

Bylaw No. 678, 2004, consolidated for convenience with amended Bylaw No.'s 682, 683, 685, 692, 695, 698, 710, 714 ,
721 and 740.

**THE CORPORATION OF THE VILLAGE OF
KEREMEOS**

**ZONING
BYLAW**

678, 2004

BASIC PROVISIONS SECTION 1

- 1.1 Application:** This Bylaw applies to all land, building and structures including the surface of water within the boundaries of the Village of Keremeos.
- 1.2 Conformity:** Land, including the surface of water, shall not be used and buildings and structures shall not be constructed, altered, located or used except as specifically permitted in this Bylaw.
- 1.3 Severability:** 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 portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.
- 1.4 Applicable Regulations.**
- .1 Where this Bylaw sets out two or more regulations that could apply to a situation, the most stringent regulation shall apply.
 - .2 Where this Bylaw sets out both the general and specific regulations that could apply to a situation, the specific regulation shall apply.
 - .3 Parcels created prior to the adoption of this Bylaw which do not meet the minimum parcel size and minimum parcel width may be used for the uses permitted in the zone in which the parcel is located, provided the other requirements of this Bylaw are met.
- 1.5 Compliance:** In addition to this Bylaw, compliance is required with any other applicable municipal bylaw, provincial or federal statute or regulation, and any easement, covenant, lease, scheme, or agreement which affects the use, building or structure.
- 1.6 Metric Units:** Metric units are used for all measurements in this Bylaw. The approximate imperial equivalent of those units are shown in brackets following each metric measurement and the bracketed figures are included for convenience only and do not form part of this Bylaw.

ADMINISTRATION SECTION 2

- 2.1 Inspection:** The CAO, the building inspector, or other officer or employee of the municipality who may be appointed by Council for that purpose, is hereby authorized to enter between the hours of 7:00 a.m. and 9:00 p.m., any day of the week, on any property that is subject to regulations under this Bylaw to ascertain whether the provisions of this Bylaw are being observed
- 2.2 Violation:** Every person who:
- .1 violates any of the provisions of this Bylaw;
 - .2 causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
 - .3 neglects or omits to do anything required under this Bylaw;
 - .4 carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this Bylaw;
 - .5 fails to comply with an order, direction or notice given under this Bylaw; or
 - .6 prevents or obstructs or attempts to prevent or obstruct the authorized entry of an officer onto property under Section 2.1;
- commits an offence under this Bylaw.
- 2.3 Offence:** Each day's continuance of an offence under Section 2.2 constitutes a new and separate offence.
- 2.4.1 Penalty:** Every person who commits an offence under this Bylaw is liable under the Villages Municipal Ticketing Bylaw, and or upon summary conviction.

DEFINITIONS SECTION 3

3.1 Meaning: In this Bylaw all words or phrases shall have their normal or common meaning except where this is changed, modified or expanded by the definitions set forth below:

ACCESSORY means a use, building or structure that is subordinate, customarily incidental and exclusively devoted to a principal building or use permitted on the same parcel.

AISLE means the area used by motor vehicles for access to and from off-street parking spaces, but does not include an access driveway and does not include an area for vehicle parking.

ALTERATION means a change or extension to any matter or thing or to any occupancy regulated by the B.C. Building Code. It includes but is not limited to:

- an addition or renovation to floor area or height;
- the removal of a portion of the building, wall, partition or beam.

APARTMENT BUILDING means a single building comprised of three or more dwelling units with shared entrance facilities, where none of the dwelling units are rented or are available for rent or occupation for periods of less than 30 days.

BASEMENT means a storey or stories of a building located below the first storey as defined in the B.C. Building Code.

BED AND BREAKFAST means temporary tourist accommodation which is incidental and subordinate to a single family dwelling and which contains up to three guest rooms intended primarily for the accommodation of the traveling public, and may include limited food service to the guests.

BUILDING means any structure used or intended for supporting or sheltering any use of occupancy by persons, animals or property and which is permanently affixed to the land.

BUSINESS SERVICES means establishments providing services to businesses including but not limited to legal, accounting, financial, engineering, communications, management, services; office equipment sales and service; stationery; advertising; courier; security; printing and photocopying.

CAMPGROUND means a use of land, for commercial purposes for the temporary accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers.

CAR WASH means a building or structure containing equipment for washing passenger vehicles, and may include an automated conveyor system. This definition also includes a self

service car wash, where the patron provides the labor to wash the vehicle.

CHURCH means a building wherein persons regularly assemble for religious worship, and which is maintained and controlled by a religious body organized to sustain public worship.

CLINIC means a public or private building used for medical, dental, physio-therapeutic, chiropractic or other human health treatment by one or more practitioners.

CLUB OR LODGE means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for cooperation or conviviality. Club or lodge shall also mean, where the context requires, premises owned or occupied by members of such association within which the activities of the club or lodge are conducted.

COMMERCIAL AMUSEMENT ENTERPRISE means a commercial establishment where permanent buildings or structures have been erected for the purposes of video games, pinball, billiards, coin operated games, and indoor mechanically or electrically operated rides and a restaurant may also be provided.

COMMERCIAL RECREATION FACILITY means user-pay recreational lands and facilities that include but are not limited to driving ranges, water slides, go-carts, batting cages, golf courses and other similar uses.

COMMUNITY CARE FACILITY, as defined and licensed under the Community Care Facility Act, as amended from time to time means any facility that: provides care, supervision, social or educational training or physical or mental rehabilitative therapy, with or without charge to 3 or more persons not related by blood or marriage to an operator of the facility; or provides food and lodging: but does not include:

- a school under the School Act;
- any portion of a facility licensed under the Hospital Act;
- a home approved as a foster home under the Family and Child Service Act;
- a home designated a youth containment centre under the Correction Act;
- a school primarily providing, in the opinion of the director, education training for children six (6) years of age or more;
- an approved home under the Mental Health Act;
- a facility designated by order or a class of facility designated by regulation of the Lieutenant Governor in Council not to be a community care facility; or a house providing day care for a sibling group only.

COMMUNITY SEWER SYSTEM means a system owned, operated and maintained by the Municipality for the collection, treatment and disposal of sanitary sewage.

COMMUNITY WATER SYSTEM means a system of waterworks, within the meaning of the Health Act, which is owned, operated and maintained by the Municipality, an Improvement District under the Water Act, or the Local Government Act.

CONVENIENCE STORE means a retail commercial establishment, not exceeding 225 square meters (2,421 sq. ft.) of floor area, supplying groceries and other daily household necessities, including but not limited to food, beverages, magazines, parceltery tickets, books, toiletries, stationary, tobacco products, plants and flowers. A convenience store may also include an automated teller machine.

C ZONE means all zones with only the letter C as a prefix to the numeral in the zone name, including but not limited to, C1 and C2 zones.

DEPTH OF PARCEL means the shortest distance between the front parcel line and rear parcel line.

DUPLEX means a building that is divided horizontally or vertically into two separate dwellings, each of which has an independent entrance either directly from the outside or through a common vestibule.

DWELLING means one or more habitable rooms when such room or rooms together contain only one set of cooking facilities, to be used for living and sleeping purposes by the members of a family or not more than three unrelated persons as a functioning set of living quarters, and which has a private entrance either from outside or from a common hall inside a multiple family building, and includes a Secondary Suite.

EATING ESTABLISHMENT means a building or part of a building where food is sold and served to the public for immediate consumption and includes such uses as a restaurant, cafe, cafeteria, take out counter, ice-cream parlor, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a boarding or lodging house.

FAMILY means one, two or more persons related by blood, marriage, common-law, adoption or foster parenthood sharing one dwelling.

FARM OPERATION means, as defined in the Farm Practices Protection (Right to Farm) Act, any of the following activities involved in carrying on a farm business:

- growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;
- clearing, draining, irrigating or cultivating land;
- using farm machinery, equipment, devices, materials and structures;
- applying fertilizers, manure, pesticides and biological control agents; and
- conducting any other agricultural activity on, in or over agricultural land.

FENCE means a constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

FLOOR AREA means the total floor area of all storeys of all buildings on a parcel measured to the outer limits of the building including all areas giving access thereto, such as corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies and mezzanines,

enclosed porches or verandas and excluding auxiliary parking, unenclosed swimming pools, balconies or sundecks, elevators or ventilating machinery.

GAS BAR means one or more pump islands, each consisting of one or more gasoline pumps and shelter having a floor area of not more than 20 square meters (215 sq. ft.), excluding washrooms, which is not used for the sale of any product other than snacks, drinks, automotive fluids, and small accessories required for the operation of motor vehicles, and is not used for repairs, oil changes, greasing, or steam cleaning.

GRADE means the average of the elevations of finished ground taken at the mid-point of each of the exterior walls of the building.

GROSS LEASABLE FLOOR AREA means the sum of the areas of each storey of a building measured from the centre line of joint interior partitions and from the exteriors of outside walls, and used or capable of being used for commercial purposes, such as sales, display, storage and offices, but excluding storage areas below established grade.

HEIGHT means the vertical distance from grade to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof or to the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, and in the case of a structure without a roof, to the highest point of the structure.

HIGH WATER MARK means the high water mark identified on the plan of subdivision or the plan accompanying the instrument conveying Crown land in fee simple, which plan was most recently filed in a Land Title Office before the adoption of this Bylaw.

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

HOME OCCUPATION means an occupation or profession which is conducted as a clearly subordinate use within a dwelling or an accessory building to the dwelling.

HOTEL means a building which contains sleeping units having a common entrance and providing accommodations for the traveling public. It may contain assembly, commerce, entertainment, indoor recreation or restaurant uses and premises licensed for on-site consumption of alcoholic beverages.

INSTITUTION includes an arena, art gallery, college, court of law, community centre, federal office, fire hall, holding cell, library, municipal office, provincial office, museum, park, playground, police station, hospital, school, stadium or swimming pool, and excludes a public storage yard or works yard, and ambulance services.

JUNK MATERIALS means used, discarded, worn out or scrapped machinery, vehicles, vehicle parts, tires, metal, chains, used pipes, waste paper, rags, enamelware, furniture, bottles, cans, rope, or other scrap or discarded materials.

LANDSCAPE SCREEN means an opaque visual barrier formed by a row of shrubs or trees or by a wooden fence or masonry wall or berm or by a combination of these.

LANE means a narrow highway less than 9 meters in width which provides secondary vehicular access to the side or rear of any abutting parcel, so that the parcel may be serviced or accessed by vehicles using that highway.

LIGHT MANUFACTURING means fabricating, processing, assembling and finishing that does not produce hazardous wastes, is undertaken completely within an enclosed building, has no outdoor storage, and produces no excessive odor or noise.

MOBILE BUSINESS means a business carried out solely from a motor vehicle or other conveyance designed to be moved from place to place.

MOBILE HOME means a factory built dwelling complying with CSA Standard Z240 MH Series - Mobile Homes at the time of manufacture. It is ready for occupancy upon completion of set-up in accordance with required factory recommended installation instructions. Mobile Homes may only be located in a "mobile home park"

MOBILE HOME PARK means a use of land for the purpose of providing spaces for the siting of two or more mobile homes used or intended for residential use.

MODULAR HOME means a building certified as being constructed to the requirements of the CSA A277-90 National Standard. A modular home is manufactured in a factory for transport, assembly and completion as a dwelling.

MOTEL means accommodation primarily for transients traveling by automobile, with a parking space on the parcel for each lodging unit, which may or may not provide cooking facilities for individual sleeping units, and with access to each such unit directly from the outside.

MUNICIPALITY means the Corporation of the Village of Keremeos or the area within the municipal boundaries thereof as the context may require.

M ZONE means all zones with the letter M as a prefix in the zone name, including but not limited to M1 and M2 zones.

NURSERY AND GARDEN SHOP means a building, structure and land used for growing, display and retail sale of plants and seeds together with gardening tools and equipment, gardening chemicals, landscaping materials, and related uses.

OFFICE means a building or part thereof, designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration, or, where not conducted on the site thereof, the administration of an industry, but does not include a retail commercial use, any industrial use, clinic, place of amusement or place of assembly.

OPEN AREA means open space located on the same parcel as the principal building, which open space:

- is required under this Bylaw to be used for landscaping or communal recreational purposes; and
- may include a landscaped area, rooftop gardens, tennis courts, swimming pools, communal lounges and private balconies to the extent of not more than 5 sq.m. of private balcony space per dwelling unit.

OPEN SPACE means the open, unobstructed space on a parcel, including the open unobstructed space accessible to all occupants of any residential or commercial building or structure on the parcel, which is suitable and used for the growth and maintenance of grass, flowers, bushes and other landscaping and may include any surface pedestrian walk, patio, pool or similar area, but does not include any driveway, ramp or parking area.

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

PARCEL COVERAGE means the percent of the parcel area covered by buildings or structures excluding parking areas, driveways and walkways.

PARCEL LINE, EXTERIOR SIDE means a side parcel line which abuts a highway other than a lane on a corner parcel.

PARCEL LINE, FRONT means the shortest parcel line common to a parcel and a highway (street) other than a lane.

PARCEL LINE, INTERIOR SIDE means a parcel line between two or more parcels, other than a front or rear parcel line. The interior side parcel line also includes a parcel line between the parcel and a lane along the side of the parcel.

PARCEL LINE, REAR means the boundary of a parcel which lies the most opposite to and is not connected to the front parcel line.

PARKING SPACE means an area identified for the parking of one motor vehicle and does not include aisle space.

PATIO means a surfaced, open space of land at grade adjacent to a residential dwelling unit which is used as an extension to the interior of the home for private or semi-private entertainment or leisure activities.

PERSONAL SERVICE ESTABLISHMENT means a business where services are provided for a gain and where the sale of retail goods is only accessory to the provision of such services, including but not limited to: barber shops, beauty salons, tailor shops; laundry or dry cleaning shops, Laundromat, watch repair, shoe repair shops.

PRINCIPAL BUILDING means a building which:

- occupies the major or central portion of a parcel;
- is the chief or main building on a parcel; or
- constitutes, by reason of its use, the primary purpose for which the parcel is used.

P ZONE means all zones with the letter P as a prefix in the zone name, including but not limited to P1 and P2 zones.

RETAIL STORE means a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service the retail use. Wholesale sales are permitted in the "M" zones only.

RM ZONE means all zones with the letters RM as a prefix in the zone name, including but not limited to the RM1 zone.

R ZONE means all zones with only the letter R as a prefix to the numeral or letter in the zone name, including but not limited to R1, R2, R3, R4, R5 and RD zones.

SERVICE STATION means premises or the portion thereof used principally for the retail sales by way of vending machines and the servicing of motor vehicles, but not other retail sales, any wholesale sales or motor vehicles structural or body repairs or painting.

SETBACK means the horizontal distance measured at right angles to the parcel line, between the parcel line and the building, structure, or use. Measured from a line drawn between property pins in the case of a curved lot line.

SINGLE FAMILY DWELLING means a detached building consisting of one dwelling used or intended for use as the permanent home or residence of one family, and which complies with the British Columbia Building Code whether built on site or a MODULAR HOME transported to the site.

SLEEPING UNIT means a room or set of habitable rooms used for temporary sleeping and living purposes.

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

STRUCTURE means any construction fixed to, supported by or sunk into land or water but not concrete or asphalt paving or similar surfacing.

TOWNHOUSE means a building not more than two storeys high divided into three or more dwelling units located side by side under one roof with private exits or entrances to each dwelling, with each dwelling sharing at least one common wall or party wall.

UTILITY means broadcast transmission, electrical, telephone, sewer, water, transportation or other services established by a government or a company and does not include oil or gas storage tanks or a public storage and works yard.

WIDTH OF PARCEL means the horizontal distance between the two side parcel lines measured at the minimum building setback from the front parcel line.**(see Diagram 3.3 below)**

WIDTH OF BUILDING means, specifically for a mobile or modular home, the width of the building at the time it is placed on the parcel, before vestibules, garages, decks or other additions are added to the mobile or modular home.

YARD, FRONT means the area of setback required from the front parcel line, or property pins in the case of a curved lot line.

YARD, SIDE means the area of setback required from the side parcel line.

YARD, REAR means the area of setback required from the rear parcel line.

ZONE means a zone established under this Bylaw.

GENERAL REGULATIONS SECTION 4

- 4.1 Applicability of General Regulations** Except as expressly excluded in this Bylaw, Section 4 applies to all zones established under this Bylaw.
- 4.2 Setback Exceptions** For Principal Buildings no features shall project into the setback required by this Bylaw, except the following:
- .1 soffits, gutters, cornices, sills, bay windows, chimneys, heating or ventilating equipment or other architectural features if the projections do not exceed 1m (3.2 ft.), measured horizontally;
 - .2 balconies, porches, canopies and sunshades and unenclosed stairwells if the projections, measured horizontally, do not exceed 1.5m (5.0 ft.) in the case of front yards and 0.6m (2.0 ft.) in the case of side yards, or
2m (6.5 ft.) in the case of rear yards if the foundations or supports for them do not encroach into any required front yard or side yard.

For accessory structures, no features shall project into the setback required by this Bylaw, except the following:

- .3 patio;
 - .4 arbors and trellises, fish ponds, ornaments, flag poles or similar features;
 - .5 an uncovered swimming pool, provided that such pool shall not be constructed within any required front yard nor nearer than 3m (9.84 ft.) to any parcel line; such pools shall be located within a fenced yard with a minimum fence height of 1.8 m (5.9 ft.) or the same around the pool.
 - .6 underground structures may be sited in any portion of a parcel provided that the top surface of such structure shall at no point extend above the average finished ground elevation.
- 4.3 Height Exceptions** The maximum height regulations of this Bylaw do not apply to the following:
- .1 dome, cupola, sculpture, chimney, steeple, belfry, antenna, pole, tower, water tank or mechanical appurtenance.

provided that no such structure shall cover more than 20% of the parcel, or if located on a building, not more than 10% of the roof area.

4.4 Public Utilities Public utility facilities for local transmission of water, sewage, electrical power, telephone, natural gas, cable television and other similar services (but not including sewage treatment plants, electrical substations, storage yards, works yards, maintenance buildings, or offices) are permitted in all zones, and individual parcels for the facilities are exempt from minimum parcel area requirements.

4.5 Accessory Building and Use

1. No accessory building, structure or use shall be permitted on any parcel unless the principal building on the parcel has already been erected or will be erected simultaneously with the accessory building, structure or use.
- .2 Notwithstanding Section 4.5.1 above, an accessory dwelling unit for caretaker or watchperson is permitted on a parcel zoned M1 or M2 without the principal building being required on the parcel.
- .3 Where an accessory building or structure is attached to the principal building, it shall be considered a part of the principal building and shall comply in all respects with the requirement of the Bylaw applicable to the principal building.

(Amended by Bylaw 721, 2006)

- .4 Shipping/cargo containers defined as prefabricated metal containers or boxes specifically constructed for the transport of goods by rail, ship or transport truck are not permitted within residential zones, specifically CR, R1, R2, R3, R4, R5, RD and RM1.'
- .5 Shipping/cargo containers, when permitted, shall not be reconstructed, altered or modified in any way to be used for living accommodation or human habitation.

4.6 Obstructions on Corners on a corner parcel within the sight triangle formed by the street lines and the line joining the points on the street lines, 6.0m (20 ft.) from the point of intersection of the street lines, no landscaping, screening, building or structure shall be planted or erected to a height greater than 1m (3 ft.) above the established grade of the street. **(see Diagram 4.1 on page 15)**

4.7 Landscaping and Screening (at Council's discretion)

1. A landscaped screen of not less than 1.5m (5 ft.) in height may be required at the time of development, and maintained along the boundary of a parcel line within C and M zones which abut R or P zones.
- .2 In the RM1, C and M zones, garbage bins and storage areas may be required to be screened from the view of highways and adjacent properties with a landscape screen:

4.8 Flood Protection

1. Shall comply with the requirements of Bylaw No. 642, 2003 (Floodplain Bylaw) and amendments.

4.9 Home Occupations

- .1 Home occupations shall be entirely enclosed within a building.
- .2 In R Zones, home occupations shall be entirely enclosed within the dwelling unit to which they are accessory, and shall not occupy more than twenty percent (20%) of the floor area.
- .3 In A and CR zones, the home occupation shall not occupy more than 100 square m.(1,076 sq. ft.) of the dwelling unit or accessory building.
- .4 Home occupations shall not involve the external storage or display of materials or finished products associated with the home occupation use.
- .5 In the A and CR zones, only persons residing in the dwelling unit associated with the home occupation use may be involved in a home occupation use, plus a maximum of two additional persons.
- .6 In R Zones, only persons residing in the dwelling unit associated with the home occupation use may be involved in a home occupation use, plus a maximum of one additional person.
- .7 Home occupations shall provide off street parking for all residents and employees making use of the facility.
- .8 An unlighted sign to identify the use conducted on the site may be placed in a window or attached to the exterior of the residence on the street side of residence and the size of sign shall be limited to 1,000 square cm (155 sq. in.).
- .9 A maximum of one commercial vehicle (complying with the Street and Traffic Bylaw) used for home occupation use is permitted to be parked or stored on the premises in R Zones, unless the additional commercial vehicles are completely enclosed within a building.
- .10 Home occupations shall **not** consist of:
 - .1 occupations that discharge or emit odorous, noxious or toxic matter or vapors, heat, glare, noise or radiation, or reoccurring ground vibrations;

- .2 occupations that result in traffic congestion, electrical interference, fire hazard or health hazards;
- .3 the salvage, repair, maintenance or sales of motor vehicles or motor vehicle engines or parts;
- .4 the sale of a commodity not produced on the premises, except that telephone or mail order sales of goods and small invitational sales gatherings such as Tupperware or Avon shall be permitted.
- .5 a commercial stable, kennel or animal breeding for commercial purposes;
- .6 restaurant;
- .7 parking or storage of industrial or construction equipment or materials.

4.10 Panhandle Parcels are prohibited.

(Amended by Bylaw 740, 2007)

4.11 Septic Disposal Systems:

1. No lots shall be created that are less than 1.0 hectares in size unless they are serviced by the community sewer system. The only exception to this provision are:
 - (a) subdivisions approved by the Provincial Agricultural Land Reserve Commission for a homesite severance or a subdivision in lieu of a homesite severance, or
 - (b) an institutional lot for utility services or park or open space where there will be no requirement for sewage disposal.
2. Septic Disposal Drain Fields must be approved by the Provincial Ministry of Health.

SCHEDULE "A"
FORMING PART OF BYLAW No. 683, 2005

OFF-STREET PARKING AND LOADING SECTION 5

APPLICATION OF REGULATIONS

5.1 Space for the off-street parking and loading of motor vehicles in respect of a use permitted under this Bylaw shall be provided and maintained in accordance with the regulations of this section.

This section applies only to new businesses or a change in use or area of an existing business only, from the date of adoption of this bylaw. Existing businesses are grandfathered and need not comply however are "encouraged" to comply.

5.2 NUMBER OF PARKING SPACES

- .1 The number of off-street parking spaces for motor vehicles required for any use is calculated according to Table 5.1 of this Bylaw in which Column I classifies the types of use and Column II sets out the number of required off-street parking spaces that are to be provided for each use in Column I.
- .2 In respect of a use permitted under this Bylaw which is not specifically referred to in Column I of Table 5.1, the number of off-street parking spaces is calculated on the basis of requirements for a similar use that is listed in Table 5.1 as determined by the Approving Officer.
- .3 Where the calculation of the required off-street parking spaces results in a fraction, one parking space shall be provided in respect of the fraction.
- .4 Where seating accommodation is the basis for a unit of measurement under this section and consists of benches, pews, booths or similar seating accommodation, each 0.5m (2 ft.) of length of such seating shall be deemed to be one seat.
- .5 Where more than one use is located on a parcel, the total number of parking or loading spaces to be required shall be the total of the requirements for all uses.

5.3 LOCATION OF PARKING SPACES

.1 **Except for uses in the C1 zone**, off-street parking spaces shall be located on the same or adjacent parcel as the use they serve.

- .2 **In the C1 zone**, off-street parking spaces may be located on another parcel within 125m (410 ft.) of the building or use under the condition that legal assurances, that are to the satisfaction of the Village of Keremeos, are established to ensure that the parcel or portion of the parcel is used only for parking that serves the building or use and for such time as may be required.
- .3 When a new business or change in the use of an existing business cannot provide the required number of off street parking, the following will apply.

Business Owners/Operators may enter into a “LEASE” agreement with the Village whereby they will be assessed an annual amount equal to the cost of the Village providing the required spaces either on or off street depending on location and availability. Non payment will be charged against the taxes of the property so long as the requirement exists.

5.4 STANDARDS

- .1 Each off-street parking space required by this Bylaw shall not be less than 2.6m (9 ft.) in width, 5.5m (18 ft.) in length and have a vertical clearance of not less than 4m (13 ft.).
- .2 Adequate provisions shall be made for individual entry or exit by vehicles to all parking spaces at all times by means of unobstructed maneuvering aisles, having widths not less than; **(see Diagram No. 5.1 on page 21)**
 - (a) 7.3m (24 ft.) - Where parking spaces are laid out at 90 degrees to the maneuvering aisle providing access to the space;
 - (b) 5.5m (18 ft.) - Where parking spaces are laid out at between 60 and 89 degrees inclusive to the maneuvering aisle providing access to space;
 - (c) 3.9m (13 ft.) - Where parking spaces are laid out at between 45 and 59 degrees inclusive to the maneuvering aisle providing access to space.
- .3 **Small car parking** Of the required number of parking spaces provided on a given site, a maximum of twenty percent (20%) may be designed to accommodate small car parking. A small car parking stall shall not be less than 2.45m (8 ft.) in width, and 4.9m (16.0 ft.) in length.
- .4 **Curb stops** shall be provided at the end of each parking stall where parking spaces have not been defined by painted lines, and where the parking area has not been provided with curbing.
- .5 **Paving** All parking areas comprised of 5 or more spaces in the RM1, C1, C2, P1, and P2 zones shall be surfaced with asphalt, concrete or similar pavement so as to provide

a surface that is durable and dust-free and shall be so graded and drained as to properly dispose of all surface water in accordance with good engineering practice, and with the approval of the Public Works Foreman.

- .6 **Use of parking areas** All required off-street parking shall be used for the purpose of accommodating vehicles of clients, customers, employees, members, residents or tenants who use the principal facility and such parking shall not be used for off-street loading, driveways, access or egress, commercial repair work, display sales or storage yards.
- 7. Notwithstanding subsection 6 above, where a business can demonstrate to the Village of Keremeos that it is providing more than the required number of conforming parking spaces, that business may lease or rent its additional spaces to a new or existing business who can not comply. This must be done in a manner acceptable to the Village.

5.5 Landscaping, Fencing and Curbing (New business or change in occupancy or area of an existing business only)

- .1 Where a parking parcel comprised of more than 5 spaces is located on a parcel which abuts a Residential or Public Institution zone, a landscape screen of not less than 1.5m (5 ft.) in height and 1.5m (5 ft.) in width shall be provided and maintained along the edge of the parking parcel facing the Residences or Institution.
- .2 **Pedestrian protection** - Where a parking parcel abuts a highway, or a sidewalk adjacent to a highway, curb stops shall be placed at the end of each parking stall at a distance of not less than .75m (2.5 feet) from the sidewalk or highway so as to prevent vehicles from encroaching into pedestrian areas.

5.6 Disabled parking - Where more than 12 parking stalls are required, every off-street parking facility shall provide 5% of the required stalls, with a minimum of 1 stall, for the use of physically disabled persons. Each stall shall:

- .1 be at least 4m (13 ft.) in width and at least 6.0m (19 ft.) in length;
- .2 be located as close as possible to a handicapped-accessible building entrance, and be clearly identified for their exclusive use.

TABLE 5.1

COLUMN I	COLUMN II
CLASS OF BUILDING USE	REQUIRED # OF PARKING SPACES
Building containing 2 or less dwellings	2 per dwelling
Apartments and townhouses	1 per bachelor dwelling, 1.5 per 1 bedroom dwelling and 2 per two or more bedroom dwellings
Assembly halls , churches, funeral homes, theatres, recreation use	1 per 6 seats
Banks and Financial Institutions	1 per 4 employees plus one per wicket.
Bowling alley	2 per lane
Building material supply and hardware	1 per 300 sq. ft. of floor area
Campground	1 per space
Clinic	1 per 400 sq. ft. of floor area
Commercial facilities not listed	1 per(500 ft ²) of floor area
Commercial retail, Office and Personal Service buildings	1 per(500 ft ²) of floor area
Convenience store	1 per(400 ft ²) of retail floor area or 4, whichever is greater
Fruit and vegetable stand	1 per(400 ft ²) of retail area or 4, whichever is greater
Golf course	2 per hole
Golf driving range	1 per tee

Hospitals , health care buildings, senior citizens' housing	1 per 4 beds
Hotel	1 per 2 hotel sleeping units plus 1 per 6 seats for dining and lounge facilities
Industrial facilities not listed	1 per(1,200 ft ²) of floor area
Institutional facilities not listed	1 per(400 ft ²) of floor area
Laundromat	1 per 4 washing machines
Motel	1 per motel sleeping unit
Post office	1 per(300 ft ²) of floor area
Public institutional building	1 per(400 ft ²) of floor area
Public transportation depot or terminal	1 per(300 ft ²) of waiting room plus 2 spaces
Restaurants , lounges and pubs	1 per 6 seats
Sale, rental, service and repair of motor vehicles , recreation vehicles, mobile homes, boats, machinery, farm implements and equipment	1 per(900 ft ²) of retail floor area plus 1 per 2 employees
Schools - kindergarten, elementary and junior secondary	2 spaces per classroom
Schools - senior secondary	3 per classroom
Service stations , garages, auto body shops, paint shops	2 per service bay
Shopping centre	1 per(250 ft ²) of leas able floor area
Warehouse , storage, manufacturing or wholesale buildings	1 per(1,400 ft ²) of floor area

5.7 Off-Street Loading

Off-street loading spaces shall be provided as follows:

- 1 for Commercial and Industrial uses, 1 space up to 20,000 sq. ft.
- .2 for Institutional and Public uses, 1 space for up to 35,000 sq. ft.
- .3 In cases of mixed use, the requirements for off-street loading shall be the sum of requirements for the various uses computed separately.
- .4 Off-street parking spaces shall not be credited as off-street loading spaces.
- .5 Each off-street loading space shall not be less than (11 ft.) in width, (30 ft.) in length and provide no less than (13 ft.) of vertical clearance.
- .6 In no case shall the length of a loading space be such that a vehicle in the process of loading or unloading shall project into any highway.
- .7 Off-street loading space shall have a surface which is asphalt, concrete or similar pavement so as to provide a surface that is durable and dust free, and shall be so graded and drained as to properly dispose of all surface water.
- .8 Any lighting used to illuminate an off-street loading area shall be so arranged as to reflect the light away from any adjoining premises or roadways.

SCHEDULE "B"

Forming part of Bylaw No. 683, 2005

PARKING SPACE LEASE AGREEMENT

1. **Between the Corporation of the Village of Keremeos and,**
2. **Name of Business** _____
3. **Name of "owner" of property** _____.
4. **Address of owner** _____
5. **Number of parking spaces required** ____ x \$60.00 per year = \$_____
6. **Terms and conditions;**
 - (a) The Owner hereby agrees to pay the amount indicated at line 5 as an annual amount in exchange for the Village of Keremeos providing on street parking that cannot be provided off street by the business.
 - (b) The Owner hereby agrees that the amount indicated in line 5 is payable by December 31 of each year, and that non payment will be added to the taxes payable of the property the business is located on.
 - (c) The Owner and the Village of Keremeos agree that a change in occupancy or a change that results in a different parking requirement will result in the amendment or termination of this agreement. Pro rating will be based on the "nearest month" (amount divided by 12).
 - (d) This lease agreement shall become effective as of the ____day of _____, 200__.

Village of Keremeos

Owner of property of business

Date

Date

ESTABLISHMENT OF ZONES SECTION 6

6.1 Zones The area within the boundaries of the Village of Keremeos is divided into the zones identified in Column I and described in Column II of Table 6.1.

COLUMN I	COLUMN II
ZONES	TITLE ELABORATION
A	Agriculture
CR	Country Residential
R1	Single Family Residential (Large Parcel)
R2	Single Family Residential (Medium Parcel)
R3	Single Family Residential (Small Parcel)
R4	Single Family Residential (very small parcel)
R5	Mobile Home Park Residential
RD	Duplex Residential
RM1	Multi-Family Residential
C1	General Commercial
C2	Tourist Commercial
M1	Light Industrial
M2	General Industrial
P1	Public Institution
P2	Parks and Recreation

6.2 Zone Title The correct name of each zone provided for in this Bylaw is set out in Column I of Table 6.1 and the inclusion of the title elaboration contained in Column II of Table 6.1 is for convenience only.

6.3 Location of Zones The location of each zone is established on Schedule B, the Zoning Map, of this Bylaw.

6.4 Zone Boundaries
Where a zone boundary is shown on Schedule B, the Zoning Map, as following a highway or rail right-of-way, the centre line of the right-of-way or highway shall be the zone boundary.

A - AGRICULTURE SECTION 7

Permitted Uses

- 7.1 The following uses and no others shall be permitted in the A Zone:
- .1 Farm operation or use
 - .2 Single family dwelling
 - .3 Tree harvesting, silviculture
 - .4 A reserve or area of land or habitat set apart for wildlife conservation
 - .5 Park, recreation reserve
 - .6 Dyke and auxiliary pump house and ancillary works
 - .7 Home occupation
 - .8 Bed and breakfast
 - .9 Fruit and vegetable stand
 - .10 Accessory buildings and structures
 - .11 Secondary Suite
 - .12 Picker's Cabins as described in Sec. 7.3

Regulations

- 7.2 On a parcel located in an area zoned as A, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I	COLUMN II
.1 Maximum number of dwellings	1 per parcel
.2 Minimum parcel size: (amended by Bylaw 740, 2007)	
- on community water system	1 hectare (2.47 acres)
- on community water and sewer	.81 ha. (2 acres)
.3 Minimum setback of buildings from:	
- front parcel line	7.5m (25 ft.)
- interior side parcel line	4.0m (13 ft.)
- exterior side parcel line	4.5m (15 ft.)
- rear parcel line	7.5m (25 ft.)
.4 Maximum height of:	
- principal building	10m (33 ft.)
- accessory structure	10m (33 ft.)

- 7.3.1 **Picker's cabins** - In addition to the one single family dwelling, one pickers cabin is permitted on parcels of 5 acres or more as a summer dwelling for farm help. Pickers cabins may not be larger than 12 ft by 24 ft, have sleeping facilities for not more than 4 persons, nor be used for rental purposes. Water and power must be connected to the

main house and the sewer approved by Interior Health. Mobile homes or holiday trailers may not be used as pickers cabins.

CR - COUNTRY RESIDENTIAL SECTION 8

Permitted Uses

8.1 The following uses and no others shall be permitted in the CR Zone:

- .1 Farm use or farm operation
- .2 Single family dwelling
- .3 Public open space recreation and institution uses, including park, playground, cemetery
- .4 Public service or utility buildings and structures, with no exterior storage and no garages for the repair and maintenance of vehicles or equipment
- .5 A reserve or area of land or habitat set apart for wildlife conservation
- .6 Home occupation
- .7 Bed and breakfast
- .8 Fruit and vegetable stand
- .9 Accessory building or structure
- .10 Secondary Suite

Regulations

8.2 On a parcel located in an area zoned as CR, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I

COLUMN II

.1 Maximum number of dwellings	1 per parcel
.2 Minimum parcel size: (amended by Bylaw 740, 2007) - <ul style="list-style-type: none">- on community water system- on community water and sewer	1 hectare (2.47 acres) .81 ha. (2 acres)
.3 Minimum parcel width	23m (75 ft.)
.4 Minimum parcel depth	30m (98 ft.)
.5 Maximum parcel coverage	25%
.6 Minimum setback of principal building from: <ul style="list-style-type: none">- front parcel line- interior side parcel line- exterior side parcel line- rear parcel line	7.5m (25 ft.) 2m (6.5 ft.) 4m (13 ft.) 7.5m (25 ft.)
.7 Minimum setback of accessory building from: <ul style="list-style-type: none">- front parcel line- interior side parcel line- exterior side parcel line- rear parcel line	7.5m (25 ft.) 2m (6.5 ft.) 4m (13 ft.) 3m (10 ft.)
.8 Maximum height	10m (33 ft.)

R1 - SINGLE FAMILY RESIDENTIAL (LARGE Parcel) SECTION 9

Permitted Uses

9.1 The following uses and no others shall be permitted in the R1 Zone:

- .1 Single family dwelling
- .2 Home occupation
- .3 Bed and breakfast, not including a secondary suite
- .4 Parks and playgrounds
- .5 Single story accessory buildings or structures

Regulations

9.2 On a parcel located in an area zoned as R1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I

COLUMN II

.1 Maximum number of single family dwellings	1 per parcel
.2 Minimum size of parcel on:	
<small>(amended by Bylaw 740, 2007)</small>	
- community water system	1 hectare (2.47 acres)
- community water and sewer systems	835m ² (9,888 ft ²)
.3 Minimum width of parcel	21m (69 ft.)
.4 Minimum depth of parcel on:	
- community water system	36.5m (120 ft.)
- community water and sewer systems	27.5m (90 ft.)
.5 Maximum parcel coverage	30%
.6 Minimum setbacks for all buildings from:	
- front parcel line	7.5m (25 ft.)
- interior side parcel line	1.5m (5 ft.)
- exterior side parcel line	4m (13 ft.)
.7 Minimum setbacks from rear parcel line for:	
- principal building	7.5m (25 ft.)
- accessory structure	1.5m (5 ft.)
.8 Maximum heights of:	
- principal building	10m (33 ft.)
- accessory structure	5m (20 ft.)
- fences(in front setback)	1.3m (4.2 ft.)
(behind front setback)	1.9m (6.2 ft.)
.9 Minimum width of principal building	5.5m (22 ft.)
.10 Minimum width to length ratio	1:2.2 (min 22'x49')

R2 - SINGLE FAMILY RESIDENTIAL (MEDIUM Parcel) SECTION 10

Permitted Uses

10.1 The following uses and no others shall be permitted in the R2 Zone:

- .1 Single family dwelling
- .2 Home occupation
- .3 Bed and breakfast, not including a secondary suite
- .4 Parks and playgrounds
- .5 Single story accessory buildings or structures

Regulations

10.2 On a parcel located in an area zoned as R2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I

COLUMN II

.1	Maximum number of single family dwellings	1 per parcel
.2	Minimum size of parcel on:	
-	community water and sewer systems	556m ² (5,985 ft ²)
.3	Minimum width of parcel on:	
-	community water and sewer systems (with lane)	15m (49 ft.)
-	(without lane)	18m (59 ft.)
.4	Minimum depth of parcel with:	
-	community water and sewer systems (with lane)	27.5m (90 ft.)
-	(without lane)	30m (98 ft.)
.5	Maximum parcel coverage	35%
.6	Minimum setbacks for all buildings from:	
-	front parcel line	7.5m (25 ft.)
-	interior side parcel line	1.5m (5 ft.)
-	exterior side parcel line	4m (13 ft.)
.7	Minimum setbacks from rear parcel line for:	
-	principal building	6m (20 ft.)
-	accessory structure	1.5m (5 ft.)
.8	Maximum height	10m (33 ft.)
-	fences (in front setback)	1.3m (4.2 ft.)
-	(behind front setback)	1.9m (6.2 ft.)
.9	Minimum width of principal building	5.5m (22 ft.)
.10	Minimum width to length ratio	1:2.2 (min 22'x49')

R3 - SINGLE FAMILY RESIDENTIAL (SMALL Parcel) SECTION 11

Permitted Uses

11.1 The following uses and no others shall be permitted in the R3 Zone:

- .1 Single family dwelling
- .2 Home occupation
- .3 Bed and breakfast but not including a secondary suite
- .4 Parks and playgrounds
- .5 Single story accessory building or structure

Regulations

11.2 On a parcel located in an area zoned as R3, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I

COLUMN II

<p>.1 Maximum number of single family dwellings1 per parcel</p> <p>.2 Minimum size of parcel on:</p> <ul style="list-style-type: none"> - community water and sewer systems <p>.3 Minimum width of parcel on:</p> <ul style="list-style-type: none"> - community water and sewer systems (with lane) - (without lane) <p>.4 Minimum depth of parcel on:</p> <ul style="list-style-type: none"> - community water and sewer systems (with lane) - (without lane) <p>.5 Maximum parcel coverage</p> <p>.6 Minimum setbacks for all buildings from:</p> <ul style="list-style-type: none"> - front parcel line - interior side parcel line - exterior side parcel line <p>.7 Minimum setbacks from rear parcel line for:</p> <ul style="list-style-type: none"> - principal building - accessory structure <p>.8 Maximum height</p> <ul style="list-style-type: none"> - fences(in front setback) - (behind front setback) <p>.9 Minimum width of principal building</p> <p>.10 Minimum width to length ratio</p>	<p>465m2 (5,005 ft2)</p> <p>13.7m (45 ft.)</p> <p>15m (49 ft.)</p> <p>24.5m (80 ft.)</p> <p>27.5m (90 ft.)</p> <p>35%</p> <p>6m (20 ft.)</p> <p>1.5m (5 ft.)</p> <p>4m (13 ft.)</p> <p>6m (20 ft.)</p> <p>1.5m (5 ft.)</p> <p>10m (33 ft.)</p> <p>1.3m 4.2 ft.)</p> <p>1.9m (6.2 ft.)</p> <p>5.5m (22 ft.)</p> <p>1:2.2 (min 22'x49')</p>
--	---

R4 – SINGLE FAMILY RESIDENTIAL (Very Small Parcel) SECTION 12

Permitted Uses

12.1 The following uses and no other uses are permitted in the R4 Zone:

- .1 Single Family Dwelling
- .2 Home Occupation
- .3 Single story accessory building or structure

Regulations

12.2 On a parcel located in an area zoned R4, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column 1 sets out the matter to be regulated and Column 11 sets out the regulations.

(Amended by Bylaw 698, 2005)

COLUMN 1

COLUMN 11

.1 Maximum number of single family dwellings	1 per parcel
.2 Minimum size of parcel (must be on sewer and water)	3600 sq. ft.
.3 Minimum width of parcel	40 ft.
.4 Minimum depth of parcel	90 ft.
.5 Minimum setbacks;	
Front	15 ft.
Rear	15 ft.
Interior side	5 ft.
Exterior side	8 ft.
.6 Minimum width of principle building	20 ft.
.7 Maximum height of principle and accessory buildings	10m. (33 ft)
.7 Minimum width to length ratio	1:2.2 (min 20'x44')
.8 Maximum height	
- fences (in front setback)	1.3 m (4.2 ft.)
(behind front setback)	1.9 m (6.2 ft.)

R5 - MOBILE HOME PARK SECTION 13

Permitted Uses

13.1 The following uses and no others shall be permitted in the R5 Zone:

- .1 Mobile home park
- .2 Single story accessory building or structure
- .3 Dwelling for the owner or caretaker of the park
- .4 Convenience store
- .5 Home occupation

Regulations

13.2 On a parcel located in an area zoned as R4, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I

COLUMN II

.1 Minimum parcel size	2 ha. (5 acres)
.2 Minimum parcel width	60m (197 ft.)
.3 Minimum parcel depth	60m (197 ft.)
.4 Maximum heights of:	
- principal buildings	10m (33 ft.)
- accessory structures	10m (33 ft.)
- fences	1.9m (6.2 ft.)

13.3 .1 All uses of land, buildings and structures in the R4 Zone shall conform with the provisions of the Corporation of the Village of Keremeos Mobile Home Parks Bylaw No. 225, 1978, as amended.

RD - DUPLEX RESIDENTIAL SECTION 14

Permitted Uses

14.1 The following uses and no others shall be permitted in the RD Zone:

- .1 Single family dwelling
- .2 Duplex but not including a secondary suite
- .3 Single story accessory building or structure
- .4 Parks and playgrounds
- .5 Bed and breakfast operation in a single family dwelling
- .6 Home occupation

Regulations

14.2 On a parcel located in an area zoned as RD, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I

COLUMN II

.1 Maximum number of principal buildings	1 per parcel
.2 Minimum size of parcel on: (amended by Bylaw 740, 2007)	
- community water system	1 hectare (2.47 acres)
- community water and sewer systems	556m ² (5,985 ft ²)
.3 Minimum width of parcel on:	
- community water system	27m (89 ft.)
- community water and sewer systems (with lane)	18m (59 ft.)
(without lane)	20m (66 ft.)
.4 Minimum depth of parcel:	
- community water system	36.5m (120 ft.)
- community water and sewer systems (with lane)	24.5m (80 ft.)
(without lane)	27.5m (90 ft.)
.5 Maximum parcel coverage	45%
.6 Minimum setbacks for all buildings from:	
- front parcel line	6m (20 ft.)
- interior side parcel line	2m (6.5 ft.)
- exterior side parcel line	3.5m (11 ft.)
.7 Minimum setbacks from rear parcel line for:	
- principal building	6m (20 ft.)
- accessory structure	1.5m (5 ft.)

.8	Maximum height	10m (33 ft.)
-	fences(in front setback)	1.3m (4.2 ft.)
	(behind front setback)	1.9 m(6.2 ft.)
.9	Minimum width of principal building	5.5m (24 ft.)
.10	Minimum width to length ratio	1:2.2 (min 24'x53')
	(see bylaw No. 661, 2003)	

14.3 Other Regulations

- .1 Upon strata subdivision, the minimum parcel size per dwelling unit is 50% of the required minimum parcel size.
- .2 Upon strata subdivision, the parcel width per dwelling unit is 50% of the required minimum parcel size.
- .3 Upon strata subdivision, the interior side setback shall not apply along the common wall, as set out in Section 4.2.2.

RM1 - MULTI-FAMILY RESIDENTIAL SECTION 15

Permitted Uses

15.1 The following uses and no others shall be permitted in the RM1 Zone:

- .1 Apartment building
- .2 Townhouse
- .3 Duplex
- .4 Single family dwelling
- .5 Home occupation
- .6 Bed and breakfast operation in a single family dwelling
- .7 Single story accessory building or structure

Regulations

15.2 On a parcel located in an area zoned as RM1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I

COLUMN II

.1 Minimum size of parcel on: (amended by Bylaw 740, 2007)	
- community water system	1 hectare (2.47 acres)
- community water and sewer systems	669m ² (7,201 ft ²)
.2 Minimum width of parcel on:	
- community water system	27m (89 ft.)
- community water and sewer systems (with lane)	18m (59 ft.)
(without lane)	21.3m (70 ft.)
.3 Minimum depth of parcel:	
- community water system	36.5m (120 ft.)
- community water and sewer systems (with lane)	24.5m (80 ft.)
(without lane)	27.5m (90 ft.)
.4 Maximum site coverage:	
- one storey	35%
- two storey	25%
.5 Minimum setbacks for all buildings from:	
- front parcel line	6m (19.6 ft.)
- interior side parcel line	2.4m (7.8 ft.)
- exterior side parcel line	4m (13.1 ft.)

- .6 **Minimum setbacks** from rear parcel line for:
 - principal building 6m (19.6 ft.)
 - accessory structure 3m (9.8 ft.)

- .7 **Maximum heights** of:
 - principal building 10m (33 ft)
 - accessory structure 6m (20 ft.)
 - fences (in front setback) 1.3m (4.2 ft.)
 - (behind front setback) 1.9 m (6.2 ft.)

- .8 **Minimum width** of principal building 7.3m (24 ft.)

- .9 **Open area requirements**
 An open area must be provided, on the same property as the dwellings that comprises a minimum of 10% of the total floor area, as approved by Council

- .10 **Minimum width to length ratio** 1:2.2 (see bylaw 661, 2003)

Other Regulations

- 15.3 The following regulations apply to apartment buildings and townhouses:
 - .1 Building design, theme and color must comply with the O.C.P.
 - .2 A minimum of 25% qualifying open area must be located at grade and outside the building.
 - .3 Walkways, parking, and play areas are not permitted within 3.5m (11 ft.) of a window to a dwelling unit.

C1 - GENERAL COMMERCIAL SECTION 16

Permitted Uses

16.1 The following uses and no others shall be permitted in the C1 Zone:

- .1 Hotel, motel
- .2 Service station and gas bar
- .3 Eating establishment
- .4 Commercial amusement enterprise
- .5 Theatre
- .6 Retail store
- .7 Office
- .8 Personal services
- .9 Business services
- .10 Public parking parcel
- .11 Automobile sales, service and parts
- .12 Institution
- .13 Bank, trust company, credit union
- .14 Pharmacy
- .15 Printing, publishing, and newspaper establishment
- .16 Hardware and building supply
- .17 Medical and dental clinic
- .18 Veterinary Clinic
- .19 Video rental
- .20 Licensed lounge, bar, nightclub, pub
- .21 Studio for art, music, photography, recording, television
- .22 Assembly hall
- .23 Real estate, insurance, travel agency
- .24 Car wash
- .25 Mobile business
- .26 Dwelling units
- .27 Accessory building or structure
- .28 Multi Family Residential

Regulations

- 16.2 New and retrofit Building design, theme and color in the C-1 zone must comply with the Official Community Plan as approved by Council.
- 16.3 On a parcel located in an area zoned as C1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

C1 - GENERAL COMMERCIAL (continued)

COLUMN I

COLUMN II

.1	Minimum size of parcel on: (amended by Bylaw 740, 2007)	
	- community water system	1 hectare (2.47 acres)
	- community water and sewer systems	330m ² (3,552 ft ²)
.2	Minimum width of parcel on:	
	- community water system	21m (69 ft.)
	- community water and sewer systems	9m (30 ft.)
.3	Minimum depth of parcel	36.5m (120 ft.)
.4	Maximum parcel coverage	100%
.5	Minimum setbacks from front parcel line for:	
	- all uses except as below	0m (0 ft.)
	- service station/gas bar	7.5m (25 ft.)
.6	Minimum setbacks from interior side parcel line for:	
	- all uses except as below	0m (0 ft.)
	- where the parcel does not have secondary access on a lane or other highway, one side yard shall be	3m (10 ft.)
.7	Minimum setback from exterior side parcel line	0m (0 ft.)
.8	Minimum setbacks from rear parcel line:	
	- adjacent to lane	0m (0 ft.)
	- where there is no lane	3m (10 ft.)
.9	Maximum heights of:	
	- principal building	10.5m (34 ft.)
	- fence in front setback	1.3m (4.2 ft.)
	- fence behind front setback	1.9m (6.2 ft.)

16.4 Other Regulations

- .1 **Dwelling units** in the C-1 zone can be either stand alone multi family units, or are permitted above the first storey, or to the rear on the main floor attached to and in combination with a commercial building, provided that separate entrances from ground level are provided.
- .2 All business, repair or servicing uses shall be conducted within a **completely enclosed building** except for permitted outdoor display, rental, sales or storage yards, parking and loading facilities, gasoline service stations and mobile vendors.
- .3 **No outdoor storage** of toxic, noxious, explosive, odorous, or radioactive materials shall be permitted.

- .4 **Service stations** use shall require that:
- .1 Gasoline service pumps or pump islands shall be set back a minimum of 4.5 m (approximately 15 feet) from any parcel line.
 - .2 All servicing and servicing equipment, other than that normally carried out on a pump island, shall be entirely enclosed within a building.
 - .3 Canopies over gasoline pumps and pump islands shall be set back a minimum of 1.5 m (5 feet) from any parcel line, exclusive of canopy supports which shall be set back a minimum of 4.5 m(15 feet) from any parcel line.
 - .4 The entire service area shall be paved with a permanent surface of asphalt or concrete, any unpaved areas of the parcel shall be suitably landscaped and maintained, and separated from the paved area by a curb or other barrier.
 - .5 All exterior lighting shall be designed to deflect light away from adjacent parcels.
 - .6 All outdoor displays of tires, automobiles accessories and related goods shall be located on pump islands or contained within a booth, rack or stand. A maximum of two such outdoor merchandise display booths, racks or stands shall be permitted on each service station parcel and shall be located not less than 4.5 meters (15 feet) from any parcel line.
 - .7 All surface water shall be contained and drained within the boundaries of the parcel.
 - .8 Outdoor storage of junk materials shall not be permitted.
- .5 **Mobile vendors** are not permitted within highway rights-of-way.

C2 - TOURIST COMMERCIAL SECTION 17

Permitted Uses

17.1 The following uses and no others shall be permitted in the C2 Zone:

- .1 Hotel, motel
- .2 Campground
- .3 Service station and gas bar
- .4 Eating establishment
- .5 Fruit and vegetable stand
- .6 Grocery store
- .7 Gift shop
- .8 Commercial recreation facilities
- .9 Nursery and garden shop
- .10 Automobile sales and service
- .11 Car wash
- .12 Ancillary retail sales occupying not more than 49% of the gross leasable floor area within a fruit and vegetable stand, grocery store, gift shop, commercial recreation facility, and nursery and garden shop
- .13 Accessory dwelling
- .14 Accessory building or structure
- .15 Non resident Daycare or Playschool

Regulations

17.2 On a parcel located in an area zoned as C2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I

.1 Minimum size of parcel:

(amended by Bylaw 740, 2007)

- on community water system
- on community water and sewer systems
- for campground use

.2 Minimum width of parcel

.3 Minimum depth of parcel

.4 Maximum parcel coverage

.5 Minimum setbacks from front parcel line

.6 Minimum setback from interior side parcel line

.7 Minimum setback from exterior side parcel line

.8 Maximum heights of:

- principal building
- fence in front setback
- fence behind front setback

COLUMN II

1 hectare (2.47 acres)

836m² (8,999 ft²)

2 ha. (4.9 acres)

27m (89 ft.)

36.5m (120 ft.)

35%

6m (20 ft.)

2.4m (8 ft.)

4.5m (15 ft.)

10m (33 ft.)

1.3m (4.2 ft.)

1.9m (6.2 ft.)

17.3 Other Regulations

- .1 **One accessory dwelling** per parcel permitted provided that, if attached, a separate entrance from ground level is provided.
- .2 No campground or trailer court (or tent or trailer or structure thereon) shall be used as a permanent place of residence. Maximum length of continuous occupancy in any 12 month period is 30 days by a single tenant or group of tenants.
- .3 All business, repair or servicing uses shall be conducted within a completely enclosed building except for permitted outdoor display, rental, sales or storage yards, parking and loading facilities and gasoline service stations.
- .4 **No outdoor storage** of toxic, noxious, explosive, odorous, or radioactive materials shall be permitted.
- .5 **Service stations** use shall require that:
 - .1 Gasoline service pumps or pump islands shall be set back a minimum of 4.5 meters (approximately 15 feet) from any parcel line.
 - .2 All servicing and servicing equipment, other than that normally carried out on a pump island, shall be entirely enclosed within a building.
 - .3 Canopies over gasoline pumps and pump islands shall be set back a minimum of 1.5 meters (5 feet) from any parcel line, exclusive of canopy supports which shall be set back a minimum of 4.5 meters (15 feet) from any parcel line.
 - .4 The entire service area shall be paved with a permanent surface of asphalt or concrete, any unpaved areas of the parcel shall be suitably landscaped and maintained, and separated from the paved area by a curb or other barrier.
 - .5 All exterior lighting shall be designed to deflect light away from adjacent parcels.
 - .6 All outdoor displays of tires, automobiles accessories and related goods shall be located on pump islands or contained within a booth, rack or stand. A maximum of two such outdoor merchandise display booths, racks or stands shall be permitted on each service station parcel and shall be located not less than 4.5 meters (15 feet) from any street line.

- .7 All surface water shall be contained and drained within the boundaries of the parcel.
- .8 Outdoor storage of junk materials shall not be permitted.

M1 - LIGHT INDUSTRIAL SECTION 18

Permitted Uses (as amended by Bylaw # 710, 2005)

- 18.1 The following uses and no others shall be permitted in the M1 Zone:
- .1 Utility and Works Yards with no exterior storage,
 - .2 Service and Contracting Industries with no exterior storage,
 - .3 Wholesale and Distribution outlets with no exterior storage,
 - .4 Warehousing with no hazardous waste, and no exterior storage,
 - .5 Heating, Cooling, Plumbing and Gas Fitting establishments with no exterior storage,
 - .6 Car Wash
 - .7 Manufacturing Plants such as fruit processing, wineries or vegetable processing with no exterior storage, including auxiliary retail sales.
 - .8 Re-Manufacturing such as furniture construction or wood moldings with no exterior storage,
 - .9 Sewage Treatment Plant,
 - .10 Accessory Structures and Buildings,
 - .11 An accessory dwelling for a caretaker or watchman,
 - .12 Other similar uses as permitted by the Approving Officer.

Regulations

18.2 On a parcel located in an area zoned as M1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I	COLUMN II
.1 Minimum size of parcel on: (amended by Bylaw 740, 2007)	
- community water system	1 hectare (2.47 acres)
- community water and sewer systems	929 m ² (10,000 ft ²)
.2 Minimum width of parcel on:	
- community water system	27m (88.5 ft)
- community water and sewer systems	24m (78.7 ft)
.3 Minimum depth of parcel	36.5m (119.7 ft)
.4 Minimum setback from:	
- front parcel line	6m (19.6 ft)

- exterior side parcel line 4.5 m (14.7 ft)
- .5 Minimum setbacks from interior side parcel line:**
 - abutting, or separated by a lane from a R, RM, or C2 zone 7.5m (25 ft.)
 - in all other cases 3m (10 ft.)
- .6 Minimum setbacks from rear parcel line:**
 - abutting, or separated by a lane from, an R, RM, or C2 zone 7.5m (25 ft.)
 - in other cases 3m (10 ft.)
- .7 Maximum height of:**
 - buildings 10m (33ft.)
 - fences 3.0m (10 ft.)

18.3 Other Regulations (as amended by Bylaw # 710, 2005)

- .1 “Notwithstanding subsections 1. to 12. in Section 2 above, outside storage of any kind where M-1 property abuts or is across a lane or highway from an R, RM, C or P Zone is prohibited.”
- .2 “All permitted uses shall be completely housed within an enclosed building, except for outdoor displays, rental and sales auxiliary to the business, parking and loading facilities, and permitted specialized work yards.
- .3 “Junk materials are prohibited”
- .4 Industrial uses shall not emit or discharge to the surrounding area odors, toxic or noxious matters or vapors, liquid effluent, dust, fumes, smoke, heat, glare, noise, radiation or vibrations which exceed standards set out by Provincial Statutes.
- .5 Gravel crushing operations and asphalt plants are specifically not permitted in the M1 zone.
- .6 One accessory dwelling unit for caretaker or watchperson shall not exceed 92.9 m2 (1000 ft2) in floor area.
- .7 The dwelling unit, lawn, garden, driveway, garage and other occupied areas associated with the accessory dwelling unit for caretaker or watchperson shall not exceed the lesser of: 5% of the parcel area, or 185.9 sq. m (2000 sq. ft.)

M2 - GENERAL INDUSTRIAL SECTION 19

Permitted Uses (as amended by Bylaw # 710, 2005)

19.1 The following uses and no others shall be permitted in the M2 Zone:

- .1 Gravel extraction, handling and processing excluding asphalt plants and gravel crushing,
- .2 Storage of gravel operation materials and equipment
- .3 Outdoor storage yards except for the storage of hazardous materials defined as such in the Waste Management Act,
- .4 Tool, Machine and woodworking shops
- .5 Trucking, Freight and Delivery Establishment,
- .6 Construction Offices and material Sales and Storage,
- .7 Automotive or Trailer repair, service and storage,
- .8 All Uses permitted in the M-1 Zone of this Bylaw, including outdoor storage concealed by a "closed" 8 ft. fence or solid 8 ft. fence or solid 8 ft. landscape screen or berm which shall obstruct the storage from view.

Regulations

19.2 On a parcel located in an area zoned as M2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I

COLUMN II

.1 Minimum size of parcel on: (amended by Bylaw 740, 2007)	
- community water system	1 hectare (2.47 acres)
- community water and sewer systems	929m ² (10,000 ft ²)
- un-sewered, in floodplain	.2 ha. (.49 acres)
.2 Minimum width of parcel:	
- community water system	27m (89 ft.)
- community water and sewer systems	24m (79 ft.)
.3 Minimum depth of parcel	36.5m (120 ft.)
.4 Minimum setbacks from:	
- front parcel line	6m (20 ft.)
- exterior side parcel line	4.5m (15 ft.)

- .5 Minimum setbacks from interior side parcel line:**
- abutting, or separated by a lane from an R, RM, or C2 zone 7.5m (25 ft.)
 - in all other cases 3m (10 ft.)

- .6 Minimum setbacks from rear parcel line:**
- abutting an R, RM, or C2 zone 7.5m (25 ft.)
 - in other cases 3m (10 ft.)

- .7 Maximum heights of:**
- buildings 10m (33 ft.)
 - fences 3.0m (10 ft.)

19.3 Other Regulations

.1 Outside storage abutting or across a lane or highway from an R, RM, C or P zone shall be enclosed by a fence or landscape screen which shall obstruct the storage from view on the sides of the property abutting or across a lane or highway from an R, RM, C or P zone.

.2 All permitted uses shall be completely housed within an enclosed building, except for permitted outdoor displays, storage yards, rental and sales, parking and loading facilities and specialized outdoor work yards.

.3 Junk materials shall be:

- .1 located at least 30 meters (98 ft.) from the boundary of an R, RM or P zone.
- .2 enclosed by a solid view obscuring fence or wall at least 2.5 meters (8 ft.) high and no material shall be piled to a greater height than the surrounding fence.
- .4 Industrial uses shall not emit or discharge to the surrounding area odors, toxic or noxious matters or vapors, liquid effluent, dust, fumes, smoke, heat, glare, noise, radiation or vibrations which exceed standards set out by Provincial Statutes.
- .5 Gravel crushing operations and asphalt plants are specifically not permitted in the M2 zone.
- .6 One accessory dwelling unit for caretaker or watchperson shall not exceed 92.9 m2 (1000 ft2) in floor area.

- .7 The dwelling unit, lawn, garden, driveway, garage and other occupied areas associated with the accessory dwelling unit for caretaker or watchperson shall not exceed the lesser of: 5% of the parcel area, or 185.9 m² (2000 ft²).

P1 - PUBLIC INSTITUTION SECTION 20

Permitted Uses

20.1 The following uses and no others shall be permitted in the P1 Zone:

- .1 School or college
- .2 Public community hall, government building
- .3 Hospital, health clinic, assisted living, ambulance station, laboratory
- .4 Church
- .5 Curling rink
- .6 Recreation facilities
- .7 Funeral home without accessory cremation
- .8 Public parking lot
- .9 Museum, library, art gallery
- .10 Convention centre and other public assembly places
- .11 Public parks and playgrounds
- .12 Post office
- .13 Community care facilities
- .14 Fire hall
- .15 Accessory buildings and structures, without exterior storage or garages for vehicle or equipment repair and maintenance
- .16 Veterinary Clinic

Regulations

20.2 On a parcel located in an area zoned as P1, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I

COLUMN II

- | | |
|--|--|
| .1 Minimum size of parcel on:
(amended by Bylaw 740, 2007) | |
| - community water system | 1 hectare (2.47 acres) |
| - community water and sewer systems | 465m ² (5,005 ft ²) |
| .2 Minimum width of parcel on: | |
| - community water system | 27m (89 ft.) |
| - community water and sewer systems | 15m (50 ft.) |
| .3 Minimum depth of parcel on: | |
| - community water system | 36.5m (120 ft.) |
| - community water and sewer systems | 24.5m (80 ft.) |

- .4 Maximum parcel coverage** 50%

- .5 Minimum setbacks from:**
 - front parcel line 6m (20 ft.)
 - interior side parcel line 1.5m (5 ft.)
 - exterior side parcel line 3.5m (11 ft.)
 - rear parcel line 6m (20 ft.)

- .6 Maximum heights of:**
 - buildings 10m (33 ft.)
 - fences(in front setback) 1.3m (4.2 ft.)
 - (behind front setback) 1.9m (6.2

P2 - PARKS AND RECREATION SECTION 21

Permitted Uses

21.1 The following uses and no others shall be permitted in the P2 Zone:

- .1 Parks and playgrounds
- .2 Community centre including the Old Age Pensioners Building.
- .3 Government building
- .4 Public cemetery without accessory crematorium
- .5 Non-commercial greenhouse or nursery
- .6 Carnivals, circuses and fairs
- .7 Public golf course
- .8 Rental and sale of sports and recreational equipment
- .9 Public school
- .10 Public refreshment booth
- .11 Tourist information booth
- .12 Public cultural facilities
- .13 Conservation areas
- .14 Mobile Business
- .15 Accessory building or structure

Regulations

21.2 On a parcel located in an area zoned as P2, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I	COLUMN II
.1 Maximum parcel coverage	25%
.2 Minimum setbacks from:	
- front parcel line	7.5m (25 ft.)
- interior side parcel line	1.5m (5 ft.)
- exterior side parcel line	3.5m (11 ft.)
- rear parcel line	7.5m (25 ft.)
.3 Maximum heights of:	
- buildings	10m (33 ft.)
- fences(in front setback)	1.3m (4.2 ft.)
(behind front setback)	1.9m (6.2 ft.)

TABLE OF CONTENTS

	Page No.
SECTION 1	BASIC PROVISIONS 2
SECTION 2	ADMINISTRATION 3
SECTION 3	DEFINITIONS..... 4
SECTION 4	GENERAL REGULATIONS12
SECTION 5	OFF-STREET PARKING AND LOADING16
SECTION 6	ESTABLISHMENT OF ZONES22
SECTION 7	A – AGRICULTURE23
SECTION 8	CR – COUNTRY RESIDENTIAL24
SECTION 9	R1 – SINGLE FAMILY RESIDENTIAL (LARGE LOT)25
SECTION 10	R2 – SINGLE FAMILY RESIDENTIAL (MEDIUM LOT)26
SECTION 11	R3 – SINGLE FAMILY RESIDENTIAL (SMALL LOT)27
SECTION 12	R4 – SINGLE FAMILY RESIDENTIAL (VERY SMALL LOT)....28
SECTION 13	R5 – MOBILE HOME PARK29
SECTION 14	RD – DUPLEX RESIDENTIAL30
SECTION 15	RM1 – MULTI-FAMILY RESIDENTIAL32
SECTION 16	C1 – GENERAL COMMERCIAL34
SECTION 17	C2 – TOURIST COMMERCIAL37
SECTION 18	M1 – LIGHT INDUSTRIAL39
SECTION 19	M2 – GENERAL INDUSTRIAL42
SECTION 20	P1 – PUBLIC INSTITUTION44
SECTION 21	PARKS AND RECREATION 46