

**PARCEL COVERAGE** means the percent of the surface area of a parcel that is covered by buildings or structures, measured to the outer surface of the exterior walls.

**PARKING, NON-SURFACE** means parking spaces provided entirely within the principal building or below grade, or a combination thereof. When located below grade, no portion of the parking structure shall extend more than 0.6 m (2.0 ft) above grade.

**PARKING, SURFACE** means parking spaces provided at grade or within an accessory building or structure, or a combination thereof.

**PERSONAL SERVICE ESTABLISHMENT** means premises that provide personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include hair salons, tattoo parlours and laundries.

**PRINCIPAL USE, BUILDING OR STRUCTURE** means a use, building or structure in the list of permitted uses in the zones of this bylaw which:

- typically occupies the major or central portion of a parcel;
- is the chief or main use, building, or structure on a parcel; and
- is the primary purpose for which the parcel is used.

**PROCESSED FARM PRODUCTS** means farm products that have been transformed by such means as fermentation, cooking, canning, smoking or drying.

**RECREATIONAL VEHICLE**, means a vehicle intended as a temporary accommodation for travel, vacation, or recreational use and includes travel trailers, motor homes, slide-in campers, chassis-mounted campers and tent trailers. Recreational vehicle also includes personal watercraft, all terrain vehicles, snowmobiles, and boats.

**RECREATION SERVICES, INDOOR** means facilities within an enclosed building used for sports, active recreation and performing and cultural arts. Typical uses include health and fitness facilities, skating rinks, bowling alleys, swimming pools, dance studios and yoga studios.

**RECREATION SERVICES, OUTDOOR** means facilities other than campgrounds which are used for sports and active recreation conducted outdoors. Typical uses include ball fields, soccer fields, go-cart tracks, drive-in theatres, batting cages, miniature golf courses and amusement parks.

**RECYCLING DEPOT** means premises used for the buying, collecting, sorting, and temporary storage of bottles, cans, newspapers and similar household goods for reuse.

**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 m<sup>2</sup> (5,381.9 ft<sup>2</sup>) 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 seasonal 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 and storage areas are not limited and wholesale sales and the sale or repair of heavy agricultural, construction and industrial

**VACATION RENTAL** means the rental of all or part of a dwelling for periods less than 30 days.

**VEHICULAR PARKING AREAS AND STRUCTURES** means premises providing vehicular parking which is not primarily intended for the use of residents, employees, or patrons of premises on the same parcel. Typical uses include surface parking areas and parking structures located above or below grade.

**WAREHOUSE** means premises for the storage and distribution of large quantities of goods and typically includes wholesale sales and accessory office uses.

**WINERY OR CIDERY** means premises licensed under the *Liquor Control and Licensing Act* for the production of wine or other beverages from orchard products and may include as accessory uses office, warehousing, retail sales, tasting and seating areas and restaurants.

**ZONE, AGRICULTURAL** means the A1 Zone and any parcel within a Comprehensive Development Zone on which agricultural use is permitted as the principal use.

**ZONE, COMMERCIAL** means the C1, C2, C3, C4, C5, C6, and C7 Zones and any parcel within a Comprehensive Development Zone on which commercial use is permitted as the principal use.

**ZONE, INDUSTRIAL** means the I1, I2, I3, I4, I5 and I6 Zones and any parcel within a Comprehensive Development Zone on which industrial use is permitted as the principal use.

**ZONE, FOREST RESOURCE** means the F1 Zone.

**ZONE, RESIDENTIAL** means the Single or Duplex Residential Zone and the Multiple Residential Zone.

**ZONE, SINGLE OR DUPLEX RESIDENTIAL** means the RC1, RC2, RC3, RC4, R1, R1M, R1L, RMP, and R2 Zones and any parcel within a Comprehensive Development Zone on which single detached dwellings or duplexes are permitted as the principal use.

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**ZONE, MULTIPLE RESIDENTIAL** means the R3, R4, and R5 Zones and any parcel within a Comprehensive Development Zone on which multiple residential buildings are permitted as the principal use.

**ZONE, RURAL** means the RU1, RU2, RU3, RU4 and RU5 Zones.

**ZONE, PARK OR INSTITUTIONAL** means the P1 and P2 Zones and any parcel within a Comprehensive Development Zone on which park or institutional uses are permitted as the principal use.

**ZONE, WATER** means the W1, W2, W3 and W4 Zones.

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# PART 3 – GENERAL REGULATIONS

## 3.1 APPLICATION

- .1 Except as otherwise specified by this Bylaw, Part 3 applies to all zones established under this Bylaw.

## 3.2 PERMITTED USES AND STRUCTURES

- .1 The following uses and structures are permitted in all zones:
- (a) Air or marine navigational aids;
  - (b) Transit stops;
  - (c) Civic plazas;
  - (d) Community garden;
  - (e) Community mailboxes placed by Canada Post;
  - (f) Environmental conservation activities;
  - (g) Highways;
  - (h) Mobile vending;
  - (i) Parks, playgrounds and recreational trails;
  - (j) Public service facilities for community water or sewer systems (including pumphouses and sewage and water treatment plants), community gas distribution systems and similar public service facilities or equipment such as those required for the transmission of electrical power, telephone or television, communication towers and municipal works yards, but not including electrical substations, maintenance buildings or offices;
  - (k) Storage of construction materials on a parcel for which the construction of a building or structure has been authorized by the City, provided all surplus materials are removed within 20 days of final inspection of the building or structure;
  - (l) Temporary construction and project sales offices authorized by building permit as temporary buildings; and
  - (m) The temporary use of a building as a polling station for government elections or referenda, provided that the time period of use does not exceed 60 consecutive days.

## 3.3 PROHIBITED USES AND STRUCTURES

- .1 The following uses are prohibited in every zone:
- (a) Outdoor storage of materials beneath electrical power distribution lines; and
  - (b) Vacation rentals other than bed and breakfast uses, agri-tourism accommodations, and the use of resort apartments and resort townhouses.



### 3.17 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 m<sup>2</sup> (465 in<sup>2</sup>) 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.

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### 3.18 AGRICULTURAL WORKER DWELLING

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- .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.



- .9 Temporary agricultural worker dwellings in the form of permanent buildings (such as cabins or bunkhouses) or semi-permanent buildings (such as mobile homes) 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.
- .10 Temporary agricultural worker dwellings in the form of temporary accommodation (such as tents or recreational vehicles) shall provide unrestricted access to screened washrooms, screened showers with warm water, washbasins and a communal kitchen for agricultural workers on the same parcel where the temporary accommodation is located. The minimum number of fixtures provided shall meet either:
- (a) Schedule 2 of the British Columbia *Public Health Act Industrial Camps Regulation*; or
  - (b) the Occupant Calculations provided in “Schedule F Housing Inspection Report, Seasonal Agricultural Worker Program and Agricultural Stream” (with portable toilets included in the calculation).

### 3.20 AGRI-TOURISM ACCOMMODATION

- .1 Agri-tourism accommodation shall only be conducted within a principal single detached dwelling.
- .2 All or part of the parcel on which the agri-tourism accommodation is located shall be classified as a farm under the *Assessment Act*.
- .3 Agri-tourism accommodation shall only be rented for rental periods of less than 1 month.
- .4 The maximum number of agri-tourism accommodation guest rooms is specified in Table 3.9.

Table 3.9 Maximum number of guest rooms.

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Parcel Size	Maximum Number of Guest rooms
Parcels less than 2.0 ha (4.9 ac)	0
Parcels equal to or greater than 2.0 ha (4.9 ac) and less than 7.6 ha (18.8 ac)	4
Parcels greater than 7.6 ha (18.8 ac)	10

- .5 When a bed and breakfast is located on the same parcel as an agri-tourism accommodation, the total number of guest rooms permitted on the parcel is the number specified in Table 3.9.



- .6** Agri-tourist accommodation uses shall be setback a minimum of 30 m (98.4 ft) from adjacent Residential Zones.

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- .7** For parcels equal to or greater than 2.0 ha and less than 7.6 ha the total GFA of guest rooms in an agri-tourism accommodation facility shall not exceed 120 m<sup>2</sup> (1292 ft<sup>2</sup>); a separate or ensuite washroom and common areas are not included as part of the area of guest rooms.

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- .8** For parcels greater than 7.6 ha the total GFA of guest rooms in an agri-tourism accommodation facility shall not exceed 300 m<sup>2</sup> (3230 ft<sup>2</sup>); a separate or ensuite washroom and common areas are not included as part of the area of the guest rooms.

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### 3.21 SITING REGULATIONS AND BUFFERING FROM AGRICULTURAL LAND

#### .1 Siting Regulations

- (a) Principal buildings and structures shall be a minimum distance of 15.0 m (49.2 ft) from land within the Agricultural Zone (A1) or land within the Agricultural Land Reserve (ALR).

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- (b) In a Single or Duplex Residential Zone, the required minimum distance of principal buildings and structures from land within the Agricultural Zone (A1) or land within the Agricultural Land Reserve (ALR) is reduced to 9.0 m (24.6 ft) if a Level 1 buffer is provided and maintained.

#### .2 Measurement of Minimum Distance from Agricultural Land

- (c) The minimum distance from land as specified in 3.21.1 shall be measured as follows:
- .1 From the parcel boundary abutting the A1 Zone or ALR land, whichever is closest to the non-farm use; or
  - .2 For parcels separated from the A1 Zone or ALR by a highway, the highway will form part of the required minimum distance from the boundary of the A1 Zone or ALR land; or
  - .3 For split zoned parcels or parcels located partially within the ALR, from the boundary of the A1 Zone or ALR land, whichever is closest to the non-farm use.

#### .3 Agricultural Buffers

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- (a) A buffer shall be provided and maintained when non-farm buildings and structures are constructed on parcels abutting A1 zoned land or land in the ALR, as specified in Table 3.10 and the specifications below.

Table 4.1 – Required parking spaces.

USE	NUMBER OF REQUIRED PARKING SPACES
<b>RESIDENTIAL AND RESIDENTIAL-RELATED</b>	
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 <sup>2</sup> (979.5 ft <sup>2</sup> ) 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 guest room
Group home	0.75 per guest room
Bed and breakfast / Agri-tourism accommodation	1.0 per guest room
Home based business	1.0 per employee and 1.0 per client (except a care facility, minor which shall have 1.0 per employee)
Live/work unit	1.0 per unit
Caretaker unit	1.0 per unit
<b>RESIDENTIAL – SPECIFIC REQUIREMENTS FOR WESTBANK CENTRE PLAN AREA ONLY (as defined in the 2011 Westbank Centre Revitalization Plan)</b>	
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
<b>AGRICULTURE</b>	
Agriculture, general / intensive	1.5 per 100 m <sup>2</sup> (1,076.4 ft <sup>2</sup> ) GFA for any commercial packaging or processing buildings
Agricultural market / produce stand	2.0 per 100 m <sup>2</sup> (1,076.4 ft <sup>2</sup> ) GFA
Agricultural worker dwelling	1.0 per unit
<b>COMMERCIAL AND INDUSTRIAL</b>	
All uses in a Commercial Zone other than those specifically listed in this table	3.0 per 100 m <sup>2</sup> (1,076.4 ft <sup>2</sup> ) GFA
All uses in an Industrial Zone, other than those specifically listed in this table	1.5 per 100 m <sup>2</sup> (1,076.4 ft <sup>2</sup> ) GFA