



Regional District of **Kootenay Boundary**

DRAFT Electoral Area C/ Christina Lake

Zoning Bylaw No. XXXX

Regional District of Kootenay Boundary
202-843 Rossland Avenue
Trail, BC V1R 4S8
Telephone: 250.368.9148
Toll Free in BC: 800.355.7352

Adopted by
The Regional District of Kootenay Boundary Board of Directors
Month, day, 2025

REGIONAL DISTRICT OF KOOTENAY BOUNDARY
DRAFT Electoral Area C/ Christina Lake Zoning Bylaw No. **XXXX**

The Regional District of Kootenay Boundary Board of Directors in open meeting assembled enacts as follows:

1. This Bylaw may be cited for all purposes as "Electoral Area C/ Christina Lake Zoning Bylaw No. XXXX, XXXX".
2. Regional District of Kootenay Boundary Electoral Area 'C'/Christina Lake Zoning Bylaw No. 1300, 2007 inclusive of all amendments thereto, is hereby repealed upon adoption of this Bylaw.
3. This Bylaw is effective upon adoption.

DRAFT TABLE OF CONTENTS

Part 1: Interpretation	1
101. Application.....	1
102. Definitions	1
103. Interpretation	9
104. Applications in Progress.....	10
Part 2: Administration	11
201. Delegations & Enforcement	11
202. Violation	11
203. Penalty	11
204. Calculations & Rounding	12
205. Prohibition	12
Part 3: General Regulations	13
301. Application	13
302. Permitted and Prohibited Uses.....	13
303. Retaining Walls.....	15
304 Subdivisions.....	16
305. Siting Regulations.....	18
306. Height Regulations.....	20
Part 4: Supplemental Regulations for Certain Uses and Circumstances	21
401. Accessory Buildings and Structures.....	21
402. Accessory Dwelling Unit	21
403. Backyard Beekeeping (Apiculture).....	22
404. Backyard Chickens (Hens)	22
405. Bed & Breakfast.....	23
406. Campground	23
407. Home-Based Business	23
408. Kennel.....	24
409. Landscape Screening and Fencing	24
410. Recreational Vehicles and Camping Tents	25
411. Secondary Suite.....	25
412. Signs	26
413. Sleeping Quarter.....	27
Part 5: Parking and Loading.....	29
501. Electric Vehicle Charging.....	29
502. Vehicle and Emergency Access.....	29
503. Minimum Off-Street Parking Spaces.....	29
504. Minimum Off-Street Loading Spaces.....	30
505. Design Standards	30
506. Parking Exemptions.....	31
507. Parking or Storage of Large Vehicles.....	31
Part 6: Zones	32
601. General Information on Zones.....	32
602. Residential 1 (Within Water Service Area) Zone R1	34

603. Residential 2 (Outside Water Service Area) Zone R2.....	36
604. Rural Residential 3 Zone R3	38
605. Rural 1 Zone RUR1	40
606. Rural Resource 1 Zone RR1	42
607. Rural Resource 2 Zone RR2	44
608. Core Commercial 1 Zone C1	46
609. Highway Commercial 2 Zone C2	49
610. Neighbourhood Commercial 3 Zone C3.....	51
611. Seasonal Resort Commercial 4 Zone C4.....	53
612. Marina Commercial 5 Zone C5.....	56
613. Campground Commercial 6 Zone C6.....	58
614. Industrial 1 Zone IN1	60
615. Industrial 2 Zone IN2	62
616. Lake 1 Zone LK1	64
617. Community Parks 1 Zone P1	65
618. Neighbourhood Parks 2 Zone P2	66
619. Rail/Trail Corridor 1 Zone RC1	67
620. Institutional and Community Facilities 1 Zone ICF1	68

Schedule A. **DRAFT** Electoral Area C/ Christina Lake Zoning Map

Part 1: Interpretation

101. Application

1. This Bylaw applies to all lands, including the surface of water and all uses, **buildings** and **structures** located within Electoral Area C/Christina Lake, whose boundaries are described in the letters patent of the Regional District of Kootenay Boundary and as shown on Schedule "A", Electoral Area C/Christina Lake Zoning Map.

102. Definitions

1. In this Bylaw, all words and phrases have their normal or common meaning with the exception of those that have been defined under the *Local Government Act*, *Community Charter* or under this Bylaw. Note that terms that are defined under this Bylaw are in **bold italic** text throughout the Bylaw, as a convenience only.

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

ACCESSORY DWELLING UNIT means a dwelling unit within a **building** accessory to a **single family dwelling** located on the same parcel.

ACCESSORY USE means a use which is subordinate, customarily incidental, and exclusively devoted to a **principal use** in existence on the same parcel.

ACCOMMODATION UNIT means a room, a set or rooms used or intended to be used by a single housekeeping unit for sleeping accommodations.

AVERAGE FINISHED GRADE means the average elevation post-construction along the outer perimeter of a building's exterior wall face or structure's supporting posts, as the case may be, determined by averaging the elevation points at the building corners or structure posts, by the number of elevation points. At a minimum, the outermost building corner or structure post must be part of the averaging calculation.

BED & BREAKFAST means an occupation conducted within a **dwelling unit** which provides sleeping accommodations to the travelling public and may include the provision of meals for those persons using the sleeping accommodations.

BOAT ACCESS ONLY means a parcel of land accessed by water due to having no **highway** frontage and no feasible vehicle access by land.

BUILDING means any **structure** used or intended for supporting or sheltering any use or occupancy, including but not limited to permanent and temporary **structures**.

BUILDING SUPPLY RETAIL SALES means the retail or wholesale sales of building materials, fixtures, hardware, lumber and related equipment or supplies, and may include ancillary **storage** yards and offices.

CAMPGROUND means an area of land designated and intended for the placement and seasonal occupancy of two (2) or more tents, **recreational vehicles**, cabins, or any combination thereof.

CANNABIS PRODUCTION means a facility for producing, processing, sorting, providing, shipping, delivering and/or destroying of cannabis and cannabis related products.

CHILD CARE CENTRE, MAJOR means an establishment licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services, and supervision for more than eight children.

CHILD CARE CENTRE, MINOR means an establishment license as required under the *Community Care and Assisted Living Act* intended to provide care educational services and supervision for no more than eight children.

COMMERCIAL STORAGE, INDOOR means a wholly enclosed **building** or portion thereof containing for profit storage of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers.

COMMUNITY CARE FACILITY means a community care facility defined and regulated under the *Community Care and Assisted Living Act*.

COMMUNITY PARK means any publicly-owned, held or beneficially owned land or outdoor facility specifically designed for passive or active recreation for the general public, including Provincial Park facilities, and sporting facilities for public assembly, including but not limited to swimming pools, sports fields, pickleball courts, skating rinks, bike pump tracks, and ball diamonds.

COMMUNITY SEWER SYSTEM means a wastewater facility receiving municipal wastewater with the meaning of the *Municipal Wastewater Regulation*, as amended, that is owned, operated and maintained by local government.

COMMUNITY WATER SERVICE AREA means the lands identified by the operating authority of the **community water system** as lands entitled to be connected to and to be a user of the **community water system**.

COMMUNITY WATER SYSTEM means a water supply system within the meaning of the *Drinking Water Protection Act*, as amended, that is owned, operated and maintained by local government, improvement district, irrigation district, utility, an incorporated entity, or a water users' community, as defined in the *Water Users' Communities Act*,

as amended, where the owner is responsible to manage and monitor to current best water management practices and has the ability to set rates, invoice or has taxation ability to collect fees or revenue to ensure the viability of the water supply system to provide potable water

CONCEALED means to be located entirely within a building or entirely enclosed by a solid fence or **landscape screen** that fully obstructs its view from abutting properties including **highways**.

COOKING FACILITIES means facilities used or intended to be used for the storage, preparation or cooking of food. Cooking facilities include any room with a 220-volt electrical outlet or natural gas connection for a stove; a stove fan or hood; or a combination of cabinetry, counter space exceeding 2 metres, a sink, and a refrigerator used or intended to be used for meal preparation.

DATA WAREHOUSE means a building or buildings housing computer systems for which the principal purpose is to provide data processing, storage and distribution services, including but not limited to cryptocurrency mining.

DERELICT VEHICLE means any vehicle as defined in the *Motor Vehicle Act* that is unlicensed or in a state of disrepair

DOMESTIC HORTICULTURE means the accessory use of land, buildings or structures to plant, grow and/or harvest plants for the personal use of and consumption by a domestic housekeeping unit residing on the same parcel of land

DOMESTIC SILVICULTURE means the harvesting and processing of trees on a **parcel** of land for the personal use of a domestic housekeeping unit residing on the same **parcel** of land, or to use for construction upon the same parcel of land.

DWELLING UNIT means a single room or series of rooms in a **building** constituting one self-contained unit containing cooking, sleeping and sanitary facilities, used or intended to be used by one or more persons residing together and comprising a single domestic household.

DWELLING, SINGLE FAMILY means a detached **building**, or **manufactured home** placed and secured on a permanent foundation, that contains not more than one **dwelling unit**, except that one **secondary suite** in addition to the principal **dwelling unit** may be within the same **building**, where expressly permitted under this bylaw.

EATING AND DRINKING ESTABLISHMENT means land, structure, a **building** or series of **buildings**, where prepared foods and beverages are offered for sale to the public and may include indoor and outdoor eating areas. Typical uses include but are not limited to restaurants, take-out restaurants, pubs, cafes, delicatessens, refreshment stands, and food trucks where food and beverages are prepared or sold from a vehicle.

ELECTRIC VEHICLE CHARGING, COMMERCIAL means the supply of electricity to an electric vehicle (EV) to replenish its battery through the use of charging equipment, including but not limited to Level 3 charging, offered to the general public.

ENERGIZED OUTLET means a connection point in an electrical wiring installation at which current is taken to supply Electric Vehicle Supply Equipment (EVSE). An **energized outlet** can take the form of an outlet box with a cover, or an electrical receptacle of an appropriate configuration required for an Electric Vehicle Energy Management System (EVEMS), where the EVEMS is a system to control electric vehicle supply equipment electrical loads comprised of monitor(s), communications equipment, controller(s), timer(s) and other applicable devices; or Electric Vehicle Supply Equipment (EVSE), where the EVSE is a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an electric vehicle.

ENTERTAINMENT FACILITIES means a place of public assembly providing clients access to games and/or performances, including but not limited to bowling alleys, video arcades, escape rooms, auditoria, and theatres.

FARM USE means a farm use as defined in the *Agricultural Land Commission Act*, as amended from time to time, but excludes **intensive farm use**.

FARM USE, INTENSIVE means the use of land, or **buildings** by a commercial enterprise or an institution for:

- (a) the confinement of poultry, livestock or fur bearing animals, or
- (b) the growing of mushrooms.

FLOOR AREA means the sum of the horizontal areas of each floor of a **building** measured from the interior face of exterior walls, except for the purposes of calculating parking requirements, where floor area shall also include outdoor areas regularly utilized by customers as part of a business including but not limited to patios for dining, and retail areas.

GASIFICATION INDUSTRIES means any industrial or commercial use producing synthesis gas (syngas) or similar products by incineration, thermal treatment, or other means from materials including, but not limited to, hazardous waste, municipal solid waste, wood waste, compost or other biomass.

GREENHOUSE, COMMERCIAL means a building designed to regulate growing conditions of plants, typically where the roof and walls are primarily of translucent material, and used primarily for the cultivation of plants intended for sale, including but not limited to trees, shrubs, grasses, bushes, and produce.

HEIGHT means the vertical distance measured from **average finished grade** to the highest point of the building.

HIGHWAY means a public street, road, bridge, and any other public way, except public recreational trails. A highway does not include roads, driveways or trails on private property.

HOME-BASED BUSINESS means the use of a **dwelling unit** or building accessory to a **dwelling unit** for a business by a resident of the same **parcel**. The business must be secondary to the residential use of the **parcel**.

INSTITUTIONAL USE, MAJOR means a building in which government services are provided to the public including government office, law court, fire hall, library, ambulance station, police station and similar civic services where occupancy is classified in the BC Building Code as Group D, in addition to customs offices that may contain detention quarters and the following uses classified as Group B in the BC Building Code: police stations with detention quarters, hospices, hospitals, **schools** with residential use, and places of worship with residential use.

INSTITUTIONAL USE, MINOR means a building in which government services are provided to the public including government office, law court, fire hall, library, ambulance station, police station and similar civic services where occupancy is classified in the BC Building Code as Group D. For clarity, Institutional Uses, Minor do not include uses classified as Group B in the BC Building Code, including but not limited to uses with detention quarters.

KENNEL means the care of five (5) or more dogs, cats or other domestic animals or pets where such animals are kept commercially for board, propagation, training, or sale.

LANDSCAPE SCREEN means a fence or an evergreen hedge or combination thereof that obstructs 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.

LANE means a **highway** not less than 3 metres or more than 10 metres in width which provides secondary access to any abutting parcel.

LEVEL 2 CHARGING means a Level 2 electric vehicle charging level as defined by SAE International's J1772 standard, as amended or replaced from time to time. This includes variable rate charging that is controlled by an electric vehicle energy management system.

LIGHT MANUFACTURING means fabricating, processing, assembling, disassembling, and finishing of goods or materials that includes but is not limited to manufacturing of homes, wood/forest products, food products, apparel, electronics, and painting of **signs** and other products.

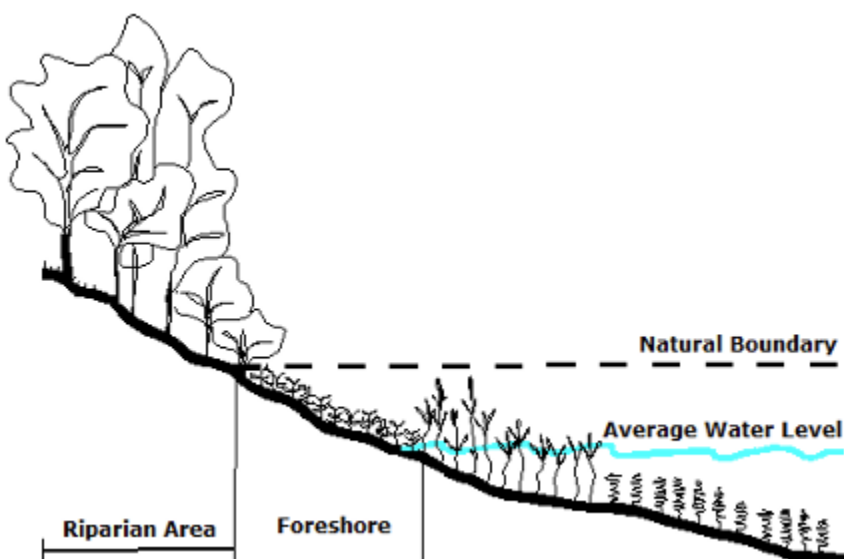
MANUFACTURED HOME means any **building**, whether ordinarily equipped with wheels or not, that is designed, constructed, or manufactured to be moved from one place to another by being towed or carried, and to provide a dwelling or premises, and which is

a manufactured or prefabricated home that meets Canadian Standards Association (CSA) standards for year-round living (CSA Z240 MH Series, or CSA A277).

MANUFACTURED HOME PARK means any **parcel** of land, upon which three (3) or more **manufactured homes** are located.

MARINA means a commercial or institutional moorage establishment or premises containing docking or mooring facilities designed and constructed for boats or other water vessels to be berthed, stored, serviced, repaired, constructed, or kept for sale or for rental. Uses accessory to marina include marine sani-dump, marine fueling facility, and marine equipment rentals.

NATURAL BOUNDARY 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 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.



NEIGHBOURHOOD PARK means any publicly-owned, held or beneficially owned land designed for passive recreation, such as trails, greenbelts, nature reserves, and complementary amenities such as benches, interpretation areas.

OUTDOOR STORAGE means an area outside an enclosed building where materials, goods, vehicles, and equipment used by and associated with the use of the **parcel** are kept.

PARCEL means any lot, block or other area in which land is held, or into which it is subdivided, excluding a **highway**.

PARCEL COVERAGE means the total horizontal area of **buildings** on a **parcel**, measured to the drip line of the roof; or the horizontal area covered in a plan view, in

the case of uncovered decks, porches, stairs, retaining walls or other **structures** without a roof.

PARCEL LINE, EXTERIOR SIDE means any parcel line common to a **highway**, other than a lane, which is not a **front parcel line**.

PARCEL LINE, FRONT means any parcel line common to a **parcel** and one **highway**, other than a **lane**, provided that, where a **parcel** is contiguous to the intersection of two or more **highways**, the front parcel line is the shortest parcel line contiguous to one of the **highways**. Where a parcel is bisected by a **highway**, both parcel lines abutting the highway are considered to be **front parcel lines**.

PARCEL LINE, INTERIOR SIDE means any parcel line not being the **front parcel line**, **rear parcel line** or **exterior side parcel line**.

PARCEL LINE, REAR means the parcel line 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, the rear parcel line is the point of intersection.

PERSONAL SERVICES means a commercial operation which provides personal services to an individual which are related to the non-medical care and appearance of the body or pets, or the cleaning or repair of personal effects. Typical personal services include but are not limited to barber shops, hairdressers, tattoo parlours, nail salons, tailors, shoe repair shops, dry cleaning establishments, pet grooming, photography studios and laundromats.

PRINCIPAL BUILDING means a building intended for the **principal use** of a parcel, as listed under the principal permitted uses of the applicable zone.

PRINCIPAL USE means the main purpose for which land, buildings or structures are ordinarily used or intended to be used.

PROFESSIONAL SERVICES means a commercial operation which carries out business or professional services, other than **personal services**, including but not limited to, business offices, medical clinics, dental clinics, financial services, insurance services, travel services, media services, trades services (plumbing, heating, cooling), cleaning and repair of household items and electronics. Professional services excludes **commercial vehicles services and industrial vehicle services**.

RECREATIONAL FACILITIES means a building or portion of a building used or intended to be used as a place of assembly for leisure activities, including but not limited to community centres, community halls, club houses, and dance halls.

RECREATIONAL VEHICLE means a transportable conveyance used or intended to be used as temporary accommodation for travel, vacation or recreational use and includes travel trailers, motorized homes, slide-in campers, chassis-mounted campers, boats, tent trailers. A recreational vehicle is not a **manufactured home**.

RESOURCE USE means the extraction, harvesting or storage of timber regulated under the *Forest Act* or *Private Managed Forest Land Act*, but does not include processing or milling of timber.

RETAIL SALES means the sale of any goods, merchandise or other material to the general public, excluding the sale of vehicles, recreational vehicles, boats or trailers, and tires.

RETAINING WALL means a **structure** exceeding 1.22 metres in height that holds or retains soil or other material behind it.

SALVAGE OPERATION means any land or building used for the collection, demolition, dismantlement, storage, salvage, recycling, or sale of waste materials, including but not limited to tires, appliances, metals, plastics, glass, vehicles, machinery, and bicycles.

SCHOOL means any land or building used by or for a school, as defined and regulated under the *School Act*.

SEASONAL RESORT means an area of land designated and intended for **tourist accommodation, campground**, or a combination thereof, where **recreational vehicles**, including but not limited to park model trailers, may be placed with a degree of permanence for reoccurring seasonal occupancy. Seasonal resorts may include ancillary uses, including but not limited to entertainment facilities and watercraft servicing facilities for its patrons.

SECONDARY SUITE means a self-contained dwelling located within a building or portion of a building, as defined and regulated in the British Columbia Building Code.

SECONDARY USE means a use in the list of secondary uses in the zones of this Bylaw which must be in conjunction with a **principal use**. For example, a home-based business is a secondary use, not a **principal use**.

SENIORS SUPPORTIVE HOUSING means housing in the form of multiple sleeping units where residents are provided with common living facilities, meal preparation/dining service, laundry services, and room cleaning services, and where one resident occupying each sleeping unit is 55 years of age or older.

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.

SLEEPING QUARTER means a single room or series of rooms in a **building** constituting one self-contained unit containing sleeping facilities or sleeping, living and sanitary facilities, but does not include **cooking facilities**.

STRUCTURE means any construction fixed to, supported by, or sunk into land or water, except retaining walls less than 1.22 metres in height, landscaping, and paving.

Trailers, vehicles and recreational vehicles regulated under the *Motor Vehicle Act* are not considered structures. For clarity, shipping containers are considered structures.

TOURIST ACCOMMODATION means a **building** or **buildings** used or intended to be used for temporary accommodation for transient paying guests, such as motels, hotels, tourist cabins, or lodges but does not include a **campground**.

UTILITY AND TRANSMISSION INFRASTRUCTURE means utility uses and transmission facilities essential for the provision of water, sewer, electricity, telephone and similar services where such a use is established by a government body or a company operating under the *Utilities Commission Act*, but does not include offices, maintenance garages and storage areas.

VEHICLE SERVICES, COMMERCIAL means the use or intended use of land or buildings for the sale, lease, hire, repair, fueling (gasoline, diesel, and electric), or servicing of new or used vehicles, **recreational vehicles**, boats or trailers, but does not include **industrial vehicle services**.

VEHICLE SERVICES, INDUSTRIAL means the use or intended use of land or buildings for the cleaning, reconstruction or demolition of vehicles, **recreational vehicles**, boats, trailers, machinery and equipment, including auto body repairs, heavy duty mechanic shops, wrecking yards, and works and maintenance yards. Industrial vehicle services also include the sale, repair or servicing of tires and wheels, bulk fuel depots, and commercial car washes.

WAREHOUSE, MINI-STORAGE means a wholly enclosed **building** or portion thereof containing for profit storage of goods, wares, merchandise, substances, articles or things, where the storage is contained in separately occupied, secured storage areas or lockers.

WATERCOURSE means any natural or man-made depression with well-defined banks and a bed 0.6 metres or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year or having a drainage area of two (2) square kilometres or more upstream of the point of consideration.

103. Interpretation

1. Words importing the singular include the plural and vice versa and words importing the neuter gender include all genders and corporations.
2. Headings given to sections are for convenience of reference only and do not form part of this Bylaw.
3. Unless expressly stated otherwise, a reference to a section or Part, means that section or Part of this Bylaw.

4. A reference to a statute, regulation or another bylaw refers to that enactment as it may be amended or replaced from time to time.
5. Jurisdictional notes are provided for reference only and do not form part of this bylaw.

104. Applications in Progress

1. A completed application for a development permit, subdivision approval or building permit, or other similar licence, permit or approval received by the Regional District before the adoption of this Bylaw shall be processed in accordance with this Bylaw after the date of adoption.

Part 2: Administration

201. Delegations & Enforcement

1. The Bylaw Enforcement Officer, Building Inspector, Manager of Planning and Development, Current Planning Supervisor, Manager of Building Inspection Services, Senior Planner, and Planner are delegated the authority to enforce this Bylaw.
2. A person must not interfere with or obstruct the entry of a Bylaw Enforcement Officer, Building Inspector, Manager of Planning and Development, Manager of Building Inspection Services, Current Planning Supervisor, Senior Planner, Planner, to enforce this Bylaw.
3. The Bylaw Enforcement Officer, Building Inspector, Manager of Planning and Development, Current Planning Supervisor, Manager of Building Inspection Services, Senior Planner, and Planner are delegated the authority to determine whether a similar use to what is contemplated under this Bylaw is permitted in the same manner as the listed use.

202. Violation

1. A person is deemed to have committed an offence who:
 - a) violates any of the prohibitions listed under Section 205;
 - b) neglects or omits to do anything required under this Bylaw;
 - c) fails to comply with an order, direction or notice given under this Bylaw;
or
 - d) prevents, obstructs or attempts to prevent or obstruct the authorized entry on property of a person authorized to enforce this Bylaw under Section 201.
2. Each day that a violation continues under Section 203.1 amounts to a new and separate offence.

203. Penalty

1. Any person who violates any of the provisions of this Bylaw is, upon summary conviction, liable to the maximum fine provided in the *Offence Act*, plus the cost of prosecution for each offence; or liable to penalty provided in Municipal Ticketing Information Bylaw No. 1902, 2025 or Bylaw Notice Enforcement Bylaw No. 1742, 2021.

204. Calculations & Rounding

1. When a calculation, or rounding under Section 204.2, results in a fractional number with values populating the first or second decimal place, the decimal shall be rounded up to the nearest whole number to determine a specified minimum, and shall be rounded down to the nearest whole number to determine a specified maximum.
2. Fractional numbers with the value of zero (0) populating the first or second decimal place, shall be rounded up for decimal values of 5 or greater, and rounded down for decimal values less than 5, to the second decimal place.

205. Prohibition

1. Land, **buildings** or **structures** must not be used contrary to the provisions of this Bylaw.
2. No person shall cause, suffer or permit:
 - a) any **buildings** or **structures** to be used, constructed, reconstructed, altered, moved, placed or extended;
 - b) the subdivision of land;
 - c) the use of land, **building** and **structures**;

contrary to the provisions of this Bylaw or otherwise fail to comply with the requirements of this Bylaw.

Part 3: General Regulations

JURISDICTIONAL NOTE

AGRICULTURAL LAND COMMISSION (ALC) APPROVAL MAY BE REQUIRED FOR DEVELOPMENT WITHIN THE AGRICULTURAL LAND RESERVE (ALR), INCLUDING NON-FARM USE, NON-ADHERING RESIDENTIAL USE, SUBDIVISION, AND SOIL & FILL.

JURISDICTIONAL NOTE

A NUMBER OF PROVINCIAL ACTS PERTAINING TO RESOURCE EXTRACTION ACTIVITIES SUPERSEDE THE AUTHORITY OF THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY OVER BOTH CROWN AND PRIVATE LANDS. THESE INCLUDE THE MINES ACT, THE COAL ACT, AND THE MINERAL TENURE ACT. IN VIEW OF THIS FACT, MINERAL, GRAVEL AND COAL EXPLORATION AND/OR MINING ACTIVITIES CANNOT BE IN ANY WAY RESTRICTED BY THIS ZONING BYLAW. THE MINISTRY OF ENERGY, MINES AND PETROLEUM RESOURCE HAS A REVIEW PROCESS WHICH IS USED TO ADDRESS THE PUBLIC INTEREST IN SUCH MATTERS.

JURISDICTIONAL NOTE

SHORT-TERM RENTALS ARE SUBJECT TO PROVINCIAL REGULATION.

301. Application

1. Part 3 is applicable to all zones, unless expressly stated otherwise in a specific zone.

302. Permitted and Prohibited Uses

1. The following uses are permitted in all zones:
 - a) Recreational trails
 - b) **Utility and transmission infrastructure**
 - c) **Child care, minor**
 - d) **Schools**

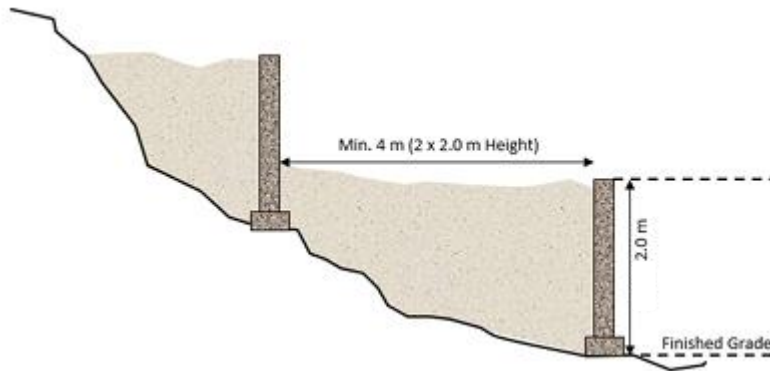
- e) **Neighbourhood parks**
 - f) **Institutional uses, minor**
 - g) **Domestic horticulture**
 - h) **Domestic silviculture**
2. A **dwelling unit** may be rented or used as a single housekeeping unit for any duration of time for either residential purposes, or for short-term accommodation.
3. On a **parcel** that does not have a **principal use**, a maximum of one **building** is permitted, provided the following regulations are met:
- a) the **building** is used exclusively for non-commercial storage of personal goods or vehicles;
 - b) the **floor area** does not exceed 30 m² for **boat access only parcels**, and 60 m² for all other **parcels**; and
 - c) the **building** adheres to the same regulations as if it were an **accessory building**.
4. A **recreational vehicle** or camping tent shall not be used for residential purposes in any zone. A **recreational vehicle** or camping tent is permitted to be occupied on a seasonal basis, subject to regulations in the applicable zone and in Section 408.
5. Except in a zone where **salvage operation** is a permitted use, no **parcel** may be used for the parking or storage of **derelict vehicle(s)**, except where the following regulations are met:
- a) **Derelict vehicle(s)** are fully kept and **concealed** within a **building**; or
 - b) **Derelict vehicles** are fully kept and **concealed** within an enclosed area with solid fencing or **landscape screen** a minimum of 2.0 metres in height, provided:
 - i) no more than four (4) **derelict vehicles** are parked or stored within an enclosed area;
 - ii) no more than one enclosed area is used to park or store **derelict vehicle(s)** on the **parcel**; and
 - iii) no part of an enclosed area containing derelict vehicles is within the natural boundary 10 metres of Christina Lake and within 15 metres of any other **watercourse**.
6. The following uses are prohibited in all zones:
- a) **Gasification industries**
 - b) Hazardous waste processing, recycling, or treatment facilities (excluding municipal solid waste disposal, recycling, and transfer facilities operated by, or with the consent of the Regional District pursuant to an approved Solid Waste Management Plan)

- c) Hammer mills, rolling mills, blast furnaces, foundries, drop forges, brick kilns, and flour mills
 - d) The distilling, incinerating, processing, rendering or canning of fish or animal products
 - e) manufacture of matches, paper or rubber
 - f) manufacture, processing, refining, mixing or bulk storage of bitumen, coal or tar products or derivatives and corrosive, noxious, highly flammable or explosive minerals, chemicals, gasses and fission or fusion products
 - g) The manufacture, processing, refining and mixing of petroleum and petroleum products including asphalt plants
 - h) The smelting, refining and reducing of minerals and metallic ores
 - i) The operation of stockyards, the slaughtering of animals or poultry and the manufacture of fertilizers
 - j) Pulp and paper plants
 - k) The storage of the following:
 - i) Waste pest control product containers and wastes containing pest control products, including wastes from the application of pest control products to wood;
 - ii) Radioactive dangerous goods;
 - iii) Waste wood products treated with wood preservatives;
 - iv) Used tires;
 - v) Used batteries.
 - l) Houseboats and floating homes for residential purposes
 - m) Crushing, screening and storage of aggregate materials, including sand and gravel
 - n) Water bottling facilities
 - o) **Manufactured home parks**, except that a **manufactured home park** is a permitted use on the parcel located at 1930 Setterland Road (PID: 031-462-065) and legally described as Lot 1, District Lot 750, SDYD Plan EPP107535
 - p) Any use described as a separate use in this Bylaw that is not expressly included as a permitted use in the applicable zone, or as a permitted use in this section.
7. Houseboats and floating homes shall not be parked or stored within the Lake 1 zone (LK1) and any zone adjacent to Community Parks Zone (P1).

303. Retaining Walls

1. **Retaining walls** shall be located a minimum of 10m from the **natural boundary** of Christina Lake and 15m from the **natural boundary** of any other **watercourse**.
2. The height of a **retaining wall** shall be measured from finished grade on the lowest side of the wall from the base of the wall footing.

3. The minimum horizontal separation between **retaining walls** on the same **parcel**, as measured from the outer face of each **retaining wall**, shall be a minimum of two times the height of the lowest **retaining wall** (2 multiplied by "x" height).



4. Notwithstanding Section 302.3, a series of **retaining walls** may be configured with a horizontal separation of less than 2:1, provided such walls are considered a single **retaining wall** for the purposes of this bylaw.

304 Subdivisions

1. Where a Zone includes a regulation entitled "Parcel Area", or this Bylaw otherwise refers to a minimum parcel area, then no **parcel** may be created by subdivision that has an area less than the figure specified for the Zone in which the **parcel** is located.
2. **Parcels** existing prior to the effective date of this Bylaw shall be treated in the same manner as if the minimum parcel area requirement for subdivision had been met.
3. A **parcel** which is reduced in size by the dedication of land to a public body in order to accommodate a necessary public service, utility, facility or highway, subsequent to the approval date of this Bylaw is deemed to be in conformity with the minimum parcel area requirements of this Bylaw.
4. Where as a result of land acquisition for a public use after this Bylaw comes into force by:
 - a) A Regional District;
 - b) A municipality;
 - c) The Provincial Government;
 - d) The Federal Government;
 - e) An Improvement District;
 - f) The Board of School Trustees; or
 - g) A Public Utility

- i) The **parcel** of land that could have been subdivided into two or more **parcels** under this Bylaw when the land was acquired; and
- ii) The **parcel**, as a result of the acquisition, can no longer be subdivided into the same number of **parcels**,

the **parcel** is deemed to conform to this Bylaw for the purposes of subdivision as though the land acquisition had not occurred, but only to the extent that none of the **parcels** that would be created by the subdivision would be less than 90% of the area that would otherwise be permitted by this Bylaw.

- 5. The minimum parcel area requirements of this Bylaw do not apply to the consolidation of existing **parcels** or the addition of closed highways to an existing parcel, except that where a consolidation of existing **parcels** would include lands located within the Rail Corridor 1 (RC1) Zone the minimum parcel area requirement under this bylaw shall apply.
- 6. The alteration of one or more **interior parcel lines** between two or more **parcels** is permitted provided that:
 - a) no additional **parcels** are created upon completion of the alteration;
 - b) the alteration does not infringe within the required setbacks for an existing **building** or **structure** located on the **parcel**;
 - c) the alteration does not reduce the site area required for a sewage disposal system on any **parcel** being altered; and
 - d) if the alteration applies to land within the 'Rail/Trail Corridor 1 (RTC1) Zone', a corridor must be maintained within that zone that is a minimum of 30 metres wide and is suitable for the possible reestablishment of a railway.
- 7. The minimum size for a **parcel** of land that may be subdivided pursuant to Section 514 (Subdivision for a relative) of the *Local Government Act* is 20 hectares. This regulation does not apply within the Agricultural Land Reserve.
- 8. New **parcels** created after the adoption of this bylaw must not be separated by an existing highway or railway right of way unless each portion of the **parcel** separated by a highway or railway right of way meets the minimum parcel area requirement of the zone.
- 9. The minimum parcel area at subdivision in any zone established under this bylaw does not apply where all of the following conditions are satisfied:
 - a) the **parcel** being created is to be used solely for the unattended equipment necessary for operation of:
 - i) public utility uses with no exterior storage of any kind;

- ii) radio or television broadcasting antennae, or other similar communications infrastructure; and/or
- iii) air or marine navigation aids;
- b) no sewage is generated; and
- c) the owner agrees in writing to registering a covenant pursuant to section 219 of the *Land Title Act* in favour of the Regional District of Kootenay Boundary at the time the subdivision is registered, and such covenant shall be satisfactory to the approving officer and shall restrict the use of the **parcel** in accordance with the applicable exception under this provision.

10. **Parcels** that are split into more than one zone may be subdivided provided each area within a zone to be created by subdivision meets the minimum parcel area requirement for that zone.

305. Siting Regulations

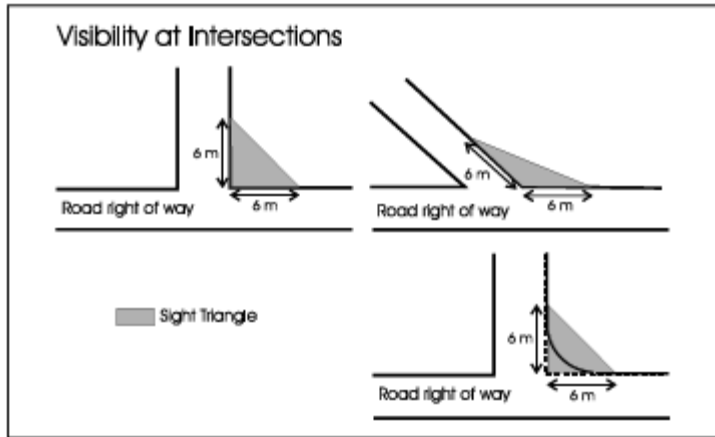
JURISDICTIONAL NOTE

MINISTRY OF TRANSPORTATION AND TRANSIT APPROVAL IS REQUIRED FOR ANY BUILDING OR STRUCTURE WITHIN 4.5 METRES OF A PARCEL LINE ABUTTING A PUBLIC ROAD RIGHT OF WAY

JURISDICTIONAL NOTE

ANY WORKS WITHIN 10 FEET OF THE INTERNATIONAL BOUNDARY BETWEEN CANADA AND THE UNITED STATES IS SUBJECT TO THE INTERNATIONAL BOUNDARY COMMISSION ACT

1. No **building** or **structure** shall extend beyond the legal boundaries of a **parcel**, except public utility infrastructure, and moorage facilities.
2. Notwithstanding Section 304.1, setback regulations shall not apply to a lease area boundary line.
3. The minimum setback to the **natural boundary** of Christina Lake for all **buildings** and **structures**, in any zone, is 10 metres.
4. No **building**, **structure**, or **landscape screen** shall be within the sight triangle of intersecting **highways**, as shown below, in a manner that would impede visibility:



5. No part of any **building** or **structure** shall project into a setback required by this Bylaw, except the following projections as listed:

	Type of building or structure	Maximum projection into interior side parcel line setback	Maximum projection into all other setbacks, except to a natural boundary and sight triangle
a)	Non-structural fixtures and adornments affixed to the exterior of a building , such as gutters, sunshades, canopies, and signs	0.6m	1.2m
b)	Eaves		
c)	Chimneys and chimney-like structures		
d)	Covered or uncovered balconies, decks, and porches affixed to a building		
e)	Stoops, stairs, steps, and accessible ramps affixed to a building		
f)	Cantilevered architectural features of a building , including bay windows		
g)	Accessory buildings and structure 10m ² or less in size	0.6m	Rear setback only: 0.6m
h)	Structures buried completely underground		

i)	Public utility infrastructure including poles, wires and boxes	Up to 100% of setback	Up to 100% of setback
j)	Freestanding poles or pillars for lighting, flags, antennas, sirens and similar ancillary functions		
k)	Freestanding signs and sign structures		
l)	At-grade landscaping features including patios, pavers, paving, in-ground steps, and retaining walls less than 1.22m in height		
m)	Landscape screen (solid or open)	Up to 100% of setback (see Section 409 for height limits)	Up to 100% of setback (see Section 409 for height limits)

306. Height Regulations

1. No part of any **building** or **structure** shall exceed the maximum building height specified by this Bylaw, except the following buildings and structures:
 - a) Antennas
 - b) Belfries
 - c) Chimneys or chimney-like structures
 - d) Decorative spires
 - e) Elevator shafts
 - f) Fire walls for fire suppression
 - g) Flag poles
 - h) Lighting poles
 - i) Monuments
 - j) Public utility infrastructure
 - k) Rooftop mechanical and ventilation equipment
 - l) Rooftop solar energy devices
 - m) Telecommunication towers
 - n) Water tanks

Part 4: Supplemental Regulations for Certain Uses and Circumstances

401. Accessory Buildings and Structures

1. No **accessory building or structure** shall be situated on a **parcel** unless:
 - a) a **principal building** has already been erected on the same parcel;
 - b) a **principal building** will be erected simultaneously with the accessory building or structure on the same parcel, and the principal building is occupied or permitted for occupancy before the accessory building or structure is used or occupied; or
 - c) it complies with Section 302.3.
2. No **accessory building or structure** shall contain **cooking facilities** except within a **dwelling unit**.
3. No **accessory building or structure** shall contain a bedroom or area to be used or intended to be used for sleeping, except within a **dwelling unit** or **sleeping quarters** as permitted in this Bylaw.

402. Accessory Dwelling Unit

1. An **accessory dwelling unit** is permitted where listed as a permitted use, provided that:
 - a) The **accessory dwelling unit** shall not exceed a **floor area** of 90 m²;
 - b) Notwithstanding the above, an additional 40 m² of **floor area** may be added for a garage used or intended to be used exclusively for vehicle parking;
 - c) An **accessory dwelling unit** is not permitted on a **parcel** less than one (1) hectare unless connected to a **community sewer system**;
 - d) An **accessory dwelling unit** is not to be stratified, or otherwise legally separated from the principal **dwelling unit**, except by subdivision in compliance with minimum **parcel** size specified in the zone in which the parcel is located.
 - e) Notwithstanding height regulations in the applicable zone, **for** **accessory building** containing an **accessory dwelling unit** above a garage, the maximum **height** shall be the lesser of 7.0m or two storeys.
 - f) The accessory dwelling unit shall not be connected to a community water system which is subject to a Drinking Water Notification pursuant to the *Drinking Water Protection Act* under an order of the Drinking Water Protection Officer.

403. Backyard Beekeeping (Apiculture)

1. Backyard Beekeeping is permitted as an accessory use to a **single family dwelling** in any zone, provided that:
 - a) Beehives are not located within 100 metres of the **natural boundary** of Christina Lake;
 - b) Beehives are located within an area fully enclosed by an electric fence with sufficient voltage and wiring placement to deter a bear from entering the enclosed area;
 - c) A minimum clear flight path of 7.5 metres from a beehive entrance to any property line is provided;
 - d) A minimum of 3.0 metres from the side of a beehive that is without an entrance to any property line is provided;
 - e) Notwithstanding Section 403.1(c), the minimum distance of a clear flight path may be reduced to 3.0 metres if the beehive is sited behind a solid fence with a minimum height of 1.8 metres separating the property line from the beehive, or if the beehive is elevated a minimum of 2.5 metres above ground level to the underside of the beehive;
 - f) Notwithstanding Section 403.1(d), the minimum distance to the property line from the side of a beehive that is without an entrance may be reduced to 1.0 metre if the beehive is sited behind a solid fence, with a minimum height of 1.8 metres, separating the property line from the beehive;
 - g) No more than four (4) beehives per **parcel** are provided;
 - h) The beehives are managed by the resident(s) of the **parcel**; and
 - i) The sale of honey and other bee products produced by backyard beekeeping is limited to off-site sales.

404. Backyard Chickens (Hens)

1. Backyard Chickens are permitted as an accessory use to a **single family dwelling** in any zone, provided that:
 - a) Backyard chickens, including grazing areas and coops, are not kept or located within 100 metres of the **natural boundary** of Christina Lake;
 - b) Backyard chickens are located in a coop or enclosed run that is fenced and secured at all times unless directly supervised;
 - c) A maximum of six (6) female chickens (hens) are kept;
 - d) No roosters are kept;
 - e) The backyard chickens are managed by the resident(s) of the **parcel**;
 - f) Chicken feed is stored securely to prevent attraction of predators or vermin; and
 - g) The sale of eggs produced by backyard chickens is limited to off-site sales.

405. Bed & Breakfast

1. A **bed & breakfast** is permitted where listed as a permitted use, provided that:
 - a) The **bed & breakfast** use is contained within a **dwelling unit**;
 - b) No more than three (3) **accommodation units** shall be provided for the **bed & breakfast**;
 - c) No more than one (1) **dwelling unit** per **parcel** is used for a **bed & breakfast**; and
 - d) The **bed & breakfast** is operated by the residents of the **dwelling unit**.

406. Campground

1. A **campground** is permitted where listed as a permitted use, provided that:
 - a) All **recreational vehicles** or tents are used for temporary accommodation only and excludes occupancy from October 16 to April 14 of any given year;
 - b) between October 16 and April 14 of any given calendar year, the **recreational vehicle** or tent is either removed from the **parcel** or secured in a manner to prevent entry;
 - c) All **recreational vehicles** and camping tents shall not have any alterations, or any buildings or structures affixed to it that would impede its ability to be transported off-site in the same manner as intended by the manufacturer. This includes but is not limited to attached decks, porches, roof structures, and fixtures to a permanent foundation. This does not prevent temporary hook-ups for water, power or sewerage disposal.
 - d) Each individual campsite is a minimum of 10m from the natural boundary of Christina Lake and 15 m from the natural boundary of any other watercourse.
 - e) Servicing?
 - f) Except where further specified in a zone, each individual campsite is a minimum of 80m² in area.
 - g) Except where further specified in a zone, the maximum density is 80 individual campsites per hectare.

407. Home-Based Business

1. A **home-based business** is permitted where listed as a permitted use, provided that:

- a) The **home-based business** must be carried out solely within a **dwelling unit** or wholly enclosed **accessory building** including all storage areas;
 - b) The **home-based business** must not give any exterior indication that the **building** or **parcel** is being utilized for any purpose other than that of a dwelling unit, or accessory use, and no **building, structure, fence** or enclosure other than those in conformity with permitted residential uses in the zone in which it is located, may be erected;
 - c) The **home-based business** must not produce any odorous, toxic or noxious matter, noise, vibration, smoke, heat, dust, litter, glare or radiation other than that normally associated with a dwelling unit nor will it create or cause any fire hazard, electrical interference or traffic congestion on the highway;
 - d) The **home-based business** use must not give an exterior indication that the building is being utilized for any purpose other than that of a residential use other than a maximum of one sign per parcel, which identifies the home occupation. The maximum visible surface area is 0.6m² per side;
 - e) All storage of materials, equipment containers or finished products must be **concealed**;
 - f) Notwithstanding the above, a **home-based business** in the I2 Zone is not required to be conducted within a wholly enclosed building.
2. The **home-based business**, including associated storage areas, must not occupy or use more than 60m² of area per **parcel** in total. This total area limit applies to the entire **parcel** regardless of the number of **home-based businesses**.
 3. The primary operator of the **home-based business** must be a permanent resident of the subject parcel. Notwithstanding the preceding, a maximum of one additional person, who is not a resident of that parcel, may be employed or engaged in conjunction with a **home-based business**, per parcel.

408. Kennel

1. A **kennel** is permitted where listed as a permitted use, provided that:
 - a) The **kennel** is located on a parcel containing a **dwelling unit**;
 - b) The **kennel** is operated by the residents of the **dwelling unit**;
 - c) All buildings, structures and lands used or intended to be used for **kennel** operations shall be located a minimum of 60m from all **parcel lines**.

409. Landscape Screening and Fencing

1. **Parcels** with an industrial or commercial use shall have a solid **landscape screen** fully surrounding and visually masking areas used or intended to be

used for the **outdoor storage** and shall have a minimum **height** of 2.0 metres.

2. The maximum height of a **landscaping screen** is the maximum height for **accessory structures** within the applicable zone, except:
 - a) Within the **front parcel line** setback or **exterior parcel line** setback specified for a principal **building** within the applicable zone, the maximum **height** is 1.3 metres; and
 - b) Within the **interior side parcel line** setback or **rear parcel line** setback specified for a principal **building** within the applicable zone, the maximum height is 2.0 metres.
3. The use of barbed or razor wire for a fencing within or abutting a residential zone (R1, R2, R3, R4) is prohibited.

410. Recreational Vehicles and Camping Tents

A **recreational vehicle or camping tent** is permitted to be occupied on a seasonal basis, provided that, in zones where **campground** or **seasonal resort** is not a permitted use:

- a) Only one (1) **recreational vehicle** or camping tent on a **parcel** may be occupied in any given calendar year;
- b) the **recreational vehicle** or tent is used exclusively for non-commercial purposes;
- c) the **recreational vehicle** or tent is used for temporary accommodation only and excludes occupancy from October 16 to April 14 of any given calendar year;
- d) between October 16 and April 14 of any given calendar year, the **recreational vehicle** or tent is either removed from the property or secured in a manner to prevent entry;
- e) the **recreational vehicle** or tent is sited in accordance with the setbacks for an **accessory building** in the applicable zone; and
- f) the **recreational vehicle** or camping tent does not have any alterations or additions that would impede its ability to be transported off-site in the same manner as intended by the manufacturer. This includes but is not limited to attached decks, porches, roof structures, and fixtures to a permanent foundation. This does not prevent hook-ups for water, power or sewerage disposal.

411. Secondary Suite

1. A **secondary suite** is permitted where listed as a permitted use, provided that:

- a) The **secondary suite** shall have a **floor area** that does not exceed 90m²; and
- b) The secondary suite shall be contained entirely within the same building as the principal **dwelling unit**.
- c) On **parcels** less than one (1) hectare, **secondary suites** shall be connected to the same on-site septic disposal system that serves the principal **dwelling unit**; or connected to a **community sewer system**.
- d) The secondary suite shall not be connected to a community water system which is subject to a Drinking Water Notification pursuant to the Drinking Water Protection Act under an order of the Drinking Water Protection Officer.

412. Signs

1. The maximum number of **signs** permitted per **parcel** is two unless expressly permitted elsewhere in this Bylaw, except:
 - a) Advisory, directional and parking **signs** not exceeding 0.3m² in visible surface area per side; and
 - b) Election **signs** to promote or advertise a political party or candidate from the date of an election call to five (5) days after election day.
2. The following **signs** are not permitted on any **parcel**:
 - a) Animated **signs**, including **signs**, **sign** structures or **sign** elements containing action, motion, rotation or flashing
 - b) Third party advertising, including billboards and any other **sign** advertising a use of land, **buildings** or **structures** occurring on a **parcel** other than the **parcel** upon which the **sign** is located
 - c) **Signs** exceeding a visible surface area of 3 m² per side, unless expressly permitted elsewhere in this Bylaw
 - d) Internally illuminated **signs**, except in Commercial, Industrial or Institutional Zones
3. The following **signs** are permitted on any **parcel**:
 - a) Real estate **signs** advertising the sale or rental of a **parcel**, a **building** or a unit within a **building**
 - b) Election **signs** to promote or advertise a political party or candidate from the date of an election call to five (5) days after election day
 - c) Street addressing **signs**
 - d) Advisory, directional and parking **signs**
 - e) Institutional **signs**, including **signs** for parks and **schools**
4. The following **signs** are permitted in conjunction with the permitted use of land, **buildings** or **structures** occurring on the **parcel** upon which the

sign is located, up to the maximum size of visible surface area per side and number, other than **signs** permitted under Section 410.3:

	Permitted Use	Number of Signs	Maximum Size
a)	Home-based business	1	0.6m ²
b)	Bed & breakfast	1	0.6m ²
c)	Commercial use in Commercial Zone	1 freestanding sign per street frontage. No limit for number of signs affixed to a building .	10m ² for a freestanding sign . 15% of a building face facing a front parcel line or exterior side parcel line .
d)	Commercial or Industrial use in Industrial Zones	1 freestanding sign per street frontage. No limit for number of signs affixed to a building .	4.6m ² for a freestanding sign . 15% of a building face facing a front parcel line or exterior side parcel line .
d)	Other Commercial use not listed above	1 freestanding sign per street frontage. No limit for number of signs affixed to a building .	1m ² for a freestanding sign . 15% of a building face facing a front parcel line or exterior side parcel line .
e)	Marina	1	0.3m ²

5. Where a **building** has both commercial and residential uses, **signs** are not permitted above the first storey of the **building**.

413. Sleeping Quarter

1. A **sleeping quarter** is permitted where listed as a permitted use, provided that:
 - a) The **sleeping quarter** shall have a *floor area* that does not exceed 20m²;
 - b) The **sleeping quarter** shall contain no more than one bedroom or area used or intended for sleeping;
 - c) The **sleeping quarter** is located on a **parcel** containing a **principal building**; and

- d) If the sleeping quarter contains sanitary facilities, the ***sleeping quarter*** shall be connected to the same on-site septic disposal system that serves the principal ***dwelling unit***; or connected to a ***community sewer system***.

DRAFT

Part 5: Parking and Loading

JURISDICTIONAL NOTE

MINISTRY OF TRANSPORTATION AND TRANSIT APPROVAL MAY BE REQUIRED FOR MORE THAN ONE ACCESS, COMMERCIAL ACCESS AND/OR DIRECT ACCESS TO A CONTROLLED ACCESS HIGHWAY

501. Electric Vehicle Charging

1. One **energized outlet** capable of providing **Level 2 charging** or higher shall be provided directly adjacent to a minimum of one parking space per new **dwelling unit**.

502. Vehicle and Emergency Access

1. The maximum number of vehicle access points from a **parcel** to a **highway** is two.
2. Emergency vehicle access must be provided and maintained to any **building** sited, placed or constructed on a **parcel**.
3. Emergency vehicle access shall:
 - a) For driveways exceeding 90 metres in length, provide a travel path providing looped access; or a turnaround area, which must:
 - i) Have a minimum width of 5 metres;
 - ii) Have a minimum length of 10 metres; and
 - iii) Have a vertical clearance of 4 metres.
 - b) Provide a continuous travel path for an emergency vehicle from a **highway** to an area where an emergency vehicle may be parked within 15 metres of the main entrance to the **building**, which must:
 - i) Have a minimum travel width of 3.6 metres;
 - ii) Have a maximum grade of 12%; and
 - iii) Have a vertical clearance of 4 metres.

503. Minimum Off-Street Parking Spaces

1. Minimum off-street parking spaces must be provided in accordance with the Table 1. Minimum spaces shall be the stated minimum or use requirement identified, whichever is greater.
2. Where a specific use is not identified, a similar use to one listed in the table will be selected as an applicable standard.

- Where a **parcel** contains more than one use, the required number of parking spaces is the sum of the requirements of each use.
- All commercial, industrial and institutional uses shall have a minimum of one accessible parking space.

Table 1: Vehicle parking minimums

Type	Use	Use Requirement	Minimum
Residential	Single family dwelling	2 per dwelling unit	2
	Secondary suite, or Accessory Dwelling Unit	1 per dwelling unit	1
	All other residential uses	2 per accommodation unit	4
Commercial	Tourist accommodation, Campground, Seasonal Resort, or Bed & Breakfast	1 per accommodation unit or campsite	2
	All other commercial uses	1 per 50 m ² of floor area	2
Industrial	All industrial uses	1 per 200 m ² of floor area	4
Institutional	All institutional uses	1 per 100 m ² of floor area	4

504. Minimum Off-Street Loading Spaces

- Where a **parcel** contains a commercial, industrial or institutional use involving the receipt or delivery of goods or materials by commercial vehicles over 5,500 kilograms (Commercial Vehicle Class 4 or higher), a minimum of one off-street loading space is required.

505. Design Standards

- Off-street parking spaces and loading spaces must be provided on, and fully contained within, the same **parcel** as the **building** or use.
- Each parking space and loading space must be located so as to permit unobstructed access to, and egress, from that space to a highway at all times, with the exception of in-tandem spaces for **single family dwellings**.

3. Dimensions for off-street parking spaces, loading spaces, and drive aisles shall satisfy the size requirements in Table 2.

Table 2: Dimension of Parking & Loading spaces, and Drive Aisles

Type of Parking Space	Minimum Dimensions		
	Width	Length	Height
Parking space length perpendicular to drive aisle	2.5m	5.5m	2.5m
Parking space length parallel to drive aisle	2.5m	5.5m	2.5m
Accessible parking space	3.7m	5.5m	2.5m
Drive aisles	6m	N/A	2.5m

4. Where one or both sides of a parking space abut a wall, post, pillar, or other such obstruction, an additional 0.5 metres width shall be provided.
5. All commercial, industrial and institutional parking spaces, loading spaces and drive aisles accessing parking/loading spaces, shall:
 - a) be surfaced with a durable, dust-free hard surface of concrete, asphalt, grasscrete or similar material;
 - b) clearly delineate individual parking stalls with surface markings; and
 - c) shall clearly delineate accessible parking stalls with a **sign** and surface markings.
6. Off-street loading spaces shall be a minimum of 30m² in area, 3 metres in width, 4 metres in height, and a minimum of 6 metres from a parcel line abutting a **highway**.

506. Parking Exemptions

1. Part 5 of this Bylaw does not apply to the following:
 - a) **parcels** which are accessible by boat only
 - b) Uses legally established prior to the effective date of this Bylaw, where there is no change of use in the case of residential, and no change of use category and no increase in **floor area** in the case of commercial, industrial or institutional uses; and no change in the number or size of parking stalls on the **parcel**

507. Parking or Storage of Large Vehicles

1. The parking or storage of vehicles with a gross vehicle weight of more than 5500 kilograms is prohibited in Residential and Rural Residential Zones, excluding service calls, and licensed **recreational vehicles**.

Part 6: Zones

601. General Information on Zones

1. For the purpose of this Bylaw, Electoral Area C/ Christina Lake is classified and divided into the following zones:

Zone Names	Short Form
Residential	
Residential 1 (Within Water Service Area)	R1
Residential 2 (Outside Water Service Area)	R2
Rural Residential 3	R3
Rural	
Rural 1	RUR1
Resource	
Rural Resource 1	RR1
Rural Resource 2	RR2
Lake 1	LK1
Commercial	
Core Commercial 1	C1
Highway Commercial 2	C2
Neighbourhood Commercial 3	C3
Seasonal Resort Commercial 4	C4
Marina Commercial 5	C5
Campground Commercial 6	C6
Industrial	
Industrial 1	IN1
Industrial 2	IN2
Parks and Recreational	
Community Parks 1	P1
Neighbourhood Parks 2	P2
Rail/Trail Corridor 1	RC1
Institutional	
Institutional and Community Facilities 1	ICF1

2. The extent and boundary of each zone is shown on the Zoning Map (Schedule A), which is attached to and forms part of this Bylaw.
3. When a zone boundary is shown as following a **highway** (*but not a railway*), or **watercourse**, the centre-line of such feature is the zone boundary.

4. When a zone boundary is shown abutting Christina Lake, the ***natural boundary*** of Christina Lake is the zone boundary.
5. Where a zone boundary does not follow a legally defined line, the location of the zone boundary is determined by scaling from the Zoning Map (Schedule A).
6. Where a ***parcel*** contains more than one zone, the zone boundary shall be treated in the same manner as if it were a parcel line.

DRAFT

602. Residential 1 (Within Water Service Area) Zone R1

The following provisions apply to lands in the Residential 1 (Within Water Service Area) Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) *Single family dwelling*

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 602.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw.:

- a) *Accessory buildings and structures*
- b) *Accessory dwelling unit*
- c) *Bed & breakfast*
- d) *Home-based business*
- e) *Secondary suite*
- f) *Sleeping quarter*

3. Specific Use Regulation

- a) An *accessory building* may be located on common bare land strata property, for the benefit and use of the associated residents, provided the maximum gross floor area is 170 m².

4. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 2000 m² when connected to a *community water system*
- b) 1 hectare when not connected to a *community water system*
- c) 10 hectares when not within a *community water service area*

5. Density

Maximum one *single family dwelling, one sleeping quarter*, plus one *secondary suite* or *accessory dwelling unit* per *parcel*.

6. Setbacks

- a) Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal Buildings</i>	<i>Accessory Buildings and Structures</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	1.5	1.5

Rear	7.5	3.0
-------------	-----	-----

b) Notwithstanding the above, minimum setbacks from exterior boundaries of a bare land strata plan are as follows:

- i) 20 m for a recreation centre;
- ii) 6m for a community sewer system; and
- iii) 8 m for all other buildings and structures.

c) Notwithstanding the above, the minimum setbacks for interior parcel lines of a bare land strata are as follows:

- i) 0.3m from an interior side parcel line for an open carport;
- ii) 1.5m from a front, and interior side parcel line for all other buildings and structures.

7. Parcel Coverage

Maximum **parcel coverage** is 33%.

8. Height

- a) **Principal buildings** must not exceed 10 metres in **height**;
- b) **Accessory buildings** and **structures** must not exceed 4.6 metres in **height**.

9. Parking

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

603. Residential 2 (Outside Water Service Area) Zone R2

The following provisions apply to lands in the Residential 2 (Outside Water Service Area) Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) *Single family dwelling*

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 603.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw.:

- a) *Accessory buildings and structures;*
- b) *Accessory dwelling unit*
- d) *Bed & breakfast*
- e) *Home-based business*
- f) *Secondary suite*
- g) *Sleeping quarter*

3. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than 10 hectares.

4. Density

Maximum one *single family dwelling, one sleeping quarter*, plus one *secondary suite* or *accessory dwelling unit* per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal Use Buildings</i>	<i>Accessory Buildings and structures</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	1.5	1.5
<i>Rear</i>	7.5	3.0

6. *Parcel Coverage*

Maximum *parcel coverage* is 33%.

7. Height

- a) *Principal buildings* must not exceed 10 metres in *height*;
- b) *Accessory buildings and structures* must not exceed 4.6 metres in *height*.

8. Parking

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

DRAFT

604. Rural Residential 3 Zone

R3

JURISDICTIONAL NOTE

AGRICULTURAL LAND COMMISSION (ALC) APPROVAL MAY BE REQUIRED FOR DEVELOPMENT WITHIN THE AGRICULTURAL LAND RESERVE (ALR), INCLUDING NON-FARM USE, NON-ADHERING RESIDENTIAL USE, SUBDIVISION, AND SOIL & FILL.

The following provisions apply to lands in the Rural Residential 3 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) *Single family dwelling*
- b) *Farm Use*
- c) *Intensive Farm Use*

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 604.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw.:

- a) *Accessory buildings and structures;*
- b) *Accessory dwelling unit*
- c) *Bed & breakfast*
- d) *Home-based business*
- e) *Secondary suite*
- f) *Sleeping quarter*

3. Specific Use Regulation

- a) *Farm uses and Intensive farm uses* are only permitted within the Agricultural Land Reserve (ALR).

4. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than 1 hectares.

5. Density

Maximum one *single family dwelling, one sleeping quarter*, plus one *secondary suite* or *accessory dwelling unit* per *parcel*.

6. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal Use Buildings</i>	<i>Accessory Buildings and structures</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	1.5	1.5
<i>Rear</i>	7.5	3.0

7. Parcel Coverage

Maximum ***parcel coverage*** is 33%.

8. Height

- a) ***Principal buildings*** must not exceed 10 metres in ***height***.
- b) ***Accessory buildings*** and ***structures*** must not exceed 4.6 metres in ***height***.

9. Parking

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

605. Rural 1 Zone

RUR1

JURISDICTIONAL NOTE

AGRICULTURAL LAND COMMISSION (ALC) APPROVAL MAY BE REQUIRED FOR DEVELOPMENT WITHIN THE AGRICULTURAL LAND RESERVE (ALR), INCLUDING NON-FARM USE, NON-ADHERING RESIDENTIAL USE, SUBDIVISION, AND SOIL & FILL.

The following provisions apply to lands in the Rural 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Farm Use***
- b) ***Intensive Farm Use***
- c) ***Resource Use***
- d) ***Single family dwelling***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 605.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw.:

- a) ***Accessory buildings and structures***
- b) ***Accessory dwelling unit***
- c) ***Bed & breakfast***
- d) ***Home-based business***
- e) ***Kennel***
- f) ***Secondary suite***

3. Specific Use Regulation

- a) ***Resource uses*** are not permitted within the Agricultural Land Reserve (ALR).
- b) ***Intensive farm uses*** are only permitted within the Agricultural Land Reserve (ALR).

4. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 10 hectares when outside the Agricultural Land Reserve
- b) 20 hectares when within the Agricultural Land Reserve

5. Density

A maximum of one **single family dwelling**, plus one **secondary suite** or **accessory dwelling unit** per **parcel**.

6. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Principal Use Buildings	Accessory Buildings and structures
Front	7.5	7.5
Exterior side	4.5	4.5
Interior side	1.5	3.0
Rear	7.5	3.0

7. Parcel Coverage

Maximum **parcel coverage** is 33% or 10,000m², whichever is less.

8. Height

- a) **Buildings** and **structures** must not exceed 12 metres in **height**.

9. Animal Restrictions

- Except for lands within the Agricultural Land Reserve (ALR), animal density shall not exceed 2.0 Animal Units (AU) per hectare of land.
- The 2.0 AU per hectare is the sum of all species kept on the land, in accordance with the AU equivalencies below. Where an animal is not specifically mentioned in the table, the AU equivalency is deemed to be that of the most similar animal listed in the table, based on species, then size.

Animal	AU	Animal	AU	Animal	AU
Ewe	0.14	Gilt	0.33	Turkeys, breeding	0.02
Yearling ewe	0.10	Bred gilt	0.33	Goose	0.02
Lamb ewe	0.07	Weaner pig (<18 kg)	0.10	Duck	0.015
Ram	0.14	Feeder pig (18-90 kg)	0.20	Horse	1
Yearling ram	0.10	Suckling pig	0.01	Foal, 1-2 years old	0.5
Lamb ram	0.07	Cow & calf	1	Pony	0.5
Nursing ram	0.05	2 yr. old cow/bull/steer	1	Llama	0.5
Feeder lamb	0.10	Yearling ox	0.67	Donkey	0.5
Breeding lamb	0.10	Calf	0.25	Goat	0.14
Sow	0.33	Bull	1	Mink	0.025
Boar 18-90 kg	0.20	Chicken	0.015	Rabbit	0.025
Boar >90 kg	0.33	Turkeys, raised	0.015		

10. Parking

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

606. Rural Resource 1 Zone

RR1

The following provisions apply to lands in the Rural Resource 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Campground***
- b) ***Farm Use***
- c) ***Intensive Farm Use***, within the Agricultural Land Reserve (ALR) only
- d) ***Resource Use***
- e) ***Single family dwelling***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 606.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw:

- a) ***Accessory buildings and structures***
- b) ***Accessory dwelling unit***
- c) ***Bed & breakfast***
- d) ***Electric vehicle charging, commercial***
- e) ***Home-based business***
- f) ***Kennel***
- g) ***Secondary Suite***

3. Specific Use Regulation

- a) ***Intensive farm uses*** are only permitted within the Agricultural Land Reserve (ALR).
- b) ***Electric vehicle charging, commercial*** is only permitted in conjunction with a ***campground***.

4. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than 50 hectares.

5. Density

Maximum one ***single family dwelling***, plus one ***secondary suite*** or ***accessory dwelling unit*** per ***parcel***.

6. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal Use Buildings</i>	<i>Accessory Buildings and structures</i>
<i>Front</i>	7.5	7.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	1.5	3.0
<i>Rear</i>	7.5	3.0
Abutting a <i>parcel</i> in the R1, R2, R3, R4, or RUR1 zone	25m (except for a <i>single family dwelling building</i>)	25m

7. *Parcel Coverage*

Maximum ***parcel coverage*** is 33% or 10,000m², whichever is less.

8. *Height*

- a) ***Buildings*** and ***structures*** must not exceed 12 metres in ***height***.

9. *Parking*

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

607. Rural Resource 2 Zone

RR2

The following provisions apply to lands in the Rural Resource 2 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Campground***
- b) ***Farm Use***
- c) ***Intensive Farm Use***
- d) ***Resource Use***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 607.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw:

- a) ***Accessory buildings and structures***
- b) ***Electric vehicle charging, commercial***

3. Specific Use Regulation

- a) ***Intensive farm uses*** are only permitted within the Agricultural Land Reserve (ALR).
- b) ***Electric vehicle charging, commercial*** is only permitted in conjunction with a ***campground***.

4. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than 100 hectares.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel Line</i>	<i>Principal Use Buildings</i>	<i>Accessory Buildings and structures</i>
<i>Front</i>	7.5	7.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	1.5	3.0
<i>Rear</i>	7.5	3.0
<i>Abutting a parcel in the R1, R2, R3, R4, or RUR1 zone</i>	25m	25m

6. *Parcel Coverage*

Maximum ***parcel coverage*** is 33% or 10,000m², whichever is less..

7. Height

- a) ***Buildings*** and ***structures*** must not exceed 12 metres in ***height***.

8. Parking

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

DRAFT

608. Core Commercial 1 Zone

C1

The following provisions apply to lands in the Core Commercial 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Eating and drinking establishment***
- b) ***Entertainment facilities***
- c) ***Offices***
- d) ***Personal services***
- e) ***Professional services***
- f) ***Retail sales***
- g) ***Recreation facilities***
- h) ***Tourist accommodations***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 608.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw:

- a) ***Accessory Buildings and structures***
- b) ***Dwelling unit***
- c) ***Electric vehicle charging, commercial***

3. Permitted *Site-Specific Uses*

In addition to the uses listed in subsection 615.1 and 615.2, the following *principal uses* listed below are permitted on the lands described in the corresponding row, in accordance with the use regulation listed:

	<i>Principal Use</i>	<i>PID</i>	<i>Legal Description</i>	<i>Site-Specific Use Regulation</i>
a)	Manufacturing of steel cabinetry	018-894-194	Lot 1, District Lot 317, Similkameen Division of Yale Land District, Plan KAP52938	Use shall be conducted and contained entirely within a wholly enclosed <i>building</i> .
b)	Storage of goods	018-894-194	Lot 1, District Lot 317, Similkameen Division of Yale Land District, Plan KAP52938	<i>Outdoor storage</i> is not permitted.

c)	Seniors supportive housing	003-547-906	Lot 2, District Lot 317, Similkameen Division of Yale Land District, Plan 8677	
d)	Single family dwelling, which may contain a secondary suite	012-510-131	Lot 1, Block 3, District Lot 317, Similkameen Division of Yale Land District, Plan 50	Maximum one single family dwelling and one secondary suite per parcel.

4. Specific Use Regulations

- a) A **dwelling unit** must be contained within the same **building** as a principal commercial use, and either located above the first storey or in the rear of **building**.

5. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 2,000 m² when connected to a **community water system**;
- b) 1 hectare when not connected to a **community water system**.

6. Density

Maximum one **dwelling unit** per **parcel**.

7. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Principal Use Buildings	Accessory Buildings and structures
Front	2.0	7.5
Exterior side	2.0	4.5
Interior side	1.5	3.0
Interior side adjacent to parcel in R1 zone	3.0	3.0
Rear	4.5	3.0

8. Height

Maximum 12 m for **buildings** and **structures**.

9. Parcel Coverage

Maximum **parcel coverage** is 60%.

10. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

DRAFT

609. Highway Commercial 2 Zone

C2

The following provisions apply to lands in the Highway Commercial 2 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Eating and drinking establishment***
- b) ***Electric vehicle charging, commercial***
- c) ***Offices***
- d) ***Personal services***
- e) ***Professional services***
- f) ***Retail sales***
- g) ***Tourist accommodations***
- h) ***Vehicle services, commercial***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 609.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw:

- a) ***Accessory Buildings and structures***
- b) ***Dwelling unit***
- c) ***Secondary suite***

3. Permitted *Site-Specific Uses*

In addition to the uses listed in subsection 615.1 and 615.2, the following *principal uses* listed below are permitted on the lands described in the corresponding row, in accordance with the use regulation listed:

	<i>Principal Use</i>	<i>PID</i>	<i>Legal Description</i>	<i>Site-Specific Use Regulation</i>
a)	<i>Mini-storage warehouse</i>	008-112-070 and 001-954-610	Lot B, District Lot 498 Similkameen Division Yale District Plan 19274; and Lot 1, District Lot 498, Similkameen Division Yale District Plan 23586	N/A

4. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 2,000m² when connected to a **community water system**;
- b) 1 hectare when not connected to a **community water system**.

5. Density

Maximum one **dwelling unit** and one **secondary suite** per **parcel**.

6. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Principal Use Buildings	Accessory Buildings and structures
Front	4.5	7.5
Exterior side	4.5	4.5
Interior side	1.5	3.0
Interior side adjacent to parcel in R1 zone	3.0	3.0
Rear	7.5	3.0

7. Height

Maximum 10 m for **buildings** and **structures**.

8. Parcel Coverage

Maximum **parcel coverage** is 60%.

9. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

610. Neighbourhood Commercial 3 Zone

C3

The following provisions apply to lands in the Neighbourhood Commercial 3 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Campground***
- b) ***Commercial greenhouse***
- c) ***Eating and drinking establishment***
- d) ***Professional services***
- e) ***Retail sales***
- f) ***Tourist accommodations***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 610.1 above.

- a) ***Accessory Buildings and structures***
- b) ***Dwelling unit***
- c) ***Electric vehicle charging, commercial***
- d) ***Secondary suite***

3. Specific Use Regulations

- a) Permitted uses must be provided in accordance with Part 4 of this Bylaw.

4. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 2,000m² when connected to a ***community water system***;
- b) 1 hectare when not connected to a ***community water system***.

6. Density

Maximum one ***dwelling unit*** and one ***secondary suite*** per *parcel*.

7. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal Use Buildings</i>	<i>Accessory Buildings and structures</i>
<i>Front</i>	7.5	7.5
<i>Exterior side</i>	4.5	4.5

<i>Interior side</i>	1.5	3.0
<i>Interior side adjacent to R1 zone</i>	3.0	3.0
<i>Rear</i>	7.5	3.0

8. Height

Maximum 10 m for ***buildings*** and ***structures***.

9. Parcel Coverage

Maximum ***parcel coverage*** is 33%.

10. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

611. Seasonal Resort Commercial 4 Zone

C4

The following provisions apply to lands in the Seasonal Resort Commercial 4 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Eating and drinking establishment***
- b) ***Seasonal resort***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 611.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw.:

- a) ***Accessory Buildings and structures***
- b) ***Dwelling unit***
- c) ***Electric vehicle charging, commercial***
- d) ***Secondary suite***
- e) ***Retail sales***

3. Permitted *Site-Specific Uses*

In addition to the uses listed in subsection 612.1 and 612.2, the following *principal uses* listed below are permitted on the lands described in the corresponding row, in accordance with the use regulation listed:

	<i>Principal Use</i>	<i>Legal Description</i>	<i>Site-Specific Use Regulation</i>
a)	Off-site <i>community sewer system</i>	Parcel B (DD 127246f and Plan B6035) of Lot 7 District Lot 750 Similkameen Division Yale District Plan 2164 except Plans H17067, KAP65744 and H738; and Lot A District Lot 750 Similkameen Division Yale District Plan KAP65744	No <i>community sewer system</i> may be located within 60m of either the northerly or easterly property boundary of Plan B6035, District Lot 750, Similkameen Division Yale District Plan

4. Specific Use Regulations

- a) Each tourist cabin, ***recreational vehicle*** or tent shall be located within a designated camp site.
- b) Each designated camp site shall be a minimum of 80 m² in area.

- c) Maximum **floor area** for **retail sales** is 100 m².
- d) All **recreational vehicles**, tents, cabins or other **tourist accommodation** buildings or structures are used for temporary accommodation only and excludes occupancy from October 16 to April 14 of any given year;
- e) between October 16 and April 14 of any given calendar year, the **recreational vehicles**, tents, cabins or other **tourist accommodation** buildings or structures are either removed from the property or secured in a manner to prevent entry;
- f) Each individual campsite is a minimum of 10m from **the natural boundary** of Christina Lake and 15 m from the **natural boundary** of any other watercourse.
- g) All **recreational vehicles**, tents, cabins or other tourist accommodation buildings or structures that are sited or intended to be sited for more than one calendar year shall be connected to a **community water system** and a sewerage system in accordance with Provincial regulations.

5. Parcel Area for New **Parcels** Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 2,000 m² when connected to a **community water system**;
- b) 1 hectare when not connected to a **community water system**.

6. Density

1. Maximum one **dwelling unit** and one **secondary suite** per **parcel**.
2. Maximum 80 camp sites for tourist cabins, **recreational vehicles** or tents per hectare or fraction thereof.
3. Notwithstanding the above, the **seasonal resort** listed below shall only include tourist cabins, up to the maximum number tourist cabins noted in the table below:

Resort Name	PID	Legal Description	Number of tourist cabins
Christina Lake Alpine Resort	004-372-905	Lot 2 Block 6 DL963 SDYD Plan 6348	3
Christina Lake Alpine Resort	010-150-161	Lot 1 Block 6 DL963 SDYD Plan 6348	0
Christina Lake Alpine Resort	010-150-013	Lot 24 Block 4 DL963 SDYD Plan 6348	58

4. Notwithstanding the above, the **seasonal resorts** listed below may not add additional recreational vehicle or tent sites. These parcels are limited to the number of camp sites existing at the time of bylaw adoption:

Resort Name	PID	Legal Description
Kingsley's Resort	018-571-514	Lot A, Plan KAP51316, DL970, SDYD
Silver Birch	025-988-727	Lot 2, Plan KAP75840, DL317
Skands	014-909-758	That Part of DL970 Outlined in Red on Plan DD10595, SDYD
Willow Beach	009-577-742	Lot B, Plan 10408, DL750, SDYD

7. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal Use Buildings</i>	<i>Accessory Buildings and structures</i>	<i>Recreational vehicles or tents</i>
<i>Front</i>	7.5	7.5	0.5
<i>Exterior side</i>	4.5	4.5	0.5
<i>Interior side</i>	1.5	3.0	0.5
<i>Interior side adjacent to parcel in R1 zone</i>	3.0	3.0	0.5
<i>Rear</i>	7.5	3.0	0.5

8. Height

- a) ***Principal buildings*** must not exceed 10 metres in ***height***.
- b) ***Accessory buildings*** and ***structures*** must not exceed 4.6 metres in ***height***.

9. Parcel Coverage

Maximum ***parcel coverage*** is 33%.

10. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

612. Marina Commercial 5 Zone

C5

The following provisions apply to lands in the Marina Commercial 5 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Marina***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 612.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw.:

- a) ***Accessory Buildings and structures***
- b) ***Dwelling unit***
- c) ***Eating and drinking establishment***
- d) ***Electric vehicle charging, commercial***
- e) ***Retail sales***
- f) ***Secondary suite***

3. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 2,000m² when connected to a ***community water system***;
- b) 1 hectare when not connected to a ***community water system***.

4. Density

Maximum one ***dwelling unit*** and one ***secondary suite*** per ***parcel***.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal Use Buildings</i>	<i>Accessory Buildings and structures</i>
<i>Front</i>	7.5	7.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	1.5	3.0
<i>Rear</i>	5.0	3.0

6. Height

Maximum 10 m for ***buildings*** and ***structures***.

7. Parcel Coverage

Maximum ***parcel coverage*** is 33%.

8. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

DRAFT

613. Campground Commercial 6 Zone

C6

The following provisions apply to lands in the Campground Commercial 6 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) **Campground**

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 613.1 above:

- a) **Accessory Buildings and structures**
- b) **Dwelling unit**
- c) **Electric vehicle charging, commercial**
- d) **Retail sales**
- e) **Secondary suite**

3. Specific Use Regulations

- a) Permitted uses must be provided in accordance with Part 4 of this Bylaw.
- b) Maximum **floor area** for **retail sales** is 100 m².
- c) **Retail sales** of gas, oil, and motorized watercrafts is prohibited.
- d) Maximum number of retail stores per **parcel** is one (1).
- e) Each designated camp site shall be a minimum of 125 m² in area.

4. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than 2 hectares.

5. Density

- a) Maximum one **dwelling unit** and one **secondary suite** per **parcel**.
- b) Maximum 50 camp sites per hectare.
- c) Maximum 2 cabins per hectare, to a maximum of 10 cabins per **parcel**.

6. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Principal Use Buildings	Accessory Buildings and structures
Front	7.5	7.5
Exterior side	4.5	4.5
Interior side	1.5	3.0

<i>Interior side adjacent to parcel in R1 zone</i>	3.0	3.0
<i>Rear</i>	7.5	3.0

7. Height

- a) ***Principal buildings*** must not exceed 10 metres in ***height***.
- b) ***Accessory buildings*** and ***structures*** must not exceed 5 metres in ***height***.

8. Parcel Coverage

Maximum ***parcel coverage*** is 10%.

9. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

614. Industrial 1 Zone

IN1

The following provisions apply to lands in the Industrial 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Building supply retail sales***
- b) ***Cannabis production***
- c) ***Commercial greenhouse***
- d) ***Commercial storage, indoor***
- e) Freight terminal
- f) Laboratory and research facility
- g) ***Light manufacturing***
- h) ***Vehicle services, industrial***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 614.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw:

- a) ***Accessory buildings and structures***
- b) ***Dwelling Unit***
- c) ***Electric vehicle charging, commercial***
- d) ***Retail sales***
- e) ***Secondary suite***

3. Permitted *Site-Specific Uses*

In addition to the uses listed in subsection 614.1 and 614.2, the following *principal uses* listed below are permitted on the lands described in the corresponding row, in accordance with the use regulation listed:

	<i>Principal Use</i>	<i>PID</i>	<i>Legal Description</i>	<i>Site-Specific Use Regulation</i>
a)	Crushing, screening and storage of aggregates	014-853-671	District Lot 2828s, Similkameen Division of Yale Land District	N/A

4. Specific Use Regulations

- a) Permitted uses shall be located within a wholly enclosed **building**, except ancillary activities may be permitted elsewhere where noise, glare and odour emissions are contained within the **parcel**.

5. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than 1 hectare.

6. Density

Maximum one **dwelling unit** and one **secondary suite** per **parcel**.

7. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Buildings and structures</i>
<i>Front</i>	7.5
<i>Exterior side</i>	7.5
<i>Interior side</i>	7.5
<i>Rear</i>	7.5
<i>Freight terminals abutting a railway right of way</i>	0.0

8. Height

Buildings and **structures** must not exceed 12 metres in **height**.

9. Parcel Coverage

Maximum **parcel coverage** is 33%.

10. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

615. Industrial 2 Zone

IN2

The following provisions apply to lands in the Industrial 2 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Building supply retail sales***
- b) ***Commercial storage, indoor***
- c) ***Data warehouse***
- d) Laboratory and research facility
- e) ***Light manufacturing***
- f) ***Vehicle services, industrial***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 615.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw.:

- a) ***Accessory buildings and structures***
- b) ***Dwelling unit***
- c) ***Electric vehicle charging, commercial***
- d) Storage of fuel
- e) ***Secondary suite***
- f) ***Retail sales***

3. Specific Use Regulations

- a) Permitted uses shall be located within a wholly enclosed ***building***, except ancillary activities may be permitted elsewhere when noise, glare and odour emissions are contained within the ***parcel***.
- b) Notwithstanding the above, a ***data warehouse*** may be within a partially enclosed building where 70% or more of each side of the building is enclosed with solid siding, and the remainder is enclosed with cooling panels that have acoustic properties
- c) Industrial or commercial waste shall not be discharged on any lands.

4. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than 1 hectare.

5. Density

Maximum one ***dwelling unit*** and one ***secondary suite*** per ***parcel***.

6. *Parcel Coverage*

Maximum ***parcel coverage*** is 33%.

7. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Buildings and structures</i>
<i>Front</i>	7.5
<i>Exterior side</i>	7.5
<i>Interior side</i>	7.5
<i>Rear</i>	7.5
<i>Abutting a railway right of way</i>	0.0

8. Height

Buildings and structures must not exceed 12 metres in ***height***.

9. Parking and Loading

- (a) Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

JURISDICTIONAL NOTE

LOCAL GOVERNMENT ZONING APPLIES TO THE SURFACE OF THE WATER.

THE BED OF MOST WATER BODIES ARE OWNED BY FEDERAL OR PROVINCIAL GOVERNMENT AND APPROVAL FOR USE IS REQUIRED FOR USE ON OR ABOVE THIS LAND, INCLUDING SURFACE OF WATER.

PROVINCIAL APPROVAL IS REQUIRED FOR ANY CONSTRUCTION WORKS BELOW THE NATURAL BOUNDARY OF A WATERCOURSE, INCLUDING CHRISTINA LAKE. WORKS MUST BE IN ACCORDANCE WITH THE WATER SUSTAINABILITY ACT FOR ACTIVITIES COMMONLY REFERRED TO "CHANGES IN AND ABOUT A STREAM".

THE LAND ACT REQUIRES PROVINCIAL APPROVAL FOR MOORAGE FACILITIES, UNLESS AUTHORIZATION IS GRANTED THROUGH GENERAL PERMISSIONS.

The following provisions apply to lands in the Water Use 1 Zone.

1. Permitted *Principal Uses*

Only the following ***principal uses*** are permitted:

- a) Water based recreational uses
- b) Moorage facilities accessory to an upland residence

2. Specific Use Regulation

Buildings and ***structures*** are limited to moorage facilities accessory to an upland residence.

617. Community Parks 1 Zone

P1

The following provisions apply to lands in the Community Parks 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) Boat launches
- b) **Community parks**
- c) Golf courses
- d) Playgrounds
- e) **Recreational facilities**

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 617.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw:

- a) **Accessory buildings and structures**
- b) **Campgrounds**
- c) **Eating and drinking establishments**
- d) **Electric vehicle charging, commercial**
- e) **Tourist accommodations**

3. Specific Use Regulations

- a) **Tourist accommodations** shall be in the form of self-contained tourist cabins.

4. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Buildings and structures
Front	7.5
Exterior side	7.5
Interior side	3.0
Rear	7.5

5. Height

Buildings and structures must not exceed 7.5 metres in **height**.

6. Parking and Loading

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

618. Neighbourhood Parks 2 Zone

P2

The following provisions apply to lands in the Neighbourhood Parks 2 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) Playgrounds

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 618.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw:

- a) *Accessory buildings and structures*
- b) *Electric vehicle charging, commercial*

3. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Buildings and structures</i>
<i>Front</i>	7.5 m
<i>Exterior side</i>	7.5 m
<i>Interior side</i>	3.0 m
<i>Rear</i>	7.5 m

4. Height

Buildings must not exceed 7.5 metres in *height*.

5. Parking and Loading

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

619. Rail/Trail Corridor 1 Zone

RC1

The following provisions apply to lands in the Rail/Trail Corridor Zone.

1. Permitted Uses

The following uses only shall be permitted in the Rail Corridor Zone:

- a) Railways

2. Permitted Secondary Uses

Only the following **secondary uses** are permitted and only in conjunction with a use listed in subsection 619.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw:

- a) **Accessory buildings and structures**
- b) **Electric vehicle charging, commercial**

3. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Buildings and structures
Front	4.5
Exterior side	4.5
Interior side	3.0
Rear	4.5

4. Parcel Area for New **Parcels** Created by Subdivision

Parcels to be created by subdivision must not be less than 100 hectares.

5. Height

Maximum 4.5 metres for **buildings** and **structures**.

6. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

620. Institutional and Community Facilities 1 Zone

ICF1

The following provisions apply to lands in the Institutional and Community Facilities 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) **Cemeteries**
- b) **Community care facilities**
- c) **Institutional uses, major**
- d) **Child care centre, major**

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 620.1 above. Permitted uses must be provided in accordance with Part 4 of this Bylaw.:

- a) **Accessory buildings and structures**
- b) **Electric vehicle charging, commercial**

3. Specific Use Regulations

- a) Cemeteries use shall exclude crematoriums

4. Parcel Area for New *Parcels* Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 2000 m² if connected to **community water system**;
- b) 1 hectare if not connected to **community water system**.

5. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Buildings and structures
Front	7.5
Exterior side	4.5
Interior side	1.5
Rear	7.5

6. Height

Maximum 4.6 metres for **buildings** and **structures**.

7. Parcel Coverage

Maximum **parcel coverage** is 33%.

8. Parking and loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

DRAFT