



KIMBERLEY

BC • CANADA

**CITY OF KIMBERLEY ZONING
BYLAW NO.1850, 1994**

ADOPTED: MARCH 28, 1994

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Table of Contents

SECTION 1 TITLE	5
SECTION 2 ADMINISTRATION AND ENFORCEMENT	5
ADMINISTRATION AND INSPECTION	5
VIOLATION	5
PENALTY	5
SEVERABILITY	6
REPEAL OF BYLAWS.....	6
SECTION 3 INTERPRETATION	6
APPLICATION.....	6
SCHEDULE	6
MEASUREMENTS AND CALCULATIONS.....	6
DEFINITIONS.....	7
SECTION 4 - GENERAL REGULATIONS	19
CONFORMITY OF USES, BUILDINGS AND STRUCTURES.....	19
CONDITIONS WHERE A DEVELOPMENT PERMIT IS NOT REQUIRED.....	19
USE OF EXISTING PARCELS	19
MINIMUM PARCEL WIDTH.....	19
PROHIBITED USES IN ALL ZONES.....	20
OCCUPANCY DURING CONSTRUCTION.....	20
HOME BASED BUSINESSES	20
ACCESSORY BUILDINGS AND STRUCTURES.....	21
SITING OF BUILDINGS AND STRUCTURES	21
VISIBILITY AT INTERSECTIONS	22
HEIGHTS OF BUILDINGS AND STRUCTURES	22
FENCING, SCREENING AND LANDSCAPING.....	22
SECTION 5 -PARCEL AREA REQUIREMENTS	24
PARCEL AREA.....	24
SECTION 6 - PARKING AND LOADING REQUIREMENTS	24
LOCATION OF OFF-STREET PARKING SPACES AND OFF-STREET LOADING SPACES.....	24
CALCULATION OF OFF-STREET PARKING SPACES	25
USE AND CONDITION OF OFF-STREET PARKING AND LOADING AREAS	25

SIZE OF OFF-STREET PARKING SPACES AND OFF-STREET LOADING SPACES AND CONSTRUCTION STANDARDS.....	25
DRIVEWAY GRADIENTS	26
OFF-STREET PARKING AND OFF-STREET LOADING SPACE SIZES.....	26
PARKING LOT LAYOUT AND MANOEUVERING AISLES	27
OFF-STREET PARKING SPACES FOR DISABLED PERSONS	27
NUMBER OF REQUIRED OFF-STREET PARKING SPACES.....	28
NUMBER OF REQUIRED OFF-STREET LOADING SPACES	29
REQUIRED BICYCLE PARKING	29
SECTION 7 ZONES	30
ESTABLISHMENT OF ZONES	30
ZONE BOUNDARIES AND MAP	31
SINGLE FAMILY RESIDENTIAL ZONE: R-1.....	32
SINGLE AND TWO FAMILY RESIDENTIAL ZONE: R-2	34
MULTIPLE FAMILY RESIDENTIAL ZONE: R-3	37
MULTIPLE FAMILY RESIDENTIAL ZONE: R-3A	39
MULTIPLE FAMILY RESIDENTIAL ZONE: R-3B.....	41
MOBILE HOME RESIDENTIAL ZONE: R-4.....	43
MOBILE HOME PARK ZONE: R-5	45
RECREATIONAL RESIDENTIAL ZONE: R-6	47
RESIDENTIAL TOURIST CABINS ZONE: R-7.....	49
RESIDENTIAL TOURIST CABINS ZONE: R-7A.....	51
SINGLE FAMILY RESIDENTIAL ZONE: R-8.....	53
SINGLE FAMILY RESIDENTIAL ZONE: R-9.....	57
MULTIPLE FAMILY RESIDENTIAL ZONE: R-10	59
SINGLE FAMILY RESIDENTIAL ZONE: R-11.....	61
MULTIPLE FAMILY RESIDENTIAL ZONE: R-12	63
LOW DENSITY RESIDENTIAL ZONE: R-13.....	65
TWO FAMILY RESIDENTIAL ZONE: R-14	67
COMMERCIAL ZONE: C-1.....	69
COMMERCIAL PLATZL ZONE: CP-1.....	72
DOWNTOWN MIXED-USE ZONE: DMU-1	74
DOWNTOWN MIXED-USE ZONE: DMU-2	77
NEIGHBOURHOOD COMMERCIAL ZONE: C-2.....	80
AUTOMOBILE COMMERCIAL ZONE: C-3	82
ACCESSORY COMMERCIAL ZONE: AC-1.....	84

ACCESSORY COMMERCIAL ZONE: AC-2.....	86
INDUSTRIAL, WHOLESALE AND TRANSPORTATION ZONE: M-1.....	88
LIGHT INDUSTRIAL ZONE: M-2.....	90
SOLAR INDUSTRIAL ZONE: M-3.....	92
PUBLIC INSTITUTIONAL ZONE: P-1.....	93
PUBLIC UTILITY ZONE: P-2.....	94
COMMUNITY RECREATION ZONE: P-3.....	95
SPECIAL INSTITUTIONAL ZONE: P-4.....	96
PUBLIC HEALTH CARE ZONE: P-5.....	97
SKI HILL RECREATION ZONE: RC-1.....	98
RECREATION CONSERVATION ZONE: RC-2.....	99
CD-1 Zone (<i>Repealed - Bylaw 2709, Amnd 155</i>).....	100
COMPREHENSIVE DEVELOPMENT ZONE: CD-2.....	101
COMPREHENSIVE DEVELOPMENT ZONE: CD-3.....	103
COMPREHENSIVE DEVELOPMENT ZONE: CD-4.....	105
COMPREHENSIVE DEVELOPMENT ZONE: CD-5.....	107
COMPREHENSIVE DEVELOPMENT ZONE: CD-6.....	110
COMPREHENSIVE DEVELOPMENT ZONE: CD-7.....	117
SECTION 8 ADOPTION.....	119
EFFECTIVE DATE OF BYLAW.....	119

CITY OF KIMBERLEY

PROVINCE OF BRITISH COLUMBIA

BYLAW NO. 1850

A Bylaw to provide Zoning, Parking and Screening regulations pursuant to the "Municipal Act", within the City of Kimberley.

WHEREAS the Municipal Council of the City of Kimberley deems it desirable that the use of land, buildings and structures and related matters should be regulated in order to guide development of land in an efficient, systematic, and orderly way for the benefit of the public;

NOW THEREFORE the Municipal Council of the City of Kimberley in open meeting assembled hereby enacts as follows:

SECTION 1 TITLE

1.01 This Bylaw may be cited as "City of Kimberley Zoning Bylaw No. 1850, 1994".

SECTION 2 ADMINISTRATION AND ENFORCEMENT

ADMINISTRATION AND INSPECTION

2.01 The Building Official, Bylaw Enforcement Officer, Corporate Officer, Planner and Manager Planning Services are hereby authorized to administer this Bylaw and to enter at all reasonable times on any property that is subject to a direction of Council to ascertain whether the requirements are being met or the regulations are being observed. *(Bylaw 2684, Amnd 150)*

VIOLATION

2.02 Every person who violates any provision of this Bylaw, or who causes or suffers or permits any act or thing to be done in contravention of, or in violation of, any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done under provisions of this Bylaw, shall be guilty of an offence of this Bylaw and each day that such violation is caused or allowed to continue shall constitute a separate offence.

PENALTY

2.03 A person who is guilty of an offence of this Bylaw is liable. *(Bylaw 2684, Amnd 150)*

SEVERABILITY

- 2.04 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid section, subsection, sentence, clause or phrase of this Bylaw, as the case may be, shall be severed and, such decision shall not affect the validity of the remaining portions of this Bylaw.

REPEAL OF BYLAWS

- 2.05 The "The Zoning Bylaw of the City of Kimberley No. 911, 1971" and "The Zoning By-Law of The City of Kimberley No. 1073, 1974" and all Bylaws enacted in amendment thereto are hereby repealed.

SECTION 3 INTERPRETATION

APPLICATION

- 3.01 The provisions of this Bylaw apply to all of the City of Kimberley.

SCHEDULE

- 3.02 The following schedules attached to this Bylaw are incorporated into and form part of this Bylaw:

Schedule "A" - Zoning Map

Schedule "B" - Surfaced Parking Lot Specified Area

MEASUREMENTS AND CALCULATIONS

3.03

- (1) Numerical quantities in this Bylaw are written in the International System of Units (i.e. - metric); approximate Imperial Units are shown for convenience only.
- (2) Where a parcel contains more than one zone:
 - (a) Each zoned area shall be treated as a separate parcel for the purpose of calculating minimum parcel size, minimum parcel width, maximum parcel coverage, maximum number of dwelling units, and permitted site coverage.
 - (b) All accessory buildings, accessory uses and structures shall be provided within the area zoned for the principal building or principal use.

DEFINITIONS

3.04 In this Bylaw:

ACCESSORY BUILDING means:

- (a) a detached building the use or intended use of which is accessory to that of the principal building situated on the same parcel; or
- (b) a building which is accessory to a principal use made of the parcel upon which such building is (to be) located.

ACCESSORY means customarily incidental and subordinate.

ACCESSORY COMMERCIAL USE means a business or service that is clearly incidental to residential or tourist accommodation use such as, but not limited to, offices, restaurants, health centres, indoor recreation or retail uses and excluding entertainment facilities. (*Bylaw 2305, Amend 89*)

ACCESSORY DWELLING means a self-contained dwelling unit that is accessory to a single family dwelling located on the same parcel. An accessory dwelling must have an independent ground floor entry and may be located within or attached to the principal building or in a detached accessory building. (*Bylaw 2375, Amend 100*)

ACCESSORY USE means:

- (a) a use which is accessory to the principal building or to the use of the principal building on the same parcel; or
- (b) a use which is accessory to the principal use made of the parcel upon which such accessory use is carried on.

AGRICULTURAL LAND RESERVE means a reserve of land established under the Agricultural Land Commission Act.

APARTMENT means a multiple family dwelling containing three (3) or more dwelling units which have shared exit facilities.

ART STUDIO means a building or structure where paintings, sculptures or other works of art are produced, exhibited, and sold. (*Bylaw 2302, Amend 87*)

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

BASEMENT means the portion of a building where floor level, relative to ceiling height, is fifty percent (50%) or more below the finished grade. (*Bylaw 2594, Amnd 134*)

BARE LAND STRATA means a strata plan on which the boundaries of the strata lots are defined on horizontal plane by reference to survey markers under Section 6 (2) (b) of the Condominium Act, and not by reference to the floors, walls and ceilings of a building. (*Bylaw 1933, Amnd 15*)

BED AND BREAKFAST means the use of a single family dwelling that includes:

- (a) the business of renting not more than four bedrooms in the dwelling for the temporary lodging of paying guests; and
- (b) the use of common living and dining area for such guests; and
- (c) the use of the dwelling as the principle residence of the bed and breakfast operator; and
- (d) the provision of breakfast in the dwelling for the paying guests. *(Bylaw 2127, Amnd 53)*

BOARDING AND LODGING means monthly or longer accommodation for not more than two persons who are unrelated to the family residing in a dwelling unit and is limited to bedrooms or sleeping units only *(Bylaw 2124, Amnd 52)*

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

BUILDING AND TRADE CONTRACTING INDUSTRY means premises used for the provision of services related to general building and contracting industries including concrete, electrical, heating and air conditioning, plumbing, carpentry, cabinet-making, flooring, roofing, siding, masonry, landscaping and similar services that require on-site storage for materials, equipment or vehicles. *(Bylaw 2412, Amnd 110)*

BUSINESS AND PROFESSIONAL OFFICES means the use of premises for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include but are not limited to the offices of lawyers, accountants, planners, architects, engineers, surveyors, real estate and insurance firms, clerical and secretarial agencies but exclude the servicing and repair of goods, the sale of goods to customer on the site, and the manufacture or handling of a product on the site. *(Bylaw 2412, Amnd 110)*

CAMPGROUND means an area of land that has been designed and intended for the temporary placement of recreational vehicles and tents to accommodate the travelling public.

CHILD CARE FACILITY means a use which provides for the care of not more than eight children, according to the Child Care Licensing Regulation under the Community Care and Assisted Living Act. *(Bylaw 2442, Amnd 113)*

CLUB OR LODGE means a building or establishment used by a fraternal or service organization for meetings or social or recreational purposes, including accessory catering to the general public.

COMMERCIAL PARKING means a business that commercially provides an off-street parking area that is: accessible by the public; for the temporary parking of a vehicle; and, either located on a parcel or within a structure. *(Bylaw 2594, Amnd 134)*

COMMERCIAL SCHOOL means the commercial use of all or part of a building and land to provide specialized instruction or training. *(Bylaw 2669, Amnd 146)*

COMMON WALL means a continuous, unbroken vertical structure on either side of which is a separate dwelling unit, building or strata lot.

COMMUNITY RECREATION USE means buildings, structures and open space for the use and entertainment of the community and the general public, and includes parks and playgrounds, campgrounds, fairgrounds and exhibition grounds, arenas, and swimming pools.

CONVENIENCE STORE means a retail commercial establishment, not exceeding 185 m² (1991 ft²) of gross floor area, supplying groceries and other daily household necessities to the immediate surrounding area.

CRAFT BREWERY and CRAFT DISTILLERY means a business licensed under the Liquor Control and Licensing Act for the limited production of alcoholic beverages with an associated retail, restaurant or entertainment facility for the sale or consumption of products produced on-site. (*Bylaw 2594, Amnd 134*)

CRAFT WORKSHOP means the use of premises for the creation and production of arts and crafts for sale to the general public and includes pottery, ceramics, sculpture, painting, drawing, weaving, candle-making, tile art, movies or still photography. No activity may involve amplified sound, excessive vibration or the use of toxic or hazardous materials. (*Bylaw 2412, Amnd 110*)

DORMITORY means a room used as a common sleeping area which may be divided by one or more partitions which are at least 0.5 meters less in height than the distance between the floor and the ceiling in the dormitory in which they are located. (*Bylaw 2213, Amnd 69*)

DWELLING means a building designed or used as a dwelling unit or dwelling units.

DWELLING, CARRIAGE HOUSE means a dwelling unit located above a detached garage that is accessory to a single family dwelling located on the same parcel. (*Bylaw 2362, Amnd 98*)

DWELLING, MULTIPLE FAMILY means a dwelling containing three (3) or more dwelling units and includes a row house, townhouse and apartment.

DWELLING, SINGLE FAMILY means a dwelling containing one (1) dwelling unit.

DWELLING, TWO FAMILY means one dwelling containing two (2) dwelling units that:

- (a) share a common roof and foundation;
- (b) that are separated by a common wall or a fire separation.

DWELLING UNIT means a building or portion thereof containing one or more habitable rooms used or intended to be used by a family for living and sleeping purposes and containing sleeping, sanitary facilities and not more than one (1) set of cooking facilities.

EDUCATIONAL ACADEMY means an institution established to provide specialized instruction or training. (*Bylaw 2412, Amnd 110*)

ENTERTAINMENT FACILITY means commercial use limited to premises licensed for the sale of alcoholic beverages on the premises. (*Bylaw 2302, Amnd 87*)

EQUESTRIAN FACILITIES means the site, stables, buildings, sheds, shelters, fences, corrals, arenas and other appurtenances used for the care, rearing, training, exercise, showing and enjoyment of horses including outdoor storage of feed, waste and equipment. (*Bylaw 2375, Amnd 100*)

FAMILY means an individual, two or more persons related by blood, marriage, adoption, or foster parenthood or not more than five (5) unrelated persons.

FENCE means a fabricated structure intended to prevent intrusion onto a parcel or to separate a parcel from adjacent parcels or part of a parcel from an adjacent part of a parcel and includes a wall or trellis.

FINISHED GRADE means the average level of finished ground adjoining a building at all exterior walls or the average level of finished ground adjoining a structure at its support(s).

FLOOR AREA, GROSS means the total area of all floors in all buildings on a parcel measured to the exterior walls of the buildings including: corridors, hallways, landings, foyers, staircases and stairwells; enclosed balconies, mezzanines porches or verandas; but, excluding: off-street parking areas, basements, elevators and ventilating shafts, areas occupied by fixed machinery or equipment and any other space less than 1.5m in height. (*Bylaw 2594, Amnd 134*)

FLOOR AREA, GROUND means the maximum ground floor area of a building measured by the outside walls, excluding, any private garage, carport or porch. (*Bylaw 2310, Amnd 90*)

FLOOR SITE AREA means the figure obtained when the gross floor area of all buildings on a parcel is divided by the total usable site area. (*Bylaw 2238, Amnd 76*)

FLOOR SPACE RATIO means the figure obtained when the gross floor area of all buildings on a parcel is divided by the parcel area. (*Bylaw 2214, Amnd 70*)

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

GREENHOUSE means a building specifically designed for the propagation, growing, processing and storage of vegetables, fruit, flowers, shrubs, herbs, spices or other plants for transplanting on the same site or for sale. (*Bylaw 2412, Amnd 110*)

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

GROUP DAY CARE means a use which provides for the care of more than eight children according to the Child Care Licensing Regulation under the Community Care and Assisted Living Act. (*Bylaw 2442, Amnd 113*)

GROUP HOME means a dwelling for the accommodation of not less than three (3) or more than ten (10) persons, exclusive of staff, who by reason of their emotional, mental, social or physical condition or legal status require a group living arrangement for their well-being, and:

- (a) such facility is supervised and the members of the group are referred by a hospital or government agency; and
- (b) such facility is licensed or approved under Provincial statute and does not include any use otherwise classified or defined in this Bylaw.

HABITABLE ROOM means a room designed for living or sleeping, but does not include a bathroom, kitchen, storage room, laundry room, utility room or closet.

HEALTH AND WELLNESS PRACTITIONER means a business that provides out-patient educational, personal or retail health services to the public either by appointment or walk-in. This includes, but not limited to, doctor and dentist, registered therapists, homeopathy providers and health studios or spas. (*Bylaw 2594, Amnd 134*)

HEIGHT means the vertical distance from the finished grade to the highest point of the building or structure.

HIGHWAY includes a street, road, lane, bridge, viaduct and any other way open to public use but does not include a private right-of-way on private property, a walkway or common lot access as defined by the Condominium Act.

HOME BASED BUSINESS means:

- (a) Classification 1:
An occupation, service, profession or craft which is clearly accessory to the use of a dwelling unit for residential purposes or to the residential use of a parcel occupied by a dwelling, and is carried on by members of the family residing in the dwelling unit, but does not include the repair of vehicles.
- (b) Classification 2:
An occupation, service, profession or craft which is clearly accessory to the use of a dwelling unit for residential purposes or to the residential use of a parcel occupied by a dwelling, and is carried on by members of the family residing in the dwelling unit, plus no more than two (2) non-resident assistants or employees, but does not include the repair of vehicles.

HOSTEL means a building used as a temporary place of lodging containing one or more dormitories and includes common areas for working, cooking, dining and socializing, bathroom, kitchen, dining and social facilities. (*Bylaw 2213, Amnd 69*)

HOTEL means a building or part wherein accommodation is provided for the travelling public. Accommodation may be with or without individual cooking facilities. Entrance and exit ways are shared and the building may include public areas such as a lobby, restaurant, assembly, entertainment, convention and recreation facilities.

INDOOR STORAGE means a non-habitable room or compartment made commercially available to the public for the storage of goods or personal property. This does not include an indoor storage unit made exclusively available to business or dwelling unit located on the same parcel. (*Bylaw 2594, Amnd 134*)

LANE means a highway which provides secondary access to any abutting parcel.

LIVE-WORK UNIT means a self-contained dwelling unit that is accessory to a light industrial activity located on the same parcel. The dwelling must have an independent ground floor entry and it may be located within or attached to the principal building or in a detached accessory building. (*Bylaw 2412, Amnd 100*)

LODGE see "Club".

MOBILE HOME means any building constructed in accordance with the standards set forth in CAN/CSA Z240 MH Series M86, as amended from time to time, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to be moved from one place to another by being towed or carried on its own chassis, and which contains a dwelling unit. A mobile home is not a recreational vehicle. For the purposes of this bylaw, a mobile home also means a manufactured home. (*Bylaw 1867, Amnd 3*)

MOBILE HOME AREA means that part of a mobile home park used primarily for installed mobile homes, including permissible additions and which is not used for buffer area, roadways, owner's residential plot, the procuring and treatment of water, collective sewage treatment, effluent disposal from a collective sewage treatment plant, garbage disposal, or accessory buildings or structures.

MOBILE HOME PARK means land used or occupied by any person for the purpose of providing space for the accommodation of two (2) or more mobile homes and for imposing a charge or rental for the use of such spaces.

MOBILE HOME SPACE means an area of land for the installation of one mobile home with permissible additions and situated within a mobile home area.

MODULAR HOME means a dwelling unit constructed in accordance with the standards set forth in C.S.A. Standard A277 - M1990, as amended from time to time and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home may consist of two sections transported to the site in a manner similar to a mobile home or a series of panels or room sections transported on a truck and erected or joined together on the site.

MOTEL means a building or group of buildings divided into self-contained sleeping or dwelling units, each with a separate entrance, for the primary purpose of accommodating the travelling public including a motor court, resort, a cottage, bungalow or cabin but does not include a hotel or other residential premises. A motel may include a dining establishment primarily engaged in the service of food to persons in temporary residence in the motel but may not include establishments primarily engaged in providing entertainment or in serving beverages.

NATURAL BOUNDARY means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof in respect to vegetation, as well as in respect to the nature of the soil itself. *(Bylaw 2383, Amnd 101)*

NEIGHBOURHOOD PUB means premises used for the on-site consumption of food and alcoholic beverages as the principal use of the site, which may include outdoor customer service areas, and intended primarily to serve the nearby residents. *(Bylaw 2412, Amnd 110)*

NEIGHBOURHOOD RECREATION FACILITY means a facility for social and recreation activities that may include swimming pool, fitness rooms, communal lounges, meeting rooms and other similar activities and used primarily by residents of the site or neighbourhood in which it is located. *(Bylaw 2403, Amnd 107)*

NURSERY means a land area used for the propagation, growing and storage of trees, shrubs and other plants for transplanting on the same site or for sale. *(Bylaw 2412, Amnd 110)*

OFF-STREET LOADING SPACE means an area of land other than a highway used for the parking of a vehicle.

OFF-STREET PARKING AREA means an area of land that includes off-street parking spaces plus driveways, manoeuvring aisles and landscaping associated with the off-street parking area. An off-street parking area may be open, concealed, sheltered or underground.

OFF-STREET PARKING SPACE means an area of land other than a highway used for the parking of a vehicle.

OFF-STREET PASSENGER VEHICLE SPACE means an accessible area of land, other than a highway, used for the safe loading and unloading of passengers and temporary parking of commercial passenger vehicles. *(Bylaw 2383, Amnd 101)*

OUTDOOR STORAGE YARD means an area outside an enclosed building where material and equipment used by or associated with the principal use of the same or an adjoining parcel are kept

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

PARCEL, IRREGULAR means a parcel with opposite side parcel lines that are not parallel.

PARCEL LINE means a legal boundary of a parcel as shown or described on the records of the Land Title Office.

PARCEL LINE, EXTERIOR SIDE means the side parcel line which abuts a highway or a lane.

PARCEL LINE, FRONT means the parcel line common to a parcel and an abutting highway other than a lane. Where there is more than one such line and such lines are perpendicular, the shortest such line shall be considered the front parcel line, or where the front and rear parcel lines both adjoin a highway, the front parcel line shall be that to which the majority of adjacent buildings face.

PARCEL LINE, INTERIOR SIDE means the side parcel line which abuts another parcel.

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

PARCEL LINE, SIDE means the parcel line or parcel lines other than the front or rear parcel line and common to another parcel or parcels or to a highway.

PARK means open space used for recreational purposes or maintained for the use and enjoyment of the public and includes Federal, Provincial, Regional and local parks, ecological, archaeological and historic sites, and also includes privately owned land for use of which no charge is made to the public.

PATIO means a surfaced, open space of land at grade, or platform not more than 0.6m (2 ft.) above finished grade, and not covered by a permanent roof or enclosed by temporary or permanent walls (*Bylaw 2383, Amnd 101*)

PERSONAL SERVICES means a business catering to the needs of the general public including but not limited to barber shops or beauty salons, dry cleaning, electrical appliance repairs, financial institutions, photography studios, shoe repairs, ticket and travel agencies, insurance agencies, pet shops. (*Bylaw 2302, Amnd 87*)

PLACE OF WORSHIP means a building, structure, or part thereof, which is primarily used for the practice of religion and faith-based spiritual purposes wherein people assemble for religious worship, faith-based teaching, fellowship and community social outreach. Accessory uses include, but are not limited to, classrooms for religious instruction, programs for community social benefit, administrative offices related to the place of worship, and one dwelling unit. (*Bylaw 2463, Amnd 116*)

PLATZL means all that area shown as Spokane Street and Deer Park Avenue in Schedule “A” attached hereto and forming part of this Bylaw. *(Bylaw 2302, Amnd 87)*

PRINCIPAL BUILDING means a building in which or in relation to which the permitted principal uses are concentrated.

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

PUBLIC BUILDING means any building occupied by the Government of Canada, the Provincial Government, the Regional District of East Kootenay, or the City of Kimberley used in the service of the public and includes a fire hall and police station.

PUBLIC SCHOOL means a place of instruction maintained at public expense pursuant to the School Act.

PUBLIC UTILITY USE means a use, including buildings and structures, providing water supply, sewage collection and disposal (excluding sewage treatment plants), electricity, natural gas, telephone, radio and television broadcasting, transmitting and receiving and similar services where such use is established by the City of Kimberley, or a company regulated by government utility or communications legislation.

RECREATIONAL LAKES AND PONDS means water bodies designed and constructed for a variety of recreational uses including swimming, sunbathing, water-skiing, wakeboarding and winter skating. *(Bylaw 2375, Amnd 100)*

RECYCLING DEPOT means an establishment involved in the recycling of post-consumer refuse such as glass, paper, cardboard and containers, with most activities carried out in a building but also including outdoor processing and storage. A salvage yard is not a recycling depot.

REPAIR OF VEHICLES means the disassembly of vehicles, derelict or otherwise, into component parts and the construction, repair and maintenance of ordinary or special status vehicles, but does not include the repair and maintenance of licensed or leased vehicles owned by members of the family.

RESTAURANT means a building where food and beverages are offered for sale to the public for consumption at tables or counters either inside or outside the building on the parcel. As an accessory use, take-out service of food and beverages for off-site consumption may be provided. *(Bylaw 2302, Amnd 87)*

RETAIL means a building or part thereof in which goods are offered or kept for sale directly to the public at retail. *(Bylaw 2302, Amnd 87)*

SALVAGE YARD means an open area where waste or scrap material, primarily metals, are stored, processed, exchanged or sold.

SCREENING means a fence or hedge or combination thereof that obstructs certain views of the parcel which it encloses and is broken only by access drives, lanes and walkways, excluding open mesh or chain link style fences.

SENIORS HOUSING means multiple family housing intended for elderly persons. Seniors housing may be designed for independent living or include on-site support services and facilities or a combination of independent and assisted living units. Seniors housing is primarily sponsored or administered by a public agency or service club, church, or other non-profit organization, or by any combination thereof. Seniors housing may include accessory uses such as common amenity areas, communal dining and kitchen facilities, and health consulting and treatment services. *(Bylaw 2383, Amnd 101)*

SHOPPING CENTRE means a planned complex of stores grouped around a pedestrian mall or plaza, that is designed and managed as an integrated unit with common off-street parking spaces, and may include retail, office, including medical and professional offices, and recreational facilities.

SITE COVERAGE means the figure obtained when the projected area of the outside walls, excluding steps, eaves, patios, and cantilevered balconies, of all principal and accessory buildings is expressed as a percentage of the total parcel area. *(Bylaw 2383, Amnd 101)*

SLEEPING UNIT means one or more habitable rooms used for lodging of a person or persons on a temporary or longer basis and must include in addition to the habitable room(s) a toilet, wash basin and bath or shower, but must not contain facilities for the preparation of food *(Bylaw 2124, Amnd 52)*

SOLAR ENERGY FACILITY means an electric generating facility whose main purpose is to collect and convert solar energy to generate, store, distribute and supply electricity and consists of one or more solar collector panel, film, shingle, or other device and other accessory structures and buildings, including substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. *(Bylaw 2471, Amnd 119)*

STRUCTURE means any construction which is fixed to, supported by or sunk into land or water, excluding paving or surfacing materials such as asphalt or concrete.

SUPPORTIVE HOUSING means a form of housing specifically designed to enable elderly persons, not requiring personal care or any higher level of care, to live independently, while benefiting from a communal environment in terms of social life, security and personal care services. It contains facilities including:

- (a) substantial common amenity area;
- (b) communal dining room and kitchen;
- (c) built-in safety features for seniors living including grab bars in washrooms, personal emergency alarms; and,
- (d) at the project level, recreation programs for the residents. *(Bylaw 2226, Amnd 73)*

TEMPORARY means less than four (4) consecutive weeks or twenty-eight (28) consecutive days. *(Bylaw 2124 Amnd 52)*

TOBOGGAN HILL means a land area with a slope suitable for sledding, skiing, tubing and appropriate activities in other seasons and which may have a mechanical system for conveying patrons to higher elevations. *(Bylaw 2375, Amnd 100)*

TOURIST ACCOMMODATION means a building or portions of a building containing one or more habitable rooms that are used for temporary lodging by visitors where payment for occupancy is on a daily or weekly basis. *(Bylaw 2124, Amnd 52)*

TOWNHOUSE means a multiple family dwelling containing three or more dwelling units which do not have shared exit facilities.

TRAVEL SERVICES means a building or site used for the loading and unloading of passengers utilizing commercial passenger vehicles including, but not necessarily limited to, bus or shuttle services. Accessory uses may include ticket offices, food services, offices, facilities for handling and temporary storage of luggage and freight, waiting rooms and similar uses. *(Bylaw 2383, Amnd 101)*

USEABLE SITE AREA means the total area of the parcel excluding:

- (a) area covered by a natural body of water including a wetland or surface water measured to the high water mark;
- (b) land where the natural slope exceeds 30 percent for lands permitted for multiple family dwellings and 40 percent for single and two-family dwellings; and
- (c) land within 15 metres of the natural boundary of a water course. *(Bylaw 2238, Amnd 76)*

VEHICLE means a device in, on or by which a person or thing is or may be transported or drawn on a highway, except a device designed to be moved by human power or used exclusively on stationary rails or tracks.

VEHICLE, DERELICT means any vehicle which is not licensed for the current year but does not include a vehicle stored in a building or a vehicle used for industrial purposes on land zoned for industrial use in this Bylaw.

VEHICLE, RECREATIONAL means a vehicle which is, or was originally designed to travel or to be transported on a highway and constructed or equipped to be used as temporary living or sleeping quarter by travellers, or a vehicle which is designed as a recreation conveyance on or off the highway and, without limiting the generality of the foregoing, includes a trailer, travel trailer, tent trailer, coach, camper, motor home but not a mobile home.

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

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

YARD, EXTERIOR SIDE means a side yard where the side parcel line abuts a highway or a lane.

YARD, FRONT means a yard extending across the full width of the parcel from the front parcel line to the exterior wall of a building or structure, measured at right angles to the front parcel line. (*Bylaw 2594, Amnd 134*)

YARD, INTERIOR SIDE means a side yard where the side parcel line abuts another parcel.

YARD, REAR means a yard extending across the full width of the parcel from the rear parcel line to the exterior wall of a building or structure, measured at right angles to the rear parcel line. (*Bylaw 2594, Amnd 134*)

YARD, SIDE means a yard extending from the front yard to the rear yard and lying between the side parcel line and the exterior wall of a building or structure measured at right angles to the side parcel line. (*Bylaw 2594, Amnd 134*)

SECTION 4 - GENERAL REGULATIONS

CONFORMITY OF USES, BUILDINGS AND STRUCTURES

4.01 Within the area to which this Bylaw applies, no person shall use or permit any building, structure or land to be used or occupied or any building or structure or part thereof to be erected, moved, altered or enlarged unless in conformity with this Bylaw and any other relevant Bylaws of the City of Kimberley and provisions of the Municipal Act.

CONDITIONS WHERE A DEVELOPMENT PERMIT IS NOT REQUIRED

4.01A

- (1) Development Permits are not required under the following conditions:
 - (a) Development permits are not required within the specified Development Permit areas for internal alterations that do not affect the outer appearance of the building.
 - (b) Development permits are not required for the construction of, or addition to, or alteration of a single family or two family dwelling.
 - (c) At the discretion of the City, development permit applications may be exempt at the time of subdivision for all Development Permit Areas designated in Official Community Plan Bylaw 2233, 2005 except for Development Permit Area #7 Canadian Mountain Cabins; Development Permit Area #8 Environmental Protection; Development Permit Area #9 Wildfire Hazard Areas; and Development Permit Area #12 Townsite. Development Permit Applications that have been exempted at the time of subdivision will be required prior to Building Permit approval.
 - (d) At the discretion of the City, development permit applications may be exempt at time of subdivision for minor boundary adjustments or lot consolidations. (*Bylaw 2257, Amnd 80*)

USE OF EXISTING PARCELS

4.02 Parcels existing at the time of the effective date of this Bylaw which do not conform with the parcel area requirements of this Bylaw may be used for any of the uses permitted in the zone in which they are located unless otherwise provided for in Section 7, provided all other regulations of this Bylaw are complied with.

MINIMUM PARCEL WIDTH

- 4.02A. Despite the requirements in respect of minimum parcel width and minimum parcel size set out in this Bylaw, a parcel may be created if:
- (a) the existing parcel or parcels are lawfully non-complying with respect to the parcel size or parcel width or both; and

- (b) the parcel or parcels thereby created have a parcel size and parcel width greater than that of the size and width of each of the existing parcels.
(Bylaw 2031, Amnd 37)

PROHIBITED USES IN ALL ZONES

4.03 Intensive agriculture use is prohibited in all zones other than those which contain land that is within the Agricultural Land Reserve, and subject to regulations of the Agricultural Land Commission Act, the Municipal Act, and regulations under those Acts.

OCCUPANCY DURING CONSTRUCTION

4.04

- (1) Notwithstanding the requirements of Section 7 of this Bylaw concerning the number of dwelling units permitted on a parcel, during construction of a new building or reconstruction of an existing building on a parcel, one additional dwelling unit, mobile office, or one recreational vehicle may be located on the parcel and occupied, provided:
 - (a) the owner holds a building permit for construction of a new building or reconstruction of the existing building;
 - (b) the additional building conforms with all the requirements of the zone in which it is situated;
 - (c) the mobile office or recreational vehicle is sited in conformity with the regulations of the zone in which it is located;
 - (d) the additional dwelling unit, mobile office, or recreational vehicle must be removed within two months of completion of the building permit referenced in 4.04(1)(a). (Bylaw 2383, Amnd 101)
- (2) Upon occupancy of the new building or reconstructed building, the additional dwelling unit, mobile office, or recreational vehicle shall be removed and the site thereof restored as nearly as possible to its condition prior to the construction or placement of the new building.

HOME BASED BUSINESSES

4.05 A home based business, where permitted by this Bylaw, shall be in compliance with the following:

- (1) It shall produce no offensive noise, traffic, vibration, smoke, dust, odour, glare or electrical interference.
- (2) It shall be carried on wholly within the dwelling unit or within an accessory building.

- (3) There shall be no exterior indication of the home-based business either by stored material, displays, floodlighting or otherwise, or by any variation from the residential character of the dwelling unit or accessory building except signage authorized under a valid sign permit. (*Bylaw 2594, Amnd 134*)
- (4) Parking for a home-based business shall not be located in the required front yard, except on a driveway or area which is designed and paved for parking.
- (5) Materials and commodities shall not be delivered to or from the residence in such bulk or quantity as to require in the cumulative, more than weekly delivery by a commercial vehicle or trailer.
- (6) Only retail sales of products or goods produced or fabricated on the property shall be permitted.

ACCESSORY BUILDINGS AND STRUCTURES

4.06

- (1) No person shall erect an accessory building or structure on any parcel unless the principal building to which the accessory building is an incidental use has been erected or will be erected simultaneously with the accessory building.
- (2) Where an accessory building or structure is attached to the principal building, it shall be considered part of the principal building.

SITING OF BUILDINGS AND STRUCTURES

4.07

- (1) The construction, reconstruction, alteration, moving or extension of buildings and structures shall be in conformity with the regulations for siting of buildings and structures specified in this Bylaw.
- (2) Subject to such building regulations as may be applicable, the following structures may project into the required setback specified in the regulations of Section 7 of this Bylaw:
 - (a) Eaves, fireplaces and chimneys provided that such projections do not exceed 0.6 m. (2 ft.).
 - (b) Uncovered steps, provided that such projections do not exceed 1.5 m. (5 ft.).
 - (c) A patio or terrace, which may be open or fenced, and which is covered only by a temporary covering such as an awning.
 - (d) Arbors, trellises, fish ponds, ornaments, vegetation and similar landscape features.
 - (e) Mobile home hitches.
 - (f) Free standing light poles, warning devices, antennae, satellite dishes, masts, utility poles, wires, public utilities, flag poles, signs, and sign structures provided that the location and design thereof is not prohibited under any Bylaw or regulation of the City of Kimberley.

- (3) Regulations concerning siting of buildings or structures in Section 7 of this Bylaw shall not apply to fences.
- (4) No person shall construct, reconstruct, alter, extend, or move any building or structure to within 4.5 m (15 ft.) of the natural boundary or concrete channel, whichever is applicable, of Mark Creek or any other body of water. (*Bylaw 1913, Amnd 12; Bylaw 2383, Amnd 101*)

VISIBILITY AT INTERSECTIONS

4.08

- (1) No person shall obstruct vision at an intersection on corner parcels in a Residential or Comprehensive Development Zone by fences or landscaping in excess of 1.2 m (4 ft.) in height within a triangular area bounded by the two parcel lines adjacent to the highways, including lanes, and a straight line joining each parcel line at a distance of 1.5m (5 ft.) from their points of intersection. (*Bylaw 2468, Amnd 117*)

HEIGHTS OF BUILDINGS AND STRUCTURES

4.09

- (1) The construction, reconstruction, alteration, moving or extension of buildings and structures shall be in conformity with the regulations for size and dimensions of buildings and structures specified in this Bylaw.
- (2) The height regulations of this Bylaw do not apply to church spires, belfries, domes, monuments, clock towers, fire and hose towers, observation towers, transmission towers, radio and broadcasting and receiving towers, flag poles, aerials, water tanks, chimneys, drive-in movie theatre screens, stadium bleachers, baseball diamond backstops, elevator shafts, ventilators, lighting poles, ski lifts and towers.
- (3) Repealed - (*Bylaw 2468, Amnd 117*)

FENCING, SCREENING AND LANDSCAPING

4.10 General Provisions

- (1) Barbed wire shall not be used as a fencing material in any Zone.
- (2) Notwithstanding 4.10 (1), barbed wire may be used as a fencing material for public safety and security purposes only in M-1, M-2 or P-2 Zones except in any yard or parcel line of a M-1, M-2 or P-2 zoned parcel abutting a residential zoned parcel.
- (3) Where barbed wire is used for public safety and security purposes it shall not be located within 1.8 m (6 ft.) of ground level.

- (4) All fencing and screening shall be maintained in good condition at all times.
- (5) Electrified wire or razor wire shall not be used as a fencing material in any zone.
- (6) Maximum height restrictions do not apply to open mesh and chain link fences erected to enclose cemeteries, sports fields, tennis courts, playgrounds, park, public utility uses, and municipal facilities.
- (7) The height of a fence on top of a retaining wall at a property line, or within 1.2m of a property line, shall not exceed the maximum height prescribed for the particular yard and zone when measured from grade on the high side of the retaining wall.

Regulations for all Zones

- (8) Residential, Commercial, Recreation and Comprehensive Development Zones
 - (a) The maximum height of a fence in the front yard shall be 1.2 metres (4 ft.).
 - (b) The maximum height of a fence in all other yards shall be 2.15 metres (7 ft.).
- (9) Industrial Zones
 - (a) The maximum height of a fence in all yards shall be 2.15 m (7ft.).
 - (b) Notwithstanding 4.10 (9)(a), where necessary for public safety and security purposes barbed wire may be placed on a fence at 1.8 m (6ft.) above ground level to a combined height of 2.4 m (8ft.).
 - (c) Notwithstanding Section 4.10 (9) (a), in the M-1 or M-2 zone all outdoor storage, excluding display of retail goods or merchandise, shall be screened by a tight board fence, compact evergreen hedge, or other opaque screening not less than 1.8 metres (6 ft.) in height, nor greater than 3.0 m (9.9 ft.) in height to obstruct views of outdoor storage from any highway abutting the parcel or part thereof where the outdoor storage is located.
- (10) Public Zones
 - (a) In all Public Zones, the maximum height of a fence in all yards shall be 2.15m (7 ft.).
 - (b) Notwithstanding 4.10 (10)(a), in the P-2 zone where necessary for public safety and security purposes barbed wire may be placed on a fence at 1.8 m (6ft.) above ground level to a combined height of 2.4 m (8 ft.). *(Bylaw 2468, Amnd 117)*

SECTION 5 - PARCEL AREA REQUIREMENTS

PARCEL AREA

5.01

- (1) The parcel area requirements in Section 7 of this Bylaw shall not apply to:
 - (a) public utility uses;
 - (b) parks.

SECTION 6 - PARKING AND LOADING REQUIREMENTS

LOCATION OF OFF-STREET PARKING SPACES AND OFF-STREET LOADING SPACES

6.01

- (1) All required off-street parking spaces shall be provided on the parcel on which the use is located.
- (2) Notwithstanding Subsection (1) of this Section, all uses on a parcel zoned C-1, C-2, C-3, CP-1, CD-7, DMU-1 and DMU-2 shall be exempt from the off-street parking requirements of this Bylaw. (*Bylaw 2566, Amnd 131; Bylaw 2669, Amnd 146*)
- (3) Notwithstanding Subsection (1) of this Section, required off-street parking spaces may be located on separate parcels from that on which the use is located, provided that:
 - (a) the required off-street parking spaces are located no further than 150m (492 ft.) from the use, building or structure that the off-street parking spaces are intended to serve; and
 - (b) a covenant under Section 219 of the Land Title Act is registered in the Land Title Office in favour of the City of Kimberley against the title of the parcel to be used for parking, reserving the off-street parking spaces that are not on the same parcel as the use, building or structure that they are intended to serve for as long as that use, building or structure exists. (*Bylaw 2470, Amnd 118*)
- (4)
 - (a) All required off-street loading spaces shall be provided on the parcel on which the use is located.
 - (b) No portion of an off-street loading space shall be located within 7.5m (25 ft.) of the intersection of two highways, excluding a lane. (*Bylaw 2302, Amnd 87; Bylaw 2470, Amnd 118*)

CALCULATION OF OFF-STREET PARKING SPACES

6.02

- (1) Off-street parking spaces shall not be credited as off-street loading spaces.
- (2) Off-street loading spaces shall not be credited as off-street parking spaces.

USE AND CONDITION OF OFF-STREET PARKING AND LOADING AREAS

6.03

- (1) Required off-street parking spaces and off-street loading spaces shall not be used for driveways, or for the display, sales or storage of goods.
- (2) An owner or occupier who provides a greater number of off-street parking spaces or off-street loading spaces than this Bylaw requires shall construct and maintain the extra off-street parking or loading spaces in accordance with the requirements of this Bylaw.

SIZE OF OFF-STREET PARKING SPACES AND OFF-STREET LOADING SPACES AND CONSTRUCTION STANDARDS

6.04

- (1) All off-street parking spaces and off-street loading spaces shall be maintained in a dust free condition.
- (2) For parking lots containing four (4) or more required off-street parking spaces in Residential zones, and for all off-street parking areas in all other zones:
 - (a) except for landscaped areas, all off-street parking areas and off-street loading areas shall be surfaced with compacted gravel, asphalt or concrete;
 - (b) off-street parking areas shall be graded and surfaced to prevent surface water from ponding or draining onto adjacent parcels or highways, unless a drainage plan has been approved by the City of Kimberley pursuant to the City of Kimberley's servicing requirements, which directs surface water along channels constructed for the purpose of carrying surface water to a storm sewer outfall;
 - (c) off-street parking areas shall be provided with curbs or wheel stops which prevent vehicles from obstructing pedestrian walkways or damaging landscaping;
- (3) All off-street parking spaces, off-street loading spaces, driveways, and manoeuvring aisles for other than single and two family dwellings shall have a maximum slope in any direction of 8%.

DRIVEWAY GRADIENTS

6.04A

- (1) The maximum permitted gradient of a driveway shall not exceed 8 percent within a distance of 3 metres from the edge of pavement of a City or private roadway or from the existing ditch, or ditch required under City regulations, whichever distance is greater.
- (2) The maximum permitted average gradient of a driveway to a building containing two or fewer dwelling units shall not exceed 12 percent.
- (3) The maximum permitted gradient for all required uncovered parking spaces for a building containing two or fewer dwelling units is 5 percent. *(Bylaw 2257, Amnd 80)*

OFF-STREET PARKING AND OFF-STREET LOADING SPACE SIZES

6.05

- (1) The minimum dimensions for off-street parking spaces shall be as follows: *(Bylaw 2257, Amnd 80)*

Type of Space	Width In Metres	Width In Metres Abutting a Wall	Length In Metres	Vertical Clearance In Metres
Standard	2.7	3.0	5.5	2.0
Disabled	3.7	4.0	5.5	2.0
Parallel-Standard	2.7	3.0	7.0	2.0
Loading	3.5	3.8	9.0	4.0
Off-street passenger vehicle space (up to 12 passenger capacity)	3.7	4.0	5.5	3.0
Off-street passenger vehicle space (more than 12 passenger capacity) <i>(Bylaw 2383, Amnd 101)</i>	4.0	4.3	9.0	4.0

- (2) Despite subsection 6.05 (1), if any of the required parking spaces are enclosed within an accessory building or attached garage, the minimum parking space must not be less than 3.65 metres in width and 6 metres in length. *(Bylaw 2257, Amnd 80)*

PARKING LOT LAYOUT AND MANOEUVERING AISLES

6.06 Unobstructed access to and from off-street parking spaces shall be provided by means of a manoeuvring aisle, designed in single-loaded or double-loaded modules in accordance with the angled parking arrangements shown in the following table:

Legend

A = Parking Angle in Degrees

W = Minimum Manoeuvring Aisle Width

L = Minimum Projected Length of a Space

M = Minimum Width of a module, which applies only to double-loaded aisle design

(A) Parking Angle in Degrees	(W) Minimum Manoeuvring Aisle Width In Metres	(L) Minimum Projected Length In Metres	(M) Minimum Module Width In Metres
90°, one or two way traffic	7.3	5.8	18.9
60°, one way traffic	5.5	6.4	18.2
45°, one way traffic	3.9	6.0	15.9
30°, one way traffic	3.4	5.4	13.8
Parallel, one way traffic	3.7	-	-
Parallel, two way traffic	7.4	-	-

Provided that where:

- (1) an aisle provides access to off-street parking spaces set at different angles, on one or both sides of the aisle, the widest required minimum aisle width shall be provided;
- (2) angled off-street parking is provided on one side of a two-way traffic aisle, the minimum manoeuvring aisle width (w) shall be 7.5 metres (25 ft.).

OFF-STREET PARKING SPACES FOR DISABLED PERSONS

6.07

- (1) In addition to the requirements of the B.C. Building Code, all off-street parking areas containing more than ten (10), but fewer than fifty-one (51) off-street parking spaces shall include a minimum of one (1) of the required off-street parking spaces for persons with disabilities.
- (2) Off-street parking spaces for persons with disabilities shall be provided as close to the main entrance(s) to the principal building as possible.

NUMBER OF REQUIRED OFF-STREET PARKING SPACES

6.08

- (1) When an existing building is enlarged, altered, or a change in use occurs that requires a greater number of parking or loading spaces, the additional parking or loading spaces required under the provisions of this section shall be provided. In addition, any spaces removed due to the enlargement or alteration shall be replaced. *(Bylaw 2302, Amnd 87)*

- (2) The number of off-street parking spaces required for a use, building or structure shall be calculated according to the table below:

Building or Use	Required Parking Spaces
(a) <u>Single family dwelling</u> and <u>two family dwelling</u>	2 per dwelling unit or 1 per unit if gross floor area of unit is 90m ² or less
(b) <u>Accessory dwelling</u> and <u>Carriage house dwelling</u>	1 per unit
(c) <u>Bed and breakfast</u>	1 per unit plus 2 for the principal dwelling
(d) <u>Boarding and lodging</u>	1 per <u>sleeping unit</u>
(e) <u>Mobile home</u> and <u>Modular home</u>	2 per unit or 1 per unit if gross floor area of unit is 90m ² or less
(f) <u>Multiple family dwelling</u>	1 per 55m ² of <u>gross floor area</u> plus 0.5 for every additional 40m ² of <u>gross floor area</u> or part thereof within each unit to a maximum of two per <u>dwelling unit</u> .
(g) <u>Seniors housing</u> and <u>Supportive housing</u>	0.5 per <u>dwelling unit</u>
(h) <u>Group homes</u>	1 per 3 residents and 1 per 3 staff
(i) <u>Assembly use</u> , <u>Club or Lodge</u> , and <u>Place of Worship</u>	1 per 25m ² of assembly area
(j) <u>Group day care</u> , preschool and elementary school	1 per 50m ² of <u>gross floor area</u>
(k) Secondary and post-secondary schools	3 per classroom
(l) Other Institutional uses	1 per 90m ² of <u>gross floor area</u>
(m) <u>Commercial school</u> and <u>Educational academy</u>	1 per 50m ² of <u>gross floor area</u>
(n) <u>Hotels and Motels</u>	1 per guest room
(o) <u>Restaurant</u> and <u>Neighbourhood Pub</u>	1 per 4 seat capacity
(p) Other Commercial uses	1 per 50m ² of <u>gross floor area</u>
(q) Industrial uses - <u>gross floor area</u> 1000m ² or less	1 per 50m ² of <u>gross floor area</u> or part thereof
(r) Industrial uses - <u>gross floor area</u> greater than 1000m ²	2 per 50m ² of <u>gross floor area</u> or part thereof

(Bylaw 2213, Amnd 69; Bylaw 2470, Amnd 118)

NUMBER OF REQUIRED OFF-STREET LOADING SPACES

6.09

- (1) The number of off-street loading spaces required for a use, building or structure shall be calculated according to the table below:

Building or Use	Required Loading Spaces
(a) Retail – gross floor area 500m ² or less	0
(b) Retail – gross floor area greater than 500m ² but less than 1900m ²	1
(c) Retail – gross floor area greater than 1900m ²	1 per 1900m ²
(d) Other Commercial – gross floor area 1000m ² or less	0
(e) Other Commercial – gross floor area greater than 1000m ²	1 per 1000m ²
(f) Industrial: Manufacturing, fabricating, processing, warehousing and wholesaling – gross floor area 1000m ² or less	0
(g) Industrial: Manufacturing, fabricating, processing, warehousing and wholesaling - <u>gross floor area</u> greater than 1000m ² but less than 2300m ²	1
(h) Industrial: Manufacturing, fabricating, processing, warehousing and wholesaling - <u>gross floor area</u> greater than 2300m ²	1 per 2300m ²

(Bylaw 2470, Amnd 118)

REQUIRED BICYCLE PARKING

6.10

- (1) The number of bicycle parking spaces required for a use, building or structure shall be calculated according to the table below:

Building or Use	Required Bicycle Parking Spaces
(a) Residential or Commercial zoned <u>parcel</u> containing 3 or more <u>dwelling units</u>	2 per unit

- (2) Bicycle parking spaces shall be a minimum of 0.6m in width, a minimum of 1.8m in length and shall have a vertical clearance of at least 2m.
- (3) Bicycle parking shall be constructed of theft resistant material, shall be securely anchored to the floor, building or ground, shall support the bicycle frame above the centre of gravity, and shall enable the bicycle frame and front or rear wheel to be locked.
- (4) Bicycle parking shall be located in a convenient, well-lit location that is easily accessible and does not obstruct pedestrian circulation.
- (5) All required bicycle parking shall be provided on the parcel on which the use is located. (Bylaw 2470, Amnd 118)

SECTION 7 ZONES**ESTABLISHMENT OF ZONES**

7.01 For the purposes of this Bylaw, the City of Kimberley is hereby divided into the following zones:

Residential Zones	
Zone Title	Short Title
Single Family Residential	R-1
Single and Two Family Residential	R-2
Multiple Family Residential	R-3
Multiple Family Residential (<i>Bylaw 2663, Amnd 144</i>)	R-3A
Multiple Family Residential (<i>Bylaw 2588, Amnd 132</i>)	R-3B
Mobile Home Residential	R-4
Mobile Home Park	R-5
Recreational Residential	R-6
Residential Tourist Cabins Zone (<i>Bylaw 2153, Amnd 57</i>)	R-7
Residential Tourist Cabins Zone (<i>Bylaw 2310, Amnd 90</i>)	R-7A
Single Family Residential Zone (<i>Bylaw 2165, Amnd 59</i>)	R-8
Low Density Residential (<i>Bylaw 2641, Amnd 142</i>)	R-8A
Single Family Residential Zone(<i>Bylaw 2171, Amnd 71</i>)	R-9
Multiple Family Residential Zone (<i>Bylaw 2238, Amnd 76</i>)	R-10
Single Family Residential Zone (<i>Bylaw 2384, Amnd 102</i>)	R-11
Single and Two Family Residential Zone (<i>Bylaw 2401, Amnd 106</i>)	R-12
Low Density Residential Zone (<i>Bylaw 2506, Amnd 122</i>)	R-13
Two Family Residential Zone (<i>Bylaw 2524, Amnd 125</i>)	R-14
Commercial Zones	
Zone Title	Short Title
Commercial Zone (<i>Bylaw 2594, Amnd 134</i>)	C-1
Neighbourhood Commercial	C-2
Automobile Commercial	C-3
Accessory Commercial	AC-1
Accessory Commercial (<i>Bylaw 2305, Amnd 89</i>)	AC-2
Commercial Platzl Zone (<i>Bylaw 2302, Amnd 87</i>)	CP-1
Downtown Mixed-Use Zone (<i>Bylaw 2541, Amnd 126</i>)	DMU-1
Downtown Mixed-Use Zone (<i>Bylaw 2566, Amnd 131</i>)	DMU-2
Industrial Zones	
Zone Title	Short Title
Industrial, Wholesale and Transportation	M-1
Industrial Zone (<i>Bylaw 1942, Amnd 18</i>)	M-2
Solar Industrial Zone (<i>Bylaw 2471, Amnd 119</i>)	M-3

Public Zones	
Zone Title	Short Title
Public Institutional	P-1
Public Utility	P-2
Community Recreation	P-3
Special Institutional	P-4
Public Health Care Zone (<i>Bylaw 2203, Amnd 67</i>)	P-5

Recreation Zones	
Zone Title	Short Title
Ski Hill Recreation	RC-1
Recreation Conservation	RC-2

Comprehensive Development Zones	
Zone Title	Short Title
<i>(CD-1 Repealed - Bylaw 2709, Amnd 155)</i>	
Comprehensive Development (<i>Bylaw 2236, Amnd 75</i>)	CD-2
Comprehensive Development (<i>Bylaw 2303, Amnd 88</i>)	CD-3
Comprehensive Development (<i>Bylaw 2329, Amnd 93</i>)	CD-4
Comprehensive Development (<i>Bylaw 2362, Amnd 98</i>)	CD-5
Comprehensive Development (<i>Bylaw 2375, Amnd 100</i>)	CD-6
Comprehensive Development (<i>Bylaw 2403, Amnd 107</i>)	CD-7

ZONE BOUNDARIES AND MAP

7.02

- (1) The location and spatial extent of zones established by this Bylaw are as shown on the attached Schedule "A" which is incorporated in and forms part of this Bylaw.
- (2) Where a zone boundary is shown as following a highway or creek, the centre line of such highway or creek shall be the zone boundary.
- (3) Where a zone boundary does not follow a legally defined line and where distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning maps.
- (4) If a highway is closed, the land formerly comprising the highway shall be included within the zone of the adjoining land on either side of the closed highway. If the highway was a zone boundary between two or more different zones, the new zone boundary shall be the former centre line of the closed highway.

SINGLE FAMILY RESIDENTIAL ZONE: R-1

7.03

(1) Permitted Uses

Within the R-1 zone, the following uses only are permitted:

- (a) single family dwelling;
- (b) public utility use;
- (c) park.

(2) Accessory Uses

- (a) buildings and structures accessory to a permitted use.
- (b) home based business (classification 1) (Amnd Bylaw 1862)

(3) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-1 zone which is less than 557 m² (6000 ft.²) in area.
- (b) No parcel shall be created in the R-1 zone which has a front parcel line less than 18.2 m (60 ft.) in length, except that in the bulb of a cul-de-sac, the front parcel line shall be not less than 9.1 m (30 ft.) in length.

(4) Density

No person shall construct or permit construction of more than one (1) single family dwelling on a parcel in the R-1 zone.

(5) Siting

- (a) No person shall site a principal building in the R-1 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 6.0 m (19.6 ft.);
 - (iii) an interior side yard less than 1.5 m (5 ft.), and in the case of irregular parcels, at no point shall the distance between the interior side parcel line and the outermost projection of the building be less than 1.5 m (5 ft.);
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.).
- (b) No person shall site an accessory building or structure in the R-1 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.), and in the case where no developed rear lane exists, the rear yard shall be not less than 0.9 m (3 ft.);
 - (iii) an interior side yard less than 0.9 m (3 ft.);
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.).

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a dwelling unit in the R-1 zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as amended from time to time.
- (b) No person shall construct or permit construction of a principal building in the R-1 zone which exceeds a height of 9.1 m (30 ft.).
- (c) No person shall construct or permit construction of an accessory building or structure in the R-1 zone which exceeds a height of 4.5 m (15 ft.) above finished grade.
- (d) The site coverage shall not exceed 0.4.

(7) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-1 zone for the repair of vehicles or for the storage of more than one (1) derelict vehicle.
- (b) All persons carrying out a use permitted in the R-1 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.

SINGLE AND TWO FAMILY RESIDENTIAL ZONE: R-2

7.04

(1) Permitted Uses

Within the R-2 zone, the following uses only are permitted:

- (a) single family dwelling;
- (b) two family dwelling;
- (c) public utility use;
- (d) park.

(2) Accessory Uses

- (a) home based business (classification 2);
- (b) boarding and lodging;
- (c) bed and breakfast;
- (d) child care facility;
- (e) buildings and structures accessory to a permitted use;
- (f) accessory dwelling;
- (g) carriage house dwelling. (*Bylaw 2385, Amnd 103*)

(3) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-2 zone which is less than 557 m² (6000 ft.²) in area.
- (b) No person shall site a two family dwelling on a parcel in the R-2 zone that is less than 650 m² (7000 ft²) in area.
- (c) A parcel in the R-2 zone may be subdivided along a common wall of a two family dwelling provided each parcel after subdivision is not less than 325 m² (3500 ft.²) in area
- (d) No parcel shall be created in the R-2 zone which has a front parcel line less than 21.3 m (70 ft.) in length, except that in the bulb of a cul-de-sac, the front parcel line shall be not less than 9.1 m (30 ft.) in length.
- (e) Where a parcel with a two family dwelling located on it is subdivided along the common wall, the front parcel line shall be not less than 9.1m (30 ft.) in length for each parcel created by the subdivision.
- (f) Side yard requirements do not apply to the parcel line along which a common wall is located.

(4) Density

No person shall construct or permit construction of more than one (1) single family dwelling or one (1) two family dwelling on a parcel in the R-2 zone.

(5) Siting

- (a) No person shall site a principal building in the R-2 zone which has:
- (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 6.0 m (19.6 ft.);
 - (iii) an interior side yard less than 1.5 m (5 ft.), and in the case of irregular parcels, at no point shall the distance between the interior side parcel line and the outermost projection of the building be less than 1.5 m (5 ft.);
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.).
- (b) No person shall site an accessory building or structure in the R-2 zone which has:
- (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.), and in the case where no developed rear lane exists, the rear yard shall be not less than 0.9 m (3 ft.);
 - (ii) an interior side yard less than 0.9 m (3 ft.);
 - (iii) an exterior side yard less than 3.0 m (9.9 ft.).
- (c) No person shall site a carriage house dwelling or a detached accessory dwelling in the R-2 zone which has:
- (i) a front yard less than 7.6m (25 ft.);
 - (ii) a rear yard less than 1.5m (5 ft.);
 - (iii) an interior side yard less than 1.5m (5 ft.);
 - (iv) an exterior side yard less than 3.0m (9.9 ft.). (*Bylaw 2385, Amnd 103*)

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a dwelling unit in the R-2 zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as the same may from time to time be amended.
- (b) No person shall construct or permit construction of a principal building in the R-2 zone which exceeds a height of 9.1 m (30 ft.).
- (c) No person shall construct or permit construction of an accessory building or structure in the R-2 zone which exceeds a height of 4.5 m (15 ft.).
- (d) The site coverage shall not exceed 0.4.

(7) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-2 zone for the repair of vehicles or for the storage of more than one (1) derelict vehicle.
- (b) All persons carrying out a use permitted in the R-2 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.

(8) Accessory Dwellings and Carriage House Dwellings

An accessory dwelling or carriage house dwelling within the R-2 zone shall be in compliance with the following:

- (a) No more than one accessory dwelling or carriage house dwelling is permitted on a parcel containing a single family dwelling and an accessory dwelling or carriage house dwelling may not be subdivided.
- (b) An accessory dwelling or carriage house dwelling may not be sited or located on a separate parcel from the principal building or be created as a strata unit within a single family dwelling.
- (c) The maximum gross floor area of an accessory dwelling or carriage house dwelling is 90 m² (970 ft²) or 50% of the total gross floor area of the single family dwelling located on the same parcel, whichever is the lesser
- (d) Notwithstanding other sections of this Bylaw, the site coverage of a parcel containing an accessory dwelling or carriage house dwelling and a single family dwelling shall not exceed 0.5.
- (e) Notwithstanding other sections of this Bylaw, the maximum height of an accessory dwelling or carriage house dwelling in a detached building shall be 7.62 m (25 ft) or 85% of the height of the principal building, whichever is the lesser.
- (f) Notwithstanding other sections of this Bylaw, the use of an accessory dwelling or carriage house dwelling as a bed and breakfast or tourist accommodation is prohibited.
- (g) Accessory dwellings and carriage house dwellings shall meet the minimum required parking set out in Section 6.08 of this Bylaw in addition to the parking requirements set out for the principal building. (*Bylaw 2385, Amnd 103*)

MULTIPLE FAMILY RESIDENTIAL ZONE: R-3

7.05

(1) Permitted Uses

Within the R-3 zone the following uses only are permitted:

- (a) multiple family dwelling;
- (b) parks, playgrounds and picnic areas;
- (c) public utility use.

(2) Accessory Uses

- (a) other uses, buildings and structures accessory to a permitted use;
- (b) boarding and lodging;

(3) Parcel Area and Dimensions

No parcel shall be created in the R-3 zone which is less than 825 m² (8,881ft.²).

- (a) The minimum required parcel area and usable site area are as follows:

Type of Dwelling	Minimum Parcel Area per Dwelling Unit	Minimum Usable Site Area Per Dwelling
Multiple family dwelling	275 square metres	170 square metres

- (b) The minimum permitted front parcel line is 20 metres.

(4) Siting

No person shall site a building or structure in the R-3 zone which has:

- (i) a front yard less than 7.6 m (25 ft.);
- (ii) a rear yard less than 6.0 m (19.6 ft.);
- (iii) a side yard less than 6.0 m (19.6 ft.);
- (iv) the minimum separation between buildings is 6 metres.

(5) Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building in the R-3 zone which exceeds a height of 12 m (39 ft.) or 3.5 storeys.
- (b) The 4th storey of a principal building must be constructed within the attic space of a pitched roof and not exceed 75% percent of the total floor area of the largest storey below.
- (c) No person shall construct or permit construction of an accessory building or structure in the R-3 zone which exceeds a height of 4.5 m (15 ft.).

(6) Density

- (a) No person shall construct or permit construction of a dwelling unit in the R-3 zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as amended from time to time.
- (b) A maximum permitted floor space ratio of 0.40 when less than fifty percent (50%) of the required off street parking is not fully enclosed.
- (c) A maximum permitted floor space ratio of 0.50 when a minimum of fifty percent (50%) of the required off street parking is fully enclosed.
- (d) A maximum permitted floor space ratio of 0.65 when a minimum of sixty five percent (65%) of the required off street parking is located below grade in an underground parking structure.
- (e) the site coverage shall not exceed 0.5. (*Bylaw 2383, Amnd 101*)

(7) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-3 zone for the wrecking and repair of vehicles or for the storage of derelict vehicles.
- (b) All persons carrying out a use permitted in the R-3 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw. (*Bylaw 2257 Amnd 80*)

MULTIPLE FAMILY RESIDENTIAL ZONE: R-3A

7.05A

(1) Intent

The intent of the regulations for this zone is to accommodate moderate-density residential uses to foster neighbourhood diversity, affordability and vitality

(2) Permitted Uses

Within the R-3A zone the following uses only are permitted:

- (a) multiple family dwelling;
- (b) two-family dwelling;
- (c) park;
- (d) public utility use.

(3) Accessory Uses

- (a) accessory buildings and structures;
- (b) home based businesses (Classification 1);

(4) Parcel Area

No parcel shall be created in the R-3A zone which is less than 600 m² (6,458sq.ft.).

(5) Density

The maximum floor space ratio is 1.0.

(6) Siting

- (a) No person shall site a building or structure in the R-3A zone which has:
 - (i) a front yard less than 1.0m (3' 4") except that a roof projection, eave, canopy, balcony or similar architectural feature without wall, post, column or similar supporting-structure may be permitted with a zero front yard;
 - (ii) a rear yard less than 2.0 m (6' 6");
 - (iii) any side yard less than 2.0 m (6' 6");
 - (iv) the minimum separation between buildings is 5.0m (16' 5").
- (b) No person shall site an accessory building or structure in the R-3A zone which has:
 - (i) a front yard less than 4.0m (13');
 - (ii) a rear yard less than 1.0 m (3' 4");
 - (iii) any side yard less than 1.0 m (3' 4").

(7) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building or structure in the R-3A zone which exceeds a height of 12 m (39' 4½").
- (b) No person shall construct or permit construction of an accessory building or structure in the R-3A zone which exceeds a height of 5.5m (18').
- (c) The site coverage shall not exceed 0.5 (50%).

(8) Other Regulations

- (a) All persons carrying out a use permitted in the R-3A zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
- (b) No person shall use or permit the use of any portion of a parcel in the R-3A zone for the wrecking and repair of vehicles or for the storage of derelict vehicles.
(Bylaw 2663, Amnd 144)

MULTIPLE FAMILY RESIDENTIAL ZONE: R-3B

7.05B

(1) Intent

The intent of the regulations for this zone is to accommodate moderate-density residential uses to foster neighbourhood diversity, affordability and vitality.

(2) Permitted Uses

Within the R-3B zone, the following principal uses only are permitted:

- (a) multiple family dwelling
- (b) seniors housing
- (c) supportive housing
- (d) public utility use
- (e) park

(3) Accessory Uses

- (a) accessory buildings and structures
- (b) child care facility
- (c) group day care, subject to Section 8(a)
- (d) home based businesses (Classification 1)

(4) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-3B zone which is less than 600 m² (6,458 sq. ft.) in area
- (b) No parcel shall be created in the R-3B zone which, at no point, is less than 18m (59') in width

(5) Density

The maximum floor space ratio is 1.2.

(6) Siting

- (a) No person shall site a principal building in the R-3B zone which has:
 - (i) a front yard less than 1.5 m (5 ft.) except that a roof projection, eave, canopy, balcony or similar architectural feature without wall, post, column or similar supporting-structure may be permitted with a zero front yard;
 - (ii) a rear yard less than 4.0 m (13' 1½");
 - (iii) an interior side yard less than 1.5m (5ft); and

- (iv) an exterior side yard less than 1.5m (5 ft.) except that a roof projection, eave, canopy, balcony or similar architectural feature without wall, post, column or similar supporting-structure may be permitted with a zero exterior side yard.
 - (b) No person shall site an accessory building or structure in the R-3B zone which has:
 - (i) a front yard less than 4.0 m (13' 1½");
 - (ii) a rear yard less than 1.5 m (5 ft.);
 - (iii) an interior side yard less than 1.5m (5 ft.); and,
 - (iv) an exterior side yard less than 1.5 m (5 ft.).
- (7) Size and Dimensions of Buildings and Structures
- (a) No person shall construct or permit construction of a principal building or structure in the R-3B zone which exceeds a height of 12.0 m (39' 4½").
 - (b) No person shall construct or permit construction of an accessory building or structure in the R-3B zone which exceeds a height of 5.5 m (18').
 - (c) The site coverage shall not exceed 0.6.
- (8) Other Regulations
- (a) An accessory group day care must:
 - (i) only be located on the first floor or at grade; and,
 - (ii) total no more than 20% of the gross floor area
 - (b) All persons carrying out a use permitted in the R-3B zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
 - (c) No person shall use or permit the use of any portion of a parcel in the R-3B zone for the storage of any derelict vehicle. (*Bylaw 2588, Amnd 132*)

MOBILE HOME RESIDENTIAL ZONE: R-4

7.06

(1) Permitted Uses

Within the R-4 zone, the following uses only are permitted:

- (a) single family dwelling;
- (b) mobile home;
- (c) modular home;
- (d) public utility use;
- (e) park.

(2) Accessory Uses

- (a) boarding and lodging;
- (b) home based business (classification 1);
- (c) buildings and structures accessory to a permitted use.

(3) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-4 zone which is less than 418 m² (4500 ft²) in area.
- (b) No parcel shall be created in the R-4 zone which has a front parcel line less than 12.0 m (40 ft.) in length, except that in the bulb of a cul-de-sac, the front parcel line shall be not less than 8.5 m (27.8 ft.) in length.

(4) Density

No person shall construct or permit construction of more than one (1) single family dwelling or one (1) mobile home or one (1) modular home on a parcel in the R-4 zone.

(5) Siting

- (a) No person shall site a principal building in the R-4 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 4.0 m (13 ft.);
 - (iii) an interior side yard less than 1.5 m (5 ft.), and in the case of irregular parcel, at no point shall the distance between the interior side parcel line and the outermost projection of the building be less than 1.5 m (5 ft.);
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.).
- (b) No person shall site an accessory building or structure in the R-4 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) A rear yard less than 1.5 m (5 ft.), and in the case where no developed rear lane exists, the rear yard shall be not less than 0.9 m (3 ft.);

- (iii) an interior side yard less than 0.9 m (3 ft.);
- (v) an exterior side yard less than 3.0 m (9.9 ft.)

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a dwelling unit in the R-4 zone which has a gross floor area of less than 46 m² (495 ft²).
- (b) No person shall construct or permit construction of a principal building in the R-4 zone which exceeds a height of 7.5 m (25 ft.).
- (c) No person shall construct or permit construction of an accessory building or structure in the R-4 zone which exceeds a height of 4.5 m (15 ft.).
- (d) The site coverage shall not exceed 0.4.

(7) Other Regulations

- (a) No person shall site in the R-4 zone:
 - (i) a building which is not built to the current edition of the B.C. Building Code Minimum Standards as the same may be amended from time to time;
 - (ii) a mobile home which does not meet or exceed C.S.A. Standard Z240 as amended from time to time;
 - (iii) a modular home which does not meet or exceed C.S.A. Standard A277-M1990 as amended from time to time;
 - (iv) a principal building that is not on a permanent foundation, in accordance with the requirements set forth in the current edition of the B.C. Building Code as amended from time to time;
 - (v) a structure that has not had its running gear removed.
- (b) No person shall use or permit the use of any portion of a parcel in the R-4 zone for the repair of vehicles or for the storage of more than one (1) derelict vehicle.
- (c) All persons carrying out a use permitted in the R-4 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.

MOBILE HOME PARK ZONE: R-5

7.07

(1) Permitted Uses

Within the R-5 zone, the following uses only are permitted:

- (a) mobile home;
- (b) recreational vehicle 7.3 m (24 ft.) or greater in length, but does not include a motorized type vehicle;
- (c) public utility use;
- (d) park.

(2) Accessory Uses

- (a) home based business (classification 1);
- (b) buildings and structures accessory to a permitted use.

(3) Parcel Area

- (a) No parcel shall be created in the R-5 zone which is less than 1 hectare (2.47 acres) in area.
- (b) No person shall create a mobile home space in the R-5 zone which is less than 325 m² (3500 ft.²) in area.

(4) Density

- (a) No person shall construct or permit construction of more than eighteen (18) mobile home units per gross hectare (2.47 acres) on a parcel in the R-5 zone.
- (b) No person shall site more than one (1) mobile home or one (1) recreational vehicle on a mobile home space in the R-5 zone.

(5) Siting

- (a) No person shall site a mobile home or recreational vehicle in the R-5 zone which is:
 - (i) less than 4.5 m (15 ft.) from the boundary of the mobile home park abutting a highway;
 - (ii) less than 3.0 m (9.9 ft.) from a rear parcel line other than a highway;
 - (iii) less than 3.0 m (9.9 ft.) from a side parcel line of a mobile home park.
- (b) No person shall site a mobile home or recreational vehicle in the R-5 zone which is:
 - (i) within 4.5 m (15 ft.) of an internal access road;
 - (ii) less than 6.0 m (19.6 ft.) from any other mobile home or other structure.

- (c) No person shall site an accessory building or structure that is:
 - (i) within 1.5 m (5 ft.) of an access road;
 - (ii) within 3.0 m (9.9 ft.) from any mobile home or structure.

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a mobile home in the R-5 zone which exceeds a height of 7.5 m (25 ft.).
- (b) No person shall construct or permit construction of an accessory building or structure in the R-5 zone which exceeds a height of 4.5 m (15 ft.).

(7) Other Regulations

- (a) The establishment, extension, design, servicing, and facilities of mobile home parks shall comply with the requirements of all other applicable Bylaws.
- (b) No person shall use or permit the use of any portion of a parcel in the R-5 zone for the repair of vehicles or for the storage of more than one (1) derelict vehicle.
- (c) No more than eleven (11) recreational vehicles at any one time shall be permitted in a mobile home park.

RECREATIONAL RESIDENTIAL ZONE: R-6

7.08

(1) Permitted Uses

Within the R-6 zone, the following uses only are permitted:

- (a) single family dwelling;
- (b) two family dwelling;
- (c) public utility use;
- (d) park.

(2) Accessory Uses

- (a) home based business (classification 1);
- (b) boarding and lodging;
- (c) bed and breakfast;
- (d) buildings and structures accessory to a permitted use.

(3) Parcel Area and Dimensions

No parcel shall be created in the R-6 zone which is less than 266 m² (2864 ft.²) in area.

(4) Density

No person shall construct or permit construction of more than one (1) single family dwelling or one (1) two family dwelling on a parcel in the R-6 zone.

(5) Siting

- (a) No person shall site a principal building in the R-6 zone which has:
 - (i) a front yard less than 5.0 m (16.4 ft.);
 - (ii) a rear yard less than 5.0 m (16.4 ft.);
 - (iii) an interior side yard less than 1.5 m (5 ft.), and in the case of irregular parcels, at no point shall the distance between the interior side parcel line and the outermost projection of the building be less than 1.5 m (5 ft.);
 - (iv) an exterior side yard less than 2.0 m (6.6 ft.);
- (b) No person shall construct or permit construction of an accessory building or structure in the R-6 zone.

(6) Size and Dimensions of Buildings and Structures

No person shall construct or permit construction of a principal building in the R-6 zone which exceeds a height of 10.5 m (35 ft.).

(7) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-6 zone for the repair of vehicles or for the storage of more than one (1) derelict vehicle.
- (b) All persons carrying out a use permitted in the R-6 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.

RESIDENTIAL TOURIST CABINS ZONE: R-7

7.08A

(1) Intent

The Intent of this zone is to provide a low-density area for residential tourist cabins adjacent to the Riverside R.V. Resort campground.

(2) Permitted Uses

Within the R-7 zone, the following uses only are permitted:

- (a) single family dwelling;
- (b) park;
- (c) public utility use;

(3) Accessory Uses

- (a) home based business (classification 1);
- (b) no buildings and structures accessory to a permitted use are permitted on bare land strata lots in the R-7 zone;
- (c) one accessory building or structure for common garbage and recycling storage purposes is permitted on common strata property;
- (d) tourist accommodation ;

Despite any other provision of this Bylaw, single family dwellings in the R-7 zone may be used for temporary accommodation of not more than 8 guests during periods when such dwellings are not occupied for residential use.

(4) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-7 zone which is less than 3.80 hectares (9.39 acres) in area.
- (b) No bare land strata lot shall be created by subdivision in the R-7 zone, which is less than 245 m² (2637.16 ft²)

(5) Siting

- (a) No person shall site a principal building in the R-7 zone which has:
 - (i) a front yard less than 5.0 m (16.4 ft.);
 - (ii) a rear yard less than 5.0 m (16.4 ft.);
 - (iii) an interior side yard less than 3.0 m (9.9 ft.)
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.).
 - (v) the minimum separation between principal buildings in the R-7 zone is 6.0 m (19.6 ft.)

(6) Density

- (a) No person shall construct or permit construction of more than one (1) single family dwelling on a bare land strata lot in the R-7 zone.
- (b) The maximum number of permitted single family dwellings on any parcel is 53.
- (c) The maximum permitted gross floor area of an accessory building for garbage storage is 30 m² (322.92 ft²)

(7) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a dwelling unit in the R-7 zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as the same may from time to time be amended.
- (b) No person shall construct or permit construction of a principal building in the R-7 zone which exceeds a height of 9.1 m (30 ft.).
- (c) No person shall construct or permit construction of an accessory building or structure in the R-7 zone which exceeds a height of 4.5 m (15 ft.).
- (d) Forty - seven (47) of the single family dwellings are permitted a maximum building footprint of 85 m² (915 ft²).
- (e) Six (6) of the single family dwellings are permitted a maximum building footprint of 121 m² (1302 ft²)

(8) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-7 zone for the repair of vehicles or for the storage of any derelict vehicle.
- (b) Despite Section 4.10 of this Bylaw fencing is not permitted in the R-7 zone.
- (c) All persons carrying out a use permitted in the R-7 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
(Bylaw 2153, Amnd 57)

RESIDENTIAL TOURIST CABINS ZONE: R-7A

7.08AA

(1) Intent

The Intent of this zone is to provide a low-density area for single family residential development, which are also available for tourist accommodation, adjacent to the Riverside R.V. Resort campground.

(2) Permitted Uses

Within the R-7A zone, the following uses only are permitted:

- (a) single family dwelling;
- (b) park;
- (c) public utility use;

(3) Accessory Uses

- (a) home based business (classification 1);
- (b) no buildings and structures accessory to a permitted use are permitted on bare land strata lots in the R-7A zone;
- (c) one accessory building or structure for common garbage and recycling storage purposes is permitted on common strata property;
- (d) tourist accommodation;

Despite any other provision of this Bylaw, single family dwellings in the R-7A zone may be used for temporary accommodation of not more than 8 guests during periods when such dwellings are not occupied for residential use.

(4) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-7A zone which is less than 1.797 hectares (4.44 acres) in area.
- (b) No bare land strata lot shall be created by subdivision in the R-7A zone, which is less than 245 m² (2637.16 ft²).

(5) Siting

- (a) No person shall site a principal building in the R-7A zone which has:
 - (i) a front yard less than 5.0 m (16.4 ft.);
 - (ii) a rear yard less than 5.0 m (16.4 ft.);
 - (iii) an interior side yard less than 3.0 m (9.9 ft.);
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.);
 - (v) the minimum separation between principal buildings in the R-7A zone is 6.0 m (19.6 ft.).

(6) Density

- (a) No person shall construct or permit construction of more than one (1) single family dwelling on a bare land strata lot in the R-7A zone.
- (b) The maximum number of permitted single family dwellings within the R-7A zone is nineteen (19).
- (c) The maximum permitted gross floor area of an accessory building for garbage storage is 30 m² (322.92 ft²).

(7) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a dwelling unit in the R-7A zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as the same may from time to time be amended.
- (b) No person shall construct or permit construction of a principal building in the R-7A zone which exceeds a height of 9.1 m (30 ft.).
- (c) No person shall construct or permit construction of a garage or carport which exceeds 44 m² (474 ft²).
- (d) No person shall construct or permit construction of an accessory building or structure in the R-7A zone which exceeds a height of 4.5 m (15 ft.).
- (e) “No person shall construct or permit construction of a single family dwelling on Strata Lots 1-4 or 9-15, Strata Plan 3043 or Strata Lots 1-4, Strata Plan 3298 with a ground floor area exceeding 85m² (915ft²). (Bylaw 2552, Amnd 130).”
- (f) “No person shall construct or permit construction of a single family dwelling on Strata Lot 5-8, Strata Plan 3043 with a ground floor area exceeding 121m² (1,302 ft²). (Bylaw 2552, Amnd 130).”

(8) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-7A zone for the repair of vehicles or for the storage of any derelict vehicle.
- (b) Despite Section 4.10 of this Bylaw fencing is not permitted in the R-7A zone.
- (c) All persons carrying out a use permitted in the R-7A zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw. (Bylaw 2310, Amnd 90)

SINGLE FAMILY RESIDENTIAL ZONE: R-8

7.08B

(1) Intent

"The intent of this zone is to create a small frontage subdivision for Forest Crowne. (Bylaw 2295, Amnd 86)"

(2) Permitted Uses

Within the R-8 zone, the following uses only are permitted:

- (a) single family dwelling which shall be subject to Section 7.03 of this Bylaw;
- (b) modular home;
- (c) public utility use;
- (d) park.

(3) Accessory Uses

- (a) home based business (classification 1);
- (b) buildings and structures accessory to a permitted use.

(4) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-8 zone which is less than 501 m² (5400 ft.²) in area.
- (b) No parcel shall be created in the R-8 zone which has a front parcel line less than 15.24 m (50 ft.) in length, except that in the bulb of a cul-de-sac, the front parcel line shall be not less than 9.1 m (30 ft.) in length.

(5) Density

No person shall construct or permit construction of more than one (1) single family dwelling on a parcel in the R-8 zone.

(6) Siting

- (a) No person shall site a principal building in the R-8 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 6.0 m (19.6 ft.);
 - (iii) an interior side yard less than 1.5 m (5 ft.) and in the case of irregular parcels at no point shall the distance between the interior side parcel line and the outermost projection of the building be less than 1.5 m (5 ft.);
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.).

- (b) No person shall site an accessory building or structure in the R-8 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.) and in the case where no developed rear lane exists, the rear yard shall not be less than 0.9 m (3 ft.);
 - (iii) an interior side yard less than 1.5 m (5 ft.);
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.).

(7) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a dwelling unit in the R-8 zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as the same may from time to time be amended.
- (b) No person shall construct or permit construction of a principal building in the R-8 zone which exceeds a height of 10.0 m (32.8 ft.).
- (c) No person shall construct or permit construction of an accessory building or structure in the R-8 zone which exceeds a height of 4.5 m (15 ft.).
- (d) The site coverage shall not exceed 0.4.

(8) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-8 zone for the repair of vehicles or for the storage of more than one (1) derelict vehicle.
- (b) All persons carrying out a use permitted in the R-8 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
(*Bylaw 2165, Amnd 59*)

LOW DENSITY RESIDENTIAL ZONE: R-8A

7.08BB

(1) Intent

The regulations for this zone are intended to support compact development of single family dwellings and accessory dwellings.

(2) Permitted Uses

Within the R-8A zone, the following uses only are permitted:

- (a) single family dwelling;
- (b) public utility use;
- (c) park.

(3) Accessory Uses

- (a) home based business (classification 1);
- (b) accessory dwelling;
- (c) carriage house dwelling;
- (d) buildings and structures accessory to a permitted use.

(4) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-8A zone which is less than 501 m² (5400 ft.²) in area.
- (b) No parcel shall be created in the R-8A zone which has a front parcel line less than 15.24 m (50 ft.) in length, except that in the bulb of a cul-de-sac, the front parcel line shall be not less than 9.1 m (30 ft.) in length.

(5) Density

- (a) No person shall construct or permit construction of more than one single family dwelling on a parcel in the R-8A zone.
- (b) No person shall construct or permit construction of more than one accessory dwelling or carriage house dwelling on a parcel in the R-8A zone.

(6) Siting

- (a) No person shall site a principal building in the R-8A zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 6.0 m (19.6 ft.); and
 - (iii) a side yard less than 1.5 m (5 ft.).
- (b) No person shall site an accessory building in the R-8A zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.); and
 - (iii) a side yard less than 1.5 m (5 ft.).

- (c) No person shall site a carriage house dwelling or a detached accessory dwelling in the R-8A zone which has:
 - (i) a front yard less than 7.6m (25 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.); and
 - (iii) a side yard less than 1.5m (5 ft.).

(7) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building in the R-8A zone which exceeds a height of 10 m (32.8 ft.).
- (b) No person shall construct or permit construction of an accessory building or structure in the R-8A zone which exceeds a height of 5.5 m (18 ft.).
- (c) No person shall construct or permit construction of a detached building containing an accessory dwelling in the R-8A zone which exceeds a height of 6 m (20 ft).
- (d) No person shall construct or permit construction of a carriage house dwelling in the R-8A zone which exceeds a height of 7.62 m (25 ft).
- (e) The maximum gross floor area of an accessory dwelling or carriage house dwelling is 90m² (970 sq.ft.).
- (f) The site coverage shall not exceed 0.5.
- (g) The site coverage of a parcel containing a single family dwelling and an accessory dwelling or carriage house dwelling shall not exceed 0.6.

(8) Accessory Dwelling and Carriage House Dwelling Regulations

- (a) An accessory dwelling or carriage house dwelling may not be subdivided.
- (b) An accessory dwelling or carriage house dwelling may not be sited or located on a separate parcel from the principal building or be created as a strata unit within a single family dwelling.
- (c) The use of an accessory dwelling or carriage house dwelling as a bed and breakfast or tourist accommodation is prohibited.
- (d) Accessory dwellings and carriage house dwellings shall meet the minimum required parking set out in Section 6.08 of this Bylaw in addition to the parking requirements set out for the principal building.

(9) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-8A zone for the repair of vehicles or for the storage of more than one (1) derelict vehicle.
- (b) All persons carrying out a use permitted in the R-8A zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw. (*Bylaw 2641 Amnd 142*)

SINGLE FAMILY RESIDENTIAL ZONE: R-9

7.08C

(1) Intent

The intent of this zone is to create a subdivision for Phase 3 of Forest Crowne which will allow single family dwellings and modular homes.

(2) Permitted Uses

Within the R-9 zone, the following uses only are permitted:

- (a) single family dwelling which shall be subject to Section 7.03 of this Bylaw;
- (b) modular home;
- (c) public utility use;
- (d) park.

(3) Accessory Uses

- (a) home based business (classification 1);
- (b) buildings and structures accessory to a permitted use.

(4) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-9 zone which is less than 557 m² (6000 ft.²) in area.
- (b) No parcel shall be created in the R-9 zone which has a front parcel line less than 18.20 m (60 ft.) in length, except that in the bulb of a cul-de-sac, the front parcel line shall be not less than 9.1 m (30 ft.) in length.

(5) Density

No person shall construct or permit construction of more than one (1) single family dwelling on a parcel in the R-9 zone.

(6) Siting

- (a) No person shall site a principal building in the R-9 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 6.0 m (19.6 ft.);
 - (iii) an interior side yard less than 1.5 m (5 ft.) and in the case of irregular parcels at no point shall the distance between the interior side parcel line and the outermost projection of the building be less than 1.5 m (5 ft.);
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.).
- (b) No person shall site an accessory building or structure in the R-9 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);

- (ii) a rear yard less than 1.5 m (5 ft.) and in the case where no developed rear lane exists, the rear yard shall not be less than 0.9 m (3 ft.);
- (iii) an interior side yard less than 0.9 m (3 ft.);
- (iv) an exterior side yard less than 3.0 m (9.9 ft.).

(7) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a dwelling unit in the R-9 zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as the same may from time to time be amended.
- (b) No person shall construct or permit construction of a principal building in the R-9 zone which exceeds a height of 10.0 m (32.8 ft.).
- (c) No person shall construct or permit construction of an accessory building or structure in the R-9 zone which exceeds a height of 4.5 m (15 ft.).
- (d) The site coverage shall not exceed 0.4.

(8) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-9 zone for the repair of vehicles or for the storage of more than one (1) derelict vehicle.
- (b) All persons carrying out a use permitted in the R-9 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
(*Bylaw 2171, Amnd 60*)

MULTIPLE FAMILY RESIDENTIAL ZONE: R-10

7.08D

(1) Intent

The regulations for this zone are intended to accommodate medium-density residential development in a mix of housing types to foster unique development and serve diverse housing needs.

(2) Permitted Uses

Within the R-10 zone the following principal uses only are permitted:

- (a) multiple family dwelling;
- (b) two family dwelling
- (c) park;
- (d) public utility use.

(3) Accessory Uses

- (a) accessory dwelling subject to section (4);
- (b) carriage house dwelling subject to section (4);
- (c) home based business (Classification 1);
- (d) accessory buildings and structures.

(4) Use Regulations specific to this zone

- (a) Accessory dwelling permissible only on a parcel with a two family dwelling as principal building;
- (b) Carriage house dwelling permissible only on a parcel with a two family dwelling as principal building;
- (c) A maximum of one accessory dwelling unit or one carriage house dwelling unit is permissible for each principal unit on a parcel with a two family dwelling.

(5) Parcel Area and Dimensions

- (a) The minimum required parcel area is 370 m² (4,000 sq.ft.) except as allowed under subsection (b) or (c) of this section;
- (b) A parcel may be subdivided along a common wall of a multiple family dwelling provided each parcel after subdivision is not less than 140 m² (1,500 sq.ft.) in area;
- (c) A parcel may be subdivided along a common wall of a two family dwelling provided each parcel after subdivision is not less than 279 m² (3,000 sq.ft.) in area;
- (d) A parcel includes a bare land strata lot.

(6) Siting of Buildings and Structures

- (a) No person shall site a principal building which has:
 - (i) a front yard less than 1.5 m (5 ft.);
 - (ii) a rear yard less than 5 m (16.4 ft.);
 - (iii) a side yard less than 3 m (10 ft.);
 - (iv) a side yard requirement does not apply to the parcel line along which a common wall is located.

- (b) No person shall site a detached accessory dwelling or carriage house dwelling which has:
 - (i) a front yard less than 5 m (16.4 ft.);
 - (ii) a rear yard less than 3 m (10 ft.);
 - (iii) a side yard less than 3 m (10 ft.);
 - (i) a side yard requirement does not apply to the parcel line along which a common wall is located.

- (c) No person shall site a detached accessory building or structure which has:
 - (i) a front yard less than 5 m (16.4 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.);
 - (iii) a side yard less than 1.5 m (5 ft.);

(7) Size and Dimensions of Buildings and Structures

- (a) The maximum permitted site coverage for a multiple family dwelling shall not exceed 0.7.
- (b) The maximum permitted site coverage for a two family dwelling shall not exceed 0.4.
- (c) The maximum permitted site coverage for a two family dwelling with an accessory dwelling or carriage house dwelling shall not exceed 0.6.
- (d) The maximum permitted height of a multiple family dwelling principal building is 10m (33 ft.).
- (e) The maximum permitted height of a two family dwelling principal building is 9.1m (30 ft.).
- (f) The maximum permitted height of a carriage house dwelling is 7.6m (25 ft.).
- (g) The maximum permitted height of a detached accessory dwelling or other detached accessory building or structure is 5.5m (18 ft.).

(8) Other Regulations

- (a) A minimum of one parking space required for each dwelling unit shall be fully enclosed.
- (b) All persons carrying out a use permitted in this zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw. *(Bylaw 2687, Amnd 151)*

SINGLE FAMILY RESIDENTIAL ZONE: R-11

7.08 E

(1) Permitted Uses

Within the R-11 zone, the following uses only are permitted:

- (a) single family dwelling;
- (b) modular home;
- (c) public utility use;
- (d) park.

(2) Accessory Uses

- (a) buildings and structures accessory to a permitted use.
- (b) home based business (classification 1)

(3) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-11 zone which is less than 557 m² (6000 ft.²) in area.
- (b) No parcel shall be created in the R-11 zone which has a front parcel line less than 15.24 m (50 ft.) in length, except that in the bulb of a cul-de-sac, the front parcel line shall be not less than 9.1 m (30 ft.) in length.

(4) Density

No person shall construct or permit construction of more than one (1) dwelling unit on a parcel in the R-11 zone.

(5) Siting

- (a) No person shall site a principal building in the R-11 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 6.0 m (19.6 ft.);
 - (iii) an interior side yard less than 1.5 m (5 ft.), and in the case of irregular parcels, at no point shall the distance between the interior side parcel line and the outermost projection of the building be less than 1.5 m (5 ft.);
 - (vi) an exterior side yard less than 3.0 m (9.9 ft.).
- (d) No person shall site an accessory building or structure in the R-11 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.), and in the case where no developed rear lane exists, the rear yard shall be not less than 0.9 m (3 ft.);
 - (ii) an interior side yard less than 0.9 m (3 ft.);
 - (iii) an exterior side yard less than 3.0 m (9.9 ft.).

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building in the R-11 zone which exceeds a height of 9.1 m (30 ft.).
- (b) No person shall construct or permit construction of an accessory building or structure in the R-11 zone which exceeds a height of 4.5m (15 ft.).
- (c) The site coverage shall not exceed 0.4.

(7) Other Regulations

- (a) No person shall site a principal building in the R-11 zone that is not on a permanent foundation, in accordance with the requirements set forth in the current edition of the B.C. Building Code as amended from time to time;
- (b) No person shall use or permit the use of any portion of a parcel in the R-11 zone for the repair of vehicles or for the storage of derelict vehicles.
- (c) All persons carrying out a use permitted in the R-11 zone shall comply with all other relevant sections and provisions of this Bylaw. (*Bylaw 2384, Amnd 102*)

MULTIPLE FAMILY RESIDENTIAL ZONE: R-12

7.08F

(1) Intent

The intent of this zone is to allow for small parcel sizes and a mix of housing types including two family and multiple family dwellings.

(2) Permitted Uses

Within the R-12 zone, only the following uses are permitted:

- (a) two family dwelling;
- (b) multiple family dwelling
- (c) public utility use;
- (d) park.

(3) Accessory Uses

- (a) home-based business (classification 1);
- (b) buildings and structures accessory to a permitted use.

(4) Use Regulations specific to this zone

- (a) A minimum of one parking space required for each dwelling unit shall be fully enclosed.

(5) Parcel Area

- (a) A parcel in the R-12 zone includes a bare land strata lot.
- (b) No parcel shall be created which is less than 232 m² (2,500 ft²) in area, except as allowed under subsection 5(d) of this section.
- (c) A parcel may be subdivided along a common wall of a two family dwelling provided each parcel after subdivision is not less than 232 m² (2,500 ft²) in area.
- (d) A parcel may be subdivided along a common wall of a multiple family dwelling provided each parcel after subdivision is not less than 140 m² (1,500 ft²) in area.

(6) Siting

- (a) No person shall site a principal building which has:
 - (i) a front yard less than 5.0 m (16.4 ft).
 - (ii) a rear yard less than 5.0 m (16.4 ft).
 - (iii) an interior side yard less than 2.0 m (6.5 ft).
 - (iv) an exterior side yard less than 2.0 m (6.5 ft).

- (b) No person shall site a detached accessory building or structure which has:
 - (i) a front yard less than 5.0 m (16.4 ft).
 - (ii) a rear yard less than 1.0 m (3.2 ft).
 - (iii) an interior side yard less than 1.0 m (3.2 ft).
 - (iv) an exterior side yard less than 1.0 m (3.2 ft).
- (c) Side yard requirements do not apply to the parcel line along which a common wall is located

(7) Size and Dimensions of Buildings and Structures

- (a) The maximum permitted height of a principal building is 9.1 m (30 ft).
- (b) The maximum permitted height of a detached accessory building or structure is 4.5 m (15 ft).
- (c) The site coverage for a two family dwelling shall not exceed 0.5.
- (d) The site coverage for a multiple family dwelling shall not exceed 0.6.

(8) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-12 zone for the repair of vehicles or the storage of any derelict vehicle.
- (b) All persons carrying out a use permitted in the R-12 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
(*Bylaw 2616, Amnd 137*)

LOW DENSITY RESIDENTIAL ZONE: R-13

7.08G

(1) Intent

The intent of this zone is to allow for low density residential development while preserving significant open space and restricting use and development of natural hazard areas and environmentally sensitive lands.

(2) Permitted Uses

Within the R-13 zone, only the following uses are permitted:

- (a) single family dwelling;
- (b) public utility use;
- (c) park.

(3) Accessory Uses

- (a) attached accessory dwelling;
- (b) home-based business (classification 1);
- (c) tourist accommodation;
- (d) buildings and structures accessory to a permitted use.

(4) Use Regulations Specific to this Zone

- (a) An accessory dwelling shall be located within or attached to the principal building; detached accessory dwellings are not permitted.
- (b) A detached accessory building or structure shall not be used for tourist accommodation.
- (c) Not more than one home-based business shall be permitted on a parcel.

(5) Subdivision Density and Parcel Area Requirements

- (a) Land with an area no less than 9 hectares (22.2 acres) may be subdivided into a maximum of four (4) residential parcels provided that no parcel shall have an area less than 0.81 hectares (2 acres), if the following are provided to the satisfaction of the City of Kimberley:
 - (i) Road dedication providing access to St. Mary River;
 - (ii) Park dedication adjacent to St. Mary River and contiguous with adjacent parkland;
 - (iii) Registration of statutory rights of way for public use of trails;
 - (iv) Registration of covenants, under section 219 of the Land Title Act, restricting use and development on environmentally sensitive lands; and
 - (v) Provision of environmental and hazard assessment reports prepared by qualified professionals.

- (b) Use of an on-site wastewater system(s) may be permitted subject to provision of a suitability assessment, prepared and certified by a qualified professional, satisfactory to the City of Kimberley and subject to variance or amendment to the Subdivision and Development Servicing Bylaw as may be required.
 - (c) No parcel shall be created which has a front parcel line less than 45 m (147.6 ft.) in length.
 - (d) A parcel in the R-13 zone includes a bare land strata lot.
 - (e) An accessory dwelling may not be subdivided.
- (6) Residential Density
- (a) No person shall construct or permit construction of more than one (1) single family dwelling on a parcel.
 - (b) No person shall construct or permit construction of more than one (1) attached accessory dwelling on a parcel containing a single family dwelling.
- (7) Siting and Dimensions of Buildings and Structures
- (a) No person shall site a principal building which has:
 - (i) a front yard less than 6.0 m (19.6 ft).
 - (ii) a rear yard less than 10.0 m (32.8 ft).
 - (iii) a side yard less than 6 m (19.6 ft).
 - (b) No person shall site a detached accessory building or structure which has front, side or rear yard less than 6.0 m (19.6 ft).
 - (c) Despite any other provision in this bylaw, no building or structure shall be located within 4.5m (15ft.) of a Geotechnical Building Setback Line identified in a geotechnical site investigation report by a qualified professional.
 - (d) Despite any other provision in this bylaw, no building or structure shall be located within 30m (98.4 ft.) of the natural boundary of St. Mary River.
 - (e) The maximum gross floor area of an attached accessory dwelling shall not exceed 50% of the total gross floor area of the single family dwelling.
 - (f) The maximum permitted height of a principal building zone is 9.1 m (30 ft).
 - (g) The maximum permitted height of a detached accessory building or structure is 6.1 m (20 ft).
 - (h) The site coverage shall not exceed 0.15.
- (8) Other Regulations
- (a) No person shall use or permit the use of any portion of a parcel in the R-13 zone for the repair of vehicles or the storage of any derelict vehicle.
 - (b) All persons carrying out a use permitted in the R-13 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
(*Bylaw No. 2506 Amnd 122, 2014*)

TWO FAMILY RESIDENTIAL ZONE: R-14

7.08H

(1) Permitted Uses

Within the R-14 zone, the following uses only are permitted:

- (a) two family dwelling;
- (b) public utility use;
- (c) park.

(2) Accessory Uses

- (a) home based business;
- (b) boarding and lodging;
- (c) buildings and structures accessory to a permitted use;

(3) Parcel Area and Dimensions

- (a) No parcel shall be created in the R-14 zone which is less than 465 m² (5000 ft.²) in area.
- (b) A parcel in the R-14 zone may be subdivided along a common wall of a two family dwelling provided each parcel after subdivision is not less than 235 m² (2500 ft.²) in area.
- (c) No parcel shall be created in the R-14 zone which has a front parcel line less than 15 m (50 ft.) in length, except that in the bulb of a cul-de-sac, the front parcel line shall be not less than 9.1 m (30 ft.) in length.
- (d) Where a parcel with a two family dwelling located on it is subdivided along the common wall, the front parcel line shall be not less than 7.6 m (25 ft.) in length for each parcel created by the subdivision.
- (e) Side yard requirements do not apply to the parcel line along which a common wall is located.

(4) Density

No person shall construct or permit construction of more than one (1) two family dwelling on a parcel in the R-14 zone.

(5) Siting

- (a) No person shall site a principal building in the R-14 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 6.0 m (19.6 ft.);
 - (iii) an interior side yard less than 1.5 m (5 ft.), and in the case of irregular parcels, at no point shall the distance between the interior side parcel line and the outermost projection of the building be less than 1.5 m (5 ft.);

- (iv) an exterior side yard less than 2.5 m (8 ft.).
- (b) No person shall site an accessory building or structure in the R-14 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.), and in the case where no developed rear lane exists, the rear yard shall be not less than 0.9 m (3 ft.);
 - (iii) an interior side yard less than 0.9 m (3 ft.);
 - (iv) an exterior side yard less than 2.5 m (8 ft.).

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building in the R-14 zone which exceeds a height of 9.1 m (30 ft.).
- (b) No person shall construct or permit construction of an accessory building or structure in the R-14 zone which exceeds a height of 4.5 m (15 ft.).
- (c) The site coverage shall not exceed 0.5.

(7) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the R-14 zone for the repair of vehicles or for the storage of more than one (1) derelict vehicle.
- (b) All persons carrying out a use permitted in the R-14 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw. *(Bylaw 2524, Amnd 125)*

COMMERCIAL ZONE: C-1

7.09

(9) Intent

The regulations for this zone are intended to accommodate a mix of commercial uses, with provisions for some residential uses, to foster unique and diverse development that contributes to improving the aesthetics, vibrancy and functionality of Kimberley's commercial areas.

(10) Permitted Uses

Within the C-1 zone, the following principal uses only are permitted:

- (a) business and professional offices
- (b) health and wellness practitioners or veterinary clinic
- (c) retail or personal services
- (d) art studio
- (e) hostel, hotel or motel
- (f) restaurant, club or entertainment facility
- (g) craft brewery or distillery, subject to Section (8)(a)
- (h) food or beverage production, subject to Section (8)(a)
- (i) library, museum or theatre
- (j) commercial school
- (k) craft workshop, building and trade contracting industry, manufacturing or publishing industry, subject to Section (8)(b)
- (l) multiple family dwelling, subject to Section (8)(e)
- (m) child care facility or group day care
- (n) commercial parking, subject to Section (8)(c)
- (o) place of worship
- (p) single family dwelling, as per Section (8)(f)
- (q) public building
- (r) public utility use or park

(11) Accessory Uses

- (a) accessory buildings and structures
- (b) tourist accommodation, subject to Section (8)(d)
- (c) dwelling units, subject to Section (8)(d)
- (d) home based businesses (Classification 1)
- (e) indoor storage units, subject to Section (8)(g)

(12) Parcel Area and Dimensions

- (a) No parcel shall be created in the C-1 zone which is less than 300 m² (6,458 sq. ft.) in area

- (b) No parcel shall be created in the C-1 zone which, at no point, is less than 18m (59') in width

(13) Density

The maximum floor space ratio is 3.0.

(14) Siting

- (a) No person shall site an accessory building or structure in the C-1 zone which has:

- (i) a front yard less than 6.0 m (19' 8");
 - (ii) a rear yard less than 1.5m (5') where the rear parcel line abuts a highway or lane;
 - (iii) a rear yard less than 0.9m (3') where the rear parcel line abuts another parcel;
 - (iv) an interior side yard less than 0.9m (3'); and,
 - (v) an exterior side yard less than 1.5m (5')

(15) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building or structure in the C-1 zone which exceeds a height of 12.0 m (39' 4½").
- (b) No person shall construct or permit construction of an accessory building or structure in the C-1 zone which exceeds a height of 5.5 m (18').

(16) Other Regulations

- (a) A parcel with craft brewery, craft distillery, food production or beverage production use must:
 - (i) maintain, at minimum, 20% of the gross floor area for restaurant, retail or entertainment facility use;
 - (ii) mitigate for excess noise, odours or noxious fumes; and,
 - (iii) front restaurant, retail or entertainment facility use on a front parcel line
- (b) A parcel with craft workshop, building and trade contracting industry, manufacturing or publishing industry use must:
 - (i) maintain, at minimum, 20% of the gross floor area for retail or office use located at the front parcel line;
 - (ii) store all materials and machinery related to the business within a building or structure;
 - (iii) conduct all work related to the business within a building or structure;
 - (iv) mitigate for excess noise, odours or noxious fumes; and,
 - (v) locate the craft workshop, building and trade contracting industry, manufacturing or publishing industry use below grade or at grade closer to the rear of the parcel and behind the retail or office use

- (c) A parcel with commercial parking as a principal use must:
 - (i) maintain, at minimum, 20% of the parcel area for a second permitted principal use other than commercial parking;
 - (ii) locate the second permitted principal use on the front parcel line; and,
 - (iii) only allow vehicle access to the commercial parking use from an existing lane

- (d) A parcel with dwelling unit or tourist accommodation as an accessory use must:
 - (i) maintain, at minimum, 50% of the ground floor fronting a front parcel line for a permitted commercial use; and,
 - (ii) provide separate highway or lane access for dwelling unit or tourist accommodation use

- (e) A parcel with only multiple family dwelling use may not contain tourist accommodation use

- (f) A single family dwelling existing at the time of the effective date of this Bylaw may continue the single family dwelling use, including any subsequent additions or structural alterations to the building, without the requirement for a principal commercial use

- (g) A parcel with an indoor storage as an accessory use must:
 - (i) maintain, at minimum, 50% of the ground floor fronting a front parcel line for a permitted principal commercial use;
 - (ii) locate indoor storage use below grade or at grade in the rear of a permitted principal use;
 - (iii) be wholly enclosed within the principal building;
 - (iv) provide separate outside access to the area containing the indoor storage units;
 - (v) contain no indoor storage unit larger than 10m² (108 sq. ft.); and,
 - (vi) not be used for the storage of perishables, noxious and hazardous materials or vehicles;

- (h) All persons carrying out a use permitted in the C-1 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) of this Bylaw.

- (i) No person shall use or permit the use of any portion of a parcel in the C-1 zone for the storage of any derelict vehicle. (*Bylaw 2594, Amnd 134*)

COMMERCIAL PLATZL ZONE: CP-1

7.09A

(1) Intent

The intent of this zone is to provide a wide mix of retail, business and office uses, together with upper storey residential development that compliments the character of the Platzl and adjacent area.

(2) Permitted Uses

The following uses only are permitted:

- (a) retail;
- (b) office;
- (c) restaurant;
- (d) personal service;
- (e) social services;
- (f) printing and publishing;
- (g) theatre,
- (h) entertainment facility;
- (i) lodge;
- (j) commercial school;
- (k) art studio;
- (l) hotel;
- (m) hostel;
- (n) tourist accommodation;
- (o) dwelling unit;
- (p) boarding and lodging;
- (q) public utility;
- (r) park;
- (s) community recreation use.

(3) Accessory Uses

- (a) buildings and structures accessory to a permitted use;

(4) Parcel Area and Dimensions

- (a) No parcel shall be created in the CP-1 zone which is less than 371.6 m² (4000 ft²) in area.
- (b) No parcel shall be created in the CP-1 zone which has a front parcel line less than 8.0 m (26.2 ft) in length.
- (c) Clauses (a) and (b) above shall not apply to parcels in the CP-1 zone used solely for parks, playgrounds, public recreation or public utility uses.

(5) Siting

- (a) No person shall site a building or structure in the CP-1 zone which has a rear yard less than 1.5 m (5 ft) from a lane.

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principle building in the CP-1 zone which exceeds a height of 10 m (32.8 ft).
- (b) No person shall construct or permit construction of an accessory building or structure which exceeds a height of 4.5 m (15 ft).

(7) Other Regulations

- (a) Dwelling units and tourist accommodation shall:
- (i) be designed and constructed as an integral part of the principal building;
 - (ii) be located only on the second and third floor from the ground level of the building above the finished grade of the Platzl pedestrian level;
 - (iii) have an entrance(s) provided from outside the building, separate from that of any commercial use;
- (b) the minimum floor area of a dwelling unit shall be 35 m² (377 ft²);
- (c) no person shall use or permit the use of any portion of a parcel in the CP-1 zone for the repair of vehicles or the storage of derelict vehicles;
- (d) all pens and runs associated with a veterinary clinic shall be contained within a building. (*Bylaw 2302, Amnd 87*)

DOWNTOWN MIXED-USE ZONE: DMU-1

7.09B

(1) Intent

The intent of the regulations for this zone are to accommodate commercial and mixed residential-commercial uses to foster diversity and vitality in areas within, nearby or adjacent to the central downtown district.

(2) Permitted Uses

Within the DMU-1 zone, the following principal uses only are permitted:

- (a) dwelling unit(s), subject to subsection (7)(a) of this zone;
- (b) tourist accommodation, subject to subsection (7)(b) of this zone ;
- (c) single family dwelling, subject to subsection (7)(c) of this zone;
- (d) business and professional offices;
- (e) health and wellness practitioners;
- (f) personal services;
- (g) retail;
- (h) restaurant;
- (i) art studio or gallery;
- (j) craft workshop;
- (k) commercial school;
- (l) educational academy;
- (m) child care facility;
- (n) group day care;
- (o) public building;
- (p) public utility use;
- (q) park.

(3) Accessory Uses

- (a) accessory buildings and structures
- (b) dwelling units accessory to a permitted use, subject to subsection (7)(d) of this zone
- (c) tourist accommodation accessory to a permitted use, subject to subsection (7)(d) of this zone

(4) Parcel Area and Dimensions

No parcel shall be created in the DMU-1 zone which is less than 325 m² (3,498 sq.ft.) in area.

(5) Siting

- (a) No person shall site a principal building in the DMU-1 zone which has:
 - (i) a front yard less than 1.5 m (5 ft.) except that a roof projection, eave, canopy, balcony or similar architectural feature without wall, post, column or similar supporting-structure may be permitted with a zero front yard;
 - (ii) a rear yard less than 6.0 m (19.6 ft.); or
 - (iii) a side yard less than zero.
- (b) No person shall site an accessory building or structure in the DMU-1 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.), or in the case where no developed rear lane exists, the rear yard shall be not less than 0.9 m (3 ft.);
 - (iii) an interior side yard less than 0.9 m (3 ft.); or
 - (iv) an exterior side yard less than 1.5 m (5 ft.).

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building or structure in the DMU-1 zone which exceeds a height of 10.0 m (32.8 ft.).
- (b) No person shall construct or permit construction of an accessory building or structure in the DMU 1 zone which exceeds a height of 5.5 m (18 ft.).

(7) Other Regulations

- (a) A principal building containing dwelling unit(s) as a principal use shall contain one or more premises used or intended to be used for a permissible commercial use listed in subsection (2) which shall:
 - (i) be designed and constructed as an integral part of the principal building;
 - (ii) comprise at least 25% of the gross floor area of the first storey (at grade at front parcel line) of the principal building; and
 - (iii) be located on the first (at grade) storey of the principal building with an independent exterior entrance(s) separate from the dwelling unit(s) and accessible from the front parcel line.
- (b) A principal building containing tourist accommodation unit(s) as a principal use shall contain one or more premises used or intended to be used for a permissible commercial use listed in subsection (2) which shall:
 - (i) be designed and constructed as an integral part of the principal building;
 - (ii) comprise at least 25% of the gross floor area of the first storey (at grade at front parcel line) of the principal building; and
 - (iii) be located on the first (at grade) storey of the principal building with an independent exterior entrance(s) separate from the tourist accommodation unit(s) and accessible from the front parcel line.

- (c) A single family dwelling existing at the time of the effective date of this Bylaw may continue to be used as a single family dwelling, including any subsequent additions or structural alterations to the building, without requirement for commercial use within the building.
- (d) Dwelling units or tourist accommodation units accessory to a permissible commercial use listed in subsection (2) shall:
 - (i) be designed and constructed as an integral part of the principal building;
 - (ii) have exterior entrance(s) separate from that of the commercial use; and
 - (iii) be located above the first story (at grade at front parcel line) of the building and/or behind the commercial component of the first story (at grade at front parcel line) of the building, excluding floor area dedicated to an exterior entrance.
- (e) All persons carrying out a use permitted in the DMU-1 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw. (*Bylaw 2542, Amnd 127*)

DMU-2

7.09C

(1) Intent

The intent of the regulations for this zone are to accommodate a mix of residential and commercial uses to foster diversity and vitality in areas within, nearby or adjacent to the downtown commercial district.

(2) Permitted Uses

Within the DMU-2 zone, the following principal uses only are permitted:

- (a) single family dwelling
- (b) two family dwelling
- (c) multiple family dwelling
- (d) tourist accommodation, subject to Section (7)(b)
- (e) business and professional offices
- (f) health and wellness practitioners
- (g) personal services
- (h) retail
- (i) art studio or gallery
- (j) craft workshop
- (k) child care facility
- (l) group day care
- (m) public building
- (n) public utility use
- (o) park

(3) Accessory Uses

- (a) accessory buildings and structures
- (b) dwelling units
- (c) home based businesses (classification 1)
- (d) tourist accommodation, subject to Section (7)(b)
- (e) bed and breakfast
- (f) accessory dwelling, subject to Section (7)(d)
- (g) carriage house dwelling, subject to Section (7)(d)

(4) Parcel Area and Dimensions

- (a) No parcel shall be created in the DMU-2 zone which is:
 - (i) less than 325 m² (3,498 sq. ft.) in area; or
 - (ii) greater than 1,000m² (10,764 sq. ft.) in area
- (b) No parcel shall be created in the DMU-2 zone which, at no point, is less than 9m (29' 6") in width

(5) Siting

- (a) No person shall site a principal building in the DMU-2 zone which has:
- (i) a front yard less than 1.5 m (5 ft.) except that a roof projection, eave, canopy, balcony or similar architectural feature without wall, post, column or similar supporting-structure may be permitted with a zero front yard;
 - (ii) a rear yard less than 4.0 m (13' 1½");
 - (iii) an interior side yard that causes a building projection to cross a parcel line; and,
 - (iv) an exterior side yard less than 1.5m (5 ft.) except that a roof projection, eave, canopy, balcony or similar architectural feature without wall, post, column or similar supporting-structure may be permitted with a zero front yard.
- (b) No person shall site an accessory building or structure in the DMU-2 zone which has:
- (i) a front yard less than 4.0 m (13' 1½");
 - (ii) a rear yard less than 1.5 m (5 ft.), or in the case where no developed rear lane exists, the rear yard shall be not less than 0.9 m (3 ft.);
 - (iii) an interior side yard less than 0.9m (3 ft.) that abuts a parcel in a residential zone unless the primary use on the abutting parcel is multi-family residential; and,
 - (iv) an exterior side yard less than 1.5 m (5 ft.)

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building in the DMU-2 zone which exceeds a height of 9.1 m (30 ft.).
- (b) No person shall construct or permit construction of an accessory building or structure, with the exception of a carriage house dwelling, in the DMU-2 zone which exceeds a height of 5.5 m (18 ft.).
- (c) No person shall construct or permit construction of a carriage house dwelling in the DMU-2 zone which exceeds a height of 7.6 m (25 ft.).
- (d) The site coverage shall not exceed 0.75 (75%). (*Bylaw 2623, Amnd 139*)

(7) Other Regulations

- (a) A principal building with a single family dwelling or two family dwelling use may have one or both dwellings used for tourist accommodation when not occupied for residential use.
- (b) Tourist accommodations are limited to a maximum of two (2) units per parcel
- (c) A parcel containing a commercial use as a principal use shall locate at least one permitted commercial use:
- (i) fronting a public road, highway or lane; and,
 - (ii) on the first floor or at grade.

- (d) An accessory dwelling or carriage house in a DMU-2 zone shall be in compliance with the following:
 - (i) No more than one (1) accessory dwelling or carriage house is permitted on a parcel; and,
 - (ii) Notwithstanding Section 3.04, Definitions, an accessory dwelling or carriage house may be accessory to a two family dwelling or a commercial use in the DMU-2 zone.
- (e) All persons carrying out a use permitted in the DMU-2 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
- (f) No person shall use or permit the use of any portion of a parcel in the DMU-2 zone for the storage of any derelict vehicle. (*Bylaw 2566, Amnd 131*)

NEIGHBOURHOOD COMMERCIAL ZONE: C-2

7.10

(1) Permitted Uses

Within the C-2 zone the following uses only are permitted:

- (a) convenience store;
- (b) public utility use;
- (c) park.

(2) Accessory Uses

- (a) Dwelling unit accessory to a permitted use, subject to subsections (6) (a) of this Section;
- (b) Sleeping unit accessory to a permitted use, subject to subsection (6)(a) of this Section.
- (c) Buildings and structures accessory to a permitted use.
- (d) tourist accommodation, subject to subsection (6)(a) of this Section
- (e) boarding and lodging. (Bylaw 2124 Amnd 52)

(3) Parcel Area and Dimensions

- (a) No parcel shall be created in the C-2 zone which is less than 278.0 m² (3000 ft.²) in area.
- (b) No parcel shall be created in the C-2 zone which has a front parcel line less than 7.5 m (25 ft.) in length.

(4) Siting

- (a) No person shall site a building or structure in the C-2 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 6.0 m (19.6 ft.);
 - (iii) an interior side yard less than 4.5 m (15 ft.);
 - (iv) an exterior side yard less than 4.5 m (15 ft).

(5) Size and Dimensions of Buildings and Structures

No person shall construct or permit construction of a building or structure in the C-2 zone which exceeds a height of 7.5 m (25 ft.).

(6) Other Regulations

- (a) Where dwelling units; sleeping units; or tourist accommodation (Bylaw 2124 Amnd 52) are proposed, they shall:
 - (i) be designed and constructed as an integral part of the principal building;
 - (ii) have an entrance provided from outside the building, separate from that of any commercial use;

- (iii) be located above the first storey of the building or behind the commercial component of the building.
- (b) All persons carrying out a use permitted in the C-2 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
- (c) No person shall use or permit the use of any portion of a parcel in the C-2 zone for the wrecking and repair of vehicles or for the storage of derelict vehicles.
- (d) All persons carrying out a use permitted in the C-2 zone shall conduct the business or undertaking within a completely enclosed building.

AUTOMOBILE COMMERCIAL ZONE: C-3

7.11

(1) Permitted Uses

Within the C-3 zone the following uses only are permitted:

- (a) vehicle, gasoline, and accessory sales to motorists;
- (b) repair of vehicles;
- (c) public utility use;
- (d) park;
- (e) waste paint collection depot. (*Bylaw 1913 Amnd 13*)

(2) Accessory Uses

- (a) car washes;
- (b) motels and hotels;
- (c) restaurants;
- (d) buildings and structures accessory to a permitted use;
- (e) dwelling unit subject to sub-section (6)(a). (*Bylaw 2639 Amnd 140*)

(3) Parcel Area and Dimensions

- (a) No parcel shall be created in the C-3 zone which is less than 278.0 m² (3000 ft.²) in area.
- (b) No parcel shall be created in the C-3 zone which has a front parcel line less than 7.5 m (25 ft.) in length.

(4) Siting

- (a) No person shall site a building in the C-3 zone which has:
 - (i) a front yard less than 12.0 m (40 ft.);
 - (ii) an interior side yard less than 4.5 m (15 ft.) or 6.0 m (19.6 ft) in the case of an interior side yard which abuts a parcel in a Residential zone;
 - (iii) an exterior side yard less than 4.5 m (15 ft).
- (b) No person shall site an accessory building or structure in the C-3 zone which has:
 - (i) a front yard less than 4.5 (15 ft.);
 - (ii) an interior side yard less than 4.5 m (15 ft.) or 6.0 m (19.6 ft.) in the case of an interior side yard which abuts a parcel in a Residential zone;
 - (iii) an exterior side yard less than 3.0 m (9.9 ft.).

(5) Size and Dimensions of Buildings and Structures

No person shall construct or permit construction of a building or structure in the C-3 zone which exceeds a height of 7.5 m (25 ft.).

(6) Other Regulations

- (a) where a dwelling unit is proposed, it shall:
 - (i) be designed and constructed as an integral part of the principal building;
 - (ii) have an entrance provided from outside the building, separate from that of any commercial use;
 - (iii) be located above the first storey of the building or behind for commercial component of the building;
 - (iv) have no more than one (1) dwelling unit on a parcel in the C-3 zone.
- (b) All persons carrying out a use permitted in the C-3 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
(Bylaw 2639 Amnd 140)

ACCESSORY COMMERCIAL ZONE: AC-1

7.12

(1) **Permitted Uses**

Within the AC-1 zone the following uses only are permitted:

- (a) multiple family dwelling;
- (b) parks, playgrounds and picnic areas;
- (c) public utility use.

Despite any other provision of this Bylaw, multiple family dwellings in the AC-1 zone may be used for tourist accommodation when such dwellings are not occupied for residential use.

(2) **Accessory Uses**

- (a) sleeping unit accessory to a permitted use, subject to subsection (7)(c) of this Section;
- (b) other uses, buildings and structures accessory to a permitted use;
- (c) boarding and lodging;

(3) **Parcel Area and Dimensions**

No parcel shall be created in the AC-1 zone which is less than 3000 m² (33,333 ft.²).

(4) **Siting**

No person shall site a building or structure in the AC-1 zone which has:

- (i) a front yard less than 7.6 m (25 ft.);
- (ii) a rear yard less than 7.6 m (25 ft.);
- (iii) a side yard less than 3.0 m (9.9 ft.);
- (iv) an interior side yard less than 6.0 m (19.6 ft) in the case of an interior side yard which abuts a parcel in a residential zone;
- (v) the minimum separation between buildings is 6 metres.

(5) **Dimensions of Buildings and Structures**

- (a) No person shall construct or permit construction of a principal building in the AC-1 zone which exceeds a height of 12 m (40 ft.).
- (b) No person shall construct or permit construction of an accessory building or structure in the AC-1 zone which exceeds a height of 4.5m (15ft.).

(6) **Density**

- (a) No person shall construct or permit construction of a dwelling unit in the AC-1 zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as amended from time to time.
- (b) A maximum permitted floor space ratio of 0.50 when less than fifty percent (50%) of the required off street parking is not fully enclosed.

- (c) A maximum permitted floor space ratio of 0.65 when a minimum of fifty percent (50%) of the required off street parking is fully enclosed.
- (d) A maximum permitted floor space ratio of 0.70 when a minimum of sixty-six percent (66%) of the required off-site parking is underground.
- (e) the site coverage shall not exceed 0.4.

(7) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the AC-1 zone for the wrecking and repair of vehicles or for the storage of derelict vehicles
- (b) All persons carrying out a use permitted in the AC-1 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
- (c) Where a sleeping unit is proposed, it shall:
 - (i) be designed and constructed as an integral part of the principal building and dwelling unit;
 - (ii) have a separate entrance from that of any residential use;
 - (iii) Despite any other provision of this Bylaw, a sleeping unit is specifically permitted in the AC-1 zone, and may be occupied or used for tourist accommodation separately and independently from the remainder of the dwelling unit within which it is contained. (*Bylaw 2214 Amnd 70*)

ACCESSORY COMMERCIAL ZONE: AC-2

7.12A

(1) Permitted Uses

Within the AC-2 zone the following uses only are permitted:

- (a) multiple family dwelling;
- (b) parks, playgrounds and picnic areas;
- (c) public utility use.

Despite any other provision of this Bylaw, multiple family dwellings in the AC-2 zone may be used for tourist accommodation when such dwellings are not occupied for residential use.

(2) Accessory Uses

- (a) sleeping unit accessory to a permitted use, subject to subsection (7)(c) of this Section;
- (b) accessory commercial use;
- (c) other uses, buildings and structures accessory to a permitted use;
- (d) boarding and lodging;

(3) Parcel Area and Dimensions

No parcel shall be created in the AC-2 zone which is less than 3000 m² (33,333 ft.²).

(4) Siting

No person shall site a building or structure in the AC-2 zone which has:

- (i) a front yard less than 7.6 m (25 ft.);
- (ii) a rear yard less than 7.6 m (25 ft.);
- (iii) a side yard less than 3.0 m (9.9 ft.);
- (iv) an interior side yard less than 6.0 m (19.6 ft) in the case of an interior side yard which abuts a parcel in a residential zone;
- (v) the minimum separation between buildings is 6 metres.

(5) Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building in the AC-2 zone which exceeds a height of 12 m (40 ft.).
- (b) No person shall construct or permit construction of an accessory building or structure in the AC-2 zone which exceeds a height of 4.5m (15ft.).

(6) Density

- (a) No person shall construct or permit construction of a dwelling unit in the AC-2 zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as amended from time to time.

- (b) A maximum permitted floor space ratio of 0.50 when less than fifty percent (50%) of the required off street parking is not fully enclosed.
- (c) A maximum permitted floor space ratio of 0.65 when a minimum of fifty percent (50%) of the required off street parking is fully enclosed.
- (d) A maximum permitted floor space ratio of 0.70 when a minimum of sixty-six percent (66%) of the required off-site parking is underground.
- (e) the site coverage shall not exceed 0.4.

(7) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the AC-2 zone for the wrecking and repair of vehicles or for the storage of derelict vehicles
- (b) All persons carrying out a use permitted in the AC-2 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
- (c) Where a sleeping unit is proposed, it shall:
 - (i) be designed and constructed as an integral part of the principal building and dwelling unit;
 - (ii) have a separate entrance from that of any residential use;
 - (iii) despite any other provision of this Bylaw, a sleeping unit is specifically permitted in the AC-2 zone, and may be occupied or used for tourist accommodation separately and independently from the remainder of the dwelling unit within which it is contained. (*Bylaw 2305, Amnd 89*)

INDUSTRIAL, WHOLESALE AND TRANSPORTATION ZONE: M-1

7.13

(1) Permitted Uses

Within the M-1 zone the following uses only are permitted:

- (a) manufacturing Industry;
- (b) service Industry;
- (c) processing Industry;
- (d) welding, machine and repair shops;
- (e) equipment wholesaling and repairs;
- (f) transportation;
- (g) truck terminals;
- (h) storage and sale of construction materials;
- (i) warehousing and cold storage;
- (j) bulk storage, sale of materials;
- (k) storage and sale of feed and fertilizer;
- (l) tire manufacturing, including vulcanizing, sales, services and repairs;
- (m) monument including sales;
- (n) vehicle (Bylaw 1913 Amnd 12) sales, wrecking and repair of vehicles;
- (o) public utility use;
- (p) park;
- (q) salvage yard;
- (r) silviculture;
- (s) greenhouse and nursery;
- (t) recycling depot (*Bylaw 1913, Amnd 12*)

(2) Accessory Uses

- (a) retail sales accessory to a permitted use;
- (b) office accessory to a permitted use;
- (c) dwelling unit, mobile home or modular home accessory to a permitted use, subject to subsection (4) of this Section;
- (d) outdoor storage yard accessory to a permitted use;
- (e) buildings and structures accessory to a permitted use.

(3) Parcel Area and Dimensions

No parcel shall be created in the M-1 zone which is less than 0.4 hectare (1.0 acre) in area.

(4) Density

No person shall construct or permit construction of more than one (1) dwelling unit, mobile home, or modular home on a parcel in the M-1 zone and the one (1) dwelling unit, mobile home or modular home shall be located on the same parcel as that of the principal use.

(5) Siting

(a) No person shall site a building or structure in the M-1 zone which has:

- (i) a front yard less than 7.5 m (25 ft.);
- (ii) a rear yard less than 4.5 m (15 ft.), nor less than 15.0 m (50 ft.) in the case of a rear yard which abuts a parcel in a Residential zone;
- (iii) an interior side yard less than 4.5 m (15 ft.), nor less than 15.0 m (50 ft.) in the case of an interior side yard which abuts a parcel in a Residential zone;
- (iii) an exterior side yard less than 7.6 m (25 ft.).

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a building or structure in the M-1 zone which exceeds a height of 12.0 m (40 ft.).
- (b) The site coverage shall not exceed 0.7.

(7) Other Regulations

- (a) All persons carrying out a use permitted in the M-1 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
- (b) Outdoor storage, display, and all other aspects of the operation of the use being carried out outdoors on a parcel in the M-1 zone shall be located not less than 15.0 m (50 ft.) from a parcel line abutting a Residential zone.
- (c) Off-street parking and loading spaces shall be located not less than 15.0 m (50 ft.) from a parcel line abutting a Residential zone.

LIGHT INDUSTRIAL ZONE: M-2

7.13A

(1) **Permitted Uses**

Within the M-2 Zone the following uses only are permitted:

- (a) The following retail trade industries:
 - (i) vehicles, parts, accessories and repairs;
 - (ii) building supply, lawn and garden shop;
 - (iii) feed and seed;
- (b) Nurseries and greenhouses;
- (c) Carpentry, woodworking, cabinet and furniture, including repairs;
- (d) Electrical, electronic and communication products;
- (e) Sign and display industries;
- (f) The following service industries:
 - (i) building, developing and general contracting industry;
 - (ii) trade contracting industry;
- (g) Engineering services;
- (h) Refrigerated warehousing industry;
- (i) Storage and warehousing industry including the storage of recreational vehicles;
- (j) Printing and publishing industry;
- (k) Wholesale trade industry;
- (l) Janitorial service;
- (m) Auction sales;
- (n) Veterinary clinic; subject to Subsection 6 (e) of this Section;
- (o) Animal grooming service;
- (p) Public utility use;
- (q) Public Building;
- (r) Public utility, vehicle storage and equipment storage yard.

(2) **Accessory Uses**

- (a) retail sales accessory to a permitted use;
- (b) office accessory to a permitted use;
- (c) outdoor storage yard accessory to a permitted use;
- (d) buildings and structures accessory to a permitted use.

(3) **Parcel Area and Dimensions**

No parcel shall be created in the M-2 zone which is less than 0.2 hectare (0.5 acre) in area.

(4) Siting

- (a) No person shall site a building or structure in the M-2 zone which has:
- (i) a front yard less than 7.5 m (25 ft.);
 - (ii) a rear yard less than 4.5 m (15 ft.), nor less than 15.0 m (50 ft.) in the case of a rear yard which abuts a parcel in a Residential zone;
 - (iii) an interior side yard less than 4.5 m (15 ft.), nor less than 15.0 m (50 ft.) in the case of an interior side yard which abuts a parcel in a Residential zone;
 - (iv) an exterior side yard less than 7.5 m (25 ft.).

(5) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a building or structure in the M-2 zone which exceeds a height of 7.5 m (25 ft.).
- (b) The site coverage shall not exceed 0.7.

(6) Other Regulations

- (a) All persons carrying out a use permitted in the M-2 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
- (b) All persons carrying out a use permitted in the M-2 zone shall conduct the business or undertaking within a completely enclosed building, except for:
 - (i) off-street parking and loading spaces and driveways;
 - (ii) outdoor storage yards, provided the yards are screened in accordance with the provisions of Section 4.10 of this Bylaw.
- (c) All portions of a parcel in the M-2 zone not occupied by buildings, structures, off-street parking and loading areas and outdoor storage shall be landscaped and maintained in good condition.
- (d) No person shall use or permit the use of any portion of a parcel in the M-2 zone for the wrecking of vehicles or for the storage of derelict vehicles.
- (e) All pens and runs associated with a veterinary clinic shall be enclosed.
- (f) Outdoor storage shall be located other than in the front yard. (*Bylaw 1942, Amnd 18*)

SOLAR INDUSTRIAL ZONE: M-3

7.13B

(1) Intent

The intent of this zone is to provide for energy generation from renewable sources to foster diversification and growth in the local economy and support environmentally, socially and economically sustainable community development.

(2) Permitted Uses

The following uses only are permitted:

- (a) solar energy facility;
- (b) public utility use.

(3) Accessory Uses

- (a) buildings and structures accessory to a permitted use;

(4) Parcel Area and Dimensions

- (a) The minimum required parcel area is one hectare (2.47 acres).

(5) Siting

- (a) No person shall site a principal building or structure in the M-3 zone which has a yard less than 7.6 m (25 ft.).
- (b) No person shall site an accessory building or structure in the M-3 zone which has a yard less than 4.6 m (15 ft.).

(6) Maximum Height of Buildings and Structures

- (a) No person shall construct or permit construction of a building or structure which exceeds a height of 12 m (40 ft.).

(7) Other Regulations

- (a) All persons carrying out a use permitted in the M-3 Zone shall comply with the relevant provisions of Sections 4 (General Regulations) and 5 (Parcel Area Requirements) of this Bylaw. (*Bylaw 2471 Amnd 119*)

PUBLIC INSTITUTIONAL ZONE: P-1

7.14

(1) **Permitted Uses**

Within the P-1 zone, the following uses only are permitted:

- (a) public and denominational school, college and university;
- (b) senior citizens drop-in centre;
- (c) hospital;
- (d) community hall;
- (e) club or lodge;
- (f) public building;
- (g) library, archives, museum, and art gallery;
- (h) community theatre;
- (i) park;
- (j) place of worship; (Bylaw 2463 Amnd 116)
- (k) public utility use;
- (l) assembly use;
- (m) group home.
- (n) seniors housing (*Bylaw 2043, Amnd 42*)

(2) **Accessory Uses**

- (a) child care facility;
- (b) group daycare;
- (c) Buildings and Structures accessory to a permitted use. (*Bylaw 2442 Amnd 113*)

(3) **Siting**

- (a) No person shall site a building or structure in the P-1 zone which has a yard less than 6.0 m (19.6 ft.) where that yard abuts a parcel in a Residential zone. (Bylaw 2463 Amnd 116)
- (b) No person shall site an accessory building in the P-1 zone which has:
 - (i) A front yard less than 6.0 m (19.7 ft.);
 - (ii) A rear yard less than 1.5 m (5 ft.);
 - (iii) An interior side yard less than 1.5 m (5 ft.);
 - (iv) An exterior side yard less than 3 m (9.8 ft.). (*Bylaw 2463 Amnd 116*)

(4) **Size and Dimensions of Buildings and Structures**

- (a) No person shall construct or permit construction of a building or structure in the P-1 zone which exceeds a height of 12.0 m (40 ft.);
- (b) "The maximum height of a detached building for a dwelling unit accessory to a place of worship in the P-1 zone shall be 7.62 m (25 ft.) or 85% of the height of the principal building, whichever is the lesser;
- (c) The maximum height of an accessory detached building in the P-1 zone shall be 4.5 m (15 ft.) above finished grade. (*Bylaw 2463 Amnd 116*)

(5) **Other Regulations**

All persons carrying out a use permitted in the P-1 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.

PUBLIC UTILITY ZONE: P-2

7.15

(1) Permitted Uses

Within the P-2 zone, the following uses only are permitted:

- (a) public utility, vehicle storage and equipment storage yard;
- (b) sanitary landfill site and facilities including recycling depot;
- (c) extraction of sand and gravel, including grading, washing, screening, crushing and transporting of materials;
- (d) public utility use;
- (e) park;
- (f) sewage treatment plant.

(2) Accessory Uses

- (a) Office, accessory to a permitted use;
- (b) Asphalt plant accessory to gravel extraction;
- (c) Buildings and structures accessory to a permitted use.

(3) Siting

No person shall site a building or structure in the P-2 zone which has a yard less than 6.0 m (19.6 ft.) where that yard abuts a parcel in a Residential zone.

(4) Other Regulations

All persons carrying out a use permitted in the P-2 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.

COMMUNITY RECREATION ZONE: P-3

7.16

(1) Permitted Uses

Within the P-3 zone, the following uses only are permitted:

- (a) community recreation use;
- (b) community halls;
- (c) outdoor recreation, excluding motorbiking and snowmobiling;
- (d) public utility use;
- (e) golf course;
- (f) public building. (*Bylaw 2202, Amnd 66*)

(2) Accessory Uses

Buildings and structures accessory to a permitted use.

(3) Siting

No person shall site a building or structure in the P-3 zone which has a yard less than 6.0 m (19.6 ft.) where that yard abuts a parcel in a Residential zone.

(4) Size and Dimensions of Buildings and Structures

No person shall construct or permit construction of a building or structure in the P-3 zone which exceeds a height of 12.0 m (40 ft.).

(5) Other Regulations

All persons carrying out a use permitted in the P-3 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.

SPECIAL INSTITUTIONAL ZONE: P-4

7.17

(1) Permitted Uses

Within the P-4 zone, the following uses only are permitted:

- (a) cemetery & crematorium;
- (b) columbarium;
- (c) park;
- (d) public utility use.

(2) Accessory Uses

Building and structures accessory to a permitted use.

(3) Other Regulation

All persons carrying out a use permitted in the P-4 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.

PUBLIC HEALTH CARE ZONE: P-5

7.17A

(1) Permitted Uses

Within the P-5 zone, the following uses only are permitted:

- (a) public and denominational school, college and university;
- (b) senior citizens drop-in centre;
- (c) hospital;
- (d) public building;
- (e) park;
- (f) public utility use;
- (g) assembly use;
- (h) seniors housing ;
- (i) offices;
- (j) stores;
- (k) laboratories;
- (l) personal services;
- (m) laundry;
- (n) health services;
- (o) food services;

(2) Accessory Uses

Other uses, buildings and structures accessory to a permitted use.

(3) Size and Dimensions of Buildings and Structures

No person shall construct or permit construction of a building or structure in the P-5 zone which exceeds a height of 12.0 m (40 ft.).

(4) Other Regulations

All persons carrying out a use permitted in the P-5 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw. (*Bylaw 2203 Amnd 67*)

SKI HILL RECREATION ZONE: RC-1

7.18

(1) Permitted Uses

Within the RC-1 zone, the following uses only are permitted:

- (a) "outdoor recreation uses including bicycling and excluding snowmobiling and motor biking except;
 - (i) snowmobiling associated with a ski resort operation; and
 - (ii) motorbiking associated with a ski resort operation. (Bylaw 2096, Amnd 48)"
- (b) restaurants, banquet and conference facilities, lounges, and associated entertainment facilities;
- (c) hiking, snow shoeing and cross-country skiing;
- (d) sports equipment and associated retail sales and sports equipment repair and rental;
- (e) public utility use;
- (f) park.

(2) Accessory Uses

Buildings and structures accessory to a permitted use.

(3) Parcel Area and Dimensions

No parcel shall be created in the RC-1 zone which is less than 1 hectare (2.47 acres) in area.

(4) Density

No person shall construct or permit construction of more than one (1) principal building on a parcel in the RC-1 zone.

(5) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building in the RC-1 zone which exceeds a height of 12.0 m (40 ft.).
- (b) No person shall construct or permit construction of an accessory building or structure in the RC-1 zone which exceeds a height of 12.0 m (40 ft.).
- (c) The site coverage shall not exceed 0.5.

(6) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the RC-1 zone for the wrecking and repair of vehicles or for the storage of derelict vehicles.
- (b) All persons carrying out a use permitted in the RC-1 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.

RECREATION CONSERVATION ZONE: RC-2

7.19

(1) Permitted Uses

Within the RC-2 zone, the following uses only are permitted:

- (a) wildlife habitat and refuges;
- (b) campground and picnic areas;
- (c) hiking, snow shoeing and cross-country skiing;
- (d) fishing;
- (e) parks and playgrounds;
- (f) public utility use;
- (g) mini golf.
- (h) outdoor recreation uses including bicycling and excluding snowmobiling and motorbiking (*Bylaw 2096, Amnd 48*)

(2) Accessory Uses

Buildings and structures accessory to a permitted use.

CD-1 Zone (Repealed - Bylaw 2709, Amnd 155)

7.20 (Repealed – Bylaw 2709, Amnd 155)

COMPREHENSIVE DEVELOPMENT ZONE: CD-2

7.21

(1) Permitted Uses

Within the CD- 2 zone, the following uses only are permitted:

- (a) multiple family;
- (b) indoor storage;
- (c) office;
- (d) public utility use;
- (e) park.

(2) Accessory Uses

- (a) buildings and structures accessory to a permitted use.

(3) Parcel Area and Dimensions

- (a) No parcel shall be created in the CD- 2 zone which is less than 3,555 m² (38,265 ft²).

(4) Density

The maximum floor space ratio is 0.45.

(5) Siting

- (a) No person shall site a principal building in the CD- 2 zone which has:
 - (i) a front yard less than 7.6 m (25 ft.);
 - (ii) a rear yard less than 7.6 m (25 ft.);
 - (iii) an interior side yard less than 6 m (20 ft.).
- (b) No person shall site an accessory building or structure in the CD- 2 zone which has:
 - (i) a front yard less than 7.6 m (25 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.);
 - (iii) an interior side yard less than 3.0 m (9.9 ft.).

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a dwelling unit in the CD- 2 zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as the same may from time to time be amended.
- (b) No person shall construct or permit construction of a principal building in the CD-2 zone which exceeds a height of 9.1m (30 ft.).

- (c) No person shall construct or permit construction of an accessory building or structure in the CD-2 zone which exceeds a height of 4.5 m (15 ft.).
- (d) The site coverage shall not exceed 0.4.

(7) Landscaping

- (a) Minimum landscape requirements for the front and side yard areas shall be:
 - (i) 40 percent of the front, and side yard areas shall have no impervious surfaces or vehicular use;
 - (ii) a portion of the required pervious surface area, equivalent to 20 percent of the front yard area, shall be reserved for landscape areas and extensively planted with trees and shrubs.

(8) Other Regulations

- (a) Indoor storage use is only permitted in the basement of the principle building.
- (b) No person shall use or permit the use of any portion of a parcel in the CD-2 zone for the repair of vehicles or for the storage of derelict vehicles.
- (c) All persons carrying out a use permitted in the CD-2 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
(*Bylaw 2236 Amnd 75*)

COMPREHENSIVE DEVELOPMENT ZONE: CD-3

7.22

(1) Permitted Uses

Within the CD-3 zone, the following uses only are permitted:

- (a) multiple family;
- (b) office;
- (c) personal services;
- (d) retail;
- (e) hostel;
- (f) public utility use;
- (g) community recreation use;
- (h) park.

(2) Accessory Uses

- (a) buildings and structures accessory to a permitted use;
- (b) tourist accommodation, subject to subsection (6)(b) of this section;
- (c) boarding and lodging;
- (d) sleeping units, subject to subsection (6)(a) of this section;

(3) Parcel Area and Dimensions

No parcel shall be created in the CD-3 zone which is less than 390 sq m (4200 sq ft).

(4) Siting

- (a) No person shall site a principal building in the CD-3 zone which has:
 - (i) a side yard less than 6 m (20 ft) that abuts a parcel in a residential zone.
- (b) No person shall site an accessory building or structure in the CD-3 zone which has:
 - (i) a side yard less than 3 m (10 ft) that abuts a parcel in a residential zone.

(5) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a dwelling unit in the CD-3 zone which has a gross floor area less than the minimum standards set forth in the current edition of the BC Building Code, as the same may from time to time be amended.
- (b) No person shall construct or permit construction of a principal building in the CD-3 zone which exceeds a height of 10 m (32.8 ft).

- (c) No person shall construct or permit construction of an accessory building or structure in the CD-3 zone which exceeds a height of 4.5 m (15 ft).

(6) Other Regulations

- (a) Floor area designed, intended or used for all commercial uses shall not be less than 100 square metres.
- (b) Where a residential dwelling unit, tourist accommodation or sleeping unit is proposed it shall:
 - (i) be designed and constructed as an integral part of the principal building;
 - (ii) be located to the rear of the first floor or on the second and third floors of the principal building;
 - (iii) have an entrance(s) provided from outside the building, separate from that of any commercial use.
- (c) No person shall use or permit the use of any portion of a parcel in the CD-3 zone for the repair of vehicles or the storage of derelict vehicles.
- (d) All persons carrying out a use permitted in the CD-3 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
(*Bylaw 2303, Amnd 88*)

COMPREHENSIVE DEVELOPMENT ZONE: CD-4

7.23

(1) Permitted Uses

Within the CD-4 zone, the following uses only are permitted:

- (a) single family dwelling;
- (b) public utility use;
- (c) park.

(2) Accessory Uses

- (a) buildings and structures accessory to a permitted use; (Bylaw 2479, Amnd 120)
- (b) home based business (classification 1)

(3) Parcel Area and Dimensions

- (a) No parcel shall be created in the CD-4 zone which is less than 750 m² (8073 ft.²) in area.
- (b) No parcel shall be created in the CD-4 zone which has a front parcel line less than 18.2 m (60 ft.) in length, except that in the bulb of a cul-de-sac, the front parcel line shall be not less than 9.1 m (30 ft.) in length.
- (c) The maximum number of lots to be created is 47.

(4) Density

No person shall construct or permit construction of more than one (1) single family dwelling on a parcel in the CD-4 zone.

(5) Siting

- (a) No person shall site a principal building in the CD-4 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a arear yard less than 6.0 m (19.6 ft.);
 - (iii) an interior side yard less than 1.5 m (5 ft.), and in the case of irregular parcels, at no point shall the distance between the interior side parcel line and the outermost projection of the building be less than 1.5 m (5 ft.);
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.).
- (b) No person shall site an accessory building or structure in the CD-4 zone which has:
 - (i) a front yard less than 6.0 m (19.6 ft.);
 - (ii) a rear yard less than 1.5 m (5 ft.);
 - (iii) an interior side yard less than 0.9 m (3 ft.);
 - (iv) an exterior side yard less than 3.0 m (9.9 ft.). (Bylaw 2479, Amnd 120)

(6) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a principal building in the CD-4 zone which exceeds a height of 9.1 m (30 ft.).
- (b) No person shall construct or permit construction of an accessory building in the CD-4 zone which exceeds a height of 4.5 m (15 ft.).
- (c) The site coverage shall not exceed 0.3. (*Bylaw 2479, Amnd 120*)

(7) Other Regulations

- (a) Development within the CD-4 zone shall be in substantial compliance with Drawing Number 07124722-01 prepared by Focus Engineering, Cranbrook, BC, as shown attached.
- (b) The area to be designated as open space within the CD-4 zone is to be approximately 40% of the total parcel area.
- (c) No person shall use or permit the use of any portion of a parcel in the CD-4 zone for the repair of vehicles or for the storage of derelict vehicles.
- (d) All persons carrying out a use permitted in the CD-4 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw. (*Bylaw 2329, Amnd 93*)

COMPREHENSIVE DEVELOPMENT ZONE: CD-5

7.24

(1) Intent

The intent of this zone is to provide for a variety of housing types, including single family, two family, multiple family, modular home and carriage housing. (Bylaw 2393 Amnd 104)

(2) Permitted Uses

Within the CD-5 zone, only the following uses are permitted:

- (a) single family dwelling
- (b) two family dwelling
- (c) multiple family dwelling
- (d) modular home (Bylaw 2393 Amnd 104)
- (e) public utility use
- (f) park

(3) Accessory Uses

- (a) home-based business (classification 2)
- (b) carriage house dwelling
- (c) boarding and lodging
- (d) child care facility
- (e) buildings and structures accessory to a permitted use
- (f) off-street parking area
- (g) sales centre

(4) Use Regulations specific to this zone

- (a) A park in the CD-5 zone shall include publicly accessible playgrounds, including playground structures, and publicly accessible pathways and trails that connect to neighbouring pathway systems.
- (b) An off-street parking area, accessory to a park in the CD-5 zone may include a free standing roofed structure above some or all parking spaces. Columns but not walls shall support the roofed structure.
- (c) A single family dwelling, and/or a two family dwelling, and/or a modular home (Bylaw 2393 Amnd 104) and/or a multiple family dwelling unit that is constructed in the CD-5 zone may be used as a sales centre for development in the CD-5 zone. The sales centre unit or units shall be converted to residential use when the last building parcel within the development is sold. No more than three (3) sales centres shall be operated at any one time in the CD-5 zone.
- (d) A carriage house dwelling shall not be used for bed and breakfast or tourist accommodation.

(5) Parcel Area and Dimensions

- (a) No single family dwelling or modular home (Bylaw 2393 Amnd 104) parcel shall be created in the CD-5 zone that is less than 557.4 m² (6,000 ft²).

- (b) No person shall site a two family dwelling on a parcel in the CD-5 zone that is less than 650.3 m² (7,000 ft²).
- (c) No person shall site a multiple family dwelling on a parcel in the CD-5 zone that is less than 929 m² (10,000 ft²).
- (d) No parcel in the CD-5 zone shall be created that has a front parcel line less than 16.76 m (55 ft) except that in the bulb of a cul-de-sac the front parcel line shall be not less than 9.144 m (30 ft).
- (e) No multiple family dwelling parcel in the CD-5 zone shall be created that has a front parcel line less than 30 m (98.4 ft).
- (f) A parcel in the CD-5 zone may be subdivided along a common wall of a two family dwelling provided each parcel after subdivision is not less than 325.15 m² (3,500 ft²).
- (g) Where a parcel with a two family dwelling located on it is subdivided along the common wall, the front parcel line shall be not less than 9.1 m (30 ft) for each parcel created by the subdivision.
- (h) Side yard requirements do not apply to the parcel line along which a common wall is located.

(6) Density

- (a) No person shall construct or permit construction of more than one (1) single family dwelling or one (1) modular home or one (1) two family dwelling on a parcel in the CD-5 zone. *(Bylaw 2393 Amnd 104)*
- (b) No multiple family dwelling in the CD-5 zone shall contain more than six (6) dwelling units. *(Bylaw 2404 Amnd 108)*
- (c) No more than one carriage house dwelling is permitted on a parcel containing a single family dwelling or modular home and a carriage house dwelling may not be subdivided. *(Bylaw 2393 Amnd 104)*

(7) Siting

- (a) No person shall site a principal building in the CD-5 zone that has:
 - (i) a front yard less than 6.0 m (19.6 ft).
 - (ii) a rear yard less than 6.0 m (19.6 ft).
 - (iii) an interior side yard less than 1.5 m (5 ft).
 - (v) an exterior side yard less than 3.0 m (9.9 ft).
- (b) No person shall site an accessory building or structure in the CD-5 zone that has:
 - (i) a front yard less than 6.0 m (19.6 ft).
 - (ii) a rear yard less than 3.0 m (9.9 ft).
 - (iii) an interior side yard less than 1.5m (5 ft) for a building or structure not exceeding 4.5m (15 ft) in height or an interior side yard less than 3.0m (9.9 ft) for a building or structure greater than 4.5m (15 ft) in height. *(Bylaw 2422 Amnd 111)*
 - (v) an exterior side yard less than 3.0 m (9.9 ft).
- (c) The site coverage shall not exceed:
 - (i) 0.35 for a single family dwelling or modular home parcel. *(Bylaw 2393 Amnd 104)*
 - (ii) 0.50 for a two family dwelling parcel.
 - (iii) 0.82 for a multiple family dwelling parcel.

- (iv) 0.30 for a single family dwelling or modular home parcel with a carriage house dwelling. *(Bylaw 2393 Amnd 104)*
- (d) A minimum of two (2) off-street parking spaces shall be provided for each dwelling unit, except that a minimum of one off-street parking space shall be provided for a carriage house dwelling in addition to the parking required for the principal dwelling.

(8) Size and Dimensions of Buildings and Structures

- (a) No person shall construct or permit construction of a carriage house dwelling in the CD-5 zone with less than a gross floor area of 60 m² (645 ft²) or more than 120 m² (1290 ft²).
- (b) The maximum floor space ratio of a single family dwelling or modular home parcel with a carriage house dwelling is 0.50. *(Bylaw 2393, Amnd 104)*
- (c) The maximum permitted gross floor area of a single family dwelling or modular home is 420 m² (4,520 ft²) or a floor space ratio of 0.35, whichever is the lesser. *(Bylaw 2393 Amnd 104)*
- (d) The maximum permitted gross floor area of each dwelling unit in a two family dwelling is 250 m² (2,690 ft²) or a floor space ratio of 0.70, whichever is the lesser.
- (e) The maximum permitted gross floor area of each dwelling unit in a multiple family dwelling in the CD-5 zone is 250 m² (2,690 ft²), not including basement level parking and storage areas.
- (f) No person shall construct or permit construction of a principal building with a height greater than:
 - (i) 11.0 m (36.1 ft) above finished grade for a single family dwelling, modular home *(Bylaw 2393 Amnd 104)* or two family dwelling.
 - (ii) 12.0 m (39.3 ft) above finished grade for a multiple family dwelling.
- (g) No person shall construct or permit construction of a carriage house dwelling in the CD-5 zone that exceeds a height of 9.1 m (30 ft). All other accessory buildings and structures shall not exceed a height of 4.5m (15 ft.).

(9) Other Regulations

- (a) No person shall use or permit the use of any portion of a parcel in the CD-5 zone for the repair of vehicles or the storage of any derelict vehicle.
- (b) All persons carrying out a use permitted in the CD-5 zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of Bylaw No 1850. *(Bylaw 2362, Amnd 98)*

COMPREHENSIVE DEVELOPMENT ZONE: CD-6

7.25

(1) Purpose

The intent of this zone is to provide for up to 500 residential units in a mix of housing types, additional affordable housing units, recreational uses, neighbourhood oriented and tourist oriented commercial uses, and light industrial activity.

- (2) Subject to the regulations in subsections (6) and (7), the following uses only may be allowed in all areas within the CD-6 zone other than the commercial centres and light industrial service area shown in subsection (5):

Permitted Uses:

- (a) single family dwellings;
- (b) two family dwellings;
- (c) multiple family dwellings;
- (d) supportive housing;
- (e) equestrian facilities;
- (f) recreational lakes and ponds;
- (g) toboggan hills;
- (h) parks;
- (i) public schools;
- (j) community recreation uses;
- (k) community gardens;
- (l) assembly uses;
- (m) club or lodge.

Accessory Uses:

- (a) carriage house dwellings;
- (b) accessory dwellings;
- (c) child care facilities;
- (d) public utilities;
- (e) buildings and structures accessory to the permitted use;
- (f) boarding and lodging;
- (g) bed and breakfasts;
- (h) tourist accommodation;
- (i) home based businesses (classification 1);

- (3) Subject to the regulations in subsections (6) and (7), the following uses only may be allowed in the CD-6 commercial centre areas shown in subsection (5):

Permitted Uses:

- (a) arts studios and plazas;
- (b) business and professional offices;
- (c) commercial school;
- (d) convenience store;
- (e) educational academy;
- (f) hotel;
- (g) motel;
- (h) multiple family dwelling;
- (i) neighbourhood pub;
- (j) personal services;
- (k) restaurant.

Accessory Uses:

- (a) accessory commercial uses;
- (b) retail accessory to hotel;
- (c) public utilities;
- (d) buildings and structures accessory to the permitted use.

- (4) Subject to the regulations in subsections (6) and (7), the following uses only may be allowed in the CD-6 light industrial service areas shown in subsection (5):

Permitted Uses:

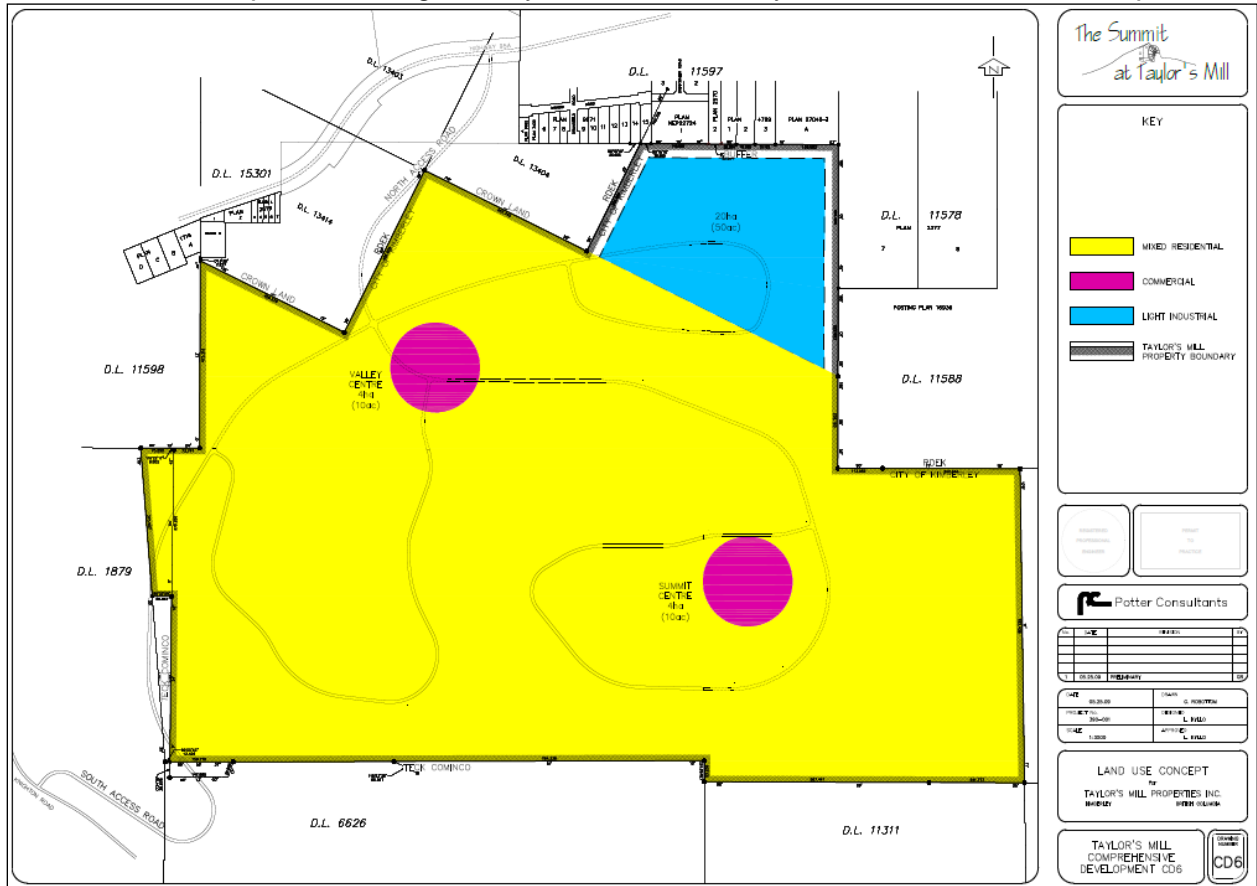
- (a) building and trade contracting industry;
- (b) craft workshop;
- (c) nursery or greenhouse;
- (d) veterinary clinic.

Accessory Uses:

- (a) live work units;
- (b) public utilities;
- (c) buildings and structures accessory to the permitted use.

(5) Land Use Concept Plan

Development shall generally adhere to the Taylor's Mill Land Use Concept Plan.



(c) For all uses listed in subsection (4), the following conditions will apply:

Taylor's Mill Comprehensive Development: CD-6 Light Industrial Service Areas		
Requirements	All Uses in 7.25 (4)	With Live Work Unit
Minimum Parcel Area m ² (ac)	4,047 (1)	4,047 (1)
Minimum Front Parcel Line m (ft)	30.0 (98)	30.0(98)
Maximum Floor Space Ratio	0.5	0.7
Maximum Site Coverage	0.7	0.7
Minimum Landscaped Area - m ² (ft ²)	10% of parcel area	20% of parcel area
Minimum Yards - m (ft)		
Front Yard	15.0 (49.2)	6.0 (19.6)
Rear Yard	15.0 (49.2)	15.0 (49.2)
Interior Side Yard	5 (16)	5 (16)
Exterior Side Yard	5 (16)	5 (16)
Maximum Height - m (ft)	7.5 (25)	7.5 (25)

(7) Other Regulations

(a) General Regulations

- (i) All persons carrying out a use permitted in the CD-6 zone shall comply with the relevant provisions of Sections 4 (General Regulations) and 6 (Parking and Loading Regulations) of this Bylaw.
- (ii) No person shall use or permit the use of any portion of a parcel for the repair of vehicle or for the storage of derelict vehicles.

(b) Residential Regulations

- (i) Supportive housing complexes shall include at least 15% of the total building area as indoor common amenity including dining rooms, recreation and leisure areas and a minimum of 100 square metres of usable outdoor common amenity space including recreation and leisure areas;
- (ii) The minimum separation between buildings shall be 6.0 metres (20 ft).
- (iii) A parcel may be subdivided along a common wall of a two family dwelling provided each parcel after subdivision is not less than 557 m² (6,000 ft²).
- (iv) Where a parcel with a two family dwelling located on it is subdivided along the common wall, the front parcel line shall be not less than 9.1 m (30 ft) for each parcel created by the subdivision.
- (vi) Side yard requirements do not apply to the parcel line along which a common wall is located.

- (vi) Multifamily dwellings shall adhere to a maximum permitted floor space ratio of 0.40 when less than fifty percent (50%) of the required off-street parking is fully enclosed, a maximum permitted floor space ratio of 0.50 when a minimum of fifty percent (50%) of the required off-street parking is fully enclosed and a maximum permitted floor space ratio of 0.65 when a minimum of sixty five percent (65%) of the required off-street parking is located below grade in an underground parking structure.
 - (vii) No more than one carriage house dwelling or accessory dwelling is permitted on a parcel containing a single family dwelling and a carriage house dwelling or accessory dwelling may not be subdivided.
 - (viii) A single family dwelling parcel with a carriage house dwelling or an accessory dwelling shall have one off-street parking space in addition to the parking required for the principal dwelling.
 - (ix) A carriage house dwelling or an accessory dwelling shall not be used for bed and breakfast or tourist accommodation.
 - (x) Tourist accommodation may only be permitted as an accessory use to single and two family dwellings in specific locations identified at subdivision and regulated by covenant to minimize impacts to adjacent properties.
- (c) Commercial Regulations
- (i) Only one hotel or motel development will be permitted in the CD-6 zone.
 - (ii) A maximum of two restaurants and one neighbourhood pub will be permitted in the CD-6 zone. Restaurants shall be limited by development permit to a size and scale intended primarily to serve nearby residents. Drive-through facilities, where customers order and receive food or other goods in their motor vehicles via one or more designated drive-through lanes, shall not be permitted.
 - (iii) A maximum of one convenience store will be permitted in a location that is convenient for the surrounding residents. Drive-through facilities, where customers order and receive goods or services in their motor vehicles via one or more designated drive-through lanes, shall not be permitted.
 - (iv) Accessory commercial uses may only be permitted accessory to a multiple family dwelling and shall be limited to a size and scale intended primarily to serve residents of the principal building. The total floor area dedicated to accessory commercial uses shall not exceed 10% of the total gross floor area of the principal building.
 - (v) Retail may only be permitted accessory to a hotel and shall be limited to a size and scale intended primarily to serve guests of the hotel. The total floor area dedicated to accessory retail uses shall not exceed 10% of the total gross floor area of the principal building.
 - (vi) Personal services in this zone despite any other provision of this bylaw, shall not include electrical appliance repairs, shoe repairs or pet shops.

(d) Recreational / Amenity Regulations

- (i) Despite subsection (6), each parcel used for equestrian facilities or pasture for horses shall be a minimum of 12,141 m² (3 acres) in size and shall provide at least 6,071 m² (1.5 acres) for each horse or mare with foal.
- (ii) Despite subsection (6), all stables, shelters or buildings used for sheltering horses shall be located not less than 30 m (98 ft) from the front parcel line nor less than 15 m (49 ft) from any other parcel line.

(e) Light Industrial Regulations

- (i) Light Industrial developments will be regulated through development permits that include details of the design of buildings, landscaping and the provision of amenity space for an accessory live work unit.
- (ii) No more than one live work unit is permitted on a parcel and a live work unit may not be subdivided.
- (iii) Light Industrial developments in this zone shall not involve any manufacturing or any other uses which creates or may create offensive or excessive noise, smoke, dust or other particulate matter, odour, toxic or nontoxic matter, radiation hazards, fire or explosive hazards, heat, humidity, glare or unsightly storage of goods, materials, or equipment.
- (iv) Light Industrial uses shall have a minimum 5 m (16 ft) landscaped buffer around the perimeter of the site and all outdoor storage must be screened from view from public roadways.
- (v) No parking, loading, storage, waste collection, outdoor service or display area shall be permitted in a required front, side or rear yard abutting a public roadway.
- (vi) Light Industrial uses shall not have more than 30% of the frontage used for driveways and no driveway may be more than 6.0 metres in width.
- (vii) All pens and runs associated with a veterinary clinic shall be enclosed. (*Bylaw 2412 Amnd 110*)

COMPREHENSIVE DEVELOPMENT ZONE: CD-7

7.26

(1) Intent

The regulations for this zone are intended to accommodate a mix of educational, commercial, residential and recreational uses to foster unique and diverse development that contributes to expanded social, cultural and economic opportunities in the community.

(2) Permitted Uses

Within the CD-7 zone, the following principal uses only are permitted:

- (a) School;
- (b) College, University
- (c) Commercial School;
- (d) Assembly Use;
- (e) Group Day Care;
- (f) Multiple Family Dwelling;
- (g) Park; and
- (h) Public Utility Use.

(3) Accessory Uses

- (a) accessory buildings and structures.

(4) Parcel Area and Dimensions

- (a) The minimum required parcel area is 0.4 ha (1 ac).

(5) Density

- (a) The maximum floor space ratio is 1.5.

(6) Siting, Size and Dimensions of Buildings and Structures

- (a) No person shall site a principal building or structure which has:
 - (i) a front yard less than 6 m (20 ft.);
 - (ii) a rear yard less than 6 m (20 ft.); or
 - (iii) a side yard less than 6 m (20 ft.).
- (b) No person shall site an accessory building or structure which has:
 - (i) a front yard less than 6 m (20 ft.);
 - (ii) a rear yard less than 3 m (10 ft.); or
 - (iii) a side yard less than 3 m (10 ft.).
- (c) Despite any other provision in this Bylaw, no building or structure shall be sited within 10 m (33 ft.) of a parcel line adjacent to, and roughly parallel with, Mark Creek.
- (d) The site coverage shall not exceed 0.5.
- (e) No person shall construct or permit construction of a principal building or structure which exceeds a height of 15.24 m (50 ft.).
- (f) No person shall construct or permit construction of an accessory building or structure which exceeds a height of 5.5 m (18 ft.).

(7) Other Regulations

- (a) All persons carrying out a use permitted in this zone shall comply with the relevant provisions of Sections 4 (General Regulations), 5 (Parcel Area Requirements) and 6 (Parking and Loading Regulations) of this Bylaw.
(Bylaw 2669, Amnd 146)

SECTION 8 ADOPTION

EFFECTIVE DATE OF BYLAW

8.01 This Bylaw shall come into force and effect on the date of passage by the municipal Council of the City of Kimberley

Read a first time this 14th day of March, 1994.

Received a Public Hearing on the 22nd day of March, 1994.

Read a second and third time on the 28th day of March, 1994.

Adopted this 28th day of March, 1994.

"J.E. Ogilvie"
Mayor

"George E.R. Stratton"
Clerk