

# District of Summerland

## Zoning Bylaw

Prepared By:  
District of Summerland  
Development Services Department

# District of Summerland

## Zoning Bylaw

### Schedule “A” to Bylaw Number 99-001 1999

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# 1.0 General Administration

## 1.1 Title

1.1.1 This Bylaw shall be referred to as the “District of Summerland Zoning Bylaw #99-001”.

## 1.2 Purpose

1.2.1 This Bylaw is to provide regulations within the District of Summerland governing:

- a) the use of land, buildings and structures;
- b) the density of the use of land, buildings and structures;
- c) the siting, size and dimensions of buildings and structures, signs and parking;
- d) the provision of landscaping and screening; and
- e) the area, shape and dimensions of all parcels of land that may be created by subdivision.

1.2.2 This Bylaw applies to all of the area within the District of Summerland except where otherwise specifically stated.

## 1.3 Application

1.3.1 This Bylaw shall take effect upon the date of its adoption.

1.3.2 No land, building, structure or sign within the District of Summerland shall be developed, used, constructed, erected, modified, converted, enlarged, reconstructed, altered, placed or maintained except in conformity with the provisions of this Bylaw & the District’s Official Community Plan.

## 1.4 Enforcement

1.4.1 The District Planner, the District Building Inspector, the District Bylaw Enforcement Officer, or any other employee appointed by Council is authorized to enter, at reasonable times, upon any property subject to the provisions of this Bylaw to ascertain whether the Bylaw requirements are being met and the Bylaw regulations are being observed.

1.4.2 It shall be unlawful for any person to prevent or obstruct or seek to prevent or obstruct an authorized official from carrying out of any official duty under this Bylaw.

## 1.5 Prohibitions and Penalties

1.5.1 Any person who:

- a) violates Bylaw provisions;
- b) causes or permits any act in contravention or violation of Bylaw provisions;
- c) neglects or omits Bylaw requirements;
- d) carries out, causes, or permits to be carried out any subdivision in a manner prohibited by or contrary to Bylaw provisions; or
- e) constructs, makes an addition to or alters a building, structure or sign which is not permitted by this Bylaw

shall be guilty upon summary conviction of an offence against this Bylaw and shall be liable to a maximum fine of \$10,000.00.

1.5.2 Each day that a violation of this Bylaw continues shall constitute a separate offence.

1.5.3 Fines for an offence against this Bylaw may also be set out in the District of Summerland Ticketing Information Utilization Bylaw.

1.5.4 Uses not listed in respect of a particular zone or not exempted by Sub-Section 4.1.1 of this Bylaw are prohibited.

## **1.6 Severability**

1.6.1 If one or more provisions of this Bylaw are, for any reason, declared to be invalid by a court of competent jurisdiction, the invalid provision shall be severed and all remaining provisions remain in full force and effect.

## **1.7 Headings**

1.7.1 For the purpose of this Bylaw, all headings and other reference form part of this Bylaw and shall not be construed as being inserted for convenience and reference purposes unless otherwise specified in the Bylaw.

## **1.8 Mentioned or Defined Uses**

1.8.1 Except in Sections 4, 5, 6, 8 and 15 of this Bylaw, a use that is specifically listed in any particular zone shall not be included in any general use category nor within any generic term defined in Section 2, also of this Bylaw.

## 2.0 Definitions

2.1 All words, or phrases or terms in this Bylaw shall have their normal or common meaning unless specifically defined by the Municipal Act or by the definitions set forth in this section as follows.

### A

***Abut or Abutting*** means contiguous to, or physically touching, and when used with respect to a lot, means that the lot shares a property line with another lot.

***Accessory*** means a use, separate building, or structure, normally incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure.

***Adjacent*** when used with respect to a lot, means contiguous to, or physically touching if not for a public right-of-way, easement or watercourse other than a lake.

***Agricultural and Forestry Grazing Zones*** means those zones described in Section 9 and the FG - Forestry Grazing Zone in Section 14 of this Bylaw or any CD zone in which the predominant use, as determined by its general purpose and list of permitted uses, is of an agricultural and open space nature.

***Agricultural Land Commission (ALC)*** means the governing body assigned to administer regulations and policies relating to the preservation and enhancement of designated ALR land areas for the province.

***Agricultural Land Reserve (ALR)*** means land that has been provincially protected for farming activities under the Agricultural Land Commission Act.

***Agricultural, General*** means the use of land for the growing of crops, keeping of bees, or the raising of poultry or livestock and may include farm retail sales but excluding intensive agricultural operations. For those properties located within the Agriculture Land Reserve, those uses that the District Council and ultimately the Agricultural Land Commission approve pursuant to the Agricultural Land Commission Act and the Agricultural Land Reserve Procedure Regulations are also included.

***Agriculture, Intensive*** means the use of land for the propagation of mushrooms, the confined rearing of livestock, poultry and/or fur-bearing animals, or for the operation of a feedlot.

***Amenity space*** means an outdoor and/or indoor space situated within the development site that will be used by the building tenants or residents for cultural, social or recreational activities. This does not include private balconies.

***Amusement Establishment*** means any building, room or area having table games or electronic games played by patrons for entertainment as the principal use. This does not include carnivals, circuses or indoor recreation services.

***Animal Shelter*** means a facility which may include outdoor runs, pens or enclosures for the temporary accommodation of impounded animals, but does not include commercial kennels or veterinary clinics.

***Auctioneering Establishment*** means a building and/or land used for the temporary storage of goods and materials which are to be periodically sold on the premises by public auction.

***Automobile Sales & Rentals*** means a facility where new or used automobiles or motor-bikes are sold or rented and may include the associated storage and servicing of vehicles to be sold and rented as well as the sale of automotive parts.

***Automotive & Equipment Repair Shop*** means the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts. Typical uses include transmission shops, muffler shops, tire shops but does not include auto-body repair shops.

***Autobody Repair Shop*** means an establishment catering to the repair of damage to motor vehicles and similar vehicles caused by collision, accident, corrosion or age including body repair, frame straightening, painting and upholstery.

***Awning*** means a roof-like covering of canvas or similar fabric material, which may or may not be retractable, projecting from and being entirely supported from the exterior wall of a building.

## ***B***

***Balcony*** means an outdoor seating platform, projecting from the face of a wall, cantilevered or supported by columns or brackets and usually surrounded by a balustrade or railing.

***Basement*** means that portion of a building constructed underground with no more than 0.9 meters of its height above the natural grade of the lot on at least three separate elevations.

***Bed & Breakfast Home*** means the use of a resident occupied single detached home for accommodation of the travelling public for remuneration, which may also include the serving of meals to those guests.

**Bedroom** means a room containing a window, located in a dwelling, which due to its design or location in the dwelling, is or may be used primarily for sleeping.

**Buffer Strip** means a landscaped area intended to visibly separate and screen one use from another or to maintain and enhance natural drainage and wildlife movements.

**Building** means a temporary or permanent structure used or intended to be used for sheltering any use which is wholly or partially covered by a roof supported by walls or columns.

**Building Inspector** means the official or officials appointed by the District Council to administer and enforce the provisions of the BC Building Code, the District's Building Regulations Bylaw and/or this Bylaw.

**Building Permit** means the document authorizing the carrying out of any development, alteration or other work in accordance with the District of Summerland Official Community Plan, Zoning Bylaw, Building Regulations Bylaw, the BC Building Code or any other applicable statute or regulation.

**Bulk Fuel Depot** means a facility for the storage and distribution of fuels and oils which may include key lock operations.

**Business** means the use of land for a commercial, industrial or administrative purpose.

**Business Frontage** means the width of a building or premise at, or projected to, the lot line abutting a highway.

**Business Support Service** means a building used to provide support services to businesses and which are characterized by the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; secretarial services; office maintenance or custodial services; office security; and the sale and servicing of office equipment, furniture and machines. Typical uses include but are not limited to printing establishments, film processing establishments, janitorial firms, office equipment establishments and sign shops.

## C

**Campground** means a lot occupied and maintained for short-term overnight accommodation of the travelling public where such public transport to and from the site a recreational vehicle or tent for their temporary shelter needs.

**Canopy** means a permanent roof-like structure that extends outwards from a wall or a building.

**Carport** means a roofed structure to be used to shelter parked vehicles or equipment which is not enclosed on at least two sides, one being the side fronting the driveway.

**Child Care Center, Major** means an establishment licensed as required under the Community Care Facility Act to provide care, educational services and supervision for more than eight children at any given time during the day or evening but does not include overnight accommodation. Typical uses include day care centers, out-of-school centers and nursery schools.

**Child Care Center, Minor** means an establishment licensed as required under the Community Care Facility Act to provide care, education services and supervision for three up to a maximum of eight children at any given time during the day or evening, but does not include overnight accommodation. Typical uses include day care centers, out-of-school centers, drop-in centers and nursery schools.

**Church** means a building utilized by members of a religious faith for meetings, study and worship and may include recreational and social uses. It also includes manses or rectories.

**Commercial Kennel** means a facility which may include outdoor runs, pens or enclosures for the boarding, breeding and raising of more than three domestic pets for profit or gain but shall not apply to the boarding of animals in a veterinary clinic during the period of medical treatment.

**Commercial School** means a school conducted for the purpose of gain and profit providing training, instruction or certification in a specific trade or skill. Typically uses include but are not limited to dancing schools, music schools, business schools and trade schools.

**Commercial Storage** means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods.

**Commercial Zones** means those zones listed in Section 12 of this Bylaw or any CD zone in which the predominant use, as determined by the general purpose and list of principal uses, is of a commercial nature.

**Community Recreational Service** means a facility of a not-for-profit organization or government for recreational, social or multi-purpose use without fixed seats, primarily intended for local community purpose. A typical use is a community hall.

**Contractor Service, General** means a premise used for the provision of building and road construction services including, concrete, electrical, excavation, drilling, plumbing and heating or similar services of a construction nature which require on-site storage and warehouse space. Any sales, display, office areas shall be accessory to the principal general contractor services use only.

***Contractor Service, Limited*** means a building used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households. All required materials used to provide service shall be kept within an enclosed building with no accessory manufacturing activities or fleet storage of more than four vehicles being permitted.

***Convenience Store*** means a retail commercial establishment, not exceeding 150 square meters in gross floor area, supplying groceries and other daily household necessities to area residents or employees. Typical uses include but are not limited to small food marts, drugstores and variety stores.

## ***D***

***Deck*** means an outdoor seating area supported by the ground being more than 0.6 meters above natural grade with no walls except for visual partitions and railings.

***Density*** means the numerical value calculated by dividing the total number of dwellings constructed or to be constructed on a lot by the net lot area.

***Derelict Motor Vehicle*** means any inoperative motor vehicle which is not licensed.

***Development*** means any use or change in use, construction, building, erection, installation, repair, alterations, addition, enlargement, moving, locating, relocating, reconstruction, demolition, removal, excavation or shoring to which the District's Building Bylaw applies or Development Permit Approval is required.

***Development Site*** means an area of land consisting of a lot or two or more abutting lots.

***District*** means the Corporation of the District of Summerland.

***Dwelling*** means a residence providing sleeping, washrooms and a kitchen intended for domestic use by a household. A dwelling shall not include more than one room or area which, due to its design, plumbing or wiring, equipment and furnishings, may be used as a kitchen. This does not include rooms in a motel.

## ***E***

***Eating & Drinking Establishment*** means a facility where food and/or beverages are offered to the public for consumption within the premises or off site. Typical uses include but are not limited to restaurants, dairy bars, coffee shops, delicatessens, and licensed drinking establishment.

***Equipment Rental*** means a facility for the storage and rental of tools, appliances, office machines, furniture and construction equipment but does not include the rental of motor vehicles.

## ***F***

***Facade*** means the exterior walls of a building or structure exposed to public view from a highway.

***Fence*** means a man-made constructed barrier of any material or combination of materials erected vertically to provide visual screening or prevent vehicular or pedestrian access. A fence does not include trees or hedges.

***Financial Service*** means the provision of financial services by a bank, trust company, investment dealer, credit union, mortgage broker or related business.

***Fleet Service*** means the use of land for a fleet of vehicles for the delivery of persons, goods or services where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to messenger services, courier services and taxi operations.

***Floodplain*** means an area of land, whether flood proofed or not, which is susceptible to flooding by a watercourse.

***Floodproofing*** means the construction or alteration of land, buildings or structures in order to minimize flood damage.

***Floor Area Ratio (F.A.R.)*** means the numerical value of the gross floor area of all buildings or structures on a lot divided by the net lot area of that lot.

***Floor Area, Gross*** means the total floor area of all storeys of all buildings or structures with a clear ceiling height of 1.8 meters or more, measured from the outside face of the exterior walls or glazing line of windows. The gross floor area measurement does not include enclosed or open parking areas, garbage or loading rooms, floor areas devoted exclusively to mechanical or electrical equipment, basements, lofts, carports, unenclosed balconies, decks and stairways.

***Foreshore*** means the Crown owned land located between the high and low water marks of a lake.

***Frontage*** means the common boundary shared by a lot line and a street. On a corner lot or through lot, the lot line having the smallest measurement shall be deemed the frontage.

***Funeral Home*** means a premises used for the preparation of the dead for burial or cremation and the holding of funeral services. A funeral home shall not include facilities for cremation as an accessory use.

## **G**

***Gas bar*** means the use of land for the sale of motor fuels, lubricating oils and automotive fluids and fuels, lubricating oils and associated convenience store products. This use does not include service stations.

***General Industrial Use*** means the use of land for one or more of the following: processing of new materials excluding concrete and asphalt plants; the manufacturing or assembly of semi-finished or finished goods, products or equipment; the storage, cleaning, servicing, repairing or testing of materials, goods and equipment; terminals for the storage of transshipping of materials, goods and equipment; and/or the distribution and sale of materials, bulk goods and equipment to businesses for their own use or resale to the general public at other locations.

***Government & Utility Service Use*** means the use of land for the essential servicing of the District with water, sewer, electrical, telephone and/or similar services where such services are established by the District, by another government body or by a company operating under the Public Utilities Act. This use does not include storage yards.

***Grade, Natural*** means the elevation of the ground surface in its natural state, before man-made alterations.

***Group Home, Major*** means the use of a building as a social care facility licensed as required under the Community Care Facility Act to provide room and board for more than 6 residents, excluding staff, with physical, mental, social or behavioral problems that require professional care, guidance and supervision.

***Group Home, Minor*** means the use of a single detached house as a social care facility licensed as required under the Community Care Facility Act to provide room and board for not more than 6 residents, excluding staff, with physical, mental, social or behavioral problems that require professional care, guidance and supervision. The character of the use is that the occupants live with the facility operators as a single housekeeping group using a common kitchen.

## **H**

***Hard Surfacing*** means a durable ground surface, constructed of cast-in-place concrete, brick or concrete unit pavers, turfstone, asphalt or similar materials but excluding gravel, sand and clay.

**Health Service** means the provision of physical and mental health services on an outpatient basis. Typical uses include but are not limited to medical and dental offices, chiropractors, health clinics and mental health counseling services.

**Height** means when used with reference to a building or structure, the vertical distance measured from natural grade to the higher of:

highest point of a flat roof; or  
the mean level between the eaves and ridge of a pitched roof provided the ridge does not extend more than 2.4 meters above the mean level; or  
in the case of a structure without a roof, the highest point of that structure.

A basement shall not be considered in calculating the number of storeys or the height on the exposed elevation side of a single detached house, or duplex house.

**Home Occupation** means an occupation or profession conducted entirely within a dwelling or its accessory buildings which is clearly incidental to the dwelling being used as a private residence. This does not include uses such as automotive & equipment repair shops, autobody repair shops, eating & drinking establishments, commercial kennels, veterinary clinics, group homes, child care centers or health services.

**Hotel** means a facility used exclusively for the temporary accommodation of the travelling public which includes accommodation of less than one week in duration. Access to guestrooms, which are not permitted to contain individual cooking facilities, is by way of interior corridors connected to a main lobby that contains a central check-in facility. The hotel may include eating & drinking establishments, banquet/meeting rooms, general retail stores or boutiques, beer and wine stores, personal service facilities and indoor recreation services or fitness centers which must be made available to the general public not temporarily lodged in the building.

**Household** means:

- a) a person;
- b) or two or more persons related by blood, marriage or adoption/foster care agreement;
- c) or group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption/foster care agreement; all living together as a single household using common cooking facilities.
- d) This does not include an approved group home or an approved bed & breakfast home.

**Housing, Apartment** means a building comprised of more than four dwellings intended to be occupied by separate households, having common corridors, staircases and shared entrance and exit facilities which does not conform to any other housing definition.

**Housing, Cluster** means the construction of more than one residential building on a lot.

**Housing, Duplex** means a building containing two dwellings intended to be occupied by separate households, divided horizontally or vertically by a common party wall, having separate at grade entrances. This does not include secondary suites.

**Housing, Fourplex** means a building containing four dwellings intended to be occupied by separate households, divided by a combination of horizontal and vertical party walls, having separate at grade entrances, which does not conform to any other housing definition.

**Housing, Manufactured** means a building containing one dwelling for occupancy by one household, built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than its manufacture. All manufactured homes shall be constructed to either the CAN/CSA Z240 (Mobile Homes) or CAN/CSA A277 (Modular Home) standard.

**Housing, Manufactured - Type 1** means a manufactured home constructed to the CAN/CSA A277 (Modular Homes) standard, built in two or more sections to be fastened together on a permanent foundation in accordance with the BC Building Code.

**Housing, Manufactured - Type 2** means a manufactured home constructed to either the CAN/CSA Z240 (Mobile Home) standard or the A277 (Modular Home) standard, built in one or more sections to be fastened together on a permanent foundation which conforms to the BC Building Code or the CSA Z240.10.1 standard including skirting.

**Housing, Row** means a building comprised of three or more dwellings intended to be occupied by separate households, in which the dwellings share no more than two vertical party walls with adjacent dwellings, each dwelling having a separate at grade entrance.

**Housing, Single Detached** means a building containing one dwelling designed for occupancy by one household. A secondary suite can be accommodated under this housing definition where specifically defined as a secondary use in this Bylaw. This use does not include manufactured housing.

**Housing, Stacked Row** means row housing except that the dwellings may be arranged two deep, either vertically so that the dwellings are placed over others or horizontally so that the dwellings may be attached at the rear as well as the side. Each dwelling will have a separate, but not necessarily, an at grade entrance.

**Housing, Triplex** means a building containing three dwellings intended to be occupied by separate households, divided by a combination of vertical and horizontal party walls, each dwelling having a separate, but not necessarily, an at grade entrance.

## **I**

**Industrial Zones** means those zones described in Section 13 of this Bylaw or any CD zone in which the predominant use, as determined by its general purpose and list of permitted uses, is of an industrial nature.

**Institutional Zones & Park Zones** means those zones described in Section 14 of this Bylaw, except for the FG - Forestry Grazing Zone or any CD zone in which the predominant use, as determined by its general purpose and list of permitted uses, is of an institutional or park nature.

## **L**

**Landscaping** means changing, modifying or enhancing the visual appearance of a site including reshaping the earth, planting or preserving vegetation, adding walks, patios, fencing or other ornamental features for the purpose of enhancing the external appearance of a development.

**Loft** means an open space located wholly within a sloping roof of a residential dwelling.

**Lot** means a parcel of land, including Crown Land, which is legally defined by registered plan or description at the Provincial Land Titles Office, but does not include a highway.

**Lot Area** means the total horizontal area within the lot lines of a lot.

**Lot, Corner** means a lot situated at the intersection of two or more streets, or a lot abutting a street which substantially changes direction at any point abutting that lot.

**Lot Coverage** means the percentage of the net lot area that may be built upon including accessory building or structures (including carports, covered patios and decks larger than 23 square meters) excluding steps, eaves, cornices, cantilevered balconies and similar projections.

**Lot Depth** means the horizontal distance measured between the midpoints of the front and rear lot lines.

**Lot Line** means the legally defined limits of any lot.

**Lot Line, Front** means the lot line separating the lot from the street; or in the case of a corner lot or through lot, the lot line having the shortest measurement separating the lot from the street.

**Lot Line, Rear** means the lot line or point of intersection of the side lot lines farthest from and opposite to the front lot line.

**Lot Line, Side** means a lot line other than a front or rear lot line.

**Lot, Through** means a lot bounded on two opposite sides by a street.

**Lot Width** means the horizontal distance of a lot measured between the side lot lines at the minimum front yard setback provision.

## **M**

**Manufactured Housing Community** means the use of the land for more than two manufactured housing lots either individually owned or leased.

**Manufactured Housing Lot** means any surveyed or unsurveyed lot, which has been shown on a plan or record of possession which is occupied or intended to be occupied by a manufactured house, within a manufactured housing community.

**Marina** means a commercial establishment, containing docking facilities or mooring facilities where boats and other water vessels are berthed, stored, serviced, constructed or kept for sale or rent. Facilities for the sale of marine fuels and lubricants, boating accessory retail sales and wastewater pumping facilities may also be provided.

**Motel** means a building or group of buildings used exclusively for the temporary accommodation of the travelling public which includes accommodation of less than one week in duration. Access to each guestroom, which may include individual cooking facilities, is directly from the outside where the required parking is located at grade. Indoor or outdoor pools, an eating & drinking establishment and a manager's residence may also be provided.

## **N**

**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 visual, and so long continued in all ordinary years as to mark the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself and also includes the edge of dormant side channels of any lake, river, stream or other body of water.

**Natural Grade** means the undisturbed ground elevation prior to site preparation.

**Natural Resource Extraction** includes the quarrying, processing, removal and sale of sand, gravel, earth or mineralized rock found on or under the lot.

**Net Lot Area** means, for the purposes of determining density, unless defined elsewhere in this Bylaw, as the total area of a lot excluding any area which exceeds a 30% slope or is otherwise defined as an ESA-Environmentally Sensitive Area in the District's Official Community Plan.

## **O**

**Office** means a facility used for the provision of professional, management, administrative or consulting services in an office setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, investment planners, clerical and secretarial agencies. This use does not include financial services.

**Official Community Plan** means the "Summerland Official Community Plan Bylaw # 96-001".

## **P**

**Parking Lot** means a lot or part of a lot or a building available to be used for the temporary parking of more than one vehicle by customers, residents, employees and/or the public at large.

**Parking Space** means an off-street space of the size and dimensions to park one vehicle in conformance with Section 6 of the Bylaw exclusive of driveways, aisles, loading spaces, ramps or obstructions.

**Patio** means a surfaced open space meant for support of people or materials, located at or less than 0.6 meters above ground level.

**Personal Service Establishment** means a use which provides personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include but are not limited to barber shops, beauty salon, acupuncture clinics, massage therapists, tailors, dress makers, shoe repair shops, laundry and dry cleaning establishments but does not include Health Services.

**Porch** means a roofed structure projecting from the exterior wall of a building with walls which are open or screened to facilitate use as a seasonal outdoor living area.

**Premise** means that part of a building being used to carry on a business.

***Principal Use*** means the main or primary use of land, buildings or structures which is provided for in the list of permitted uses in the zones of this Bylaw.

***Private Club*** means a building used for the meeting or social activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organization. Private clubs may include rooms for eating, drinking and general assembly.

***Private Education Service*** means a facility for instruction and education of provincial curriculum which receives most of its operational funding requirements from private sources. Dormitory accommodation may be included with this use. This use does not include public educational services or commercial schools.

***Property Line*** means a legal boundary of a lot.

***Protective and Emergency Service*** means a facility which provides emergency services to the general public. Typical uses include but are not limited to fire, police and ambulance stations.

***Public Education Service*** means a facility for instruction and education of provincial curriculum which receives most of its funding requirements from the province. Typical uses include but are not limited to public and separate schools, community colleges, universities and technical and vocational schools. This use does not include private education services or commercial schools.

## ***R***

***Recreational Service, Indoor*** means facilities within an enclosed building for sports and active recreation where patrons are predominantly participants. Typical uses include but are not limited to athletic clubs, health and fitness clubs, swimming pools, curling clubs, hockey rinks and racquet clubs.

***Recreation Service, Outdoor*** means facility which is available to the general public for sports and active recreation conducted outdoors. Typical uses include but are not limited to golf courses, ballfields, athletic fields, lawn bowling facilities.

***Recreational Vehicle*** means a vehicle which provides sleeping and other facilities for short periods of time while travelling or vacationing, designed to be towed behind a motor vehicle or self propelled, and which includes such vehicles commonly known as tent trailers, travel trailers, campers, coaches, motorized homes or other similar vehicles.

***Recycle Drop-Off Center*** means a facility used for the collection and temporary storage of recyclable materials which are periodically removed and taken to a permanent recycling facility for final processing. This does not include recycling depots.

**Recycling Depot** means a facility used for the buying, collecting, sorting and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. This does not include recycle drop-off centers.

**Regulation** means any of the general development, specific use, sign or any other regulations contained in any part of this Bylaw.

**Residential Zones** means those zones described in Section 10 and Section 11 of this Bylaw or any CD zone in which the predominant use, as determined by its general purpose and list of permitted uses, is of a residential nature.

**Retail Store, General** means a premise where goods, merchandise and other materials, are offered for sale at retail to the general public. Typical uses include but are limited to grocery, hardware, pharmaceutical, appliance and sporting goods stores. This use excludes warehouse sales, sale of gasoline, heavy agricultural and industrial equipment sales.

## S

**Secondary Suite** means a self-contained, second dwelling located within a single detached house having a separate outside entrance. This use does not include duplex housing.

**Secondary Use** means those uses in the lists of secondary uses in the zones of this Bylaw which are permitted only in conjunction with a principal use. For example, in residential zones, a bed and breakfast home would be classified as the secondary use to a dwelling which would be the principal use.

**Service Station** means the use of the land for the servicing, washing or maintenance of vehicles, and the sales of gasoline, other petroleum products, and a limited range of vehicle parts and accessories.

**Shopping Center** means one or more buildings containing more than six business spaces exceeding 2500 square meters of gross floor area which share common services, parking and other facilities on one or more lots.

**Sight Triangle** means the triangular space formed by the highway lines of a corner lot and a line drawn from a point in one highway line to a point in the other highway line, each such point being 7.0 meters from the point of intersection of the highway lines.

**Storage Yard** means the storage of equipment, goods and materials in the open air where such storage of goods and materials does not always involve the erection of permanent buildings or structures or require major alterations to the existing state of the land. Typical uses include but are not limited to pipe yards, contractor yards or utility works yards.

**Storey** means that part of a building other than a basement or loft which is situated between the top of any floor and the top of the next floor or ceiling, as the case may be, above it.

**Street** means a highway under the Municipal Act other than a lane which affords the principal access to a lot.

**Street, Flanking** means a street that abuts a side lot line.

**Structure** means a construction of any kind whether fixed to or supported by or sunk into land or water including but not limited to towers, flag poles, swimming pools, docks, signs and tanks but excluding areas of hard surfacing.

## **T**

**Tandem Parking** means two parking spaces, one behind the other, with a common or shared point of access to a driving aisle or highway.

**Theatre** means an enclosed building designed specifically for the presentation of live artistic performances or the showing of motion pictures. Typical uses include but are not limited to cinemas, performing art and concert halls.

**Top of Bank** means the point at which the upward ground level becomes less than one (1) vertical to four (4) horizontal, and refers to the crest of the bank or bluff where the slope clearly changes into the natural upland beach; or as designated by the Ministry of Environment.

## **U**

**Urban Services, Full** means the provision of a utility infrastructure consisting of a community water system, a community sanitary sewer collection system, an abutting paved street, and electrical and/or gas connection capabilities.

**Use** means the purposes for which land or a building is arranged or intended, or for which either land, a building, or a structure is, or may be, occupied and maintained.

## **V**

**Veterinary Clinic** means a facility providing medical and surgical treatment for domestic pets which shall include indoor short-time boarding of pets during the period of medical treatment. This may include grooming facilities.

## W

**Walkway** means a right-of-way intended to accommodate pedestrian movements, except that a walkway may be designed to accommodate occasional access for emergency vehicles.

**Warehouse Sales Establishment** means a the use of the land for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically required large floor areas for direct display to the purchaser or consumer. Typical uses include but are not limited to use of the land where principal goods being sold are such bulky items as furniture, carpet, major appliances, and building materials. This use does not include the use of the land for the retail sale of food or the retail sale of a broad range of goods for personal or household use.

**Watercourse** means any natural depression with visible banks, which contains water at some time, and includes any lake, river, stream, creek, spring, ravine, swamp, gulch, coulee, wetland, or surface source of water, whether containing fish or not, including intermittent streams, and drainage works which contain fish.

**Wine & Beer Store** means a privately owned retail store licensed by the Province to sell beer, wine and spirits to the public.

**Winery & Cidery** means a winery or cidery which is licensed under the Provincial Liquor Control & Licensing Act.

**Wrecking Yard** means any land or building used for the collection, demolition, dismantlement, storage, salvage, recycling or sale of waste materials including scrap metal, vehicles, parts, machinery and other discarded materials.

## Y

**Yard** means an open, uncovered space on a lot unoccupied by buildings and structures except as specifically permitted by this Bylaw.

**Yard, Front** means that part of the lot which extends across the full width of the Lot located between the side lot lines extending from the front lot line to the nearest wall or supporting member of a building or structure.

**Yard, Rear** means that part of the lot which extends across the full width of the lot located between the side lot lines extending from the rear lot line to the nearest wall or supporting member of a building or structure.

***Yard, Side*** means that part of the lot which extends from a front yard to the rear yard between the side lot line of a lot and the nearest wall or supporting member of a building or structure.

***Yard, Side, interior*** means a side yard other than an exterior side yard.

***Yard, Side, exterior*** means a side yard abutting a street.

## **Z**

***Zone*** means an area of the District as defined in Sections 9 to 15, including all the CD zones, which are described on the zoning map attached to this Bylaw as Schedule “B”.

## **3.0 Establishment of Zones**

### **3.1 Establishment of Zones**

- 3.1.1 The area of the District of Summerland shall be divided into zones identified in Column 2 of Table 3.1.
- 3.1.2 The correct name of each zone provided for in this Bylaw is set out in Column 2 of Table 3.1 with the corresponding general zoning category contained in Column 1 of the same Table.

### **3.2 Zone Boundaries**

- 3.2.1 The location of each zone is defined in Schedule “B” of this Bylaw entitled “District of Summerland Official Zoning Map” which is hereby attached to and made an integral part of this Bylaw.
- 3.2.2 The boundaries of a zone shown on Schedule “B” shall be interpreted as follows:
- a) where the zone boundary follows a highway, pipeline, powerline, utility right-of-way, railway line, or easement, it follows the centerline, unless otherwise clearly indicated on the map;
  - b) where the zone boundary is shown as approximately following the District boundary or a lot line, it follows the District boundary or lot line.
  - c) where the zone boundary is shown as following a topographic contour line or a top of bank, it follows that line. In the event of change of the topographic contour line or top of bank, it shall move with that line;
  - d) where the zone boundary is shown as approximately following the edge of a natural boundary of a watercourse, it follows the natural boundary. In the event of change in the natural boundary of a watercourse, it shall move with the natural boundary;
  - e) where a zone boundary is shown as approximately following the Agricultural Land Reserve boundary, it follows that boundary; and Land Reserve boundary, it follows that boundary; and
  - f) in circumstances not covered by any of the above statements, the zone boundary shall be determined by scaling the zoning map.

### **3.3 Undersized Lots**

- 3.3.1 Where a lot is reduced in size as a result of taking for public use by the District, provincial or federal government, or a public utility by dedication, expropriation, or purchase, the lot, buildings and structures thereon are deemed to conform with the provisions of this bylaw and the lot shall be considered to exist as it did prior to the taking.

3.3.2 A principal or secondary use is permitted on a lot less than the minimum lot size in that zone provided that the lot was created prior the adoption of this Bylaw and the use of the land otherwise complies with all other regulations of this Bylaw.

### **3.4 Non Conforming Uses & Siting**

3.4.1 Non conforming uses and siting are provided for by the Municipal Act. These are uses where land, a building or a structure is lawfully used at the time of the enactment of this Bylaw, but does not conform to the regulations of this Bylaw. Specific legal rights relative to non-conforming uses and siting can be determined by reviewing the applicable section of the Municipal Act.

### **3.5 Uses and Regulations**

3.5.1 All uses, buildings and structures on each zone shall be in accordance with the uses and regulations in that zone, as well as all other regulations and requirements of the Bylaw.

**Table 3.1  
Establishment of Zones**

3.5.2

Column 1	Column 2
Agricultural zones	A1 - Agriculture Zone A2 - Agricultural Zone
Rural Residential zones	CR1 - Country Residential Zone CR2 - Country Residential Zone CR3 - Country Residential Zone
Urban Residential zones	RSD1 - Residential Single Detached Zone RSD2 - Residential Single Detached Zone RSD3 - Residential Single Detached Zone RSD4 - Residential Single Detached Zone RDH - Residential Duplex Housing Zone RMD - Residential Medium Density Zone RSH - Residential Strata Housing Zone RMH - Residential Manufactured Housing Zone RHD - Residential High Density Zone
Commercial zones	C1 - Neighborhood Commercial Zone CT1 - Commercial Tourist Zone CT2 - Commercial Tourist Zone CT3 - Commercial Tourist Zone CB1 - Central Business Zone CB2 - Central Business Zone CM - Heavy Commercial Zone
Industrial zones	M1 - Industrial Zone M2 - Industrial Zone M3 - Industrial Zone M4 - Industrial Zone
Parks, Openland and Institutional zones	PR1 - Parks and Recreation Zone PR2 - Parks and Recreation Zone PP - Preservation & Protection Zone FG - Forestry Grazing Zone I - Institutional Zone
Site Specific	CD - Comprehensive Development Zone

# 4.0 General Regulations

## 4.1 Uses Permitted in All Zones

4.1.1 The following uses are permitted in all zones:

- a) government & utility service uses;
- b) highways;
- c) parks; and
- d) conservation areas.

## 4.2 Projections into Setbacks

4.2.1 No building or structure other than the following shall be located in the yard setbacks required in this Bylaw:

- a) chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows and similar features may project into a required yard setback provided such projection do not exceed 0.6 meters measured horizontally;
- b) fencing subject the regulations of this Bylaw;
- c) unenclosed decks, balconies, porches or steps, eaves, canopies and awnings may project into a required yard setback provided such projections do not exceed 1.5 meters in the case of a front yard or an exterior side yard; 0.6 meters in the case of an interior side yard; or 2.0 meters in the case of a rear yard; and
- d) utilities, storage tanks, underground parking and similar structures constructed entirely beneath the surface of the ground may project into the required yard setback provided such underground projections are covered by sufficient soil depth to accommodate landscaping and/or are hard surfaces to accommodate access needs.
- e) In no case shall a building, structure or sign project over a lot line other than as permitted in Section 8: Sign Regulations.

## 4.3 Height Exemptions

4.3.1 Any of the following structures may exceed the maximum height regulations of this Bylaw:

- a) chimneys;
- b) church spires or belfries;
- c) communication towers, antennas or masts not including satellite reception dishes;
- d) transmission towers;
- e) mechanical appurtenances constituting not more than ten percent (10%) of the total roof area of a building provided that the appurtenance is screened;
- f) flagpoles for federal, provincial or municipal flags; and

- g) farm silos or wind machines.

#### **4.4 Heritage Designated Buildings**

- 4.4.1 In addition to all the principal uses identified in the site specific urban and rural residential zones in Section 10 & 11 of this Bylaw, craft shops, art galleries, photographic studios and cultural centres shall be also permitted in heritage designated dwellings subject to the following regulations:
- a) renovations to the site and structure must be compatible with the heritage character of the building;
  - b) commercial uses shall only be permitted provided the structure maintains a minimum gross floor area of 28 square meters for a dwelling;
  - c) commercial uses shall not produce offensive noise, excessive traffic, vibration, smoke, dust, odour or glare;
  - d) the site may be designated as a Municipal Heritage Property under the procedure established by Part 30 of the Municipal Act;
  - e) parking must meet, but not exceed, the minimum spaces required under Section 6: Parking & Loading Regulations of this Bylaw for the uses proposed on the property; and
  - f) the existing landscaping on the property shall be preserved as much as possible.

#### **4.5 Accessory Buildings**

- 4.5.1 Where a building or structure is attached to a principal building on the site by a roof, or by an open or enclosed structure above grade, it is part of the principal building and is not an accessory building.
- 4.5.2 Shipping /cargo containers defined as a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship, or transport truck are not permitted within residential zones.

#### **4.6 Fences**

- 4.6.1 The height of a fence shall be determined by the measurement from the natural grade.
- 4.6.2 Except as otherwise specifically stated in this Bylaw:
- a) no fence shall exceed 1.8 meters in height other than deer fencing constructed with wire mesh in agricultural zones;
  - b) no fence situated in the required front yard setback or the required exterior side yard setback of any lot shall exceed a height of 1.2 meters other than in agricultural and industrial zones;
  - c) no fence located on a corner lot contiguous to a street or lane intersection shall exceed a height greater than 1.0 meter within the sight triangle;
  - d) no fence shall be placed closer than 2.0 meters to the edge of a swimming

- pool;
- e) no fence shall use barbed wire except in agricultural and industrial zones; and
- f) no fence shall use razor wire.

4.6.3 Where a retaining wall higher than 1.2 meters, measured from the base on the lowest side, is located within 1.2 meters of a lot line, the maximum height for a fence on the retaining wall is 1.0 meter.

4.6.4 Fences for outdoor recreation services shall not be limited in height provided such fences are constructed of material that permits visibility such as wire mesh.

#### **4.7 Vehicle Storage**

4.7.1 Exterior storage or parking of more than two (2) unlicensed vehicles is prohibited in all zones other than industrial, commercial or agriculture zones.

4.7.2 Exterior storage or parking of a derelict motor vehicle for more than 30 consecutive days is prohibited in all rural residential zones and urban residential zones.

#### **4.8 Setbacks from Highways and Major Streets**

4.8.1 Highway #97 right-of-way is under the jurisdiction of the Ministry of Transportation and Highways resulting any subdivision, rezoning, redevelopment or access issues along this corridor requiring review and approval by that Ministry.

4.8.2 All buildings and structures shall be located a minimum distance of 15.0 meters from any lot line abutting Highway #97.

4.8.3 All buildings and structures on lots abutting a street designated as part of the Major Street Network Plan in the District Official Community Plan shall have a building line setback of not less than the amount equal to the yard setback required within the site specific zoning of the lot plus the amount required by the District's Subdivision and Development Servicing Bylaw to widen the street in the future.

#### **4.9 Setbacks from Watercourses and Environmentally Sensitive Areas:**

4.9.1 Buildings, parking areas or structures other than pump-houses or signs regulated by Part 26 of the *Local Government Act* shall not be located within the following minimum setback distances measured from top of bank of any natural watercourse or domestic water supply, including Okanagan Lake:

- a) 30.0 meters in the case of lands zoned Industrial, Commercial or zoned to accommodate multiple housing developments; and
- b) 15.0 meters in the case of all other zones.

4.9.2 All livestock holding pens, corrals or paddocks, composting or incinerator uses, retention ponds, underground storage tanks, and agricultural waste storage areas

shall be located a minimum distance of 30.0 meters from the top of bank of any natural watercourse or domestic water supply including Okanagan Lake, and from any lands designated ESA - Environmentally Sensitive Areas under the District's Official Community Plan.

- 4.9.3 All native vegetation within the setback portions required in Section 4.10.1 of this Bylaw, shall be left undisturbed except for access driveways or agricultural crops.

**4.10 Hazardous Areas**

- 4.10.1 Lands that are covered as part of the Golder Associates recommended "Guidelines for Development" included as part of a report titled "Review of High Hazard Area Zoning Regulations", dated December, 1982, are required to meet the recommended lot area and setback provisions noted in that report. The lot area and setback provisions can be reduced provided that a satisfactory site specific geotechnical report is submitted noting what lot area and setback provisions can be allowed but in no case shall the lot area or setback provisions be less than permitted under the current zoning of the property.

**4.11 Okanagan Lake**

- 4.11.1 All uses on, in or over the foreshore or waters of Okanagan Lake are restricted to uses that are accessory to the use of the upland lot.

**4.12 Swimming Pools**

- 4.12.1 Swimming pools shall not be located in any required front yard or exterior yard setback.
- 4.12.2 In addition to Sub-Section 4.13.1 of this Bylaw, swimming pools shall also provide the following setback provisions.
  - a) Minimum Rear Yard Setback: 1.8 meters
  - b) Minimum Interior Side Yard Setback: 1.8 meters
- 4.12.3 The required siting of a fence around a pool shall be in compliance with Section 4.6 of this Bylaw.
- 4.12.4 The actual design specifications of a fence for around a pool shall be in compliance with the District's Building Regulation Bylaw.

# 5.0 Landscape & Screening Regulations

## 5.1 Definitions

### 5.1.1 In this section:

***Landscaped Strip*** means a landscaped area used to physically separate differing land uses meeting the following specifications:

- a) trees shall be planted at a maximum spacing of 5.0 meters on center and shall be a minimum of 2.0 meters in height at time of planting;
- b) shrubs and ground cover or decorative surface treatment may be provided for a maximum of 33% of the landscaped screen area;
- c) shrubs shall be planted at a maximum spacing of 1.0 meter on center and shall be a minimum 2 gallon pot size at time of planting; and
- d) the landscaped strip shall be broken only for driveways and walkways.

***Landscaped Screen*** means a landscaped area used to screen and buffer land uses comprised of a dense planting of coniferous vegetation which has a minimum height of 1.2 meters at the time of planting which can only be broken for driveways and walkways.

***Screen*** means a fence or wall used as an enclosure and a continuous visual barrier, broken only for driveways and walkways.

## 5.2 Landscape Requirements

5.2.1 Screening and landscaping shall be provided and maintained in accordance with the regulations detailed in the Landscape & Screening Schedule (Table 5.1) of this Bylaw. Where two or more standards apply, the more restrictive requirement shall prevail.

5.2.2 In cases where property is to be developed in phases, landscaping need only be provided on that portion of the property to be developed in each phase. Landscaping shall be required in each subsequent phase as that property is redeveloped.

## 5.3 Landscaping and Screening

5.3.1 Where landscaping is required by this Bylaw or by the District's Official Community Plan, every application for development shall include a landscaping plan which illustrates:

- a) the location or proposed footprint of all buildings; and structures on the property;
- b) positioning of any vegetation to be retained;

- c) proposed plant species including sizes, numbers and locations;
- d) method of irrigation;
- e) the location of all hard surfaced areas such as driveways, parking areas and sidewalks;
- f) existing or proposed finished grades;
- g) site lighting and fencing; and
- h) any other information required by the District Planner or Building Inspector

5.3.2 Any changes to an approved landscape plan must be authorized by the District Planner or Building Inspector.

#### **5.4 Landscape Security Deposits**

5.4.1 Prior to issuance of a building permit, an applicant will be required to provide an irrevocable letter of credit or cash security in the amount of 125% of the cost of the landscaping and paving as determined by a contractor to secure completion of the landscaping and paving work required by this Bylaw or the District's Official Community Plan.

5.4.2 If the applicant does not comply with the required landscaping and paving provisions of this Bylaw or the District's Official Community Plan, the District will retain the cash security until the work is satisfactorily completed.

#### **5.5 Landscape Restrictions**

5.5.1 On a corner lot continuous to a street or lane intersection, no vegetation in any form shall be allowed at a height greater than 1.0 meter within the sight triangle.

#### **5.6 Landscape Standards**

5.6.1 All landscaped areas and installations shall meet or exceed the British Columbia Nursery Trades standards and be regularly maintained by the property owner or his designate.

5.6.2 All outdoor storage areas shall employ a dust-free surface.

5.6.3 All required landscaped areas featuring non-native or non-drought resistant species shall be watered by employing an automatic irrigation system.

5.6.4 All construction on-site must include erosion measures where the potential of siltation or degradation of a natural area, hazardous area or watercourse is possible.

5.6.5 All land areas having a natural slope greater than 30% which were unavoidably disturbed to install services as part of a development site shall be revegetated using indigenous plant species to control erosion.

**Table 5.1  
Landscape & Screening Schedule**

Use	Location of Landscaping & Screening Requirements	Actual Landscape & Screening Requirements
All uses with the exception of agricultural uses in all zones.	Lot lines abutting or adjacent to lands within the Agricultural Land Reserve.	3.0 meter wide landscaped strip or 1.6 meter wide landscaped screen, plus a 1.8 meter high screen.*
All uses in all zones other than agricultural crops.	Lot lines abutting a watercourse other than Okanagan Lake.	Retain natural vegetation within setback provisions outlined under Sub-Section 4.10.1 of this Bylaw. Replanting within the above noted setback provision shall employ native plant species.
All uses within an industrial zone.	Lot lines abutting all urban or rural residential zoned properties.	6.0 meter wide landscaped strip.
All buildings and parking areas within a commercial zone or institutional zone.	Lot lines abutting all urban or rural residential zoned properties.	3.0 meter wide landscaped strip.
All uses in all zones other than agricultural crops.	Lot lines abutting Highway #97.	4.5 meter wide landscape strip.
All commercial uses in the Trout Creek Development Permit Area as defined in the District's Official Community Plan.	Lot lines abutting non-commercial zoned properties.	5.0 wide landscaped strip.
Autobody repair shops, wrecking yards and outdoor storage facilities.	surrounding outdoor storage and/or dismantling facilities.	2.4 meter high screen.

Table continued next page.

Outdoor storage facilities for more than five recreational vehicles and/or boats in all urban residential zones.	Lot lines abutting a public highway or neighboring lot.	1.6 meter wide landscaped screen.
Off-street parking for more than 20 vehicles in all zones other than industrial zones and park zones.	Lot lines abutting a highway or neighboring lot.	4.5 meter wide landscaped strip or 1.6 meter wide landscaped screen. Landscape islands within the parking areas shall also be provided which avoids having more than 20 vehicle parking spaces in a continuous row.

Notwithstanding the above noted regulation, the Agricultural Land Commission may require greater landscaping and screening provisions as part of any application requiring their direct approval.

# 6.0 Parking & Loading Regulations

## 6.1 Vehicle Parking and Loading Provisions

- 6.1.1 When any new development is commenced or when any existing development is enlarged, or use changed, vehicle parking and loading spaces shall be provided and maintained by the property owner for parking and loading in accordance with the standards of this section.
- 6.1.2 The vehicle parking and loading requirements for a mixed use development shall be the sum total of the vehicle parking and loading requirements for each of the component uses.
- 6.1.3 Where the calculation of the total number of vehicle parking and loading spaces results in a fractional number, the next highest whole number shall be required where such calculation results in a fraction of 0.5 or greater but in no case shall the vehicle parking and loading space provisions be less than 1 space.
- 6.1.4 Where a particular development is not specifically identified in terms of its vehicle parking and loading requirements, the use class or combination of use classes most representative of the proposed development shall be used to determine the on-site vehicle parking and loading requirements.
- 6.1.5 The minimum number of on-site vehicle parking and loading spaces shall be in accordance with the Parking & Loading Schedule (Table 6.1) of this Bylaw.
- 6.1.6 All required vehicle parking and loading spaces shall be located on the development site requiring the vehicle parking and loading spaces.
- 6.1.7 In the CBI - Central Business Zone and the CB2 - Central Business Zone, the on-site vehicle parking space requirements of this Bylaw, other than for dwellings, may be met by payment to the District of Summerland of an amount of money specified by Council by bylaw. The money collected shall be paid into a reserve fund for the provision of new parking spaces.

## 6.2 Vehicle Parking Space Standards

- 6.2.1 Except as noted below, each vehicle parking space shall have a minimum width of 2.6 meters and a minimum clear length of 5.5 meters exclusive of access driveways or aisles, ramps and columns. For parallel parking, the length of the parking space shall be increased to 7.0 meters, except that an unobstructed end space shall be a minimum length of 5.5 meters.

- 6.2.2 All access driveways and aisles shall be a minimum of 7.2. meters wide for 90 degree parking, 5.5 meters wide for 60 degree parking, 4.1 meters wide for 45 degree parking and 3.5 meters wide for 30 degree parking. Where the parking angle is less than 90 degrees, the access driveways or aisles shall be demarcated as one-way.
- 6.2.3 Parking areas containing 4 or more vehicle parking spaces may designate up to 25% of the total vehicle parking spaces as small car parking. The small car spaces shall have a minimum width of 2.5 meters and a minimum clear length of 4.9 meters and be clearly designated as “Small Car Parking”.
- 6.2.4 Parking areas having more than 10 vehicle parking spaces shall designate one of the spaces as handicapped parking. Additional handicapped parking spaces shall be provided at a rate of 1 % of the total parking requirements. The handicapped parking spaces shall have a minimum width of 3.7 meters and a minimum clear length of 5.5. meters and be clearly designated by signage incorporating the universal handicapped logo as “Handicapped Parking”.
- 6.2.5 All vehicle parking spaces in all Commercial Zones, Urban Residential Zones except for RSD1 - Residential Single Detached Zones, RSD2 - Residential Single Detached Zones, RSD3 - Residential Single Detached Zones, RDH - Residential Duplex Housing Zones, and all CD - Comprehensive Development Zones unless otherwise noted, shall be hard surfaced and delineated with white or yellow paint.
- 6.2.6 Vehicle parking spaces may be configured in tandem for Single Detached Housing, Duplex Housing and all developments in the CB1 - Central Business Zones and the CB2 - Central Business Zones provided access to the spaces is from a lane-way.
- 6.2.7 All parking areas containing more than 5 vehicle parking spaces, shall install curbs or wheel stops to prevent vehicles from overhanging the parcel lines, landscaped areas or walking corridors.
- 6.2.8 Vehicle parking spaces for visitors shall be provided in accordance with the Parking & Loading Schedule (Table 6.1) of this Bylaw. The visitor parking spaces shall be clearly designated as “Visitor Parking”.
- 6.2.9 All access points to a parking area from a public highway shall be in accordance with the “Summerland Driveway Access Bylaw”. Where alternative access to a lane or flanking street is available, access may be denied to a collector roadway or other public highway at the discretion of the Director of Works & Utilities.
- 6.2.10 Every vehicle parking area shall be graded in a manner so as to contain all surface water on-site and drain to a District storm sewer system. If no storm sewer system is available, surface water shall be disposed of on-site in a dry well or rockpit approved by the District’s Building Inspector.
- 6.2.11 Except for single detached housing, duplex housing or parking areas located off laneways, the parking layout shall contain adequate provisions to ensure that

manoeuvre movements into and out of parking spaces is carried out on-site.

- 6.2.12 All on-site vehicle parking spaces, regardless of the numbers provided shall conform to Section 5: Landscape & Screening Regulations of this Bylaw.

### **6.3 Vehicle Parking Space Location Standards**

- 6.3.1 For all parking areas containing more than 20 parking stalls, no entrance to a individual parking space shall be permitted within 6.0 meters of the driving lane of the highway used for access purposes.

- 6.3.2 For all uses except for single detached housing, duplex housing, or parking areas located within CB1- Central Business Zone, or the CB2 - Central Business Zone, no on-site vehicle parking spaces shall be located closer than 4.5 meters to the front property line, no closer than 1.8 meters to the side interior property line or rear property line or closer than 3.0 meters of any exterior side property line.

### **6.4 Loading Space Standards**

- 6.4.1 Each loading space shall not be less than 28 square meters in area, less than 3.0 meters in width, or have less than 4.0 meters in overhead clearance.

- 6.4.2 All loading spaces in all Commercial Zones and CD - Comprehensive Development Zones unless otherwise noted, shall be hard surfaced and delineated as a "Loading Zone".

- 6.4.3 All loading spaces shall be graded in a manner so as to contain all surface water on the subject property.

- 6.4.4 All loading spaces shall conform to Section 5: Landscape & Screening Regulations of this Bylaw.

### **6.5 Loading Space Location Standards**

- 6.5.1 Access to any loading spaces shall be provided, wherever possible, internally to the development or from a lane abutting the development. Backing up movements of vehicles into loading spaces from abutting highways shall be avoided.

### **6.6 Lighting**

- 6.6.1 Any outdoor lighting for parking and loading areas shall be located and arranged in such a manner that no direct ray of light is directed at abutting or adjacent lots or interfere with the effectiveness of any traffic control device.

**Table 6.1  
Parking & Loading Schedule**

<b>Category of Use</b>	<b>Required Vehicle Parking Spaces</b>	<b>Required Loading Spaces</b>
Agriculture, General or Intensive	5 per 100 square meters of gross floor area for any packaging, processing or retail sales buildings including produce stand	
Animal Shelters	2 per 100 square meters of gross floor area, minimum of 4	
Amusement Establishments Art Galleries & Museums Libraries	1 per 40 square meters of gross floor area	
Auctioneering Establishments	10 per 100 square meters of gross floor area	1
Auto-body Repair Shops	10 per 100 square meters of gross floor area	
Automobile Sales & Rentals Automotive & Equipment Repair Shops Boat Sales & Services Equipment Rentals Concrete & Asphalt Plants Recreation Vehicle Sales &, Rentals	1 per 70 square meters of gross floor area	1 per 1500 square meters of gross floor area
Bed & Breakfast Homes	1 per 2 guest rooms	
Natural Resource Extraction Recycle Drop-off Centres Storage Yards Wrecking Yards	2 per business occupant	
Business Support Services Personal Service Establishments	2.5 per 100 square meters of gross floor area	
Canneries Commercial Storage Packing Houses Sawmills Bulk Fuel Depots Warehouse Sales Establishments Wineries & Cideries Recycling Depots	0.5 per 100 square meters of gross floor area	1 per 1500 square meters of gross floor area

Table continued next page.

Child Care Centre - Major	2 per 10 children, minimum of 4 spaces	
Church	1 per 5 seats	1
Community Recreational Services Convention Centres Recreational Services, Indoor Private Clubs Theatres	2.5 per 100 square meters of gross floor area of assembly use space	1
Contractor Services, General or Limited	2 per 100 square meters of gross floor area	
Convenience Stores Gas Bars Service Stations Carwashes	3 per 100 square meters of gross floor area and 2 per service bay	
Eating & Drinking Establishments	1 per 4 seats. Unenclosed outdoor seating used on a seasonal basis is exempt from parking provided that the outdoor seating is not greater than 50 % of the total number of approved indoor seats.	
Education Services, Private or Public	2 per elementary or intermediate classroom; per secondary classroom; 10 per college, commercial school or other post secondary classroom	
Financial Services Health Services	4 per 100 square meters of gross floor area	1 per 1500 square meters of gross floor area
Fleet Services	2 per 100 square meters of gross floor area ; minimum of 3	
Funeral Homes	6.0 per 100 square meters of gross floor area for chapel, plus 2.5 per 100 square meters of gross floor area	1
General Industrial Uses	1 per 200 square meters of gross floor area	1 per 1500 square meters of gross floor area
Greenhouses and Plant Nurseries	1 Per 1500 Square meters of gross floor area	
Group Homes, Major or Minor	1 per 2 persons licensed occupancy	

Table continued next page.

Hospital	1 per 4 beds	1
Hotel	1 per 3 sleeping units	1
Housing - Triplex, Fourplex, Row, Stacked Row, or Apartment	1 per bachelor dwelling unit; 1.5 per 1 bedroom dwelling; 2 per 2 or more bedroom dwelling. In addition. 1.0 designated visitor-parking spaces per 7 dwelling units.	
Housing - Single Detached, Duplex or Manufactured	2 per dwelling unit	
Housing - Dwelling Units located in the CB1 zone	0.75 per dwelling unit	
Housing - Secondary Suites, Watchman's Residence, Manager's Dwelling or Agricultural Dwelling - Additional	1 per dwelling unit	
Marinas	1 per 2 boat spaces	
Motel	1 per sleeping unit	
Offices, Research Centers and Laboratories	2.5 per 100 square meters of gross floor area	1 per 1500 square meters of gross floor area
Recreational Services, Outdoor	per hole or 1 per participants, whichever is greater; 6 per hectare lot area	
Retail Stores, General Shopping Centers Wine & Beer Stores	3 per 100 square meters gross floor area	1 per 1500 square meters gross floor area

# 7.0 Specific Use Regulations

## 7.1 Application

7.1.1 The specific use regulations shall apply to all development in the District of Summerland. Where these regulations may be in conflict with any specific regulations of an individual zone or Section 4: General Regulations, the special use regulations shall take precedence.

## 7.2 Bed & Breakfast Homes

7.2.1 Bed & breakfast homes, where permitted in this Bylaw as a secondary use, shall comply with the following regulations:

- a) the bed & breakfast home shall be operated by the live-in owner of the single detached dwelling;
- b) the principal residential character or external appearance of the dwelling must not be altered;
- c) all guest rooms (bedrooms) must be located within the single detached dwelling;
- d) guest rooms (bedrooms) are restricted to a maximum of four accommodating a maximum of eight guests;
- e) the minimum size of guest rooms (bedrooms) exclusive of closets, shall be 10 square meters with the minimum width and length not being less than 2.4 meters; and
- f) no guestrooms (bedrooms) shall include cooking facilities.

7.2.2 Parking & signage for bed & breakfast homes shall be in conformance with Section 6: Parking & Loading Regulations and Section 8: Sign Regulations of this Bylaw.

7.2.3 All bed & breakfast homes shall comply with the guidelines adopted by the office of the Fire Commissioner of BC, the BC Building Code and provincial health standards.

7.2.4 All bed & breakfast homes located in the Agricultural Land Reserve are restricted to a maximum of three guest rooms (bedrooms) unless authorization from the Agricultural Land Commission is received for more guest rooms.

7.2.5 All bed & breakfast homes must be licensed in accordance with the District's Business Licensing Bylaw.

### **7.3 Secondary Suites**

7.3.1 Secondary suites, where permitted in this Bylaw as a secondary use, shall comply with the following regulations:

- a) secondary suites shall be permitted in single detached housing only, with one suite permitted per house. It shall not be allowed in conjunction with a bed & breakfast home;
- b) secondary suites shall be limited to lots having full urban services;
- c) secondary suites shall be limited to a one bedroom unit wholly contained within the single detached house having a separate outside entrance provided;
- d) the maximum size of a secondary suite is limited to the lesser of 60 square meters or 50% of the gross floor area of the single detached house; and
- e) secondary suites shall be used to provide rental accommodation only and shall not be sold as a separate dwelling.

7.3.2 All secondary suites shall comply with the BC Building Code standards.

7.3.3 Parking & Signage for secondary suites shall be in conformance with Section 6: Parking & Loading Regulations and Section 8: Sign Regulations of this Bylaw.

### **7.4 Dock & Boat Lift Regulations**

7.4.1 Moorage facilities consisting of docks and boat lifts shall be permitted as an accessory use upon obtaining authorization from Council to enter a "Licence of Occupation" in accordance with the Head Lease Agreement with the Province of BC Council's authorization to enter a "License of Occupation" will be conditional upon meeting the following regulations:

- a) only one dock shall be constructed per upland lot which includes contiguous upland lots held under common ownership;
- b) no dock shall extend into Okanagan Lake more than 30.5 meters measured from the low water mark;
- c) no dock shall obstruct public access along the foreshore. In cases where the dock crosses the entire foreshore at a height greater than 0.3 meters, steps must be provided on both sides of the dock to permit public access over the dock;
- d) an individual privately owned dock shall not exceed a width of 2.4 meters while a common owned dock shared by two or more upland property owners shall not exceed a width of 5.0 meters;
- e) setback from the side lot line of the upland lot, projected onto the beach and into the water, shall be a minimum of 3.0 meters. Docks commonly owned and shared by two or more upland property owners are not required to provide any setback provided that all affected upland property owners enter into the required "License of Occupation".

- f) "L" & "T" shaped docks shall be permitted provided the maximum width of the structure does not exceed one half the width of frontage of the upland lot or 9.0 meters, whichever is least ;
- g) siting of the docks shall be undertaken in a manner that is consistent with the orientation of neighboring docks and avoids impacts on access to existing docks and adjacent properties;
- h) dock structures shall be designed to either float or be supported by wooden or steel piles. All construction shall meet the requirements of the BC Building Code. Solid core docks will not be permitted;
- i) all boat lifts shall be attached to or be immediately adjacent to any dock structure; and
- j) no roof or overhead covering shall be constructed over a boat lift or dock.

7.4.2 Non-moorage uses such as beach houses, boat houses, storage sheds, patios, sundecks, hot tubs, gazebos, landscape features or fencing shall not be permitted beyond the natural boundary of the upland property boundary as defined by legal survey which includes placement on the dock itself.

7.4.3 The placement of fill, or the dredging of aquatic land to facilitate or improve residential moorage facilities is not permitted. Natural habitat and shoreline processes shall not be altered by the placement of fill, groynes, retaining walls or other similar structures beyond the natural boundaries of the upland lot as defined by legal survey without authorization from Council and the Ministry of Environment.

## **7.5 Home Occupations**

7.5.1 Home occupations within the District shall be divided into the following categories:

- a) home occupation - type 1
- b) home occupation - type 2
- c) home occupation - type 3

7.5.2 All home occupation categories, where permitted in this bylaw as a secondary use, shall comply with the following regulations;

- a) the home occupation shall not change the principal character or external appearance of the dwelling or its accessory buildings (where permitted);
- b) the home occupation shall have no external indication that the dwelling or its accessory buildings (where permitted ) are used for a purpose other than its principal use, except for signage which is regulated under Section 8: Sign Regulations of this Bylaw;
- c) the home occupation shall have no external storage or display of materials, equipment, or finished products;
- d) the home occupation shall not create, at anytime, a nuisance from noise, vibration, smoke, dust, odor, heat, glare, electrical or radio disturbance;

- e) the home occupation shall not generate vehicle traffic or parking needs in excess of that permitted for and customary to the principal use of the property;
- f) all parking for the home occupation must be provided within the site on which the home occupation is located; and
- g) all home occupations must be licensed in accordance with the District's Business Licensing Bylaw.

## **7.6 Home Occupation - Type 1**

7.6.1 In addition to the regulations outlined in Sub-Section 7.5.2 of this Bylaw, home occupations -type 1 must comply with the following:

- a) the home occupation - type 1 shall be conducted within the interior of the dwelling and be confined to the use of a phone and the keeping of records. The use of accessory buildings for any portion of the business is prohibited;
- b) only residents of the dwelling shall be engaged in the home occupation - type 1;
- c) the home occupation - type 1 shall not generate any clients to the dwelling;
- d) the home occupation - type 1 is restricted to no more than 25% of the floor area of the dwelling up to a maximum area of 20 sq .meters;
- e) a home occupation - type 1 shall not include any goods displayed, stored or sold from the dwelling;
- f) a home occupation - type 1 shall not include a commercial vehicle larger than 5600 kg gross vehicle weight parked on or about the site where the business is licensed to operate; and
- g) the signage for home occupation – type 1 shall be in conformance with Section 8: Sign Regulations of this Bylaw.

## **7.7 Home Occupation - Type 2**

7.7.1 In addition to the regulations outlined in Sub-Section 7.5.2 of this Bylaw, home occupations - type 2 must comply with the following:

- a) the home occupation - type 2 shall be conducted within the interior of the dwelling and/or one accessory building;
- b) only one person other than residents of the dwelling shall be engaged in the home occupation - type 2;
- c) the home occupation - type 2 is restricted to no more than 25% of the floor area of the dwelling or accessory building up to a maximum combined area of 50 square meters;
- d) a home occupation - type 2 shall not include any retail sales from the property other than those goods constituting the finished product of the business. Meat cutting and wrapping operations shall be restricted to properties having a minimum lot area of 0.40 hectares;

- e) a home occupation - type 2 shall not include a commercial vehicle larger than 5600 kg gross vehicle weight parked on or about the site where the business is licensed to operate;
- f) the home occupation - type 2 shall not generate more than two clients at any given time to the site where the business is licensed to operate; and
- g) the signage for home occupation - type 2 shall be in conformance with Section 8: Sign Regulations of this Bylaw.

## **7.8 Home Occupation - Type 3**

7.8.1 In addition to the regulations outlined in Sub-Section 7.5.2 of this Bylaw, home occupations - type 3 must comply with the following:

- a) the home occupation - type 3 shall be conducted within the interior of the dwelling and/or one accessory building on a parcel having a minimum lot size of 0.8 ha;
- b) no more than two persons other than the residents of the principal dwelling shall be engaged in the home occupation - type 3;
- c) the home occupation - type 3 is restricted to a maximum floor area of the dwelling and/or the accessory building of 100 square meters;
- d) a home occupation - type 3 shall not include any retail sales from the property other than those goods constituting the finished product of the business;
- e) the home occupation - type 3 shall not affect the use of the land for agricultural purposes for properties located in the Agricultural Land Reserve; and
- f) the signage for home occupation – type 3 shall be in accordance with Section 8: Sign Regulations of this Bylaw.

## **7.9 Child Care Centres**

7.9.1 Child care centers minor or major where permitted in this Bylaw shall comply with the following regulations:

- a) the center has successfully completed a fire and safety inspection relative to the requirements of the BC Building Code;
- b) the center meets the regulations of the Ministry of Health for on-site waste water disposal in cases where connection to the community's sanitary sewer is not possible;
- c) the center is licensed in accordance with the District's Business License Bylaw as well as with the applicable provincial ministry; and
- d) the center can provide an on-site drop off area which would avoid the use of the abutting highway right-of-way for picking up and dropping off children.

7.9.2 Parking and signage for child care centers, minor or major shall be in conformance with Section 6: Parking & Loading Regulations and Section 8: Sign Regulations of this Bylaw.

## **7.10 Group Homes**

7.10.1 Group homes - minor where permitted in this Bylaw as a secondary use shall comply with the following regulations:

- a) the group home - minor shall be operated by a live-in manager of the sponsoring agency or live-in owner of the single detached dwelling;
- b) the principal residential character or external appearance of the dwelling must not be altered;
- c) the group home - minor is not operated in conjunction with an approved bed & breakfast home, a secondary suite or an approved child care center - minor;
- d) the group home - minor meets the regulations of the Ministry of Health for on-site waste water disposal in cases where connection to the communities sanitary sewer is not possible; and
- e) the group home – minor is licensed in accordance with the District’s Business License Bylaw as well as with the applicable provincial ministry.

7.10.2 Parking and signage for group homes - minor shall be in conformance with Section 6: Parking & Loading Regulations and Section 8: Sign Regulations of this Bylaw.

## **7.11 Service Stations and Gas Bars**

7.11.1 All service stations, gas bars and fuel distribution facilities shall meet the following requirements:

- a) the placement and maintenance of fuel storage tanks exceeding 10 litres is permitted only within industrial zones or within a zone which permits service stations or gas bars as a permitted use, except where the tank is used strictly for on-site purposes;
- b) all fuel distribution pumps or devices shall be located a minimum of 3.5 meters from any lot line;
- c) canopies over gasoline pumps and pump islands shall be located a minimum of 2.0 meters from any lot line;
- d) outside merchandise display booths shall be located a minimum of 5.0 meters from any lot line abutting a highway;
- e) all servicing equipment, other than that normally situated on a pump island, shall be entirely enclosed within a building;
- f) all tires, automobile accessories and related goods shall be located on pump islands or contained within a booth, rack or stand;
- g) maximum of two outdoor merchandise display booths, racks or stands shall be permitted per lot or development site;
- i) outdoor storage of machinery, equipment or vehicles in a state of disrepair shall not be permitted; and
- j) all areas utilized by automobiles for the purpose of gaining access to and from gasoline pumps or service bays of the principal structure shall be hard surfaced.

# 8.0 Sign Regulations

## 8.1 Definitions

### 8.1.1 In this section:

**Sign** means any letter, word, symbol, drawing, picture, emblem or structure or any combination thereof visible from a highway which directs attention to or identifies any premise, person, product, business or activity.

**Sign Area** means the total surface within the outer edge of a frame or border or where no frame or border exists, the area within the smallest rectangle surrounding the objects composing the sign. Only one side of a double sided sign shall be used for the purposes of calculating the total sign area.

**Sign, Back-lit** means any sign illuminated from an internal light source (back lighting).

**Sign, Billboard** means any sign that advertises goods, products, services or facilities and which directs persons to a different property from where the sign is located. This does not include information signs, community notice board signs or special event banner signs.

**Sign, Canopy/Awning** means any sign painted, stamped, stitched, perforated, glued or otherwise fixed flat to the surface of an awning, canopy or other similar feature.

**Sign, Community Notice Board** means a permanent sign used to display education material, community events or notices identifying items for sale.

**Sign, Construction** means a temporary sign erected on a site where construction is taking place indicating the names of individual firms, financial institutions or sponsors having a direct role or interest with the development or project.

**Sign, Freestanding** means any sign supported by one or more upright poles, columns or braces placed in or on the ground and stands independent of any building or structure. This does not include portable signs or sandwich board signs.

**Sign, Front-lit** means any sign illuminated by an external light source (front lighting).

**Sign, Hanging** means any sign that is suspended entirely underneath an awning or canopy or other similar feature.

**Sign Height** means the vertical distance measured from natural grade at the base of the sign to the highest point of such sign.

**Sign, Identification** means a sign containing no advertising that is limited to the name, address or owner of a building.

**Sign, Information** means a sign erected on public or private property by Municipal or Provincial governments or their agents for the purpose of directing the travelling public to major points of interest or centres of commerce.

**Sign, Portable** means any sign not permanently attached to the ground, building or other permanent structure, or a sign designed to be transported from place to place including but not limited to: signs moved on wheels; signs converted to A or T frames; sandwich boards; balloons or inflatable devices; and signs attached to or painted on vehicles parked and visible from a highway unless said vehicles are used in the normal day-to-day operations of that business.

**Sign, Projecting** means any sign attached to a wall of a building in such a manner that it projects more than 0.2 metres beyond the surface of the building or wall to which it is attached. This does not include canopy/awning signs or hanging signs.

**Sign, Real Estate** means a temporary sign identifying real estate that is “for sale”, “for lease”, “for rent” or “sold”.

**Sign, Roof** means any sign that is erected upon or above a roof or parapet of a building. This includes any sign fixed vertically to the top of any canopy, awning or similar feature.

**Sign, Sandwich Board** means a small portable sign with the two faces attached at one end which can be placed on or adjacent to areas accessible to pedestrian traffic.

**Sign, Special Event Banner** means a temporary sign composed of a fabric material advertising or notifying the public of a non-profit community event including seasonal or holiday decorations and located on or over public or private property.

**Sign, Temporary** means a sign advertising a special sales event that is applied to a building no longer than 30 consecutive days.

**Sign, Wall** means any sign attached to a wall of a building in such a manner that it is 0.2 metres or less from the supporting wall.

**Sign, Window** means any sign that is attached to or within .9 metres of a window pane or glass area and which is intended to be visible from a highway.

## **8.2 Approvals Required**

8.2.1 No building owner, tenant or contractor shall erect, alter, move or otherwise install a sign within the District without first obtaining a valid Building Permit and/or Development Permit pursuant to the District's Building Bylaw or Official Community Plan Bylaw unless otherwise exempted by Sub-Section 8.3 of this

Bylaw.

8.2.2 No building owner, tenant or contractor shall erect, alter, move or otherwise install a sign that is at variance with the conditions of the permit including the description, plans and specifications of the sign for which the permit has been issued unless such change has been approved by the Building Inspector or District Planner.

8.2.3 Where permitted in this bylaw, a sign to be installed wholly or partly on or over public property will be required to enter into an encroachment agreement with the District of Summerland. The sign owner shall, as part of this agreement, provide liability insurance in the amount of \$1,000,000.00 naming The District of Summerland as an additional named insured for as long as the sign remains on or over public property. In the event that the sign owner allows such insurance to lapse without renewal, the sign permit will be deemed revoked requiring such sign to be removed immediately.

### **8.3 Exemptions**

8.3.1 The signs noted below are exempt from obtaining a Building Permit provided they comply with Sub-Sections 8.4 & 8.6 of this Bylaw.

- a) signs located within a building which are not visible from a highway;
- b) signs located no closer than 0.9 metres to the inside face of a window which are intended to be visible from a highway;
- c) real estate signs and construction signs provided:
  - i) the signs are located on the affected property;
  - ii) the combined maximum sign area of all the signs is less than 1.5 sq. meters per frontage in a residential district and 3.0 square meters per frontage in other districts; and
  - iii) the maximum sign height is no greater than 3.0 meters.
- d) temporary window signs;
- e) window signs identifying business memberships or affiliations;
- f) identification signs subject to the sign area limitations identified under Sub-Section 8.8 of this Bylaw;
- g) campaign signs on private property for federal, provincial, municipal or school board elections;
- h) signs erected on the authority of the Director of Works and Utilities or the Ministry of Transportation and Highways on public or private lands for the direction or control of traffic, pedestrians, or parking;
- i) signs approved by Council as part of a Development Permit application regulated by the provisions of the Official Community Plan Bylaw. Any required structural details associated with the sign must be included with the Building Permit application for the building itself;
- j) special event banner signs provided the following conditions are met:
  - i) no more than 25% of the Sign Area shall be used for the name or logo of a commercial sponsor; and

- ii) the signs are displayed from the structures constructed by the District for that specific purpose.
- k) community notice board signs provided that they are located in CB1 - Central Business Zone and CB2 - Central Business Zone having a maximum sign area of 3.0 square meters and a maximum sign height of 2.0 meters and are not back-lit;
- l) international, national, municipal or provincial flags less than 3.0 square meters in area;
- m) temporary warning, danger or hazard signs;
- n) information signs erected by Provincial or Municipal governments or their agents;
- o) signs advertising farm produce provided that:
  - i) only one such sign is located on each legal parcel;
  - ii) the sign is located on the parcel on which the produce is being sold; and
  - iii) sign area of the sign does not exceed 0.5 square meters.
- p) signs associated with a recognized community sponsored non-profit event;
- q) memorial plaques, cornerstones, historic tablets and the like;
- r) signs noting restrictions relative to private property such as no trespassing, no dumping, no burning, no parking provided the maximum sign area does not exceed 0.5 square meters; and
- s) portable signs provided the following conditions are met:
  - i) the sign is not to be located on public property or on a required off street parking space or driveway as defined under Section 6: Parking & Loading Regulations of this Bylaw;
  - ii) the sign is not located in the sight triangle or otherwise obscures the line of vision from a highway, access road or sidewalk to oncoming traffic;
  - iii) the sign complies with the applicable design guidelines of a Development Permit Area as established under Section 17 of the Official Community Plan;
  - iv) only one portable sign is displayed at any given time per development site;
  - v) the sign area is no greater than 3.0 square meters with the exception of sandwich board signs which shall not have a sign area greater than 1.2 square meters; and
  - vi) the sign is not located on the subject property any longer than 60 days in any calendar year with the exception of sandwich board signs which have no time limitation.

## **8.4 Prohibitions**

8.4.1 Signs that are not expressly permitted in this bylaw are prohibited.

8.4.2 Without restricting or limiting the generality of the foregoing, billboard signs, roof signs, balloon signs and signs painted on parked vehicles unless said vehicle is used in the normal day to day operations of the business are specifically prohibited.

8.4.3 Signs shall not incorporate any of the following characteristics:

- a) flashing, intermittent, animated and scintillating lights visible from a highway;
- b) electronically controlled changeable copy unless used for identifying the cost of a specific product that experiences random price fluctuations such as gas prices;
- c) exposed conduits or guy wires;
- d) a trademark or emblem other than a trademark or emblem that is registered or copy righted in the name of the applicant;
- e) "dayglo", fluorescent, luminous or reflective paint or similar products except for traffic control signs or information signs;
- f) obstructs any fire escape, required exit, window or door opening used as a means of egress and ingress;
- g) located on, within or above public property except as specifically permitted in this bylaw;
- h) incorporates letters, symbols or emblems over 1.0 meter in height.
- i) occupies more than 80% of the business frontage; and
- j) projects above a parapet or eaves line of a roof with the exception of free standing signs.

## **8.5 Design Standards**

8.5.1 In addition to the regulations of this bylaw, signs located in designated Development Permit Areas must comply with the applicable design guidelines as established under Section 17 of the District's Official Community Plan.

8.5.2 Only single-or double-sided signs are permitted.

## **8.6 Location**

8.6.1 Signs shall not be located in any sight triangle unless:

the total sign area is less than 0.5 square meters; or  
the whole of the sign area is located below a sign height of 1.0 meter or above a sign height of 3.0 meters.

8.6.2 In cases where more than one sign per business frontage is permitted, a minimum separation of 0.3 meters shall be provided between individual signs.

8.6.3 All signs shall be installed on the same storey and same business frontage of the building occupied by the business to which they relate except for directory signs or menu signs.

8.6.4 The maximum sign height of any sign attached to or supported by a building is 6.0 meters.

- 8.6.5 All signs with the exception of window signs and identification signs shall be installed within the middle 2/3 of the business frontage where they are located.
- 8.6.6 No portion of a freestanding sign shall be closer than 1.0 meter to any property line.
- 8.6.7 Signs located in or above parking lots or driveways shall have a clearance of 4.4 meters from the finished surface.
- 8.6.8 Canopy/awning signs, projecting signs and hanging signs shall have a minimum clearance of 2.4 meters above normal grade or, if applicable, a public or private sidewalk.
- 8.6.9 The encroachment of canopy/awning signs, hanging signs and projecting signs over highway rights-of-way are limited to the Town Centre Development Permit Area as defined in Section 17 of the Official Community Plan and more specifically as follows:
  - a) sign encroachments over Main Street are limited to a maximum of 1.2 meters;
  - b) sign encroachments over Victoria Road between Wharton Street and Jubilee Road, Kelly Avenue, Henry Avenue and Jubilee Road west of Kelly Avenue are limited to a maximum of 0.6 meters; and
  - c) sign encroachments over Rosedale Avenue, Peach Orchard Road, Wharton Street, Jubilee Road east of Kelly Avenue, Prairie Valley Road and all public laneways are not permitted.

## **8.7 General Sign Regulations**

- 8.7.1 The following regulations apply in residential zones:
  - a) identification signs are restricted to one wall sign located on the first storey of a building or one freestanding sign with a maximum sign height of 1.5 meters, either sign with a maximum sign area of 0.2 square meters.
  - b) signs identifying the name of a multi-dwelling complex are restricted to one wall sign located on the first storey or one freestanding sign with a maximum sign height of 1.8 meters, either sign with a maximum sign area of 1.5 square meters.
  - c) signs identifying a home occupation, child care center - minor or group home - minor approved under this Bylaw are restricted to one wall sign located on the first storey of the dwelling with a maximum sign area of 0.2 square meters.
  - d) signs identifying a bed & breakfast home or a commercial use within a heritage designated dwelling approved under this Bylaw are restricted to one freestanding sign with a maximum sign height of 1.5 meters or one wall sign located on the first storey of the dwelling, either sign with a maximum permitted sign area of 0.5 square meters.
  - e) no back lighting of signs shall be permitted in residential zones.

8.7.2 The following regulations apply in institutional & park zones:

a)

TOTAL NUMBER SIGNS PER FRONTAGE	SIGN TYPE	MAXIMUM SIGN AREA WHERE FRONTAGE IS ADJACENT TO A RESIDENTIAL ZONE	MAXIMUM SIGN AREA WHERE FRONTAGE IS ADJACENT TO A NON-RESIDENTIAL ZONE
1 and 1	Wall sign	1.0 square meters	2.0 square meters
	Freestanding sign	1.5 square meters	2.0 square meters

- b) no back lighting of signs is permitted when the sign is located adjacent to a residential zone.
- c) the maximum sign height of a freestanding sign is 1.8 meters.
- d) wall signs shall be restricted to the first storey of the building.

8.7.3 The following regulations apply in agricultural & forestry grazing zones:

- a) identification signs are restricted to one wall sign located on the first storey of a building or one freestanding sign with a maximum sign height of 6.0 meters, either sign with a maximum sign area of 3.0 square meters.
- b) signs identifying direct farm marketing operations are restricted to one wall sign on the first storey of a building with a maximum sign area of 6.0 square meters and one freestanding sign with a maximum sign height of 6.0 meters and a maximum sign area of 6.0 square meters. Unused sign area from one sign may be used to increase the sign area of the other sign provided the maximum sign area does not exceed 9.0 square meters.
- c) signs identifying a bed & breakfast home, a home occupation, child care center - minor, group home - minor or a commercial use within a heritage designated dwelling approved under this Bylaw are subject to the regulations identified under Sub-Section 8.7.1 of this Bylaw for those uses.
- d) no back lighting of signs shall be permitted in agricultural or forestry grazing zones

8.7.4 The following regulations apply in industrial zones:

a)

BUSINESS LOCATION	BUSINESS FRONTAGE	TOTAL NUMBER OF SIGNS PER BUSINESS FRONTAGE	MAXIMUM SIGN AREA
First Storey	Less than 15.0 meters	1 Canopy/Awning or Wall Sign 1 Window Sign	2.0 square meters 1.0 square meters
	15.0 meters or greater	1 Canopy/Awning or Wall Sign 1 Window Sign 1 Freestanding Sign	3.0 square meters square meters 6.0 square meters
Second Storey	Less than 15.0 meters	1 Wall Sign 1 Window Sign	square meters 1.0 square meters
	15.0 meters or greater	1 Wall Sign 1 Window Sign	1.5 square meters 1.0 square meters
All other Storeys	Signs not permitted	Signs not permitted	n/a

- b) in addition to the above noted sign limitations, one additional identification sign in the form of a wall sign can be installed on the first storey of a building to a maximum sign area of 0.5 square meters.
- c) the maximum sign height of a freestanding sign is 7.5 meters.
- d) front lighting and back lighting of signs shall be permitted in industrial zones.

8.7.5 The following regulations apply in commercial zones:

a)

BUSINESS LOCATION	BUSINESS FRONTAGE	TOTAL NUMBER OF SIGNS PER BUSINESS FRONTAGE	MAXIMUM SIGN AREA
First Storey	Less than 7.5 meters	1 Canopy/Awning or Wall Sign 1 Hanging Sign 1 Projecting Sign 1 Window Sign	1.5 square meters 0.5 square meters 1.5 square meters 1.0 square meters
	7.5 meters or greater	1 Canopy/Awning or Wall Sign 1 Hanging Sign 1 Projecting sign 1 Window Sign 1 Freestanding Sign	2.5 square meters 0.5 square meters 2.5 square meters 1.5 square meters 3.0 square meters
Second Storey	Less than 7.5 meters	1 Wall Sign 1 Window Sign	square meters 1.0 square meters
	7.5 meters or greater	1 Wall Sign 1 Projecting Sign 1 Window Sign	square meters square meters 1.0 square meters
Basement and other Storeys	Signs not permitted	Signs not permitted	n/a

- b) in addition to the above noted sign limitations, the following additional signs can also be installed on a building

- i) one wall sign located within 3.0 meters of the entrance-way which identifies individual tenants in a multi-unit building to a maximum sign area of 0.2 square meters for each tenant identified, to a overall maximum sign area of 1.5 square meters;
  - ii) one wall sign located within 3.0 meters of the entrance-way to a restaurant used to display a menu to a maximum of 0.5 square meters; and
  - iii) one identification sign in the form of a wall sign located on the first storey to a maximum sign area of 0.5 square meters.
- c) one sandwich board sign shall be permitted on Main Street right-of-way.
- i) the sign is restricted to a business located on the main floor of a building having business frontage on Main Street;
  - ii) the owner of the sign must enter into an encroachment agreement as described under Sub-Section 8.2.3 of this Bylaw;
  - iii) the sign complies with the design guidelines of the Town Center Development Area described in Section 17 of the Official Community Plan;
  - iv) the entire sign is located on the sidewalk within 1.0 meter of the curb face along Main Street. The sign position shall also not block the path to a designated crosswalk or otherwise obstruct the main walking corridor along Main Street;
  - v) the sign height shall not be less than 0.9 meters or higher than 1.2 meters;
  - vi) the maximum sign width is 0.8 meters;
  - vii) the maximum sign Area is 1.0 square meters; and
  - viii) the sign shall only be displayed on the road right-of-way while the business is open to the general public.
- d) a premise may increase the total number of window signs per business frontage provided the combined sign area does not exceed that shown on the above noted table.
- e) a premise having more than 30.0 meters of business frontage may increase the maximum sign area limitations for either a permitted freestanding sign or a wall sign to a maximum of 9 square meters by combining the unused sign area for other permitted signs not installed on the building or subject property.
- f) the maximum sign height of a freestanding sign is 9.5 meters.
- g) front lighting and back lighting of signs shall be permitted in commercial zones

# 9.0 Agricultural Zones

## 9.1 A1 - Agriculture Zone

### 9.1.1 Purpose

To provide a zone to accommodate existing small lot rural, rural residential and agricultural uses. Lands must be designated as F- Farmland or O- Openland under the District's Official Community Plan.

### 9.1.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) agriculture, general.
- b) agriculture, intensive.
- c) greenhouses and plant nurseries.
- d) manufactured housing - type 1 or 2.
- e) single detached housing.

### 9.1.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) bed & breakfast homes.
- c) commercial kennels on lots having a minimum lot area of 4.0 hectares.
- d) home occupations - type 1,2 or 3.
- e) stables.
- f) wineries and cideries.

### 9.1.4 Subdivision Regulations

- a) Minimum Lot Area: 2.0 hectares\*
- b) Minimum Lot Width: 60.0 meters\*

\* Notwithstanding the above noted regulations, where the District Council has supported and the Agricultural Land Commission has granted an application for subdivision to accommodate:

- i) a homesite severance in accordance with Agricultural Land Commission policy #025/78 as amended from time to time; or
- ii) a residence for a relative in accordance with Section 946 of the Municipal Act as amended from time to time; or

- iii) the consolidation of legal lots which does not result in an increase in the total number of lots,

The minimum lot area and minimum lot width shall generally be established by resolution of the District Council and by approval of the Agricultural Land Commission but in no case shall the lot area be less than 1400 square meters.

#### 9.1.5 Development Regulations

- a) Maximum Lot Coverage: 10%\*

\* Notwithstanding the above noted regulation, a lot which is 2.0 hectares or greater in size on which the principal use is greenhouses or plant nurseries may increase the maximum lot coverage to 65%, and a lot which is less than 0.4 hectares in size which is used solely for residential uses may increase the maximum lot coverage to 30%.

#### 9.1.6 Siting Regulations

- a) Dwellings; buildings and structures accessory to residential; produce stands.
  - i) Minimum Front Yard Setback: 7.0 meters
  - ii) Minimum Rear Yard Setback: 7.0 meters
  - iii) Minimum Side Yard Setbacks.
    - a. Side interior: 4.0 meters
    - b. Side exterior: 4.5 meters
  - iv) Maximum Height: The lesser of 11.0 meters or 2 stories
- b) Greenhouses; wineries; cideries; buildings and structures housing animals, livestock or poultry; crop storage buildings; livestock feeding stations; mushroom growing facilities; machinery and/or chemical storage buildings; and all other structures.
  - i) Minimum Front Yard Setback: 15.0 meters
  - ii) Minimum Rear Yard Setback: 30.0 meters
  - iii) Minimum Side Yard Setback.
    - a. Side interior: 30.0 meters
    - b. Side exterior: 15.0 meters
- c) Maximum Height: 12.0 meters

#### 9.1.7 Other Regulations

- a) Only one (1) dwelling shall be permitted per lot. Where the lot area equals or exceeds 2.0 hectares on the District's irrigation roll, one additional dwelling for farm help in the form of a manufactured housing type 1 or 2, or a secondary suite may be constructed per lot subject to the following regulations:
  - i) the manufactured housing unit shall be constructed on a temporary foundation which conforms to CSA Z40.10.1 standard including skirting;
  - ii) the manufactured housing unit shall not include a basement or be more than 1 storey in height;

- iii) the manufactured housing unit or secondary suite shall be restricted to a gross floor area of 90 square meters;
  - iv) the manufactured housing unit shall not be positioned further than 15.0 meters from any principal dwelling on the property;
  - v) the secondary suite shall be substantially within the footprint of the single detached housing unit having a separate outside entrance; and
  - vi) the manufactured housing unit or secondary suite shall be used to provide rental accommodation and shall not be sold as a separate dwelling.
- b) Only two (2) accessory buildings or structures related to residential usage shall be permitted per lot with a maximum combined gross floor area of 75 square meters for lots having a minimum lot area of less than 4,000 square meters, 90 square meters for lots of 4,000 square meters or greater but less than 8,000 square meters, and 100 square meters for lots of 8,000 square meters and above.
  - c) Parking and loading areas and access driveways for greenhouses and plant nurseries located within 30.0 meters of a residential property line shall provide a 6.0 meter wide landscape buffer along that affected property line.
  - d) Commercial kennels, including any outdoor runs or exercise areas shall be located a minimum of 300.0 meters from any lot line. A 6.0 meter wide buffer strip including a 1.8 meter high opaque fence shall be provided around the perimeter of any outdoor runs or exercise area.
  - e) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## 9.2 A2 - Agriculture Zone

### 9.2.1 Purpose

To provide a zone to accommodate rural and agricultural uses. Lands must be designated as F- Farmland or O- Openland under the District's Official Community Plan.

### 9.2.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) agriculture, general.
- b) agriculture, intensive.
- c) greenhouses and plant nurseries.
- d) manufactured housing - type 1 or 2.
- e) single detached housing.

### 9.2.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) bed & breakfast homes.
- c) commercial kennels on lots having a minimum lot area of 4.0 hectares.
- d) Home occupations - type 1,2 or 3.
- e) stables.
- f) wineries and cideries.

### 9.2.4 Subdivision Regulations

- a) Minimum Lot Area: 8.0 hectares\*

\*Notwithstanding the above noted regulations, where the District Council has supported and the Agricultural Land Commission has granted an application for subdivision to accommodate:

- i) a home-site severance in accordance with Agricultural Land Commission policy #025/78 as amended from time to time; or
- ii) a residence for a relative in accordance with Section 946 of the Municipal Act as amended from time to time; or
- iii) the consolidation of legal lots which does not result in an increase in the total number of lots,

The minimum lot area and minimum lot width shall generally be established by resolution of the District Council and by approval of the Agricultural Land Commission but in no case shall the lot area be less than 1400 square meters.

#### 9.2.5 Development Regulations

- a) Maximum Lot Coverage: 10%\*

\*Notwithstanding the above noted regulation, a lot which is 2.0 hectares or greater in size on which the principal use is greenhouses or plant nurseries may increase the maximum lot coverage to 65%, and a lot which is less than 0.4 hectares in size which is used solely for residential uses may increase the maximum lot coverage to 30%.

#### 9.2.6 Siting Regulations

- a) Dwellings; buildings and structures accessory to residential; produce stands.
- i) Minimum Front Yard Setback: 7.0 meters
  - ii) Minimum Rear Yard Setback: 7.0 meters
  - iii) Minimum Side Yard Setback.
    - a. Side Interior: 4.0 meters
    - b. Side Exterior: 4.5 meters
  - iv) Maximum Height: The lesser of 11.0 meters or 2 stories
- b) Greenhouses; wineries; cideries; buildings and structures housing animals, livestock or poultry; crop storage buildings; livestock feeding stations; mushroom growing facilities; machinery and/or chemical storage buildings; and all other structures:
- i) Minimum Front Yard Setback: 15.0 meters
  - ii) Minimum Rear Yard Setback: 30.0 meters
  - iii) Minimum Side Yard Setback.
    - a. Side interior: 30.0 meters
    - b. Side exterior: 15.0 meters
  - iv) Maximum Height: 12.0 meters

#### 9.2.7 Other Regulations

- a) Only one (1) dwelling shall be permitted per lot. Where the lot area equals or exceeds 2.0 hectares on the District's irrigation roll, one additional dwelling for farm help in the form of a manufactured housing type 1 or 2 or a secondary suite may be constructed per lot subject to the following regulations:
- i) the manufactured housing unit shall be constructed on a temporary foundation which conforms to CSA Z240.10.1 standard including skirting;
  - ii) the manufactured housing shall not include a basement or be more than 1 storey in height;

- iii) the manufactured housing unit or secondary suite shall be restricted to a gross floor area of 90 square meters;
  - iv) the manufactured housing unit shall not be positioned further than 15.0 meters from any principal dwelling on the property;
  - v) the secondary suite shall be substantially within the footprint of the single detached housing unit having a separate outside entrance; and
  - vi) the manufactured housing unit or secondary unit shall be used to provide rental accommodation and shall not be sold as a separate dwelling
- b) Only two (2) accessory buildings or structures related to a residential usage shall be permitted per lot with a maximum combined gross floor area of 75 square meters for lots having a minimum lot area of less than 4,000 square meters, 90 square meters for lots of 4,000 square meters or greater but less than 8,000 square meters, and 100 square meters for lots of 8,000 square meters and above.
- c) Parking and loading areas and access driveways for greenhouses and plant nurseries located within 30.0 meters of a residential property line shall provide a 6.0 meter wide landscape buffer along that affected property line.
- d) Commercial kennels, including any outdoor runs or exercise areas shall be located a minimum of 300.0 meters from any lot line. A 6.0 meter wide buffer strip including a 1.8 meter high opaque fence shall be provided around the perimeter of any outdoor runs or exercise area.
- e) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

# 10.0 Rural Residential Zones

## 10.1 CR1 - Country Residential Zone

### 10.1.1 Purpose

To provide a zone to accommodate existing country residential developments on larger lots employing conventional subdivision designs in rural areas where services are limited. Lands must be designated as RR-Rural Residential under the District's Official Community Plan.

### 10.1.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) manufactured housing – type 1.
- b) single detached housing.

### 10.1.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory building and structures.
- b) bed and breakfast homes.
- c) child care centers- minor.
- d) group homes – minor.
- e) home occupations – type 1 or 2

### 10.1.4 Subdivision Regulations

- a) Minimum Lot Area: 1400 square meters
- b) Minimum Lot Width: 25.0 meters
- c) Minimum Lot Depth: 40.0 meters

### 10.1.5 Development Regulations

- a) Maximum Lot Coverage: 30%
- b) Maximum Floor Area Ratio: 0.30

#### 10.1.6 Siting Regulations – Principal Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 7.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard shall maintain one side yard setback of at least 3.0 meters.

#### 10.1.7 Siting Regulations – Secondary Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 1.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard shall maintain one side yard setback of at least 3.0 meters.

#### 10.1.8 Other Regulations

- a) Only one (1) dwelling will be permitted per lot.
- b) Only two (2) accessory buildings or structures will be permitted per lot with a maximum combined gross floor area of 75 square meters.
- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations & Section 8: Sign Regulations.

## **10.2 CR2 - Country Residential Zone**

### **10.2.1 Purpose**

To provide a zone to accommodate the creation of new larger lot neighborhoods in areas of the community identified by the District's Official Community Plan as being suitable for future rural residential developments. Lands must be designated as RR-Rural Residential under the District's Official Community Plan.

### **10.2.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) manufactured housing – type 1.
- b) single detached housing.

### **10.2.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw:

- a) accessory buildings and structures.
- b) bed and breakfast homes.
- c) child care centers – minor.
- d) group homes – minor.
- e) home occupations – type 1 or 2.

### **10.2.4 Subdivision Regulations**

- a) Minimum Lot Area: 4000 square meters
- b) Minimum Lot Width: 40.0 meters

### **10.2.5 Development Regulations**

- a) Maximum Lot Coverage: 20%

### **10.2.6 Siting Regulations – Principal Uses**

- a) Minimum Front Yard Setback: 7.5 meters
- b) Minimum Rear Yard Setback: 7.5 meters
- c) Minimum Side Yard Setback:
  - i) Side interior: 3.0 meters
  - ii) Side exterior: 5.0 meters

- d) Maximum Height: The lesser of 9.5 meters or storeys.

#### 10.2.7 Siting Regulations – Secondary Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 3.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 3.0 meters
  - ii) Side exterior: 5.0 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey

#### 10.2.8 Other Regulations

- a) Only one (1) dwelling will be permitted per lot.
- b) Only two(2) accessory buildings or structures will be permitted per lot with a maximum combined gross floor area of 90 square meters.
- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations & Section 8: Sign Regulations.

### **10.3 CR3 - Country Residential Zone**

#### **10.3.1 Purpose**

To provide a zone to accommodate large country residential lots in isolated locations throughout the rural areas of the community. Lands must be designated as RR - Rural Residential under the District's Official Community Plan.

#### **10.3.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) manufactured housing - type 1 or 2.
- b) single detached housing.

#### **10.3.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) agricultural, general.
- c) bed and breakfast homes.
- d) home occupations – type 1,2 or 3

#### **10.3.4 Subdivision Regulations**

- a) Minimum Lot Area: 8000 square meters
- b) Minimum Lot Width: 40.0 meters

#### **10.3.5 Development Regulations**

- a) Maximum Lot Coverage: 10%\*

Notwithstanding the above noted regulation, a lot having agricultural buildings or structures may increase the maximum lot coverage to 30%.

#### **10.3.6 Siting Regulations – Principal Uses**

- a) Minimum Front Yard Setback: 7.5 meters
- b) Minimum Rear Yard Setback: 10.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 3.0 meters
  - ii) Side exterior: 5.0 meters

- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

### 10.3.7 Siting Regulations – Secondary Uses

- a) Minimum Front Yard Setback: 7.5 meters\*
- b) Minimum Rear Yard Setback: 3.0 meters\*
- c) Minimum Side Yard Setback.
  - i) Side interior: 3.0 meters\*
  - ii) Side exterior: 5.0 meters\*
- d) Maximum Height: The lesser of 1 storey or 4.5 meters.

\* Notwithstanding the above noted setback regulations, accessory buildings and structures housing animals shall be located no closer than 15.0 meters to any residential building or lot line.

### 10.3.8 Other Regulations

- a) Only one (1) dwelling will be permitted per lot.
- b) Only two (2) accessory buildings or structures will be permitted per lot with a maximum combined gross floor area of 100 square meters.
- c) The keeping of livestock shall be subject to the regulations of the District’s “Animal & Pound Regulation Bylaw” .
- d) In addition to the regulations listed above, other regulations may apply. These include Section 4: Development Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations & Section 8: Sign Regulations.

# 11.0 Urban Residential Zones

## 11.1 RSD1- Residential Single Detached Zone.

### 11.1.1 Purpose

To provide a zone to accommodate the development of single detached housing on lots having full urban services. Lands must be designated as LDR - Low Density Residential under the District's Official Community Plan.

### 11.1.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) manufactured housing - type 1.
- b) single detached housing.

### 11.1.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) bed & breakfast homes.
- c) child care centers - minor.
- d) group homes - minor.
- e) home occupations - type 1 or 2.
- f) secondary suites.

### 11.1.4 Subdivision Regulations

- a) Minimum Lot Area: 650 square meters
- b) Minimum Lot Width: 18.0 meters
- c) Minimum Lot Depth: 30.0 meters

### 11.1.5 Development Regulations

- a) Maximum Lot Coverage: 40%
- b) Maximum Floor Ratio Area: 0.40

### 11.1.6 Siting Regulations – Principal Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 7.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard without an attached garage or carport shall maintain one side yard setback of at least 3.0 meters.

### 11.1.7 Siting Regulations – Secondary Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 1.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard without an attached garage or carport shall maintain one side yard setback of at least 3.0 meters.

### 11.1.8 Other Regulations

- a) Only one (1) dwelling, not including a secondary suite, will be permitted per lot.
- b) Only two (2) accessory buildings or structures shall be permitted per lot with a maximum combined gross floor area of 75 square meters.
- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

**11.2 RSD2 - Residential Single Detached Zone.**

11.2.1 Purpose

To provide a zone to generally accommodate existing single detached housing developments on lots having full urban services with the exception of connection to the District’s sanitary sewer system. Lands must be designated as LDR - Low Density Residential under the District’s Official Community Plan.

11.2.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) manufactured housing - type 1.
- b) single detached housing.

11.2.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory building and structures.
- b) bed & breakfast homes.
- c) child care centers - minor.
- d) group homes - minor.
- e) home occupations - type 1 or 2.

11.2.4 Subdivision Regulations

- a) Minimum Lot Area: 810 square meters
- b) Minimum Lot Width: 20.0 meters
- c) Minimum Lot Depth: 30.0 meters

11.2.5 Development Regulations

- a) Maximum Lot Coverage: 35%
- b) Maximum Floor Area Ratio: 0.40

11.2.6 Siting Regulations – Principal Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 7.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters

- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard shall maintain one side yard setback of at least 3.0 meters.

#### 11.2.7 Siting Regulations – Secondary Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 1.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard shall maintain one side yard setback of at least 3.0 meters.

#### 11.2.8 Other Regulations

- a) Only one (1) dwelling will be permitted per lot.
- b) Only two (2) accessory buildings or structures shall be permitted per lot with a maximum combined gross floor area of 75 square meters.
- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

### 11.3 RSD3-Residential Single Detached Zone

#### 11.3.1 Purpose

To provide a zone to accommodate the development of single detached dwellings employing conventional subdivision designs on lands having known topographical and servicing constraints. Lands must be designated as LDR - Low Density Residential under the District's Official Community Plan.

#### 11.3.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) manufactured housing - type 1.
- b) single detached housing.

#### 11.3.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory building and structures.
- b) bed & breakfast homes.
- c) child care centers - minor.
- d) group homes - minor.
- e) home occupations - type 1 or 2.
- f) Secondary suite where the lot is connected to sanitary sewer

#### 11.3.4 Subdivision Regulations

- a) Minimum Lot Area: 1200 square meters
- b) Minimum Lot Width: 25.0 square meters
- c) Minimum Lot Depth: 35.0 meters

#### 11.3.5 Development Regulations

- a) Maximum Lot Coverage: 30%
- b) Maximum Floor Area Ratio: 0.30

#### 11.3.6 Siting Regulations – Principal Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 7.5 meters
- c) Minimum Side Yard Setback:
  - i) Side interior: 1.5 meters\*

- ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard shall maintain one side yard setback of at least 3.0 meters.

### 11.3.7 Siting Regulations – Secondary Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 1.5 meters
- c) Minimum Side Yard Setback.
  - i) Side Interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard shall maintain one side yard setback of at least 3.0 meters.

### 11.3.8 Other Regulations

- a) Only one (1) dwelling will be permitted per lot.
- b) Only two (2) accessory buildings or structures will be permitted per lot with a maximum combined gross floor area of 75 square meters.
- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **11.4 RSD4- Residential Single Detached Zone.**

### **11.4.1 Purpose**

To provide a zone to accommodate the development of single detached housing on large lots having full urban services. Lands must be designated as LDR - Low Density Residential under the District's Official Community Plan.

### **11.4.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) manufactured housing - type 1.
- b) single detached housing.

### **11.4.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) bed & breakfast homes.
- c) child care centers - minor.
- d) group homes - minor.
- e) home occupations - type 1 or 2.
- f) secondary suites.

### **11.4.4 Subdivision Regulations**

- a) Minimum Lot Area: 1000 square meters
- b) Minimum Lot Width: 18.0 meters
- c) Minimum Lot Depth: 35.0 meters

### **11.4.5 Development Regulations**

- a) Maximum Lot Coverage: 30%
- b) Maximum Floor Area Ratio: 0.35

### **11.4.6 Siting Regulations – Principal Uses**

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 7.5 meters
- c) Minimum Side Yard Setback:
  - i) Side interior: 1.5 meters\*

- ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard without an attached garage or carport shall maintain one side yard setback of at least 3.0 meters.

11.4.7 Siting Regulations – Secondary Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 1.5 meters
- c) Minimum side Yard Setback.
  - i) Side interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard without an attached garage or carport shall maintain one side yard setback of at least 3.0 meters.

11.4.8 Other Regulations

- a) Only one (1) dwelling, not including a secondary suite, will be permitted per lot.
- b) Only two (2) accessory buildings or structures shall be permitted per lot with a maximum combined gross floor area of 75 square meters.

## 11.5 RDH - Residential Duplex Housing Zone

### 11.5.1 Purpose

To provide a zone to accommodate the mixed development of single detached and duplex housing within a neighborhood having full urban services. Lands must be designated as LDR - Low Density Residential under the District's Official Community Plan.

### 11.5.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) duplex housing.
- b) manufactured housing - type 1.
- c) single detached housing.

### 11.5.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) bed and breakfast homes.
- c) child care centers - minor.
- d) group homes - minor.
- e) home occupations - type 1 or 2.
- f) secondary suites.

### 11.5.4 Subdivision Regulations

- a) Minimum Lot Area:
  - i) Single Detached Housing and Manufactured Housing: 650 square meters
  - ii) Duplex Housing: 850 square meters\*
- b) Minimum Lot Width:
  - i) Single Detached Housing and Manufactured Housing: 18.0 meters
  - ii) Duplex Housing: 25.0 meters\*
- c) Minimum Lot Depth: 30.0 meters

Where a lot is to be subdivided for the purpose of creating individual ownership of side-by-side duplex dwelling units, the new lots so created shall contain not less than one half (1/2) the minimum required lot area and minimum required lot width for duplex housing.

### 11.5.5 Development Regulations

- a) Maximum Lot Coverage: 40%
- b) Maximum Floor Area Ratio: 0.5

### 11.5.6 Siting Regulations - Principal Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 7.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard without a garage or carport shall maintain one side yard setback of at least 3.0 meters. In the case of a side-by-side duplex being subdivided for the purpose of creating individual ownership, the side interior setback between the dwelling units shall not be required provided the property line follows the center line of the common party wall.

### 11.5.7 Siting Regulations - Secondary Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 1.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard without a garage or carport shall maintain one side yard setback or at least 3.0 meters.

### 11.5.8 Other Regulations:

- a) Only two (2) dwellings will be permitted per lot provided that both dwellings are located in one (1) residential building.
- b) Only two (2) accessory buildings or structures shall be permitted per lot with a maximum combined gross floor area of 75 square meters.
- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **11.6 RMD - Residential Medium Density Zone**

### **11.6.1 Purpose**

To provide a zone to accommodate the development of ground orientated multiple housing units in close proximity to existing or proposed low density developments on lands having full urban services. Lands must be designated as MDR - Medium Density Residential under the District's Official Community Plan.

### **11.6.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this one subject to all applicable regulations of this Bylaw.

- a) cluster housing comprised of duplex housing, triplex housing, fourplex housing and row housing units.
- b) duplex housing.
- c) fourplex housing.
- d) row housing.
- e) Triplex housing.

### **11.6.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) child care centres - minor or major provided they are operated from a communal amenity space and building.
- c) home occupations - type 1.

### **11.6.4 Subdivision Regulations**

- a) Minimum Lot Area: 1100 square meters
- b) Minimum Lot Width: 30.0 meters
- c) Minimum Lot Depth: 30.0 meters

### **11.6.5 Development Regulations**

- a) Maximum Lot Coverage: 40%
- b) Maximum Floor Area Ratio: 0.5
- c) Maximum Density: 25 dwellings per hectare

#### 11.6.6 Siting Regulations – Principal Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 7.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 4.0 meters
  - ii) Side exterior: 6.0 meters
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

#### 11.6.7 Siting Regulations – Secondary Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 1.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters
  - ii) Side exterior: 6.0 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

#### 11.6.8 Other Regulations

- a) No parking, loading or garbage collection facilities shall be permitted in any required yard abutting a public highway.
- b) A minimum area of 30 square meters of on-site amenity space shall be provided per dwelling.
- c) No more than 8 dwellings may be located in a building.
- d) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

**11.7 RSH - Residential Strata Housing Zone**

11.7.1 Purpose

To provide a zone to accommodate the comprehensive development of single detached housing in a bareland strata format which otherwise appears as a conventional residential subdivision on lands having full urban services. Lands must be designated as MDR-Medium Density Residential under the District’s Official Community Plan.

11.7.2 Principal Uses

The following uses and no other uses shall be principal uses in this zone subject to all applicable regulations of the Bylaw.

- a) single detached housing.

11.7.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this bylaw.

- a) accessory buildings and structures.
- b) child care centers - minor.
- c) group homes - minor.
- d) home occupations - type 1.

11.7.4 Subdivision Regulations

- a) Minimum Development Site Area: 8000 square meters
- b) Minimum Development Site Width: 40.0 meters
- c) Minimum Development Site Depth: 200.0 meters
- d) Minimum Lot Area: 350 square meters

11.7.5 Development Regulations

- a) Maximum Lot Coverage: 40%
- b) Maximum Floor Area Ratio: 0.55
- c) Maximum Density: 15 dwellings per hectare

11.7.6 Siting Regulations – Principal Uses (Bareland Strata Lots)

- a) Minimum Front Yard Setback: 4.5 meters\*
- b) Minimum Rear Yard Setback: 6.0 meters

- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 9.0 meters or 2 storeys.

\* Notwithstanding the above noted setback regulation, a minimum front yard setback of 6.0 meters shall be required for all buildings and structures fronting a public highway.

\*\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard without a garage or carport shall maintain one side yard setback of at least 3.0 meters.

11.7.7 Siting Regulations – Secondary Uses  
(Bareland Strata Lots)

- a) Minimum Front Yard Setback: 4.5 meters\*
- b) Minimum Rear Yard Setback: 1.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

\* Notwithstanding the above noted setback regulation, a minimum front yard setback of 6.0 meters shall be required for all buildings and structures fronting a public highway.

\*\* Not withstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard without an attached garage or carport shall maintain one side yard of at least 3.0 meters.

### 11.7.8 Other Regulations

- a) Only one (1) dwelling will be permitted per lot site.
- b) All roads and services within the development site shall meet the regulations of the District's "Subdivision and Development Servicing Bylaw".
- c) A minimum of 15% of the development site shall be retained as common amenity space.
- d) Only one (1) accessory building or structure will be allowed per lot with a maximum gross floor area of 45.0 square meters.
- e) No communal parking, loading or garbage collection facilities shall be permitted in any required yard abutting a public highway.
- f) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **11.8 RMH - Residential Manufactured Housing Zone**

### **11.8.1 Purpose**

To provide a zone to accommodate the development of manufactured homes in a comprehensively designed community. Lands must be designated as MDR - Medium Density Residential under the District's Official Community Plan. The lots or sites can be provided on a lease, rental or purchase (fee simple or strata title) basis.

### **11.8.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) manufactured housing - type 1 or 2.

### **11.8.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) child care centers - minor.
- c) home occupations - type 1 or 2.
- d) one single family dwelling for the manager of the manufactured housing community.

### **11.8.4 Subdivision Regulations**

- a) Minimum Development Site Area: 1.5 hectares
- b) Minimum Manufactured Housing Lot Area:
  - single section homes: 350 square meters
  - multiple section homes: 400 square meters
- c) Minimum Manufactured Housing Lot Width:
  - single section homes on interior lots: 12.0 meters
  - single section homes on corner lots: 15.0 meters
  - multiple section homes on interior lots: 13.5 meters
  - multiple section homes on corner lots: 15.0 meters
- d) Minimum Manufactured Housing Lot Depth:
  - single section homes: 29.0 meters
  - multiple section homes: 27.0 meters

11.8.5 Development Regulations

- a) Maximum Manufactured housing Lot Coverage: 40%
- b) Maximum Density: 25 dwellings per hectare

11.8.6 Siting Regulations – Principal and Secondary Uses (Manufactured Housing Lots)

- a) Minimum Front Yard Setback: 4.5 meters\*
- b) Minimum Rear Yard Setback: 1.5 meters\*
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters\*
  - ii) Side exterior: 4.5 meters\*
- d) Maximum Height:
  - Manufactured Housing: The lesser of 6.5 meters or 2 storeys.
  - Single Detached Dwelling: The lesser of 9.0 meters or 2 storeys.
  - Accessory Buildings or structures: The lesser of 4.5 meters or 1 storey.

\* Notwithstanding the above noted setback regulations, a minimum setback of 4.5 meters shall be provided for all buildings and structures on manufactured housing lots flanking or banking onto the boundary of the manufactured housing community or a minimum setback of 6.0 meters for all buildings and structures on manufactured housing lots fronting a public highway.

11.8.7 Other Regulations

- a) Only one (1) dwelling will be permitted per manufactured housing lot.
- b) Only one (1) accessory building or structure will be permitted per manufactured housing lot with a maximum gross floor area of 45 square meters.
- c) All roads and services within the manufactured housing community shall meet the regulations of the District’s “Subdivision and Development Servicing Bylaw”.
- d) No parking spaces shall be permitted in any required front yard or exterior side yard setback abutting the front or side of manufactured housing.
- e) For manufactured housing communities where park dedication has not been taken by the District, amenity space shall be provided in the amount of 5% of the total development site. For the purpose of calculating amenity space, when park dedication has not been taken by the District, any indoor common areas accessible to all of the manufactured housing community residents shall be counted as double its actual gross floor area.
- f) Manufactured housing units employing the CSA Z240.10.1 standard shall construct skirting that is stuccoed, factory fabricated or of equivalent quality so that the finished design complements the exterior finish of dwelling.

- g) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **11.9 RHD - Residential High Density Zone**

### **11.9.1 Purpose**

To provide a zone to accommodate row housing and low rise apartments on lands having full urban services. Lands must be designated as HDR - High Density Residential under the District's Official Community Plan.

### **11.9.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) apartment housing.
- b) cluster housing comprised of row housing, stacked row housing and apartment housing units.
- c) row housing.
- d) stacked row housing.

### **11.9.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) child care centers - minor or major provided they are operated from a communal amenity space and building.
- c) home occupations - type 1.

### **11.9.4 Subdivision Regulations**

- a) Minimum Lot Area: 1400 square meters
- b) Minimum Lot Width: 30.0 meters
- c) Minimum Lot Depth: 30.0 meters

### **11.9.5 Development Regulations**

- a) Maximum Lot Coverage: 50%
- b) Maximum Floor Area Ratio: 0.65
- c) Maximum Density: 60 dwellings per hectare

### **11.9.6 Siting Regulations – Principal Uses**

- a) Minimum Front Yard Setback: 6.0 meters

- b) Minimum Rear Yard Setback.
- c) a building not over 2 storeys: 7.5 meters
- d) a building over 2 storeys: 9.0 meters
- e) Minimum Side Yard Setback.
  - i) any portion of a building not over 2 storeys in height: 4.0 meters\*
  - ii) any portion of a building over two storeys in height: 6.0 meters
- f) Maximum Height: The lesser of 11.0 meters or storeys.

Notwithstanding the above noted setback regulations, a minimum side yard setback of 6.0 meters shall be required for an external lot line irrespective of building height.

#### 11.9.7 Siting Regulations – Secondary Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 6.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 4.0 meters
  - ii) Side exterior: 6.0 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

#### 11.9.8 Other Regulations

- a) No commercial parking, loading or garbage collection facilities shall be permitted in any required yard abutting a public highway.
- b) On-site amenity space shall be provided based on the sum total of the following class of dwellings to be developed on the property.
  - i) Row Housing and Stacked Row Housing: 30 square meter per dwelling.
  - ii) Apartments: 10 square meters per bachelor dwelling PLUS 20 square meters per 1 bedroom dwelling PLUS 30 square meters per 2 or more bedroom dwelling.
- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

# 12.0 Commercial Zones

## 12.1 C1 - Neighbourhood Commercial Zone

### 12.1.1 Purpose

To provide a zone to accommodate a range of services for the day to day convenience shopping needs of local neighborhoods. Lands must be designated as LC-Local Commercial under the District's Official Community Plan.

### 12.1.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) child care centers - minor.
- b) child care centers - major.
- c) convenience stores.
- d) community recreation services.
- e) dwelling units situated above the first storey of a commercial building.
- f) gas bars.
- g) recycle drop-off centers.
- h) personal service establishments.

### 12.1.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings & structures.

### 12.1.4 Subdivision Regulations

- a) Minimum Lot Area: 1,100 square meters
- b) Maximum Lot Area: 2,025 square meters
- c) Minimum Lot Width: 25.0 meters
- d) Minimum Lot Depth: 30.0 meters

### 12.1.5 Development Regulations

- a) Maximum Lot Coverage: 35%
- b) Maximum Floor Area Ratio: 0.7

#### 12.1.6 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 3.5 meters\*
- c) Minimum Side Yard Setback.
  - i) Side interior: 2.4 meters\*
  - ii) Side exterior: 3.5 meters
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

\* Notwithstanding the above noted setback regulations, where a C1- Neighborhood Commercial zoned lot abuts a rural residential zone or an urban residential zone noted in sections 10 and 11 respectively of this Bylaw, the minimum rear yard setback shall be 6.0 meters and the minimum interior side yard setback shall be 3.0 meters.

#### 12.1.7 Other Regulations

- a) Gas bars shall only be permitted where the lot abuts a street that is classified as a collector or arterial road on Schedule “H” of the District’s Official Community Plan.
- b) Only one (1) dwelling will be permitted per lot. A separate entrance to the dwelling unit must be maintained at ground level.
- c) include Section 4: General Regulations, Section 5: Landscaping and Screening In addition to the regulations listed above, other regulations may apply. These Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **12.2 CT1 - Commercial Tourist Zone**

### **12.2.1 Purpose**

To provide a zone accommodate recreation oriented tourist facilities and services for a number of unique commercial destination points within the community. Lands must be designated TC-Tourist Commercial under the District's Official Community Plan.

### **12.2.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) art galleries & museums.
- b) eating & drinking establishments.
- c) hotels.
- d) marinas.
- e) motels.
- f) personal service establishments.
- g) private clubs.
- h) recreation services, indoor.
- i) recreation services, outdoor.
- j) retail stores, general.
- k) theatres.
- l) tourist railway operation.
- m) wine & beer stores.

### **12.2.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.

### **12.2.4 Subdivision Regulations**

- a) Minimum Lot Area: 930 square meters
- b) Minimum Lot width: 20.0 meters

### **12.2.5 Development Regulations**

- a) Maximum Lot Coverage: 50%
- b) Maximum Floor Area: 1.0

#### 12.2.6 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 2.5 meters
- b) Minimum Rear Yard Setback: 6.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 0.0 meters
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.\*

\* Notwithstanding the above noted regulation, the maximum height of the principal building may be increased to the lesser of 12.0 meters or 3 storeys provided the third storey is entirely integrated into the roof line of the building for lots located in the Lower Town Development Permit Area as designated in the District's Official Community Plan.

#### 12.2.7 Other Regulations

- a) The maximum gross floor area of each retail store shall be 100 square meters.
- b) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **12.3 CT2 - Commercial Tourist Zone**

### **12.3.1 Purpose**

To provide a zone to predominantly accommodate sales and services to the traveling public. Lots must be designated as TC - Tourist Commercial under the District's Official Community Plan.

### **12.3.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) amusement establishments.
- b) automobile sales & rentals.
- c) boat sales & rentals.
- d) automotive & equipment repair shops.
- e) carwashes.
- f) convenience stores.
- g) eating & drinking establishments.
- h) gas bars.
- i) hotels.
- j) motels.
- k) personal service establishments.
- l) private clubs.
- m) protective & emergency services.
- n) recreation services, indoor.
- o) recreation vehicle sales, rental & service.
- p) service stations.
- q) tourism information centers.
- r) plant nursery

### **12.3.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory building & structures.
- b) wine & beer stores.

### **12.3.4 Subdivision Regulations**

- a) Minimum Lot Area: 930 square meters
- b) Minimum Lot Width: 25.0 meters

### 12.3.5 Development Regulations

- a) Maximum Lot Coverage: 35%

### 12.3.6 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 3.0 meters\*
- c) Minimum Side Yard Setback.
  - i) Side interior: 2.5 meters
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

\* Notwithstanding the above noted setback regulation, where a CT2 - Commercial Tourist zoned lot abuts an urban residential zoned lot or an agricultural zoned lot, the minimum rear yard setback shall be 6.0 meters.

### 12.3.7 Other Regulations

- a) Outdoor storage of machinery, equipment, materials, or vehicles under repair shall not be permitted.
- b) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **12.4 CT3 - Commercial Tourist Zone**

### **12.4.1 Purpose**

To provide a zone to accommodate outdoor campground uses. Lands must be designated as TC - Tourist Commercial under the District's Official Community Plan.

### **12.4.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) campgrounds.

### **12.4.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) amusement establishments for campground guests.
- c) manager's dwelling.
- d) convenience store for campground guests.
- e) recreational facilities for campground guests.

### **12.4.4 Subdivision Regulations**

- a) Minimum Development Site Areas: 1.0 hectare
- b) Minimum Development Site Width: 60.0 meters
- c) Minimum Development Site Depth: 100.0 meters

### **12.4.5 Development Regulations**

- a) Maximum Density: 50 camping lots or sites per hectare.
- b) Maximum Lot Site Coverage: 10% for permanent building & structures.
- c) Floor Area Ratio: 0.1 for secondary uses only.

### **12.4.6 Siting Regulations – Principal & Secondary Uses (Development site boundaries)**

- a) Minimum Front Yard Setback: 7.5 meters
- b) Minimum Rear Yard Setback: 7.5 meters

- c) Minimum side Yard Setback.
  - i) Side interior: 7.5 meters
  - ii) Side exterior: 7.5 meters
- d) Maximum Height: The lesser of 9.0 meters or 2 storeys.

12.4.7 Other Regulations

- a) Only one (1) dwelling (manager’s dwelling) shall be permitted per lot or development site.
- b) All roads and services within the campgrounds shall meet the regulations of the District’s Subdivision & Development Servicing Bylaw.
- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **12.5 CB1 - Central Business Zone**

### **12.5.1 Purpose**

To provide a zone to accommodate a commercial and cultural focal point for the community, allowing town center uses including retail, office, entertainment and above ground floor dwelling units. Lands must be designated as DC-Downtown Commercial under the District's Official Community Plan.

### **12.5.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) art galleries & museums.
- b) amusement establishments.
- c) automotive & equipment repair shops.
- d) business support services.
- e) churches.
- f) commercial schools.
- g) convenience stores.
- h) dwelling units situated above the first storey of a commercial building other than a parking garage.
- i) child care center, major.
- j) child care center, minor.
- k) contractor services, limited.
- l) eating & drinking establishments.
- m) financial services.
- n) funeral homes.
- o) gas bars.
- p) health services.
- q) hotels.
- r) indoor manufacturing operations (clothing)\*.
- s) libraries.
- t) offices.
- u) parking lots.
- v) personal service establishments.
- w) private clubs.
- x) protective and emergency services.
- y) retail stores, general.
- z) service stations.
- aa) theatres.
- bb) veterinary clinics.
- cc) wine & beer stores.

\* Notwithstanding the above noted principal use, an indoor manufacturing operation (clothing) shall be restricted to only Lots 38-42, D.L. 3640, Plan 905, ODYD.

### 12.5.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings & structures.
- b) recycle drop-off centers.

### 12.5.4 Subdivision Regulations

- a) Minimum Lot Area: 140 square meters
- b) Minimum Lot Width: 7.5 meters

### 12.5.5 Development Regulations

- a) Maximum Lot Coverage: 100%
- b) Maximum Floor Area Ratio: 2.5

### 12.5.6 Siting Regulations – Principal & Secondary

- a) Minimum Front Yard Setback: 0.0 meters
- b) Minimum Rear Yard Setback: 0.0 meters\*
- c) Minimum Side Yard Setback:
  - i) Side interior: 0.0 meters\*
  - ii) Side exterior: 0.0 meters\*
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

\* Notwithstanding the above noted setback regulations, where a lot abuts a highway intersection, the required setback for the first storey adjacent to the intersection shall accommodate an unobstructed sight triangle, each such point forming the sight triangle in this instance being 4.5 meters from the point of intersection.

### 12.5.7 Other Regulations

- a) All dwelling units shall be provided with an at grade entrance separate from the commercial tenant spaces.
- b) Notwithstanding the previous list of principal uses within this zone, only dwelling units shall be permitted above the first storey on the following lots:

Legal Description:  
Lot 1, DL 473, Plan 6614

Site Address: (reference only)  
13013 Rosedale

Lot A, DL 473, Plan 6277	13017 Rosedale
Lot A, DL 473, Plan 30414	13205 Rosedale
Lot 3, DL 473, Plan 9007	13217 Rosedale
Lot 2, DL 473, Plan 9007	13401 Rosedale
Lot 1, DL 473, Plan 9007	13407 Rosedale
Lot B, DL 473, Plan 29722	9311 Jubilee Rd.
Lot 2, DL 473, Plan 14661	9305 Jubilee Rd.
Lot 1, DL 473, Plan B1075	9119 Jubilee Rd
Lot A, DL 473, Plan 17949	9111 Jubilee Rd.
Lot 3, DL 473, Plan 1012	9103 Jubilee Rd.

- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **12.6 CB2 - Central Business Zone**

### **12.6.1 Purpose**

To provide a zone to accommodate retail, business, entertainment and personal service uses within a shopping center environment. Lands must be designated as DC - Downtown Commercial under the District's Official Community Plan.

### **12.6.2 Principal Uses**

The following uses and not other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) art galleries & museums.
- b) amusement establishments.
- c) business support services.
- d) commercial schools.
- e) eating & drinking establishments.
- f) financial services.
- g) gas bars.
- h) health services.
- i) libraries.
- j) offices.
- k) personal service establishments.
- l) private clubs.
- m) protective & emergency services.
- n) recreation services, indoor.
- o) retail stores, general.
- p) theatres.
- q) veterinary clinics.
- r) wine & beer stores.

### **12.6.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses to a shopping center subject to all applicable regulations of this Bylaw.

- a) accessory buildings & structures.
- b) recycle drop-off centers.
- c) Recreational services, outdoor.

#### 12.6.4 Subdivision Regulations

- a) Minimum Lot Area: 1,300 square meters
- b) Minimum Lot Width: 25.0 meters
- c) Minimum Lot Depth: 40.0 meters

#### 12.6.5 Development Regulations

- a) Maximum Lot Coverage: 35%
- b) Maximum Floor Area Ratio: 0.7

#### 12.6.6 Siting Regulations – Principal Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 3.5 meters\*
- c) Minimum Side Yard Setback.
  - i) Side exterior: 2.4 meters\*
  - ii) Side interior: 3.5 meters
- d) Maximum Height: The lesser of 9.5 meters or 2 storeys.

\* Notwithstanding the above noted setback regulations, where a CB2 - Central Business zoned lot abuts an urban residential zoned lot, the minimum rear yard setback shall be 6.0 meters and the minimum interior side yard setback shall be 3.0 meters.

#### 12.6.7 Other Regulations

- a) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **12.7 CM - Heavy Commercial Zone**

### **12.7.1 Purpose**

To provide a zone to accommodate established commercial operations that require substantial on-site storage facilities. Lands must be designated as SC-Service Commercial under the District's Official Community Plan.

### **12.7.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) canneries.
- b) farm supplies, sales & storage.
- c) garden centers.
- d) lumber yards.
- e) packing houses.
- f) warehouse sales establishments.

### **12.7.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings & structures.

### **12.7.4 Subdivision Regulations**

- a) Minimum Lot Area: 5.0 hectares
- b) Minimum Lot Width: 100.0 meters

### **12.7.5 Development Regulations**

- a) Maximum Lot Coverage: 60%

### **12.7.6 Siting Regulations – Principal and Secondary Uses**

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 3.0 meters\*
- c) Minimum Side Yard Setback.
  - i) Side interior: 2.4 meters\*
  - ii) Side exterior: 4.5 meters
- d) Maximum Height: The lesser of 12.0 meters or 2 storeys.

\* Notwithstanding the above noted setback regulations, where a CM - Heavy Commercial zoned lot abuts an urban residential zoned lot, the minimum rear yard setback shall be 6.0 meters and the minimum interior side yard setback shall be 3.0 meters.

#### 12.7.7 Other Regulations

- a) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

# 13.0 Industrial Zones

## 13.1 M1 - Industrial Zone

### 13.1.1 Purpose

To provide a zone to accommodate light industrial uses and the processing of agricultural products. Lands must be designated as LI-Light Industrial under the District's Official Community Plan.

### 13.1.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) automotive & equipment repair shops.
- b) auto-body repair shops.
- c) contractor services, general.
- d) contractor services, limited.
- e) eating & drinking establishments.
- f) equipment rentals.
- g) farm equipment sales and rentals.
- h) farm supplies, sales & storage.
- i) indoor manufacturing operations.
- j) primary & secondary processing of agricultural products.
- k) recycle drop-off centers.
- l) recycle depots.
- m) wineries & cideries.
- n) commercial storage

### 13.1.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) indoor display areas, retail sales areas and/or office areas.
- c) watchman's dwelling.

### 13.1.4 Subdivision Regulations

- a) Minimum Lot Area: 1,800 square meters
- b) Minimum Lot Width: 30.0 meters

### 13.1.5 Development Regulations

- a) Maximum Lot Coverage: 60%

13.1.6 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 0.0 meters\*
- c) Minimum Side Yard Setback.
  - i) Side interior: 5.0 meters
  - ii) Side exterior: 5.0 meters
- d) Maximum Height: The lesser of 12 meters or 2 storeys.

\* Notwithstanding the above noted setback regulation, where the rear yard abuts any zone other than an industrial zone, the rear yard setback shall be 7.5 meters.

13.1.7 Other Regulations

- a) Eating & drinking establishments shall have a maximum gross floor area of 100 square meters and shall not include premises licensed under the Liquor Control and Licensing Act.
- b) Indoor display areas, retail sales areas and/or office areas shall occupy no more than 25% of the gross floor area devoted to the principal use.
- c) A watchman's dwelling shall be situated within the principal building or, if on a site greater than 2.0 hectares, may be situated within a manufactured house. Only one (1) dwelling (watchman's dwelling) shall be permitted per lot or development site with a maximum gross floor areas of 47 square meters.
- d) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **13.2 M2 - Industrial Zone**

### **13.2.1 Purpose**

To provide a zone to accommodate service commercial, light industrial and storage uses. Lands must be designated as MI - Medium Industrial under the District's Official Community Plan.

### **13.2.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) animal shelters.
- b) auctioneering establishments.
- c) automobile sales & rentals.
- d) automotive & equipment repair shops.
- e) auto-body repair shops.
- f) bulk fuel depot.
- g) commercial storage.
- h) contractor services, general.
- i) contractor services, limited.
- j) crematoriums.
- k) eating & drinking establishments.
- l) equipment rentals.
- m) farm equipment sales and rentals.
- n) farm supplies, sales & storage.
- o) fleet service.
- p) garden & farm supply sales.
- q) general industrial uses.
- r) indoor manufacturing operations.
- s) primary & secondary processing of agricultural products.
- t) recycle drop-off centers.
- u) recycling depots.
- v) sawmills.
- w) service stations.
- x) storage yards.
- y) warehouse sales establishments.
- z) wineries & cideries.
- aa) Wrecking yards.

### **13.2.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings & structures.
- b) indoor display areas, retail sales areas and/or office areas.
- c) watchman's dwelling.

13.2.4 Subdivision Regulations

- a) Minimum Lot Area: 1,800 square meters
- b) Minimum Lot Width: 30.0 meters

13.2.5 Development Regulations

- a) Maximum Lot Coverage: 60%

13.2.6 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 0.0 meters\*
- c) Minimum Side Yard Setback.
  - i) Side interior: 5.0 meters
  - ii) Side exterior: 5.0 meters
- d) Maximum Height: The lesser of 14 meters or 3 storeys.

\* Notwithstanding the above noted setback regulation, where the rear yard abuts any zone other than an industrial zone, the rear yard setback shall be 7.5 meters.

13.2.7 Other Regulations

- a) Eating & drinking establishments shall have a maximum gross floor area of 100 square meters and shall not include premises licensed under the Liquor Control and Licensing Act..
- b) Indoor display areas, retail sales areas and/or office areas shall not occupy more than 25% of the gross floor area devoted to the principal use.
- c) A watchman's dwelling shall be situated within the principal building or, if on a site greater than 2.0 hectares, may be situated within a manufactured house. Only one (1) dwelling (watchman's dwelling) shall be permitted per lot or development site with a maximum gross floor area of 47 square meters.
- d) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

### 13.3 M3 – Industrial Zone

#### 13.3.1 Purpose

To provide a zone to accommodate agricultural processing on lands which are situated within the Agricultural Land Reserve or are otherwise isolated from established industrial sectors within the community. Lands must be designated as A1-Agri-Industrial under the District’s Official Community Plan.

#### 13.3.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) agriculture, general.
- b) greenhouses & plant nurseries.
- c) primary & secondary processing of agricultural products.
- d) wineries and cideries.

#### 13.3.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) indoor display areas, retail sales areas and/or office areas.
- c) watchman’s dwelling.

#### 13.3.4 Subdivision Regulations

- a) Minimum Lot Area: 1800 square meters
- b) Minimum Lot Width: 30.0 meters

#### 13.3.5 Development Regulations

- a) Maximum Lot Coverage: 10%\*

\* Notwithstanding the above noted regulation, a lot which the principal use is greenhouse, plant nurseries, primary & secondary processing of agricultural products and/or wineries or cideries may increase the maximum lot coverage to 65%

### 13.3.6 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 15.0 meters
- b) Minimum Rear Yard Setback: 15.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 5.0 meters
  - ii) Side exterior: The lesser of 11.0 meters or 2 storeys.

### 13.3.7 Other Regulations

- a) Indoor display areas, retail sales areas and/or office areas shall not occupy more than 25% of the gross floor area devoted to the principal use.
- b) A watchman's dwelling shall be situated within the principal building or, if on a site greater than 2.0 hectares, may be situated within a manufactured house. Only one (1) dwelling per lot or development site shall be permitted with a maximum gross floor area of 47 square meters.
- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

**13.4 M4 - Industrial Zone**

13.4.1 Purpose

To provide a zone to accommodate resource based industrial operations. Lands must be designated as RI-Resource Industrial under the District’s Official Community Plan.

13.4.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) concrete & asphalt plants.
- b) natural resource extraction operations.
- c) solid waste & composting facilities.
- d) storage yards for aggregate materials.

13.4.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) indoor display areas, retail sales areas and/or office areas.
- c) watchman’s dwelling.

13.4.4 Subdivision Regulations

- a) Minimum Lot Area: 2.0 hectares
- b) Minimum Lot Width: 100.0 meters

13.4.5 Development Regulations

- a) Maximum Lot Coverage: 10%

13.4.6 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 30.0 meters
- b) Minimum Rear Yard Setback: 15.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 7.5 meters
  - ii) Side exterior: 7.5 meters
- d) Maximum Height: 18.0 meters

#### 13.4.7 Other Regulations

- a) Indoor display areas, retail sales areas and/or office areas shall not occupy more than 25% of the gross floor area devoted to the principal use.
- b) A watchman's dwelling shall be situated within the principal building or, if on a site greater than 2.0 hectares, may be situated within a manufactured house. Only one (1) dwelling per lot or development site shall be permitted with a maximum gross floor area of 47 square meters.
- c) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

# 14.0 Public, Openland & Institutional Zones

## 14.1 PR1 - Parks and Recreation Zone.

### 14.1.1 Purpose

To provide a zone to accommodate open space and outdoor community recreation uses. Lands must be designated as ESA - Environmentally Sensitive Areas or P-Parks under the District's Official Community Plan.

### 14.1.2 Principal Uses

The following uses and no other uses shall be the Principal Uses in this zone subject to all applicable regulations of this Bylaw.

- a) public boat launches.
- b) public beaches
- c) cemeteries.
- d) marinas.\*
- e) playgrounds.
- f) recreational services, outdoor.

\* Notwithstanding the above noted permitted use, a marina shall be restricted to only Lot 1, Plan KAP61478, 17001 Lakeshore Drive.

### 14.1.3 Secondary Uses

The following uses and no other uses shall be the Secondary Uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings & structures.
- b) eating & drinking establishments limited to concession stand facilities.
- c) docks.

### 14.1.4 Development Regulations

- a) Maximum Lot Coverage: 25%
- b) Maximum Floor Area Ratio: 0.5

14.1.5 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 7.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 5.0 meters
  - ii) Side exterior: 5.0 meters
- d) Maximum Height: The lesser of 10.0 meters or 2 storeys.

14.1.6 Other Regulations

- a) The maximum gross floor area of each concession stand shall be 100 square meters.
- b) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

**14.2 PR2 - Parks and Recreation Zone.**

14.2.1 Purpose

To provide a zone to accommodate a multiple-use recreation and entertainment facility. Lands must be designated as P-Parks under the District's Official Community Plan.

14.2.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) community recreational services.
- b) rodeo facilities & exhibition facilities.
- c) tourist railway operation.

14.2.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory building & structures.
- b) eating & drinking establishments.
- c) concession stand facilities.
- d) manager's dwelling.

14.2.4 Development Regulations

- a) Maximum Lot Coverage: 25%
- b) Maximum Floor Area Ratio: 0.5

14.2.5 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 7.0 meters
- c) Minimum Side Yard Setback:
  - i) Side interior: 5.0 meters
  - ii) Side exterior: 5.0 meters
- d) Maximum Height: The lesser of 10.0 meters or 2 storeys.

#### 14.2.6 Other Regulations

- a) Only one (1) dwelling (manager's dwelling) shall be permitted per lot or development site.
- b) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking & Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

### **14.3 FG - Forestry Grazing Zone**

#### **14.3.1 Purpose**

To provide a zone to accommodate forestry, grazing and conservation uses in areas of the community that are currently confined by the availability of water, roads or other infrastructure and service needs. Lands must be designated as O-Openland, ESA - Environmentally Sensitive Areas or FRR-Future Residential Reserve under the District's Official Community Plan.

#### **14.3.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw:

- a) forestry.
- b) grazing.
- c) manufactured housing - type 1 or 2.
- d) single detached housing.

#### **14.3.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings & structures.
- b) home occupations - type 1,2 or 3.
- c) stables.

#### **14.3.4 Subdivision Regulations**

- a) Minimum Lot Area: 20 hectares

#### **14.3.5 Development Regulations**

- a) Maximum Lot Coverage: 10%

#### **14.3.6 Siting Regulations – Principal & Secondary Uses**

- a) Minimum Front Yard Setback: 10.0 meters
- b) Minimum Rear Yard Setback: 7.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 7.0 meters
  - ii) Side exterior: 7.0 meters
- d) Maximum Height: 12.0 meters

#### 14.3.7 Other Regulations

- a) The maximum number of dwellings shall not exceed one (1) single detached house or one (1) manufactured house per lot or development site.
- b) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulation, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **14.4 PP - Preservation & Protection Zone**

### **14.4.1 Purpose**

To provide a zone to protect land areas in the community that are deemed undevelopable due to topographical or environmental constraints identified in the District's Official Community Plan. Lands must be designated as O - Openland or ESA - Environmentally Sensitive areas under the District's Official Community Plan.

### **14.4.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) grazing.
- b) openland recreation.

### **14.4.3 Other Regulations**

- a) No buildings of any kind other than those required to protect government and utility services are permitted within this zone.

## **14.5 I - Institutional Zone.**

### **14.5.1 Purpose**

To provide a zone to accommodate major community facilities that address institutional, cultural, and educational needs of the community. Lands must be designated as A - Administration under the District's Official Community Plan.

### **14.5.2 Principal Uses**

The following uses and no other uses shall be the Principal Uses in this zone subject to all applicable regulations of this Bylaw.

- a) art galleries and museums.
- b) child care centers, major.
- c) child care centers, minor.
- d) churches.
- e) community centers.
- f) convention centers.
- g) court houses.
- h) funeral homes.
- i) group homes, major.
- j) hospitals.
- k) libraries.
- l) protective and emergency services.
- m) private education services.
- n) public education services.
- o) recreational services, indoor.
- p) recreational services, outdoor.
- q) recycle drop off centers.
- r) research centers and laboratories.

### **14.5.3 Secondary Uses**

The following uses and no other uses shall be the Secondary Uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings & structures.
- b) eating & drinking establishments.
- c) manager's dwelling.

### **14.5.4 Subdivision Regulations**

- a) Minimum Lot Area: 700 square meters
- b) Minimum Lot Width: 18.0 meters
- c) Minimum Lot Depth: 30.0 meters

14.5.5 Development Regulations

- a) Maximum Lot Coverage: 50%
- b) Maximum Floor Area: 0.8

14.5.6 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 7.0 meters
- b) Minimum Rear Yard Setback: 7.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 5.0 meters
  - ii) Side exterior: 5.0 meters
- d) Maximum Height: The lesser of 14.0 meters or storeys.

14.5.7 Other Regulations

- a) Only one (1) dwelling (manager’s dwelling) shall be permitted per lot or development site.
- b) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

# 15.0 Comprehensive Zones

## 15.1 CD - Comprehensive Development

### 15.1.1 Purpose

To provide a zone which will allow for the creation of customized land use regulations for site specific developments where the use of other conventional zones in this Bylaw would not accommodate the public interest. Proposed uses and densities must be in conformity with the District's Official Community Plan.

### 15.1.2 Zone Appropriateness

The use of this zoning tool to accommodate any proposed development shall only be considered where the following concerns would apply:

- a) the use of any other zone in this Bylaw would result in a potential conflict with the scale and character of existing or future surrounding development, should the full development potential of that zone be used; or
- b) the scale, character or complexity of the contemplated development is so unique that it cannot be appropriately regulated by another zone; or
- c) the use for any other zone could lead to conflicts with established policies
- d) and objectives of the District's Official Community Plan.

### 15.1.3 Applications

Any application to re-zone property to CD - Comprehensive Development Zone shall include the following additional information:

- a) support rationale explaining why a CD - Comprehensive Development Zone is desirable for the site relative to the zone appropriateness set out in Section 15.1.2 above;
- b) text of the proposed zone in a format that is similar to the standard zones contained in this Bylaw. This shall include the general purpose of the zone; a list of principal and secondary uses for the zone; a list of subdivision, development and siting regulations for the zone; and a list other regulations which apply in addition to or instead of any other regulations in this Bylaw;
- c) site and/or elevation plans to be incorporated as part of the CD-Comprehensive Development Zone where the use of such plans will aid in the clarification and interpretation of the corresponding written regulations; and
- d) an analysis of the opinions and concerns of the surrounding property owners, if applicable, along with a summary on how the proposed development was modified to respond to those concerns.

15.1.4 Uses

Council, in approving a CD - Comprehensive Development Zone, shall specify the uses permitted under this zoning classification.

15.1.5 Regulations

Council, in approving a CD - Comprehensive Development Zone, shall specify the regulations required under this zoning classification.

15.1.6 Development Permits

Council, in approving a CD - Comprehensive Development Zone, shall specify what parts of a proposed development requires further approval by Council where the use of this zone is or will be within a designated Development Permit Area.

15.1.7 Zoning Map Identification

All approved CD - Comprehensive Development Zones shall be designated on the District's zoning map as "CD" followed by a series of sequential reference numbers starting with the number 1.

15.1.8 Schedule Identification

All approved CD - Comprehensive Development Zones shall be included in Schedule "C" of this Bylaw.

# Schedule "C"

## Comprehensive Development Zones

### 1.0

#### 1.1 CD1 - Comprehensive Development Zone

##### 1.1.1 Purpose

To provide a zone to accommodate specialized housing for senior citizens in the form of apartment housing. Lands must be designated as HDR - High Density Residential under the District's Official Community Plan.

##### 1.1.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) apartment housing - senior citizen.

##### 1.1.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings & structures.

##### 1.1.4 Subdivision Regulations

- a) Minimum Lot Size: 4000 square meters
- b) Minimum Lot Width: 30.0 meters
- c) Minimum Lot Depth: 30.0 meters

##### 1.1.5 Development Regulations

- a) Maximum Lot Coverage: 50%
- b) Maximum Floor Area Ratio: 1.20
- c) Maximum Density: 145 dwellings per hectare.

### 1.1.6 Siting Regulations - Principal Uses

- a) Minimum Front Yard Setback: 0.0 meters
- b) Minimum Rear Yard Setback: 5.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 5.0 meters
  - ii) Side Exterior: 5.0 meters
- d) Maximum Height: The lesser of 14.0 meters or storeys\*.

Notwithstanding the above noted regulation, the proposed parking level shall not be classified as a storey provided that the entire building is sprinklered.

### 1.1.7 Siting Regulations - Secondary Uses

- a) Minimum Front Yard Setback: 0.0 meters
- b) Minimum Rear Yard Setback: 1.5 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 1.5 meters
  - ii) Side exterior: 5.0 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

### 1.1.8 Other Regulations

- a) In accordance with the District's Official Community Plan, all multiple family developments are designated as Development Permit Areas, and for the purpose of this zone, the proposed senior citizen housing complex is considered to be a multiple family development.
- b) Parking for the housing complex shall be provided at a minimum level of 18 resident parking spaces and 19 visitor/employee parking spaces. All other regulations of Section 6: Parking & Loading Regulations shall remain in effect.
- c) Outdoor amenity space, in keeping with the District's Multiple Family Development Permit guidelines, shall be provided at a rate of 27.5 square meters per dwelling.
- d) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## 1.2 CD2 – Comprehensive Development Zone

### 1.2.1 Purpose

To provide a zone to accommodate a resort development adjacent to Okanagan Lake in the Lower Town Development Permit Area as defined in Schedule “F” of the District’s Official Community Plan. Lands must be designated TC-Tourist Commercial under the District’s Official Community Plan.

### 1.2.2 Principal Uses

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw,

- a) resorts.\*

\* For the purpose of this zone, a resort is defined as a hotel with individual cooking facilities being permitted in each guestroom.

### 1.2.3 Secondary Uses

The following uses and no other uses shall be the secondary uses in the zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.

### 1.2.4 Development Regulations

- a) Maximum Lot Coverage: 50%
- b) Maximum Gross Floor Area: 5250 square meters

### 1.2.5 Siting Regulations – Principal & Secondary Uses

- a) Minimum Front Yard Setback: 0.9 meters for up to 40% of the lot width with the balance having a minimum setback requirement of 2.5 meters.
- b) Minimum Rear Yard Setback: 6.0 meters from the natural boundary plotted from the survey plan DL 204 as shown on Lot A, DL 455 and DL 5204, Plan 33645, ODYD
- c) Minimum Side Yard Setback:
  - i) Side interior – North: 2.1 meters
  - ii) Side Interior – South: 0.0 meters
- d) Maximum Height: The lesser of 14.5 meters or 3 storeys.

- e) Notwithstanding Section 4.2 of this Bylaw, roof overhangs may project 1.2 meters into the required side interior setback.
- f) Notwithstanding Section 1.2.5 (c) the underground parking garage may extend to within 1.2 meters of the property line provided the top of the structure is not more than 2.0 meters above natural grade.
- g) Notwithstanding Section 1.2.5 (d) the proposed parking level and mezzanines shall be classified as a storey.

#### 1.2.6 Other Regulations

- a) Parking for the resort complex shall be provided in conformance with the parking requirements for hotels identified under Section 6: Parking and Loading Regulations of this bylaw.
- b) The siting, size and dimensions of buildings and structures shall be in compliance with the plans attached to this bylaw and dated June 1, 2000.
- c) A resort in this zone is not required to comply with Section 4.9 Floodplain Regulations of this bylaw provided the owner registers against title a restrictive covenant that complies with the approval conditions imposed by the Ministry of Environment Lands and Parks by letter dated June 27/2000 attached to this bylaw.
- d) A resort use in this zone is not required to comply with the road dedication requirements of Section 4.8 Setbacks from Highways and Major Streets of this bylaw.
- e) In addition to the regulations listed above, Section 4: General Regulations, Section 5: Landscaping and Screening Regulation and Section 8: Sign Regulations also apply to a resort use in this zone.

### **1.3 CD3 – Comprehensive Development Zone**

#### **1.3.1 Purpose**

To provide a zone to accommodate the comprehensive development of single detached housing on smaller lots having full urban services in a bareland strata format. Lands must be designated as MDR – Medium Density Residential under the District’s Official Community Plan.

#### **1.3.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) single detached housing.

#### **1.3.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.
- b) home occupations – type 1.

#### **1.3.4 Subdivision Regulations**

- a) Minimum Development Site Area: 4000 square meters
- b) Minimum Development Site Width: 40.0 meters
- c) Minimum Development Site Depth: 200.0 meters
- d) Minimum Lot Area: 235.0 square meters
- e) Minimum Lot Width: 7.5 meters

#### **1.3.5 Development Regulations**

- a) Maximum Lot Coverage: 40%
- b) Maximum Floor Area Ratio: 0.55
- c) Maximum Density: 20 dwellings per hectare

#### **1.3.6 Siting Regulations – Principal Uses (Bareland Strata Lots)**

- a) Minimum Front Yard Setback: 4.5 meters
- b) Minimum Rear Yard Setback: 4.0 meters

- c) Minimum Side Yard Setback:
  - i) Side Interior 1.5 meters\*
  - ii) Side Exterior 4.6 meters
- d) Maximum Height: The lesser of 9.0 meters or 2 storeys.

\* Notwithstanding the above noted setback regulation, a lot having no direct vehicular access to the rear yard without a garage or carport shall maintain one side yard setback of at least 3.0 meters.

### 1.3.7 Siting Regulations – Secondary Uses (Bareland Strata Lots)

- a) Minimum Front Yard Setback: 4.5 meters
- b) Minimum Rear yard Setback: 1.5 meters
- c) Minimum Side Yard Setback
  - i) Side interior: 1.5 meters
  - ii) Side exterior: 4.0 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

### 1.3.8 Other Regulations

- a) Only one (1) dwelling will be permitted per lot site.
- b) All roads and services within the development site shall meet the regulations of the District’s “Subdivision and Development Servicing Bylaw”.
- c) Only one (1) accessory building or structure will be allowed per lot with a maximum gross floor area of 10.0 square meters.
- d) No communal parking, loading, garbage collection facilities or individual driveways other than the existing dwelling at 10602 Victoria Road South shall be permitted have direct access to the abutting public highway.
- e) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations, Section 6: Parking and Loading Regulations, Section 7: Specific Use Regulations and Section 8: Sign Regulations.

## **1.4 CD4 - Comprehensive Development Zone**

### **1.4.1 Purpose**

To provide a zone to accommodate a seniors care complex providing a combination of residential care beds (group home major) and assisted living units. Lands must be designated as A- Administration under the District's Official Community Plan.

### **1.4.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw.

- a) Assisted living units.\*
- b) Group home – major.

\* For the purpose of this zone, assisted living units are defined as apartment housing intended for senior citizens who by reason of physical or mental difficulties require some professional assistance to meet their day to day living activities.

### **1.4.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in this zone subject to all applicable regulations of this Bylaw.

- a) Accessory buildings & structures.
- b) Eating and drinking establishments for the residents.
- c) Recreational services, indoor for the residents.

### **1.4.4 Subdivision Regulations**

- a) Minimum Lot Size: 1.60 hectares
- b) Minimum Lot Width: 125.0 meters
- c) Minimum Lot Depth: 125.0 meters

### **1.4.5 Development Regulations**

- a) Maximum Lot Coverage: 40%
- b) Maximum Floor Area Ratio: 1.15
- c) Maximum Density: 90 dwellings per hectare.

#### 1.4.6 Siting Regulations - Principal Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 8.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 5.0 meters
  - ii) Side exterior: 0.9 meters
- d) Maximum Height: The lesser of 18.0 meters or 4 storeys.\*

\* Notwithstanding the above noted regulation, the proposed parking level shall not be classified as a storey.

#### 1.4.7 Siting Regulations - Secondary Uses

- a) Minimum Front Yard Setback: 6.0 meters
- b) Minimum Rear Yard Setback: 8.0 meters
- c) Minimum Side Yard Setback.
  - i) Side interior: 5.0 meters
  - ii) Side exterior: 0.9 meters
- d) Maximum Height: The lesser of 4.5 meters or 1 storey.

#### 1.4.8 Other Regulations

- a) In accordance with the District's Official Community Plan, all multiple family developments are designated as Development Permit Areas, and for the purpose of this zone, the proposed assisted living units are not considered to be a multiple family development.
- b) Parking for the housing complex shall be based on one parking stall per 4 bedrooms for group homes – major plus one parking stall per 3 dwelling units for the assisted living units. All other regulations of Section 6: Parking & Loading Regulations shall remain in effect.
- c) The Seniors Care Complex is required to comply with the road dedication requirements of Section 4.8 setbacks from Highways and major streets of this bylaw.
- d) In addition to the regulations listed above, other regulations may apply. These include Section 4: General Regulations, Section 5: Landscaping and Screening Regulations and Section 8: Sign Regulations.

**1.5 CD5 – Comprehensive Development Zone**

**1.5.1 Purpose**

To provide a zone to accommodate a resort development adjacent to Okanagan Lake in the Lower Town Development Permit Area as defined in Schedule “F” of the District’s Official Community Plan. Lands must be designated TC-Tourist Commercial under the District’s Official Community Plan.

**1.5.2 Principal Uses**

The following uses and no other uses shall be the principal uses in this zone subject to all applicable regulations of this Bylaw,

- a) resorts.\*

\* For the purpose of this zone, a resort is defined as a hotel with individual cooking facilities being permitted in each guestroom.

**1.5.3 Secondary Uses**

The following uses and no other uses shall be the secondary uses in the zone subject to all applicable regulations of this Bylaw.

- a) accessory buildings and structures.

**1.5.4 Development Regulations**

- a) Maximum Lot Coverage: 50%
- b) Maximum Gross Floor Ratio: 1.0

**1.5.5 Siting Regulations – Principal & Secondary Uses**

- a) Minimum Front Yard Setback: 0.9 meters for up to 40% of the lot width with the balance having a minimum setback requirement of 2.5 meters.
- b) Minimum Rear Yard Setback: 3.5 meters.
- c) Minimum Side Yard Setback:
  - i) Side interior 3.0 meters
  - ii) Side Interior 3.0 meters
- d) Maximum Height: The lesser of 16.2 meters or 3 storeys.

\* Notwithstanding Section 1.3.5 (b), the hot tub terrace and deck may extend up to the rear property line

\* Notwithstanding Section 1.3.5 (c) the line of entry canopy located on the south elevation of the resort can extend up to .30 meters of the south property line

\* Notwithstanding Section 1.3.5 (d) the proposed parking level and mezzanines shall be classified as a storey.

#### 1.5.6 Other Regulations

- a) The general design and proposed layout of the resort development shall be in keeping with the plans attached to this bylaw and dated December 20/02.
- b) The resort use is not required to comply with Section 4.9 Floodplain Regulations of this bylaw conditional upon obtaining the approval to vary the applicable regulations from the Ministry of Water, Land and Air Protection.
- c) The resort use in this zone is not required to comply with the road dedication requirements of Section 4.8 Setbacks from Highways and Major Streets of this bylaw.
- d) In addition to the regulations listed above, Section 4: General Regulations, Section 5: Landscaping and Screening Regulation, Section 6: Parking and Loading Regulations and Section 8: Sign Regulations also apply to a resort use in this zone.

# 16.0 Zoning Bylaw Amendments

<u>BY-LAW NUMBER</u>	<u>DESCRIPTION OF CHANGE</u>
99-027	adding <b>Indoor Manufacturing operations (clothing)</b> as a principal use on lots 38-42, D.L. 3640, Plan 905 13229 Henry Avenue.
99-031	D.L. 2494, except Plan H577, 41927, 43966, Part lying west of westerly boundary of Plan B3577, and Lot 8, Plan 267, D.L. 2194, except Plan PCL D B3577. 18822 Bentley Road. FG-Forestry Grazing to CR1-Country Residential.
99-033	Lot 1, D.L. 472, Plan 21118. 17013 Sanborn Street. FG-Forestry Grazing to CR1-Country Residential.
99-035	Plan B1755, D.L. 1178, except Plan B5590, B3577, B7646. FG-Forestry Grazing to CR1-Country Residential.
99-045	Lot 2, D.L. 454, 455, 674, Plan 20446, except Plan 29813. 6709 Switchback Road. A1-Agriculture to CR3-Country Residential.
99-050	Lot B, D.L. 473, Plan KAP44922. 15470 Mellor Road. A1-Agriculture to CR1-Country Residential.
99-053	Amend the definition of <b>“Floor Area, Gross”</b> , add definition of <b>“Loft”</b> ; and exclude <b>“Loft”</b> from existing definition of <b>“Storey”</b> .
00-006	A portion of Lot B, D.L. 675, Plan 23230 except Plan 41092. 11619 Walters Road. RMD- Residential Medium Density to CR1-Country Residential.
00-008	Lot A, D.L. 2561, Plan 32219. 8696 Milne Road. RSD3-Residential Single Detached to RSD1-Residential Single Detached.
00-018	Lot A, D.L. 674, Plan 64791. 17011 Lakeshore Drive North. A1-Agriculture to PP-Preservation & Protection and RSD1-Residential Single Detached.

00-043

Addition of the CD-2 Comprehensive Development Zone within Schedule "C" of Bylaw 99-001

Part of Lot A, Plan 33645, D.L 455 & 5204, and part of road right-of-way proposed to be close under Bylaw 2000-029.

13011 Lakeshore Drive South.

CT1- Commercial Zone to CD2-Comprehensive Development Zone.

Crescent Beach Neighborhood- (see actual Bylaw for detailed listing of legal descriptions.)

A portion of Blk 60, D.L. 455, Plan 157.

12819 Bristow Road.

A1-Agriculture to RSD1-Residential Single Detached.

Lot B, Plan 38000, DL 454.

8307 Jones Flat Road.

M1-Industrial to CR1-Country Residential

Amend the A1-Agriculture Zone and A2- Agriculture Zone by altering the farm help housing regulations as well as adding maximum floor area regulations for residential related accessory buildings.

D.L 3764 & D.L. 3765.

Placed FG-Forestry Grazing Zone on the above noted parcels

Recently added to the District boundaries.

Lot 13, D.L 3640, Plan 287A except Parcel B (135968F), Plan B5540 & Plan B3694.

14812 Victoria Rd North.

A1-Agriculture to I-Industrial.

Lot 1, D.L. 474, Plan 5297.

9719 Brown Street.

RSD1- Residential Single Detached Zone to I-Industrial Zone.

Lot A, D.L. 2561, Plan 32885

12401 Giants Head Road

RSD3-Residential Single Detached to RMD-Residential Medium Density.

Remainder of Lot 54, D.L. 475, Plan 161 & the remainder of Lot 12, D.L. 474, Plan 295 A1-Agriculture to PR1-Parks and Recreation and CR1- Country Residential.

Lot 16, D.L. 455, Plan 32085.

13311 Highway # 97 & Solly Road.

Property zoned A1-Agriculture.

Adding Plant Nurseries to the CT2-Commercial Tourism Zone.

Deleting 13005 Rosedale & 13009 Rosedale from Section 12.5 of the CB1-Central Business Zone.

- 00-111 Lot 3, D.L. 2561, Plan 31698  
12014 Trayler Pl. RSD3- Residential Single Detached to RSD1 – Residential Single Detached
- 00-116 Westside of Cartwright Mountain – Future university campus.  
RSD3 – Residential Single Detached and FG – Forestry Grazing to I – Institutional.
- 00-118 Lots 5, 6 and 7, D.L. 488, Plan KAP69661 and Lot 2, Plan 6062.  
1719 Wharf Street and 5014 – 5022 Towgood Place.  
RSD4 – Residential Single Detached to RSD1 – Residential Single Detached.
- 00-121 Lot 1, D.L. 474, Plan 2474.  
10317 Prairie Valley Road.  
RSD1 – Residential Single Detached to I – Institutional.
- 00-125 Lot 1, DL 455 and 5139 ODYD, Plan 25044 and Lot A, DL 455 and 527 ODYD, Plan 26657, located at 12811 & 12817 Lakeshore Drive South, from CT1 – Commercial Tourist Zone to the CD5 – Comprehensive Development Zone.
- 00-126 Amendment of Zoning Bylaw Number 99-001 (Summerland Resort -Phase 2) To provide a zone to accommodate a resort development adjacent to Okanagan Lake in the Lower Town Development Permit Area as defined in Schedule “F” of the District’s Official Community Plan. Lands must be designated TC-Tourist Commercial under the District’s Official Community Plan.
- 00-127 Lot 1, Plan 3074, D.L. 473.  
9303 Peach Orchard Road.  
I-Institutional to CB1-Central Business Zone.
- 00-128 Amend the definition of wine and beer stores to include the sale of spirits.
- 00-136 Permitting Retail Stores, general as a principle use on Lot 1, Plan 6011 Highway #97.
- 00-137 Lot A, D.L. 3640, Plan 46854. RSD1 – Residential Single Detached to RDH – Residential Duplex Housing.  
10503 & 10505 Gayton Avenue
- 00-140 Permitting Secondary Suites as a secondary use in the RSD3 – Residential Single Detached Zone where the lot is connected to the District’s sanitary sewer system.

- 00-149 Lot 2 D.L. 3962, Plan 43731 O.D.Y.D.  
28411 Garnet Valley Road  
FG – Forestry Grazing to A2 – Agricultural.
- 00-164 “Bylaw No. 2000-164, Amendment of Zoning Bylaw Number 99-001 (Deletion of Floodplain Regulations).
- 00-171 Lot 1, DL 439, Plan 4028, ODYD and Lot A, DL 439, Plan 17893 ODYD, being 10414 and 10602 Victoria Road South from RSD1 – Residential Single Detached Zone to CD3 – Comprehensive Development Zone.
- 00-167 Lot 13, DL 3640, Plan 14532, ODYD being 10510 Quinpool Road from RSD1 – Residential Single Detached Zone to RDH – Residential Duplex Housing Zone.
- 00-168 Lot 2 & 3, DL 473, Plan 9007, being 13217 & 13401 Rosedale Avenue from CB1 - Central Business to CD1 – Comprehensive Development Zone.
- 00-180 Lot B, DI 2561, Plan 74343 ODYD, being 10605 Cedar Avenue from A1 – Agricultural to RSH – Residential Strata Housing.
- 00-182 Add Commercial Storage to the M1 – Industrial Zone.
- 00-184 Part of Lot A, DL 508, Plan 32307 ODYD, being 2312 Randall Street from A1 – Agricultural to RSD1 – Residential Single Detached.
- 00-187 Lot 31, DL 473, Plan 147 ODYD, being 12803 Atkinson Road from RDH – Residential Duplex Housing to CD4 – Comprehensive Development Zone.
- 00-188 Lot 3, DL 3640, Plan 20720 ODYD, being 11103 Quinpool Road from RSD1 – Residential Single Detached to RDH – Residential Duplex Housing.
- 00-206 Lot A, DL 473, Plan 24169 ODYD, being 12818 Atkinson Road from RMD – Residential Medium Density to RDH – Residential Duplex Housing.
- 00-208 Lots 2, 3 and 5 District Lot 3640, Plan 9841 ODYD and Lots 1, 2, 3 and 4 District Lot 3640, Plan 14532 ODYD, being 14213 Spencer Avenue, 10507, 10513 and 10519 Ritchie Street and 10506, 10514, and 10520 Orchard Crescent from RSD1 – Residential Single Detached to RDH – Residential Duplex Housing.

Zoning classifications of Lots A and B, DL 675, ODYD, Plan 33617, 12001 and 12005 Giant's Head Road from A1 – Agricultural to RSD2 – Residential Single Detached.

00-230

Zoning classification of part of Lot 2, District Lots 477 and 508 Osoyoos Division Yale District Plan KAP60652, being 2720 Thornber Street, from the A1 – Agricultural Zone to the RMD – Residential Medium Density, PR1 – Parks and Recreation, and RSD1 – Residential Single Detached zones.

00-236

Building, parking areas, or structures other than pump-houses or signs regulated by Part 26 of the Local Government Act shall not be located within the following minimum setback distances measured from top of bank of any natural watercourse or domestic water supply, including Okanagan Lake.

Section 4.5.2 Accessory Buildings of the General Regulations be amended by adding the following section:

Shipping /cargo containers defined as a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship, or transport truck are not permitted within residential zones

The easterly 127 meters of Block A of DL 2886, ODYD. located off Bathville Road at 17990 Bathville Road as M4 – Industrial and the remainder of Block A of DL 2886, ODYD, as FG – Forestry Grazing

16.1.1

Development Services Department

# **District of Summerland**

## **Zoning Bylaw**

**Schedule “A” to  
Bylaw Number 99-001  
1999**

**Notice to Readers:**

This document is an office compilation of the District of Summerland Zoning Bylaw. This document has been prepared for reader convenience only and is not to be used for official purposes. Certified copies of all District Bylaws are available from the District Clerk.