more than 50% of off farm product and is limited to livestock processing shall be 7.5 metres from any lot line (with the exception of abattoirs and lands within Electoral Area A where all setbacks shall be 30 metres).

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8 Despite any other provision of this bylaw, development of lands within the Agricultural Land Reserve shall comply with all applicable regulations of the *British Columbia Agricultural Land Commission Act*, Regulations and Orders.

9 Small scale food processing facilities serving local producers:

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- ⇒ must meet descriptions in Section 311 Food Manufacturing in the North American Industry Classification System (excluding Rendering from Carcasses);
- ⇒ must be located on a minimum 2 hectare site outside the Agricultural Land Reserve or 3 hectares within the Agricultural Land Reserve;
- ⇒ must have valid licenses to operate from the Province of BC, including:
 - meeting the BC Slaughter and Poultry Processing Policies;
 - approval by the Farm Industry Review Board;
 - approval of The Canadian Food Inspection Agency;
 - meeting BC Food Premises Regulations;
 - licensing approval from the Centre for Disease Control;
 - approval of Provincial Ministry responsible for water and wastewater systems and administration of the Meat Inspection Regulation (MIR); and
 - approval of the Agricultural Land Commission for composting; and
- ⇒ must be located at least 30 meters from the nearest business or residence on another parcel.

A development permit is required for any food processing facility. Any food processing facility considered a non-farm use must have ALC approval for an exemption.

DIVISION 27 AGRICULTURE 2 (AG2)

Permitted Uses

Bylaw 2038

- 2700 Subject to the *British Columbia Agricultural Land Commission Act*, Regulations and Orders, land, buildings and structures in the Agriculture 2 (AG2) zone shall be used for the following purposes only:
All activities designated as “Farm Use” as defined in the *Agricultural Land Commission Act* and Part 2 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*;
- Dwellings:
- Single Detached;
 - Duplex;
- Horse Riding Arena and Boarding Stables;
Keeping of Farm Animals;
Kennel;
Nursery, Greenhouses and Florist;
Recreation Reserve;
Sale of Agricultural Produce Grown by the Agricultural Business;
Veterinary Clinic;
Small scale food processing facilities by Development Permit (with the exception of lands within Electoral Areas B, I and J-Lower Arrow/Columbia);
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Secondary Residences (subject to Section 1701 Sub-sections 3 and 4);
 - Portable Sawmills for processing of material harvested on site only.

Development Regulations

2701

- 1 The minimum lot area shall be eight (8) hectares in the Agricultural Land Reserve and two (2) hectares outside the Agricultural Land Reserve.
- 2 The maximum site coverage permitted shall be 35 percent of the lot area unless an area not larger than 60 percent of the lot is covered with greenhouses.
- 3 No more than one single detached dwelling or duplex may be located on a lot except where:
 - a lot is classified as a farm under the *Assessment Act*, one additional dwelling to accommodate people employed on the farm may be located on the lot as long as the lot is larger than four (4) hectares.
- 4 In addition to that permitted in Sub-section 3, one manufactured home to be inhabited by a member of the immediate family of the owner of the principal dwelling may be permitted where:

- a the manufactured home is not sited on a permanent foundation with a basement excavation,
- b the manufactured home is removed from the property within 90 days when no longer required by the member of the immediate family, and
- c the manufactured home is no wider than nine (9) metres.
- d additions, including porches, to a manufactured home permitted under this section shall not exceed 24 square metres in floor area.

- 5 No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within five (5) metres of a lot line.
- 6 Sub-section 5 does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.
- 7 In Areas C and K the minimum setback for a kennel or small scale food processing that processes more than 50% of off farm product and is limited to livestock processing shall be 7.5 metres from any lot line (with the exception of abattoirs and lands within Electoral Area A where all setbacks shall be 30 metres).
- 8 Despite any other provision of this bylaw, development of lands within the Agricultural Land Reserve shall comply with all applicable regulations of the *British Columbia Agricultural Land Commission Act*, Regulations and Orders.

Bylaw 2157

- 9 Small scale food processing facilities serving local producers:
 - ⇒ must meet descriptions in Section 311 Food Manufacturing in the North American Industry Classification System (excluding Rendering from Carcasses);
 - ⇒ must be located on a minimum 2 hectare site outside the Agricultural Land Reserve or 3 hectares within the Agricultural Land Reserve;
 - ⇒ must have valid licenses to operate from the Province of BC, including:
 - meeting the BC Slaughter and Poultry Processing Policies;
 - approval by the Farm Industry Review Board;
 - approval of The Canadian Food Inspection Agency;
 - meeting BC Food Premises Regulations;
 - licensing approval from the Centre for Disease Control;
 - approval of Provincial Ministry responsible for water and wastewater systems and administration of the Meat Inspection Regulation (MIR); and
 - approval of the Agricultural Land Commission for composting; and
 - ⇒ must be located at least 30 meters from the nearest business or residence on another parcel.

Bylaw 2038

A development permit is required for any food processing facility.
Any food processing facility considered a non-farm use must have ALC approval for an exemption.

DIVISION 28 AGRICULTURE 2 - A (AG2-A)

Permitted Uses

- 2800 Subject to the *British Columbia Agricultural Land Commission Act*, Regulations and Orders, land, buildings and structures in the Agriculture 2-A (AG2-A) zone shall be used for the following purposes only:
All activities designated as "Farm Use" as defined in the *Agricultural Land Commission Act* and Part 2 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*;
- Dwellings:
- Single Detached;
- Horse Riding Arena and Boarding Stables;
Keeping of Farm Animals;
Kennel;
Nursery, Greenhouses and Florist;
Recreation Reserve;
Sale of Agricultural Produce Grown by the Agricultural Business;
Veterinary Clinic;
Small scale food processing facilities by Development Permit (with the exception of lands within Electoral Areas B, I and J-Lower Arrow/Columbia);
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Portable Sawmills for processing of material harvested on site only.

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Development Regulations

2801

- 1 The minimum lot area shall be eight (8) hectares in the Agricultural Land Reserve and two (2) hectares outside the Agricultural Land Reserve.
- 2 The maximum site coverage permitted shall be 35 percent of the lot area unless an area not larger than 60 percent of the lot is covered with greenhouses.
- 3 No more than one single detached dwelling may be located on a lot.
- 4 No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within five (5) metres of a lot line.
- 5 Sub-section 4 does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.
- 6 In Areas C and K the minimum setback for a kennel or small scale food processing that processes more than 50% of off farm product and is limited

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to livestock processing shall be 7.5 metres from any lot line (with the exception of abattoirs and lands within Electoral Area A where all setbacks shall be 30 metres).

7 Despite any other provision of this bylaw, development of lands within the Agricultural Land Reserve shall comply with all applicable regulations of the *British Columbia Agricultural Land Commission Act*, Regulations and Orders.

8 Small scale food processing facilities serving local producers:

⇒ must meet descriptions in Section 311 Food Manufacturing in the North American Industry Classification System (excluding Rendering from Carcasses);

⇒ must be located on a minimum 2 hectare site outside the Agricultural Land Reserve or 3 hectares within the Agricultural Land Reserve;

⇒ must have valid licenses to operate from the Province of BC, including:

- meeting the BC Slaughter and Poultry Processing Policies;
- approval by the Farm Industry Review Board;
- approval of The Canadian Food Inspection Agency;
- meeting BC Food Premises Regulations;
- licensing approval from the Centre for Disease Control;
- approval of Provincial Ministry responsible for water and wastewater systems and administration of the Meat Inspection Regulation (MIR); and
- approval of the Agricultural Land Commission for composting; and

⇒ must be located at least 30 meters from the nearest business or residence on another parcel.

A development permit is required for any food processing facility.

Any food processing facility considered a non-farm use must have ALC approval for an exemption.

DIVISION 29 AGRICULTURE 3 (AG3)

Permitted Uses

Bylaw 2038

- 2900 Subject to the *British Columbia Agricultural Land Commission Act*, Regulations and Orders, land, buildings and structures in the Agriculture 3 (AG3) zone shall be used for the following purposes only:
All activities designated as “Farm Use” as defined in the *Agricultural Land Commission Act* and Part 2 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*;
- Dwellings:
- Single Detached;
 - Duplex;
- Horse Riding Arena and Boarding Stables;
Keeping of Farm Animals;
Kennel;
Nursery, Greenhouses and Florist;
Recreation Reserve;
Sale of Agricultural Produce Grown by the Agricultural Business;
Veterinary Clinic;
Small scale food processing facilities by Development Permit (with the exception of lands within Electoral Areas B, I and J-Lower Arrow/Columbia);
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Secondary Residences (subject to Section 1901 Sub-sections 3 and 4);
 - Portable Sawmills for processing of material harvested on site only.

Development Regulations

2901

- 1 The minimum lot area shall be sixty (60) hectares in the Agricultural Land Reserve and two (2) hectares outside the Agricultural Land Reserve.
- 2 The maximum site coverage permitted shall be 35 percent of the lot area unless an area not larger than 60 percent of the lot is covered with greenhouses.
- 3 No more than one single detached dwelling or duplex may be located on a lot except where:
 - a lot is classified as a farm under the *Assessment Act*, one additional dwelling to accommodate people employed on the farm may be located on the lot as long as the lot is larger than four (4) hectares.
- 4 In addition to that permitted in Sub-section 3, one manufactured home to be inhabited by a member of the immediate family of the owner of the principal dwelling may be permitted where:

- a the manufactured home is not sited on a permanent foundation with a basement excavation,
- b the manufactured home is removed from the property within 90 days when no longer required by the member of the immediate family, and
- c the manufactured home is no wider than nine (9) metres.
- d additions, including porches, to a manufactured home permitted under this section shall not exceed 24 square metres in floor area.

5 No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within five (5) metres of a lot line.

6 Sub-section 5 does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.

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7 In Areas C and K the minimum setback for a kennel or small scale food processing that processes more than 50% of off farm product and is limited to livestock processing shall be 7.5 metres from any lot line (with the exception of abattoirs and lands within Electoral Area A where all setbacks shall be 30 metres).

8 Despite any other provision of this bylaw, development of lands within the Agricultural Land Reserve shall comply with all applicable regulations of the *British Columbia Agricultural Land Commission Act*, Regulations and Orders.

Bylaw 2038

9 Small scale food processing facilities serving local producers:

- ⇒ must meet descriptions in Section 311 Food Manufacturing in the North American Industry Classification System (excluding Rendering from Carcasses);
- ⇒ must be located on a minimum 2 hectare site outside the Agricultural Land Reserve or 3 hectares within the Agricultural Land Reserve;
- ⇒ must have valid licenses to operate from the Province of BC, including:
 - meeting the BC Slaughter and Poultry Processing Policies;
 - approval by the Farm Industry Review Board;
 - approval of The Canadian Food Inspection Agency;
 - meeting BC Food Premises Regulations;
 - licensing approval from the Centre for Disease Control;
 - approval of Provincial Ministry responsible for water and wastewater systems and administration of the Meat Inspection Regulation (MIR); and
 - approval of the Agricultural Land Commission for composting; and
- ⇒ must be located at least 30 meters from the nearest business or residence on another parcel.

A development permit is required for any food processing facility.

Any food processing facility considered a non-farm use must have ALC approval for an exemption.

DIVISION 30 AGRICULTURE 4 (AG4)

Permitted Uses

Bylaw 2038

- 3000 Subject to the *British Columbia Agricultural Land Commission Act*, Regulations and Orders, land, buildings and structures in the Agriculture 4 (AG4) zone shall be used for the following purposes only:
All activities designated as “Farm Use” as defined in the *Agricultural Land Commission Act* and Part 2 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*;
- Dwellings:
- Single Detached;
 - Duplex;
- Horse Riding Arena and Boarding Stables;
Keeping of Farm Animals;
Kennel;
Nursery, Greenhouses and Florist;
Recreation Reserve;
Sale of Agricultural Produce Grown by the Agricultural Business;
Veterinary Clinic;
Small scale food processing facilities by Development Permit (with the exception of lands within Electoral Areas B, I and J-Lower Arrow/Columbia);
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Secondary Residences (subject to Section 2001 Sub-sections 3 and 4);
 - Portable Sawmills for processing of material harvested on site only.

Development Regulations

3001

- 1 The minimum lot area shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 35 percent of the lot area unless an area not larger than 60 percent of the lot is covered with greenhouses.
- 3 No more than one single detached dwelling or duplex may be located on a lot except where:
 - a lot is classified as a farm under the *Assessment Act*, one additional dwelling to accommodate people employed on the farm may be located on the lot as long as the lot is larger than four (4) hectares.
- 4 In addition to that permitted in Sub-section 3, one manufactured home to be inhabited by a member of the immediate family of the owner of the principal dwelling may be permitted where:

- a the manufactured home is not sited on a permanent foundation with a basement excavation,
- b the manufactured home is removed from the property within 90 days when no longer required by the member of the immediate family, and
- c the manufactured home is no wider than nine (9) metres.
- d additions, including porches, to a manufactured home permitted under this section shall not exceed 24 square metres in floor area.

5 No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within five (5) metres of a lot line.

6 Sub-section 5 does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.

7 In Areas C and K the minimum setback for a kennel or small scale food processing that processes more than 50% of off farm product and is limited to livestock processing shall be 7.5 metres from any lot line (with the exception of abattoirs and lands within Electoral Area A where all setbacks shall be 30 metres).

Bylaw 2157

8 The minimum lot size for a kennel shall be two (2) hectares.

9 The keeping of farm animals shall comply with the requirements of Section 613.

10 Despite Sub-section 8, parcels assessed as a farm by the BC Assessment Authority, shall not be required to comply with the farm animal requirements of Section 613.

11 Despite any other provision of this bylaw, development of lands within the Agricultural Land Reserve shall comply with all applicable regulations of the *British Columbia Agricultural Land Commission Act*, Regulations and Orders.

12 Small scale food processing facilities serving local producers:

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- ⇒ must meet descriptions in Section 311 Food Manufacturing in the North American Industry Classification System (excluding Rendering from Carcasses);
- ⇒ must be located on a minimum 2 hectare site outside the Agricultural Land Reserve or 3 hectares within the Agricultural Land Reserve;
- ⇒ must have valid licenses to operate from the Province of BC, including:
 - meeting the BC Slaughter and Poultry Processing Policies;
 - approval by the Farm Industry Review Board;
 - approval of The Canadian Food Inspection Agency;
 - meeting BC Food Premises Regulations;
 - licensing approval from the Centre for Disease Control;

- approval of Provincial Ministry responsible for water and wastewater systems and administration of the Meat Inspection Regulation (MIR); and
 - approval of the Agricultural Land Commission for composting; and
- ⇒ must be located at least 30 meters from the nearest business or residence on another parcel.

A development permit is required for any food processing facility.

Any food processing facility considered a non-farm use must have ALC approval for an exemption.

DIVISION 31 AGRICULTURE 4 K (AG4K)

Permitted Uses

- 3100 Subject to the *British Columbia Agricultural Land Commission Act*, Regulations and Orders, land, buildings and structures in the Agriculture 4 K (AG4K) zone shall be used for the following purposes only:
All activities designated as “Farm Use” as defined in the *Agricultural Land Commission Act* and Part 2 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*;
- Dwellings:
- Single Detached;
 - Duplex;
- Horse Riding Arena and Boarding Stables;
Keeping of Farm Animals;
Kennel;
Nursery, Greenhouses and Florist;
Recreation Reserve;
Sale of Agricultural Produce Grown by the Agricultural Business;
Veterinary Clinic;
Small scale food processing facilities by Development Permit (with the exception of lands within Electoral Area J-Lower Arrow/Columbia);
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Home Based Business;
 - Secondary Residences (subject to Section 2001A Sub-sections 3 and 4);
 - Small Scale Wood Product Manufacturing (subject to Section 2002A)

Development Regulations

3101

- 1 The minimum lot area shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 35 percent of the lot area unless an area not larger than 60 percent of the lot is covered with greenhouses.
- 3 No more than one single detached dwelling or duplex may be located on a lot except where:
 - a lot is classified as a farm under the Assessment Act, one additional dwelling to accommodate people employed on the farm may be located on the lot as long as the lot is larger than four (4) hectares.
- 4 In addition to that permitted in Sub-section 3, one manufactured home to be inhabited by a member of the immediate family of the owner of the principal dwelling may be permitted where:

- a the manufactured home is not sited on a permanent foundation with a basement excavation,
 - b the manufactured home is removed from the property within 90 days when no longer required by the member of the immediate family, and
 - c the manufactured home is no wider than nine (9) metres.
 - d additions, including porches, to a manufactured home permitted under this section shall not exceed 24 square metres in floor area.
- 5 No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within five (5) metres of a lot line.
 - 6 Sub-section 5 does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.
 - 7 In Areas C and K the minimum setback for a kennel or small scale food processing that processes more than 50% of off farm product and is limited to livestock processing shall be 7.5 metres from any lot line (with the exception of abattoirs and lands within Electoral Area A where all setbacks shall be 30 metres).
 - 8 The minimum lot size for a kennel shall be two (2) hectares.
 - 9 The keeping of farm animals shall comply with the requirements of Section 613.
 - 10 Despite Sub-section 8, parcels assessed as a farm by the BC Assessment Authority, shall not be required to comply with the farm animal requirements of Section 613.
 - 11 Despite any other provision of this bylaw, development of lands within the Agricultural Land Reserve shall comply with all applicable regulations of the British Columbia Agricultural Land Commission Act, Regulations and Orders.
 - 12 Small scale food processing facilities serving local producers:
 - ⇒ must meet descriptions in Section 311 Food Manufacturing in the North American Industry Classification System (excluding Rendering from Carcasses);
 - ⇒ must be located on a minimum 2 hectare site outside the Agricultural Land Reserve or 3 hectares within the Agricultural Land Reserve;
 - ⇒ must have valid licenses to operate from the Province of BC, including:
 - meeting the BC Slaughter and Poultry Processing Policies;
 - approval by the Farm Industry Review Board;
 - approval of The Canadian Food Inspection Agency;
 - meeting BC Food Premises Regulations;
 - licensing approval from the Centre for Disease Control;

- approval of Provincial Ministry responsible for water and wastewater systems and administration of the Meat Inspection Regulation (MIR); and
 - approval of the Agricultural Land Commission for composting; and
- ⇒ must be located at least 30 meters from the nearest business or residence on another parcel.

A development permit is required for any food processing facility. Any food processing facility considered a non-farm use must have ALC approval for an exemption.

Small Scale Wood Product Manufacturing

3102 A small scale wood product manufacturing operation is subject to the following requirements:

- 1 If the parcel is located within the ALR, the operator must apply to the ALC for a Non-Farm Use;
- 2 The minimum parcel size shall be 2.0 hectares;
- 3 The sawmill is limited to a band sawmill powered by an engine of no more than 42 Horsepower;
- 4 The property owner will continue to reside in the principal residence on the property;
- 5 Despite the site area requirements detailed elsewhere in the AG4K Zone, the maximum area used for a small scale wood product manufacturing business, including external storage shall not exceed 0.4 hectares;
- 6 Any portion of a property used for a small scale wood product manufacturing use shall be located a minimum of 30 metres from any property line;
- 7 No more than three (3) persons who are not residents of the principal dwelling may be employed in the business;
- 8 External storage of materials, mill and other equipment, finished product and parking shall be screened from view from adjacent residential uses and road right-of-ways with a landscape screen of no less than 1.8 metres in height;
- 9 No commodities may be offered for sale except those produced on the premises;
- 10 There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference or emissions other than that normally associated with a dwelling;

- 11 Operation of the sawmill shall be limited to between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday;
- 12 There shall be no operation of the small scale wood product manufacturing operation on Sundays or Statutory Holidays;
- 13 Access to the small scale wood products manufacturing site shall minimize the impact of any related traffic on neighbouring properties and have approval from the applicable authorities; and
- 14 Any sawmill operation under this section may be subject to an annual inspection to ensure compliance with the Zoning Bylaw.

DIVISION 32 NEIGHBOURHOOD COMMERCIAL (C1)

Permitted Uses

- 3200 Land, buildings and structures in the Neighbourhood Commercial (C1) zone shall be used for the following purposes only:
- Commercial Green House;
 - Farmer's Market;
 - Mixed Use Developments;
 - Offices;
 - Pubs;
 - Personal Service Establishments;
 - Recycling Depot;
 - Restaurants;
 - Retail Stores;
 - Service Stations;
 - Tourist Accommodation
- Accessory Uses:
- one dwelling unit.

Development Regulations

3201

- 1 The minimum site area for each permitted use shall be provided as follows:

Hotel, Motel, Lodge and Similar Uses

On Site Servicing – 1 hectare (up to 10 units), 600m² for each additional sleeping unit, 0.1 hectares for each additional housekeeping unit

Community Water – 0.4 hectares, 300m² for each additional sleeping unit, 400 m² for each additional housekeeping unit.

Full Servicing - 0.2 hectares (first unit), 200 m² for each additional sleeping or housekeeping unit.

All Other Uses

On Site Servicing - 1 hectare

Community Water - 0.4 hectares

Full Servicing - 0.4 hectares

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

- 3 The maximum commercial floor area within all buildings on a lot shall be 500 square metres.
- 4 Landscaping shall comply with the requirements of sections 621 and 622.

DIVISION 33 GENERAL COMMERCIAL (C2)

Permitted Uses

- 3300 Land, buildings and structures in the General Commercial (C2) zone shall be used for the following purposes only:
- Building and Plumbing Sales,
 - Manufactured Home and Trailer Sales;
 - Mixed Use Developments;
 - Motor Vehicle Sales and Rentals;
 - Offices;
 - Plumbing, Heating and Glass Sales and Service;
 - Personal Service Establishments;
 - Recycling Depot;
 - Repair Shops (enclosed) of:
 - boats and light marine equipment,
 - awnings and canvas products,
 - small equipment and machinery,
 - automobiles:
 - Restaurants;
 - Retail Stores;
 - Service Stations;
 - Tourist Accommodation;
 - Veterinary Clinics;
 - Warehousing:
 - mini warehouses,
 - cold storage plants,
 - feed and seed storage and distribution;
 - Accessory Uses:
 - one dwelling unit.

Development Regulations

- 3301
- 1 The minimum site area for each permitted use shall be provided as follows:

Hotel, Motel, Lodge and Similar Uses

- On Site Servicing - 1 hectare (up to 10 units), 600m² for each additional sleeping unit, 0.1hectares for each additional housekeeping unit
- Community Water - 0.4 hectares, 300m² for each additional sleeping unit, 400 m² for each additional housekeeping unit.
- Full Servicing - 0.2 hectares (first unit), 200 m² for each additional sleeping or housekeeping unit.

All Other Uses

On Site Servicing - 1 hectare

Community Water - 0.4 hectares

Full Servicing - 0.4 hectares

- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 Landscaping shall comply with the requirements of sections 621 and 622.

DIVISION 34 TOURIST COMMERCIAL (C3)

Permitted Uses

3400 Land, buildings and structures in the Tourist Commercial (C3) zone shall be used for the following purposes only:

Artisan Crafts Production and Sales;

Golf Courses;

Horse Riding Arenas and Boarding Stables;

Marinas;

Mixed Use Developments

Museums;

Personal Service Establishments;

Pubs;

Restaurants;

Service Stations;

Tourist Accommodation;

Zoos;

Recreational Vehicle Parks in Schedule 'D' (Boswell portion of Electoral Area 'A')

Accessory Uses to Tourist Accommodation:

- laundromats,

- curio shops,

- convenience stores;

Accessory Uses:

- one dwelling unit.

Bylaw 1798

Bylaw 2211

Development Regulations

3401

1 The minimum site area shall be provided as follows:

Hotel, Motel, Lodge and Similar Uses

On Site Servicing - 1 hectare (up to 10 units), 600m² for each additional sleeping unit, 0.1hectares for each additional housekeeping unit

Community Water - 0.4 hectares, 300m² for each additional sleeping unit, 400 m² for each additional housekeeping unit.

Full Servicing - 0.2 hectares (first unit), 200 m² for each additional sleeping or housekeeping unit.

All Other Uses

On Site Servicing - 1 hectare

Community Water - 0.4 hectares

Full Servicing - 0.4 hectares

- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 Landscaping shall comply with the requirements of sections 621 and 622.
- 4 In schedule 'D' (Boswell portion of Electoral Area 'A') lots adjacent to residential zones must provide screening and buffering. Landscaping used as screen or buffer shall be designed to minimize the cost of general maintenance and upkeep. In Suburban and Country Residential zones adjacent to Tourist Commercial zones the buffer constitutes an area of 7.5 metres. In other larger residential zones this is reduced to 5 metres. The following provisions apply:
 - a Screening and buffering shall be achieved through improvements that are in reasonable proportion to the scale and construction cost of proposed building(s) improvements, expansions, or other site improvements.
 - b In lieu of new improvements significant natural, historical and cultural site features, including but not limited to large trees, hedgerows, and woodlands; waterbodies and wetlands; steep slopes may be considered part of a screen or buffer.
 - c Buffers shall be of such nature and density so as to screen activities, structures, and uses on the property from view from the normal level of a first story window on an abutting lot and shall further provide a year-round effective visual screen.

Bylaw 2211

DIVISION 35 HERITAGE COMMERCIAL (C4)

Permitted Uses

3500 Land, buildings and structures in the Heritage Commercial (C4) zone shall be used for the following purposes only:

- Artisan and Crafts Production and Sales;
- Business, Professional and Government Offices;
- Personal Service Establishments;
- Restaurants and Pubs;
- Retail Stores;
- Tourist Accommodation;
- Accessory Uses:
 - one dwelling unit
 - accessory buildings and uses associated with a permitted use.

Development Regulations

3501

- 1 Development in this zone shall be subject to the requirements of a Development Permit.
- 2 The minimum site area requirement for each development shall be determined through the Development Permit process.
- 3 All activity shall take place in a principal building or accessory building and there shall be no outdoor storage of vehicles or other material unless otherwise provided through the Development Permit process.
- 4 The maximum site coverage permitted shall be 50 percent of the site area.
- 5 Landscaping and fencing requirements shall be determined in accordance with the Development Permit process and sections 621 and 622 of this Bylaw.
- 6 Off-street parking and loading requirements, building setback requirements and signage requirements shall be determined in accordance with the Development Permit process and the provisions of this Bylaw.

DIVISION 36 SMALL SCALE TOURISM ACCOMMODATION (C5)

Permitted Uses

- 3600 Land, buildings and structures in the Small Scale Tourism Accommodation (C5) zone shall be used for the following purposes only:
 Dwellings:
 - Single Detached;
 - Duplex.
 Rental Cabin for Tourist Accommodation;
 Accessory Uses:
 - Accessory Tourist Accommodation;
 - Horticulture;
 - Sale of Site Grown Horticultural Product;
 - Home Based Business.

Development Regulations

- 3601
 1 The minimum lot size for Small Scale Tourism Accommodation (C5) shall be one (1) hectare:

LEVEL OF SERVICES PROVIDED

	Community Water Supply and Community Sewer System	Community Water Supply Only	On Site Servicing Only
Cabin, or Dwelling - first cabin, or dwelling	0.5 hectare	0.5 hectare	1.0 hectare
- each additional cabin, or unit	200 m ²	400 m ²	0.1 hectare
2 Single detached dwellings, duplex dwellings, cabin for tourist accommodation shall be permitted subject to conformance with the above site area requirements.			
3 Lot coverage by all permitted uses, buildings and structures shall not exceed 50% of the lot area.			
4 There shall be a minimum distance of six (6) metres between any cabin or dwelling.			
5 The maximum permitted floor area for any one (1) rental cabin or rental dwelling shall not exceed one hundred (100) square metres.			

- 6 The property owner will continue to reside in the principal residence on the property.
- 7 Despite the site area requirements detailed, the maximum number of cabins permitted to be rented at any one time shall be five (5) and shall not include the principal residence.
- 8 One parking space per cabin shall be provided in addition to the requirements of Section 611.

DIVISION 37 SMALL SCALE TOURISM ACCOMMODATION K (C5K)

Bylaw 2057

Permitted Uses

- 3700 Land, buildings and structures in the Small Scale Tourism Accommodation (C5) zone shall be used for the following purposes only:
- Dwellings:
- Single Detached;
 - Duplex.
- Rental Cabin or Dwelling for Tourist Accommodation;
 Bed and Breakfast Accommodation
- Accessory Uses:
- Accessory Tourist Accommodation;
 - Day Care Facility
 - Horticulture;
 - Keeping of Farm Animals
 - Sale of Site Grown Horticultural Products;
 - Home Based Business.

Development Regulations

3701

- 1 The minimum lot size for Small Scale Tourism Accommodation K (C5K) shall be one (1) hectare:

	Level of Services Provided		
	Community Water Supply and Community Sewer System	Community Water OR Sewer	On Site Servicing Only
Cabin, or Dwelling first cabin, or dwelling	0.5 hectare	0.5 hectare	1.0 hectare
- each additional cabin, or unit	200 m ²	400 m ²	0.1 hectare

- 2 Single detached dwellings, duplex dwellings, cabin for tourist accommodation shall be permitted subject to conformance with the above site area requirements.
- 3 Lot coverage by all permitted uses, buildings and structures shall not exceed 50% of the lot area.

- 4 There shall be a minimum distance of six (6) metres between any cabin or dwelling.
- 5 The maximum permitted floor area for any one (1) rental cabin or rental dwelling shall not exceed one hundred (100) square metres.
- 6 The property owner will continue to reside in the principal residence on the property.
- 7 Despite the site area requirements detailed, the maximum number of cabins permitted to be rented at any one time shall be five (5) and shall not include the principal residence.
- 8 One parking space per cabin shall be provided in addition to the requirements of Section 611.

DIVISION 38 RESORT COMMERCIAL (C6)

Permitted Uses

Bylaw 2057

3800

- 1 Land, building and structures in the Resort Commercial (C6) zone shall be used for the following purposes only:
 - cluster development
 - single detached dwellings
 - duplex dwellings,
 - multi-unit dwellings
 - lodges and seasonal resorts
 - hotels
 - cabins
 - campgrounds
 - neighbourhood pubs
 - restaurants
 - lake front oriented pub and/or restaurant
 - spa, health club and wellness facilities
 - personal service establishments
 - recreation facilities including tennis, basketball, badminton and volley ball courts, bicycle, walking, cross country skiing, and horse riding trails, water craft facilities, playgrounds and other similar facilities but shall not include the following; a casino or similar gaming facility, off-road motorized recreation vehicle trails other than snow mobile trails, gun range, skeet shooting range or any activity that disturbs the peaceful enjoyment of the property by residents and tourists.

Accessory Uses:

 - maintenance and infrastructure buildings and facilities
 - employee accommodation.
- 2 All development in the C6 zone used for residential habitation and/or tourist accommodation except, where provided un-serviced campground sites, shall be serviced by a Community Water System and Community Sewer System installed, operated and maintained in accordance with provincial government requirements and regulations.
- 3 All development in the Resort Commercial Zone (C6) zone shall be subject to the requirements of a Development Permit.

Lot Coverage

- 3801 Lot coverage meaning the area of a lot covered by buildings, structures, driveways, parking and loading areas and outdoor storage shall not exceed 50% of the lot area.

Setbacks

3802 Unless otherwise stated in this Bylaw, no building or structure, except a fence, may be located within:

- 7.5 m (25 ft) of a front or exterior side lot line
- 1.5 m (5 ft) of any other lot line
- a minimum separation distance of 6 m (20 ft) shall be maintained between all buildings used for residential habitation or tourist accommodation.

Parking Requirements

3803 In addition to the parking requirements specified under Section 5.12, the following off-street parking requirements shall apply,

- single detached dwelling 1.5 parking stalls/unit
- duplex dwelling 1.5 parking stalls/unit
- multi-unit dwellings 1.0 parking stalls/unit
- cabins 1.0 parking stalls/cabin
- campground 1.0 parking stalls/site.

Cluster Development

3804 Cluster development shall be defined as development consisting of a combination of single detached dwellings, duplex dwellings and/or cabins arranged in clusters with a minimum of four dwelling units.

Site Area Requirements

3805 All development shall be subject to the following minimum site area requirements,

- single detached dwellings 400 square metres (4306 sq. ft.)
- duplex dwellings 300 square metres (3229 sq. ft.)
- cabins (no kitchen facility) 250 square metres (2691 sq. ft)
- campgrounds 4000 square metres (1 ac)
- Lodges, seasonal resorts and hotel development – 60 units per gross hectare (24.3 units per gross acre)
- Multi-unit dwellings – 30 units per gross hectare (12.15 units per gross acre).

Excluding underground parking areas, no lodge, seasonal resort, hotel or multi-unit dwelling building shall have a height greater than 25 metres (82 ft) above the natural ground elevation on which the building is located.

DIVISION 39 LIGHT INDUSTRIAL (M1)

Permitted Uses

- 3900 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:
 - finished wood products,
 - fibreglass products,
 - canvas products,
 - finished concrete products,
 - ceramic products;
 - Manufactured Home and Trailer Sales;
 - Recycling Depot;
 - Repair Shops;
 - Sales, Rental and Servicing of:
 - motor vehicles
 - equipment;
 - Service Stations;
 - Trucking depot / warehouse;
 - Veterinary Clinics;
 - Warehousing:
 - mini warehouses,
 - cold storage plants,
 - feed and seed storage and distribution;
 - Accessory Uses:
 - one dwelling unit;
 - business office.

Development Regulations

3901

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

- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 Excepting a fence, no building or structure may be located within:
 - a 15 metres of the front or exterior side lot lines,
 - b 4.5 metres of the rear or interior side lot lines, or
 - c 25 metres of a rear or interior side lot line that abuts an agricultural or residential zone.
- 4 The maximum height of any structure on a lot shall be 15 metres.
- 5 Landscaping shall comply with the requirements of sections 621 and 622.

DIVISION 40 MEDIUM INDUSTRIAL (M2)

Permitted Uses

- 4000 Land, buildings and structures in the Medium Industrial (M2) zone shall be used for the following purposes only:
- All uses permitted in the Light Industrial (M1) zone;
 - Auto wrecking, Junkyards, Salvage and Scrap Metal Yards;
 - Machine Shops and Parts Manufacturing;
 - Sheet Metal Shops;
 - Wood Product Manufacturing;
 - Accessory Uses:
 - one dwelling unit;
 - business office.

Development Regulations

4001

- 1 The minimum site area for each permitted use shall be one (1) hectare.
- 2 The minimum site area for building supply stores and storage, trucking depots, warehousing, auto wrecking, junk yards, scrap metal yards and storage and wood product manufacturing shall have a minimum site area of 1.5 hectares.
- 3 The maximum site coverage permitted shall be 50 percent of the lot area for buildings and structures and 75 percent for outside storage of materials.
- 4 No building or structure except a fence may be located within:
 - a 15 metres of the front or exterior side lot lines,
 - b 4.5 metres of the rear or interior side lot lines, or
 - c 25 metres of a rear or interior side lot line that abuts an agricultural or residential zone.
- 5 The maximum height of any structure on a lot shall be 15 metres.
- 6 Landscaping shall comply with the requirements of sections 621 and 622.

DIVISION 41 HEAVY INDUSTRIAL (M3)

Permitted Uses

- 4100 Land, buildings and structures in the Heavy Industrial (M3) zone shall be used for the following purposes only:
All uses permitted in the M1 and M2 zones;
Asphalt Plant;
Concrete and Cement Manufacturing and Storage;
Landfill;
Waste Management Facilities;
Accessory Uses:
- one dwelling unit;
- business office.

Development Regulations

4101

- 1 The minimum site area for each permitted use shall be three (3) hectares.
- 2 The maximum site coverage permitted shall be 75 percent of the lot area unless otherwise approved by the Ministry of Health.
- 3 No building or structure except a fence may be located within:
 - a 15 metres of the front or exterior side lot lines,
 - b 4.5 metres of the rear or interior side lot lines, or
 - c 25 metres of a rear or interior side lot line that abuts an agricultural or residential zone.
- 4 No equipment or machinery that grades, washes, or crushes primary mineral resources shall operate or no concrete batch plant or asphalt processing plant shall be located within 75 metres of any lot line that abuts a residential zone.
- 5 The maximum height of any structure on a lot shall be 15 metres.
- 6 Landscaping shall comply with all requirements of sections 621 and 622.

DIVISION 42 INDUSTRIAL - LOGGING (M4)

Permitted Uses

- 4200 Land, buildings and structures in the Industrial Logging (M4) zone shall be used for the following purposes only:
- Log boom grounds and landing areas;
 - Wood Product Manufacturing;
 - Recycling Depot;
 - Accessory uses:
 - office;
 - one dwelling unit.

Development Regulations

4201

- 1 The minimum site area for each permitted use shall be two (2) hectares.
- 2 No equipment or machinery that is used in association with the grading of logs shall operate within 50 metres of any lot line that abuts a residential zone.
- 3 Landscaping shall comply with all requirements of sections 621 and 622.

DIVISION 43 INDUSTRIAL - RAILWAY (M5)

Permitted Uses

- 4300 Land, buildings and structures in the Industrial Railway (M5) zone shall be used for the following purposes only:
All operations necessary for the operation of a railway;
Recycling Depot;
Accessory Uses:
- one dwelling unit;
- warehousing.

Development Regulations

4301

- 1 The minimum site area for each permitted use shall be two (2) hectares.

DIVISION 44 INDUSTRIAL - AIRPORT (M6)

Permitted Uses

- 4400 Land, buildings and structures in the Industrial Airport (M6) zone shall be used for the following purposes only:
- Airports;
 - Recycling Depot;
 - Uses, buildings and structures accessory to airports including sales of aircraft fuel, aircraft charter business, aircraft sales and repairs and flight training schools;
 - Accessory Uses:
 - one residence associated with each permitted use

Development Regulations

4401

- 1 All buildings, structures and uses in conjunction with airports shall comply with the Federal Department of Transport regulations.
- 2 The minimum site area for an airport is 40 hectares.
- 3 The minimum site area for any other permitted use is one (1) hectare unless the site is serviced by a community water system whereby the minimum site area is 0.4 hectare.

DIVISION 45 INSTITUTIONAL (I)

Permitted Uses

- 4500 Land, buildings and structures in the Institutional (I) zone shall be used for the following purposes only:
- Cemeteries;
 - Churches;
 - Community Care Facilities;
 - Community Halls;
 - Convention Facilities;
 - Day Care Centres;
 - Educational Facilities;
 - Group Care Facilities;
 - Historic Interpretative Facilities;
 - accessory uses (heritage restaurants, retail sales of heritage products; small scale manufacture of heritage products);
 - Hospitals;
 - Quasi-Governmental Offices supporting permitted uses;
 - Recycling Depot;
 - Retreat Centre;
 - Accessory Uses:
 - one dwelling unit.

Bylaw 1949

Site Specific - Lot 3, District Lot 302A, Kootenay District, Plan 1318, Except part included in Plan 12613 - Division 32, Institutional Permitted Uses, 3200, "Government Offices" be added as a permitted use.

Development Regulations

4501

- 1 The minimum site area for each permitted use shall be one (1) hectare.
- 2 The maximum site coverage shall be 50 percent of the lot area.
- 3 The maximum size of accessory use structures for Historical Interpretative Facilities shall be 300 square metres.
- 4 Landscaping shall comply with all requirements of sections 621 and 622.

DIVISION 46 PARK AND RECREATION (PR)

Permitted Uses

- 4600 Land, buildings and structures in the Park and Recreation (PR) zone shall be used for the following purposes only subject to compliance with the *Agricultural Land Commission Act, Regulations and Orders* where applicable:
- Agriculture on lands within the ALR;
 - Campgrounds;
 - Community Recreation Centres;
 - Community Wharves & Boat Launches;
 - Golf Courses;
 - Natural and Historic Interpretation Facilities;
 - Recreation Facilities;
 - Accessory Uses:
 - one dwelling unit
 - concession booth.

Development Regulations

4601

- 1 The minimum site area for each permitted use shall be two (2) hectares.

DIVISION 47 SPECIAL RECREATION 1(PR1)

Permitted Uses

- 4700 Land, buildings and structures in the Special Recreation 1 (PR1) zone shall be used for the following purposes only:
Shooting Range (archery, firearms);
Accessory Uses:
- club house(s);
- storage facilities;
- residence for a caretaker.

Development Regulations

4701

- 1 The minimum site area shall be 15 hectares.
- 2 No person shall establish a rifle; archery or trap and skeet range less than 25 metres from any property line.

DIVISION 48 OPEN SPACE (OS)

Permitted Uses

4800 Land, buildings and structures in the Open Space (OS) zone shall be used for the following purposes only:

- Agriculture;
- Community Wharves & Boat Launches;
- Commercial Back Country Recreation;
- Fishing and Hunting Camps
- Outdoor Recreational Activities;
- Private Dock Adjacent to Upland Property;
- Recreational Reserves;
- Resource Based Activities:
 - resource processing as defined;
 - forest harvesting;
 - mineral exploration and mining.

Development Regulations

4801

- 1 The minimum site area shall be 15 hectares.

DIVISION 49 QUARRY (Q)

Permitted Uses

- 4900 Land, buildings and structures in the Quarry (Q) zone shall be used for the following purposes only:
- Concrete Batch Plant;
 - Quarries;
 - Asphalt Plant;
 - Gravel Pits;
 - Processing of Aggregate Mined On site:
 - preliminary grading,
 - crushing,
 - screening,
 - washing;
 - Accessory Uses:
 - one dwelling unit,
 - business office.

Development Regulations

4901

- 1 The minimum site area shall be five (5) hectares.
- 2 The minimum setback for any processing operation shall be 100 metres from any lot line.
- 3 Landscaping shall comply with the requirements of sections 621 and 622.

DIVISION 50 ENVIRONMENTAL RESERVE (ER)

Permitted Uses

- 5000 Land, buildings and structures in the Environmental Reserve (ER) Zone shall be used for the following purposes only:
- Agriculture;
 - Bird Sanctuary;
 - Environmental Reserve;
 - Open Space;
 - Accessory uses:
 - interpretative facilities
 - one dwelling unit.

Development Regulations

5001

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

DIVISION 51 FOREST RESOURCE (FR)

Permitted Uses

- 5100 Land, buildings and structures in the Forest Resource (FR) Zone shall be used for the following purposes only:
- Back Country Recreation;
 - Timber production;
 - Forage production and grazing by livestock and wildlife;
 - A use or occupation authorized under the *Coal Act, Geothermal Resources Act, Mineral Tenure Act, Mines Act, or Petroleum and Natural Gas Act*;
 - Commercial Back Country Recreation;
 - Accessory uses:
 - one single detached dwelling.

Development Regulations

5101

- 1 The minimum site area for each permitted use shall be ten (10) hectares.

DIVISION 52 **COMPREHENSIVE DEVELOPMENT (CD1)**

Permitted Uses

- 5200 Land, buildings and structures in the Comprehensive Development (CD1) zone shall be used for the following purposes only:
Campground,
Recreation Vehicle Storage, and
Forest Fire Attack Base including, office space, training facilities (indoor and outdoor), equipment storage (indoor and outdoor) vehicle storage, and
Accessory uses to the forgoing including, buildings and uses associated with the campground operation and recreation vehicle storage operation, and buildings and uses associated with the Forest Fire Attack Base operation.

Development Regulations

- 5201
- 1 All development in the Comprehensive Development (CD1) zone shall be subject to the requirements of a Development Permit.
 - 2 The minimum site area shall be 2 hectares.
 - 3 The maximum site coverage shall be 75 percent of the site area however, the maximum site area covered by all buildings and structures shall not exceed 50 percent of the site area.
 - 4 Landscaping and fencing requirements shall be in accordance with Sections 621 and 622 of this Bylaw or as specified in the Development Permit.
 - 5 Off-street parking and loading requirements, building setback and building height requirements, signs, exterior lighting, dust suppression requirements, road access requirements and the design and layout of internal service roads and lots, water and sewer service requirements and any other relevant site development matters shall be as specified in the Development Permit.

DIVISION 53 COMPREHENSIVE DEVELOPMENT (CD2)

Permitted Uses

5300 Land, buildings and structures in the Comprehensive Development (CD2) zone shall be used for the following purposes only:

Mini-warehouse Storage,
Boat and Recreation Vehicle Storage,
Moving Equipment Rental Operation,
Forest Service Fire Attack Base Operation,
Retail Convenience Store, and
Commercial Hall Rental

Accessory uses to the foregoing including,
One dwelling unit,
Office space related to the management of the Permitted Uses, and
Accessory buildings including utility buildings.

Development Regulations

5301

- 1 All development in the Comprehensive Development (CD2) zone shall be subject to the requirements of a Development Permit.
- 2 The minimum site area shall be 1.5 hectares.
- 3 The location and floor area associated with the following Permitted Uses; Mini-warehouse Storage, Commercial Hall Rental, Retail Convenience Store and Forest Service Fire Attack Base Operation, shall be limited to renovations involving the former Pass Creek Elementary School building. The maximum gross floor area for these developments shall be limited to the floor area of the former Pass Creek School building plus an additional floor area equivalent to half of the gross floor area of the existing building. Furthermore, the construction of additional floor space for these Permitted Uses must be physically attached to the existing building.
- 4 The site location and development requirements associated with Boat and Recreation Vehicle Storage and Moving Equipment Rental Operation shall be as specified in a Development Permit however, the total site area utilized for these Permitted Uses shall not exceed 0.4 ha (1 ca).
- 5 Development associated with the Forest Service Fire Attack Base Operation may include office space, training facilities, service facilities for fire fighters and office staff, indoor and outdoor equipment storage areas, vehicle storage and parking areas but shall not include a heli-pad for use in conjunction with the Fire Attack Base Operation.

- 6 The maximum site coverage shall be 75 percent of the site area however the maximum site area covered by all buildings and structures shall not exceed 50 percent of the site area.
- 7 Unless otherwise specified in a Development Permit, all buildings and structures except a fence shall be setback a minimum distance of 7.5 m (25 ft.) from all public roads and 1.5 m (5 ft) from all other lot lines.
- 8 Unless otherwise specified in a Development Permit, landscaping and fencing requirements shall be in accordance with Division 6, Section 621 'Landscaping Requirements – Applicability' and Section 622 'General Regulations for Landscaping' of Zoning Bylaw 1675.
- 9 Off-street parking and loading requirements, building height requirements, signs, exterior lighting, hours of operation, road access requirements and the design and layout of internal service roads, water and sewer service requirements and other relevant site development matters shall be as specified in a Development Permit.

DIVISION 54 READINGS, APPROVAL AND ADOPTION

READ A FIRST TIME this 21st day of August, 2004.

READ A SECOND TIME this 21st day of August, 2004.

WHEREAS A PUBLIC HEARING was held on the 29th day of September, 2004.

READ A THIRD TIME this 23rd day of October, 2004.

APPROVED under **Section 57 of the Highways Act** this 16th day of November, 2004.

"P. Best"

District Development Technician
Ministry of Transportation

RECONSIDERED AND ADOPTED this 20th day of November, 2004.

"Hans Cunningham"

"Carol McGowan"

Chair

Secretary

I hereby certify the foregoing to be a true and correct copy of the **Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004**, as read a THIRD time by the Regional Board on the day of _____, 2004.

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

Secretary

I hereby certify the foregoing to be a true and correct copy of the **Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004**.

DATED this _____ day of _____, _____.

Secretary