

RESORT APARTMENT OR RESORT TOWNHOUSE means apartments or townhouses that may be occupied for periods less than 30 consecutive days. This use typically includes as accessory uses restaurants, banquet and meeting facilities, recreation facilities and personal service establishments.

RETAIL, CONVENIENCE means premises that do not exceed 500 m² (5,381.9 ft²) in gross floor area, where goods are sold, and services are provided primarily to residents or workers in the immediate area.

RETAIL, GENERAL means premises where goods are sold and services are provided and in which exterior sales and storage areas do not exceed 10% of the gross floor area of the business premises. This use excludes wholesale sales and the sale or repair of heavy agricultural, construction and industrial equipment.

RETAIL, SERVICE COMMERCIAL means general retail except that exterior sales including vehicle sales and storage areas are not limited and wholesale sales and the sale or repair of heavy agricultural, construction and industrial equipment is permitted.

RIDING STABLE means premises used to house, train or exercise horses and typically includes space for instruction, boarding stables and a tack shop.

SALVAGE YARD means premises used for the collection, demolition, dismantling, storage, salvage, recycling or sale of waste materials including, but not limited to, scrap metal, vehicles, machinery, and other discarded materials.

SECONDARY USE, BUILDING OR STRUCTURE means 1 or more uses, buildings or structures that are:

- used in conjunction with a principal use, building or structure;
- located on the same parcel as the principal use, building or structure; and
- accessory to the principal use.

SINGLE DETACHED DWELLING means a detached building containing only 1 dwelling. A single detached dwelling may contain a permitted secondary suite.

SHORT TERM ACCOMMODATION means the use of a principal residence for visitor accommodation where the operator hosts guests within a single detached dwelling, secondary suite or carriage house.

STORAGE OF BULK FUEL, CHEMICALS AND OTHER PETROLEUM PRODUCTS means premises used for the above or below ground level storage and distribution of bulk fuel products.

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, but does not include:

- Projections providing rooftop access; Crawlspace that have a vertical clearance no greater than 1.5 m (4.9 ft); and
- Non-surface parking areas that do not extend more than 0.6 m (2.0 ft) above finished grade.

STREAM means a natural watercourse or source of water supply, whether usually containing water or not, and a lake, river, creek, spring, ravine, swamp and gulch.

STRUCTURE means any construction fixed to, supported by, or sunk into land or water, but excludes concrete and asphalt paving or similar surfacing of land.

TIMBER PROCESSING means premises used to cut, saw or plane timber, either to finished lumber, or as an intermediary step and may include facilities for the drying and storage of lumber.

construction of the new single detached dwelling or modular home, subject to the following conditions:

- (a) Where an owner wishes to continue to use an existing dwelling as a residence while constructing another dwelling on the same parcel, the owner shall deposit to the City an Irrevocable Letter of Credit or security, satisfactory to the City, in the amount of \$50,000 for each building or structure to be demolished; and
- (b) Prior to issuance of any permit, the owner shall enter into an agreement requiring that a maximum time period of two (2) years from the date of issuance of a Building Permit to completion and occupancy of the new single detached dwelling or modular home not be exceeded, or as otherwise specified in the agreement, to the satisfaction of the City;
 - i. Remove the single detached dwelling or modular home; or
 - ii. Convert the existing dwelling into a non-residential use to the satisfaction of the Building Official, following approval of occupancy for the new single detached dwelling or modular home.

3.4 TEMPORARY USE OF A RECREATIONAL VEHICLE DURING CONSTRUCTION

- .1 Despite a restriction under this Bylaw on the number of dwellings permitted on a parcel, or the length of occupancy of a recreational vehicle, the owner of a parcel, while in the process of constructing a new single detached dwelling or modular home on the same parcel, may occupy a recreational vehicle during the construction of the new single detached dwelling or modular home subject to the following conditions:
 - (a) The owner shall cease to occupy the recreational vehicle:
 - i. Immediately following the granting of occupancy for the new single detached dwelling or modular home; or
 - ii. Within one year from the date of issuance of the Building Permit for the single detached dwelling or modular home, whichever is less.

3.5 PROHIBITED USES AND STRUCTURES

- .1 Except as expressly permitted by this Bylaw, the following uses are prohibited in every zone:
 - (a) Outdoor storage of materials beneath electrical power distribution lines;
 - (b) Vacation rentals other than bed and breakfast, short term accommodations, agri-tourism accommodations, and the use of resort apartments and resort townhouses; and
 - (c) Occupancy of a recreational vehicle for more than 10 days in 1 period of 30 consecutive days.

- .13 A carriage house is not permitted on a parcel that contains a bed and breakfast.
- .14 A carriage house is not permitted on a parcel that contains an agricultural worker dwelling.

3.20 BED AND BREAKFAST

- .1 A bed and breakfast shall only be conducted within a principal single detached dwelling.
- .2 An occupant of the single detached dwelling shall be the operator of the bed and breakfast.
- .3 No more than 4 guest rooms are permitted in a bed and breakfast and no more than 8 guests are permitted in a bed and breakfast at any one time.
- .4 Guest rooms shall only be rented for rental periods of less than 1 month.
- .5 A bed and breakfast is permitted to have no more than 1 non-internally illuminated sign to a maximum size of 3000 cm² (465 in²) that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m (4.9 ft) from any parcel boundary.
- .6 There shall be no exterior indication that a bed and breakfast is in operation on any parcel, except for permitted signage and required parking.
- .7 A bed and breakfast shall not be permitted without connection to a community sewer system unless:
 - (a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.
- .8 A bed and breakfast is not permitted on a parcel that contains a secondary suite or carriage house.
- .9 A bed and breakfast is not permitted on a parcel that contains a short term accommodation.

3.21 SHORT TERM ACCOMMODATIONS

- .1 A short term accommodation use shall only be conducted within a single detached dwelling, secondary suite or carriage house.
- .2 An occupant of the property shall be the operator of the short term accommodation. For certainty, an occupant shall be a principal resident of the property.

- .3 In the case of a property containing a single detached dwelling with an approved secondary suite or approved carriage house, only one dwelling may be used for the purpose of a short term accommodation.
- .4 No more than two adults may occupy a bedroom and no more than four bedrooms are permitted to be used for a short term accommodation.
- .5 Bedrooms shall only be rented for periods of less than one month.
- .6 A short term accommodation is permitted to have no more than one non-internally illuminated sign to a maximum size of 0.3 m² that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m from any parcel boundary.
- .7 There shall be no exterior indication that a short term accommodation is in operation on any parcel, except for permitted signage and required parking.
- .8 A short term accommodation shall not be permitted without connection to a community sewer system unless:
 - (a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.
- .9 A short term accommodation is not permitted on a parcel that contains a bed and breakfast.

3.22 AGRICULTURAL WORKER DWELLING

- .1 Agricultural Worker Dwellings shall only be located on parcels or farm units where all or part of the parcel or farm unit where the agricultural dwelling is located is classified as a farm under the *Assessment Act* and the need for agricultural worker dwellings has been demonstrated to the City through documentation such as:
 - (a) A contract with the Federal government through a migrant worker program such as the Seasonal Agricultural Worker Program or Agricultural Stream Program;
 - (b) Farm receipts;
 - (c) Previous employment records; and/or
 - (d) A farm plan prepared by a professional agrologist.
- .2 The agricultural worker dwelling shall only be located on the same parcel where the agricultural use is taking place or located on a parcel within the same farm unit.
- .3 The gross floor area of an agricultural worker dwelling shall not exceed 140 m² (1,507 ft²) or 75% of the gross floor area of the principal single detached dwelling, whichever is less.
- .4 The maximum number of agricultural worker dwellings is specified in Table 3.10.

- (b) Where seating accommodation is the basis for a unit of measurement in Table 4.1, each 0.5 m (1.6 ft) of length of benches, pews and similar types of seating shall be deemed to be one seat.

Table 4.1 – Required parking spaces

USE	NUMBER OF REQUIRED PARKING SPACES
RESIDENTIAL AND RESIDENTIAL-RELATED	
Single detached dwelling, modular home, mobile home	2.0 per dwelling unit
Duplex	2.0 per dwelling unit
Secondary suite	1.0 per one bedroom dwelling 2.0 per two or more bedroom dwelling
Carriage house	1.0 per one bedroom dwelling 2.0 per two or more bedroom dwelling or 91 m ² (979.5 ft ²) of gross floor area or greater.
Townhouse	2.0 per dwelling unit
Apartment	
Bachelor or one bedroom	1.0 per dwelling unit
Two + bedroom	1.5 per dwelling unit
Congregate housing	0.5 per bedroom plus 0.5 spaces per non-resident on-duty employee or 3.0 spaces (whichever is greater)
Group home	0.75 per guest room
Bed and breakfast / Agri-tourism accommodation	1.0 per guest room
Short Term Accommodation	1 per one or two bedrooms; 2 per three or four bedrooms
Home based business	1.0 per employee that does not reside on the premises where the home based business is taking place and 1.0 per client (except a care facility, minor which shall have 1.0 per employee that does not reside on the premises where the home based business is taking place)
Live/work unit	1.0 per dwelling unit + applicable commercial parking (e.g. retail or office)
Caretaker unit	1.0 per unit
RESIDENTIAL – SPECIFIC REQUIREMENTS FOR WESTBANK CENTRE PLAN AREA ONLY (as defined in the 2011 Westbank Centre Revitalization Plan)	
Apartment or Townhouse	
Bachelor	1.0 per dwelling unit
One bedroom	1.0 per dwelling unit
Two bedroom	1.25 per dwelling unit
Three + bedrooms	1.5 per dwelling unit
AGRICULTURE	
Agriculture, general / intensive	1.5 per 100 m ² (1,076.4 ft ²) GFA for any commercial packaging or processing buildings
Agricultural market / produce stand	2.0 per 100 m ² (1,076.4 ft ²) GFA
Agricultural worker dwelling	1.0 per unit
COMMERCIAL AND INDUSTRIAL	
All uses in a Commercial Zone other than those specifically listed in this table	3.0 per 100 m ² (1,076.4 ft ²) GFA

10.9. DUPLEX RESIDENTIAL ZONE (R2)

.1 Purpose

To accommodate single detached residential and duplex residential uses.

.2 Principal Uses, Buildings and Structures

- (a) Duplex
- (b) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Care facility, minor
- (c) Home based business, major

.4 Site Specific Uses, Buildings and Structures

- (a) On Lot 2 District Lot 506 ODYD Plan 18464 Except Plan H16956 (#105 and 106 – 1d95 Industrial Road): Personal Service Establishment

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	800 m ² (8,611.1 ft ²)
(b)	Minimum usable parcel area	480 m ² (5,166.7 ft ²)
(c)	Minimum parcel frontage	18.0 m (59.1 ft)
DEVELOPMENT REGULATIONS		
(d)	Maximum density:	
i.	Duplex and single detached dwelling	Only 1 duplex, or only 1 single detached dwelling per parcel
(e)	Maximum parcel coverage:	
i.	Duplex	40%
ii.	Single detached dwelling	35%
(f)	Maximum building height	10.0 m (32.8 ft) to a maximum of 3 storeys except it is 5.0 m (16.4 ft) for accessory buildings and structures
SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
i.	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft)
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
		4.5 m (14.8 ft) for a garage or carport having vehicular entry from the front provided that a minimum of 6.2 m (20.3 ft) is maintained from back of curb or edge of sidewalk
ii.	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	1.5 m (4.9 ft) except it is 3.0 m (9.8 ft) from a private access easement

iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
v.	A1 Zone or ALR	Subject to Section 3.25

.6 Other Regulations

- (a) Where side-by-side duplex units are subdivided under the *Land Title Act* or *Strata Property Act*, Sections 10.9.5(a), 10.9.5(b), and 10.9.5(c) shall not apply provided that each parcel so created contains not less than one half the minimum parcel area, not less than one half of the minimum usable parcel area and not less than one half the minimum frontage specified in those Sections, and Section 10.9.5(g)iii. shall not apply.