Columbia Valley Zoning Bylaw No. XXXX

DRAFT FOR PUBLIC REVIEW - SUMMER 2023

Regional District of
East Kootenay

June 2023

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REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. XXXX

A bylaw to regulate development within Electoral Areas F and G of the Regional District of East Kootenay.

WHEREAS the Board of the Regional District of East Kootenay wishes to ensure that land use and development in Electoral Areas F and G takes place in an orderly, safe and efficient way;

NOW THEREFORE the Board of the Regional District of East Kootenay in open meeting assembled enacts as follows:

1. TITLE

This Bylaw may be cited for all purposes as "Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. XXXX, 2023".

2. ADMINISTRATION AND ENFORCEMENT

REVISED

2.1 The General Manager of Development and Protective Services, Planning Supervisor, Building Supervisor and Compliance Officer, and any other person authorized by Board Resolution to assist the aforementioned persons are authorized to administer and enforce this Bylaw.

REVISED

2.2 Any person who contravenes any provision of this Bylaw commits an offence punishable on summary conviction and is liable to a fine not exceeding $10,000 and the costs of prosecution.

2.3 If a portion of this Bylaw is found invalid by a court, then it will be severed and the remainder of the bylaw will remain in effect.

2.4 This Bylaw shall come into full force and effect on the final adoption thereof.

2.5 Bylaw No. 900, cited as Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992, as amended, is hereby repealed.

3. INTERPRETATION

3.1 Schedules

The following schedules are attached to and form part of this Bylaw:

A1 – Layout of Schedules
A2 – Columbia Lake South
A3 – Columbia Lake North
A4 – Columere / Fairmont
A5 – Lyttle Lake
A6 – Windermere South
A7 – Windermere North
A8 – Toby Benches
A9 – Dry Gulch
A10 – Edgewater
A11 – Luxor / Spur Valley
A12 – Brisco
A13 – Spillimacheen
A14 – Panorama
A15 – Rushmere
A16 – Water Zoning – Columbia Lake South
A17 – Water Zoning – Columbia Lake North
REVISED A18 – Water Zoning – Lake Windermere South
A19 – Water Zoning – Lake Windermere Mid- South
A20 – Water Zoning – Lake Windermere Mid-North
A21– Water Zoning – Lake Windermere North

Info Box – New Map Schedules will consolidate all the amendments since 1990 and shift to digital mapping based on current cadastral mapping.

Info Box –
Schedules A16 & A17 move the water zones to independent schedules
Schedules A18 to A21 divide the water zoning between four map schedules instead of three.

No changes to the zones are proposed.

3.2 Measurements and Calculations

(1) Numerical quantities are written in the International System of Units (metric).

new (2) Where a *parcel* contains more than one zone:

(a) Each different zone will be treated as a separate *parcel* for the purpose of calculating maximum *parcel coverage* and *setbacks*.

(b) All *principal* and *accessory buildings*, *structures* and uses must be located within the zone for the *building*, *structure,* or use.

new (3) Side *setback* requirements do not apply to the *parcel line* along which a *common wall* is located.

new (4) All requirements that involve measurements and calculations apply to a bare land strata *parcel* in the same way as to any other *parcel*.

new (5) Where access to a *parcel* is provided by an *access route* or fee simple *common lot*, all measurements and calculations relating to *parcels* gaining access from the *access route* or *common lot* apply in the same way as though access were provided from a highway.

REVISED (6) The maximum permitted height of *buildings* and *structures* is calculated by measuring the vertical distance from the *finished grade* of the *building* or *structure* to the mid-point between the eaves and ridge of the primary roof or roofs on each elevation. When the architectural design of the primary roof or roofs does not include a roof ridge. The maximum permitted height of the *building* or *structure* shall be calculated in accordance with section 1.12 (7) of Schedule A to this Bylaw.

3.3 Definitions

In this Bylaw:

Access route means those portions of the common property in a bare land strata plan intended to provide vehicular access to the strata lots in the bare land strata.

Accessory building means:

(a) a *building*, the use or intended use of which is *accessory to* that of the *principal building* situated on the same *parcel*, which may be detached or connected to other *buildings* by a *breezeway*; or

(b) a *building* which is *accessory to* a *principal use* being made of the *parcel* upon which such *building* is located.

Accessory to means customarily incidental and subordinate to the permitted use of *land*, *buildings* or *structures*.

Accessory use means:

(a) a use which is *accessory to* the *principal building* or to the use of the *principal building* on the same *parcel*; or

(b) a use which is *accessory to* the *principal use* made of the *parcel* upon which such *accessory use* is carried on.

Agricultural Land Reserve means a reserve of land established under the *Agricultural Land Commission Act*.

Aid to navigation means a buoy, beacon, lighthouse, landmark, radio aid to marine navigation or any other *structure* or device installed, built or maintained in or on water or on *land* for the purpose of assisting with navigation.

Amusement park means a commercial operation including any carnival, circus, water slides, miniature golf course, playground, mechanical amusement device, or other similar amusement enterprises which are open to the public for admission to which a fee is charged, but shall not include movie theatres, zoos or theatres for the performing arts.

Animal unit means any one of the following groups:

1	beef or dairy cow plus calf or one bull
1	horse (stallion, gelding, mare and foal(s)), donkey, mule or hinny
4	sheep plus lambs
4	goats plus kids
40	rabbits
125	chickens, turkeys, geese, ducks
1	swine plus progeny to weaning

or 455 kg live weight, whichever is less. The calculation of animal units may include a combination of the above groups provided that the maximum number of animal units does not exceed the permitted number of animal units identified within this Bylaw.

Assembly use means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, recreational or educational purposes and includes churches, auditoriums, youth centres, social halls, community halls, and conference and convention facilities.

Bed unit means the accommodation required for one person to stay overnight or on a permanent basis.

Beekeeping, Backyard means the accessory keeping, owning or maintaining beehives on a *parcel* zoned for single family *residential use* that is occupied by a resident beekeeper. The associated use regulations identified within this Bylaw do not apply to parcels zoned for *farm operation* or where the *keeping of small farm animals* is permitted.

Boathouse means an *accessory building* or *structure* which is used for storage of boats, personal watercraft, tools and equipment *accessory to* the residential or commercial use located on the same *parcel* of *land* and is accessible directly from the water.

Boat lift means an uncovered *structure* which facilitates the removal of a boat from the water and which can allow for a boat to be stored above the surface of the water.

Breezeway means a roofed open passage connecting two or more *buildings*.

Building means a *structure* used or intended for supporting or sheltering any use or occupancy.

Cabin means a building used for seasonal recreation or temporary accommodation. A *cabin* does not contain a *kitchen*.

Campground means an area of land designated and intended for the placement of tents, *recreational vehicles*, *park model trailers*, or *cottages*. A *campground* includes any *parcel* of land with any combination of 3 or more tents, *recreational vehicles*, *park model trailers* or *cottages* placed on it, occupied seasonally. A *campground* does not include a *manufactured home park*, a *motel*, or a *hotel*.

Campsite means an area in a *campground* used or intended to be used, leased or rented for tents, *recreational vehicles*, *park model trailers* or *cottages*.

Cannabis means the substance set out in Schedule 1 of the *Cannabis Act (Canada)*.

Cannabis production facility means a facility for the cultivation, processing, destruction, shipping and direct marketing of *cannabis*. A facility may also conduct research or testing of *cannabis*.

Cannabis retail store means a store for retail cannabis sales operating under licence from the British Columbia Liquor and Cannabis Regulation Branch.

Care and assistance means necessary health care and assistance required by a relative as certified in writing by a physician.

Central check-in facility means *a* facility located at a resort where guests are directed to their accommodations.

Chickens, Backyard means keeping one or more *hens* on a *parcel* zoned for single family residential use for the purpose of egg production. The associated use regulations identified within this Bylaw do not apply to *parcels* zoned for *farm operation* or where the *keeping of small farm animals* is permitted.

Child care facility means a facility for the temporary care of children licenced as Occasional Child Care or Family Child Care under the *Community Care and Assisted Living Act* and the Child Care Licensing Regulation.

Christmas tree management means the thinning, pruning, trimming and harvesting of natural forest stands or plantations of native or non-native species to obtain Christmas trees on a continuous basis.

Cluster development means any combination of single family, duplex, three family or four family *dwellings* dispersed throughout a single *parcel* in a minimum of two clusters containing four *dwelling units* per cluster.

Common lot means a *parcel* that is designated as such on a plan of subdivision under BC Reg. 334/79 and used to gain access to an adjoining parcel.

Common storage area means a portion of a *manufactured home park* or *campground* used or intended to be used by the occupants of the *manufactured home park* or *campground* for storage of automobiles, *recreational vehicles*, boats and other equipment and materials.

Common wall means a continuous, unbroken vertical or horizontal *structure* with *habitable room* adjoining either side, used to separate *dwelling units*, *cottages*, *cabins*, *guest ranch cabins* or building strata lots. A *common wall* is not a *breezeway*.

Community sewer system means a system of sewage collection, treatment and disposal where the treatment method serves more than one *parcel* and is:

(a) approved under the Sewerage Disposal Regulation (B.C. Reg. 326/400); or

(b) approved under the Municipal Sewerage Regulation (B.C. Reg. 87/2012);

and which is established and operated under the *Public Health Act* and regulations or *Environmental Management Act* and regulations or other provincial legislation that may apply.

Community water system means a system of waterworks serving more than one *parcel* which is approved under the *Drinking Water Protection Act* and any other provincial regulations that may apply provided that it is owned, operated and maintained by:

(a) a local government or improvement district as defined by the *Local Government Act*; or

(b) a strata corporation as defined by the *Strata Property Act*, or a water utility, as defined by the *Water Utility Act* where a Certificate of Public Convenience and Necessity (CPCN) has been issued by the Comptroller of Water Rights for the Ministry of Environment.

Compliance Officer means a *Compliance Officer* of the *Regional District*.

Concession Stand means a *building* or *structure* for the sale of souvenirs, takeout foods and related sundries.

Confined Livestock Area means an outdoor, non-grazing area where livestock, *poultry*, or farmed game are confined by fences, other *structures* or topography, and includes feedlots.

Cottage means a *building* on a *campsite* within a *campground* must be used for seasonal or temporary occupancy. A *cottage* is not a *dwelling unit*.

Data Centre means a building or group of buildings housing computer systems for which the principal purpose is to provide data processing, storage and distribution services.

Dock means a platform, either fixed or floating, below the *natural boundary* of the water body, which is designed to accommodate non-commercial parking and temporary water storage of boats or personal watercraft and pedestrian access to and from boats or personal watercraft.

Drive-in restaurant means a *building* where meals, refreshments or both intended for immediate consumption or take away are sold but which does not contain seats for the accommodation of customers.

Duplex means one *building* containing two *dwelling units* that:

(a) share a common roof and foundation;

(b) are separated by a *common wall*; and

(c) where neither *dwelling unit* is a *manufactured home*.

A *building* containing a *secondary suite* is not a *duplex*.

Dwelling unit means a *habitable room* or group of *habitable rooms* occupied or designed to be occupied by one or more persons, with a kitchen and facilities for living and sleeping.

Employee accommodation means residential accommodation for occupation by persons employed at or by the resort where the employee accommodation is located. Limited accommodation for persons not employed by the resort is permitted during the off season.

Equestrian centre means a facility for the accommodation, showing and competitive use of horses and may include a stable, gymkhana course, racetrack, and other related facilities, but does not include horse track.

Farm Operation means 'farm operation' as defined in the *Farm Practices Protection (Right to Farm) Act*, but does not include growing, producing, cultivating, processing or direct marketing of *cannabis*.

Fence means an artificially constructed barrier of any material or combination of materials erected to enclose, separate or screen areas of land.

Finished grade means the finished ground level at the perimeter of the *building* or *structure*; except localized depressions such as for vehicle or pedestrian entrances. Artificial embankments shall not be considered finished grade.

First storey means the uppermost *storey* having its own floor level no more than 2.0 m above *finished grade*.

Fish pond means a body of water where people pay the operator a fee to fish.

Flat roof means the roof of a *building* or *structure* for which the slope of the roof is equal to or less than 9 degrees (2:12 slope).

Floor area ratio means the figure obtained when the *gross floor area* of all *buildings* on a *parcel* is divided by the area of the *parcel*.

Floor space, total means the *total floor area* of all floors of a *secondary suite* measured from the glassline of the interior wall dimensions.

Frontage road means that length of a *highway*, which runs parallel to and abuts a controlled access *highway* on one side, and provides access to *parcels* on the other side of the frontage road.

Garage means an *accessory building*, or part of a *principal building* designed and used primarily for the parking or storage of vehicles.

Golf course means a *parcel* or group of contiguous *parcels* used for playing golf, consisting of at least nine holes each with a tee, fairway and green, and may contain practice areas *accessory to* the *golf course*, but a *golf course* is not a driving range, pitch-and-putt or miniature golf establishment. It may include a proshop, clubhouse and lounge or dining facilities.

Government services means local, provincial or other government services, including office uses for the purpose of local or other government administration.

Gross floor area means the sum of the total horizontal area of all floors of a *building*, between exterior walls and required firewalls, excluding basement floor areas used exclusively for storage, heating or laundry facilities; any portion used for parking; swimming pools; open sundecks; balconies; elevators and ventilating equipment.

Gross hectare means a hectare of *land* including areas given over to development of private streets, *lanes* and open spaces.

Group day care means a facility for the temporary care of children licensed as a Group Child Care (various ages) or Multi-age Child Care under the *Community Care and Assisted Living Act* and the Child Care Licensing Regulation.

Group home means a facility for persons who by reason of their emotional, mental, social, or physical condition or legal status require a supervised group living arrangement for their well-being.

Group moorage facility means one or more *docks* providing communal *overnight moorage* and/or day use *moorage* facilities.

Groyne means a protective *structure* that is used to stop sediment from shifting along the shoreline. *Groynes* are generally constructed perpendicular to the shoreline.

Guest ranch means a working farm or ranch that includes a principal residence, agricultural *structures*, and temporary guest accommodation. *Guest ranch* may also include a *lodge*.

Guest ranch cabin means a *cabin* used for the temporary accommodation of transient paying guests on a *guest ranch* which may include cooking and sanitary facilities for occupants.

Habitable room means a portion of a *building* designed for living or sleeping, but does not include a bathroom, *kitchen*, storage room, laundry room, utility room or closet.

Highway means a *highway* as defined in the *Land Title Act* and *Transportation Act*, but excludes a walkway, *access route* or fee simple *common lot* access *parcel*.

Hen means a domesticated female chicken that is at least four months old.

Home based business means an occupation, service or craft which is clearly *accessory to residential use* of a *parcel* on which a *dwelling unit* is located. A *home based business* may include a preschool, *child care facility*, *group daycare* and Bed and Breakfast use. A *home based business* does not include sawmill, *campground*, recreational vehicle park, *salvage yard*, *mini-storage facility*, or storage of *recreational vehicles* or boats.

Horticulture means the growing of flowers, fruits, vegetables, forages and grains, and includes nurseries and greenhouses but does not include commercial mushroom growing.

Hostel means a *building* providing temporary accommodation of transient paying guests. Entrance and exit ways are shared and the *building* may include common areas for preparing and eating meals, shared sanitary facilities; and accessory uses such as lobby, meeting, entertainment and recreation facilities.

Hotel means a *building* or part wherein accommodation is provided for transient paying guests. Entrance and exit ways are shared and the *building* may include public areas such as a lobby, restaurant, meeting, entertainment and recreation facilities.

Indoor amenity space means common space for leisure activities and does not include dining area, *kitchen*, and washroom facilities.

Intensive agriculture means the use of *land*, *buildings* and *structures* for the confinement, feeding and rearing of poultry, livestock or furbearing animals, including mink, swine and the growing of mushrooms.

Kennel means any *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 for any purpose. A dog or cat means a member of the canine or feline species which is two or more months in age.

Kitchen means a room or portion of a room in a *dwelling unit* which contains one or more of the following: wiring for a stove, 220 volt stove, gas stove, countertop stove and wall oven.

Land includes the surface of water.

Lane means a *highway* not less than 3.0 m nor more than 10.0 m in width, providing secondary access to any abuting *parcel* so that *parcel* may be serviced or reached by *vehicles* using that *highway*.

Launch ramp means an inclined hardened surface designed and constructed for launching and retrieving boats or other watercraft to and from a water body.

Livestock shelter means a *building* or *structure* used for the rearing or sheltering of farm animals, including *buildings* and *structures* for the storage and handling of manure and feed.

Lock-off unit means a *sleeping unit* in a *multiple family dwelling* with a common access and a shared foyer. *Lock-off units* may include a separate entrance from the main hallway and a *kitchen*.

Lodge means a *building* that provides temporary accommodation for the exclusive use of operators and transient paying guests of a *guest ranch*, *rural retreat*, or *wildland use*. A *lodge* may include facilities for meeting and recreation.

Manufactured home means any *building* or *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 or premises, and which conforms to the requirements of the British Columbia Building Code and manufactured to and compliant with CSA Z240 MH or A277 MH series of standards. A *manufactured home* is not a *recreational vehicle* or a *park model trailer*.

Manufactured home area means that part of a *manufactured home park* used primarily for installed *manufactured homes* and which is not used for buffer area, roadways, owner's residence plot, the procuring or treatment of water, collective sewage treatment, effluent disposal from a collective sewage treatment plant, solid waste disposal or *accessory buildings* or *structures*.

Manufactured home park means *land* used for or occupied by any person for the purpose of providing space for the accommodation of two or more *manufactured homes* and for imposing a charge or rental for the use of such spaces, except where two or more *manufactured homes* are permitted on a *parcel* in a zone other than a zone which permits *manufactured home park*.

Manufactured home space means an area of land for the installation of one *manufactured home* with permissible additions and situated within a *manufactured home area*.

Marina means the *buildings*, *structures*, and one or more *docks* used for the *moorage* of boats or watercraft and may include *launch ramps*, water sport instructional services, rental of boats and accessories, storage of boats, sales of marine petroleum products, and accessory retail sales.

Mini storage facility means the use of a *building* or *buildings* for self-contained storage units that provide space for personal goods, materials and equipment that is accessible from an independent entrance and the office space associated with the facility.

Moorage means the tying, fastening or securing of a boat or watercraft to a *structure*.

Mooring buoy means a private buoy under the Private Buoy Regulation of the *Canada Shipping Act* that is used to secure watercraft in a fixed location.

Motel means a *building* or group of *buildings* divided into six or more self-contained *sleeping units* or cabins or combination of units for the use of transient paying guests. Each unit must have its own toilet, wash basin and bath or shower.

Multiple family dwelling means a *building* containing three or more *dwelling units*.

Natural boundary means the visible high water mark where the presence and action of water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of a lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.

Off-premise sign means a *sign* which is not located on the *parcel* to which the *sign* applies. An *off-premise sign* is not a political or campaign *sign*.

Off-street loading space means an area of *land* other than a *highway* used to provide access to a loading door, platform or bay for the purpose of loading and unloading materials or goods from *vehicles*.

Off-street parking space means an area of *land* other than a *highway* used for the temporary parking of *vehicles*.

Ordinary high water mark means the visible high water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years, as to mark upon the soil of the bed of the body of water a character distinct form that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.

Outdoor storage means storage outside a *building* or *structure* of material and equipment used by or associated with the *principal use* of the same or an adjoining *parcel*.

Overnight moorage means the tying, fastening, or securing of watercraft to a *mooring buoy* or *dock* during the dark period between one hour after sunset to one hour before sunrise.

Panhandle parcel means any *parcel*, the *building* area of which is serviced and gains frontage through the use of a strip of *land*, not less than 6.0 m in width, which is part of the *parcel*.

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

Parcel coverage means the total horizontal area within the outermost walls of all *buildings* and *structures* on a *parcel* including attached porches, carports, *sundecks* or verandas expressed as a percentage of *parcel area*. Open and enclosed terraces at grade, swimming pools, steps, cornices, eaves and similar projections, and *solar energy collectors* are excluded from *parcel coverage* calculations.

Parcel line means a legal boundary of a *parcel* as shown or described on the records of the Land Title Office.

Parcel line, front means one of the following:

(a) the *parcel line* common to a *parcel* and an abutting *highway* other than a *lane*;

(b) for a corner lot, the *parcel line* or parcel lines having the shortest cumulative length abutting a *highway*;

(c) for a through lot, the *parcel line* or cumulative lines to which the majority of adjacent *buildings* face when opposite *parcel lines* both adjoin a *highway*; or

(d) for a *panhandle parcel*, the *parcel line* closest to the *highway* from which access is obtained, excluding the access strip.

Parcel line, rear means the *parcel line* or *parcel lines* opposite to and most distant from the *front parcel line*; or where the rear portion of the *parcel* is bounded by intersecting *side parcel lines*, it shall be the point of such intersection.

Parcel line, side means the *parcel line* or *parcel lines* other than the *front* or *rear parcel line* and common to another *parcel* or *parcels* or to a *highway*.

Park means open space set aside for recreational purposes or maintained for the use and enjoyment of the public. A *park* may include *land* owned or leased by a club, society or organized group for recreational use by its members, but does not include a commercial *amusement park*. A *park* may also include privately owned *land* for use of which no charge is made.

Park Model Trailer means either a recreational unit designed to meet CSA Z-240 RV standards and which is not connected to wheels that can be used for conveyance on or off the *highway*, or a recreational unit designed to meet CSA Z-241 standards.

Pension means a *building* used for temporary accommodation of transient paying guests that include guest rooms, *indoor amenity space* and common areas and includes an accessory *dwelling unit* and may include food service.

Poultry means domesticated birds kept for breeding, eggs, meat, feathers, hide, cosmetic or medicinal purposes.

Principal use means the main purpose for which *land*, *buildings*, or *structures* are ordinarily used or intended to be used.

Public access means the privilege or bare licence to use the foreshore and other aquatic land held by the Crown, and includes the right to land boats and to disembark.

Public utility means a use, including *buildings* or *structures*, for providing utility service lines for water, sewer, electrical, street lighting, telephone, cable, gas and similar services. *Public utility* does not include *wireless communication facilities*.

Recreational buoy means a buoy under the Private Buoy Regulation of the *Canada Shipping Act* that is utilized for recreation purposes, such as denoting a water skiing course or a designated swim area.

Recreational water activity means activities that are conducted on the surface of a water body and includes, but is not limited to, activities such as boating, swimming, fishing and wind surfing. *Recreational water activity* does not include associated facilities or *structures*.

Recycling depot means a facility involved in the recycling of postconsumer refuse such as glass, paper, cardboard and containers, excluding vehicles and vehicle parts, with most activities carried out in a *building* but also including outdoor processing and *outdoor storage*. A *salvage yard* is not a *recycling depot*.

Regional District means the Regional District of East Kootenay.

Relative requiring care means a father, mother, father-in-law, mother-in-law, son, daughter, sister, brother, grandchild, grandparent or great grandparent requiring *care and assistance*.

Residential solid waste collection facility means an area with receptacles for residential solid waste, organics and recycling collection for an individual strata community or similar individual residential neighborhood.

Residential use means the activities generally associated with human habitation of a *building* or *structure*.

Rest home means a *building* or *buildings* where *care and assistance* is provided for three or more persons who, on account of age, infirmity or mental or physical disability require personal *care and assistance*; this includes nursing homes, convalescent homes and senior citizens homes.

Riding stable means a facility for the boarding and rental of horses.

Rural retreat means a facility that is owned and operated by a non-profit society incorporated under the *Societies Act* and is intended for recreational, educational, or religious purposes, but does not include a boarding *school*.

Salvage yard means an area where waste or scrap material; primarily metals, are stored, process, exchanged or sold.

School means a place of instruction as defined by the *School Act*.

Screening means a *fence* or an evergreen hedge or combination thereof that obstructs certain views of the property which it encloses and is broken only by access drives, *lanes* and walkways, but excludes open mesh or chain link style *fences* and vegetation used as a wind break.

Seasonal produce stand means a *structure* used part of the year for the sale of horticultural products to the public.

Secondary dwelling unit for farm hand means an accessory *dwelling unit* on land classified as "farm" under the *Assessment Act* for the accommodation of an employee or employees working on the same *parcel* or *farm operation*.

Secondary suite means an *accessory dwelling unit.*

Service club means a *building* or portion of a *building* used by a fraternal or service organization for meetings or social or recreational purposes, including incidental catering to the general public.

Setback means the horizontal distance to a *parcel line*, *access route, common lot* access route, *watercourse*, body of water, or zone boundary.

Sign means any *structure* or device which is used or intended to be used to identify or advertise any object, place, activity, person, institution, organization or business and which is placed so as to be seen by the public.

Single family dwelling means a *building* containing one principal *dwelling unit* and may contain one *secondary suite* where permitted.

Sleeping unit means one or more *habitable rooms* used for temporary accommodation of a person or persons.

Solar energy collector means a device or *structure*, part of a device or *structure*, or a combination of the foregoing that converts direct or indirect solar energy into thermal, chemical or electrical energy.

Solid waste transfer facility means a facility designed, constructed and operated for the collection, processing, transferring or disposal of municipal solid waste or components thereof and material recycling facilities. A *solid waste transfer facility* is not a sanitary landfill site.

Storey means that portion of a *building* which is between the top of any floor and the top of the next floor above it, or if there is no floor above it, that portion between the top of such floor and the ceiling above it.

Structure means any construction which is built, or constructed that is fixed to, sunk into or supported by *land,* water, or another structure, excluding fences, concrete footings, paved surfaces and retaining walls less than 1.5 m in height.

Sundeck means a *structure* without walls attached to a *building*, the floor of which is greater than 0.6 m above finished grade.

Swimming platform means a floating platform, which is anchored to the bed of the water body.

Usable site area means a contiguous area of land with an average slope not exceeding 15%, no portion of which is subject to land slip, avalanche, rock fall, flooding or high water table.

Usable site area (resort) means a contiguous area of land that is located in a development permit area under section 488 (1)(b) of the *Local Government Act*, which has an average slope not exceeding 30%, no portion of which is subject to severe rock fall, avalanche, land slip, flooding or high water table hazard, which may result in harm to the *building*, *structure* other improvements to the *parcel* or persons.

Vehicle means a mechanical device which is designed to transport people or things across the surface of land or upon a *highway*, but excludes a device designed to be moved by human power or used exclusively on stationary rails or tracks.

Vehicle, Derelict means any *vehicle* no longer in road worthy condition, in a state of disrepair, wrecked or being dismantled or which is not licenced and insured in the current calendar year, but does not include *vehicles* stored in *buildings*.

Vehicle, recreational means a *vehicle* which is or was originally designed to travel or to be transported on a *highway* and constructed or equipped to be used as temporary or seasonal occupancy, or a *vehicle* which is designed as a recreational conveyance on or off the *highway* and, without limiting the generality of the foregoing, includes a trailer, travel trailer, tent trailer, coach, camper, motor home, but not a *manufactured home* or *park model trailer*. *Recreational vehicles* must be connected to wheels that can be used for conveyance on or off the *highway*.

Veterinary clinic means a facility offering and designed for the care and treatment of animals under the supervision of a Doctor of Veterinary Medicine.

Walk-in campground means an area of land designed and intended for temporary placement of tents. A *walk-in campground* is accessible only by foot or non-motorized transportation.

Watercourse means any natural or man-made depression with well-defined banks and a bed of 0.6 m or more below the surrounding land, serving to give direction to a current of water at least six months of the year, or having a drainage area of 2.0 km^2 or more.

Wildland use means activities such as non-commercial public outdoor recreational use or commercial tenured outdoor activities such as trapping by holders of registered trap lines, guide-outfitting, heli-skiing, and cat-skiing.

Wildlife exclusion fencing for gardens means a *fence* installed around the perimeter of a garden and intended to prevent intrusion of ungulates and other wildlife capable of jumping over a *fence* 2.0 m in height.

Winter fishing hut means a temporary seasonal *structure* placed or constructed on the frozen surface of a lake.

Wireless communication facility means the components required for the operation of a system using radio frequency, infrared, microwave or other types of electromagnetic or acoustic waves in place of wires, cables or fibre optics to transmit signals or data. The components may include cell sites, towers, transmitters, receivers and accessory unoccupied equipment shelters.

Wrecking and repair of vehicles means the disassembly of *vehicles*, derelict or otherwise, into component parts and the construction, care and maintenance of ordinary or special status *vehicles*, other than in an enclosed *building*. This definition does not include the repair and maintenance of *vehicles* regularly used by the permanent residents residing on the *parcel*, nor does it include a commercial activity which is in compliance with the definition of and general regulations for a *home based business*.

Yard means the outdoor area of a *parcel* adjacent to a *building* or *structure* extending from an exterior wall of the *building* or *structure* to a *parcel line*.

Yard, front means a *yard* extending across the full width of the *parcel* from the *front parcel line* to the exterior wall of the *building* or *structure*, measured at right angles to the *front parcel line*.

Yard, rear means a *yard* extending across the full width of the *parcel* from the *rear parcel line* to the exterior wall of a *building* or *structure*, measured at right angles to the *rear parcel line*.

Yard, side means a *yard* extending from the *front yard* to the *rear yard* and lying between the *side parcel line* and the exterior wall of a *building* or *structure* measured at right angles to the *side parcel line*.

4. ADOPTION

This Bylaw is in force from date of adoption.

READ A FIRST TIME the day of , 2023

READ A SECOND TIME the day of , 2023

READ A THIRD TIME the day of , 2023

APPROVED by the Ministry of Transportation and Infrastructure the day of , 2023

Print Name: _____

Signature: _____

ADOPTED the day of , 2023

_____ _____

CHAIR CORPORATE OFFICER

SCHEDULE A

LAND USE REGULATIONS

1. GENERAL REGULATIONS

1.1 General Compliance

(1) No person shall use, occupy or permit any person to use or occupy any *land* or *building* in contravention of this Bylaw.

(2) Nothing contained in this Bylaw shall relieve any person from the responsibility to seek and comply with other legislation applicable to that use, activity or other matter regulated under this Bylaw.

(3) Every use of *land*, *buildings* or *structures* permitted in each zone shall conform to all regulations of the applicable zone and all other regulations of this Bylaw.

1.2 General Prohibitions

(1) No *land*, *building* and *structure* may be used or occupied except in conformity with this Bylaw.

(2) No *buildings* or *structures* may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged:

(a) except in conformity with this Bylaw or provisions of the *Local Government Act*; or

(b) so as to cause any existing *building* or *structure* on the same *parcel* to contravene the provisions of this Bylaw.

(3) No subdivision may be approved:

(a) except in conformity with this Bylaw; or

(b) so as to cause an existing *building* or *structure* to contravene the provisions of this Bylaw.

1.3 Use of Existing Parcels

(1) Subject to subsection (2) of this section, *parcels* existing at the time of the effective date of this Bylaw which do not conform with the *parcel* area requirements of this Bylaw may be used for the permitted uses in the zone in which they are located unless otherwise provided for in Part 4 of this Schedule, provided all other regulations of this Bylaw are complied with.

(2) In case of *parcels* less than:

(a) 1670 m^2 in area where there is neither a *community water system* or a *community sewer system*, or

(b) 695 m^2 in area where there is either a *community water system* or a *community sewer system*,

an applicant for a building permit for a *dwelling unit* on such a *parcel* shall, prior to such permit being granted, submit a copy of a permit to construct a sewage disposal system under the *Sewerage System Regulation* of the *Public Health Act*.

1.3 Permitted Uses in All Zones

(1) No *land*, *building* or *structure* may be used for a use that is not specifically listed under section 1.3 (2) of Schedule A to this Bylaw or identified as 'Principal Uses' or 'Accessory Uses' in the zone that the *land*, *building* or *structure* is located, and no *building* or *structure* may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged for any use other than a specifically permitted use in that zone. Furthermore,

(a) A use listed under 'Accessory Uses' is only permitted if a use under 'Principal Uses' is lawfully established and ongoing.

(b) A use is only permitted if lawfully established and ongoing in accordance with such further general regulations applicable to the use, as identified throughout this Bylaw, some of which may be varied in accordance with the *Local Government Act* via the Board of Variance, Development Variance Permit or Development Permit process, as applicable.

(c) A use not specifically permitted in a zone is prohibited from that zone.

(d) A use not specifically permitted in this Bylaw is prohibited within the boundary of this Bylaw.

(2) The following uses are permitted in all zones, in accordance with the regulations noted in this section or otherwise in the applicable zone:

(a) use of a *building* or part thereof as a polling station for a government election, referendum or census;

(b) the use of a *building* or part thereof as campaign headquarters for a political candidate;

(c) *highway* lighting fixture;

(d) *highway* and railroad;

(e) *public utility*;

(f) *park*;

(g) historical and archeological display site;

(h) conservation area, recreation reserve, ecological reserve and wildlife sanctuary;

(i) *aid to navigation*;

(j) *recreational water activity*;

(k) *recreational buoy*; and

(l) *public access*.

1.4 Prohibited Uses in All Zones

(1) Subject to section 1.2 of Schedule A to this Bylaw, *intensive agriculture* is prohibited in all zones other than those which contain *land* that is in the *Agricultural Land Reserve*, and subject to regulations of the *Agricultural Land Commission Act*, the *Local Government Act* and regulations under those Acts.

(2) The use of boats or other vessels for *residential use* is prohibited.

new (3) The use of a *recreational vehicle* for *residential use* is prohibited, except as permitted:

(a) in accordance with section 1.5 of Schedule A to this Bylaw;

(b) as temporary accommodation within a *campground* in accordance with this Bylaw and the Regional District of East Kootenay - Campground Bylaw No. 2403, 2012, as amended;

(c) in the R-1(B), Single Family Residential – Small Lot Zone; and

(d) in the RES-1(A), Recreation Residential Zone.

new (4) The use of a *park model trailer* for *residential use* is prohibited, except as permitted under:

(a) *campground* use in accordance with this Bylaw and the Regional District of East Kootenay - Campground Bylaw No. 2403, 2012, as amended; and

(b) the R-1(B), Single Family Residential – Small Lot Zone

1.5 Occupancy During Construction

(1) Despite the requirements of Part 4 of Schedule A to this Bylaw concerning the number of *dwelling units* permitted on a *parcel*, during construction of a new *dwelling unit* or reconstruction of an existing *dwelling unit* on a *parcel* in the R-1, R-1(A), R-1(C), R-1(MH), R-2, SH-1, SH-2, SH-3, SH-4, A-1, A-2, W-1, RES-1, RES-2, P-1, P-2, zone, one additional *dwelling unit* or one *recreational vehicle* may be located on the *parcel* and occupied, provided:

(a) the owner holds a valid building permit for construction of a new *dwelling unit* or reconstruction of the existing *dwelling unit*;

(b) the additional *dwelling unit* conforms with all the requirements of the zone in which it is situated, other than requirements concerning the number of *dwelling units* permitted on a *parcel*;

(c) the *recreational vehicle* is sited in conformance with the regulations of the zone in which it is located;

(d) the sewage disposal system for the additional *dwelling unit* or *recreational vehicle* has been approved under the *Sewerage System Regulation* of the *Public Health Act*.

(2) Upon occupancy of the new *dwelling unit* or reconstructed *dwelling unit*, the additional *dwelling unit* shall:

(a) be removed and the site thereof restored as nearly as possible to its condition prior to the construction or placement of the *dwelling unit*; or

(b) shall be converted to an *accessory building* or *structure* subject to compliance with the applicable regulations of this Bylaw and disconnected from water and sewer systems;

(3) A *recreational vehicle* permitted under subsection (1) shall be disconnected from water and sewer systems and no longer occupied:

(a) upon occupancy of a new or reconstructed *dwelling unit*; or

(b) on expiry of the original building permit for the new *dwelling unit*;

whichever occurs first.

(4) Application for required permits shall be made in accordance with applicable bylaws.

1.6 Developments Crossing Parcel Lines

Where a person proposes to site a *building* or *structure*, and where more than one *parcel* of land is required to accommodate the *building* or *structure* or the services for that *building* or *structure*, the *building* or *structure* is not permitted until:

(1) the *parcels* are consolidated by plan of subdivision or cancellation of *parcel lines*; or

(2) a covenant under section 219 of the *Land Title Act* between the *Regional District* and the owner is registered in the Land Title Office against the titles of the *parcels* required for the development, which would prevent the *parcels* from being sold or transferred separately.

The *Regional District* may refuse to issue a building permit prior to such consolidation or covenant. The issuance of a building permit does not permit the use or relieve this requirement.

1.7 Home Based Businesses

(1) On *parcels* where a *home based business* is a permitted use, the *home based business* must:

(a) be conducted by permanent residents residing in the *dwelling unit* to which the *home based business* is accessory;

(b) be operated with the assistance of not more than two on-site employees who do not reside in the *dwelling unit*;

(c) restrict retail sales of products to those produced, processed, grown or assembled on the *parcel* or products customarily incidental and *accessory to* the service being provided on the *parcel*; and

(d) not utilize more than 10 m^2 for retail display.

(2) On *parcels* less than 2.0 ha, where *home based business* is a permitted use, the *home based business* must:

(a) Be conducted wholly within the *dwelling unit* or *accessory dwelling unit* with no external storage of materials, containers or finished product, and no exterior evidence of the *home based business*, except for:

(i) a maximum of two *vehicles* necessary for operating the *home based business;*
(ii) the permitted *signage;*
(iii) a maximum of one commercial *vehicle* exceeding Class 4 gross *vehicle* weight rating (GVWR) which may be parked or stored on the *parcel*;
(iv) children's play *structures* associated with the *home based business*.

(b) The maximum *gross floor area* of all *buildings* and *structures* on the *parcel* to be utilized for the *home based businesses* is 185 m^2.

(c) The maximum number of customers, clients or students for a *home based business* is five at a time except for:

(i) Bed and Breakfast use; and
(ii) the operation of a preschool, *child care facility* or *group day care* which may be operated for no more than seven children at a time

(3) On *parcels* 2.0 ha or greater, where *home based business* is a permitted use, the *home based business* must:

(a) Not store materials, containers or finished product or permit parking of *vehicles* necessary for operating the *home based business* in the *front yard* or exterior *side yard*.

(b) Not exceed a maximum of one commercial vehicle exceeding Class 4 gross *vehicle* weight rating (GVWR) parked or stored on the *parcel*.

(c) *Accessory buildings* and *structures* and external storage areas utilized by the *home based business* must be sited a minimum of 10.0 m from a *parcel line*.

(4) On *parcels* 2.0 ha or greater the maximum area utilized for the *home based business* for *parcels* outside the *Agricultural Land Reserve*, including the *gross floor area* of the portion of all *buildings* and *structures* used for the *home based business* and the area used for the external storage of materials, containers or finished product must not exceed 1% of the area of the *parcel* or 400 m^2 whichever is less.

(5) On *parcels* 2.0 ha or greater the maximum area utilized for *home based business* for *parcels* within the *Agricultural Land Reserve*, including the *gross floor area* of the portion of all *buildings* and *structures* used for the *home based business* and the area used for the external storage of materials, containers or finished product must not exceed 185 m^2.

(6) Bed and Breakfast use must:

(a) be carried out in a *single family dwelling*;

(b) not use more than four rooms for accommodation of transient paying guests for sleeping purposes and

(c) serve breakfast only to those transient paying guests.

(7) Erection of *signs* must be in accordance with section 1.14 of Schedule A to this Bylaw.

(8) Part 3 of Schedule A to this Bylaw in respect of *off-street parking* requirements applies to every *parcel* used for a *home based business*.

1.8 Accessory Buildings and Structures

(1) No person shall erect an *accessory building* or *structure* on any *parcel unless* the associated *principal building* has been erected or will be erected simultaneously with the *accessory building*.

(2) Subsection 1.8 (1) shall not apply to *livestock shelters* or other *buildings* or *structures accessory to* a *farm operation*.

(3) Where an *accessory building* or *structure* is attached to the *principal building*, it shall be considered to be part of the *principal building* for the purpose of calculating setback requirements.

(4) *Accessory building*s or *structures* used or intended to be used as a *boathouse* must not:

(a) exceed one *storey* in height; or

(b) contain sleeping or sanitary facilities.

1.9 Siting of Buildings or Structures

(1) The construction, reconstruction, alteration, moving or extension of *buildings* and *structures* shall be in conformity with the regulations for siting of *building* or *structures* specified in Schedule A to this Bylaw. Where a zone includes a regulation entitled 'minimum *setbacks*', no *building* or *structure* may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged nearer to the lot line than the distance specified in the zone in which the *building* or *structure* is located, and for certainty:

(a) *Setbacks* may vary according to any combination of use, building, structure or location within a zone or adjacent zone, or by lot dimensions, or to a specific highway, natural boundary or other point of reference and the provisions of this Bylaw must be interpreted accordingly; and

(b) Any portion of a *building* or *structure* located below finished grade is subject to all *setbacks* for the zone in which the *building* or *structure* is located.

(2) Where a zone includes a regulation entitled 'parcel coverage', the *parcel coverage* of all *buildings* and *structures* on the *parcel* must not exceed the percentage specified for the zone in which the *parcel* is located.

(3) Despite section (1) the following features may project into *setback* requirements as specified in the regulations of Part 4 of Schedule A to this Bylaw:

(a)

FEATURE	SETBACK	ALLOWABLE PROJECTION
Steps (other than fires escapes)	All	1.2 m
Eaves, gutters, cornices, sills, bay windows, chimneys	Front	1.0 m
	Rear	1.0 m
	Side	0.6 m
	All	Where the *setback* requirement is less than 1.5 m, a feature may only project a maximum of 0.6 m into the *setback* requirement
Balconies, *sundecks*, marquees, canopies	Front	1.8 m
	Rear	1.8 m
	Side	1.5 m
	All	Where the *setback* requirement is less than 1.5 m, a feature may only project a maximum of 50% of the *setback* requirement
Boathouses	Rear	No minimum *setback*

(b) A patio or terrace, which may be open or fenced, and which is covered only by a temporary covering such as an awning;

(c) Arbours, trellises, fish ponds, ornaments, flag poles, vegetation and similar landscape features;

(d) *Manufactured home* hitches;

(e) Free standing light poles, warning devices, antennae, satellite dishes, masts, utility poles, wires, public utilities, *signs* and *sign structures*;

(f) A roofed or covered swimming pool not exceeding 3.5 m in height or uncovered swimming pool located in a *side* or *rear yard* within a separate fenced enclosure fitted with a safety gate may project into the applicable setbacks but must not be sited less than 3.0 m from a *rear* or *side parcel line;*

(g) Underground *structures* provided that the top surface of such *structure* shall at no point extend above the average finished ground elevation except for vent and fill pipes for underground storage tanks;

(h) Apparatus needed for the operation of active and passive solar energy systems including but not limited to, overhangs, movable insulating walls, shutters and roof, detached *solar energy collectors*, reflectors and piping;

(i) Canopies erected above gasoline service pumps or pump islands may project into a *front* or *side yard* provided that such canopy is located not closer than 4.5 m to a *parcel line*.

(4) Regulations concerning siting of *buildings* and *structures* in Part 4 of Schedule A to this Bylaw shall not apply to fences.

(5) *Buildings* and *structures* for a *cannabis production facility* must be sited not less than:

(a) 15.0 m from a *front parcel line*;

(b) 15.0 m from a *side parcel line* common to another *parcel* or *parcels*;

(c) 30.0 m from a *side parcel line* common to a *highway*;

(d) 30.0 m from a *rear parcel line*.

new

1.10 Recreational Vehicles

The parking and storage of *recreational vehicles* is prohibited except:

(1) as permitted in accordance with an identified *principal use* or *accessory use* in section 4 of Schedule A to this Bylaw; or

(2) *accessory to* a lawfully established and ongoing permitted use to a maximum of two (2), subject to section 1.4 (3) of this Bylaw.

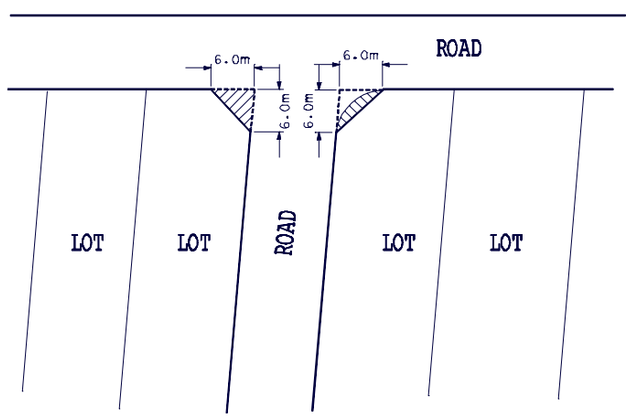
1.11 Controlled Access Highway

(1) Despite the siting requirements contained elsewhere in this Bylaw, the minimum *setback* from a *parcel line* abutting a *controlled access highway* is 22.0 m.

(2) The *setback* from a *controlled access highway* does not apply to *parcels* served by a *frontage road*.

1.12 Visibility at Intersections

No person shall obstruct vision at an intersection on corner *parcels* by any means within a triangular shape bounded by two *parcel lines* adjacent to the *highway* right-of-way and a straight line joining each *parcel line* at a distance of 6.0 m from their point of intersection, as shown by the following diagram:



1.13 Heights of Buildings and Structures

(1) The construction, reconstruction, alteration, moving or extension of *buildings* or *structures* shall be in conformity with the regulations for size and dimensions of *buildings* and *structures* specified in Schedule A to this Bylaw. No *building* or *structure* may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged in a manner that exceeds the height specified for the zone in which the *building* or *structure* is located. For certainty, maximum height in a zone may vary according to the use of the *building* or *structure*, as specified in the zone.

(2) The height regulations of Schedule A to this Bylaw do not apply to church spires, belfries, domes, monuments, fire and hose towers, clock towers, transmission towers, water tanks, broadcasting and receiving antenna, chimneys, smoke stacks, ventilators, flag poles, drive-in theatre screens, stadium bleachers, lighting poles, silos, elevator shafts, industrial cranes, observation towers and *solar energy collectors*.

(3) In Small Holdings (SH) zones and Rural Resource (A) zones the height regulations of Schedule A to this Bylaw do not apply to windmills.

(4) Despite height regulations of Part 4 of Schedule A to this Bylaw, no person shall construct a fence higher than 2.0 m from *finished grade* except for open mesh or chain link type fences, subject to sections 1.14 (1) (e) and (f) of Schedule A to this Bylaw.

(5) In zones where *farm operation* is permitted the maximum height for agricultural *buildings* and *structures* is exempt from the height regulations.

(6) *Buildings* and *structures* used for a *cannabis production facility* where a *cannabis production facility* is a permitted use are exempt from the height regulations.

(7) The maximum permitted height of *buildings* and *structures* that are not exempt from the height regulations of Schedule A to this Bylaw and for which the architectural design includes a roof or roofs that does not include a roof ridge must be in accordance with the following:

(a) Single pitch roof *buildings* and *structures* must not exceed 1.5 m above the permitted maximum height in the applicable zone for the *building* or *structure* measured from *finished grade* to the top of each wall that abuts the underside of the roof structure; and

(b) *Flat roof buildings* and *structures* must not exceed the maximum permitted height in the applicable zone measured from *finished grade* to the top of the roof structure.

For *buildings* and *structures* that include additional primary roof types not identified above, the maximum height of any primary roof(s) that includes a roof ridge shall be calculated in accordance with section 3.2 (6) of this Bylaw.

1.14 Screening and Fences

(1) Despite height regulations of section 1.13 and Part 4 of Schedule A to this Bylaw:

(a) No person shall locate *fences* or *screening* higher than 1.2 m from *finished grade* in a *front yard*;

(b) No person shall locate *fences* or *screening* higher than 2.0 m from *finished grade* in a required *side yard* or *rear yard;*

(c) Where a *rear parcel line* of a *parcel* abuts the *front parcel line* or *side parcel line* of an adjoining *parcel*, *fence* or *screening* along the *rear parcel line* shall be no higher than that permitted on the *front parcel line* or *side parcel line*;

(d) No person shall locate *fences* or *screening* higher than 1.2 m from *finished grade* in a required *side yard* where adjacent to a *highway* right-of-way other than a *lane*;

(e) Maximum heights do not apply to *fences* in the Small Holdings (SH) and Rural Resource (A) zones where *fences* are erected to control livestock and wildlife capable of jumping over a *fence* 2.0 m in height;

(f) *Wildlife exclusion fencing for gardens* must be in compliance with the following:

(i) must only be installed on *parcels* in the R-1, R-1(A), R-1(C), and R-1(MH) zones;
(ii) must not exceed a height of 2.4 m;
(iii) must be located in a *rear yard* only;
(iv) must be constructed of non-opaque materials; and
(v) must be installed around the perimeter of a garden only.

(2) The height regulations identified in section 1.13 (1) of Schedule A to this Bylaw apply to vacant *parcels*. The applicable yard is determined from the *parcel line* to the minimum *setback* requirement as established in Part 4 of Schedule A to this Bylaw.

(3) On *parcels* zoned R-1, R-1(A), R-1(C) and R-1(MH), electric fencing is permitted for the purposes of *backyard beekeeping* only.

(4) All *outdoor storage* in Commercial (C and EH), Resort (RES) and Industrial (I) zones shall be *screened* by a tight board *fence* or compact evergreen hedge or a

combination thereof of a uniform height not less than 2.0 m in height on any side not facing directly onto *buildings* on the *parcel*.

1.15 Signs

(1) The following *signs* shall not be permitted on any *parcel*:

(a) roof-mounted *signs* projecting above the highest point of the roof;

(b) freestanding *signs* of a height which exceeds that permitted for a *principal building* on a *parcel*;

(c) any exterior *structure* displaying material of a general advertising nature which exceeds 8.9 m^2;

(d) flashing and moving *signs*;

(e) *signs* that project beyond *parcel lines*;

(f) *off-premise signs*.

(2) In the Manufactured Home Park Residential Zone (R-MP), identification *signs* to a maximum height of 1.8 m above *finished grade* and to a maximum area of 3.0 m^2 located at the principal entrance to the park only are permitted.

(3) In Residential (R) and Resort (RES) zones, other than the R-MP zone, identification signs for a *home based business* shall be non-illuminated and not exceed an area of more than 0.5 m^2.

(4) In Small Holdings (SH) and Rural Resource (A) zones, identification *signs* for a *home based business* shall be non-illuminated and not exceed an area more than 1.0 m^2.

1.16 Farm Use

(1) Where all or part of a *parcel* is located within the *Agricultural Land Reserve* activities designated farm use in the Agricultural Land Reserve Use Regulation are permitted on the *parcel*. In addition to the farm use activities, those uses approved by the Provincial Agricultural Land Commission as *accessory to* the farm use for that *parcel* are also permitted.

(2) Where a *parcel* is not in the *Agricultural Land Reserve*, is located in a zone that permits *farm operation* and the *parcel* is assessed as farm under the *Assessment Act*, activities designated farm use in the Agricultural Land Reserve Use Regulation are permitted in conjunction with the *farm operation*.

(3) *Buildings* or *structures* that are used for *farm operations* shall be sited in accordance with the following:

(a) Mushroom barns shall be sited no closer than 7.5 m to all *parcel lines*.

(b) The required minimum setback for buildings or *structures* used as principal farm *buildings* or *structures*, or animal containment for the following types of *farm operations* is identified in the table below:

- Dairying
- Livestock, including farmed game
- Fur farming
- Poultry

TYPE OF AGRICULTURAL USE	MINIMUM SETBACK	
	From all *parcel lines*	From domestic water intake (well or spring)
Confined livestock area	30.0 m	30.0 m
All other uses	15.0 m	30.0 m

(c) *Buildings* or *structures* used for *farm operations* for types of agricultural use not identified in section 1.16 (3) (a), (b) or (c) must be sited not less than 4.5 m from all *parcel lines*.

(d) All *farm operation buildings* or *structures* that contain boilers or walls with fans shall be sited a minimum of 15.0 m from all *parcel lines*.

(e) Farm *buildings* and *structures* shall be sited no closer to a lake or *watercourse* than as identified for the applicable agricultural use in the table below:

TYPE OF AGRICULTURAL USE	**MINIMUM SETBACK**
	From *ordinary high watermark* of lake or *watercourse*
Confined livestock area - less than 10 *animal units*	15.0 m
Confined livestock area - more than 10 *animal units*	30.0 m
Mushroom barn	15.0 m
Livestock barn or *livestock shelter*	15.0 m
Milking facility	15.0 m
Stable	15.0 m
Poultry barn	15.0 m

(f) *Buildings* or *structures* that are used for the storage of agricultural liquid or solid waste, such as manure, must be located:

(i) a minimum of 30.0 m from domestic water supply intakes, such as a well or spring; and
(ii) a minimum of 15.0 m from the *ordinary high watermark* of lakes and *watercourses*.

(4) Uses permitted in sections 1.16 (1) and (2) are subject to all applicable *farm operation* regulations contained elsewhere in this Bylaw.

1.17 Dwelling Unit for Relative Requiring Care

(1) On *parcels* where *a dwelling unit* for a *relative requiring care* is a permitted use, one *dwelling unit* for a *relative requiring care* shall be permitted:

(a) in the SH-1, SH-2, SH-3, SH-4, A-1 and A-2 zones;

(b) where the present number of *dwelling units* on the *parcel* is not greater than the maximum permitted in this Bylaw;

(c) the *dwelling unit* for a *relative requiring care* is limited to a *manufactured home*, up to 9 m in width, including additions, placed on a non-permanent foundation;

(d) where the owner of the *parcel* enters into a housing agreement with the *Regional District* under section 483 of the *Local Government Act* on terms acceptable to the *Regional District* including agreeing to remove the *dwelling unit* approved under this section once it is no longer required by the approved occupant(s);

(e) where a letter from a physician stating that the relative requires care is deposited upon request by the *Regional District*;

(f) where a statutory declaration attesting to the conditions of consent is deposited with the *Regional District*, subject to renewal upon request by the *Regional District*;

(g) where the sum of $3,000 in the form of cash or an irrevocable letter of credit is deposited with the *Regional District* as security for the removal of the *dwelling unit* for a *relative requiring care*.

(2) Where a *dwelling* for a *relative requiring care* is permitted, it may be occupied by either the person(s) requiring care or the owner(s) of the parcel on which the *dwelling* for a *relative requiring care* is to be located.

(3) Within the *Agricultural Land Reserve* a *dwelling unit* for a *relative requiring care* is subject to the requirements of the *Agricultural Land Commission Act* and Agricultural Land Reserve Use Regulation.

REVISED **1.18 Secondary Suites**

(1) On *parcels* where a *secondary suite* is a permitted use:

(a) No more than one *secondary suite* shall be constructed;

(b) The *secondary suite* must be constructed in accordance with the BC Building Code;

(c) The *secondary suite* must be connected to an approved sewage disposal system;

(d) No *secondary suite* shall be subdivided from the principal *dwelling unit by a strata plan* pursuant to the *Strata Property Act*; and

(e) Within the *Agricultural Land Reserve* the *secondary suite* is subject to the requirements of the *Agricultural Land Commission Act* and Agricultural Land Reserve Use Regulation.

(2) On *parcels* where a *secondary suite* within a *single family dwelling* is permitted the *total floor space* of the *secondary suite* must not exceed 90 m^2 or 40% of the habitable floor space of the *single family dwelling.*

(3) On *parcels* where a secondary *suite* within a detached *garage* is permitted:

(a) The parcel must not contain a *duplex*, *secondary suite* within a *single family* dwelling, multiple *family dwelling*, *secondary dwelling for farm hand*, or *dwelling unit for relative requiring care*;

(b) The *secondary suite* must be located above the *first storey* of the *garage* and have a separate external entrance from the *vehicle* entrance;

(c) Despite the maximum allowable height for *buildings* and *structures* in this Bylaw, the maximum allowable height for the detached *garage* with a *secondary suite* is 7.5 m;

(d) Despite the siting requirements for an *accessory building* or *structure* of Part 4 of Schedule A to this Bylaw, a detached *garage* containing a *secondary suite* must be sited not less than:

(i) 4.5 m from a *front parcel line*;
(ii) 3.0 m from a *rear parcel line* or 4.5 m from a *rear parcel line* common to a *highway* right-of-way other than a *lane*;
(iii) 1.5 m from a *side parcel line* or 4.5 m from a *side parcel line* common to a *highway* right-of way other than a *lane;*

(e) The *total floor space* of the *secondary suite* within a detached *garage* must not exceed:

(i) 70.0 m^2 when located within a detached *garage* on *parcels* less than 0.4 ha;
(ii) 90.0 m^2 when located within a detached *garage* on parcels 0.4 ha or larger.

(4) A *secondary suite* may not be located on a *parcel* within the boundaries of the Lake Windermere Official Community Plan or the Fairmont Hot Springs & Columbia Lake Area Official Community Plan, except on a *parcel* designated R-1(C), Single Family Residential – Secondary Suite Zone.

1.19 Campgrounds

Where *campgrounds* or *walk-in campgrounds* are permitted, the establishment, construction, extension, expansion, and operation of *campgrounds* and *walk-in campgrounds* shall comply with the requirements of the Regional District of East Kootenay - Campground Bylaw No. 2403, 2012, as amended.

1.20 Secondary Dwelling Unit for Farm Hand

(1) On *parcels* where *secondary dwelling unit for farm hand* is a permitted use; the *secondary dwelling unit for farm hand* must:

(a) be limited to a *manufactured home*, up to 9.0 m in width including additions;

(b) be placed on a non-permanent foundation or pier type foundation only;

(c) not exceed one *secondary dwelling unit for farm hand* where the combined holdings of the *farm operation* are 8.0 ha in size or less; and

(d) not exceed two *secondary dwelling units for farm hands* where the combined holdings of the *farm operation* are greater than 8.0 ha in area.

(2) *Secondary dwelling unit for farm hand* is not permitted *accessory to a cannabis production facility*.

(3) Within the *Agricultural Land Reserve* a *secondary dwelling unit for farm hand* is subject to the requirements of the *Agricultural Land Commission Act* and Agricultural Land Reserve Use Regulation.

1.21 Cannabis Production Facility

Subject to all applicable regulations contained elsewhere in this Bylaw, *cannabis production facility* is a permitted use on *parcels* within the *Agricultural Land Reserve* subject to the Agricultural Land Reserve Use Regulation and those *parcels* that are located within a zone where it is identified as a permitted use.

1.22 Maximum Number of Kitchens per Dwelling Unit

A maximum of one *kitchen* is permitted per *dwelling unit*.

1.23 Guest Ranches

(1) On *parcels* where *guest ranch* is a permitted use, *guest ranches* must:

(a) be conducted on a *parcel* not less than 16.0 ha in size;

(b) be conducted on a *parcel* assessed as farm under the *Assessment Act*;

(c) be limited in density to 12.0 m^2 of *gross floor area* of *guest ranch* accommodation per hectare to a maximum of 720 m^2; and

(d) have all *guest ranch cabins* and *accessory buildings*, *structures*, and facilities on the same 2.0 ha portion of the *parcel*.

(2) *Guest ranch cabins* must not exceed:

(a) 5.0 m in height; or

(b) a maximum *gross floor area* of 45.0 m^2;

(3) A *guest ranch* may have *guest ranch cabins* constructed in cluster of two *guest ranch cabins* separated by a *common wall*.

1.24 Rural Retreats

(1) On *parcels* where *rural retreat* is a permitted use, *rural retreats* must:

(a) be conducted on a parcel not less than 8.0 ha in area.

1.25 Wildland Use

(1) On *parcels* where *wildland use* is a permitted use, *wildland use* must:

(a) be conducted on a parcel not less than 8.0 ha in area.

1.26 Lodges

(1) On *parcels* where *lodge* is a permitted use, *lodges* must not exceed:

(a) one *kitchen* per *lodge;*

(b) one communal dining facility per *lodge*;

(c) one lodge per *principal use*.

1.27 Cabins

(1) On *parcels* where *cabin* is a permitted use, *cabin* must not exceed:

(a) 5.0 m in height;

(b) a maximum *gross floor area* of 74.0 m^2.

1.28 Keeping of Farm Animals

(1) On *parcels* where the *keeping of farm animals* is a permitted use:

(a) the number of *animal units* of livestock must not exceed one *animal unit* per hectare in total; and

(b) the number of *animal units* of *poultry* must not exceed one-half *animal unit* per hectare in total.

In all cases, the total number of livestock or *poultry* permitted will be rounded down to the nearest whole number.

(2) On *parcels* where the *keeping of small farm animals* is a permitted use:

(a) the number of rabbits must not exceed forty; and

(b) the cumulative number of *poultry*, exclusive of geese and turkeys must not exceed fifteen birds.

1.29 Group Homes

On *parcels* where *group home* is a permitted use, the *group home* must:

(1) not exceed the maximum accommodation of ten people, exclusive of staff;

(2) be licensed or approved under Provincial statute; and

(3) not include any use otherwise classified or defined in this Bylaw.

1.30 Seasonal Produce Stand

The maximum *gross floor area* of a *seasonal produce stand* is 30.0 m^2.

1.31 Backyard Beekeeping

On *parcels* where b*ackyard beekeeping* is a permitted use:

(1) *Backyard beekeeping* must only be carried out as an *accessory use* on *parcels* zoned R-1, R-1(A), R-1(C), and R-1(MH) within the boundaries of Electoral Area G.

(2) The maximum number of beehive*s* to be kept on any *parcel* is two.

(3) Beehives must be surrounded by:

(a) electric fencing; and

(b) a solid *fence* or hedge which is at least 1.8 m in height.

(4) Clear, visible signage must be posted on the *parcel* where beehives are located warning of the presence of bees and electric fencing.

(5) Despite section 1.16 (3) of Schedule A to this Bylaw, beehives used in *backyard beekeeping* must be sited in compliance with the following:

(a) located in the *rear yard* only;

(b) sited according to the *accessory building* and *structure* regulations; and

(c) the opening of the beehive must be oriented away from the closest adjacent *parcel*.

(6) The beekeeper:

(a) must be a resident of the property where the bees are kept;

(b) must provide a sufficient water source on the same *parcel* as the bees in order to reasonably prevent the bees from seeking water from neighbouring *parcels*;

(c) must take all reasonable measures to prevent and manage swarming and aggressive behavior; and

(d) must be registered as a beekeeper and have hive locations registered with the Ministry of Agriculture and Food.

1.32 Backyard Chickens

On *parcels* where the keeping of *backyard chickens* is a permitted use:

(1) The keeping of *backyard chickens* must only be carried out in the R-1, R-1(A), R-1(C), and R-1(MH) zones within the boundaries of Electoral Area G.

(2) The maximum number of *hens* to be kept on any *parcel* is six.

(3) Keeping roosters is prohibited.

(4) *Backyard chickens* must be kept in a coop that:

(a) provides each *hen* with a minimum of 0.5 m^2 of coop floor area;

(b) provides each *hen* with a minimum of 1.0 m^2 of floor area in a covered outdoor run adjacent to the coop;

(c) provides each *hen* with a nest box; and

(d) provides each *hen* with a perch a minimum of 15.0 cm long.

(5) The coop and run must:

(a) not exceed a maximum size of 10.0 m^2;

(b) not exceed 3.0 m in height;

(c) be constructed in a way that will reasonably prevent entry by wildlife; and

(d) be maintained in good repair and sanitary conditions.

(6) Despite section 1.16 (3), a coop and run used for keeping *backyard chickens* must be sited in compliance with the following:

(a) located in the *rear yard* only;

(b) sited in according to the *accessory building* and *structure* regulations in the applicable zone; and

(c) must not be within 3.0 m of any other *building*.

(7) Despite section 1.16 (3), the maximum volume of chicken manure that may be kept or stored on the *parcel* is 1.0 m^3. Chicken manure must be stored in an enclosed *structure*.

(8) Food for *backyard chickens* must be stored in a manner that is secure from vermin and wildlife.

(9) *Backyard chickens* must be kept for personal use only. The sale of eggs, meat, manure or other products derived from *backyard chickens* is prohibited.

(10) *Backyard chickens* must not be slaughtered or euthanized on the *parcel*.

(11) Deceased *backyard chickens* must not be buried on the *parcel*.

1.33 Property Specific Regulations

Despite the use and density regulations contained elsewhere in this Bylaw:

(1) On Parcel A (see XK35582) of Block 10, District Lot 353, Kootenay District Plan 1185, a *wireless communication facility* is permitted.

(2) On Parcel A (see KV27088), District Lot 47, Kootenay District, Plan 13377, a *wireless communication facility* is permitted.

(3) On Lot B, District Lot 8, Kootenay District, Plan 14325, a *wireless communication facility* is permitted.

(4) On Lot B, District Lot 4596, Kootenay District, Plan NEP23639, a *wireless communication facility* is permitted.

(5) On Lot 1, District Lots 4347 and 9561, Kootenay District, Plan NEP75309, *cannabis retail store* is permitted.

(6) On Sublot 19, District Lot 4596, Plan X32 except parts included in Plans 7339, 8490, 16995 and NEP66894, the storage of boats, *recreational vehicles* and associated recreational equipment is permitted.

(7) On Lot 4, District Lot 8, Kootenay District, Plan NEP66908, *keeping of small farm animals* shall not include roosters.

(8) On District Lot 111, Kootenay District no more than four *secondary dwelling unit for farm hands* are permitted.

(9) On Lot 1, District Lot 346, Kootenay District, Plan NEP88457, Bed and Breakfast use may be carried out in an *accessory building*.

(10) On Lot C, District Lot 9561, Kootenay District, Plan NEP2891, abattoir is a permitted use. The abattoir use:

(a) shall not have *buildings* exceeding *gross floor area* of 160 m^2;

(b) shall not occupy more than 1.0 ha of *parcel* area;

(c) shall not have more than ten *animal units* stored outside at any time;

(d) shall not have any *buildings* sited less than 280.0 m from Highway 93/95.

(11) Within Plan NES3039, no *cottages* are permitted on strata lots zoned RES-1.

(12) On Lot 2, District Lots 54, 290 and 291 Kootenay District, Plan EPP10201:

(a) Not more than 50% of all *campsites* within a *campground* shall be used for the placement of *cottages*.

(b) *Cottages* may be constructed in clusters of two *cottages* separated by a *common wall* provided that the site for each pair of *cottages* is not less than 280 m^2 in area.

(c) *Cottages* may not exceed 6.0 m in height and have a *gross floor area* not exceeding 65.0 m^2 including additions and covered porches, but excluding loft spaces.

(d) Loft spaces must have a floor area not exceeding 50% of the *gross floor area* of the *first storey*.

(13) On Sublot 9, District Lot 344, Kootenay District within a *campground*:

(a) No *cottages* are permitted.

(b) The maximum *gross floor area* of storage sheds within a *campsite* is 11.4 m^2.

(c) Additions are permitted within *campsites* which contain *park model trailers*. The maximum *gross floor area* of the addition, plus the *park model trailer*, must not exceed 65 m^2.

(14) On District Lot 10326:

(a) The maximum permitted *gross floor area* of a *single family dwelling* shall not exceed 93.0 m^2 on a *parcel* in the RES-1(A) zone.

(b) The maximum number of permitted *principal structures* or *recreational vehicles* is twenty.

(15) On Parcel A (see 118435I), Lot 65, District Lot 8, Kootenay District, Plan 1080 except part included in Plan R289, gasoline service station is permitted.

(16) On Lot 1, District Lot 347, Kootenay District, Plan NEP74119, one *secondary suite* is permitted.

(17) On Lot 81, District Lot 4347, Kootenay District, Plan 1072, except Plans 4001, 4404 and NEP73994, *data centre* is permitted.

(18) On Lot 79, District Lot 4347, Kootenay District, Plan 4001 except Plan NEP19552, that portion of the property extending from the northerly property boundary and 50 metres south, storage of *recreational vehicles* and boats is permitted.

(19) On the northernmost 1/4 of Lot A, District Lot 9561, Kootenay District, Plan 2684, except Plans NEP70696 and NEP72454 an exercise and fitness facility is permitted.

(20) On the north portion of Lot 1, District Lot 9561, Kootenay District, Plan NEP19111, Except Plan NEP80715 extending from the north property boundary to a parallel line 55 meters south, as shown in Figure 1 below, the following uses are permitted:

(a) *Government services*

(b) *Hotel* and motor hotel

(c) *Motel*

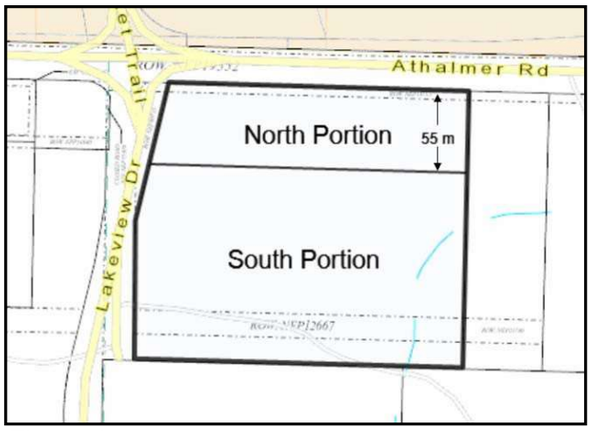


Figure 1

(21) On the south portion of Lot 1, District Lot 9561, Kootenay District, Plan NEP19111, Except Plan NEP80715 extending from a parallel line 55 meters south of the north property boundary to the south property boundary, as shown in Figure 1 above, the following uses are permitted:

(a) Uses permitted in the Light Industrial Zone (I-1), Section 4.36 (1) of this Bylaw, excluding crematorium, bulk fuel distributors including commercial cardlock operations, and *medical marihuana production facility*

(b) *Hotel* and motor hotel

(c) *Motel*

(d) Small engine repair

(e) Distillery and brewery

(f) Fabricated metal products industry

(g) Welding shop

(h) *Horticulture*

(22) On Lot 1, District Lot 20, Kootenay District, Plan 7349 *mini storage facility* is permitted. The following are permitted *accessory to* the *mini storage facility* use:

(a) Boat storage

(b) *Recreational vehicle* storage

Screening shall be constructed along the *parcel lines* abutting *parcels* in a Residential (R) or Small Holdings (SH) zone.

(23) On Parcel A (See KN12503), District Lot 138, Kootenay District, Plan 18181, a *cannabis retail store* is permitted.

(24) On Lots 4 and 5, District Lot 4596, Kootenay District, Plan EPP52907, subject to section 1.6 (2), up to two *kitchens* are permitted in a single family *dwelling unit*.

new (25) On that portion of Lot A Plan NEP69559 District Lot 8 and 20 Kootenay District zoned RES-1(A), section 4.24 (3)(d) is not applicable.

2. PARCEL AREA REQUIREMENTS

2.1 Parcel Area

(1) No *parcel* shall be created unless it is of sufficient area to provide a site which may be used for one of the uses permitted in the zone in which it is located, having due regard for the regulations of this Bylaw.

(2) Except as permitted by section 2.5 of Schedule A to this Bylaw, where a zone includes a regulation entitled 'minimum parcel size', no *parcel* may be created by subdivision that has an area less than the figure specified for the zone in which the *parcel* is created by subdivision under the *Land Title Act* or the *Strata Property Act* except for strata lots sharing *common walls* in a *building*.

(3) The *parcel* area requirements in Part 4 of Schedule A to this Bylaw and the minimum *parcel* area and minimum *usable site area* requirements of sections 2.2 and 2.4 shall not apply to:

(a) *public utility*

(b) navigational aids

(c) *solid waste transfer facility*

(d) *parks*

(e) surface parking lots

(f) *access routes*

(g) *common lot* access *parcels*

2.2 Minimum Parcel Area

In addition to the *parcel* area requirements of Part 4 of Schedule A to this Bylaw, no *parcel* shall be created unless it meets or exceeds the minimum *parcel* area for the level of servicing specified in the following table:

PROPOSED LAND USE	LEVEL OF SERVICING	MINIMUM PARCEL AREA
Residential:		
single family dwelling	*community water system* and *community sewer system*	555 m^2
single family dwelling	*community water system* or *community sewer system*	1390 m^2
single family dwelling	onsite water and onsite sewage disposal	1670 m^2
resort *parcel single family dwelling*	*community water system* and *community sewer system*	400 m^2
duplex	*community water system* and *community sewer system*	700 m^2
duplex	*community water system* or *community sewer system*	1865 m^2
duplex	onsite water and onsite sewage disposal	2140 m^2
Multiple family dwellings containing:		
3 *dwelling units*	*community water system* and *community sewer system*	1000 m^2
4 *dwelling units*	*community water system* and *community sewer system*	1300 m^2

5 or more *dwelling units*	*community water system* and *community sewer system*	1500 m^2
Commercial:		
Permitted uses in the C-1, C-2 and C-3 zone, except as specified below	onsite water and onsite sewage disposal	1670 m^2
Permitted uses in the C-1, C-2 and C-3 zone, except as specified below	*community water service* or *community sewer service*	1390 m^2
Permitted uses in the C-1, C-2 and C-3 zone, except as specified below	*community water service* and *community sewer service*	555 m^2
pension	*community water system* and *community sewer system*	925 m^2
pension	*community water system* or *community sewer system*	2500 m^2
pension	onsite water and onsite sewage disposal	4000 m^2
hotel or *motel*		2000 m^2
gasoline service station		1000 m^2
automobile dealers		1500 m^2
recreational vehicle dealers		1500 m^2
boat sales and service		1500 m^2
utility and horse trailers dealers		1500 m^2
manufactured home dealers		1500 m^2

2.3 Minimum Average Parcel Area for Bare Land Strata Subdivisions

(1) The minimum average *parcel* area within Bare Land Stata subdivisions is equal to the minimum *parcel* area found in Part 4 of Schedule A to this Bylaw.

(2) Section 2.3 (1) does not apply to lands previously legally described as Sublot 168, District Lot 4596, Kootenay District, Plan X32, except Plan NEP22293 and Plan EEP45602.

2.4 Minimum Usable Site Area

(1) Subject to subsections (2) and (3) of this section and section 2.1 (3), all *parcels* shall have a minimum *usable site area* of not less than:

(a) 1670 m^2 where the proposed *parcel* is served by neither a *community water system* nor a *community sewer system*;

(b) 695 m^2 where the proposed *parcel* is served by either a *community water system* or a *community sewer system*;

(c) 460 m^2 where the proposed *parcel* is served by both a *community water system* and *community sewer system*;

(d) 550 m^2 where the proposed *parcel* is located on a corner and served by both a *community water system* and *community sewer system*;

(e) 400 m^2 where the proposed *parcel* is designated for a resort *parcel single family dwelling* and is served by both a *community water system* and *community sewer system*;

(f) 460 m^2 where the proposed *parcel* is designated for a resort *parcel single family dwelling* is served by both a *community water system* and *community sewer system* and is located on a corner.

(2) In cases where the minimum *parcel* area requirement is less than the minimum *usable site area* specified in subsection 2.4 (1), the minimum *usable site area* shall be the same as the *parcel* area required.

(3) Despite subsection 2.4 (1), all *parcels* shall have a minimum *usable site area (resort)* of not less than:

(a) 350 m^2 where the proposed *parcel* is designated for a small *parcel single family dwelling*;

(b) 460 m^2 where the proposed *parcel* is designated for a small *parcel single family dwelling* and is located on a corner;

(c) 460 m^2 for all other *parcels* except as required in subsection (d) of this section; and

(d) 550 m^2 for all other *parcels* where the proposed *parcel* is located on a corner.

2.5 Reduction of Minimum Parcel Size Requirements

(1) The minimum *parcel* size required for the creation of new *parcels* in Part 4 of Schedule A to this Bylaw may be reduced where the proposed subdivision:

(a) consolidates two or more *parcels* into a single *parcel*, provided:

(i) it is impossible to meet the *parcel* area requirements;
(ii) all parts of all new *parcels* are contiguous;
(iii) the proposed *parcel* has the minimum *usable site area* specified in section 2.4.

(b) involves *parcel line* adjustments provided:

(i) it is impossible to meet the *parcel* area requirements;
(ii) the proposed subdivision creates no more *parcels* for the *land* being subdivided than existed at the time of application;
(iii) the smallest *parcel*, where it contains an existing *dwelling unit* with a sewage disposal system operated under the Sewerage System Regulation of the *Public Health Act* may be no smaller than the minimum *usable site area* specified in section 2.4.

(c) involves a *parcel* of *land* that is divided by an existing *parcel* or an existing constructed and registered *highway* or railway right-of-way, where the boundaries of that *parcel* or right-of-way will be boundaries of the proposed *parcel* provided:

(i) it is impossible to create a *parcel* on each side of the existing *parcel* or right-of-way that meets the *parcel* area requirements;
(ii) the proposed *parcels* have the minimum *usable site area* specified in section 2.4;
(iii) the *highway* is not less than 20.0 m in width; and
(iv) the *highway* is not a BC Forest Service Road.

(d) involves a *parcel* of *land* that is not large enough to accommodate the proposed *parcels* and *highway* right-of-way provided:

(i) it is impossible to meet the *parcel* requirements;
(ii) only one of the proposed *parcels* is smaller than the *parcel* area requirement;
(iii) the proposed smaller *parcel* is not more than 10% smaller than the *parcel* area requirement;
(iv) the proposed smaller *parcel* is not smaller than the minimum *usable site area* specified in section 2.4.

(e) divides a *parcel* along a boundary line of a zone, provided the proposed *parcels* have the minimum *usable site area* specified in section 2.4.

(f) divides a *parcel* along a boundary line of the *Agricultural Land Reserve* provided the proposed *parcels* have the minimum *usable site area* specified in section 2.4.

(g) involves a *parcel* which is divided by a topographic feature so severe that the divided portions of the *parcel* are not contiguous, provided:

(i) it is impossible to create a *parcel* on each side of the topographic feature that meets the *parcel* area requirements;
(ii) the proposed *parcels* have the minimum *usable site area* specified in section 2.4.

(h) involves the creation of a *parcel* to be utilized as a *common lot* for access in a fee simple subdivision provided the *parcel* will be registered as a *common lot* pursuant to section 12 of the Land Title Act Regulation 334/79.

2.6 Panhandle Parcels

The access strip of a *panhandle parcel* will not be calculated as part of the required *parcel* area.

2.7 Subdivision Pursuant to Section 514 of the Local Government Act

Where *land* is proposed for subdivision under section 514 of the *Local Government Act*, and where such *land* is not included within the *Agricultural Land Reserve*, the Approving Officer may permit the subdivision of one *parcel* into two *parcels* only, each having an area smaller than the minimum *parcel* size of the zone in which they are located, provided that a *parcel* that may be subdivided under section 514 of the *Local Government Act* is not less than 4.0 ha in size.

3. PARKING AND LOADING REQUIREMENTS

3.1 General Requirements

(1) Owners and occupiers of *buildings* and *structures* shall provide *off-street parking spaces* and *off-street loading spaces* in accordance with the provisions of this Bylaw except where the *buildings* and *structures* are intended to be accessed only by hiking, skiing, horseback, boat or aircraft.

(2) Despite section 3.1 (1), owners and occupiers of *buildings* and *structures* in the RES-4, Resort Core Zone and the C-3, Regional Commercial Zone shall provide *off-street parking spaces*, where applicable, in accordance with section 4.31 (4) of Schedule A to this Bylaw.

(3) All required *off-street parking spaces* and *off-street loading spaces* shall have vehicular access to a *highway*.

(4) All parking areas, *off-street parking spaces*, and *off-street loading spaces*, for other than *single family dwellings* and *duplexes* shall have a maximum slope of 8%.

(5) *Off-street parking spaces* and *off-street loading spaces* shall not be used for driveways or display, sales, or storage of goods.

(6) When the calculation of the required number of *off-street parking* or *loading spaces* results in a fractional parking or loading space, one *off-street parking* or *loading space* shall be provided to meet the fractional requirement.

(7) In cases of mixed uses, the total requirements for *off-street parking* and *off-street loading* shall be the sum of the requirements for the various uses calculated separately. Required *off-street parking spaces* for one use shall not be considered as required *off-street parking spaces* for any other use.

(8) *Off-street loading* spaces shall not be credited as *off-street parking spaces.*

(9) *Off-street parking* spaces shall not be credited as *off-street loading spaces*.

(10) A maximum of two *off-street parking spaces* shall be provided for customers and clients of *home based businesses*, in addition to *off-street parking spaces* required for *residential uses* in section 3.2 (4). *Off-street parking spaces* shall also be provided for all *vehicles* associated with the *home based business*.

3.2 Required Off-street Parking Spaces

The required minimum number of off-street parking spaces for a specific use is listed below. When a specific use is not listed, the number of parking spaces required for the most similar use shall apply.

(1) <u>Commercial and Industrial Uses</u>

(a)	Forest service industries, mining and milling, quarrying, oil well industries	- 1 per 30 m^2 of office use plus 1 per 185 m^2 of *gross floor area* for all uses enclosed within a *building*, plus 1 for every commercially licensed *vehicle* for that address
(b)	Transportation and storage, and wholesale industries	- 1 per 30 m^2 of office use plus 1 per 100 m^2 of *gross floor area* open to the public plus 1 per 185 m^2 of *gross floor area* enclosed within a *building*, plus 1 for every commercially licensed *vehicle* for that address
(c)	Manufacturing industries	- 1 per 30 m^2 of office use, plus 1 per 50 m^2 of retail sales floor area plus 1 per 185 m^2 of *gross floor area* for all other uses

			enclosed within a *building*
	(d)	Communication and other utility industry	- 1 per 30 m^2 of office use, plus 1 per 185 m^2 of *gross floor area* for all other uses enclosed within a *building*, plus one for every commercially licensed *vehicle* for that address
	(e)	Commercial office	- 1 per 30 m^2 of *gross floor area*
	(f)	*Cannabis production facility*	- 1 per 30 m^2 of office use plus 1 per 185 m^2 of *gross floor area* for all other uses enclosed within a *building*
(2)	<u>Personal and Household Services</u>		
	(a)	Barber and beauty shops	- 1 per 15 m^2 of *gross floor area*
	(b)	Funeral services	- 1 per 4 seats in chapel
	(c)	Laundries and cleaners	- 1 per 30 m^2 of *gross floor area* not open to the public, plus 1 per 3 washing / cleaning machines for self-serve facilities
	(d)	Membership organizations	- 1 per 4 seat capacity plus 1 per 35 m^2 of *gross floor area* not used for seating
	(e)	Repair services, services to *buildings* and *dwellings*, travel services, photographers and other services	- 1 per 35 m^2 of *gross floor area*
	(f)	Rental and leasing of machinery, equipment and *vehicles*	- 1 per 70 m^2 of *gross floor area* plus 1 per 30 m^2 of office use
	(g)	Other personal and household services	- 1 per 10 m^2 of *gross floor area*
(3)	<u>Recreational Services</u>		
	(a)	Audio/visual production/ distribution/exhibition, other staged theatre, entertainment services and commercial spectator sports	- 1 per 4 seat capacity, plus 1 per 30 m^2 of *gross floor area* seating capacity
	(b)	Dance halls/studios, Coin operated amusement services	- 1 per 35 m^2 of *gross floor area*
	(c)	Curling clubs	- 8 spaces per ice sheet plus 1 per 30 m^2 of *gross floor area* not open to the public
	(d)	Bowling alleys	- 3 per alley
	(e)	Billiard halls	- 2 per pool table

(f)	*Golf course*	
	(i) Nine hole	- 100 spaces
	(ii) Regulation18 hole	- 150 spaces
	(iii) Par 3 and executive	- 120 spaces
	(iv) Driving range (stand alone)	- 1 per tee plus 1 per 10 m^2 of *gross floor area* not open to the public
	(v) Miniature golf	- 2 per hole plus 1 per 10 m^2 *gross floor area* not open to the public; where *accessory to* another use, 3 spaces in total
(g)	Pools	
	(i) swimming pool	- 1 per 4 m^2 of pool surface
	(ii) waterslide	- 1 per 4 person design capacity
(h)	Roller skating facilities	- 1 per 10 m^2 of roller skating area
(i)	Skiing facilities	- 1 per 3 skiers of carrying capacity less *off street parking spaces* for *hotel* and residential uses within 380 m of any lift terminal
(j)	Baseball diamonds	- 18 per baseball diamond
(k)	Other sport and recreation uses and clubs not listed elsewhere	- 1 per 10 m^2 of *gross floor area* of ice area plus 4 spaces per court plus 1 per 4 player / person capacity for other sports or amusements

(4) <u>Residential Uses</u>

(a)	*Single family dwelling*, *manufactured home, duplex,* and *multiple family dwelling*	- 2 per *dwelling unit*
(b)	*Secondary suite*	- 1 per *dwelling unit*
(d)	*Multiple family dwelling* with lock off units	- 0.8 spaces per bedroom for units with 1 *kitchen*
(e)	*Multiple family dwelling* with lock off unit	- 2.5 spaces / unit with two *kitchens*
(f)	*Employee accommodation*	- 1 per 2 *bed units*
(g)	*Park model trailer*	- 2 per *park model trailer*

(5) <u>Retail</u>

(a)	Automotive related (auto and *recreational vehicle* dealers, service stations, repair shops and other services)	- 2 per service bay plus 1 per 60 m^2 of *gross floor area*
(b)	Mini storage	- 2 spaces for office use
(c)	Retail	- 1 per 15 m^2 of *gross floor area*

(6) Service Industries

(a) Accommodation services

(i) *Hotel* or *motel*	- 2 plus 1 per *hotel* or *motel room* plus 1 per *dwelling unit*
(ii) *Pension*	- 0.75 parking spaces per guest room plus 2 per *dwelling unit* plus 1 per 8 seats of food service capacity
(iii) *Campground*	- 1 per *campsite* plus 1 per *dwelling unit*
(iv) *Bed and Breakfast*	- 1 per bedroom used by guests for sleeping accommodation
(v) *Hostel*	- 1 per 15 m^2 of *gross floor area* used for sleeping accommodation

(b) Food and Beverage Services

(i) Dine in service	- 1 per 3 seat capacity
(ii) Drive thru / takeout only	- 15 spaces
new (iii) Food Truck	- 3 per Food Truck

(c) *Veterinarian*	- 1 per 10 m^2 of *gross floor area*

(d) Education services

(i) Daycare, preschools and elementary schools	- 1 per 50 m^2 of *gross floor area*
(ii) Senior secondary, post secondary or commercial schools	- 3 per classroom plus 1 per 30 m^3 of *gross floor area* exclusive of classrooms
(iii) Library services	- 1 per 40 m^2 of *net floor area*

(e) Financial advisors, insurance, real estate professional and business offices	- 1 per 35 m^2 of *gross floor area*
(f) Banks and credit unions	- 1 per 20 m^2 of *gross floor area*
(g) Government services	- 1 per 35 m^2 of *gross floor area*

(h) Health and social services

(i) Health and social services	- 1 per 35 m^2 of *gross floor area*
(ii) Hospitals and other Institutional services such as *rest homes*	- 1 per 5 beds plus 1 per 30 m^2 of institutional office use
(iii) Offices of health and social service practitioners	- 1 per 10 m^2 of *gross floor area*
(iv) Medical or dental clinic	- 1 per 35 m^2 of *gross floor area*

3.3 Disabled Parking Spaces

(1) All off-street parking areas containing more than 10 but fewer than 51 *off-street parking spaces* must include a minimum of one *off-street parking space* for persons with disabilities. One additional *off-street parking space* for persons with disabilities, calculated as part of the total requirement, is required for each additional 50 parking spaces or portion thereof up to a maximum of 5 dedicated *off-street parking spaces* for disabled persons.

(2) *Off-street parking spaces* for persons with disabilities must be located as close to a disabled accessible main entrance of the *principal building* as possible.

(3) *Off-street parking spaces* for persons with disabilities must be clearly marked with stall parking signage mounted 1.0 to 1.5 above ground level to indicate exclusive use for disabled person.

(4) Each *off-street parking space* for persons with disabilities must have a firm, slip-resistant and level surface.

3.4 Size and Location of Off-street Parking Spaces

(1) Each required *off-street parking space,* except those designated for persons with disabilities, shall be a minimum of 2.0 m in height, 2.7 m in width and 6.0 m in length exclusive of aisle access. For parallel parking, the required length of each *off-street parking space* shall be 4.2 m except for end spaces which shall be a minimum length of 6.0 m.

(2) Each required *off-street parking space* for persons with disabilities must be a minimum of 4.0 m in width and 6.0 m in length exclusive of aisle accesses.

(3) Length of *off-street parking spaces* may be reduced to 4.6 m for not more than 5% of the number of required *off-street parking spaces*, provided these spaces are clearly marked 'small car only'.

(4) Minimum aisle widths shall conform to the provisions of the following table:

ANGLE OF PARKING SPACE TO AISLE IN DEGREES	MINIMUM AISLE WIDTH
Up to 55	3.7 m
56 to 70	5.7 m
76 to 90	7.5 m

An aisle 6.0 m or less in width shall be designated for and clearly marked as suitable for one-way traffic only.

(5) All required *off-street parking spaces* for residential uses shall be located on the same *parcel* as the residential use being served.

(6) All required *off-street parking spaces* for other than residential uses shall be located not more than 120 m from the *parcel*, *building* or *structure* being served. Required *off-street parking* shall be located on a *parcel* in the same zone being served.

(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* shall be registered in the Land Title Office in favour of the *Regional District* 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.

(8) Within the EH-1, Employee Housing Zone up to 50% of the required *off-street parking spaces* for accommodation uses may be located off-site, subject to section 3.4 (7). Where parking is provided off-site, the provisions of section 3.4 (6) shall not apply and instead, the *off-street parking* shall be located within 500 m of the *parcel*, *building* or *structure* being served

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3.5 Required Off-street Loading Spaces

(1) The number of *off-street loading spaces* required to be provided shall conform to provisions of the following:

(a)	Office, *assembly use* and institutional and public uses	- 1 per 3000 m^2 of *gross floor area*
(b)	*Hotels* and *motels*	- 1 per 1400 m^2 of *gross floor area*
(c)	Commercial uses within 380 m of a ski lift terminal	- 1 per 1400 m^2 of *gross floor area*

(d)	For all other commercial and industrial uses per building	- 1 for the first 2000 m^2 of *gross floor area* plus 1 for the remaining *gross floor area* over 2000 m^2

3.6 Size and Location of Off-street Loading Spaces

(1) Each *off-street loading space* shall be not less than 9.0 m in length, 3.5 m in width, nor have a height less than 4.0 m.

(2) *Off-street loading spaces* shall be located on the same *parcel* as the *building* or *structure* being served, but no part of an *off-street loading space* shall be less than 7.5 m from the nearest point of intersection of any two *highways*.

4. ZONES

4.1 Establishment of Zones

CATEGORY	ZONE TITLE	SHORT TITLE
Residential	Single Family Residential	R-1
	Single Family Residential	R-1(A)
	Single Family Residential – Small Lot	R-1(B)
	Single Family Residential – Secondary Suite	R-1(C)
	new – Single Family Residential – Resort	R-1(D)
	Single Family Residential – Manufactured Home	R-1(MH)
	Two Family Residential	R-2
	Multiple Family Residential – Medium Density	R-3
	Multiple Family Residential – High Density	R-4
	Multiple Family Residential (Cluster) – Medium Density	R-4(A)
	Multiple Family Residential – Community (Cluster)	R-5
	Manufactured Home Park Residential	R-MP
Small Holdings	Small Holding Residential	SH-1
	Small Holding Semi-Rural	SH-2
	Small Holding Rural	SH-3
	Small Holding Rural (Open Space)	SH-3(A)
	Small Holding Rural – 4 Hectare	SH-4
Rural Resource	Rural Resource	A-1
	Rural Residential	A-2
	Watershed Protection	W-1
Resort	Recreation Accommodation	RES-1
	Recreation Residential	RES-1(A)
	Resort Recreation	RES-2
	new – Resort Development (Single Family)	RES-2(SF)
	Resort Development (Multi-Family)	RES-2(MF)
	Resort Development (Mixed Density)	RES-2(MD)
	Resort Lodge	RES-3
	Resort Tourist Pension	RES-3(TP)
	Resort Core	RES-4
	Employee Housing	EH-1
Commercial	Community Commercial	C-1
	Service Commercial	C-2
	Regional Commercial	C-3
Industrial	Light Industrial	I-1
	Heavy Industrial	I-2
Public	Public Institutional	P-1
	Public Parks and Open Space	P-2
	Public Works and Utility	P-3
Columbia Lake	Columbia Lake (Recreation)	CL-1
	Columbia Lake (Community Amenity)	CL-2
	Columbia Lake (Group Moorage	CL-3
Lake Windermere	Lake Windermere (Residential)	LW-1
	Lake Windermere (Group Moorage)	LW-2
	Lake Windermere (Group Moorage)	LW-2(A)
	Lake Windermere (Institutional)	LW-3
	Lake Windermere (Commercial)	LW-4
	Lake Windermere (Recreation)	LW-5

4.2 Zone Boundaries and Schedules

(1) The location and spatial extent of zones established by this Bylaw are as shown on the attached Schedules, which are incorporated in and form part of this Bylaw:

A1 – Layout of Schedules
A2 – Columbia Lake South
A3 – Columbia Lake North
A4 – Columere / Fairmont
A5 – Lyttle Lake
A6 – Windermere South
A7 – Windermere North
A8 – Toby Benches
A9 – Dry Gulch
A10 – Edgewater
A11 – Luxor / Spur Valley
A12 – Brisco
A13 – Spillimacheen
A14 – Panorama
A15 – Rushmere
A16 – Water Zoning – Columbia Lake South
A17 – Water Zoning – Columbia Lake North
REVISED A18 – Water Zoning – Lake Windermere South
A19 – Water Zoning – Lake Windermere Mid- South
A20 – Water Zoning – Lake Windermere Mid-North
A21– Water Zoning – Lake Windermere North

Info Box –
Schedules A16 & A17 move the water zones to independent schedules
Schedules A18 to A21 divide the water zoning between four map schedules instead of three.

No changes to the zones are proposed.

(2) When a zone boundary is shown as following a *highway* or creek, the center line of such *highway* or watercourse, shall be the zone boundary.

(3) Where a zone boundary does not follow a legally defined line and where distances are not specifically indicated, the location of the boundary shall be determined by scaling the electronic version of the zoning map schedules of the centre of each zoning line.

(4) Where a zone boundary is perpendicular to the shoreline of a lake the zone boundary shall be determined to be perpendicular to the general trend of the shoreline from the *natural boundary* of the lake.

(5) Where a zone boundary is adjoining the shoreline of a lake the zone boundary shall be determined to be the *natural boundary* of the lake. Where the *natural boundary* of the lake has been displaced by a retaining wall, *groyne* or breakwater the portion of the *structure* abutting the water shall be determined to be the zone boundary.

(6) Where a *parcel* is divided by a zone boundary the areas created by such a division are deemed to be separate *parcels* for the purpose of determining the regulations and requirements of this Bylaw.

4.3 Single Family Residential: R-1

(1) Principal Uses

(a) *Single family dwelling*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*, excluding the original Panorama Mountain Village single family subdivision as shown outlined in black in Figure 2 below:

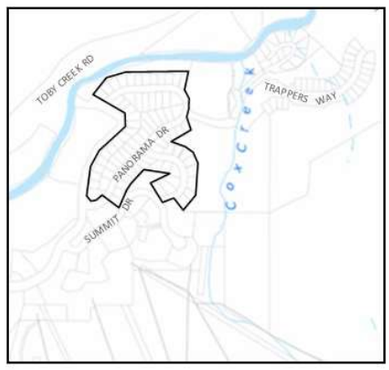

Figure 2: Original Panorama Mountain Village Single Family Subdivision

(c) *Backyard chickens*

(d) *Backyard beekeeping*

(e) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-1 zone which is less than 555 m^2 in area.

(4) Regulations

In the R-1 zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m

COLUMN 1	COLUMN 2
(c) Maximum height:	
(i) *principal building*	9.0 m
(ii) *accessory building* or *structure*	5.0 m
(d) Maximum *parcel coverage*	30%
(e) Minimum horizontal dimension of a *single family dwelling* not including dimensions of an addition or a non-rectangular *building*	5.5 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the R-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-1 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

4.4 Single Family Residential (A) Zone: R-1(A)

(1) Principal Uses

(a) *Single family dwelling*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(c) *Backyard chickens*

(d) *Backyard beekeeping*

(e) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-1(A) zone which is less than:

(a)	In all areas, except within Strata Plan NES113	1670 m^2
(b)	Within Strata Plan NES113	1900 m^2

(4) Regulations

In the R-1(A) zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) For all areas, except within Strata Plan NES113 - Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(c) Within Strata Plan NES113 – Minimum *setbacks:*	
(i) *Principal buildings* and *structures* from:	
▪ *common lot access route*	6.0 m
▪ the bare land strata lot line most distant from and opposite to the bare land strata lot line abutting a *common lot access route*	6.0 m
▪ all other bare land strata lot lines	1.5 m

COLUMN 1	COLUMN 2
(ii) *Accessory buildings* and *structures* from:	
▪ *common lot access route*	6.0 m
▪ all other bare land strata lot lines	1.0 m
(d) Maximum height:	
▪ *principal building*	9.0 m
▪ *accessory building* or *structure*	5.0 m
(e) Maximum *parcel coverage*	30%
(f) Minimum horizontal dimension of a *single family dwelling* not including dimensions of an addition or a non-rectangular *building*	5.5 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the R-1(A) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-1(A) zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) Within Strata Plan NES113, no person shall site a *dwelling unit* unless it is served by both a *community water system* and a *community sewer system*.

4.5 Single Family Residential – Small Lot Zone: R-1(B)

(1) Principal Uses

(a) *Single family dwelling*

In addition within Strata Plan NES3039 the following are also permitted:

(b) *Park model trailer*

(c) *Recreational vehicle*

(2) Accessory Uses

(a) *Home based business*, excluding Bed and Breakfast, *child care facility*, preschool and *group day care*

(b) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

(a) Despite sections 2.2 and 2.4 of Schedule A to this Bylaw and except for within Strata Plan NES3039, no *parcel* shall be created which is:

(i) less than 280 m^2;
(ii) greater than 400 m^2;
(iii) not served by both a *community water system* and a *community sewer system*.

(b) Within Strata Plan NES3039, no *parcel* shall be created which is:

(i) less than 280 m^2;
(ii) greater than 1280 m^2;
(iii) not served by both a *community water system* and a *community sewer system*.

(4) Regulations

In the R-1(B) zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*, *park model trailer* or *recreational vehicle*	one
(b) Minimum *setbacks*:	
(i) Principal buildings, *park model trailer* or *recreational vehicle* from:	
▪ *front parcel line*	4.5 m
▪ *rear parcel line except within Strata Plan NES3039*	4.5 m
▪ *rear parcel line within Strata Plan NES3039*	1.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* must be sited in the *rear yard* with minimum setbacks from:	
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m

COLUMN 1	COLUMN 2
(c) Maximum height:	
▪ *principal building*, *park model trailer*, *recreational vehicle*	6.0 m
▪ *accessory building* or *structure*	3.5 m
(d) Maximum size for an *accessory building*	40 m^2

(5) Parcel Coverage

In the R-1(B) zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) *Parcel coverage* except within Strata Plan NES3039	40%
(b) *Parcel coverage* within Strata Plan NES3039 The *first storey* floor area of a *principal building* or *structure,* excluding covered decks and porches, on the specified strata lot must not exceed:	
▪ strata lots 1-13, 16-29, 31-117, 120-185 and 201	70 m^2
▪ strata lots 14, 15, 30, 118, 119 and 186-200	105 m^2

(6) Additional Size and Dimensions of Buildings and Structures

In the R-1(B) zone, except within Strata Plan NES3039, no *building* may be constructed or placed that contravenes the following. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum distance above *finished grade* for primary roof eave, excluding dormers, for *principal buildings*	3.5 m
(b) Maximum extent of dormers on the front, side and rear elevations of a *principal building*	50% of the *building* width
(c) Minimum horizontal dimension of a *single family dwelling*, not including dimensions of an addition or a non-rectangular building	5.5 m

(7) Other Regulations

(a) All persons carrying out a use in the R-1(B) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-1(B) zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) No person shall site a *principal building* on a *parcel* in the R-1(B) zone unless it is served by both a *community water system* and a *community sewer system*.

(d) Habitable floor area above the *first storey* is limited to 50% of the floor area of the *first storey*.

(e) Despite subsection (7)(d) of this section, within Strata Plan NES3039, when *parcel coverage* of the *first storey* floor area exceeds 70 m^2, no habitable area or *habitable room* is permitted above the *first storey*.

4.6 Single Family Residential – Secondary Suite Zone: R-1(C)

(1) Principal Uses

(a) *Single family dwelling*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(c) Backyard chickens

(d) Backyard bees

(e) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-1(C) zone which is less than 555 m^2 in area.

(4) Regulations

In the R-1(C) zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(c) Maximum height:	
▪ *principal building*	9.0 m
▪ *accessory building* or *structure*	5.0 m
(d) Maximum *parcel coverage*:	30%
(e) Minimum horizontal dimension of a *single family dwelling*, not including dimensions of an addition or a non-rectangular building	5.5 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the R-1(C) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-1(C) zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

4.7 Single Family Residential (Resort): R-1(D) new

(1) Principal Uses

(a) *Single family dwelling*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(c) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-1(D) zone which is less than 400 m^2 in area.

(4) Regulations

In the R-1(D) zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(c) Maximum height:	
(i) *principal building*	9.0 m
(ii) *accessory building* or *structure*	5.0 m
(d) Maximum *parcel coverage*	35%
(e) Minimum horizontal dimension of a *single family dwelling* not including dimensions of an addition or a non-rectangular *building*	5.5 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the R-1(D) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-1(D) zone for the *wrecking and repair of vehicles* or for the storage of *derelict vehicles*.

4.8 Single Family Residential – Manufactured Home Zone: R-1(MH)

(1) Principal Uses

(a) *Single family dwelling* REVISED

Info Box: No width restrictions for dwellings to permit dwelling units of all widths, including manufactured homes

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(c) *Backyard chickens*

(d) *Backyard beekeeping*

(e) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-1(MH) zone which is less than 555 m^2 in area.

(4) Regulations

In the R-1(MH) zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(c) Maximum height:	
▪ *principal building*	9.0 m
▪ *accessory building* or *structure*	5.0 m
(d) Maximum *parcel coverage*	30%

(5) Other Regulations

(a) All persons carrying out a use permitted in the R-1(MH) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-1(MH) zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

4.9 Two Family Residential Zone: R-2

(1) Principal Uses

(a) *Single family dwelling*

(b) *Duplex*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(c) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

(a) A *parcel* in the R-2 zone may be subdivided along a *common wall* of a *duplex* provided each *parcel* after subdivision is not less than half the minimum *parcel size* for the level of servicing specified in section 2.2 of Schedule A to this Bylaw.

(b) Despite sections 4.9 (3)(a) and 4.9 (4)(a), *parcels* in the R-2 zone with a *duplex* constructed prior to August 7, 1980 may be divided into two strata lots pursuant to the provisions of the *Strata Property Act*.

(c) Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-2 zone which is less than 700 m^2 in area.

(4) Regulations

In the R-2 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling* or *duplex*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(c) Despite 4.8 (4)(b) when a *duplex* is subdivided along a *common wall*, the *setback* requirements for one *side parcel line are:*	
▪ *side parcel line*	3.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(d) Maximum height:	
▪ *principal building*	9.0 m
▪ *accessory building* or *structure*	5.0 m

COLUMN 1	COLUMN 2
(f) Minimum horizontal dimension of a *single family dwelling* or *duplex*, not including dimensions of an addition or a non-rectangular building	5.5 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the R-2 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-2 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) No person shall site more than one *dwelling unit* of a *duplex* on a *parcel* in the R-2 zone where one wall of the *dwelling unit* is a *common wall* along an existing *parcel line*.

4.10 Multiple Family Residential – Medium Density Zone: R-3

(1) Principal Uses

(a) *Multiple family dwelling*

(b) *Rest home*

(2) Accessory Uses

(a) *Home based business*

(b) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-3 zone which is less than 1000 m^2 in area.

(4) Regulations

In the R-3 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ maximum number of *dwelling units* per *gross hectare* of *usable site area*	thirty
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	4.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(c) Despite 4.9 (4)(b), when a *parcel* is subdivided along a *common wall* separating two *dwelling units*, the *setback* requirements for one *side parcel line are:*	
▪ *side parcel line*	3.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(d) Maximum height:	
▪ *principal building*	13.0 m
▪ *accessory building* or *structure*	5.0 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the R-3 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-3 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) No person shall site a *principal building* on a *parcel* in the R-3 zone unless it is served by both a *community water system* and a *community sewer system*.

4.11 Multiple Family Residential – High Density Zone: R-4

(1) Principal Uses

(a) *Multiple family dwelling*

(b) *Rest home*

(2) Accessory Uses

(a) *Home based business*

(b) *Central check-in facility*

(c) Recreation facility

(d) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-4 zone which is less than 1500 m^2 in area.

(4) Regulations

In the R-4 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ maximum number of *dwelling units* per *gross hectare* of *usable site area*	sixty
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	6.0 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(c) Despite 4.11 (4)(b), when a *parcel* is subdivided along a *common wall* separating two *dwelling units*, the *setback* requirements for one *side parcel line are:*	
▪ *side parcel line*	3.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(d) Maximum height:	
▪ *principal building* which does not include an underground parkade	13.0 m
▪ *principal building* which includes an underground parkade	16.0 m
▪ *accessory building* or *structure*	5.0 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the R-4 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-4 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) No person shall site a *principal building* on a *parcel* in the R-4 zone unless it is served by both a *community water system* and a *community sewer system*.

4.12 Multiple Family Residential (Cluster) – Medium Density Zone: R-4(A)

(1) Principal Uses

(a) *Cluster development*

(b) *Rest home*

(2) Accessory Uses

(a) *Home based business*

(b) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-4(A) zone which is less than 4.0 ha in area.

(4) Regulations

In the R-4(A) zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ maximum number of *dwelling units* per *gross hectare* of *usable site area*	twelve
(b) Minimum *setbacks* in a bare land strata development:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	6.0 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	6.0 m
▪ *rear parcel line*	1.0 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.0 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(c) Minimum *setbacks* in a fee simple development:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	4.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(d) Despite 4.12 (4)(b), when a *parcel* is subdivided along a *common wall* separating two *dwelling units*, the *setback* requirements for one *side parcel line are:*	
▪ *side parcel line*	3.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m

COLUMN 1	COLUMN 2
(e) Maximum height:	
▪ *principal building*	9.0 m
▪ *accessory building* or *structure*	5.0 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the R-4(A) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-4(A) zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) No person shall site a *principal building* on a *parcel* in the R-4(A) zone unless it is served by both a *community water system* and a *community sewer system*.

4.13 Multiple Family Residential – Community (Cluster) Zone: R-5

(1) Principal Uses

(a) *Cluster development*

(b) *Rest home*

(2) Accessory Uses

(a) *Home based business*

(b) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Size

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-5 zone which is less than 0.5 ha in area.

(4) Regulations

In the R-(5) zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ maximum number of *dwelling units* per *gross hectare* of *usable site area*	eighteen
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	6.0 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	6.0 m
▪ *rear parcel line*	1.0 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(c) Maximum height:	
▪ *principal building*	9.0 m
▪ *accessory building* or *structure*	5.0 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the R-5 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the R-5 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) No person shall site a *principal building* on a *parcel* in the R-5 zone unless it is served by both a *community water system* and a *community sewer system*.

4.14 Manufactured Home Park Residential Zone: R-MP

(1) Principal Uses

(a) *Single family dwelling*

(2) Accessory Uses

(a) *Common storage area*

(b) *Home based business*

(c) *Secondary suite*, subject to 4.14 (5)(d)

(d) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Size

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the R-MP zone which is less than 2.0 ha in area.

(4) Regulations

In the R-MP zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Minimum *manufactured home space* size	370 m^2
(b) Minimum *land* required for:	
▪ *manufactured home*	370 m^2
▪ *single family dwelling*	700 m^2
(c) Maximum density:	
▪ maximum number of *manufactured homes* per *gross hectare* of *usable site area*	eighteen
▪ maximum number of *manufactured homes* per *manufactured home space*	one
▪ maximum number of *single family dwellings* that are not *manufactured homes* per *parcel*	one, except in accordance with section 4.15 of the RDEK Mobile Home Park Bylaw No. 1, 1978
(d) Minimum *setbacks* for *manufactured home spaces* and *single family dwellings*:	
▪ boundary of the *parcel* abutting a *highway*	7.6 m
▪ any remaining boundary of the *parcel*	4.6 m
(e) Minimum setbacks for *manufactured homes*, *buildings* or *structures*:	
▪ internal access road right of way or *common storage area*	1.8 m
▪ rear and side site lines of *manufactured home space* or *single family dwelling* site	3.0 m
(f) Maximum height	7.6 m

(5) Other Regulations

(a) The establishment, extension, design, servicing, and facilities of *manufactured home parks* shall comply with the requirements of the Regional District of East Kootenay Mobile Home Parks Bylaw No. 1, 1978.

(b) All persons carrying out a use permitted in the R-MP zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(c) No person shall use or permit the use of any portion of a *parcel* in the R-MP zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(d) *Secondary suites* within a detached *garage* are not permitted in the R-MP zone.

4.15 Small Holding Residential Zone: SH-1

(1) Principal Uses

(a) *Single family dwelling*

(b) *Keeping of small farm animals*

(c) *Horticulture*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(c) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the SH-1 zone which is less than 0.4 ha in area.

(4) Regulations

In the SH-1 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(c) Maximum height	10.0 m
(d) *Parcel coverage*	20%

(5) Other Regulations

(a) All persons carrying out a use permitted in the SH-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the SH-1 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

4.16 Small Holding Semi-Rural Zone: SH-2

(1) Principal Uses

(a) *Single family dwelling*

(b) *Keeping of farm animals*

(c) *Horticulture*

(d) *Veterinary clinic*

(e) *Kennel*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(c) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the SH-2 zone which is less than 1.0 ha in area.

(4) Regulations

In the SH-2 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Minimum *parcel* size	1.0 ha
(b) Maximum density:	
▪ *single family dwelling*	one
(c) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(iii) *Kennel building*, *structure,* or enclosed run from:	
▪ all *parcel lines*	60.0 m
(d) Maximum height	10.0 m
(e) *Parcel coverage*	20%

(4) Other Regulations

(a) All persons carrying out a use permitted in the SH-2 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the SH-2 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

4.17 Small Holdings Rural Zone: SH-3

(1) Principal Uses

(a) *Single family dwelling*

(b) *Keeping of farm animals*

(c) *Horticulture*

(d) *Veterinary clinic*

(e) *Kennel*

(f) *Seasonal produce stand*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(c) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the SH-3 zone which is less than 2.0 ha in area.

(4) Regulations

In the SH-3 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	7.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(iii) *Kennel building*, *structure* or enclosed run from:	
▪ all *parcel lines*	60.0 m
(c) Maximum height:	
▪ *principal building*	10.0 m
▪ *accessory building* or *structure*	12.0 m
(d) *Parcel coverage*	10%

(4) Other Regulations

(a) All persons carrying out a use permitted in the SH-3 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the SH-3 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

4.18 Small Holdings Rural (Open Space) Zone: SH-3(A)

(1) Principal Uses

(a) *Single family dwelling*

(b) *Keeping of farm animals*

(c) *Horticulture*

(d) *Veterinary clinic*

(e) *Kennel*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(c) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the SH-3(A) zone which is:

(a) less than 2.0 ha in area where water service is provided by onsite water; and

(b) less than 1.0 ha in area when water service is provided by a *community water system*.

(4) Regulations

In the SH-3(A) zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	7.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(iii) *Kennel building*, *structure* or enclosed run from:	
▪ all *parcel lines*	60.0 m
(c) Maximum height:	
▪ p*rincipal building*	12.0 m
▪ *accessory building* or *structure*	12.0 m
(d) *Parcel coverage*	10%

(5) Other Regulations

(a) All persons carrying out a use permitted in the SH-3(A) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the SH-3(A) zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

4.19 Small Holdings Rural (4 Hectare) Zone: SH-4

(1) Principal Uses

(a) *Single family dwelling*

(b) *Keeping of farm animals*

(c) *Horticulture*

(d) *Veterinary clinic*

(e) *Kennel*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(c) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the SH-4 zone which is less than 4.0 ha in area.

(4) Regulations

In the SH-4 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	7.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(iii) *Kennel building*, *structure* or enclosed run from:	
▪ all *parcel lines*	60.0 m
(c) Maximum height:	
▪ p*rincipal building*	10.0 m
▪ *accessory building* or *structure*	12.0 m
(e) *Parcel coverage*	10%

(5) Other Regulations

(a) All persons carrying out a use permitted in the SH-4 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the SH-4 zone for:
   (i) the *wrecking and repair of vehicles*; or
   (ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

4.20 Rural Resource Zone: A-1

(1) Principal Uses

(a) *Single family dwelling*

(b) *Farm operation*

(c) *Seasonal produce stand*

(d) *Veterinary clinic*

(e) *Kennel*

(f) *Guest ranch*

(g) *Riding stable*, *equestrian centre*

(h) Rifle, archery, trap and skeet range

(i) *Fish pond*

(j) *Rural retreat*

(k) *Hostel*

(l) Extraction of sand and gravel, including grading, washing, screening, crushing and transporting of materials

(m) Harvesting, transport and storage of forest resources, silviculture practices and *Christmas tree management*

(n) Sawmill, shakemill and planermill

(o) *Wildland use*

(p) *Sanitary landfill site*

(q) *Wireless communication facility*

(2) Accessory Uses

(a) Cement, concrete, asphalt or ready-mix plant *accessory to* sand and gravel extraction

(b) *Concession stand accessory to fish pond*

(c) *Cabin*

(d) *Lodge*

(e) *Home based business*

(f) *Secondary dwelling unit for farm hand*

(g) *Secondary suite*

(h) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

(a) Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the A-1 zone which is less than 60.0 ha in area.

(b) Despite section 4.20 (3)(a), the minimum *parcel* size where the applicant for subdivision is a farmer who intends to retire on the *land* to be subdivided and an undertaking that they intend to reside on the parcel has been provided is 1.0 ha in area.

(4) Regulations

In the A-1 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	**COLUMN 2**
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings and structures from:*	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	7.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(iii) *Kennel building*, *structure* or enclosed run from:	
▪ all *parcel lines*	60.0 m
(iv) *Secondary dwelling unit for farm hand* from:	
▪ all *parcel lines*	7.5 m
(v) Rifle, archery, trap and skeet range from:	
▪ all *parcel lines*	50.0 m
▪ existing dwelling not on the same *parcel*	100 m
(vi) Sawmill, shakemill, cement, concrete, asphalt or ready mix plant from:	
▪ all *parcel lines*	100 m
(vii) Planermill from:	
▪ all *parcel lines*	300 m
(viii) Sewage treatment or *sanitary landfill site* from:	
▪ any dwelling in the A-1 zone	1000 m
▪ any *buildings* or *structures* in the P-1 zone	1000 m
(c) Maximum height	10.0 m
(d) *Parcel coverage*	10%

(5) Other Regulations

(a) All persons carrying out a use permitted in the A-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the A-1 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) All planermills shall be enclosed by walls on at least three sides and a roof.

(d) All sawmills, shakemills, and planermills shall be located on a contiguous area not larger than 1.6 ha in area, including log storage area, mill area, and waste disposal area.

4.21 Rural Residential (Country) Zone: A-2

(1) Principal Uses

(a) *Single family dwelling*

(b) *Farm operation*

(c) *Seasonal produce stand*

(d) *Veterinary clinic*

(e) *Kennel*

(f) *Guest ranch*

(g) *Riding stable*, *equestrian centre*

(h) Rifle, archery, trap and skeet range

(i) *Fish pond*

(j) *Rural retreat*

(k) *Hostel*

(l) Extraction of sand and gravel, including grading, washing, screening, crushing and transporting of materials

(m) Harvesting, transport and storage of forest resources, silviculture practices and *Christmas tree management*

(n) Sawmill, shakemill and planermill

(o) *Wildland use*

(p) *Sanitary landfill site*

(2) Accessory Uses

(a) Cement, concrete, asphalt or ready-mix plant *accessory to* sand and gravel extraction

(b) *Concession stand accessory to fish pond*

(c) *Cabin*

(d) *Lodge*

(e) *Home based business*

(f) *Secondary dwelling unit for farm hand*

(g) *Secondary suite*

(h) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

(a) Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the A-2 zone which is less than 8.0 ha in area.

(b) Despite section 4.20 (3)(a), the minimum *parcel* size where the applicant for subdivision is a farmer who intends to retire on the *land* to be subdivided and an undertaking that they intend to reside on the parcel has been provided is 1.0 ha in area.

(4) Regulations

In the A-2 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	7.5 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(iii) *Kennel building*, *structure* or enclosed run from:	
▪ all *parcel lines*	60.0 m
(iv) *Secondary dwelling unit for farm hand* from:	
▪ all *parcel lines*	7.5 m
(v) Rifle, archery, trap and skeet range from:	
▪ all *parcel lines*	50.0 m
▪ existing dwelling not on the same parcel	100 m
(vi) Sawmill, shakemill, cement, concrete, asphalt or ready mix plant from:	
▪ all *parcel lines*	100 m
(vii) Planer mill from:	
▪ all *parcel lines*	300 m
(viii) Sewage treatment or *sanitary landfill site* from:	
▪ any dwelling in the A-2 zone	1000 m
▪ any *buildings* or *structures* in the P-1 zone	1000 m
(c) Maximum height	10.0 m
(d) *Parcel coverage*	10%

(5) Other Regulations

(a) All persons carrying out a use permitted in the A-2 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the A-2 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) All planermills shall be enclosed by walls on at least three sides and a roof.

(d) All sawmills, shakemills, and planermills shall be located on a contiguous area not larger than 1.6 ha in area, including log storage area, mill area, and waste disposal area.

4.22 Watershed Protection Zone: W-1

(1) Principal Uses

(a) *Single family dwelling*

(b) *Farm operation*, subject to 4.22 (4)(d)

(c) Harvesting, transport and storage of forest resources, silviculture practices and *Christmas tree management*

(d) *Wildland use*

(2) Accessory Uses

(a) *Cabin*

(b) *Secondary suite*

(c) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the W-1 zone which is less than 125.0 ha in area.

(4) Regulations

In the W-1 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *single family dwelling*	one
(b) Minimum *setbacks*:	
(i) *Buildings* or *structures* from:	
▪ *front parcel line*	30.0 m
▪ *rear parcel line*	30.0 m
▪ *side parcel line*	30.0 m
(ii) *Building* or structure other than *public utility buildings* and *structures*, from the *ordinary high water mark* of any lake, stream or *watercourse*	100 m
(iii) Transmission towers, poles or *structures* from the *ordinary high water mark* of any lake, stream or *watercourse*	50.0 m
(c) Maximum height	10.0 m
(d) *Parcel coverage*	10%

(5) Other Regulations

(a) All persons carrying out a use permitted in the W-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the W-1 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) *Land*, *buildings* or *structures* used for the storage of the *derelict vehicle* shall be located not less than 100 m from the *ordinary high water mark* of any lake or *watercourse*.

(d) *Farm operation* is a permitted only within that portion of the W-1 zone that is within the *Agricultural Land Reserve*.

(e) No storage of herbicides or pesticides is permitted with 200 m of the *ordinary high water mark* of any lake or *watercourse*.

(f) The installation of all new transmission lines including, but not limited to, hydro lines and natural gas pipelines shall be confined to existing utility corridors except where such utility corridors are required for servicing a subdivision within this zone and shall be placed in such a way as to not disturb the water quality.

(g) Any use or storage of petroleum products in the W-1 zone must be *accessory to* a principal use identified in subsection (1) and must conform to the following:

(i) No *person* shall store petroleum products less than 200 m from the *ordinary high water mark* of any lake or *watercourse*.
(ii) All fuel storage areas, whether permanent or mobile, must be surrounded by impervious dykes constructed to a capacity of 1.5 times the capacity of the storage tank.
(iii) All fueling hoses must have automatic shut-off valves.
(iv) All waste petroleum products must be removed from the watershed for disposal.
(v) There shall be no fuel storage below ground.

4.23 Recreation Accommodation Zone: RES-1

(1) Principal Uses

(a) *Campground*

(b) *Walk-in campground*

(2) Accessory Uses

(a) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

(a) Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the RES-1 zone which is less than 4.0 ha in area.

(b) Despite section 4.23 (3)(a), no *bare land strata lot* within a *campground* developed under the *Strata Property Act* shall be created which is less than 140 m^2 in area.

(c) Despite section 4.23 (3)(a), no *parcel* shall be created for a *walk-in campground* which is less than 0.5 ha nor more than 3.9 ha in area.

(4) Regulations

In the RES-1 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *dwelling unit*	one
(b) Minimum *setbacks for buildings* or *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	4.5 m
▪ *side parcel line*	4.5 m
(c) Maximum height:	
▪ *building* or *structure*	9.0 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the RES-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the RES-1 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) All persons carrying out a use permitted in the RES-1 zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to *screening* of *outdoor storage*.

(d) Permitted uses *accessory to* a *campground* or *walk-in campground* are identified in the “Regional District of East Kootenay – Campground Bylaw No. 2403, 2012’.

4.24 Recreation Residential Zone: RES-1(A)

(1) Principal Uses

(a) *Single family dwelling*

(b) *Cabin*

(c) *Park model trailer*

(d) *Recreational vehicle*

(2) Accessory Uses

(a) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the RES-1(A) zone which is less than 4.0 ha in area.

(4) Regulations

In the RES-1(A) zone, no *building* or *structure* may be constructed or placed and no plan of subdivision approved which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *principal* uses per 1670 m^2 of *usable site area*	one
(b) Minimum *setbacks*:	
(i) *Principal buildings* from:	
▪ an adjacent *principal building*	3.0 m
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	1.5 m
(ii) *Accessory buildings* or *structures* from:	
▪ an adjacent *principal building*, *accessory building* or *structure*	3.0 m
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *side parcel line*	1.5 m
(c) Maximum height:	
▪ *principal building*	9.0 m
▪ *accessory building* or *structure*	5.0 m
(d) Minimum horizontal dimension of a *single family dwelling*, not including dimensions of an addition or a non-rectangular building	5.5 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the RES-1(A) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the RES-1(A) zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of *derelict vehicles*.

4.25 Resort Recreation Zone: RES-2

(1) Principal Uses

(a) Skiing facility

(b) *Golf course*, including miniature golf

(c) Driving range

(d) *Equestrian centre*

(e) Rifle, archery, trap and skeet range

(f) Fish pond

(g) Go cart track

(h) Automobile, motorcycle, and horse racetrack

(i) *Amusement park*

(2) Accessory Uses

(a) *Dwelling unit*

(b) Food service

(c) Tavern, bar, night club, and pub

(d) Recreation facility

(e) *Concession stand*

(f) Golf and ski resort maintenance facility

(g) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the RES-2 zone which is less than 0.5 ha in area.

(4) Regulations

In the RES-2 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *dwelling unit*	one
(b) Minimum *setbacks*:	
(i) *Buildings* or *structures* from:	
▪ all *parcel lines*	7.5 m
(ii) Rifle, archery, trap and skeet range from:	
▪ all *parcel lines*	50.0 m
▪ existing dwelling not on the same *parcel*	100.0 m
(c) Maximum height:	
▪ b*uilding*	12.0 m
(d) Maximum size of a *concession stand*	35 m^2

(5) Other Regulations

(a) All persons carrying out a use permitted in the RES-2 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the RES-2 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) All persons carrying out a use permitted in the RES-2 zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to *screening* of *outdoor storage*.

4.26 Resort Development Zone – Single Family: RES-2(SF) new

(1) Principal Uses

(a) *Single family dwelling*

(b) *Duplex*

(2) Accessory Uses

(a) *Home based business*

(b) *Secondary suite*

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the RES-2(SF) zone which is less than 555 m^2 in area.

(4) Regulations

In the RES-2(SF) zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *Single family dwelling*	one
(b) Minimum *setbacks*:	
Single family dwelling from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
Accessory buildings or *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(c) Maximum height:	
▪ *principal building*	9.0 m
▪ *accessory building* or *structure*	5.0 m
(d) *Parcel coverage*	35%
(e) Maximum total area of all *accessory buildings* and *structures*	185 m^2
(f) Minimum horizontal dimension of a *single family dwelling*, not including dimensions of an addition or a non-rectangular *building*	5.5 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the RES-2(SF) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the RES-2(SF) zone for the *wrecking and repair of vehicles* or for the storage of *derelict vehicles*.

4.27 Resort Development Zone – Multi-Family: RES-2(MF) new

(1) Principal Uses

(a) *Duplex*

(b) *Multiple family dwelling*

(2) Accessory Uses

(a) *Home based business*

(b) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the RES-2(MF) zone which is less than 1000 m^2 in area.

(4) Regulations

In the RES-2(MF) zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ maximum number of *dwelling units* per *gross hectare* of *usable site area*	thirty
(b) Minimum *setbacks*:	
(i) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(ii) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	4.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(c) Despite 4.9 (4)(b), when a *parcel* is subdivided along a *common wall* separating two *dwelling units*, the *setback* requirements for one *side parcel line are:*	
▪ *side parcel line*	3.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(d) Maximum height:	
▪ *principal building*	13.0 m
▪ *accessory building* or *structure*	5.0 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the RES-2(MF) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the RES-2(MF) zone for the *wrecking and repair or vehicles* or for the storage of *derelict vehicles*.

4.28 Resort Development Zone – Mixed Density: RES-2(MD) new

(1) Principal Uses

(a) *Single family dwelling*

(b) *Duplex*

(c) *Multiple family dwelling*

(2) Accessory Uses

(a) *Secondary suite*

(b) *Home based business*

(c) Golf and ski resort maintenance facility

(d) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the RES-2(MD) zone which is less than 400 m^2 in area.

(4) Regulations

(a) In the RES-2(MD) zone, no *single family dwelling, duplex, accessory building* or *accessory structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(i) Maximum density:	
▪ *single family dwellings* per *parcel*	one
▪ *duplex* per *parcel*	one
(ii) Minimum *setbacks*:	
(A) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(B) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	4.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(iii) Despite 4.28 (4)(ii)(A), when a *parcel* is subdivided along a *common wall* separating two *dwelling units* of a *duplex*, the *setback* requirements for one *side parcel line are:*	
▪ *side parcel line*	3.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(iv) Maximum height:	
▪ *principal building*	9.0 m
▪ *accessory building* or *structure*	5.0 m
(v) *Parcel coverage*	35%

COLUMN 1	COLUMN 2
(vi) Maximum total area of all *accessory buildings* and *structures*	185 m^2
(vii) Minimum horizontal dimension of a *single family dwelling*, not including dimensions of an addition or a non-rectangular *building*	5.5 m

(b) In the RES-2(MD) zone, no *multiple family dwelling* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(i) Maximum density:	
▪ maximum number of *multiple family dwelling units* per *gross hectare* of *usable site area*	thirty
(ii) Minimum *setbacks*:	
(A) *Principal buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(B) *Accessory buildings* and *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	4.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(iii) Maximum height:	
▪ *principal building*	13.0 m
▪ *accessory building* or *structure*	5.0 m

(5) <u>Other Regulations</u>

(a) All persons carrying out a use permitted in the RES-2(MD) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the RES-2(MD) zone for the *wrecking and repair or vehicles* or for the storage of *derelict vehicles*.

4.29 Resort Lodge Zone: RES-3

(1) Principal Uses

(a) Golf club house

(b) The following tourist accommodations:

(i) ski lodge
(ii) *hotel*
(iii) *motel*

(c) *Multiple family dwelling*

(d) *Duplex*

(e) Ski lift

(f) *Central check in facility*

(2) Accessory Uses

(a) *Dwelling unit*

(b) Food service

(c) Tavern, bar, nightclub, and pub

(d) Pro shop, ski shop, sporting goods and bicycle store

(e) Gift shop, novelty, souvenir shop

(f) Recreation facility

(g) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the RES-3 zone which is less than 0.5 ha in area.

(4) Regulations

In the RES-3 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *dwelling units* per *gross hectare* of *usable site area*	sixty
(b) Minimum *setbacks*:	
Buildings or *structures* from:	
▪ all *parcel lines*	7.5 m
(c) Maximum height:	
▪ b*uilding* height	16.0 m or four *storeys* whichever is less

(5) Other Regulations

(a) All persons carrying out a use permitted in the RES-3 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the RES-3 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) All persons carrying out a use permitted in the RES-3 zone shall comply with the relevant provisions of section 1.13 of Schedule A to this Bylaw with respect to *screening* of *outdoor storage*.

(d) No person shall site a *multiple family dwelling* nor a *duplex* in the RES-3 zone unless it is served by both a *community water system* and a *community sewer system*.

(e) No person shall site a *duplex* in the RES-3 zone unless it is sited in combination with one or more *multiple family dwellings* located on the same *parcel*.

4.30 Resort Tourist Pension Zone: RES-3(TP)

(1) Principal Uses

(a) *Pension*

(2) Accessory Uses

(a) *Dwelling unit*, subject to 4.30 (5)(d)

(b) *Home based business*

(c) Food service

(d) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

In the RES-3(TP) zone no *parcel* shall be created unless it meets or exceeds the minimum *parcel* area based on provided level of servicing as identified in section 2.2 of Schedule A to this Bylaw.

(4) Regulations

In the RES-3(TP) zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ number of *principal buildings*	one
▪ size of the *principal building*	740 m^2 or *floor area ratio* of 0.35, whichever is less
(b) Maximum number of guest rooms based on actual *parcel area:*	
▪ 925 m^2	five
▪ Between 926 m^2 and 1000 m^2	seven
▪ 1001 m^2 or greater	eight
(c) Guest room size requirements:	
▪ minimum *gross floor area*	9.5 m^2
▪ maximum *gross floor area*	95 m^2
(d) Minimum *setbacks*:	
(i) *Principal building from*:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(ii) *Accessory building* or *structure* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	7.5 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	6.0 m
(e) Maximum height:	
▪ *principal building*	10.0 m
▪ *accessory building* or *structure*	5.0 m
(f) *Parcel coverage*	35%
(g) Maximum total area of all *accessory buildings* and *structures*	185 m^2

COLUMN 1	COLUMN 2
(h) Minimum parcel frontage	20.0 m
(i) Minimum *indoor amenity space* per guest room for use by registered guests	2.5 m^2
(j) *Accessory dwelling unit* size requirements:	
▪ minimum *gross floor area*	32.5 m^2
▪ maximum *gross floor area*	95 m^2

(5) Other Regulations

(a) All persons carrying out a use permitted in the RES-3(TP) zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the RES-3(TP) zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) All persons carrying out a use permitted in the RES-3(TP) zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to *screening* of *outdoor storage*.

(d) An *accessory dwelling unit* shall contain not more than one *kitchen*, not more than three bedrooms, and shall be contained within the *principal building*.

(e) Cooking facilities in all guest rooms shall be limited to one microwave oven and one coffee maker.

(f) Food service shall be limited in size to a maximum of 8 seats per guest room within the *pension*.

4.31 Resort Core Zone: RES-4

(1) Principal Uses

(a) The following retail trade industries:

REVISED

(i) convenience store, food store and pharmacy
(ii) shoe, apparel, fabric and yarn store
(iii) household furniture, appliance and furnishing store
(iv) book and music store
(v) sporting goods and bicycle store
(vi) toy, gift, novelty and souvenir store
(vii) art gallery and artist supply store
(viii) florist, lawn and garden store
(ix) jewelry and camera store
(x) pet store
(xi) hardware store

(b) Beauty and barber shop

(c) Dry cleaning and laundry establishment

(d) Business and professional office

(e) *Child care facility*

(f) Amusement arcade

(g) *Assembly use*

(h) Theatre and cinema

(i) Food service

(j) Tavern, bar, night club and pub

(k) *Hostel*

(l) *Multiple family dwelling*

(m) Ski lodge

(n) *Hotel*

(o) *Motel*

(p) Skiing facility

(q) Tourist information facility

(r) *Government services*

(s) Library services

(t) Medical or first aid clinic

(2) Accessory Uses

(a) Recreation facility

(b) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Regulations

In the RES-4 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ maximum *floor area ratio*	3.5
(b) Minimum *setbacks*:	
Buildings or *structures* from:	
▪ *side parcel line* abutting a residential (R) zone	4.5 m
(e) Maximum height for *building* or *structure*, whichever is less:	
▪ vertical distance between the floor level of the *first storey* and the mid-point between the roof eaves and the ridge of the primary roof *structure*; or	16.0 m
▪ maximum number of *storeys*	four

(4) Off-street Parking

(a) *Off-street parking* spaces shall be provided and maintained in accordance with the following table, where applicable. For uses not listed below, the provisions of Part 3 of Schedule A to this Bylaw shall apply:

USE OF BUILDING OR LOT	MINIMUM NUMBER OF PARKING SPACES REQUIRED
Hotel and ski lodge	0.75 spaces for each accommodation unit
Multiple family dwelling	1.5 spaces per *dwelling unit*
Commercial uses (other than *hotel*, *motel* and ski lodge), library, *child care facility,* first aid or medical clinic	1 space per 30 m^2 of *gross floor area* plus 1 space for each 45 seats in restaurants, bars and lounges
Skiing facility	1 space for 3 skiers of skier carrying capacity less *off-street parking spaces* for *hotel*, *motel*, ski lodge and *multiple family dwelling*, *duplex*, and *single family dwellings* within 380 m of any lift terminal

(5) Off-street Loading

(a) *Off-street loading spaces* will be provided and maintained in accordance with the following, where applicable. For uses not listed below, the provisions of Part 3 of Schedule A to this Bylaw shall apply:

USE OF BUILDING OR LOT	MINIMUM NUMBER OF LOADING SPACES REQUIRED
Hotel and ski lodge	1 space required for all *hotel*, *motel*, and ski lodge uses located on the same *parcel*
Office, retail, food service, bar, tavern or pub	1 space for each 1400 m^2 of *gross floor area* or fraction thereof
Assembly use, theatre or cinema use	1 space for each 3000 m^2 of *gross floor area* or fraction thereof

(b) The size and location of *off-street loading spaces* will be in accordance with the following:

(i) *Hotel*, *motel*, ski lodge – loading spaces shall be in accordance with the following, for uses not listed above, the provisions of Part 3 of Schedule A to this Bylaw shall apply.

(A) Where *off-street loading spaces* are provided within a parking structure located below the *first storey* of a *building* or *structure* for which the loading space is required, the loading space shall be not less than 2.0 m in height, 2.7 m in width and 6.0 m in length exclusive of aisle access.

(B) Where a vehicular lay-by is provided within the *highway* right-of-way or access route abutting the *front yard* of the *parcel*, and such vehicular lay-by meets the minimum size requirement for a loading space according to section 3.6 (1) of Schedule A to this Bylaw, the required *off-street loading space* shall be deemed to be provided by the vehicular lay-by.

(C) Where *off-street loading spaces* are not provided in accordance with section 4.31 (5)(b)(i)(A) or (B), *off-street loading spaces* shall be not less than 9.0 m in length, 3.5 m in width, nor have a height less than 4.0 m.

(6) <u>Other Regulations</u>

(a) All persons carrying out a use permitted in the RES-4 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the RES-4 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) All persons carrying out a use permitted in the RES-4 zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to *screening of outdoor storage*.

4.32 Employee Housing Zone: EH-1

(1) Principal Uses

(a) *Employee accommodation*

(2) Accessory Uses

(a) Uses, *buildings*, and *structures accessory to* a permitted use.

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the EH-1 zone which is less than 1670 m^2 in area.

(4) Regulations

In the EH-1 zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ maximum number of *dwelling units* per gross hectare of *usable site area (resort)*	125
▪ maximum number of *bed units* per *dwelling unit*	four
(b) Minimum *setbacks*:	
Building or *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	7.5 m
(c) Maximum height:	
▪ *principal building*	16.0 m
▪ *accessory building* or *structure*	5.0 m
(d) *Parcel coverage*	60%

(5) Other Regulations

(a) All persons carrying out a use permitted in the EH-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the EH-1 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) All persons carrying out a use permitted in the EH-1 zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to *screening of outdoor storage*.

(d) Within the EH-1 zone, all *employee accommodation* shall include:

(i) *indoor amenity space* of 1.0 m^2 per *bed unit*;
(ii) secure indoor storage for personal property and recreational goods for each resident within the development; and

(iii) on-site domestic laundry facilities either within each *dwelling unit* or as a common amenity available to all residents of the development.

4.33 Community Commercial Zone: C-1

(1) Principal Uses

(a) The following retail trades:

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(i) convenience store, grocery store and pharmacy
(ii) liquor, beer and wine stores
(iii) shoe, apparel, fabric and yarn stores
(iv) household furniture, appliance and furnishing store
(v) book and music stores
(vi) ski shop, sporting goods and bicycle stores
(vii) toy, gift, novelty and souvenir stores
(viii) art gallery, artist and craft supply stores
(ix) florist, lawn and garden stores
(x) jewelry, electronics, camera stores
(xi) pet store
(xii) hardware and home goods store

(b) Dry cleaning and laundry

(c) Business and professional office

(d) Medical and dental clinic

(e) *Child care facility*

(f) Miniature golf

(g) Theatre and cinema

(h) School and art studio for art, music, theatre and dancing

(i) Beauty and barber shop

(j) Fitness centre, racquet club, health spa

(k) Food service

(l) Tavern, bar, night club and pub

(m) *Hotel*

(n) *Motel*

(o) Billiard hall, bowling alley, dance hall and amusement arcade

(p) Bus depot

(q) Funeral home

(r) *Service club* or lodge

(s) Publishing and print industry

(t) Greenhouse and nursery product

(u) Post office

(v) *Government services*

(w) Tourist information facility

(2) Accessory Uses

(a) *Dwelling unit*

(b) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Parcel Area

In the C-1 zone no *parcel* shall be created unless it meets or exceeds the minimum *parcel* area based on provided level of servicing and if applicable, proposed permitted use as identified in section 2.2 of Schedule A to this Bylaw.

(4) Regulations

In the C-1 zone, subject to Section 2.2. of this Bylaw, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ Maximum number of *principal buildings*	one
▪ Maximum number of accessory *dwelling units* per *parcel*	one
(b) Minimum *setbacks*:	
Building or *structures* from:	
▪ *front parcel line*	4.5 m
▪ *rear parcel line* abutting a *highway* other than a *lane*	4.5 m
▪ *rear parcel line* abutting a *parcel* in a Residential (R) zone, Small Holdings (SH) zone, Resort (RES) zone or P-1 zone	6.0 m
▪ *side parcel line* on one side where a *parcel* is not serviced by a *lane*	5.0 m
▪ *side parcel line* abutting a *highway* other than a *lane,* a *parcel* in a Residential (R) zone, Small Holdings (SH) zone, Resort (R) zone or P-1 zone	6.0 m
(b) Maximum height:	
▪ *principal building*	12.0 m or 3 *storeys* whichever is less
▪ a*ccessory building* or *structure*	5.0 m or 1 *storey* whichever is less
▪ detached *dwelling unit accessory to* a *hotel* or *motel*,	9.0 m
(c) Minimum horizontal dimension of a *dwelling unit*, not including dimensions of an addition or a non-rectangular building	5.5 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the C-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the C-1 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

(c) All persons carrying out a use permitted in the C-1 zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to *screening* and *outdoor storage*.

(d) Where an accessory *dwelling unit* is proposed, it shall:

(i) be designed and constructed as an integral part of the *principal building*;
(ii) be self-contained;
(iii) have an entrance provided from outside the *building*, separate from that of any commercial use; and
(iv) be located above the *first storey* of the *building* or behind the commercial component of the *building*.

(e) All persons carrying out a use permitted in the C-1 zone shall conduct the business or undertaking within a completely enclosed *building* except for:

(i) *off-street parking* and *loading spaces* and driveways;
(ii) *outdoor storage*, provided the storage yards are screened in accordance with the provisions of section 1.14 of Schedule A to this Bylaw;
(iii) display, rental and sales area;
(iv) outdoor seating *accessory to* food service.

(f) Despite section 4.33 (4)(a), the maximum number of *principal buildings* for *motel* use shall not be restricted.

(g) The provisions of section 4.33 (5)(d) shall not apply to a *dwelling unit accessory* to a *hotel* or *motel* use.

4.34 Service Commercial Zone: C-2

(1) Principal Uses

(a) The following retail uses:

(i) automobile dealer
(ii) *recreational vehicle* dealer
(iii) boat sales and service
(iv) utility and horse trailer
(v) gasoline service station
(vi) automobile parts and accessory store
(vii) motor *vehicle* repair shop
(viii) car wash
(ix) *manufactured home* dealer
(x) automobile and truck rental and leasing services
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(xi) convenience store, provided the retail floor area does not exceed 150 m^2
(xii) ski shop, sporting goods and bicycle shop
(xiii) art gallery, artist and craft supply stores
(xiv) gift, novelty and souvenir shop
(xv) antique shop
(xvi) log home sales
(xvii) small engine repair
(xviii) feed and tack store
(xix) household furniture, appliance and furnishing store
(xx) shoe, apparel, fabric and yarn store

(b) The following accommodation uses:

(i) *hotel*
(ii) *motel*
(iii) food service

(c) Billiard hall, bowling alley

(d) Simulated golf or miniature golf

(e) *Amusement park*

(f) Go cart track

(g) Drive-in theatre

(h) Bus depot

(i) Bottle collection depot

(j) Tourist information facility

(k) Dry cleaning and laundry

(l) *Veterinary clinic*

(m) *Government services*

(n) Exercise and fitness facility

(o) *Mini storage facility*

(2) Accessory Uses

(a) *Dwelling unit*

(b) Beauty and barber shop

(c) Tavern, bar, night club, and pub

(d) *Kennel accessory to* a *veterinary clinic*

(e) Boat storage *accessory to* a boat sale and service or *mini storage facility*

(f) *Recreational vehicle* storage *accessory to mini storage facility*

(g) Other uses, *buildings* and *structures accessory to a* permitted use

(3) Parcel Area

In the C-2 zone no *parcel* shall be created unless it meets or exceeds the minimum *parcel* area based on provided level of servicing and if applicable, proposed permitted use as identified in section 2.2 of Schedule A to this Bylaw.

(4) Regulations

In the C-2 zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ maximum number of *dwelling units*	one
(b) Minimum *setbacks*:	
(i) *Building* or *structures* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	4.5 m
▪ *rear parcel line* abutting a *parcel* in a Residential (R) zone, Small Holdings (SH) zone, Resort (RES) zone or P-1 zone	6.0 m
▪ *side parcel line* on one side where a *parcel* is not serviced by a *lane*	5.0 m
▪ *side parcel line* abutting a *highway* other than a *lane,* a *parcel* in *a* Residential (R) zone, Small Holdings (SH) zone, Resort (RES) zone or P-1 zone	6.0 m
(ii) Gasoline pump, pump island, or above ground storage tank from *front parcel line*	10.0 m
(iii) Go cart track from an existing *dwelling unit* not on the same *parcel*	100 m
(c) Maximum height:	
▪ *principal building* or *structure*	12.0 m or 3 *storeys* whichever is less
▪ a*ccessory building* or *structure*	5.0 m or 1 *storey* whichever is less
▪ detached *dwelling unit accessory to* a *hotel* or *motel*	9.0 m
(e) Minimum horizontal dimension of a *dwelling unit*, not including dimensions of an addition or a non-rectangular *building*	5.5 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the C-2 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) All persons carrying out a use permitted in the C-2 zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to *screening* and *outdoor storage*.

(c) All persons carrying out a use permitted in the C-2 zone shall conduct the business or undertaking within a completely enclosed *building* except for:

(i) *off-street parking* and *loading spaces* and driveways;
(ii) display, rental and sales areas;
(iii) amusement and recreation services; and
(iv) *storage yards.*

(d) Where a *dwelling unit* is proposed, it shall:

(i) be designed and constructed as an integral part of the *principal building*;
(ii) be self-contained;
(iii) have an entrance provided from outside the *building*, separate from that of any commercial use; and
(iv) be located above the *first storey* of the *building* or behind the commercial component of the *building*.

(e) The provisions of section 4.34 (5)(d) shall not apply to a *dwelling unit accessory* to a *hotel* or *motel* use.

(f) Section 4.34 (4)(e) does not apply to *manufactured home* dealers or to a *dwelling unit accessory to manufactured home* dealers

(g) No manufacturing of log homes shall be conducted in the C-2 zone.

(h) Where a parcel utilized for *mini storage facility* abuts a Residential (R) or Small Holdings (SH) zone, *screening* shall be constructed along the *parcel lines* abutting the *parcels* in the Residential (R) zone or Small Holdings (SH) zone.

(i) Boat and *recreational vehicle* storage *accessory to* a *mini storage facility* must be located within a three sided covered *structure*.

4.35 Regional Commercial Zone: C-3

(1) Principal Uses

(a) The following retail trade industries:

REVISED

(i) convenience store, grocery store and pharmacy
(ii) liquor, beer and wine stores
(iii) shoe, apparel, fabric and yarn store
(iv) household furniture, appliance and furnishing store
(v) book and music store
(vi) sporting goods and bicycle store
(vii) toy, gift, novelty and souvenir store
(viii) art gallery and artist supply store
(ix) florist, lawn and garden store
(x) jewelry and camera store
(xi) pet store
(xii) hardware store

(b) Beauty and barber shop

(c) Dry cleaning and laundry

(d) Medical and dental clinic

(e) Business and professional office

(f) *Child care facility*

(g) Fitness centre, racquet club, health spa

(h) Food service

(i) Tavern, bar, night club and pub

(j) Tourist information facility

(k) Bus depot

(l) Funeral home

(m) *Service club* or lodge

(n) Funeral home

(o) Veterinary clinic

(p) Gasoline service station

(q) *Public building*

(2) Accessory Uses

(a) Other uses, *buildings* and *structures accessory to a* permitted use

(3) Parcel Area

In the C-3 zone no *parcel* shall be created unless it meets or exceeds the minimum *parcel* area based on provided level of servicing and if applicable, proposed permitted use as identified in section 2.2 of Schedule A to this Bylaw.

(4) Regulations

In the C-3 zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Minimum *setbacks*	
(i) *Building* or *structure* from:	
▪ *front parcel line*	4.5 m
▪ *rear parcel line*	4.5 m
▪ *rear parcel line* abutting a *parcel* in a Residential (R) zone, Small Holdings (SH) zone, Resort (RES) zone, P-1 zone or a *highway* other than a *lane*	6.0 m
▪ *side parcel line*	4.5 m
▪ *side parcel line* abutting a *parcel* in a Residential (R) zone, Small Holdings (SH) zone, Resort (RES) zone, P-1 zone, or a *highway* other than a *lane*	6.0 m
(ii) Gasoline pump, pump island, or above ground storage tank from *front parcel line*	10.0 m
(b) Maximum height:	
▪ *principal building* or *structure*	12.0 m or 3 *storeys* whichever is less
▪ a*ccessory building* or *structure*	5.0 m or 1 *storey* whichever is less
(c) Maximum *gross floor area:*	
▪ *building* or *structure*	2350 m^2

(5) Off-Street Parking

(a) For uses permitted in the C-3 zone, 1 space per 25.0 m^2 of *gross floor area* is required.

(b) *Off-street parking* spaces shall be provided in accordance with the provisions of sections 3.3 and 3.4 of Schedule A to this Bylaw.

(6) Other Regulations

(a) All persons carrying out a use permitted in the C-3 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the C-3 zone for the *wrecking and repair of vehicles* or for the storage of *derelict vehicles*.

(c) All persons carrying out a use permitted in the C-3 zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to *screening* and *outdoor storage*.

(d) All persons carrying out a use permitted in the C-3 zone shall conduct the business or undertaking within a completely enclose *building* except for:

(i) *off-street parking* and *loading spaces* and driveways;
(ii) *storage yards*;
(iii) display areas.

4.36 Light Industrial Zone: I-1

(1) Principal Uses

(a) *Veterinary clinic*

(b) *Kennel*

(c) Auction service

(d) Truck transport industry

(e) Motor *vehicle* repair shop

(f) Refrigerated warehousing industry

(g) Storage and warehousing industry including the storage of *recreational vehicles* and boats

(h) The following manufacturing industries:

(i) food industry
(ii) soft drink industry
(iii) ornamental and arts and crafts product
(iv) publishing and print industry
(v) sign and display industry
(vi) clothing

(i) The following construction industries:

(i) building, developing and general contracting industry
(ii) trade contracting industry

(j) Power laundry or dry cleaning plant

(k) Sale, rental and repair of:

(i) appliances
(ii) light equipment

(l) Machine shop

(m) Bottle collection and *recycling depot*

(n) *Building* supply, lawn and garden centre, hardware store

(o) Crematorium

(p) Taxidermy service

(q) *Government services*

(r) The following forestry related operations:

(i) forestry field office
(ii) woodlands division office
(iii) forestry consulting office

(s) Bulk fuel distributors, including commercial cardlock operations

(t) *Cannabis production facility*

(2) Accessory Uses

(a) Retail sale of products

(b) Gasoline sales *accessory to* motor *vehicle* repair shop

(c) Food service

(d) Other uses, *buildings* and *structures accessory to a* permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the I-1 zone which is less than 0.4 ha in area.

(4) Regulations

In the I-1 zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	**COLUMN 2**
(a) Minimum *setbacks:*	
Building or *structure* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	4.5 m
▪ *side parcel line*	4.5 m
(b) Maximum height:	
▪ *building* or *structure*	12.0 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the I-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) All persons carrying out a use permitted in the I-1 zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to *screening* and *outdoor storage*.

4.37 Heavy Industrial Zone: I-2

(1) Principal Uses

(a) Uses permitted in the Light Industrial Zone (I-1), section 4.36 (1)

(b) Wood industry

(c) Primary metal industry

(d) Fabricated metal products industry

(e) Mineral and chemical production and mineral and chemical product industry

(f) Storage of waste petroleum products

(g) Mineral and hydrocarbon extraction

(h) Sale, service and repair of heavy equipment

(i) Concrete or asphalt plant

(j) *Sanitary landfill site*

(k) Welding shop

(l) *Horticulture*

(m) Harvesting, transport and storage of forest resources, silviculture practices and *Christmas tree management*

(2) Accessory Uses

(a) Retail sale of products manufactured on the site

(b) Food service

(c) Other uses, *buildings* and *structures accessory to a* permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the I-2 zone which is less than 0.8 ha in area.

(4) Regulations

In the I-2 zone, no *building* or *structure* may be constructed or placed which contravenes the regulations contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Minimum *setbacks:*	
Building or *structure* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	6.0 m
▪ *side parcel line*	6.0 m
(b) Maximum height:	
▪ *building* or *structure*	12.0 m

(5) Other Regulations

(a) All persons carrying out a use permitted in the I-2 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) All persons carrying out a use permitted in the I-2 zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to *screening* and *outdoor storage*.

4.38 Public Institutional Zone: P-1

(1) Principal Uses

(a) *School*; college and university

(b) Church and *rural retreat* including counselling services and facilities

(c) *Group home*

(d) *Group day care*

(e) Community hall, *service club* and lodge

(f) *Rest home*

(g) Senior citizen centre

(h) Hospitals and diagnostic centre

(i) Library

(j) *Government services*

(k) Cemetery

(2) Accessory Uses

(a) *Dwelling unit*

(b) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Regulations

In the P-1 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *dwelling unit*	one
(b) Minimum *setbacks*:	
(i) *Principal building* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	4.5 m
▪ *side parcel line*	4.5 m
(ii) *Accessory building* or *structure* from:	
▪ *front parcel line*	7.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m
(c) Maximum height:	
▪ *principal building*	12.0 m
▪ *accessory building* or *structure*	5.0 m
▪ *accessory dwelling unit* detached from a permitted use	9.0 m
▪ *manufactured home*	5.0 m

(4) Other Regulations

(a) All persons carrying out a use permitted in the P-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the P-1 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

4.39 Parks and Open Space Zone: P-2

(1) Principal Uses

(a) *Park* and park reserve

(b) Sports field and athletic facility

(c) Conservation area, recreation reserve, ecological reserve and wildlife sanctuary

(d) *Park* office, maintenance facility, and works yard

(e) Historical and archeological display site

(f) Museum

(g) Fairground and exhibition ground

(h) Boat launch

(i) Agricultural, silvicultural, horticultural, and wildlife research centres, including fish hatchery

(j) *Farm operation*

(k) *Government services*

(l) Community hall

(2) Accessory Uses

(a) *Dwelling unit*

(b) Food service

(c) *Concession stand*

(d) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Regulations

In the P-2 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ *dwelling unit*	one
(b) Minimum *setbacks*:	
Principal building from:	
▪ *front parcel line*	4.5 m
▪ *rear parcel line*	4.5 m
▪ *side parcel line*	4.5 m
Accessory building or *structure* from:	
▪ *front parcel line*	4.5 m
▪ *rear parcel line*	1.5 m
▪ *rear parcel line* adjacent to a *highway* other than a *lane*	4.5 m
▪ *side parcel line*	1.5 m
▪ *side parcel line* adjacent to a *highway* other than a *lane*	4.5 m

COLUMN 1	COLUMN 2
(c) Maximum height:	
▪ *accessory dwelling unit* detached from a permitted use	10.0 m
▪ *manufactured home dwelling unit*	5.0 m

(4) Other Regulations

(a) All persons carrying out a use permitted in the P-2 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(b) No person shall use or permit the use of any portion of a *parcel* in the P-1 zone for:

(i) the *wrecking and repair of vehicles*; or
(ii) the storage of not more than one *derelict vehicle* in other than the *front yard*.

4.40 Public Works and Utility Zone: P-3

(1) Principal Uses

(a) Cemetery and crematorium

(b) Public works, *vehicle* storage and equipment storage yard

(c) *Sanitary landfill site* and facilities including *recycling depot*

(d) Storage of bulk products

(e) *Government services*

(f) Bus depot

(g) *Farm operation*

(h) *Wireless communication facility*

(i) *Residential solid waste collection facility*

(j) Golf and ski resort maintenance facility

(2) Accessory Uses

(a) Uses, *buildings*, and *structures accessory to* a permitted use

(3) Regulations

In the P-3 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Minimum *setbacks*:	
(i) *Principal building* from:	
▪ *front parcel line*	5.0 m
▪ *rear parcel line*	3.0 m
▪ *rear parcel line* abutting a *parcel* in the P-1 zone	15.0 m
▪ *side parcel line*	3.0 m
▪ *side parcel line* abutting a *parcel* in the P-1 zone	15.0 m
(ii) Sewage treatment or *sanitary landfill site* from:	
▪ any *dwelling unit* in a Residential (R), Small Holdings (SH) or Rural Resource (A) zone	1000 m
▪ any *buildings* or *structures* in the P-1 zone	1000 m
(b) Maximum height:	
▪ *building* or *structure*	10.0 m
(c) *Parcel coverage*	60%

(4) Other Regulations

All persons carrying out a use permitted in the P-3 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

4.41 Columbia Lake (Recreation) Zone: CL-1

(1) Principal Uses

(a) *Winter fishing hut*

(b) Uses permitted under subsections 1.3 (2) (e), (f), (g), (h), (i), (j), (k) and (l) of Schedule A to this Bylaw

(2) Regulations

In the CL-1 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum size:	
▪ *winter fishing hut*	4.0 m^2

4.42 Columbia Lake (Community Amenity) Zone: CL-2

(1) Principal Uses

(a) *Dock*

(b) *Launch ramp*

(c) *Swimming platform*

(d) Uses permitted under subsections 1.3 (2) (e), (i), (j), (k) and (l) of Schedule A to this Bylaw

(2) Accessory Uses

(a) *Moorage*

(3) Regulations

In the CL-2 zone, no *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) *Docks*, *launch ramps* and *swimming platforms* shall be constructed to the following specifications:	
▪ Maximum number of *structures* per lease or licence of occupation	1 *dock* 1 *launching ramp* 1 *swimming platform*
▪ Maximum *dock* size	80.0 m^2
▪ Maximum *dock* width	3.0 m
▪ Maximum *dock* projection past the *natural boundary*	20 m – measured at right angles to the general trend of the shoreline in the immediate vicinity of the subject *structure*
▪ Minimum distance from an adjacent property boundary or property line extension	5.0 m
▪ Minimum distance from adjacent *docks* or other *structures*	10.0 m
(b) Maximum size of a swimming platform	16.0 m^2

(4) Other Regulations

(a) *Docks* shall:

(i) be consistent with the orientation of neighbouring *docks*;
(ii) not restrict access to adjacent *docks*; and
(iii) not rest on the foreshore at low water.

(b) Construction materials shall be:

(i) wooden or pipe pilings; and
(ii) untreated, non-toxic materials.

(c) *Docks* shall be L or T shaped.

(d) Floating *docks* and *swimming platforms* are to be removed annually prior to lake icing. Once removed the *dock* shall be stored on private upland property and not on the Crown foreshore.

(e) The placement and use of *docks*, *launch ramps* and *swimming platforms* must be in accordance with a licence of occupation or lease issued by the province under the *Land Act* or the applicable Crown Land Use Operational Policy.

(f) Roofs or covered *structures* are not permitted.

(g) *Overnight moorage* is not permitted.

4.43 Columbia Lake (Group Moorage) Zone: CL-3

(1) Principal Uses

(a) *Dock*

(b) *Launch ramp*

(c) *Swimming platform*

(d) *Mooring buoy*

(e) Uses permitted under subsections 1.3 (2) (e), (i), (j), (k) and (l) of Schedule A to this Bylaw

(2) Accessory Uses

(a) *Moorage*, including overnight *moorage*

(3) Regulations

In the CL-3 zone, no *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) *Docks*, *launch ramps* and *swimming platforms* shall be constructed to the following specifications:	
▪ maximum number of *structures* per lease or licence of occupation	1 *dock* 1 *launching ramp* 1 *swimming platform*
▪ maximum *dock* width	3.0 m
▪ maximum *dock* projection past the *natural boundary*	30 m – measured at right angles to the general trend of the shoreline in the immediate vicinity of the subject *structure*
▪ minimum distance from an adjacent property boundary or property line extension	5.0 m
▪ minimum distance from adjacent *docks* or other *structures*	10.0 m
(b) Maximum size of a swimming platform	16.0 m^2

(4) Other Regulations

(a) *Docks* shall:

(i) be consistent with the orientation of neighbouring *docks*;
(ii) not restrict access to adjacent *docks*; and
(iii) not rest on the foreshore at low water.

(b) Construction materials shall be:

(i) wooden or pipe pilings; and
(ii) untreated, non-toxic materials.

(c) Roofs or covered *structures* are not permitted.

(d) All *mooring buoys* must be placed in accordance with the Private Buoy Regulation under the *Canada Shipping Act*.

(e) The placement and use of *docks*, *launch ramps* and *swimming platforms* must be in accordance with a licence of occupation or lease issued by the province under the *Land Act* or the applicable Crown Land Use Operational Policy.

4.44 Lake Windermere (Residential) Zone: LW-1

(1) Principal Uses

(a) *Dock*

(b) *Launch ramp*

(c) *Swimming platform*

(d) *Mooring buoy*

(e) Uses permitted under subsections 1.3 (2) (e), (i), (j), (k) and (l) of Schedule A to this Bylaw

(2) Accessory Uses

(a) *Boat lift*

(b) *Moorage*, including overnight *moorage*

(3) Regulations

In the LW-1 zone, no *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Density (maximum number of *structures*):	
▪ *dock*	1 per adjoining *parcel*
▪ *swimming platform*	1 per adjoining *parcel*
▪ *mooring buoy*	2 per adjoining *parcel*
(b) Maximum size:	
▪ *dock* surface area	20 m^2, including all walkways and access ramps
▪ *dock* width	1.5 m (walkway portion) 3.0 m (dock surface)
▪ *swimming platform*	16 m^2
(c) Minimum distance for *dock(s)* from adjoining property line extension measured perpendicular to the shoreline	5.0 m or 6.0 m if adjoining a *highway* or LW-3 zone
(d) Minimum distance from *docks*, *boathouses*, swimming *platforms*, or other *structures* fully or partially in the water:	
▪ *dock*	10.0 m

(4) Other Regulations

(a) All *mooring buoys* must be placed in accordance with the Private Buoy Regulation under the *Canada Shipping Act*.

(b) The placement and use of *docks*, *launch ramps* and *swimming platforms* must be in accordance with a licence of occupation or lease issued by the province under the *Land Act* or the applicable Crown Land Use Operational Policy.

4.45 Lake Windermere (Group Moorage) Zone: LW-2

(1) Principal Uses

(a) *Group moorage facility*

(b) *Swimming platform*

(c) *Launch ramp*

(d) *Groyne*, breakwater

(e) Uses permitted under subsections 1.3 (2) (e), (i), (j), (k) and (l) of Schedule A to this Bylaw

(2) Accessory Uses

(a) *Boat lift*

(b) *Moorage*, including overnight *moorage*

(3) Regulations

In the LW-2 zone, no *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Minimum distance for *dock(s)*, *boathouses*, *swimming* platforms, or other *structures* fully or partially within the water:	
▪ *Dock*	10.0 m

(4) Other Regulations

(a) The placement and use of *docks*, *launch ramps* and *swimming platforms* must be in accordance with a licence of occupation or lease issued by the province under the *Land Act* or the applicable Crown Land Use Operational Policy.

(b) The *group moorage facility* for the Pedley Heights and Baltac Community Associations, as permitted under provincial land file number 4404612, shall include not more than 60 boat slips.

4.46 Lake Windermere (Group Moorage) Zone: LW-2(A)

(1) Principal Uses

(a) *Group moorage facility*

(b) *Swimming platform*

(c) *Mooring buoy*

(d) Uses permitted under sections 1.3 (e), (i), (j), (k) and (l) of Schedule A to this Bylaw

(2) Accessory Uses

(a) *Boat lift*

(b) *Moorage*, including overnight *moorage*

(3) Regulations

In the LW-2(A) zone, no *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum number of boats to be moored in the LW-2(A) zone	forty-five
(b) Minimum distance for *dock(s)*, *swimming platforms*, or other *structures* fully or partially within the water:	
▪ *Dock*	10.0 m

(4) Other Regulations

(a) All *mooring buoys* must be placed in accordance with the Private Buoy Regulation under the *Canada Shipping Act*.

(b) The placement and use of *docks*, *launch ramps* and *swimming platforms* must be in accordance with a licence of occupation or lease issued by the province under the *Land Act* or the applicable Crown Land Use Operational Policy.

4.47 Lake Windermere (Institutional) Zone: LW-3

(1) Principal Uses

(a) *Dock*

(b) *Swimming platform*

(c) *Launch ramp*

(d) Uses permitted under subsections 1.3 (2) (e), (i), (j), (k) and (l) of Schedule A to this Bylaw

(2) Accessory Uses

(a) *Moorage*

(3) Regulations

In the LW-3 zone, no *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Minimum distance for *dock(s)* from adjoining property line extension measured perpendicular to the shoreline	5.0 m or 6.0 m if adjoining a *highway* or LW-3 zone
(b) Minimum distance from adjacent *docks*, or other *structures* fully or partially within the water:	
▪ *Dock*	10.0 m
(c) Maximum size of a *swimming platform*	16.0 m^2

(4) Other Regulations

(a) The placement and use of *docks*, *launch ramps* and *swimming platforms* must be in accordance with a licence of occupation or lease issued by the province under the *Land Act* or the applicable Crown Land Use Operational Policy.

(b) *Overnight moorage* is not permitted.

4.48 Lake Windermere (Commercial) Zone: LW-4

Within the LW-4 zone, the following uses and no others are permitted:

(1) Principal Uses

(a) *Marina*

(b) Uses permitted under subsections 1.3 (2) (e), (i), (j), (k) and (l) of Schedule A to this Bylaw

(2) Accessory Uses

(a) *Boat lift*

(b) *Moorage*, including overnight *moorage*

(3) Regulations

The placement and use of *docks* and *launch ramps* must be in accordance with a licence of occupation or lease issued by the province under the *Land Act* or the applicable Crown Land Use Operational Policy.

4.49 Lake Windermere (Recreation) Zone: LW-5

(1) Principal Uses

(a) *Groyne*, breakwater

(b) *Winter fishing hu*t

(c) Uses permitted under subsections 1.3 (2) (e), (i), (j), (k) and (l) of Schedule A to this Bylaw

(2) Regulations

In the LW-5 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum size:	
▪ *winter fishing hut*	4.0 m^2