



Regional District of
Kootenay Boundary

Meeting Agenda

Rural Bridesville Land Use Plan Steering Committee

Bridesville Hall

5724 Bridesville Townsite Road

6:00 pm, Tuesday, October 29, 2019

1. Previous Meeting Notes and Updated Timeline
2. Continue Review of Draft No. 2, from page 20
3. Map review
4. Adjournment



Regional District of
Kootenay Boundary

Meeting Minutes

RDKB Planning and Development Department

Rural Bridesville Land Use Plan Review

Bridesville Hall

5724 Bridesville Townsite Road

Monday September 23rd, 2019

Present

Vicki Gee, Director Electoral Area 'E' West Boundary

RDKB Staff: Liz Moore, Senior Planner

Steering Committee Members: Jamie Haynes, Lynne Storm, Liz White, Grant Harfman

Regrets: Patricia Campbell

The meeting began at 6:08 pm.

1.0 Introduction

2.0 Progress to Date & Next Steps

2.1 Draft #2 Review

Review of Draft #2 up to page 19.

Comments and changes to the draft were incorporated into Draft #3.

Description of rural Bridesville area and history sections to be updated in Draft #3.

Committee wished that Food Security be included as a guiding principle.

Committee would like recognition for scientific research that is undertaken by agricultural organizations with regards to greenhouse gases and habitat protection.

2.2 Next Steps

Update proposed timeline to include more dates for revision of the draft plan and with tentative workshop dates.

Have workshops over a couple of days, preferably Saturdays, in winter months.

Draft Online forum – Join the Conversation page – to be ready for workshop, to share plan with people living in plan area.

Get maps ready for review.

3.0 Adjournment

The meeting was adjourned at approximately 8:06 pm.

DRAFT

Meeting Location: Bridesville Hall

Meeting Time: 6:00PM

Meeting Date:

- 2019-2020: 3rd Monday of the month / last Monday of the month

Mtg. #	Month	Comment
Going Forward (Proposed):		
5	September 23	Draft # 2 review - Identify remaining items ○ Maps ○ Others
6	October 29	Revise Draft Plan and Maps
7	November 25	Revise Draft Plan and Maps
--	December	No meeting scheduled
2020		
8	January 20	Revise Draft Plan and Maps and Plan Workshop
--	February 22	Public Workshop
--	March 21	Public Workshop
--	April	Referrals
--	May	Public Hearing

12 Solid Waste Management

The Regional District operates a regional solid waste management service which includes waste collection services for rural areas. The Plan Area is currently serviced by a solid waste transfer station at Mt. Baldy and Rock Creek. These stations accept commercial and residential Municipal Solid Waste (MSW). Both locations accept commercial recycling and host Recycle BC Depots for residential recycling.

The RDKB is a leader amongst BC interior local governments when it comes to providing curbside waste collection services. A weekly curbside collection program of organics (green bin) and residuals (garbage) is provided to the residents of the Plan Area. In 2017 over a 6 month period in the area from Carmi, to Rock Creek, to Sidley Mountain, the green bin program diverted 12.1 tonnes of organic matter.

Waste from the curbside program is delivered to the Grand Forks Landfill and organics processing area. Residential materials which are not included within the curbside program are accepted at the West Boundary Landfill located in Greenwood.

The following objectives and policies with respect to solid waste management include excerpts from the Solid Waste Management Plan (SWMP) for the Regional District, which was last updated in 2005. The SWMP guides the development of garbage, recycling and composting programs. The SWMP is scheduled for review in the near future.

Objectives

The objectives of the **Board** with respect to Solid Waste Management are as follows:

- To encourage area residents to use a solid waste transfer facility provided by the Regional District and not illegally dump refuse.
- To encourage area residents to reduce, reuse and recycle in order to minimize and divert the amount of waste that will require disposal at the landfill.
- To continuously improve the efficiency and cost effectiveness of the integrated regional solid waste system.

Policies

The policies of the **Board** with respect to Solid Waste Management are as follows:

- # Ban all materials that are identified in the Recycling Regulation of the *Environmental Management Act* from disposal.
- # Support organics diversion programs (including education, home composting and large scale composting) aimed at reducing greenhouse gases and extending the life expectancy of the RDKB Landfills.
- # Continue to operate weekly curbside collection of organics and residuals.
- # Continue to implement a tipping fee structure that encourages people to make informed and responsible choices regarding the five R's of waste management (reduce, reuse, recycle, recover and residuals management).
- # Strive to minimize the number of trips required by vehicles for transportation of garbage, recycling, and organics in order to reduce greenhouse gas emissions.
- # Support and enhance programs that clean up unauthorized dumpsites.

- # Continue to cooperate with Recycle BC and other stewardship programs to ensure improved access to recycling facilities for appliances, paint, batteries and other returnable items.
- # Promote additional recycling services, including mobile or monthly services for recycling, through the creation of an inventory for recycling services in the Plan Area.
- # Promote agricultural and rural recycling programs for items such as agricultural plastics, air filters, and used oil containers and filters.
- # Encourage programs that provide garbage tags for lower income residents.

13 Property Maintenance and Safety

The qualities of the Plan Area feature scenic rolling hills, steep valleys, forests, mountains agricultural and rural landscapes. It is attributable to the pride with which most residents maintain their properties.

Poorly maintained properties have negative impacts on a number of people in the community. Impacts include personal and public safety, as well as a loss of enjoyment of property.

Many traditional rural land uses including farming involve the storage of materials and other elements of land-use, which may offend both new and long-time residents who perceive those uses as untidy. While seeking to encourage a high level of property maintenance in the Plan Area, some accommodation must be made for those elements of land-use, which are traditionally present in rural areas.

Objectives

The objectives of the **Board** with respect to Property Maintenance and Safety are as follows:

- To encourage residents to maintain their parcels in a healthy and safe manner.
- To maintain a safe, efficient and healthy rural environment.
- To encourage residents be prepared for wildfire and other events.
- Recognize that the **Plan Area** is designated as a Livestock District within the Livestock Act.

Policies

The policies of the **Board** with respect to Property Maintenance and Safety are as follows:

- # Consider adopting a noxious weed bylaw.
- # Consider a future fire service for the Plan Area.
- # Encourage compliance of existing dwellings with regulations that contribute to safety standards
- # Educate landowners on range rights and fencing requirements.
- # Encourage property owners to ensure their street address is highly visible from the road both during the day and at night.
- # Encourage property owners to provide safe access for emergency responders.

- # Encourage residents to consider risk of wildfire and to take initiative to follow fire-smart guidelines when maintaining or developing their property. CONTACT INFO
- # Encourage rural residents develop onsite water storage for fire protection and irrigation.
- # Encourage residents to take advantage of incentive programs such as woodstove or inefficient appliance replacement programs with more efficient cleaner models.
- # Work with other agencies, including the Province and fire services, to address unsafe properties.
- # Encourage residents to have an emergency response plan, including having a safety kit prepared and family contact plan.

Commented [EM13]: What contact info is needed here?

Commented [EM14]: Could be moved to natural hazards section.

14 Affordable, Rental and Special Needs Housing

There are a number of tools available to local governments to facilitate affordable, rental and special needs housing; however, many are best suited to municipalities where high density housing is more feasible and desirable due to the availability of services such as water, and sewer, and where residents do not have to be as reliant on automobile transportation.

This Plan includes policies regarding housing affordability including increasing the supply of rental and affordable housing suited to rural areas including: considering permitting secondary suites in most locations where single family dwellings are allowed as a principal use; provisions regarding manufactured home parks; considering permitting dwelling units as a secondary use in commercial and industrial zones; and, permitting home-based businesses.

Objectives

The objectives of the **Board** with respect to Affordable, Rental and Special Needs Housing are as follows:

- To accommodate affordable, rental and special needs housing in a manner that is consistent with the rural nature of the Plan Area. Policies

Policies

The policies of the **Board** with respect to Affordable, Rental and Special Needs Housing are as follows:

- # Consider permitting secondary suites in zones which allow single family residences as a principal use on parcels greater than one hectare in area. The purpose of restricting secondary suites to parcels greater than one hectare in area is to limit additional negative impacts upon groundwater quality;
- # Consider affordable, rental and special needs housing proposals in appropriate locations within the Plan Area;
- # Consider allowing dwelling units in conjunction with a principal commercial or industrial use;

Commented [EM15]: There was a note that says: Recognize this is a rural area – these uses are better in urban areas
-Case-by-case basis for considering applications
Was this meant to be added as a policy?

15 Utility Corridors

It is recognized that corridors and rights of way are a necessary land use; however, it is in the public interest to avoid the creation of new and potentially unnecessary corridors and rights of way to the exclusion of other land uses. In the event that a new corridor is absolutely necessary, the Regional District encourages the agency responsible for approval to involve the residents of the Plan Area in a public consultation exercise to obtain their input. It is expected that the approval agency will seriously consider the results obtained from the public consultation in their project plan.

The dispersed rural settlement pattern in portions of the Plan Area means the type of services and utilities commonly found in an urban area cannot be provided in an economically efficient fashion. Existing services should be supported and efforts to minimize costs for delivering essential services and utilities should be made.

Objectives

The objectives of the **Board** with respect to Utility Corridors are as follows:

- To encourage the use of existing corridors and rights of way for utility improvements and upgrades.
- To encourage public consultation in the approval process for new or expanded corridors or rights of way.
- To ensure that the services and utilities, which are appropriate for the rural character of the Plan Area, are provided in an efficient, economic, and environmentally sound manner.

Policies

The policies of the **Board** with respect to Utility Corridors are as follows:

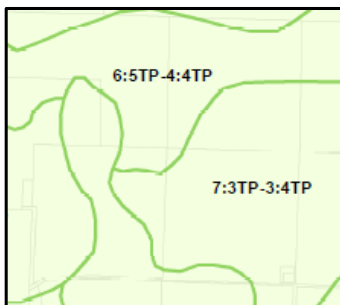
- # Encourage utility providers to plan their long term facilities having regard for this Plan through referral to the Regional District
- # Encourage the consolidation of linear utilities into multi-purpose corridors which, preferably, follow existing roads or other rights of way.
- # Consider the impacts of developing and maintaining utility corridors on the natural environment, visual values, settlement patterns, and the long term utility needs.
- # Discourage the placement of new utility corridors, road rights of way, and other corridor uses that could negatively impact environmentally sensitive areas and connectivity between those areas.

Land Use Designations

Agricultural Resource

The Plan Area has a total of 10,792 hectares in the Agricultural Land Reserve (ALR), which makes up 52% of the total land area. The ALR is a provincial zone in which agriculture is recognized as the priority due to its potential for agricultural production. The Ministry of Agriculture indicated there are 145 active parcels which are being farmed in the Plan Area.

The Province established the ALR boundaries based on the Canada Land Inventory. The inventory divides land in BC into seven classes. Class 1 has very few limitations to agriculture, and Class 7 has poor capability for agriculture, most often due to steep slopes and unfavourable climate.



Agricultural land capability is presented as both unimproved and improved (in brackets). Improvements to agricultural capability include, but are not limited to: irrigation, stone removal where possible, and drainage of low lying areas. The majority of the land in the Plan Area ranges from Class 4 to 6 when unimproved.

The majority of the land in the Agricultural Land Reserve is designated 'Agricultural Resource'. There are however, lands in the ALR, which are designated for other uses. Some of these parcels and their associated uses predate the ALR, such as the Bridesville Cemetery and the School

District property where the old school house was located. Other areas have been approved for non-farm use by the Agricultural Land Commission (ALC).

Industrial	• Boundary Collision Shop and Parking area • Miller Springs Water Bottling Facility • Sidley Mountain Auto
Conservation	• Lehman Springs, Nature Conservancy of Canada property off Wagon Wheel Road
Institutional and Community Facilities	• Bridesville Cemetery • School District #51 Property off Rock Creek Bridesville Road

Objectives

The objectives of the Board with respect to the Agricultural Resource land use designation are as follows:

- To meet the current and future needs for the agricultural land in the **Plan Area**.
- To promote the economic viability of the agricultural sector.
- To recognize that some land uses in the ALR are atypical of the ALR land because they were in place prior to 1972, or received special permission or have been permitted by a non-farm use approval.

- To establish minimum parcel size requirements that provide for a wide range of farming opportunities and discourage expectations for future subdivision.
- To strive to minimize the opportunity for conflict between agricultural and other land uses in the *Plan Area*.

Policies

The policies of the Board with respect to Agricultural Resource are as follows:

- # Designate all lands that are within the ALR as 'Agricultural Resource' on **Map 1** Land Use Designations and zone all lands that are within the ALR as 'Agricultural Resource' on **Map 2** Zoning.
- # Allow exceptions to the above policy where: land uses pre-date the ALR; the ALC has supported non-farm uses on a parcel of land; or lands which are being used for conservation.
- # Consider amending this *Plan* to reflect changes in the ALR boundary.
- # Support ALC land use policies within this plan to create better understanding and consistency between local and Provincial regulations.
- # In addition to otherwise permitted in all land use designations, permitted uses in the Agricultural Resource designation may include but not necessarily limited to: residential use, *agriculture*, home based business and accessory buildings and structures.
- # While ALR exclusion applications will generally not be supported, consider supporting applications for non-farm use and exclusion from the ALR if the proposed land use supports and is beneficial to agriculture and no other suitable land is available.
- # The minimum parcel size requirements for new parcels to be created by subdivision is 50 hectares in the Agricultural Resource zone.
- # Density permitted within the Agricultural Resource may include:
 - (a) *Single family dwelling*;
 - (b) A *secondary suite* contained within the single family dwelling;
In addition to either (c) or (d)
- # Maximize useable area of farm land by implementing a *farm residential footprint* of: 2000m² for a single family dwelling.
- # Permit a maximum of 10 *sleeping units* for agritourism on a short term and seasonal basis on parcels within the Agricultural Resource designation in compliance with Section 3(1)(a)(i-iii) of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*. The *agritourism* accommodation is subject to the following criteria;
 - (a) The subject property have 'farm' classification under the *Assessment Act*, if this classification changes, the use is no longer permitted;
 - (b) That the *agritourism* accommodation use must be ancillary to the primary use of agriculture;
 - (c) That the total developed area for buildings, landscaping and access for the *agritourism* accommodation is less than 5% of the subject property;

- (d) That the **agritourism** accommodation will not change the character of the agricultural principal use, and have no negative impact on agricultural activity on the subject property or adjacent properties.
- # Notwithstanding the above consideration may be given to permitting additional **dwelling for farm labour** in Agricultural Resource, upon application for a zoning bylaw amendment. Such applications will be evaluated on criteria that includes, but is not necessarily limited to the following:
 - (a) The productive capacity and size of the subject property;
 - (b) The operational needs of the farm;
 - (c) Accessibility to farm help residing elsewhere in the area;
 - (d) That the subject property have 'farm' classification under the *Assessment Act*;
 - (e) Consult with the Ministry of Agriculture and the Agricultural Land Commission;
 - (f) The provision of a guarantee (e.g. covenant undertaking with security) by the owner that the structure(s) will be removed should it no longer be required for the primary use of the property for agricultural purposes, may also be considered.
- # Applications to the ALC for subdivisions that do not meet the minimum parcel size requirements in the Agricultural Resource zone will not be forwarded to the ALC with a recommendation of support.
- #
- # Review boundary ag plan and include additional policies which were noted to be included within planning documents

Rural Resource

The Rural Resource land use designation applies to non-ALR, non-serviced lands that may also have topographical constraints to development. A large portion of the 'Rural Resource' designation is un-surveyed Crown land, see Map 1 Land Use Designation.

The Rural Resource designation is split into two zones: Rural Resource 1 (RUR1), which is privately owned, mostly in the southern portion of the plan area bordering the Agricultural Resource designation and Rural Resource 2 (RUR2), which is largely un-surveyed Crown land in the northern portion of the plan area which is further from developed areas. Some of the larger holdings are used for forestry and ranching activities.

Objectives

The objectives of the **Board** with respect to the 'Rural Resource' land use designation is as follows:

- To retain the low density and rural character of the Rural Resource area by limiting the intrusion of higher density residential development.
- To encourage the sustainable use of natural resources, ensuring long term community stability and prosperity.

- To reinforce existing and potential primary resource utilization opportunities by discouraging the intrusion of incompatible land use and development activities into the Rural Resource areas.

Policies

The policies of the Board with respect to 'Rural Resource' are as follows:

- # In addition to uses otherwise permitted in all designations, permitted uses in the 'Rural Resource' land use designation may include but not necessarily be limited to one ***single family dwelling***; one ***secondary suite***; ***agriculture***; ***resource use***, and accessory buildings and structures.
- # The minimum parcel area required for new parcels created by subdivision in the Rural Resource 1 zone is 10 hectares and the 'Rural Resource 2' zone is 30 hectares in order to preserve the integrity of lands for resource management.
- # Settlement shall be discouraged within the Rural Resource 2 land use zone.
- # Encourage operators conducting forestry and resource extraction activities within the Rural Resource designations to conduct activities in a manner that minimizes impact on surface water and water quality.
- # Develop a referral protocol for forestry and resource extraction related activities with the objective of facilitating ongoing communication with the Regional District.
- # Encourage farm and range practices which prevent livestock intrusion into watercourses.
- # Encourage the Crown to retain in perpetuity the lands in the Rural Resource 2 zone.
- # **Support sustainable forestry practices.**

Residential

The Residential land use designation applies to the following areas: Bridesville townsite and the Timberwolf area. Most of the 'Residential' lands in the Bridesville townsite are connected to a ***community water system*** which is operated by the Bridesville Water Works District. None of the 'Residential' lands are within the ALR.

At the time of adoption of this Plan, there were 40 parcels in the Bridesville townsite and 39 in the Timberwolf area, for a total of approximately 79 parcels. At the time of the adoption of this plan the majority of the Bridesville parcels were developed, whereas only 5 of the parcels in the Timberwolf area were developed.

Objectives

The objectives of the *Board* with respect to the 'Residential' land use designation are as follows:

- That residential areas are developed in a safe and orderly manner.
- To encourage the safe and quiet use and enjoyment of Residential properties.
- To ensure that areas designated for Residential development are capable of supporting the proposed land uses without unduly impacting upon environmental quality or the use and enjoyment of adjacent lands.

Policies

The policies of the *Board* with respect to the Commercial land use designation are as follows:

- # In addition to uses otherwise permitted in all designations, permitted uses in the Residential designations may include but not necessarily be limited to: single family dwelling, secondary suite, home-based business, certain agricultural uses and accessory buildings and structures.
- # The density permitted in the Residential designation is: one single family dwelling and one secondary suite on parcels greater than 8000m² in area.
- # Notwithstanding Policy # above, two parcels (PID 023-724-293 and PID 010-564-659) within the Bridesville townsite had two single family dwellings on the parcel at the time of the adoption of the Bridesville Townsite Land Use Plan Bylaw No. 1485, 2012. As this Plan encompassed this area, these existing densities shall be permitted to be maintained.
- # The minimum parcel area required for new parcels created by subdivision in the Residential land use designation is 2000m² for parcels connected to a community water system and 1 hectare for parcels not connected to a community water system.
- # Consideration will be given to designating additional lands as Residential provided they are not in the ALR, are contiguous with the Residential designation, and that there is a demonstrated need for additional Residential lands.

Commercial

There was one parcel in the commercial land use designation at the time of adoption of this Plan. Those lands covered approximately 14 hectares (see Map 1). This property is unique in that it is owned by the Crown, however there have been several forms of tenure over the property by way of leases or licenses since 1978. These tenures are for the purpose of commercial camping.

The predominance of ALR and the rural nature of the area has limited the expansion of commercial land use.

Objectives

The objectives of the *Board* with respect to the Commercial land use designation are as follows:

- To encourage most forms of major commercial development to be directed to urban centres, where community services are available.
- To recognize that some minor commercial uses may be suited to the *Plan Area*.
- To support the commercial use of those lands designated as such.

Policies

The policies of the *Board* with respect to the Commercial land use designation are as follows:

- # In addition to uses permitted in all designations, permitted uses in the Commercial land use designation may include but not necessarily be limited to sale of agricultural products and farm machinery; convenience stores; restaurants; souvenir shops, antique shops; commercial campgrounds; an accessory dwelling unit; and accessory buildings and structures.
- # The minimum parcel area required for new parcels created by subdivision in the Commercial land use designation is 2000m² for parcels connected to a *community*

water system and 1 hectare for parcels not connected to a ***community water system***.

- # To encourage that commercial campgrounds be integrated into the natural environment by encouraging the retention of natural vegetation and encouraging connectivity with adjacent linear trail systems where present.
- # Proposals to create commercial lands within the Bridesville Townsite may be permitted by way of a bylaw amendment, upon application to the ***Regional District***. Considerations would include, but would not be limited to:
 - a) The proposed commercial land use would result in a reduction of vehicle trips by residents to other service centres;
 - b) The potential impacts of the proposed commercial land use on the owners and occupiers of adjacent parcels;
 - c) The potential impacts of the proposed commercial land use upon the natural environment;
 - d) Such other matters the Regional District may consider to be relevant.
- # Proposals to create additional commercial lands or to expand existing commercial lands outside of the Bridesville townsite may be permitted by way of a bylaw amendment, upon application to the ***Regional District***. Considerations would include, but would not be limited to:
 - a) The proposed commercial land use must either be designed to mainly service the needs of the rural population, or be dependent upon a local rural resource (an example of the former would be a farm equipment and supplies sales and service outlet; an example of the latter would be a quarry retailing decorative rock products and related items);
 - b) The approval of the Agricultural Land Commission if the land is in the Agricultural Land Reserve;
 - c) The potential impacts of the proposed commercial land use on the owners and occupiers of adjacent parcels of land will be reviewed and the proposal may be rejected if the impacts cannot be adequately mitigated or eliminated; and
 - d) Potential impact of the proposed commercial land use upon the natural environment and water resources;
 - e) Such other matters as the Regional District may consider to be relevant.
- # Temporary commercial land use permits may be issued throughout the ***Plan Area*** pursuant to Section 493 of the *Local Government Act*. Such permits may be subject to site-specific operational conditions to ensure that the temporary land use is compatible with the surrounding area and may include conditions requiring undertaking or provision of financial security.

Industrial

The predominance of ALR has limited the expansion of industrial activity in the Plan Area even in the historical absence of zoning from local government. The total area of the Industrial designated land within the Plan Area is approximately 5.2 hectares (Map 1).

Within the townsite there are 3 parcels which are designated for Industrial, and 3 more parcels outside of the townsite within the Plan Area for Industrial use. These three areas outside of the

townsite are within the ALR. Two of these parcels have non-farm use approval to conduct industrial activities on a portion of the parcel.

It is generally better to concentrate industrial land uses in contiguous industrial zones or industrial parks as opposed to having such uses dispersed throughout an area. This is because industrial land uses tend to have external effects, which can impact negatively upon the use and enjoyment of other lands, especially residential uses in the Plan Area.

Objectives

The objectives of the *Board* with respect to the Industrial land use designation are as follows:

- To avoid future land use conflicts by identifying suitable locations for industrial land uses.
- To require screening of industrial activities from residential areas to minimize land use conflict.

Policies

The policies of the *Board* with respect to the Industrial land use designation are as follows:

- # In addition to uses permitted in all designations, permitted uses in the Industrial land use designation may include but not necessarily be limited to machine shop, recycling depot; recycling facility; autobody repair shop; welding shop, and accessory dwelling units.
- # The minimum parcel area required for new parcels created by subdivision in the Industrial land use designation is 4000m² for parcels connected to a ***community water system*** and 1 hectare for parcels not connected to a ***community water system***.
- # Industrial land uses must be reasonably screened where an industrial parcel is adjacent to a residential ***parcel*** or a ***highway***.
- # Notwithstanding the above policy regarding split zoned ***parcels***, screening between industrial and residential zones is not required.
- # Temporary industrial land use permits may be issued throughout the Plan Area pursuant to Section 493 of the *Local Government Act*. Such permits may be subject to site-specific operation conditions to ensure that the temporary land use is compatible with the surrounding area and may include conditions requiring an undertaking or provision of financial security.
- # Proposals to create additional industrial lands or to expand existing industrial lands may be permitted by way of a bylaw amendment, upon applications to the Regional District. Considerations would include, but not be limited to:
 - a) Approval of the Agricultural Land Commission if the land is in the Agricultural Land Reserve;
 - b) Potential impacts of the proposed industrial land use on the owners and occupiers of adjacent parcels of land;
 - c) Potential impact of the proposed industrial land use upon the natural environment, and water resources; and
 - d) Such other matters as the Regional District may consider to be relevant.

Drinking Water Resource

The protection of drinking water sources was identified as a priority of the residents of the Plan Area. With that objective in mind, the Drinking Water Resource designation applies to the Bridesville Community Watershed. The watershed spans 5 parcels, which is a combination of Crown and private lands. Portions of the 'Drinking Water Resource' designation are within the ALR.

This watershed provides water to the residential properties in the Bridesville townsite. While the community no longer uses surface water as a source of drinking water, the Province still recognizes the Bridesville Community Watershed. Since there is likely a hydrological connection between the well water and the surface water, degradation would be detrimental to the Bridesville community. The Plan strives to protect the quality of drinking water at its source, thereby avoiding water treatment costs associated with additional infrastructure to remove contaminants.

Objectives

The objectives of the **Board** with respect to the 'Drinking Water Resource' land use designation is as follows:

- To recognize the importance of the long-term sustainability of community water sources to the residents of the Plan Area and the Bridesville townsite.
- To encourage the Ministry of Forests, Lands and Natural Resource Operations and Rural Development and private logging companies to formally consult with the **Regional District** and the Bridesville Waterworks District when logging activities are planned in the Bridesville Community Watershed.

Policies

The policies of the **Board** with respect to 'Drinking Water Resource' are as follows:

- # In addition to uses otherwise permitted in all designations, permitted uses in the 'Drinking Water Resource' designation may include but not necessarily be limited to: one **single family dwelling; resource use**, excluding processing, **agriculture** on the portions which are in the ALR and **accessory buildings** and **structures**.
- # The minimum parcel area required for new parcels created by subdivision in the 'Drinking Water Resource' land use designation is 50 hectares.
- # The minimum setback distances for buildings and structures in the 'Drinking Water Resource' designation will be 30 meters from the **natural boundary** of any **watercourse** in order to minimize impact.
- # Encourage operators conducting forestry and resource extraction activities within the 'Drinking Water Resource' designation to conduct activities in a manner that minimizes impact on water quality.
- # Develop a referral protocol for forestry related activities in the Bridesville Community Watershed with the objective of facilitating ongoing communication between forestry companies, Bridesville Waterworks District and the **Regional District**.

- # Encourage farm operators conducting agricultural activities within the ALR portions of the 'Drinking Water Resource' designation to conduct activities in a manner that minimizes impact on water quality.
- # Encourage farm and range practices which prevent livestock intrusion into watercourses.
- # Encourage the Crown to retain in perpetuity the remaining Crown owned land in the Bridesville Community Watershed and to require those lands be managed to the highest standard for water quality and quantity.

Institutional and Community Facilities

As communities grow, so do the requirements for land which will be set aside for institutional and community facilities. Such needs are as diverse as schools, fire halls, museums, places of worship, cemeteries, and border crossing facilities. The total area of institutional land within the Plan Area is 1.3 hectares.

Given the size of the community and the Plan Area it is not anticipated that more institutional type uses will be introduced in the near future. School aged children attend West Boundary Elementary School in Rock Creek and the Boundary Central Secondary School in Midway.

The Bridesville Cemetery and the school property are proposed to be designated as institutional as these properties and their uses predate the ALR.

At the time this *Plan* was adopted, the following were designated for Institutional and Community Facilities as shown on Map 1:

- Bridesville Community Hall;
- School District property;
- Cemetery.

Objectives

The objectives of the *Board* with respect to the Institutional and Community Facilities land use designation are as follows:

- To identify and recognize institutional land uses within the *Plan Area*.

Policies

The policies of the *Board* with respect to the Institutional and Community Facilities land use designation are as follows:

- # In addition to uses otherwise permitted in all designations, permitted uses in the Institutional and Community Facilities land use designation may include but not necessarily be limited to art galleries, *dwelling unit*, libraries, schools, fire halls, community halls, museums, churches and other places of worship.
- # The minimum parcel area required for new parcels created by subdivision in the Industrial land use designation is 2000m² for parcels connected to a *community*

water system and 1 hectare for parcels not connected to a ***community water system***.

Parks and Recreation

The Parks and Recreation land use designation applies to publicly owned parks and parcels used for recreation purposes (Map 1 and Map 11).

Recognition and promotion of recreational assets can result in increased tourism and can attract investment to the area through business start ups and relocation and in-migration.

Approximately 258 hectares of the ***Plan Area*** is parkland, most of which is recreational sites.

There is also a significant amount of Crown land that is used by the public for recreational purposes. In addition there are a number of trails as well.

Any future development of park related facilities on lands in the Agricultural Land Reserve must be in accordance with the Agricultural Land Commission.

There are a number of recreation sites, areas and trails on Crown land in the ***Plan Area*** which are recognized by the Province. At the time this plan was created there were 6 parcels which were designated as Parks and Recreation:

- Camp McKinney Recreation Site
- Sections of the Dewdney Trail which are publicly owned
- Jolly Creek Recreation Site
- Little Fish Lake Recreation Site
- McKinney Cross Country Ski Area
- Park acquired from the Timberwolf subdivision development
- Stanhope Creek Recreation Site

Objectives

The objectives of the *Board* with respect to the Parks and Recreation land use designation are as follows:

- To identify existing park lands as a continuing resource and to promote their use and development for the public good.
- To encourage the provision of appropriate parks and recreation facilities for the residents of the ***Plan Area***.
- To foster collaborative development and stewardship of recreation resources among stakeholders.

Policies

The policies of the *Board* with respect to the Parks and Recreation land use designation are as follows:

- # In addition to uses otherwise permitted in all designations, permitted uses in the Parks and Recreation land use designation may include but not necessarily be limited to

campground, passive recreation, public assembly uses, recreation facilities and buildings and structures associated therewith.

- # Reserve the right to determine whether park land dedication pursuant to Section 510(2)(b) of the *Local Government Act* will be in the form of land or money.
- # Consider amendments to this Plan to recognize additional park land should it be established.
- # Encourage the respectful use of recreation lands that minimizes impact on the environment.
- # Encourage parks and trails users to inform themselves regarding land ownership and not to cross private land without permission
- # Encourage parks and trails users to inform themselves about the risks involved in recreational activities including water safety, wildlife and hazards
- # Consider the merits of referrals from the Province for recreational use of Crown land based on potential for impacts on the following: environmentally sensitive areas, wildlife corridors, adjacent property owners, other recreational users, and other matters that the **Board** may consider relevant.
- # Support the phased development and implementation of the Boundary Recreation Trails Master Plan that includes both non-motorized and motorized trail uses.
- # Support the efforts of recreation groups with similar mandates, which support recreation and trails within the plan area. Forms of assistance may include in-kind support of RDKB staff, funding and letters of support for grant funding.

Conservation

At the time of preparation of this **Plan**, approximately 24 hectares of land was in the Conservation land use designation (Map 1). Parcels included:

- Lehman Springs, the Nature Conservancy of Canada property on Wagon Wheel Road
- Crown land designated for Wildlife Habitat Areas...location/mapping of this land still has to be worked out

Objectives

The objective of the **Board** with respect to the 'Conservation' land use designation is as follows:

- To strive to protect, maintain and enhance the wildlife and ecosystem values within the 'Conservation' land use designation.

Policies

The policies of the **Board** with respect to the 'Conservation' land use designation are as follows:

- # In addition to uses otherwise permitted in all designations, permitted uses in the Conservation designation may include, but not necessarily be limited to conservation activities, passive recreation and accessory buildings and structures.
- # Recognize and support the efforts of trusts, societies, the Crown and stewardship groups who own and manage land for conservation purposes.

- # Encourage collaboration between the stewards of these lands to balance conservation efforts with practices to mitigate the risks of wildfire.
- # Reserve the right to determine whether park land dedication pursuant to Section 510(2)(b) of the *Local Government Act* will be in the form of land or money.
- # Support the expansion of the Conservation land use designation to environmentally sensitive areas.

Rail Corridor

The **Plan Area** includes an abandoned railway corridor (Map 1). The Bridesville townsite was built within a switchback of the Vancouver, Victoria and Eastern Railway that reached the area in 1905. The Vancouver, Victoria and Eastern Railway went south to Washington State where it connected with the Great Northern Railway. The community thrived with ranches and farms as well as a wood mill. The local mill provided railway ties to the Vancouver, Victoria and Eastern Railway.

The freight and passenger railway service was stopped in 1931. The northerly portion of the switchback now forms part of Highway 3, while the southerly portion of the switchback is part of the Rock Creek-Bridesville Road. Prior to the abandonment of the Vancouver, Victoria and Eastern Railway, Bridesville Townsite Road formed the Trans Provincial Highway.

The portions identified in the Rail Corridor designation on Map 1 are under Crown ownership. At the time of the adoption of this Plan, portions of this corridor overlapped with the Rock Mountain Forest Service Road which is an important access route for resource extraction, agricultural producers and access for private property owners.

Objectives

The objective of the **Board** with respect to the Rail/Trail Corridor land use designation is as follows:

- To protect the integrity of the railway rights of way in the **Plan Area** for corridor type uses.
- To support the acquisition of the abandoned portions of the Vancouver, Victoria, and Eastern Railway right of way by a public body.

Policies

The policies of the **Board** with respect to the Rail/Trail Corridor land use designation are as follows:

- # In addition to uses otherwise permitted in all designations, permitted uses in the Rail/Trail corridor designation may include, but not necessarily be limited to railways, recreational trails, and similar transportation and utility corridors
- # The minimum area required for new parcels to be created by subdivision is 100 hectares
- # No subdivision or interior parcel line adjustment may result in a reduction in corridor width below 30 metres and must be suitable for the possible reestablishment of a railway

- # If a trail is established on a railway right of way that is adjacent to land in the ALR, the **Board** would consider requiring fencing and buffering where adjacent to operating farms

DRAFT

General Regulations

Commented [EM16]: Moved to be situated before zoning.

Permitted and Prohibited Uses

1. No land, **building** or **structure** may be used for a use that is not specifically listed under the heading "Permitted Principal Uses" or "Permitted Secondary Uses" in the Zone that the land, **building** or **structure** is located, and no **building** or **structure** may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged for any use other than a specifically permitted use in that Zone. Furthermore,
 - a) A use listed under "Permitted Secondary Uses" is only permitted if a use under "Permitted Principal Uses" is lawfully established and ongoing.
 - b) A use is only permitted if lawfully established and ongoing in accordance with:
 - (i) The applicable regulations and conditions of use as identified in each Zone; and
 - (ii) Such further general regulations applicable to the use, as identified throughout this Bylaw.
 - c) A use not specifically permitted in a Zone is prohibited from that Zone.
 - d) A use not specifically permitted in this Bylaw is prohibited from the **Plan Area**.
 - e) Except where specifically permitted within a zone established by this Bylaw, no **parcel** may be used for the **storage** of **derelict vehicles(s)**.
 - f) A storage building, including a garage, may be located on a **parcel** that does not have a principal use or **principal building** provided it is only to be used for the non-commercial/industrial **storage** of goods or vehicles belonging to the owner. Such a **building** shall be subject to the regulations for **accessory buildings** in the zone within which they are located and must not exceed 60 m² in floor area;
 - g) Residential occupancy for a period exceeding 120 days per calendar year of **accessory buildings**, tents, **recreational vehicles**, and similar shelters is prohibited except where:
 - (i) **Campgrounds** are listed as a permitted use;
 - (ii) The occupancy has been approved under Section 2.2(h) of this Bylaw.
 - h) The unloading, **storage** and loading of special wastes (as defined in the Environmental *Management Act* and regulations thereto) and other similar hazardous products are specifically prohibited.
 - i) Except where specifically permitted within a zone established by this Bylaw, no parcel may be used for **Cannabis retail stores**.
 - j) The use of cement based, industrial style, **cannabis** production bunkers in the Agricultural Land Reserve are prohibited. **Cannabis production outside of the Agricultural Land Reserve is prohibited.**
2. Except as otherwise stated in this Bylaw, the following uses are permitted in all zones:
 - a) **Highways**;
 - b) **Landscape screens** and fences;
 - c) Parks, playgrounds, and similar active or **passive recreation** areas including **buildings** and **structures**;
 - d) Churches; cemeteries; libraries, museums, community halls, fire halls, police and

- ambulance stations, schools;
- e) Utility uses and accessory **buildings** and **structures**, excluding **offices**, maintenance garages and **storage** areas;
- f) Railroad tracks, except private sidings;
- g) Residential occupancy (maximum of two years) in a **manufactured home** or **recreational vehicle** for the property owner while a **dwelling unit** is under construction, provided the owner first signs a notarised statement of intent to cease occupying and remove the **manufactured home** within 30 days after the **dwelling unit** has been completed;
- h) Temporary **buildings**, **structures** and **storage** of materials required for an approved construction project on the same **parcel** provided such temporary **buildings**, **structures** and **storage** are removed within 30 days of completion of the approved construction;

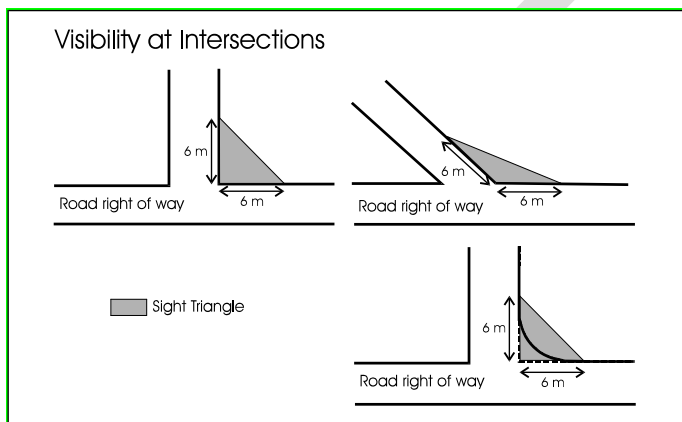
Siting Requirements and Exceptions

Where a Zone includes a regulation entitled "Setbacks", or where this Bylaw otherwise makes reference to a minimum setback, no **building** or **structure** may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged nearer to the **parcel** line, natural boundary or the other point of reference than the distance so specified, and for certainty:

1. Setbacks may vary according to any combination of use, **building**, **structure** or location within a Zone or adjacent Zone, or by **parcel** dimensions, or to a specific **highway**, **natural boundary** or other point of reference, and the provisions of this Bylaw must be interpreted accordingly;
2. Any portion of a **building** or **structure** located below finished grade is subject to all setbacks for the Zone in which the **building** or **structure** is located or that are otherwise applicable;
3. The minimum setback distance for a **pit privy** is 30m from the **natural boundary** of any **watercourse** or water well.
4. Selected **structures** are excluded from the setback requirements of this Bylaw however, a separate approval from the Ministry of Transportation and Infrastructure may be required where the setback is adjacent to a **highway**. The exceptions are regulated as follows:
 - a) Unenclosed steps, eaves, sunlight control projections, canopies, chimneys, bay windows, balconies, porches and other similar projections may project:
 - i) 2 metres within a required **front parcel line**, **rear parcel line**, or **exterior side parcel line** setback; and
 - ii) 0.6 metres within a required **interior side parcel line** setback.
 - b) An underground **structure** may be sited on any portion of a **parcel** provided that the top surface of such **structure** at no point extends more than 0.5 metres above the average finished ground elevation within the relevant setback area of the zone in which it is located.
 - c) Free standing lighting poles, warning devices, antennas, masts, utility poles, wires, flag poles, **signs** and **sign structures**, except as otherwise limited in this or other

bylaws may be sited on any portion of a **parcel** at the sole responsibility of the owner and utility company.

5. No person being the owner, occupier or lessee of any **parcel** located at the intersection of any two **highways**, may, without the consent of the Ministry of Transportation and Infrastructure or his designate, place or permit to be placed or grow any tree, shrub, plant, fence or other **structure** with a horizontal dimension exceeding 0.6m within the sight triangle an elevation such that an eye 0.9m above the surface elevation of one **highway** cannot see an object 0.9m above the surface elevation of the other **highway**.



Height and Width

1. Where a Zone includes a regulation entitled "Height", or where this Bylaw otherwise makes reference to a maximum **height**, no **building** or **structure** may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged in a manner that exceeds the **height** specified for the Zone in which the **building** or **structure** is located. For certainty, maximum **height** in a Zone may vary according to the use or location of the **building** or **structure**.
2. The following exceptions to the **height** regulations apply:
 - a) **Height** restrictions do not apply to the following, except in accordance with subsection (b): industrial cranes; grain elevators; silos; windmills; solar panels; towers; tanks; radio and television antennas; church spires, belfries and domes; monuments; chimney and smoke stacks; flag poles; lighting poles; and elevator shafts.
 - b) Where such **structures** are located on top of a **building** they must not occupy more than 10% of the horizontal plane of the roof area.

Density

1. Where a Zone includes a density regulation expressed as an absolute number of parcels, units, buildings, use or similar figure, no *parcel* may be subdivided and no *parcel* may be developed with more than the number identified for the Zone in which the *parcel* is located.
2. Where a Zone includes a density regulation expressed as a per hectare figure, no parcel may be subdivided and no parcel may be developed with more than the number of parcels, units, sites or other figure(s), per hectare as determined by applying the figure for the Zone in which the parcel is located to the area of the parcel.
3. For certainty, where more than one of the above density regulations apply to any particular *parcel*, the most restrictive governs but all remain applicable.

Subdivision Regulations

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. 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.
3. Where as a result of land acquisition for a public use after this Bylaw comes into force by:
 - a) The 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.

4. 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.
5. 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 10 metres wide and is suitable for the possible reestablishment of a railway.
6. 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 50 hectares. This regulation does not apply within the *Agricultural Land Reserve*.
7. 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.
8. 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;
 - 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.

Supplemental Regulations for Certain Uses and Circumstances

Home-Based Businesses

Where the home-based business use is expressly permitted, the following regulations apply:

1. a) the home-based business may be carried out by the property owner or resident solely as an **accessory use** to the permitted **single family dwelling**;
 - i) all **storage** of materials, equipment, containers or finished products must be screened within R1/R2 zones (Townsite).
- b) the home-based business use must not produce any odorous, toxic or noxious matter, noise, vibration, smoke, heat, dust, litter, glare or radiation other than that normally associated with the dwelling and must not create or cause any fire hazard, electrical interference or traffic congestion on the **highway**;
- d) the home-based business use must not involve salvage and **storage of derelict vehicles** and equipment;
- e) the only external display or advertisement permitted is one non-illuminated sign no larger than 1 m²;

Commented [EM17]: Is this meant to be only for the townsite?

Also there is a note about 6 ft high for townsite, but not for others. Is this referring to a restriction on the height a sign can be?

Secondary Suites

1. Where a **secondary suite** is expressly permitted as a secondary use within a zone, the following regulations apply:
 - a) The floor area of the **secondary suite** must not exceed 90m² or 40% of the floor area of the **single family dwelling building**, whichever is less;
 - i) The maximum gross floor area of a single-family dwelling and secondary suite must be less than 500m².
 - b) Prior approval of the authority responsible for liquid waste disposal, pursuant to the relevant Provincial legislation, must be obtained before issuance of building permit;
 - c) For **parcels** located within an area served by a **community water system**, prior approval of the water purveyor must be obtained before issuance of a building permit;
 - d) No **secondary suite** may be stratified, subdivided, or otherwise legally separated from the principal **single family dwelling** use to which it is considered a secondary use, except where the subdivision is in conformity with the minimum **parcel area** requirements of this bylaw; and
 - e) A new **secondary suite** must 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.

2. Except for the use and density provisions of Subsection _____. (1), it is the Board's intent that the provisions of Section _____ are integral to the definition of the Secondary Suite and therefore cannot be varied except through an amendment to this Zoning Bylaw.

On-Farm Accommodation (Agri-tourism)

A new section to be created for Steering Committee review

Will include:

- B&B's
- Campgrounds (max of 3)
- Guest Cabins (max of 3) – collectively no more than 10

Bed and Breakfasts

1. Where a **Bed and Breakfast** is expressly permitted as a secondary use within a zone, the following regulations apply:
- a) Not more than four (4) **bedrooms** or **sleeping units** inside a **dwelling unit** on a single **parcel** of land may be used, at the same time, for the accommodation of the travelling public; and
 - b) All **bedrooms** or **sleeping units** must be contained inside a **single family dwelling**.
 - c) The accessory use must be operated by the permanent resident(s) of the single family dwelling.
2. Except for the use and density provisions of Subsection _____. (1), it is the Board's intent that the provisions of Section _____ are integral to the definition of the Bed and Breakfasts and therefore cannot be varied except through an amendment to this Zoning Bylaw.

Commented [EM18]: Just wanted to clarify the notes associated with this.
-Max 3 in the Plan Area? Or max 3 sites/cabins?

Commented [EM19]: There was a note saying: Support B&B's not in the house or have the option. Think up a new term – Guest Cabin 60 m² allow in the Rural Zone

Campgrounds

1. Where a **campground** is expressly permitted as a secondary use within a zone, the following regulations apply:
- a) Campsites shall have a minimum area of 125m² per site.
 - b) Campsites shall have a maximum density of 50 campsites per hectare
 - d) Accessory commercial uses such as convenience store, eating and drinking establishment, or laundromat shall not to exceed 100m² in gross floor area.
 - e) Campgrounds must be connected to an approved sewage disposal system
 - f) Campgrounds shall only provide short-term, temporary accommodation for the travelling public.

- g) No campsite shall be within 30 metres of a public highway, or 5 metres of a property line
- h) Campgrounds must include a continuous 1.5 metre tall landscape screen around the boundaries of the campground.
- i) Campgrounds in the ALR must have less than 2 sites per parcel.

Commented [EM20]: Will this be included in the new Agri-tourism section? Less than 2 would be 1. Above it is noted that 3 are allowed.

Residential Footprint (Home-Plate)

The Residential Footprint is the portion of a lot that includes a principal single family dwelling and any additional accessory residential building or facilities. The maximum size of the residential footprint is 2,000m²

Commented [EM21]: Is this intended for all parcels or just those in ALR?

1. Where a residential use is expressly permitted as a secondary use within a zone, the following regulations apply:
 - a) The Residential Footprint is to be located a maximum 60 m from a road facing lot line, within which all accessory residential buildings / facilities such as, but not limited to, garages, residential driveways, campgrounds, must be located.
 - b) No portion of a residence, shall be located farther than 50.0 metres from the front or exterior lot line.

2. There may be cases where the front portion of the property is in the floodplain, an easement area, hazardous area, or for another the residential use should be placed elsewhere on the lot. For these cases the Board will consider applications for variances to this section.

Kennels

1. Kennels shall not be permitted in the Plan Area except where a site specific re-zoning has been approved by the Board. Proposals to permit kennels may be considered by way of a zoning amendment. Upon application for a bylaw amendment. Such applications will be evaluated on criteria that includes, but is not necessarily limited to the following:

Commented [EM22]: There was a note that says: Permitted – 2 m fence and landscape screen on interior parcel lines.

- a) The size of the subject property;
- b) The design of the proposed kennel and location so that it limits impact on neighbouring property owners;

Commented [EM23]: Recognize as rural use – will consider them in re-zoning application.

- c) That kennels are recognized as a rural use.

- e) That the subject property have 'farm' classification under the Assessment Act.

Commented [EM24]: EM to check ALC regulations.

Sign Regulations

1. With the exception of regulations to the contrary within any particular zone or in the *home-based business* regulations under this bylaw, no *parcel* may be used for the display of any exterior *signs* on a permanent basis other than:
 - a) Those advertising a permitted use on a *parcel* of land that is occurring on the *parcel* upon which the *sign* is located;
 - b) Those for a *building* or facility permitted pursuant to section (Permitted and Prohibited Uses Section #)
 - c) Temporary signs such as election; 'For Sale'; and 'For Rent' *signs*;
 - d) Advisory *signs* such as 'No Trespassing', 'No Hunting', and 'Beware of Dog', not limited as to number, provided each sign does not exceed 0.3 m² in size on any one side.
2. Unless otherwise permitted or restricted elsewhere in this bylaw, the maximum visible surface area of a sign is 0.5 m² per side.
3. Unless otherwise permitted or restricted elsewhere in this bylaw, not more than two *signs* may be located on a *parcel* of land.
4. No *sign* may be equipped with motion or flashing lights or a mechanical device which causes the *sign* to move.
5. When a *sign* remains in place after the activity, business, product or service the *sign* advertises is no longer conducted or available on the premises on which the *sign* is located, such *sign* and any supporting *sign* structure is considered to have been abandoned, and the owner of the premises in question shall remove the sign within ninety (90) days from the date that the activity, business, product or service is no longer conducted or available or within thirty (30) days from the date written notice from the *Regional District* to remove the sign or sign structure has been received.

ZONES

Agricultural Resource Zone

AGR

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

1. Permitted Principal Uses

Only the following uses are permitted:

- (a) **Agriculture;**
- (b) **Intensive Agriculture;**
- (c) **Single Family Dwelling.**

2. Permitted Secondary Uses

Only the following secondary uses are permitted and only in conjunction with a use listed in paragraph 1 above:

- (a) **Accessory buildings and structures;**
- (b) **Agri-tourism;**
- (c) **Bed and breakfast;**
- (d) **Home based business;**
- (e) **Secondary suite;**
- (f) Temporary sawmill.

3. Parcel Area

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

4. Density

Maximum one **single family dwelling** and **secondary suite** per **parcel**.

5. Setbacks

Minimum setbacks in meters for **buildings** and **structures**;

Parcel Line	Principal Building	Accessory Buildings and structures	Cannabis Production Facilities
Front	7.5	7.5	30
Exterior side	4.5	4.5	15
Interior side	3	3	30
Rear	4.5	4.5	30

6. Parcel Coverage

Maximum parcel coverage	Use or commodity
2,000m ²	Farm residential footprint for residential use with one single family dwelling
35%	Buildings and structures for farm use other than greenhouses
75%	Greenhouses

7. **Height**

Maximum height for cannabis production facilities is 7 meters.

Commented [EM25]: No max height for other buildings?

8. **Building Size**

Dwellings in the Agricultural Resource Zone must have a **gross floor area** less than 500m².

9. **Parking**

Off-street parking must be provided as follows:

- o 2 spaces for a **single family dwelling**;
- o 1 space for a **secondary suite**; and
- o 1 for each accommodation unit for **agri-tourism**.

Commented [EM26]: Should we address B&B's?

Rural Resource 1

RUR1

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

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) **Agriculture**, excluding *cannabis cultivation*;
- b) Conservation area;
- c) Portable shake, shingle and sawmills;
- d) Post and tie operations;
- e) **Resource use**, and *light manufacturing of resources extracted on the property*;
- f) **Single family dwelling**;

2. Permitted Secondary Uses

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

- a) **Accessory buildings** and **structures**;
- b) **Bed and breakfast**;
- c) **Agri-tourism**;
- d) **Home-based business**;
- e) Processing and packing of agricultural products;
- f) **Secondary suite**.
- g) **Veterinary Clinic**.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 8 hectares.

4. Density

Maximum one *single family dwelling* and *secondary suite* per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Buildings and structures	~~Medical Cannabis production facilities~~
Front	7.5	30
Exterior side	7.5	15
Interior side	7.5	30
Rear	7.5	30

6. Parcel Coverage

Maximum parcel coverage	Use or commodity
35%	Buildings and structures for residential or farm use other than greenhouses
75%	Greenhouses

7. Parking

Off-street parking must be provided as follows:

- 2 spaces for a *single family dwelling*;
- 1 space for a *secondary suite*; and
- 1 for each accommodation unit for *agri-tourism*.

Commented [EM27]: Should we address B&B's?

DRAFT

Rural Resource 2

RUR2

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

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) *Agriculture*, excluding *cannabis cultivation*;
- b) Conservation area;
- c) *Resource use*, and *light manufacturing of resources extracted on the property*.

2. Permitted Secondary Uses

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

- a) *Accessory buildings* and *structures*.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 30 hectares.

4. Setbacks

Minimum setbacks measured in metres:

Parcel Line	<i>Buildings and structures</i>	~~<i>Medical Cannabis production facilities</i>~~
<i>Front</i>	7.5	30
<i>Exterior side</i>	7.5	15
<i>Interior side</i>	7.5	30
<i>Rear</i>	7.5	30

5. Parcel Coverage

Maximum parcel coverage	Use or commodity
35%	Buildings and structures for residential or farm use other than greenhouses
75%	Greenhouses

6. Parking

Off-street parking must be provided as follows:

- o 2 spaces for a *single family dwelling*;
- o 1 space for a *secondary suite*; and
- o 1 for each accommodation unit for *agri-tourism*.

Commented [EM28]: Should we address B&B's? Did you want the same parking for RUR2 as well? This wasn't addressed in notes.

Residential 1 Zone

R1

The following provisions apply to lands in the Residential 1 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 XXX above:

- a) *Accessory buildings and structures*;
- b) Agricultural Uses, subject to Section 5 below;
- c) *Home-based business*;
- d) *Secondary suite*, only on parcels greater than **1 hectare** in area.

3. 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*;
 - a. The community water system must not be subject to a Drinking Water Notification pursuant to the Drinking Water Protection Act under an order of the Drinking Water Protection Officer at the time of subdivision.
- b) 1 hectare when not connected to a *community water system*.

4. Density

Maximum one *single family dwelling* and one *secondary suite* per *parcel*.

5. Agricultural Uses

The following provisions apply to agricultural uses:

- a) The keeping of small animals such as chickens, rabbits and similar sized species shall be restricted to 8 per parcel and shall not include roosters
- b) The keeping of larger animals such as goats and donkeys shall be restricted to 2 per parcel and only on parcels that are 2000m² or greater in area

6. Setbacks

Minimum setbacks measured in metres:

	<i>Principal buildings</i>	<i>Accessory buildings and structures</i>
<i>Parcel Line</i>		
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	2.5	2.5
<i>Rear</i>	4.5	4.5

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 7.6 metres in *height*.

9. Parking

Off-street parking must be provided as follows:

- o 2 spaces for a *single family dwelling*;
- o 1 space for a *secondary suite*; and
- o 1 for each accommodation unit of a *bed and breakfast*.

Commented [EM29]: B&B is not a permitted use in this zone.
Should that be added?

Residential 2 Zone R2

The following provisions apply to lands in the Residential 2 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 XXX above:

- a) *Accessory buildings and structures.*
- b) Agricultural Uses, subject to Section 5 below;
- c) *Home-based business.*

3. 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*;
 - a. The community water system must not be subject to a Drinking Water Notification pursuant to the Drinking Water Protection Act under an order of the Drinking Water Protection Officer at the time of subdivision.
- b) 1 hectare when not connected to a *community water system.*

4. Density

Maximum two *single family dwellings* per *parcel*.

5. Agricultural Uses

The following provisions apply to agricultural uses:

- a) The keeping of small animals such as chickens, rabbits and similar sized species shall be restricted to 8 per parcel and shall not include roosters.
- b) The keeping of larger animals such as goats, donkeys, horses and cows shall be restricted to 1 per parcel and only on parcels that are 4000m² or greater in area.

6. Setbacks

Minimum setbacks measured in metres:

	<i>Principal buildings</i>	<i>Accessory buildings and structures</i>
<i>Parcel Line</i>		
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	2.5	2.5
<i>Rear</i>	4.5	4.5

7. Parcel Coverage

Maximum *parcel coverage* is 33%.

8. Height

- a) *Principal buildings* must not exceed 10 metres in *height*.

Commented [EM30]: Note to remove from zones
-Should be a write up in interpretation section about existing non-conforming – add this

b) ~~Accessory buildings and structures~~ must not exceed 7.6 metres in ~~height~~.

9. ~~Parking~~

~~Off street parking must be provided in accordance with Part X of this Bylaw.~~

DRAFT

Commercial **Campground**

C

Commented [EM31]: Add campground to the zoning map legend

The following provisions apply to lands in the Commercial Campground 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 XXX above:

- a) *Accessory buildings* and *structures*;
- b) Indoor recreation facilities;
- c) *Office*;
- d) Outdoor recreation facilities;
- e) Retail store, which does not exceed 90m² in floor area;
- f) *Single family dwelling*.

3. 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*;
 - a. The community water system must not be subject to a Drinking Water Notification pursuant to the Drinking Water Protection Act under an order of the Drinking Water Protection Officer at the time of subdivision.
- b) 1 hectare when not connected to a *community water system*.

4. Density

Maximum one *single family dwelling* per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings</i>	<i>Accessory buildings</i> and <i>structures</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	2.4	2.4
<i>Rear</i>	4.5	4.5

6. Height

- a) *Principal buildings* must not exceed 10 metres in *height*;
- b) *Accessory buildings* and *structures* must not exceed 7.6 metres in *height*.

7. **Parking**

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

DRAFT

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) *Autobody repair shop*;
- b) Machine shop;
- c) *Recycling depot*;
- d) *Recycling facility*;
- e) Welding shop.

2. Permitted Secondary Uses

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

- a) *Accessory buildings* and *structures*; and
- b) *Dwelling unit*.

3. Parcel Area for New Parcels Created by Subdivision

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

- c) 4,000 m² when connected to a *community water system*;
- d) 1 hectare when not connected to a *community water system*.

4. Density

Maximum one *dwelling unit* per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings</i>	<i>Accessory buildings</i> and <i>structures</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	2.4	2.4
<i>Rear</i>	4.5	4.5

6. Height

- c) *Principal buildings* must not exceed 10 metres in *height*;
- d) *Accessory buildings* and *structures* must not exceed 7.6 metres in *height*.

7. Screening Requirements

- a) Industrial land uses must be reasonably screened where an industrial parcel is adjacent to a residential parcel or a *highway*;
- b) Screening on split-zoned parcels between industrial and residential zones is not required.

8. Parking

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

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) *Autobody repair shop*;
- b) Machine shop;
- c) *Restaurant*;
- d) *Single family dwelling*;
- e) Welding shop.

2. Permitted Secondary Uses

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

- a) *Accessory buildings* and *structures*;
- b) *Dwelling unit*.

3. Parcel Area for New Parcels Created by Subdivision

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

- a) 4,000 m² when connected to a *community water system*;
- b) 1 hectare when not connected to a *community water system*.

4. Density

Maximum one *dwelling unit* per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings</i>	<i>Accessory buildings</i> and <i>structures</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	2.4	2.4
<i>Rear</i>	4.5	4.5

6. Height

- a) *Principal buildings* must not exceed 10 metres in *height*;
- b) *Accessory buildings* and *structures* must not exceed 7.6 metres in *height*.

7. Screening Requirements

- a) Industrial land uses must be reasonably screened where an industrial parcel is adjacent to a residential parcel or a *highway*;
- b) Screening on split-zoned parcels between industrial and residential zones is not required.

8. Parking

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

Proposed zone for portion of 5985 Highway 3
(Boundary Collision) which received non-farm use
approval in ALC Decision #165/2016

Industrial 3 Zone

IN3

The following provisions apply to lands in the Industrial 3 Zone:

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) *Autobody repair shop.*

2. Permitted Secondary Uses

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

- a) *Accessory buildings* and *structures*.

3. Parcel Area for New Parcels Created by Subdivision

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

4. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings</i>	<i>Accessory buildings</i> and <i>structures</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	2.4	2.4
<i>Rear</i>	4.5	4.5

5. Height

- a) *Principal buildings* must not exceed 10 metres in *height*;
- b) *Accessory buildings* and *structures* must not exceed 7.6 metres in *height*.

6. Screening Requirements

- a) Industrial land uses must be reasonably screened where an industrial parcel is adjacent to a residential parcel or a *highway*;
- b) Screening on split-zoned parcels between industrial and residential zones is not required.

7. Parking

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

Proposed zone for portion of 6401 Sidley Mountain Road (Formerly Miller Springs, now Naturo) which received non-farm use approval in ALC Decision

Industrial 4 Zone

IN4

The following provisions apply to lands in the Industrial 4 Zone:

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) *Water bottling facility.*

2. Permitted Secondary Uses

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

- a) *Accessory buildings* and *structures*.

3. Parcel Area for New Parcels Created by Subdivision

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

Commented [EM32]: Check the area for each industrial site – ensure they cannot be subdivided.

4. Setbacks

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>	2.4	2.4
<i>Rear</i>	4.5	4.5

5. Height

- a) *Principal buildings* must not exceed 11 metres in *height*;
- b) *Accessory buildings* and *structures* must not exceed 7.6 metres in *height*.

6. Screening Requirements

- a) Industrial land uses must be reasonably screened where an industrial parcel is adjacent to a residential parcel or a *highway*;
- b) Screening on split-zoned parcels between industrial and residential zones is not required.

7. Parking

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

Proposed zone for portion of 6725 Sidley Mountain Road (Sidley Mountain Auto) this operation has not been authorized by the ALC

Industrial 5 Zone

IN5

The following provisions apply to lands in the Industrial 5 Zone:

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) *Autobody repair shop;*
- b) Auto sales;
- c) *Automobile salvage yard;*
- d) *Storage.*

2. Permitted Secondary Uses

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

- a) *Accessory buildings and structures;*
- b) *Dwelling unit.*

3. Parcel Area for New Parcels Created by Subdivision

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

4. Density

Maximum one *dwelling unit* per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel Line</i>	<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>	2.4	2.4
<i>Rear</i>	4.5	4.5

6. Height

- a) *Principal buildings* must not exceed 10 metres in *height*;
- b) *Accessory buildings and structures* must not exceed 7.6 metres in *height*.

7. Screening Requirements

- a) Industrial land uses must be reasonably screened where an industrial parcel is adjacent to a residential parcel or a *highway*;
- b) Screening on split-zoned parcels between industrial and residential zones is not required.

8. Parking

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

Drinking Water Resource

DWR

The following provisions apply to lands in the Drinking Water Resource Zone:

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) *Agriculture*, only on portions which are within the ALR;
- b) *Resource use*, excluding processing;
- c) *Single family dwelling*;

2. Permitted Secondary Uses

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

- a) *Accessory buildings and structures*;
- b) *Home-based business*.

3. Parcel Area for New Parcels Created by Subdivision

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

4. Density

Maximum one *single family dwelling* per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel Line</i>	<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

Notwithstanding the above, *buildings* and *structures* must be setback a minimum of 30 metres from the *natural boundary* of any *watercourse*.

7. Parcel Coverage

Maximum *parcel coverage* is 33%.

8. Parking

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

Institutional and Community Facilities Zone

ICF

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

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) *Institutional use.*

2. Permitted Secondary Uses

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

- a) *Accessory buildings* and *structures*.

3. 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*.

4. Density

Maximum one *dwelling unit* per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings</i>	<i>Accessory buildings</i> and <i>structures</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	2.4	2.4
<i>Rear</i>	4.5	4.5

6. Height

- a) *Principal buildings* must not exceed 10 metres in *height*;
- b) *Accessory buildings* and *structures* must not exceed 7.6 metres in *height*.

7. Parking

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

Parks and Recreation Zone

PR

The following provisions apply to lands in the Parks and Recreation Zone:

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) **Campground;**
- b) Cross-country ski areas;
- c) Conservation activities;
- d) Outdoor recreation facilities;
- e) **Passive recreation.**

2. Permitted Secondary Uses

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

- a) **Accessory buildings and structures.**

3. Setbacks

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>	2.4	3.0
<i>Rear</i>	4.5	3.0

4. Height

Maximum height of 15 metres for all *buildings* and *structures*.

5. Parking

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

Conservation Zone

CONS

The following provisions apply to lands in the Conservation Zone:

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) *Agriculture;*
- b) Conservation activities;
- c) *Passive recreation.*

2. Permitted Secondary Uses

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

- a) *Accessory buildings* and *structures*.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 25 hectares.

4. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings</i>	<i>Accessory buildings</i> and <i>structures</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	2.4	2.4
<i>Rear</i>	4.5	4.5

5. Height

Maximum height of 15 metres for all *buildings* and *structures*.

Rail/Trail Corridor Zone

RTC

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

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) ***Agriculture;***
- b) Railways;
- c) Railway siding; and
- d) Recreational trails and corridors;
- e) Transportation and utility use.

2. Permitted Secondary Uses

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

- a) ***Accessory buildings*** and ***structures***.

3. Parcel Area for New Parcels Created by Subdivision

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

4. Setbacks

Minimum setbacks for all ***buildings*** and ***structures*** in 4.5 metres of any ***parcel*** line.

5. Height

Maximum height of 4.5 metres for all ***buildings*** and ***structures***.

6. Parking

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

Definitions

Commented [EM33]: Move definitions to the end

Steering committee has yet to review this section, wait until legal review is complete of Electoral Area 'D'/Rural Grand Forks Zoning Bylaw and apply the updated definitions.

In this Bylaw all words or phrases have their normal or common meaning with the exception of those that have been changed, modified or expanded by the definitions below. For convenience only, terms for which a definition has been provided are periodically highlighted in ***bold italic*** text throughout the document.

ACCESSORY BUILDING AND STRUCTURE means a ***building*** or ***structure*** which is customarily incidental to and clearly subordinate to a principal permitted use situated on the same ***parcel***;

ACCESSORY USE means the use of land which is customarily incidental to and clearly subordinate to a principal permitted use situated on the same ***parcel***;

AGRICULTURE means farm use as defined in the *Agricultural Land Commission Act* and BC Regulation 171/2002 but excludes ***intensive agriculture***;

AGRICULTURAL LAND RESERVE means land designated as an agricultural land reserve under the *Agricultural Land Commission Act*;

AGRITOURISM means a tourist activity, service or facility accessory to land that is classified as farm on the *Assessment Act*, and may include buying produce direct from a farm stand, navigating a corn maze, picking fruit, feeding animals, staying at an on-farm accommodation, or similar activities;

AUTOBODY REPAIR SHOP means a building or structure where repair to and body work, painting or reconditioning of motor vehicles takes place, but does not include the storage of unregistered or derelict vehicle or salvage operation work;

AUTOMOBILE SALVAGE YARD means a land use where wrecked, decommissioned or derelict vehicles and vehicle parts are stored, or kept, their usable parts sold for use in operating vehicles, while the unusable metal parts, known as scrap metal parts, are sold to metal recyclers; may also be referred to as a wreck yard, scrap yard or a junk yard;

BED AND BREAKFAST means the ***accessory use*** in a ***single family dwelling*** which is primarily used as a home and used incidentally to provide up to a maximum of 4 bedrooms, for compensation, for ***temporary accommodation*** and morning meals to transient travellers;

BEDROOM means a room used for sleeping, and for the purposes of this bylaw includes other rooms such as a den or living room which have been approved for sleeping purposes by the Building Official in an occupancy permit;

BLUE-LISTED SPECIES means indigenous species and subspecies considered to be of special concern (formerly vulnerable) in British Columbia. Elements are of special concern because of characteristics that make them particularly sensitive to human activities or natural events. Blue-listed elements are at risk, but are not extirpated, endangered or threatened;

BOARD means the Board of Directors of the Regional District of Kootenay Boundary;

BUILDING means a ***structure*** wholly or partly enclosed by a roof or roofs supported by walls and used for the shelter or accommodation of persons, animals, and materials; this excludes: tents, trailers, and ***recreational vehicles***;

CAMPGROUND means any land where sites are provided for the commercial, short-term

temporary accommodation of the travelling or vacationing public in tents or **recreational vehicles** and includes, in conjunction with campsites the accessory uses noted below:

- (a) recreational and amusement facilities intended for the use of overnight guests only;
- (b) eating establishment for overnight guests only;
- (c) common washrooms and laundry facilities;
- (d) **office**; and
- (d) **accessory buildings and structures.**

CANNABIS means cannabis as defined in the *Cannabis Act* (Canada);

CANNABIS CULTIVATION means agricultural production of cannabis under the *Cannabis Act*;

CANNABIS RETAIL STORE means the use of a site for retail or wholesale sale of **cannabis**, and includes an operation which provides referrals and facilitates access to **cannabis** not physically sold on the premises, but does not include sales by a British Columbia registered pharmacist in a British Columbia regulated pharmacy

COMMUNITY WATER SYSTEM means a water supply system within the meaning of the *Drinking Water Protection Act* that is owned, operated and maintained by local government, improvement district, irrigation district, utility or an incorporated entity, 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;

COMMUNITY WATERSHED means the drainage area above the most downstream point of diversion on a stream for a water use that is for human consumption and that is licensed under the *Water Act* for: (i) a waterworks purpose; or (ii) a domestic purpose if the license is held by or is subject to the control of a water users' community incorporated under the *Water Act* if the drainage area is not more than 500km² and the water license was issued before June 15, 1995;

COMMUNITY WIDE GREENHOUSE GAS EMISSIONS mean greenhouse gas emissions that occur as a result of the activities of residents and businesses in the community which the local government cannot directly control, but may be able to influence through planning and program activities;

CONCEALED means located within a **building**, underground or enclosed by a **solid screen**, a minimum of 1.5 metres in **height**;

CORPORATE GREENHOUSE GAS EMISSIONS means those greenhouse gas emissions that the local government creates through its activities (and which it has control over) such as local government building operations, recreation centres, vehicle fleets, and utility services;

DEBRIS FLOW means a type of landslide characterized by water-charged, predominantly coarse grained soil and rock fragments, and sometimes large organic material, flowing rapidly down a pre-existing channel (sometimes referred to as channelizing debris flow, debris torrent, or mudflow);

DERELICT VEHICLE means any vehicle which has not been licensed for a period of one (1) year and which is not **concealed** or housed in a garage or carport, excluding farm machinery in working condition;

DWELLING UNIT means one or more rooms used or capable of being used for the residential accommodation of an individual or one **family** and contains sleeping, cooking and washroom

facilities;

DWELLING, SINGLE FAMILY means any detached **building** with a gross floor area under 500m² consisting of one **dwelling unit**, except where a **secondary suite** is permitted as a secondary use under this bylaw;

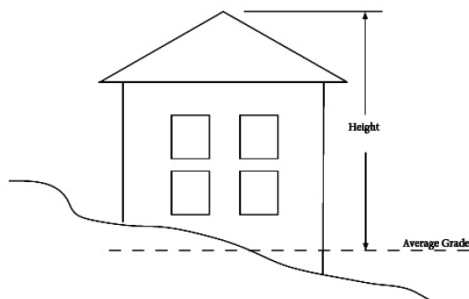
ENVIRONMENTALLY SENSITIVE AREAS are areas that: 1. provide productive fish and wildlife habitat; 2. contain sensitive, rare or depleted ecosystems and landforms; and 3 represent the Plan Area's natural diversity that are in danger of disappearing. Examples of key natural features that define ESAs are lakes; watercourses; wetlands; riparian areas; old growth forests; grasslands; ridgelines, rocky outcrops and talus slopes; and habitat areas containing rare, threatened, endangered or otherwise significant plant or animal species;

FAMILY means two or more persons related by blood, marriage, adoption or foster parenthood, or five or fewer unrelated persons;

~~FARM~~ RESIDENTIAL FOOTPRINT (home plate) means the total area occupied by all residences and any other residential structures on the parcel including roads, driveways, service lines, parking areas, pools, tennis courts, landscaped area, garages, septic fields or dugouts, and any other use reasonably considered accessory to a single family dwelling;

GROSS FLOOR AREA means the sum of the areas of each storey in each **building** on a **parcel** measured between the exterior of the exterior walls of such **buildings**;

HEIGHT of a **building** or **structure** means the vertical distance measured from the finished grade at the exterior perimeter of the **building** or **structure** to its highest point, determined by averaging the height of each exterior face of the **building**, with each exterior face height being the average of the heights at each corner of the face;



HIGHWAY includes a street, road, lane, bridge, viaduct and any other way open to public use, but does not include a private right of way on private property or a private or public recreational trail;

HOME-BASED BUSINESS means an occupation carried on for gain by the residents of the **parcel**, where the occupation is an extension of a trade, profession, service, hobby, or similar undertaking which is clearly secondary to the use of the **parcel** for residential purposes;

IMMEDIATE FAMILY means, with respect to an owner, the owner's;

- a) parents, grandparents and great grandparents;

- b) spouse, parents of spouse and stepparents of spouse;
- c) brothers and sisters; and
- d) children or stepchildren, grandchildren and great grandchildren.

INSTITUTIONAL USE includes the use of land for: day care centres, customs houses, art galleries, religious institutions, schools, government offices, museums, community halls, libraries and similar uses;

INTENSIVE AGRICULTURE means feedlots, fur farms, **poultry farms**, pig farms and mushroom farms;

INTERPRETIVE CENTRE means the use of land and **buildings** for the purpose of educating the public about the natural environment and cultural history, or either, of the local area;

KENNEL means a **building, structure**, compound or group of pens or cages where dogs, cats, other domestic pets, or exotic pets are, or are intended to be, trained, cared for, bred, boarded or kept for commercial purposes;

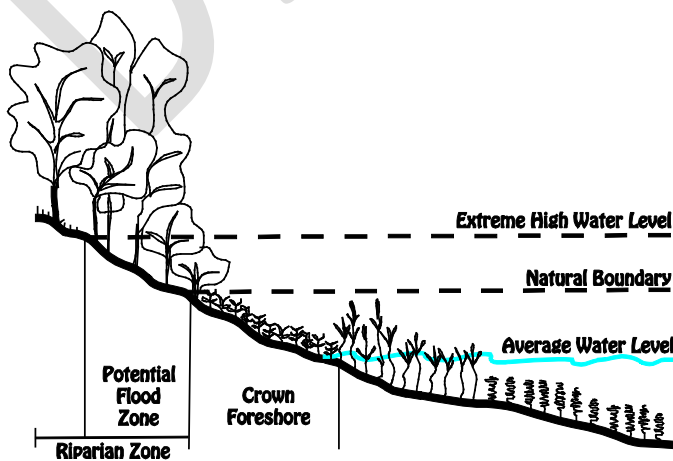
LANDSCAPE SCREEN means a continuous evergreen hedge or other compact plant material at least when such hedge, fence or wall is broken only for access driveways and walkways;

LIGHT MANUFACTURING means processing, fabricating, assembly, or disassembly of items that takes place entirely within an enclosed **building**, and includes, but not limited to, manufacturing of: apparel, home accessories, clothing accessories, jewellery, instruments, computers, and electronic devices; food processing; **and excluding forging, casting, punch presses or drop forges.**

MANUFACTURED HOME means a factory built dwelling, intended to be occupied in a place other than its place of manufacture and conforming to the CSA Z240 or CSA A277 certified standard, but does not include travel or tourist trailers, campers or other vehicles exempt from the definition of "manufactured home" under the *Manufactured Home Act* and its regulations;

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, and also includes the best estimate of the edge of dormant or old side channels and marsh areas

Commented [EM34]: This had been removed, but was not crossed out in Ken's version of draft from last meeting



NATURAL HAZARD means any hazard found in nature, typically biological, atmospheric and geological, e.g. flooding, wildfire, and landslides;

OFFICE means the occupancy or use of a **building** or portion of a **building** for the purpose of carrying out business or professional activities;

OFF-STREET PARKING means a use providing parking spaces for the temporary storage of vehicles and which is located off a **highway**;

OPEN FENCING means fencing which is constructed of chain linking, or other material, which is transparent;

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

PARCEL AREA means the total horizontal area within the **parcel lines** of a **parcel**;

PARCEL COVERAGE means the horizontal area of all the **buildings** and **structures** on a **parcel**, expressed as a percentage of the **parcel area**;

PARCEL LINE, EXTERIOR SIDE means the **parcel** line(s) not being the front or **rear parcel line** and common to the **parcel** and a **highway**;

PARCEL LINE, FRONT means the **parcel** line(s) common to the **parcel** and a fronting **highway**, or where there is more than one fronting **highway**, the **parcel** line common to the **parcel** and the fronting **highway** towards which the majority of the **buildings** on adjacent **parcels** are faced;

PARCEL LINE, INTERIOR SIDE means the **parcel** line(s), not being the front, rear or **exterior side parcel** line;

PARCEL LINE, REAR means the **parcel** line opposite to and most distant from the **front parcel line**, but where the rear portion of the **parcel** is bounded by intersecting side **parcel** lines, means the point of such intersection;

PASSIVE RECREATION means non-motorized recreation not requiring facilities and may include but not be limited to wildlife observation, picnicking, walking, biking and canoeing;

PIT PRIVY means a small **structure** containing one or more toilets with no plumbing;

PLAN means this Rural Bridesville Land Use Plan;

PLAN AREA means all lands, including the surface of water within Rural Bridesville, referenced in Maps 1-7, in Electoral Area 'E' / West Boundary whose boundaries are described in the letters patent of the Regional District of Kootenay Boundary;

POULTRY FARM means a commercial poultry rearing or egg production enterprise of a scale requiring a quota from the applicable marketing board;

PRINCIPAL BUILDING means the main **building** on a **parcel** where at least 75% of the **gross floor area** is used for a permitted principal use;

PUBLIC UTILITY USE means a use which provides services such as water, sewer, electrical,

telephone, and similar services where such use is established by a government body, or by a company operating under the *Utilities Commission Act*;

RECREATIONAL VEHICLE means a vehicle intended as a temporary accommodation for travel, vacation, or recreational use and includes travel trailers, motorized homes, slide-in campers, chassis-mounted campers, and tent trailers;

RECYCLING DEPOT means a use that entails the buying, collecting, sorting and temporary storage of bottles, cans, newspapers, and similar household goods for reuse and recycling. No bundling or processing of materials is carried out;

RECYCLING FACILITY means the use of land for processing recyclable materials by physical means such as dismantling and separating, shredding, bundling and packaging to prepare them for transport;

RED-LISTED SPECIES means any indigenous species and subspecies that is extirpated, endangered, or threatened in British Columbia. Extirpated elements no longer exist in the wild in British Columbia, but do occur elsewhere. Endangered elements are facing imminent extirpation or extinction. Threatened elements are likely to become endangered if limiting factors are not reversed;

REGIONAL DISTRICT means the Regional District of Kootenay Boundary;

RESOURCE USE means a use providing for the conservation, and management of natural resources and extraction of primary forest materials, and the extraction, grading and crushing of mineral resource;

ROCK FALL means a type of landslide characterized by the free falling, leaping, bounding or rolling of a newly detached fragment of rock or block of rock from a near vertical slope.

SEASONAL FARM LABOUR DWELLING means a detached dwelling unit located on a *parcel* classified as "farm" under the Assessment Act, which is used for the *seasonal accommodation* of farm workers who are employed by the owner of the *parcel* to work in the owner's agricultural operation.

SEASONAL ACCOMMODATION means occupancy of a *building* or *structure*, tent, or *recreational vehicle* for a period not exceeding 120 days per calendar year

SECONDARY SUITE means a second dwelling unit located upon a *parcel* as a secondary use of the land that is contained within the *structure* of a *single family dwelling building*;

SECONDARY USE means a use of land, a *building* or a structure that is customarily incidental to the *principal use* which is permitted and located on the same *parcel*;

SETBACK means the horizontal distance measured at right angles to the *parcel* line, between the *parcel* line and the exterior of the nearest wall or supporting member of a *building* or *structure*;

SHORT-TERM ACCOMMODATION means occupancy of a *building* or *structure*, tent, or *recreational vehicle* for a period not exceeding 30 continuous days.

SLEEPING UNIT means one or more rooms used for *temporary accommodation* and does not contain cooking facilities;

SOLID SCREEN means a continuous opaque fence, landscaping wall, not *open fencing*, and includes gates on all access points made of similar materials;

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STORAGE means the action of storing or laying up a thing or things in reserve, where reserve means that there are no immediate plans to move it to another location or display it for sale;

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

STRUCTURE means any construction fixed to, supported by, or sunk into land or water;

TEMPORARY ACCOMMODATION means occupancy by a series of occupiers whose residence or domicile is elsewhere.

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

WATER BOTTLING FACILITY a building which is used to produce, bottle and store large quantities of water, and which manufactures the bottles required for the operations;

WATERCOURSE means any natural or man-made depression with well-defined banks and a bed zero point six (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 up stream of the point of consideration.