

# **VILLAGE OF LUMBY ZONING BYLAW NO. 750, 2012**

## **CONSOLIDATED WITH AMENDMENTS FOR CONVENIENCE ONLY**

### **Amendment Bylaws:**

**Bylaw No. 752, 2013**

**Bylaw No. 786, 2016**

**Bylaw No. 803, 2017**

**Bylaw No. 813, 2018**

**Bylaw No. 811, 2018**

**Bylaw No. 826, 2019**

**Bylaw No. 874, 2022**

**Bylaw No. 887, 2023**

**Bylaw No. 888, 2023**

**Bylaw No. 895, 2024**

**Bylaw No. 897, 2024**

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## **SECTION 100 – SCOPE AND APPLICABILITY**

**WHEREAS**, the Council of the Corporation of the Village of Lumby has determined to make the Regulation hereinafter contained under the provisions of the *Local Government Act* of the *Statutes of British Columbia*, having due regard for the following considerations:

1. The purpose and objectives of the Village of Lumby Official Community Plan.
2. The promotion of the health, safety, convenience, and welfare of the public.
3. The prevention of the overcrowding of the land, the preservation of the amenities peculiar to any zone.
4. The securing of adequate light, air, and access.
5. The value of the land and the nature of its present and prospective use and occupancy.
6. The character of each zone, the character of the buildings already erected, and the peculiar suitability of the zone for particular uses.
7. The conservation of property values.

**AND WHEREAS** all persons who might be affected by this Bylaw have before the passage thereof been afforded an opportunity to be heard on the matters covered therein before the Council of the Corporation of the Village of Lumby in accordance with the provisions of the said *Local Government Act*.

**NOW THEREFORE**, the Council of the Corporation of the Village of Lumby in open meeting assembled enacts as follows:

### **101 Title**

This Bylaw may be cited for all purposes as the "Village of Lumby Zoning Bylaw No. 750, 2012".

### **102 Application**

The provisions of this Bylaw shall apply to the land within the boundaries of the Corporation of the Village of Lumby and to the uses, buildings, and structures thereon.

### **103 Zones**

1. The area within the boundaries of the Corporation of the Village of Lumby is hereby divided into zones with the following designations and their short form equivalents:

#### Zone Designations

Commercial

- General Commercial

- Highway Service Commercial

#### Short Form

C.1

C.2

Industrial	
- Light Industrial	I.1
- General Industrial	I.2
Residential	
- Residential Single Family	R.1
- Residential Two Family	R.2
- Residential Multiple Family	R.3
- Residential Manufactured Home Subdivision	R.4
- Residential Manufactured Home Park	R.5
- Residential Resource	R.6
Rural	
- Small Holdings	S.H.
- Country Residential	C.R.
Special Use	
- Recreation Park	R.P.
- Comprehensive Development – Senior Citizens Assisted Living	CD.1
- Transportation Corridor	T.C.

2. The area extent of the said zones is as shown on the attached Schedule "A", being the "Zoning Map of the Corporation of the Village of Lumby", which forms an integral part of this Bylaw.
3. The boundary lines of said zones shall be the centre lines of road allowances, creeks, rivers, unless referenced to lot lines, Municipal boundaries, or shown otherwise on the attached Schedule "A", being the "Zoning Map of the Corporation of the Village of Lumby".
4. Where a zoning district boundary does not follow a legally defined line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the official zoning maps.

#### **104 Compliance with Other Legislation**

Nothing in this Bylaw shall be taken to relieve any person from complying with the provisions of any other Bylaw of the *Village of Lumby* or applicable provincial or federal statute or regulation.

#### **105 Severability**

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

**106 Measurements**

Metric units are used for all measurements in this Bylaw. The equivalent of those units, in imperial measure, shown in brackets following each metric measurement, are included for convenience only.

**107 Enforcement**

1. Inspection: The Building Inspectors or any other employee of the Village appointed by the Council to administer or enforce this Bylaw, are hereby authorized to enter at all reasonable times upon any property to ascertain whether the regulations and provisions of this Bylaw are being or have been complied with.
2. Violation:
  - a. It is an offence for any person to cause, suffer, or permit any building or structure to be constructed, reconstructed, altered, moved, extended, occupied, or used, or any land to be occupied or used, in contravention of this Bylaw or otherwise to contravene or fail to comply with this Bylaw.
  - b. It is an offence for any person to prevent or obstruct, or attempt to prevent or obstruct the authorized entry of the Building Inspectors or other appointed employee, authorized under Section 107.1 of this Bylaw.
3. Any person who violates bylaw provisions may, on summary conviction, be liable to the maximum penalty under the *Offense Act*, plus the cost of prosecution, for each offense. The penalties imposed under this section are a supplement and not a substitute for any other remedy to an infraction of this bylaw.
4. Remedial Powers: The Council may, in accordance with the provisions of the *Local Government Act*, authorize the demolition, the removal, or the bringing up to standard of any building, structure, or thing, in whole or in part, that is in contravention of this Bylaw.

**108 Amendment Procedures**

1. Applications made to amend this bylaw shall be made in accordance with the formal application procedures of the Village of Lumby and in accordance with the *Local Government Act*.
2. Where required, pursuant to the *Local Government Act*, the Village shall mail or otherwise deliver the notice of Hearing on a rezoning or land use contract amendment to the owners and occupiers of all real property:
  - a. Within the area that is subject to the rezoning or land use contract amendment; and
  - b. Within a distance of 30.5 m from any lot line of the area that is subject to the rezoning or land use contract amendment.

**109 Repeal**

Bylaw No. 395 being the "*Corporation of the Village of Lumby Zoning Bylaw No. 395, 1986*" and all amending Bylaws thereto, are hereby repealed.

**110 Effective Date**

This Bylaw shall come into force and take effect upon the final reading and adoption thereof.

READ A FIRST TIME this 5th day of NOVEMBER, 2012.

READ A SECOND TIME this 19th day of NOVEMBER, 2012.

READ A THIRD TIME this 10th day of DECEMBER, 2012.

Advertised on the 2nd day of DECEMBER, 2012 and the 5th day of DECEMBER, 2012, and a Public Hearing held pursuant to the provisions of Section 890 of the *Local Government Act* on the 10th day of DECEMBER, 2012.

Approved by the Ministry of Transportation and Infrastructure this 30<sup>TH</sup> day of January, 2013.

\_\_\_\_\_  
"Desiree Lantenhammer"  
Ministry of Transportation and  
Infrastructure

RECONSIDERED AND ADOPTED this 4<sup>th</sup> day of February, 2013.

\_\_\_\_\_  
"Tom Kadla"  
ADMINISTRATOR

\_\_\_\_\_  
"Kevin Acton"  
MAYOR

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## **SECTION 200 – DEFINITIONS**

In this Bylaw, unless the context otherwise requires:

**ACCESSORY** means customarily associated with or incidental to.

**ACCESSORY BUILDING OR STRUCTURE** means a building or structure, the use or intended use of which is ancillary to or customarily associated with that of a principal building or use situated on the same lot.

~~**ACCESSORY EMPLOYEE RESIDENTIAL USE** means a use accessory to an agricultural use or to a resource use where a building is used for one dwelling unit for the accommodation of an employee or employees on the same parcel as that on which the use occurs.~~

*(B/L 811, 2018)*

**ACCESSORY PRODUCE AND FRUIT SALES USE** means a use accessory to an agricultural use providing for the retail sale of fruit and vegetable products which are produced on the same parcel.

**ADMINISTRATOR** means the Administrator of the Corporation of the Village of Lumby.

**ADULT RETIREMENT HOUSING** means housing intended to provide for the residential use of persons fifty five (55) years of age or older.

**AGRICULTURAL USE, INTENSIVE** means a use providing for the growing, rearing, producing, and harvesting of agricultural products; includes the preliminary grading of such products for shipment, and specifically includes feed lots, piggeries, mushroom growing, and the keeping of bees, horses, sheep, goats, dairy cows, fur bearing animals, rabbits, poultry, or other animals or birds of like kind in concentrations of more than six (6) animal units per hectare (2.428 animal units per acre).

**AGRICULTURAL USE, LIMITED** means a use providing for the growing, rearing, producing, and harvesting of agricultural products; includes the preliminary grading of such products for shipment, and specifically includes riding stables, dog kennels, nurseries, greenhouses, and the keeping of dogs, pigeons, doves, or other animals or birds of like kind and the keeping of bees, horses, sheep, goats, cattle, dairy cows, fur bearing animals (except mink and fox), rabbits, poultry, or other animals or birds of like kind in concentrations of six (6) animal units or less per hectare (2.428 animal units per acre).

**AGRICULTURAL USE, RESTRICTED** means a use providing for the growing, rearing, producing, and harvesting of agricultural products provided that this does not create a nuisance by reason of sound, sight, or smell, and specifically includes nurseries, greenhouses, and the keeping of pigeons, rabbits, poultry, doves, bees, and other animals or birds of like kind for the personal use of the owner only. The keeping of horses, sheep, goats, cattle, or other animals of like kind is also permitted in concentrations of three (3) animal units or less per hectare (1.214 animal units per acre).

**ANIMAL UNIT** For the purpose of this Bylaw, the total number of animals making up one (1) animal unit shall be:

4	swine (plus weaner pigs), or
1	dairy cow (plus calf), or beef cow (plus calf), or bull; or
2.5	beef feeders to be fed to a maximum weight of 340 kg (749.6 lbs.), or
1.67	beef feeders to be fed to a maximum weight of 500 kg (1,102 lbs.), or
10	veal calves to be fed to a maximum weight of 140 kg (308.6 lbs.), or
1	horse, (mare and foal, or stallion or gelding or donkey or mule or hinny), or
4	sheep (plus lambs) or goats (plus kids), or
12	feeder lambs, or
250	laying chicken hens, or
500	broiler chickens, roasters, or pullets, or
100	turkeys to be fed to a weight exceeding 5 kg (11.02 lbs.), or
200	turkeys to be fed to a weight of 5 kg (11.02 lbs.) or less, or
125	geese or ducks, or
40	rabbits (bucks, or does plus progeny to weaning, or growers), or
80	mink (males, or females plus progeny to weaning, or growers), or
250,000	bees.

**ASSEMBLY USE** means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, recreational, or private educational purposes; includes churches, auditoriums, youth centres, social halls, group camps, private schools, kindergartens, play schools, day nurseries, day care schools, and specifically excludes residential use.

**AUCTION MART** means a place where goods are sold by auction on a regular basis.

**BACHELOR DWELLING UNIT** means a dwelling unit within a building where the dwelling unit has one (1) habitable room in addition to kitchen facilities and a bathroom.

**BASEMENT** means a space 2.2 m (7.218 feet) or more in height between two (2) floors, the lower floor of which is buried between 0.3 m (0.984 feet) and 1.5 m (4.921 feet) below the average finished ground level at the perimeter of the building.

**BOARDING, LODGING, OR ROOMING HOUSE** means a dwelling in which two (2) or more sleeping units are rented, with or without meals being provided, to two (2) or more persons, other than members of the family of the lease, tenant, or owner; includes bed and breakfast facilities, rest homes, fraternity houses, and group home facilities, excludes the preparation of meals within the rented units.

**BOTTLE DEPOT** means a facility used for the buying, collecting, sorting, and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. This includes recycled materials drop-off centres.

**BUFFER AREA** means an area free of all buildings and structures, the purpose of which is to separate different land uses.

**BUILDING** means a structure wholly or partly enclosed by a roof or roofs supported by walls or columns and used for the shelter or accommodation of persons, animals, chattels, or things. When a building is separated by party walls located upon lot lines, then each portion of such building shall be deemed a separate building.

**CAMPGROUND** means a site operated and occupied as temporary accommodation for camping units. A campground includes accessory building for the common use of campground patrons, such as washrooms and bathing facilities, or other facilities as are required in accordance with the *Health Act*, (RSBC 1996). A campground is not a manufactured home park, motel or hotel.

**CANNABIS**, also known as *marihuana* among other names, has the same meaning as defined under the *Cannabis Act*, as amended or replaced from time to time. *Cannabis can be consumed by smoking, vaporizing, within food, as an extract or otherwise ingested.*  
(B/L 813, 2018)

**CANNABIS LOUNGE** means a building or part thereof including decks, patios and balconies used for medicinal or recreational consumption (smoking oral or other means of consumption) of cannabis.  
(B/L 813, 2018)

**CELLAR** means a space between two (2) floors, the lower floor of which is 1.5 m (4.921 feet) or more below the average finished ground level at the perimeter of the building; or a space between two (2) floors less than 2.2 m (7.218 feet) high, the lower floor of which is below the average finished ground level at the perimeter of the building.

**CIVIC USE** means a use providing for public functions; includes Federal, Provincial, and Municipal offices and yards, schools, colleges, public hospitals, community centres, libraries, museums, parks, playgrounds, cemeteries, streets, and waterways.

**CLUB OR LODGE** means a building or establishment used by an association or organization for fraternal, social, or recreation purposes which may include limited private sleeping unit accommodation with cooking facilities.

**COMMUNITY CARE FACILITY** means a premises licensed under the *Community Care and Assisted Living Act* (SBC 2002).

**COMMUNITY SEWER SYSTEM** means a system of sewage disposal which serves two (2) or more lots and which is owned, operated, and maintained by an Improvement District under the *Water Act* or the *Local Government Act*, and amendments thereto; a Municipality, a Regional District, a Greater Board, or an Agency of Her Majesty the Queen in Right of Canada or Her Majesty the Queen in Right of the Province of British Columbia.

**COMMUNITY WATER SYSTEM** means a system of waterworks which is owned, operated, and maintained by an Improvement District, Municipality, Regional District, or water utility as defined in the *Water Utility Act* (RSBC 1996).

**CONTROLLED ACCESS HIGHWAY** means a highway designated as a controlled access highway, as defined by the *Transportation Act*, (SBC 2004).

**COUNCIL** means the Municipal Council of the Corporation of the Village of Lumby.

**DWELLING** means any building used for human habitation and which is supported on a permanent foundation extending below ground level and includes multiple dwellings, apartments, lodging, and boarding houses, and manufactured homes that meet the CSA A277 standards and which have a completed width of not less than 7.315 m (24 feet), but does not include manufactured homes.

**DWELLING, FOUR FAMILY** means any building divided into four (4) dwelling units, each of which is occupied or intended to be occupied as a permanent home or residence of one (1) family.

**DWELLING, MULTIPLE FAMILY** means any building consisting of five (5) or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence of one (1) family.

**DWELLING, ROW HOUSING** means a block of at least four (4) and not more than eight (8) side-by-side family dwelling units, with each dwelling unit on a separate lot attached to its neighbour at its side, and in which each family dwelling unit shall be separated from each other by a party wall.

***DWELLING, SECONDARY DETACHED means a single family dwelling which is secondary to an existing principal single family dwelling located on the same lot.***

***(B/L 811, 2018)***

**DWELLING, SECONDARY SUITE** means a self-contained, accessory dwelling unit located within a single family dwelling. A secondary suite has its own separate cooking, sleeping and bathing facilities. It has direct access to outside without passing through any part of the principal unit.

***(B/L 811, 2018)***

**DWELLING, SINGLE FAMILY** means any building consisting of one (1) dwelling unit which is occupied or intended to be occupied as a permanent home or residence of one (1) family.

**DWELLING, THREE FAMILY** means any building divided into three (3) dwelling units, each of which is occupied or intended to be occupied as a permanent home or residence of one (1) family.

**DWELLING, TWO FAMILY** means any building divided into two (2) dwelling units, each of which is occupied or intended to be occupied as a permanent home or residence of one (1) family.

**DWELLING UNIT** means one (1) or more rooms used for the residential accommodation of only one (1) family when such room or rooms contain or provide for the installation of sleeping facilities, sanitary facilities and only one (1) kitchen.

**FAMILY** means two (2) or more persons related by blood, marriage, adoption, or foster parenthood sharing one (1) dwelling unit, or three (3) or fewer unrelated persons sharing one (1) dwelling unit.

**FEED LOT** means an area of land enclosed or covered by a fence, pen, corral, or other enclosure, building, or structure used for the feeding and keeping of bovine animals primarily for raising and fattening as beef and for the storage or processing of their feed or manure.

For the purpose of this Bylaw, a feed lot shall not include the pasturing of bovine animals, cow-calf operations, nor the keeping of bovine animals, within the enclosure or building, or on the subject property in concentrations of six (6) animal units per hectare (2.428 animal units per acre) or less.

**FLOOR AREA** means the total of the floor areas of every room and passageway contained in a building but not including the floor area of basements, attached garages, sheds, open porches, or breezeways.

**GRADE, FINISHED** means the lowest of the average levels of finished ground adjoining each exterior wall of a building or structure, except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average level of finished ground.

**GRADE, NATURAL** means the elevation of the ground surface in its natural state, before man-made alteration; or on sloping or irregular sites, the angled plane, before man-made alteration.

**GREATER BOARD** means a corporate body, incorporated by an *Act*, with responsibility for the provision of water or sewage and drainage services.

**GROSS FLOOR AREA** means the sum of all areas of each storey in each building on a lot measured between the exterior walls of such building.

**HEIGHT OF BUILDINGS AND STRUCTURES** means the greatest vertical distance from the finished grade to the highest point on such building or structure.

**HIGHWAY** includes all public streets, roads, ways, trails, lanes, bridges, trestles, ferry landings and approaches, and any other public way.

**HOME OCCUPATION** means an occupation which is undertaken inside a residential building or accessory residential building or is accessory to an agricultural use but does not have connected with it the display of goods, sale of goods that are not produced on the premises, and does not contravene any health regulations, create noise, offensive odour, or generate excessive traffic, and does not employ other than occupants of the dwelling in which a home occupation is carried on.

**HOTEL** means a building containing sleeping units and may contain assembly, commerce, entertainment, indoor recreation or restaurant uses and premises licensed for on-site consumption of alcoholic beverages.

**INDUSTRIAL USES** means a use providing for the processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials, or things, and the selling of heavy industrial equipment and farm machinery; includes the operation of truck terminals, docks, railways, bulk loading and storage facilities, and incidental office and retail facilities.

**KITCHEN** means any room or area in which food is cooked or prepared and which contains facilities and equipment used for the storage, preparation and serving of food. The facilities and equipment mentioned above shall include such things as kitchen cabinets, kitchen sinks, kitchen stoves, dishwashers, other appliances and associated plumbing and wiring services.

**LAND** includes the surface of water.

**LANDSCAPE SCREEN** means a hedge of compact plant material, fence, or wall, when such hedge, fence, or wall is continuous except for access driveways and walkways.

**LANDSCAPING** means the planting of lawns, shrubs, and trees, and the addition of fencing, walks, drives, or other structures and materials as used in landscape architecture.

**LANE** means a road allowance more than 3 m (9.842 feet) but less than 10 m (32.81 feet) in width.

**LOT** means a unit of land designated as a separate and distinct parcel and legally described on the records of the Land Title Office in which the title to such land is registered.

**LOT AREA** means the area of a lot taken in a horizontal plane; excluding land covered by a natural body of water.

**LOT COVERAGE** means the area of a lot covered by buildings and structures on a horizontal plane excluding land covered by a natural body of water.

**LOT LINE** means a legal boundary of a lot.

**LOT LINE, EXTERIOR SIDE** means the lot line or lines not being the front or rear lot line, common to the lot and a street.

**LOT LINE, FRONT** means the lot line or lines common to the lot and an abutting street, or where there is more than one (1) abutting street, the front lot line shall be the lot line towards which the majority of the buildings on adjacent lots are faced. Where no clear pattern exists, then the front lot line shall be the shortest lot line common to the lot and the abutting street.

**LOT LINE, INTERIOR SIDE** means the lot line or lines, not being the front or rear lot line, common to more than one (1) lot or to the lot and a lane.

**LOT LINE, REAR** means the lot line or lines opposite to the front lot line, and where the rear portion of the lot is bounded by intersecting side lot lines, shall be deemed to be the point of such intersection. The rear lot line or lines of 'pie-shaped' lots or other irregularly shaped or asymmetrical lots shall include all lot lines that form a continuation of the rear lot lines of adjacent lots located within the same plan of subdivision.

**MANUFACTURED HOME** means a transportable prefabricated building, consisting of one (1) dwelling unit which is occupied or intended to be occupied as a permanent home or residence of only one (1) household, which building conforms with the CSA Z240-92MH Series Standard and which is designed to be transported on its own wheels or chassis to the manufactured home site. Such buildings are designed to be supported on wheels, jacks, posts or piers, or with permanent foundation.

**MANUFACTURED HOME, MODULAR** means a transportable sectional prefabricated building, consisting of one (1) dwelling unit which is occupied or intended to be occupied as a permanent home or residence of one (1) household, which building conforms with the CSA A277-92 Standard and which is not designed to be transported on its own wheels or chassis but is designed to be supported on a permanent foundation.

**MANUFACTURED HOME PARK** means any lot on which two (2) or more manufactured homes are located.

**MANUFACTURING** means assembling, repairing, processing, wrecking, and also includes the generating and transforming of electrical energy, but does not include mining.

~~**MARIHUANA** means all parts of the genus cannabis whether growing or not and the seed or clone of such plants.~~

~~(B/L 752, 2013)~~

~~**MEDICAL MARIHUANA PRODUCTION FACILITY** means a facility, licensed by the Federal Government under the Marihuana for Medical Purposes Regulation, used solely for the production, manufacturing, processing, testing, packaging, and shipping of marihuana and marihuana products for medical purposes.~~

~~(B/L 752, 2013)~~

~~(B/L 813, 2018)~~

**MOTEL** means a building or group of buildings containing rentable units, occupied or intended to be occupied temporarily by tourists or transients with each unit having its own parking space conveniently located on the site and each rentable unit being self-contained, having its own bathroom with a water closet and a bath or shower, with or without cooking facilities. Access may be by individual outside access or hallways. Motel includes motor hotel and auto court and may involve a restaurant, coffee shop and entertainment establishments.

**NEIGHBOURHOOD PUB** means a business whose principal business is the sale of liquor for immediate consumption within the premises, offers full lunch and dinner menus, complete with hot and cold meals, is licensed as “liquor primary” under the *Liquor Control and Licensing Act* (RSBC 1996), and may have forms of patron participation, excluding forms of adult entertainment such as exotic dancing and stripping.

**NIGHT CLUB/CABARET** means a business whose principal business is the sale of liquor for immediate consumption within the premises, is licensed as “liquor primary” under the *Liquor Control and Licensing Act*, (RSBC 1996), and may have forms of patron participation, excluding forms of adult entertainment such as exotic dancing and stripping.

**NON-CONFORMING USE** means a lawful use being made of land or a building and includes use of a building which is under construction at the time of the adoption of this Bylaw upon completion of the construction of such building provided that such use would have been permitted under the provisions of the Zoning Bylaw of the Village in force immediately prior to the adoption of this Bylaw.

**OFF-STREET PARKING** means a use providing for parking spaces for the temporary storage of vehicles.

**PARCEL** means any lot, block or block of lots, or other area in which land is held or into which land is subdivided.

**PARKS** means the land which is owned by a Government which is dedicated to public use for recreation purposes.

**PERMEABLE SURFACE** means a substance, substrate, membrane or material that absorbs or allows the passage of water. Examples of permeable surfaces include:

- a. Porous asphalt and concrete
- b. Permeable unit pavers
- c. Concrete grass pavers
- d. Plastic Grid Systems

**PETROLEUM DISTRIBUTION INSTALLATIONS** means any building or land used or intended to be used for the wholesale of petroleum fuel or lubricants to commercial vehicles and industrial equipment, which may include key-lock methods of distribution, and excludes bulk storage facilities.

**PICKERS' CABIN (FRUIT AND PRODUCE) USE** means a use accessory to an agricultural use or a resource use where a building is used for one (1) dwelling or sleeping unit for the accommodation of an employee or employees working on the same parcel.

**PIGGERY** means an area of land enclosed or covered by a fence, pen, corral, or other enclosure, building, or structure used for the feeding and keeping of swine primarily for raising and fattening as pork and for the storage or processing of their feed or manure. For the purpose of this Bylaw, a piggery shall not include the keeping of swine within the enclosure or building or on the subject property in concentrations of six (6) animal units per hectare (2.428 animal units per acre) or less.

**PRINCIPAL BUILDING** means an existing or proposed building which is the chief or main one among the buildings on a site.

**PRINCIPAL USE** means the primary and chief purpose for which land, buildings, and structures are used.

**PRIVATE HOSPITAL USE** means a use providing for the care of the sick, injured, or aged other than in a public hospital and includes private hospitals, convalescent homes, nursing homes, and personal care homes.

**PUBLIC SERVICE USE** means a use providing for the essential servicing with water, sewer collection infrastructure, electrical, telephone, natural gas, cable television and similar services, where such uses are established by the Village of Lumby, another government body, or by a company operating under all applicable laws including the *Utilities Commission Act* (RSBC 1996); includes broadcast transmission facilities and excludes exterior storage, vehicle and equipment repair facilities and administrative offices.

**RESIDENTIAL USE** means a use providing for the accommodation and home life of a person or persons.

**RETAINING WALL** means a structure constructed for the purpose of retaining, stabilizing or supporting an earthen bank as a result of differences in lot grades.

**ROAD FRONTAGE** means that length of a parcel boundary which immediately adjoins a highway other than a lane or walkway.

**SENIOR CITIZEN DWELLING UNIT** means a dwelling unit within a building for an apartment use provided for elderly persons by a corporation wholly owned by the Province or Municipality, or by a corporation constituted exclusively for charitable purposes.

**SERVICE STATION USE** means a use providing for the retail sale of motor fuels or lubricating oils including the servicing or repair of motor vehicles, the sale of automobile accessories, and the rental of trailers and motor vehicles; excludes all other sales and services, auto body shops, fender work, and painting.

**SLEEPING UNIT** means one (1) or more rooms used for the lodging of one (1) family when such unit contains no cooking facilities.

**STEEL CARGO CONTAINER** means a portable structure referred to as a sea cargo container, storage container, or office container, and which is primarily designated or used for transporting freight by commercial transportation. Excludes storage sheds that are assembled on-site.

**STOREY** means a habitable space between two (2) floors or between any floor and the upper surface of the floor next above, except that the top most storey shall be that portion of a building included between the upper surface of the top most floor and the ceiling above. A basement which contains a self-contained dwelling unit shall be considered as a storey.

**STREET** means a road allowance which provides the principal means of access for abutting lots. A street also includes an "access route" intended to serve lots created pursuant to the *Strata Property Act* (SBC 1998) and Bare Land Strata Regulations (BC Regulation 75/78).

**STRUCTURES** means any construction fixed to, supported by, or sunk into land or water.

**TRAILER** means any vehicle, coach, house-car, conveyance, or conveyance with an addition, designed to travel often on the highways, constructed or equipped to be used as temporary living or sleeping quarters by holiday makers.

**USE** means the purpose for which any lot, parcel, tract of land, building, or structure is used, occupied, or employed.

**USEABLE OPEN SPACE** means a compact, unobstructed area or areas available for safe and convenient use by all the building's occupants, having no dimensions of less than ~~6 m (19.68 feet)~~ **5 m (16.40 feet)** and no slope greater than ten percent (10%), provided for greenery, recreational space, and other leisure activities normally carried on outdoors. Useable open space shall exclude areas used for off-street parking, off-street loading, and service driveways.

**(B/L 811, 2018)**

**USED FOR** means constructed, reconstructed, altered, moved, extended, or occupied as or for the purpose of.

**VETERINARY (ANIMAL) HOSPITAL** means animal clinic, but does not include the boarding of animals.

**VILLAGE** means the Corporation of the Village of Lumby.

**WAREHOUSING** means storage, distribution, and wholesaling.

**YARD, FRONT** means the area of a lot bounded by the front lot line, each side lot line, and a line drawn parallel to and perpendicularly distant from the front lot line, such perpendicular distance (depth) to be as specified by the provisions of this Bylaw for the Zone in which the lot is located.

**YARD, REAR** means the area of a lot bounded by the rear lot line, each side lot line, and a line drawn parallel to and perpendicularly distant from the rear lot line, such perpendicular distance (depth) to be as specified by the provisions of this Bylaw for the Zone in which the lot is located.

**YARD, EXTERIOR SIDE** means the area of a lot bounded by the exterior side lot line and a line drawn perpendicularly distant from and parallel to the exterior side lot line extending from the front lot line to the rear lot line for such lot, and such perpendicular distance (depth) shall be as specified under the provisions of this Bylaw for the Zone in which the lot is located.

**YARD, SIDE** means the area of a lot bounded by the side lot line and a line drawn perpendicularly distant from and parallel to the side lot line extending from the front lot line to the rear lot line for such lot, and such perpendicular distance (width) shall be as specified under the provisions of this Bylaw for the Zone in which the lot is located.

**ZONE** means the areas into which the Village of Lumby is divided in accordance with the map or maps shown and attached to his Bylaw and for which specific regulations are outlined for each area.

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## **SECTION 300 – BASIC USE REGULATIONS**

### **301 Undersized Lots**

Lots existing at the time of the effective date of this Bylaw which do not conform with the parcel size or frontage requirements of these regulations may be used for any of the permitted uses outlined in the respective zone provided that all other requirements applicable within that zone can be met and provided that no other regulations are contravened.

### **302 Non-Conforming Uses**

1. The regulations governing non-conforming use are set out in the *Local Government Act*.
2. No use shall be established so as to render any existing use on the same lot non-conforming.
3. A use that was non-conforming or unlawful under Bylaw No. 395 as amended, being the "Corporation of the Village of Lumby Zoning Bylaw No. 395, 1986" shall continue to be non-conforming or unlawful unless it complies in every respect with the provisions of this Bylaw.

### **303 Permitted Uses of Land, Buildings, and Structures**

1. The use of land, including the surface of water, of buildings, and of structures shall be in accordance with the permitted uses specified in this Bylaw.
2. The following uses are permitted in all zones:
  - Highways
  - Public Service Use
  - Community Water System
  - Railroad tracks
  - Temporary buildings and structures, for non-residential use, and the storage of materials required for an approved construction project located on the same parcel provided the temporary buildings and structures are removed within thirty days of completion of the approved construction
  - Site preparation to accommodate or enhance a permitted use
3. Uses permitted in this section are subject to the regulations of the zone within which they are located with the exception of any requirements for subdivision.

### **304 Prohibited Uses of Land, Buildings, and Structures**

1. The following uses shall be prohibited in all zones:
  - a. A use that is carried on wholly or partly in a tent, trailer, or manufactured home, except as may be specifically permitted under the provisions of this Bylaw or under the provisions of the Bylaws and regulations of the Village generally.

- b. The storage of automobiles and trucks (including parts thereof) which are in a state of disrepair, wrecked, or being dismantled for salvage or which are not licensed for the current year, except where specifically permitted under the provisions of this Bylaw.
- c. The incinerating or processing of fish, animal, or vegetable waste products.
- d. The manufacturing of pulp, paper, or petroleum.
- e. All uses not expressly permitted by this bylaw are prohibited
- f. ***Medical–Marihuana Cannabis production facilities except as explicitly permitted under the provisions of this Bylaw.***  
(B/L 752, 2013) (B/L 813, 2018)
- g. ***Cannabis retail in zones which broadly permit retail store or sales, farm or off-farm product sales, convenience store, accessory retail use and home based businesses, except as explicitly permitted under the provisions of this Bylaw.***
- h. ***Cannabis lounge, except as explicitly permitted under the provisions of this Bylaw.***  
(B/L 813, 2018)

### 305 Agricultural Land Reserve

- 1. Notwithstanding anything contained in this Bylaw, land within the Village of Lumby designated as "Agricultural Land Reserve", pursuant to the *Agricultural Land Commission Act* (SBC 2002), shall be subject to:
  - a. the *Agricultural Land Commission Act*, and
  - b. regulations made under the *Agricultural Land Commission Act*, and
  - c. relevant orders of the Provincial Agricultural Land Commission made under the *Agricultural Land Commission Act*, that is to say, without limiting the generality of the foregoing where land within an "Agricultural Land Reserve" is also within a land zone established under this Bylaw, the Bylaw shall be binding only insofar as it is not contrary to, in conflict with, inconsistent with, or repugnant to the *Agricultural Land Commission Act*, regulations made thereunder, and orders of the Provincial Agricultural Land Commission except that the uses listed under Part 3(1) of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* (BC Regulation 171/2002) shall not be permitted to be carried out on lands located within the Agricultural Land Reserve unless otherwise specifically regulated by provisions of this bylaw.

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## **SECTION 400 – GENERAL USE AND DEVELOPMENT REGULATIONS**

### **401 Siting, Size, and Dimensions of Land, Buildings, and Structures**

1. The construction, reconstruction, alteration, moving, or extension of buildings and structures within any zone shall be in conformity with the regulations for the siting, size, and dimensions of buildings and structures specified in this Bylaw.
2. Buildings existing at the time of the effective date of this Bylaw or for which a valid building permit has been obtained which do not conform with the siting requirements of these regulations are not considered non-conforming by virtue of their siting. All external additions shall conform to the regulations of this Bylaw.
3. Notwithstanding the provisions of this Bylaw, buildings, or structures of less than 10 m<sup>2</sup> (107.6 square feet) are exempt from the provisions of Sections 405.1.b. and c. of this Bylaw.

### **402 Height Exceptions**

The height of buildings and structures permitted elsewhere in this Bylaw may be exceeded for industrial cranes, upright silos, grain elevators, towers, tanks, bunkers, radio and television antennas, church spires, belfries, domes, monuments, chimneys and smoke stacks, flag poles, drive-in theatre screens, stadium bleachers, lighting poles, apartment elevator shafts, stair towers, scenery lofts, fire and hose towers.

### **403 Setback Exceptions**

1. Where under the provisions of this Bylaw, a yard free of all buildings and structures is required to be provided, all items of construction or other things (hereinafter called "projections") attached to such building or structure and which project out from the exterior wall of such building or structure, shall be deemed to be part of such building or structure for the purpose of measurement of the depth or width of the required yard, provided that:
  - a. where such projections are chimneys, cornices, leaders, gutters, pilasters, belt courses, bay windows or ornamental features, the depth or width of the required yard into which such projections extend may be reduced by not more than 0.6 m (1.968 feet); and
  - b. where such projections are steps, eaves, sunlight control projections, canopies, balconies or open porches, the depth or width of the required yard into which such projections extend may be reduced by not more than 1 metre (3.281 feet).
  - c. an underground structure may be sited in any portion of a lot provided that the top surface of such structure shall at no point extend above the average finished ground elevation; and

- d. free-standing light poles, warning devices, antennas, masts, utility poles, wires, flag poles, signs and sign structures, may be sited on any portion of a lot provided that the location and design thereof is not prohibited under any other Bylaw or regulation of the Village.
- e. Retaining walls may be sited anywhere on a lot provided they comply with the height regulations outlined in Section 700 if this Bylaw.

#### **404 Special Building Line Setbacks**

Notwithstanding the setback provisions cited elsewhere in this Bylaw, the following building lines are hereby set on lands abutting certain highways within the Village of Lumby:

1. All buildings and structures shall be provided with a setback of not less than 12.5 m (41.01 feet) plus the required setback of the respective zone measured from the centre lines of:
  - a. Highway No. 6 (Vernon Street)
  - b. Industrial Avenue
  - c. Maple Street
  - d. Quesnel Road
  - e. Shuswap Avenue
2. Notwithstanding the above special building line setbacks, all buildings, structures and landscaping adjacent to Highway No. 6 (Vernon Street) and Shuswap Avenue shall comply with the required Provincial Highway setbacks outlined in BC Regulation 513/2004.

#### **405 Accessory Residential Buildings and Structures in Residential Zones**

Notwithstanding the setback, building size, or height restrictions cited elsewhere in this Bylaw, accessory residential buildings and structures in all Residential zones of this Bylaw shall:

1. be sited not less than:
  - a. 8 m (26.25 feet) from any front or exterior side lot line; and
  - b. 1 m (3.281 feet) from any rear or side lot line; and
  - c. 3 m (9.842 feet) from any other building or structure.
2. Notwithstanding the provisions of Subsection 1.a above, a carport or garage opening onto a lane shall be sited not less than 2 m (6.562 feet) from any such lane and a detached garage may be sited not less than 4.5 m (14.76 feet) from the front or exterior side lot lines on lots exceeding twenty percent (20%) average natural slope determined from the uppermost point on the lot to the lowest point on the lot; and

- a. be not larger than 80.3 m<sup>2</sup> (864.37 square feet) having a horizontal dimension of not more than 11 m (36.09 feet) for domestic garages and be not larger than 15 m<sup>2</sup> (161.5 square feet) for all other accessory buildings and structures; and
- b. in the case of carports or garages, constructed so that the roof or ridge line shall not be in excess of 5 m (16.40 feet) above the driveway at the entrance to the garage or carport. All other accessory buildings shall be constructed with a maximum height of 5 m (16.40 feet).

#### 406 Location of Driveways

No driveway or other roadway used for the purpose of gaining vehicular ingress to or egress from a lot shall be constructed or used in any zone where such driveway or roadway or any part thereof is located closer than 8 m (26.25 feet) of the point of intersection of the exterior side lot line of such lot with the front lot line or rear lot line thereof, when such lot lines intersect at an intersection angle of 135 degrees or less.

#### 407 Panhandle Lots

1. ***This Bylaw exempts all newly created parcels from the statutory 10% of the frontage perimeter requirements of the Local Government Act, provided the minimum frontage identified in the zone is satisfied.***

***(B/L 897, 2024)***

2. Where a parcel is a panhandle lot capable of further subdivision into two (2) or more lots, the panhandle shall be adequate with respect to grade, alignment, etc. to provide a future highway.
3. Where a parcel is a panhandle lot that cannot be further subdivided, the panhandle shall have a width of not less than 10 m (32.81 feet) and be suitable for entrance roadway standards of 4 m (13.12 feet) width and fifteen percent (15%) maximum grade.
4. Where a parcel is a panhandle lot, that access strip or panhandle shall not be calculated as part of the minimum lot area.
5. Notwithstanding the frontage requirements cited elsewhere in this Bylaw, lot frontages of "pie-shaped" lots or other irregularly shaped or asymmetrical lots located in residential zones may be reduced to not less than 12 m (39.37 feet) in width, provided that the average lot width throughout a depth of 30 m (98.42 feet) measured along a perpendicular line on the centre of the property on the frontage street complies with the required minimum lot width.

- a. ~~The frontage of a parcel fronting a highway shall be not less than one-tenth of the perimeter of the parcel.~~

***(B/L 897, 2024)***

6. The Council may, upon application by the owner, exempt the owner from any frontage requirement of this Bylaw except that the frontage required for a panhandle lot shall, in no case be less than:
  - a. 10 m (32.81 feet) where the panhandle lot cannot be further subdivided; or
  - b. 20 m (65.62 feet) where the panhandle lot can be further subdivided into two (2) or more lots.

#### **408 Subdivision Without Community Sewer**

The minimum lot size for subdivision is 1 ha (2.471 acres) for parcels not connected to a community sewer system.

#### **409 Home Occupations**

1. A home occupation use shall be permitted in residential and rural zones and:
  - a. except where it involves horticulture, shall be completely enclosed within the building used for residential use or accessory residential use; and
  - b. shall not involve the sale of a commodity on the premises, unless it is produced on the premises; and
  - c. shall occupy less than twenty percent (20%) of the floor area, not to exceed 45 m<sup>2</sup> (484.4 square feet); and
  - d. shall provide one (1) off-street parking space in addition to the off-street parking spaces required for the dwelling(s) located on the property. The parking space may not be provided in tandem with any other parking space required by this Bylaw; and
  - e. shall in no way indicate from the exterior that the premises are being so used except for one (1) home occupation sign permitted pursuant to Section 800 of this Bylaw; and
  - f. shall not discharge or emit: (a) odorous, toxic, or noxious matter or vapour; (b) heat, glare, or radiation; (c) recurrently generated ground vibration; (d) noise; and
  - g. shall have no employees other than members of the immediate family residing on the premises; and
  - h. shall not generate excessive traffic.

#### **410 Secondary Suites**

All secondary suites must comply with the following:

1. Secondary suites must be located in a single family dwelling; and

2. No more than one (1) secondary suite shall be permitted within a single family dwelling; and
3. ~~The maximum floor area of a secondary suite shall not exceed the lesser of 90 m<sup>2</sup> (968 square feet) or 40% of the habitable floor area of the single family dwelling. The minimum floor area of a secondary suite shall not be less than 36 m<sup>2</sup> (387 square feet); and~~

**(B/L 895, 2024)**
3. One (1) off-street parking space must be provided for each secondary suite. The parking space may not be provided in tandem with any other parking space required by this Bylaw; and
4. Secondary suites must comply with all relevant City bylaws, and the BC Building Code; and
5. Secondary suites must be located in a building and on property which is a single family real estate entity. No strata titling will be permitted.

#### **411 Laying Hens**

1. Notwithstanding the provisions of this Bylaw, up to four (4) laying hens are permitted on any lot that contains a single family dwelling or manufactured home and is zoned Rural or Residential (except the R.5 zone) within the Village of Lumby. No roosters shall be permitted on any lot zoned Residential or that is less than 1 ha (2.471 acres) and zoned Rural.
2. All hens must be completely enclosed within a building or structure that meets the following regulations:
  - a. the maximum floor area shall not exceed 9.2 m<sup>2</sup> (100 square feet); and
  - b. the height shall not exceed 2 m (6.56 feet), as measured from the finished grade; and
  - c. the setback from any door or window of any dwelling shall not be less than 3 m (9.8 feet); and
  - d. shall be located only to the rear or side of a single family dwelling; and
  - e. shall be screened and located to the rear of a single family dwelling on a corner lot; and
  - f. the setback from any property line shall be not less than 2 m (6.56 feet).

#### **412 Secondary Detached Dwellings**

***All secondary detached dwellings must comply with the following:***

1. **No more than one (1) secondary detached dwelling shall be permitted per lot.**
2. **The maximum floor area of secondary detached dwellings shall not exceed 90 m<sup>2</sup> (969 square feet) including the basement if applicable. If a garage is included within a secondary detached dwelling, the floor area of the garage is counted as part of the permitted floor area.**
3. **In any zone, the minimum lot area for a secondary detached dwelling shall be not less than ~~2 ha (4.94 acres)~~ 1 ha (2.47 acres) where the lot is serviced by an on-site septic tank effluent disposal system.**  
(B/L 895, 2024)
4. **Upper storey windows facing an interior side yard shall be not less than 1.5 m (4.92 feet) above floor level.**
5. **The front (or face) of a dormer window shall be set back a horizontal distance of not less than 0.6 m (2.0 feet) from the outer edge of the eaves.**
6. **The side wall (or cheek) of a dormer window shall be set back a horizontal distance of not less than 1.0 m (3.3 feet) from a vertical wall under a sloping roof.**
7. **The combined total width of the front (or face) of all dormer windows, as measured from the exterior of the side (or cheek) wall, shall not exceed 50% of the width of the roof as measured from the outer edge of the eaves.**
8. **Notwithstanding the setback restrictions cited elsewhere in this Bylaw, a secondary detached dwelling shall be sited not less than:**
  - a. **4.5 m (14.76 feet) from any front or exterior side lot line except that it is 6 m (19.68 feet) to the vehicle entry façade of any attached garage or carport; and**
  - b. **2 m (6.56 feet) from any side or rear lot line; and**  
(B/L 895, 2024)
  - c. ~~**3 m (9.84 feet) from any rear lot line where the rear yard abuts a lane; and**~~
  - d. ~~**4.5 m (14.76 feet) from any rear lot line where the rear yard does not abut a lane; and**~~  
(B/L 895, 2024)
  - c. **3 m (9.842 feet) from any other building or structure.**
9. **Maximum height of secondary detached dwellings shall not exceed ~~7 m (23.0 feet)~~ 8 m (26.2 feet).**  
(B/L 895, 2024)

10. ***Secondary detached dwellings must be located on property which is a single real estate entity. No strata titling will be permitted.***
11. ***A secondary detached dwelling is not permitted on a lot with a boarding house, lodging, rooming house, or bed and breakfast use.***
12. ***A home occupation use shall be permitted in a secondary detached dwelling in accordance with the provisions of Section 409 of this Bylaw.***
13. ***Off-street parking for a secondary detached dwelling shall be provided and maintained in accordance with the provisions of Section 601 of this Bylaw.***  
***(B/L 811, 2018)***

## 501 FLOODPLAIN REGULATIONS

The purpose of the floodplain management provisions is to reduce the risk of injury, loss of life, and damage to buildings and structures due to flooding. However, neither the Village of Lumby nor the Province of British Columbia represent to any person that any building or structure, including a manufactured home, used, constructed, or located in accordance with the following provisions will not be damaged by flooding.

### 1. Interpretation

For the purposes of this Section, the following definitions shall apply:

- a. **ALLUVIAL FAN** means an alluvial deposit of a stream where it issues from a steep mountain valley, or at the junction of a tributary stream with the main stream
- b. **DESIGNATED FLOOD** means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval, based on a frequency analysis of unregulated historic flood records or by regional analysis where there is inadequate stream flow data available. Where a large watercourse or body of water is controlled by a major dam, the designated flood shall be set on a site specific basis;
- c. **DESIGNATED FLOOD LEVEL** means the observed or calculated elevation for the Designated Flood, which is used in the calculation of the Flood Construction Level;
- d. **FLOOD CONSTRUCTION LEVEL** means a Designated Flood Level plus Freeboard, or where a Designated Flood Level cannot be determined, a specified height above a Natural Boundary, Natural Ground Elevation, or any obstruction that could cause ponding;
- e. **FLOODPLAIN** means an area which is susceptible to flooding from an adjoining watercourse, lake, or other body of water and that which is designated in Section 501.2. of this Bylaw.
- f. **FLOODPLAIN SETBACK** means the required minimum distance from the Natural Boundary or other reference line of a watercourse, lake, or other body of water to any landfill or structural support required to elevate a floor system or pad above the Flood Construction Level, so as to maintain a floodway and allow for potential land erosion.
- g. **FLOODPLAIN WATERCOURSE** means any natural or man-made depression with well defined banks and a bed 0.6 m (1.968 feet) or more below the surrounding land serving to give direction to a current of water including rivers, creeks, springs, ravines, swamps and gulches, whether usually containing water or not.

- h. **FREEBOARD** means a vertical distance added to a Designated Flood Level, used to establish a Flood Construction Level.
  - i. **G.S.C.** means Geodetic Survey of Canada datum.
  - j. **HABITABLE AREA** means any space or room, including a manufactured home, that is or can be used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater.
  - k. **MANUFACTURED HOME** means a transportable prefabricated building, consisting of one (1) dwelling unit which is occupied or intended to be occupied as a permanent home or residence of only one (1) household, which building conforms with the CSA Z240-92MH Series Standard and which is designed to be transported on its own wheels or chassis to the manufactured home site. Such buildings are designed to be supported on wheels, jacks, posts or piers, or with permanent foundation. Manufactured homes include **MANUFACTURED HOME, MODULAR** means a transportable sectional prefabricated building, consisting of one (1) dwelling unit which is occupied or intended to be occupied as a permanent home or residence of one (1) household, which building conforms with the CSA A277-92 Standard and which is not designed to be transported on its own wheels or chassis but is designed to be supported on a permanent foundation.
  - l. **NATURAL BOUNDARY** means the visible high water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself, as defined in Section 1 of the Land Act, and also includes the edge of dormant side channels of any lake, river, stream, or other body of water, and marshes.
  - m. **NATURAL GROUND ELEVATION** means the undisturbed ground elevation prior to site preparation.
  - n. **PAD** means a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a manufactured home, or a concrete pad for supporting a Habitable Area.
  - o. **STANDARD DYKE** means a dyke built to a minimum crest elevation equal to the Flood Level or Flood Construction Level and meeting standards of design and construction approved by the Ministry of Water, Land and Air Protection and maintained by an ongoing authority such as a local government body.
2. Floodplain Designation

The following land is designated as Floodplain:

- a. Land shown as Floodplain on Schedule "A", being the Floodplain maps attached to and forming part of this Bylaw.
  - b. Land lower than the Flood Construction Levels specified in Section 501.3.b. of this Bylaw.
  - c. Land within the Floodplain Setbacks specified in Section 501.3.c. of this Bylaw.
3. Floodplain Specifications

- a. All new construction except where exempted under Section 501.3.b.iii, must conform to the Flood Construction Levels and Floodplain Setbacks as outlined in this section.
- b. Flood Construction Levels:

The following elevations are specified as Flood Construction Levels, EXCEPT THAT WHERE MORE THAN ONE (1) FLOOD CONSTRUCTION LEVEL IS APPLICABLE, THE HIGHER ELEVATION SHALL BE THE FLOOD CONSTRUCTION LEVEL:

- i. the Flood Construction Level for a specific property, as determined by interpolation from those Flood Construction Levels shown on Land shown as Floodplain on Schedule "A", being the Floodplain maps attached to and forming part of this Bylaw; or
- ii. 1.5 m (4.921 feet) above the Natural Boundary of any other watercourse, lake, marsh, or pond.
- iii. Notwithstanding the Flood Construction Level requirements cited herein the following types of developments are hereby exempted from the requirements, in respect to the Flood Construction Level provisions of this section:
  - A renovation of an existing building or structure that does not involve an addition thereto;
  - An addition to a building or structure that would increase the size of the building or structure by less than twenty-five percent (25%) of the floor area existing at the date of adoption of this bylaw provided that the degree of conformity regarding setbacks is not increased;
  - That portion of a building or structure to be used as a carport, garage or entrance foyer;
  - Farm buildings other than dwelling units and closed-sided livestock housing;
  - Hot water tanks and furnaces behind Standard Dykes;

- Closed-sided livestock housing behind Standard Dykes;
- Heavy Industry behind Standard Dykes;
- On-loading and off-loading facilities associated with water-oriented industry and portable sawmills;
- Farm dwelling units provided that they are located on parcels 8 hectares or greater in size that are located within the Agricultural Land Reserve, provided that they are located with the underside of a wooden floor system or the top of the Pad of any Habitable Area (or in the case of a Manufactured Home or Unit the top of Pad or the ground surface on which it is located) no lower than 1 m above the Natural Ground Elevation taken at any point on the perimeter of the building, or no lower than the Flood Construction Levels specified herein whichever is lesser;
- Closed-sided livestock housing not behind Standard Dykes provided that they are located with the underside of a wooden floor system or the top of the Pad (or in the case of a Manufactured Home or Unit, the top of Pad or the ground surface on which it is located) no lower than 1 m above the Natural Ground Elevation taken at any point on the perimeter of the building, or no lower than the Flood Construction Levels specified herein whichever is the lesser;
- Industrial uses, other than main electrical switchgear, provided that they are located with the underside of a wooden floor system or the top of the Pad (or in the case of a Manufactured Home or Unit, the top of Pad or the ground surface on which it is located) no lower than 1 m above the Natural Ground Elevation taken at any point on the perimeter of the building, or no lower than the Flood Construction Levels specified herein minus freeboard. Main electrical switchgear shall be no lower than the Flood Construction Level.

c. Floodplain Setbacks:

The following distances are specified as Floodplain Setbacks, EXCEPT THAT WHERE MORE THAN ONE (1) FLOODPLAIN SETBACK IS APPLICABLE, THE WIDER DISTANCE SHALL BE THE FLOODPLAIN SETBACK.

- i. 30 m (98.42 feet) from the Natural Boundary of Bessette Creek, and Duteau Creek; or
- ii. 15 m (49.21 feet) from the Natural Boundary of any watercourse, lake, marsh, or pond; or
- iii. 15 m (49.21 feet) from any Standard Dyke right-of-way, or structure for flood protection or seepage control.

#### 4. General Provisions

- a. The underside of any floor system, or the top of any pad supporting any space or room, including a manufactured home, that is used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater shall be above the Flood Construction Level specified in Section 501.3.b. above.
- b. Any landfill required to support a floor system or pad shall not extend within any setback from a watercourse or body of water specified in this Bylaw.
- c. Structural support or compacted landfill or a combination of both may be used to elevate the underside of the floor system or the top of the pad above the Flood Construction Level. Where landfill is used, the face of the landfill slope shall be protected against erosion from flood flows, wave action, ice, and other debris.
- d. The Flood Level or Flood Construction Level for any watercourse identified in Sections 501.3.b. and c. above shall be taken perpendicular to the natural boundary of the watercourse at its highest perpendicular point.
- e. The Building Inspector, or such person appointed by the Council of the Village of Lumby may require that a British Columbia Land Surveyor's certificate be required to verify compliance with the Floodplain Elevations and Setbacks specified in Sections 501.3.b. and 501.3.c. of this Bylaw. The cost of verification shall be assumed by the land owner.
- f. Pursuant to Section 910(5) of the *Local Government Act*, the Village of Lumby may grant exemptions from the application of floodplain setbacks and flood construction elevations provided that:
  - The property owner submits a written request for an exemption to the Village of Lumby Council; and
  - The exemption is consistent with the Provincial Guidelines; or
  - A professional engineer or geoscientist, or other prescribed person, certifies that the property can be safely used for the intended use.

## 502 RIPARIAN AREAS REGULATION

The Riparian Areas Regulation applies to all development related to residential, commercial and/or industrial activities as regulated by the Provincial Riparian Areas Regulation.

### 1. Interpretation

For the purposes of this Section, the following definitions shall apply:

- a. **DEVELOPMENT** means any of the following associated with or resulting from the local government regulation or approval of residential, commercial or industrial activities to the extent that they are subject to local government powers under the *Local Government Act*:
  - removal, alteration, disruption or destruction of vegetation;
  - disturbance of soils;
  - construction or erection of buildings and structures;
  - creation of non-structural impervious or semi-impervious surfaces;
  - flood protection works;
  - construction of roads, trails, docks, wharves, and bridges;
  - provision and maintenance of sewer and water services;
  - development of drainage systems;
  - development of utility corridors;
  - subdivision as defined in Section 872 of the *Local Government Act*.
- b. **HIGH WATER MARK** means the high water mark or water level in a watercourse that is reached during annual flood events, as indicated by the presence of soil subject to the regulation inundation and/or vegetation that due to the frequent presence of water is distinctly different from the vegetation of adjacent upland areas.
- c. **QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP)** means an applied scientist or technologist acting alone or together with another qualified environmental professional if the individual is registered and in good standing in BC with an appropriate professional organization constituted under an act, acting under that association's code of ethics and subject to disciplinary action by that association the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal and the individual is acting within that individual's area of expertise.
- d. **RIPARIAN ASSESSMENT AREA** means the area within 30 m (98.42 feet) of the high water mark of a riparian watercourse; within 30 m (98.42 feet) of the top of the ravine bank in the case of a ravine less than 60 m (196.85 feet) wide; and within 10 m (32.08 feet) of the top of the ravine bank in the case of a wider ravine that link aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential upland vegetation that exerts an influence on the riparian watercourse.

- e. **TOP OF RAVINE BANK** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 m (49.21 feet) measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.
- f. **RIPARIAN WATERCOURSE** means any natural or man-made depression with well defined banks serving to give direction to a current of water, including rivers, creeks, springs, ravines, swamps, and gulches and any of the following that provides fish habitat: a pond, lake, river, creek or brook, and; a ditch, spring or wetland that is connected by surface flow to a riparian watercourse.

2. Riparian Area Setbacks

Development may not occur within the Riparian Assessment Area unless a lesser setback is determined by an assessment completed by a QEP under the Riparian Areas Regulation or an approval is granted under the Riparian Areas Regulation by the applicable provincial or federal agencies except subdivision as defined in Section 872 of the *Local Government Act* where no modifications are proposed within the Riparian Assessment Area and a Section 219 covenant has been registered on the title of the property restricting development within the Riparian Assessment Area and it has been deemed that a sufficient building envelope, suitable building site and sewage disposal area can be provided.

## 601 OFF-STREET PARKING REGULATIONS

1. Where any building or structure is being erected, enlarged, or increased in capacity, provisions shall be made for off-street parking on the same lot as the principal building or on a lot within 60 m (196.8 feet) thereof in accordance with the table hereinafter set out.
2. Notwithstanding any other provisions of this Bylaw, all spaces provided for off-street parking, whether public or private, shall conform to the following requirements:

- a. Size:

All parking spaces shall have a clear length of not less than 6 m (19.68 feet) and a clear width of not less than 2.8 m (9.186 feet) and a clear height of not less than 2.2 m (7.218 feet).

- b. Access:

Aisles shall be 7.0 m (22.96 feet) for all two way aisles and for all ninety degree (90°) parking. One way aisles shall be 5.5 m (18.04 feet) wide for sixty degree (60°) parking, 4.0 m (13.12 feet) wide for forty-five degree (45°) and parallel parking.

- c. Layout:

Where more than four (4) parking spaces are provided, they must be so designed that vehicles are not required to back out onto a highway. In any case, they shall be subject to the requirements of the Ministry of Transportation and Infrastructure where applicable.

Parking spaces and aisles must be designed to facilitate traffic movement in a logical, safe manner and adhere to good Engineering Practices. Drive-through services shall not adversely affect the functioning of surrounding public roadways.

- d. Location:

If parking is provided "on site", the parking portion must be consolidated with the portion of the lot upon which the building is located so that the whole forms one (1) lot. If the parking is located on a lot not immediately adjacent to the site containing the building for which the parking is provided, the owner must enter into a registerable covenant with the Village restricting the use of the lot to parking in conjunction with the building lot.

- e. Surface:

Every off-street parking area shall:

- i. be graded to provide an even surface; and
  - ii. be drained so that no surface water:
    - a. accumulates thereon; or
    - b. off onto any sidewalk; or
    - c. runs off onto any highway if the area is not paved; and
  - iii. be surfaced with asphaltic concrete or cement pavement of the minimum thickness. In the case of asphalt, 6 cm (2.362 inches); in the case of portland cement, 10 cm (3.937 inches) reinforced, except in the following:
    - a. all Rural zones; and
    - b. all Residential zones providing the use is single family residential; and
    - c. in Commercial zones where the property is vacant, pending sale or development, and no other use is being made of the lot; and the other provisions of this Section are being complied with; and curbs are erected to prevent gravel going onto sidewalks or highways, provided that:

in the case of Subsections 601.2.e.iii.a., b., and c. above, the surface shall be:

      - i. kept free of weeds; and
      - ii. gravelled; and
      - iii. treated to suppress dust; and
      - iv. have access to and from highways as approved by the Village Public Works Superintendent and the Ministry of Transportation and Infrastructure where applicable.
- f. Curbs:
- All parking lots shall be provided with curbs as defined in this Bylaw, located to the requirements of the Village Public Works Superintendent and the Ministry of Transportation and Infrastructure where applicable.
- g. Setbacks:
- i. In Residential zones, where parking facilities are located on the same lot as the principal building, no part of the parking lot shall be located closer than 1.5 m (4.921 feet) to any dwelling and not more than 30 m (98.42 feet) from the farthest parking stall provided, to an entrance to the principal building.

- ii. In Commercial zones, for parking located on the same lot as the principal building, no part of the parking lot shall be located closer than 1.5 m (4.921 feet) to any dwelling and not more than 90 m (295.3 feet) from the farthest parking stall to the principal building.

h. Signs:

All parking lots for more than four (4) vehicles, other than for gasoline service stations, shall have directional signs so as to provide traffic control.

i. ~~Tandem Parking:~~

~~Parking spaces may be configured in tandem for single family dwellings and for two family dwellings.~~

i. **Tandem Parking:**

***Parking spaces may be configured in tandem in all Residential zones provided the tandem parking spaces are clearly allocated to a specific dwelling unit and are located immediately beside, in front, or to the rear of the dwelling unit to which they have been allocated.***

**(B/L 811, 2018)**

3. Schedule of Parking Requirements:

<u>Uses</u>	<u>Minimum Number of Parking Spaces Required</u>
Animal hospital / kennels	1 per 2 employees and 3 per veterinarian
Auction (indoor)	1 per 10 m <sup>2</sup> (107.6 square feet) auction floor
Auto sales and repair	1 per 70 m <sup>2</sup> (753.5 square feet) sales floor and 1 per service bay and 1 per 2 employees
Bank	1 per 20 m <sup>2</sup> (215.3 square feet) gross floor area
Billiard Hall	2 per table
Boarding, lodging, and rooming	2 plus 1 per sleeping unit
Boat sales and repairs	1 per 2 employees and 1 per 90 m <sup>2</sup> (968.8 square feet) display area (covered and outside)
Bowling alley	3 per alley
Building materials supply	1 per 2 employees and 1 per 180 m <sup>2</sup> (1,937 square feet) covered sales and storage
Campground / overnight trailers	1 per space plus 2
Car wash	1 per 2 employees plus 2 off-street storage spaces per bay
Church	1 per 10 seats
Clubs, lodges	1 per 4 seats
College	1 per employee and 1 per 5 students

Contractors yard, including public utility structures	1 per 2 employees
Convalescent, nursing and personal care home	1 per 3 beds
Cultural facility (art gallery, etc.)	1 per 40 m <sup>2</sup> (430.6 square feet) gross floor area
Dance, music, and photo studio	1 per 30 m <sup>2</sup> (322.9 square feet) gross floor area plus 1 per 2 employees
Food services	1 per 4 seats
Food services – drive-through	2.5 per 100m <sup>2</sup> (1076 square feet)
Funeral parlour	1 per 4 seats in chapel
Gas station	1 per 2 employees on duty and 2 per service bay
Golf course	150 stalls
Golf driving range	1 per tee plus 1 per 2 employees
Health salon	1 per 10 m <sup>2</sup> (107.6 square feet) gross floor area
Home Occupation	1 in addition to that required for the principal dwelling(s)
Hospital, private	1 per 3 beds
Hospital, public	1 per 2 employees plus 1 per 5 beds
Hotel	1.1 per room and 1 per 3 seats bar, café, etc.
Laboratory	1 per 2 employees
Laundromat	1 per 3 washing machines
Laundry / dry cleaning	1 per 2 employees counted as total of 2 shifts
Machinery sales	1 per 2 employees and 1 per 90 m <sup>2</sup> (968.7 square feet) sales floor
Manufacture/industrial	1 per 2 employees counted as total of 2 shifts
Manufactured home and recreation vehicle sales and service	1 per 2 employees plus 1 per 450 m <sup>2</sup> (4,844 square feet) of display yard
<del><b>Medical – Marihuana – Production Facilities</b></del>	
<b>Cannabis Production Facilities (B/L 813, 2018)</b>	<b>1.5 per 100 m<sup>2</sup> (1076 square feet) gross floor area (B/L 752, 2013)</b>
Motel	1.1 per unit plus 1 per 3 seats in café, etc.
Neighbourhood pub	1 per 3 seats
Nurseries / greenhouses	1 per 15 m <sup>2</sup> (161.5 square feet) gross floor area retail sales building
Offices, multi tenant	5 stalls per doctor or dentist, 1 per 25 m <sup>2</sup> (269.1 square feet) gross floor area
Offices, single tenant	1 stall per 30 m <sup>2</sup> (322.9 square feet) gross floor area
Police office	1 per 2 employees counted as total of 2 shifts

Pool, swimming	1 per 4 m <sup>2</sup> (43.06 square feet) pool water surface	
Post office	1 per 2 employees counted as total of 2 shifts	
Printing establishments	1 per 2 employees plus 1.5 per printing press	
Public bus depot	1 per 20 m <sup>2</sup> (215.3 square feet) waiting room and 1 per 2 employees counted as total of 2 shifts	
Recreation centre	1 per 10 m <sup>2</sup> (107.6 square feet) ice area and 8 per 100 m <sup>2</sup> (1076 square feet) pool surface and 1 per 4 player capacity other sports	
<del>Residential, multi-family over 25 units per acre</del>	<del>1.25 per dwelling unit</del>	
<del>Residential, multi-family over 60 units per acre</del>	<del>1 per dwelling unit</del>	
<del>Residential, multi-family senior citizen housing</del>	<del>1 per 8 dwelling units</del>	
<del>Residential, multi-family up to 25 units per acre</del>	<del>2 per dwelling unit</del>	
<del>Residential, single family and duplex</del>	<del>2 per dwelling unit</del>	
<del>Residential, bachelor dwelling unit</del>	<del>1 per dwelling unit</del>	
<del>Residential, secondary suite</del>	<del>1 in addition to the 2 per principal dwelling unit</del>	
<b>Residential – single family and two family dwellings</b>	<b>2 1 per dwelling unit</b>	<b>(B/L 895, 2024)</b>
<b>Residential – other than single family and two family dwellings</b>		
<b>a. bachelor or 1 bedroom unit</b>	<b>1 per dwelling unit</b>	
<b>b. 2 bedroom unit</b>	<del>4.5</del> <b>1 per dwelling unit</b>	
<b>c. 3 bedrooms or more</b>	<b>2 1 per dwelling unit</b>	<b>(B/L 895, 2024)</b>
<b>d. secondary suite</b>	<b>1 per dwelling unit</b>	
<b>e. secondary detached dwelling</b>	<b>1 per dwelling unit</b>	<b>(B/L 811, 2018)</b>
School, elementary	1 per employee	
School, secondary	1 per employee plus 1 per 10 students	
Shopping centres	4.4 per 100 m <sup>2</sup> (1076 square feet) gross leasable area	
Stadium	1 per 3 seats	
Store, supermarket / liquor / other retail / personal service, including barber shop and beauty parlour	3 per 100 m <sup>2</sup> (1076 square feet) gross floor area	

Taxi stand	1 per taxi plus 1 per office employee
Television and radio stations	1 per 2 employees counted as total of 2 shifts
Theatre, drive-in	1 per 2 employees
Theatre, not drive-in	1 per 4 seats
Tire repair	1 per 2 employees plus 1 per bay
Tourist attraction	1 per 4 persons capacity
Vegetable / produce stand	4 per sales clerk
Warehouse	1 per 2 employees counted as total of 2 shifts

Note: The figures include allowance for employees, customers, and visitors, but do not include any allowance for other company vehicles or for loading facilities.

4. Parking Requirements for Unspecified Uses:

Where in any zone, uses similar to the specified permitted uses are allowed, the minimum number of parking spaces required under Section 601.3 above for any such unspecified use shall be the minimum number of parking spaces required for the specified permitted use to which the unspecified permitted use is most similar.

5. Unenclosed Parking and Storage in Residential Zones:

No person at any time shall park or store any commercial vehicle, truck, bus, self-propelled camper, travel trailer, tow truck (or parts of any of the above) or any equipment or building material in a Residential zone, except:

- a. one (1) truck or commercial vehicle not exceeding 6,350 kg G.V.W. (14,000 pounds G.V.W.) rated capacity; and/or
- b. one (1) self-propelled camper or travel trailer provided that the overall length does not exceed 10 m (32.81 feet); and/or
- c. trucks or equipment required for construction, repair, servicing, or maintenance of the premises when parking during normal working hours; and/or
- d. one (1) boat or vessel not exceeding a length of 10 m (32.81 feet); and/or
- e. building materials when the owner, lessee, or occupier of the premises is in possession of a valid building permit, provided that the materials stored are in connection with the construction or development of the building situated on the same property as which the material is stored pursuant to the building permit.

**602 OFF-STREET LOADING REGULATIONS**

Subject to the provisions of Section 602 of this Bylaw, when any development takes place on any lot, off-street loading shall be provided and maintained in accordance with the regulations contained in this Section.

1. Existing Buildings, Structures, and Uses:

The regulations contained in this Section shall not apply to buildings, structures, or uses existing on the effective date of this Bylaw, except that:

- a. off-street loading shall be provided and maintained in accordance with this Section where there is a change in the principal use or where the total floor area is increased in excess of ten percent (10%) over the existing floor area; and
- b. off-street loading existing on the effective date of this Bylaw shall not be reduced below the applicable off-street loading requirement of this Section.

2. Unit of Measurement:

When calculating off-street loading requirements, the gross floor area shall include the floor area of accessory buildings or basements, except where they are used for parking or heating.

3. Mixed Occupancies:

In the case of mixed uses the total requirements for off-street loading facilities shall be the sum of the requirements for the various uses computed separately.

4. Required Off-Street Loading Spaces:

- a. On every site used as a retail store, business, industry, ~~medical marijuana production facility~~, **cannabis production facility**, warehouse, or other similar use, the minimum number of spaces shall be as follows:

**(B/L 752, 2013) (B/L 813, 2018)**

<u>Total Gross Floor Area of Buildings</u>	<u>Spaces Required</u>
i. less than 450 m <sup>2</sup> (4,844 square feet)	1
ii. 450 m <sup>2</sup> (4,844 square feet) to 2,300 m <sup>2</sup> (24,756 square feet)	2
iii. 2,300 m <sup>2</sup> (24,756 square feet) to 4,600 m <sup>2</sup> (49,514 square feet)	3
iv. each additional 4,600 m <sup>2</sup> (49,514 square feet) or each fraction thereof in excess of 2,300 m <sup>2</sup> (24,756 square feet)	1 additional

- b. On every site used as an office building, place of public assembly, hospital, institution, hotel, club or lodge, auditorium, public utility, school, or other similar use, the minimum number of spaces shall be as follows:

<u>Total Gross Floor Area of Buildings</u>	<u>Spaces Required</u>
i. less than 2,700 m <sup>2</sup> (29,062 square feet)	1
ii. 2,700 m <sup>2</sup> (29,062 square feet) to 5,500 m <sup>2</sup> (59,201 square feet)	2
iii. each additional 5,500 m <sup>2</sup> (59,201 square feet) or fraction thereof in excess of 2,700 m <sup>2</sup> (29,062 square feet)	1 additional

5. Location and Siting of Loading Facilities:

Off-street loading spaces and facilities shall be located on the same lot as the use served, but not within the required front yard, nor closer than 15.5 m (50.85 feet) to the nearest point of intersection of any two (2) road allowances.

6. Development and Maintenance Standards:

- a. The location of all points of ingress and egress to a loading area shall be subject to the approval of the Village Public Works Superintendent and the Ministry of Transportation and Infrastructure where applicable.
- b. All off-street loading and unloading spaces shall be of adequate size and with adequate access thereto to accommodate the types of vehicles which will be loading and unloading, but in no case shall be insufficient to accommodate a vehicle 9 m (29.53 feet) in length, 2.4 m (7.874 feet) in width, and 3.7 m (12.14 feet) in height.
- c. All loading areas shall be provided with adequate curbs in order to retain all vehicles within such permitted loading areas and to ensure that required fences, walls, hedges, or landscaped areas, as well as any buildings, will be protected from parked vehicles.
- d. Each loading space shall be surfaced with an asphalt, concrete, or similar pavement so as to provide a durable, dust-free surface and shall be so graded and drained so as to properly dispose of all surface water.
- e. Any lighting used to illuminate any loading area shall be so arranged that all direct rays of light are reflected upon the loading area and not on any adjoining premises.

## **SECTION 700 – SCREENING AND LANDSCAPING REGULATIONS**

### 1. Screening:

- a. Landscape screening consisting of a solid 2.5 m (8.202 feet) fence or wall, which shall be uniformly painted and well maintained and not used for advertising or display purposes or for the posting of notices, or a compact evergreen hedge not less than 2 m (6.562 feet) in height, which shall be maintained in good condition at all times, shall be provided as follows:
  - i. In Commercial and Industrial zones, any part of a lot used or intended to be used as an outside storage area shall be closed by screening on any side not facing directly upon the principal building on the lot, and no material shall be piled to extend above such screening.

Required front screening shall be so situated as to conform with the front yard setback provisions of the applicable zone.
  - ii. Where any Commercial, Industrial, or Multiple Family Residential parking or display area abuts a lot in a Residential zone, or is separated by a lane therefrom, screening of 2 m (6.562 feet) in height shall be provided and properly maintained along the common property boundary.
  - iii. Notwithstanding the requirements of Subsection a.ii. above, screening along a lane shall be not less than 0.7 m (2.297 feet) and not more than 1.1 m (3.609 feet) in height for a distance of not less than 6 m (19.68 feet) from all points of ingress and egress to and from such parking or display area.
- b. Screening of over 1 m (3.281 feet) in height or any lesser height which constitutes a traffic hazard shall not be permitted within the area described by three (3) lines interconnecting an exterior lot corner, a point on the front lot line 6 m (19.68 feet) from the exterior lot corner and a point on the exterior lot line 6 m (19.68 feet) from the exterior lot corner, the exterior lot corner being the point of intersection of the exterior side lot line and the front lot line when such lines form an interior angle of 135 degrees or less.
- c. The height of screening shall be determined by measurement from the ground level at the average grade level.
- d. That portion of a retaining wall which projects above the surface of the ground which it supports shall be considered as a screen and subject to the regulations of this Subsection.
- e. Notwithstanding Subsection 1.d. above, in cases where a retaining wall has been constructed along a property line, the height of screening shall be determined by the measurement from the surface of the ground which the retaining wall supports at the average grade level.

- f. Subject to the vision clearance provisions of Subsection 1.a.iii. and 1.b. above, the following height limitations shall apply to screening:
    - i. In all zones, fences and hedges not greater than 1.2 m (3.94 feet) in height may be located anywhere on a lot.
    - ii. In all zones, except Industrial zones, fences or walls not greater than 2 m (6.56 feet) in height may be located on any lot to the rear of a required front yard.
    - iii. In Industrial zones, fences or hedges not greater than 2.5 m (8.202 feet) in height may be located on any lot to the rear of a required front yard.
    - iv. In Residential zones, where the rear line of a lot abuts the side line of an adjoining lot, the height of fences, walls, or hedges, on such rear lot line shall be not greater than the height permitted on the side line of an adjoining lot at the point of abutment.
  - g. Subsection 1.f. above shall not apply to open mesh or chain link type fences erected on cemetery, public playground, park, playfield, elementary, or high school areas, and in Commercial and Industrial zones. In these cases, no such fence shall exceed a height of 3.5 m (11.48 feet).
  - h. Retaining walls on all residential lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m (3.94 feet) measured from grade on the lower side, and must be constructed so that multiple retaining walls are spaced to provide at least a 1.2 m (3.94 feet) horizontal separation between them.
  - i. The combined height of a fence on top of a retaining wall at the property line or within 1m of a property line shall not exceed 2.0 m (6.56 feet), measured from natural grade at the property line.
  - j. A retaining wall may be higher than 1.2 m (3.94 feet), measured from grade, where the natural grade of the subject property is lower than the abutting property.
2. Landscaping:
- a. Landscaping shall be provided and well maintained at all times, as follows:
    - i. Where any commercial or industrial development abuts a lot in a Residential Zone, a landscaped buffer area shall be provided with a minimum width of 2 m (6.56 feet).
    - ii. Where any commercial or industrial development abuts a street, a landscaped buffer area shall be provided with a width equal to the required front or exterior side yard setback of the respective zone.

The remainder of the property that is not used for buildings, display, parking, or access driveways shall be suitably landscaped.

- b. Landscaping shall consist of the following:
  - i. A grass to shrubbery ratio of from 6:4 to 8:2.
  - ii. A minimum of five percent (5%) of the landscaped area shall be planted in trees using the canopy area of the trees as a measure of the number and size of trees required.
  - iii. A maximum of fifteen percent (15%) of the area shall be planted to annuals.
  - iv. Other accepted landscape materials may be utilized under the supervision of a competent landscape contractor or landscape architect.

## **SECTION 800 – SIGNAGE REGULATIONS**

### 1. Interpretation:

For the purposes of this Section and unless the context otherwise requires:

- a. **ANIMATED SIGN** means a sign which includes sound, action, or motion.
- b. **BILLBOARD** means a sign of a permanent or semi-permanent nature intended for the display thereon of advertising messages which can be readily changed or altered.
- c. **COMMUNITY SIGN** means a sign that is sponsored by the Lumby Chamber of Commerce or the Village of Lumby that is used to either identify a community, provide information about the community or is used for the purpose of identifying and promoting individual businesses within the community. This includes Area Promotional Signs as permitted by the Ministry of Transportation.
- d. **COPY** means the wording on a sign surface.
- e. **COPY AREA** means the area(s) of the smallest geometric figure(s) which would enclose the copy of a sign.
- f. **DIRECTIONAL SIGN** means a sign intended solely to give direction (i.e. direction to an "Entrance", "Exit", "Handicapped Access", etc.)
- g. **FLASHING SIGN** means a sign which is partially or wholly illuminated by an intermittent light source and specifically excludes public service signs displaying time, temperature, etc.
- h. **FREE STANDING SIGN** means a sign which is supported independent of a building.
- i. **HEIGHT OF SIGN** means the greatest vertical distance from the average finished ground elevation at the base of the sign to the highest point on the sign.
- j. **HOME OCCUPATION SIGN** means a sign that advertises a home occupation as defined in Section 400 of this Bylaw.
- k. **ILLUMINATED SIGN** means a sign which emanates or reflects artificial light.
- l. **OFF PREMISE SIGN** means a sign which advertises or directs attention to a product, service, place, activity, person, institution, or business not sited on the same lot.
- m. **POLITICAL SIGN** means a sign promoting a political candidate, party, or issue related to an announced election.

- n. **PORTABLE/TEMPORARY SIGN** means a sign not permanently attached to the ground, building, or structure and includes banners, pennants, flags, vehicles, search lights, balloons, and other similar devices.
- o. **PROJECTING SIGN** means a sign attached to the wall of any building or to any ground or roof structure and projecting therefrom with a sign face or faces forming an angle greater than thirty (30) degrees with the plane of the wall or structure.
- p. **PROJECTION** means the distance that a sign extends out from a wall, or from the ground or roof structure to which it is attached.
- q. **REAL ESTATE SIGN** means a temporary sign pertaining to the sale, lease, or rental of real estate.
- r. **ROOF SIGN** means a sign erected upon or above the roof of a building or structure.
- s. **SANDWICH BOARD SIGN** means a non-illuminated sign consisting of two flat surfaces/faces joined at one end with no more than 0.75 m<sup>2</sup> (8.07 square feet) per face and 1.3 m (4.26 feet) in height.
- t. **SEASONAL OR HOLIDAY SIGN** means a sign or decoration installed temporarily for the celebration of a religious, civic, or other holiday and which does not contain any advertising.
- u. **SIGN** means an identification, description, illustration, contrivance, or device visible from a public place which is intended to direct attention to a product, service, place, activity, person, institution, business, or solicitation.
- v. **SIGN AREA** means the area of the sign(s) within a perimeter which forms the outside shape including any frame which forms an integral part of the display.
- w. **WALL AREA** means the area of all external, vertical wall surfaces, fascias, and trim bands making up any single face of a building facing a public road.
- x. **WALL SIGN** means a sign that is painted on or incorporated into a building's awning, canopy, wall, fascia, or trim band surface.

2. Permit Application, Fees, and Inspection:

a. Permit Application and Inspection:

With the exception of flag poles, signs that are painted on the side of a building, and those signs identified in Section 800.3.a.ii of this Bylaw, a Building Permit for a sign structure shall be obtained from the Building Inspector for the Village of Lumby.

Application for a permit shall be made to the Chief Building Inspector, in approved form, as cited in the Building Bylaw of the Village of Lumby, in force from time to time.

b. Fees:

At the time of application for a sign permit, the applicant shall pay the fees required to be paid by the Building Bylaw of the Village of Lumby, in force from time to time.

3. General Regulations:

a. Permitted Signs:

- i. Subject to the provisions of this Bylaw, signs shall be permitted to be located on a parcel of land only if they advertise a product, service, place, activity, person, institution, or business located on the same parcel.
- ii. Notwithstanding the provisions of Subsection 3.a.i. above and subject to the regulations contained elsewhere in this Bylaw, the following signs shall be permitted to be located on any parcel of land:

- construction signs
- community signs
- directional signs
- government signs
- home occupation signs
- "neighbourhood watch" signs
- political signs
- real estate signs
- seasonal and holiday signs

b. Prohibited Signs:

Notwithstanding the provisions of Subsection 3.a. above, the location of the following signs on any parcel of land is expressly prohibited:

- animated signs
- billboards
- flashing signs
- off premise signs (except as otherwise specified in Section 800.3.1. Off Premises Signs)
- portable/temporary signs
- roof signs

c. Design Standards:

- i. All signage shall be professionally prepared

- ii. All signs affixed to the exterior of a building shall be architecturally compatible with the style, composition, materials, colours and details of the buildings, as well as with other signs used on the building or its vicinity;
  - iii. All signs should be mounted so that the method of installation is hidden – including all services to the sign.
  - iv. All signs shall be visible, legible and readable and located with consideration to street appearance, traffic and pedestrian safety, and in accordance to general regulations as set within Section 800.
  - v. Any signage that is non-conforming and not approved by permit must comply upon adoption of this bylaw within one hundred and twenty (120) days.
- d. Sign Area:
- The sign area shall be not greater than:
- i. 0.4 m<sup>2</sup> (4.31 square feet) for home occupation and directional signs; or
  - ii. 1 m<sup>2</sup> (10.76 square feet) for directional signs and for real estate and political signs located in a residential zone; or
  - iii. 3.0 m<sup>2</sup> (32.29 square feet) for real estate and political signs located in other than a residential zone.
- e. Number of Signs:
- There shall be no more than one (1) home occupation or real estate sign located on a parcel of land.
- f. Illumination:
- Home occupation, real estate, and political signs shall not be illuminated.
- g. Setbacks:
- i. The setback of free standing signs from all property lines shall be not less than 1 m (3.28 feet).
  - ii. Notwithstanding the setback requirements of Subsection 3.g.i. above, no free standing sign shall be permitted to be located within a distance of 6 m (19.68 feet) from:
    - a. a lot corner adjacent to the intersection of two public highways; and
    - b. a lot corner adjacent to a public highway and common to two lots.

h. Construction Standards:

- i. Wall signs more than 8 cm (3.15 inches) thick shall be attached to the wall at a height of not less than 2.5 m (8.20 feet) above the finished grade of any sidewalk or ground surface immediately thereunder and not less than 4.5 m (14.76 feet) above the finished grade of any driveway, lane, or parking space immediately thereunder.
- ii. Projecting signs shall:
  - a. located only within the centre one-third portion of the building facade; and
  - b. not project beyond any wall surface more than 5 cm (1.968 inches) for each 0.3 m (0.984 feet) of building frontage to a maximum projection of 2 m (6.562 feet); and
  - c. be located at a height of not less than 3 m (9.842 feet) above the finished grade of any sidewalk or ground surface immediately thereunder and not less than 4.5 m (14.76 feet) above the finished grade of any driveway, lane, or parking space immediately thereunder; and
  - d. not encroach on any space immediately above a public roadway.

i. Maintenance:

All signs shall be properly maintained and any sign located on a property which becomes vacant and unoccupied for a period of six (6) months, and any sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned, and shall be removed by the owner of the land within thirty (30) days of receipt of written notification by the Clerk.

j. Controlled Sign Permits:

Notwithstanding any other requirements of this Bylaw, Council by special resolution, may issue a "controlled sign permit" for the following:

- i. Seasonal or holiday signs located on or above public land including highways.
- ii. One (1) portable/temporary sign including sidewalk and curb signs, banners, pennants, and streamers intended to advertise a special event such as the opening of a business, sale, fund raising drive, etc., provided that the sign is removed from the property within thirty (30) days of the issue of the permit.

k. Penalty

Notwithstanding the provisions of Section 107 of this Bylaw, the penalty for contravention of any portion of Section 800 of this Bylaw shall be \$500 per offence.

i. Off Premise Signs:

- i. Off premise signs shall only be permitted in Commercial, Industrial and Country Residential zones. Further, the erection of new off premise advertising sign structures shall not commence until a permit has been issued by the Village of Lumby. In reviewing the sign permit application, the Village of Lumby shall consider the following factors:
  - a. Evidence of written permission from the property owner, to the applicant of the desired off premise sign location.
  - b. The number, size and location of advertisement in relationship to visual clutter, visibility, legibility and readability. Submissions therefore must include drawings, site plans and professional creative design.
  - c. The need to encourage street appeal and appearance to ensure traffic and/or pedestrian safety.
  - d. All off premise signs must conform to all other signage regulations outlined in the zoning bylaw.
  - e. Off premise signs in the Country Residential Zone shall be restricted to one (1) sign per parcel, and shall not exceed a maximum height of 6 m (19.60 feet) and a maximum size of 5.94 m<sup>2</sup> (64 square feet).
- ii. Permits will be valid for one-year and renewable annually without charge.
- iii. Failure to obtain an approving permit from the Village of Lumby shall result in a fine of \$500 and costs incurred to remove offending signage shall be the responsibility of the owner of the property on which the sign is located.
- iv. For any off premise sign that is currently non-conforming, an application for a sign permit and/or development variance permit must be made upon adoption of this bylaw within sixty (60) days.

m. Sandwich Board Signs

Sandwich Board signs shall be permitted subject to the following provisions:

- located in Commercial or Industrial zones only;
- shall be limited to (1) one Sign for each business premises;
- shall be displayed only during the hours of operation of the business premises to which it pertains;
- shall not be placed in a manner as to be a nuisance or restrict pedestrian movement or vehicle visibility, and shall allow at least 0.45 m (1.47 feet) from the curb and be situated as to allow a minimum 2.0 m (6.56 feet) wide unobstructed pedestrian corridor between the sandwich board sign and adjacent street appurtenance, landscaping feature, building or any other

- structure;
- shall meet the requirements of Section 800.4;
- shall be constructed so that it has a base that can be weighted to prevent the sign from being blown or knocked over;
- shall consist of lettering that is fixed to the surface of the sign and is kept in clean and good repair; and
- any deviation or variation to the aforementioned zoning bylaw must meet with approval by the Village of Lumby Council.

4. Specific Regulations - Assembly and Private Hospital, Commercial and Industrial Zones:

a. Sign Area:

The maximum sign area shall be not greater than:

- i. the square root of (the total wall area x 10) - for wall signs and projecting signs; or
- ii. the square root of (the total wall area x 2) - for free standing signs.
- iii. 1.5 m<sup>2</sup> (16.15 square feet) for free standing signs for assembly and private hospital use.

Double sided free standing signs need only consider one face in determining the maximum sign area.

b. Copy Area:

The maximum copy area shall be not greater than forty-five percent (45%) of the sign area.

c. Height of Signs:

The height of free standing signs shall not exceed 6 m (19.68 feet) except that the height of free standing signs for assembly and private hospital use shall not exceed 2 m (6.56 feet).

d. Illumination:

Internal and external illumination of signs shall be permitted provided that the light source does not cause undue glare to adjacent properties or persons travelling on adjacent public highways or in any way obstruct or interfere with the function of a traffic signal light or sign.

e. Landscaping:

Free standing signs shall be placed in and co-ordinated with the landscaped areas of the parcel.

Number of Signs:

- i. The maximum number of free standing signs permitted on a parcel of land zoned assembly and private hospital, commercial or industrial shall be one (1) except that one (1) additional free standing sign may be permitted for lot frontages exceeding 100 m (328.1 feet).
- ii. The number of wall signs shall not be restricted.
- iii. The number of projecting signs shall be limited to one (1) per building.

5. Liability

- a. Where permitted in this bylaw, a sign to be installed wholly or partly on public property, or which will overhang a sidewalk or other Village property, the owner of the sign will be required to do the following as conditions precedent to the issuance of a sign permit:
  - i. enter into an encroachment agreement with the Village of Lumby; and
  - ii. indemnify and save harmless the Village of Lumby and the Regional District of North Okanagan for any claim relating to the construction and maintenance of the sign by way of a save harmless covenant; and
  - iii. provide a public liability insurance policy in the amount of \$1,000,000 naming the Village of Lumby and the Regional District of North Okanagan as additional named insured for as long as the sign remains on or over public property. In the event that the sign owner allows such insurance to lapse without renewal, the sign permit will be deemed revoked, requiring such sign to be removed immediately.)

## **SECTION 900 – CAMPGROUND REGULATIONS**

### 1. Application:

- a. The provisions of Section 900 apply to any campground constructed or established after the adoption of this Bylaw and to any additional construction on an existing campground and to any alteration to the layout of an existing campground.
- b. Where the construction or layout of an existing campground does not conform to the provisions of this Bylaw, no person may carry out additional construction or make an alteration to the layout of the campground if the effect of such construction or alteration is likely to aggravate the non-conformity.
- c. This Bylaw does not apply to campgrounds licensed under the *Community Care and Assisted Living Act*, (SBC 2004).

### 2. Interpretation:

For the purposes of this Section and unless the context otherwise requires:

- a. **APPROVAL** means approval in writing.
- b. **CAMPING SPACE** means an area in a campground used for one (1) trailer or tent.
- c. **DEPENDENT TRAILER** means a trailer other than an independent trailer.
- d. **INDEPENDENT TRAILER** means a trailer equipped with a water- closet and a place for washing, wastes from both of which may be disposed of directly into a sewage-disposal system through a drain connection.
- e. **OWNER** means an owner, agent, lessor, or manager of, or any person who operates a campground.
- f. **ROADWAY** means road within a campground part or all of which is made suitable for normal vehicular use for access to abutting camping spaces and other facilities.
- g. **SERVICE BUILDING** means a building housing toilet or bathing facilities or such other sanitation facilities as are required by this Bylaw.
- h. **SEWAGE DISPOSAL STATION** means a place where trailer sewage- storage tanks may be emptied and flushed.
- i. **TRAILER** means any vehicle, coach, house-car, or conveyance, designed to travel on the highways, constructed or equipped to be used as temporary living or sleeping quarters by travellers.

3. Prohibitions:

- a. No person may construct or lay out a campground or any part of a campground without being in possession of a valid and subsisting permit for that purpose issued pursuant to the provisions of this Bylaw.
- b. No person may construct or lay out a campground or part of a campground in a manner not authorized or in a manner prohibited by the provisions of this Bylaw.

4. Administration:

- a. The Administrator or such other officer appointed by the Council shall administer the provisions of this Section.
- b. The officer appointed under Subsection a. above may enter any campground at all reasonable times for the purpose of administering or enforcing the provisions of this Section.

5. Permit Required:

No person shall construct, alter, extend, or expand a campground until written approval is received and permit is issued by the Administrator.

6. Application, Approval, and Permit:

- a. All applications for campground approval and permit shall be made in writing to the Administrator and shall contain:
  - i. the name and address of the applicant; and
  - ii. a general description of the location of the land and a full legal description of the land on which the proposed campground is to be established, constructed, altered, or extended; and
  - iii. two (2) full sets of working drawings to scale showing:
    - a. the area, dimensions, and legal description of the parcel(s) of land; and
    - b. the dimensions and location of the buffer area required under Section 900.13. of this Bylaw; and
    - c. the number, location, dimensions, and designation of all camping spaces, and location and dimensions of all roadways, the owner's residential plot (if any), common recreation areas, and storage area (if any); and
    - d. the location of service buildings, any sewage- disposal station, or any other proposed structures; and

- e. the internal layouts of all service ancillary buildings and other structures, apart from the owner's residence; and
  - f. the location and details of the water distribution lines, and outlets; and
  - g. the location and details of all connections to the Village sewer system; and
  - h. the location of storm drains and catch basins; and
  - i. the location and details of all on-site garbage and refuse-disposal areas; and
  - j. a north arrow and notation of the scales used; and
  - k. a general landscaping plan for the site; and
  - l. all water courses or water frontage within or adjacent to the proposed campground; and
  - m. all steep banks or slopes within or adjacent to the land concerned; and
  - n. the relationship of the proposed campground to adjacent roads/highways.
- b. The Administrator may require the applicant to provide additional relevant information, including but not limited to, topographic and soil condition data.
7. Fees:
- Each application for a campground permit submitted shall be accompanied by an application fee in accordance with the *Village of Lumby Planning Procedures and Fee Bylaw No. 656, 2007* as amended from time to time.
8. Approval and Permit:
- a. The Administrator shall examine each application for a campground permit and shall notify the applicant in writing within sixty (60) days either that the permit is issued or that it is refused.
  - b. If a campground permit is refused, the Administrator shall notify the applicant in writing of the reasons for refusal.
  - c. A campground permit shall permit the establishment of a campground on the land concerned only in compliance with the campground plan approved and permit issued.
  - d. If the holder of the permit does not commence the construction permitted by the permit within one (1) year of the date of the permit issued, the permit lapses.

9. Other Regulations:

- a. Every campground shall comply with:
  - i. the plumbing, electrical, and building Bylaws and regulations in force; and
  - ii. all regulations, made pursuant to the *Fire Services Act*; and
  - iii. all regulations made pursuant to the *Forest Act* relating to the fire protection, and other matters.
- b. Nothing in this Bylaw shall relieve owners of a campground from the responsibility to seek out and comply with all other applicable enactments.

10. Building Permit:

Prior to any work or construction in a campground, the applicant shall obtain a building permit for a building or structure from the Chief Building Inspector of the Village.

11. Drainage:

No person shall locate or extend a campground except on a site that is well drained and is at all times free of stagnant pools.

12. Camping Spaces:

Each camping space within a campground shall:

- a. have a minimum area of 84 m<sup>2</sup> (904.2 square feet) and be clearly identified by a number or similar designation; and
- b. accommodate only one (1) trailer or tent; and
- c. be no closer than 3 m (9.84 feet) to a roadway; and
- d. be no closer than 7.6 m (24.93 feet) to the boundary of the campground; and
- e. have one (1) conveniently located parking space adjacent to the roadway, all or part of which may be within the setback required under Subsection c. above.

13. Buffer Area:

- a. Campgrounds shall be provided with a landscaped buffer area not less than 8 m (26.25 feet) wide adjacent to a front lot line and not less than 4.5 m (14.76 feet) wide adjacent to all other lot lines and within which no camping space, residential accommodation, parking, garbage disposal areas, service buildings or recreational areas, except for waterfront recreation, shall be permitted.

- b. The only roadways permitted in the buffer area are those which cross it as close to right angles as practicable and connect directly with the roadway system contained within the remainder of the campground.

14. Recreation Area:

- a. A campground shall have open space for playground, park, sports, games and similar recreation areas to serve the campground in the amount of not less than five percent (5%) of the area of the campground.
- b. The recreation areas shall not include buffer areas, parking areas, ancillary buildings, camping spaces, driveways, and storage areas.

15. Signs:

Notwithstanding any other requirements of this Bylaw, an identification sign to a maximum height of 2 m (6.56 feet) above ground and to a maximum area of 3 m<sup>2</sup> (32.29 square feet) may be located at the principle entrance to the campground.

16. Owner's Residence and Office Space:

Within a campground, a dwelling unit including office space may be provided for the accommodation of the owner or operator of the campground. The minimum site area for such facility shall be 550 m<sup>2</sup> (5,920 square feet).

17. Retail Facilities:

A retail facility for the purpose of selling groceries, camping supplies, and souvenirs is permitted to serve the campground provided the maximum floor area does not exceed as prescribed below:

Number of Camping Spaces	Maximum Retail Floor Area
50 spaces or less	25 m <sup>2</sup> (269.1 square feet)
51 spaces or more	25 m <sup>2</sup> (269.1 square feet)+  0.3 m <sup>2</sup> /space (3.23 square feet/space) in excess of 50 up to a maximum of 50 m <sup>2</sup> (538.2 square feet)

18. Access:

- a. At least one (1) highway access shall be provided to a campground containing eighty (80) or less camping spaces.
- b. A second access from a public highway, separated by at least 50 m (164.0 feet) from the first access shall be provided to each campground containing eighty-one (81) or more camping spaces.

19. Customer's Parking/Holding Area:

Within 30 m (98.42 feet) of the campground entrance or office, there shall be provided customer's parking/holding area in an amount of 18 m<sup>2</sup> (193.7 square feet) for each ten (10) camping spaces up to a maximum of 140 m<sup>2</sup> (1,507 square feet) for the convenience and safety of the customers.

20. Roadways:

- a. Access to and from a campground shall have a minimum roadway width of 13 m (42.65 feet) and a minimum hard surfaced or gravelled width of 6.7 m (21.98 feet). No parking shall be allowed on the access roadway.
- b. All camping spaces, owner's or operator's residence, service buildings, as well as other facilities where access is required shall have access by an internal roadway system.
- c. Roadways giving access to and from camping spaces shall have a minimum roadway width of 6.7 m (21.98 feet) and a minimum hard surfaced or gravelled width of 4.3 m (14.11 feet).
- d. Roadways in a campground shall be well drained, and maintained in such a manner as to render them free from dust at all times.
- e. Dead end roadways and cul-de-sacs shall have a turning circle at the end with a radius of at least 12 m (39.37 feet).

21. Water Supply:

All campgrounds shall be connected to the Village of Lumby community water supply system.

22. Sewage Disposal:

All campgrounds shall be connected to the Village of Lumby community sewer system and each camping space intended for use by an independent trailer shall be provided with at least a 75 mm (2.95 inch) sewer connection. The sewer connection shall be provided with a suitable fitting so that a water tight connection can be made between the trailer drain and the sewer connection. The connection shall be so constructed that it can be closed when not linked to a trailer, to prevent the escape of odours.

23. Service Buildings:

- a. The campground shall be provided with at least one (1) service building equipped with flush type fixtures and other sanitary facilities as prescribed below:

Number of Camping Spaces	Toilets		Urinals	Washbasins		Showers		Other Fixtures
	Men	Women	Men	Men	Women	Men	Women	
1 - 15	1	1	1	1	1	1	1	1 slop sink**
16 - 30	1	2	1	2	2	1	1	
31 - 45	2	2	1	3	3	1	1	
46 - 60	2	3	2	3	3	2	2	
61 - 80	3	4	2	4	4	2	2	
81 - 100	3	4	2	4	4	3	3	

For each campground having more than one hundred (100) camping spaces\*, there shall be provided one (1) additional toilet and washbasin, for each sex, for each additional thirty (30) camping spaces\*; one (1) additional shower for each sex for each additional forty (40) camping spaces\*; and one (1) additional men's urinal for each additional one hundred (100) camping spaces\*.

\* Camping spaces for tents and dependent trailers only.

\*\* A conveniently located slop sink(s) for disposal of liquid wastes.

b. Service Buildings shall:

- i. be located at least 4.5 m (14.76 feet) and not more than 150 m (492.1 feet) from any camping space; the 150 m (492.1 feet) distance shall not apply to an independent trailer camping space; and
- ii. be of permanent construction and adequately lighted; and
- iii. have walls, floors, and partitions that can be easily cleaned and will not be damaged by frequent hosing, wetting, or disinfecting; and
- iv. have all rooms well ventilated, with all openings effectively screened; and
- v. provide separate compartments for each bathtub or shower and toilet and a tight partition to separate those facilities designated for males and females; and

24. Sewage Disposal Station:

- a. Where a campground contains camping spaces for use by trailers, the owner may provide a trailer sewage disposal station for the purpose of receiving the contents of trailer sewage storage tank.
- b. Trailer sewage disposal station shall be located in an area apart from any roadway and out of which a trailer may be easily and conveniently moved.

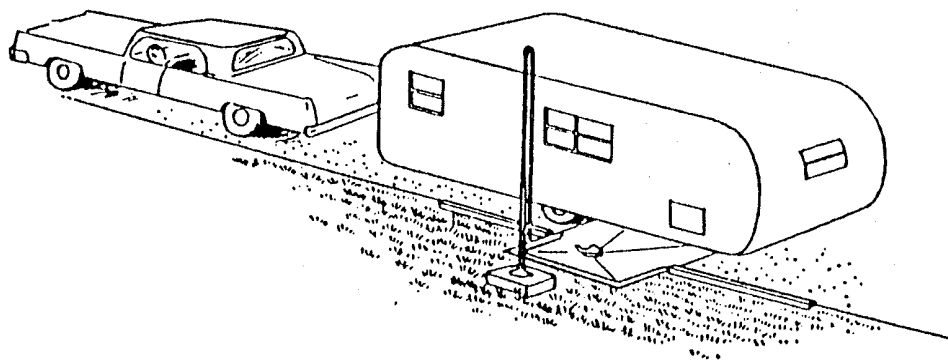
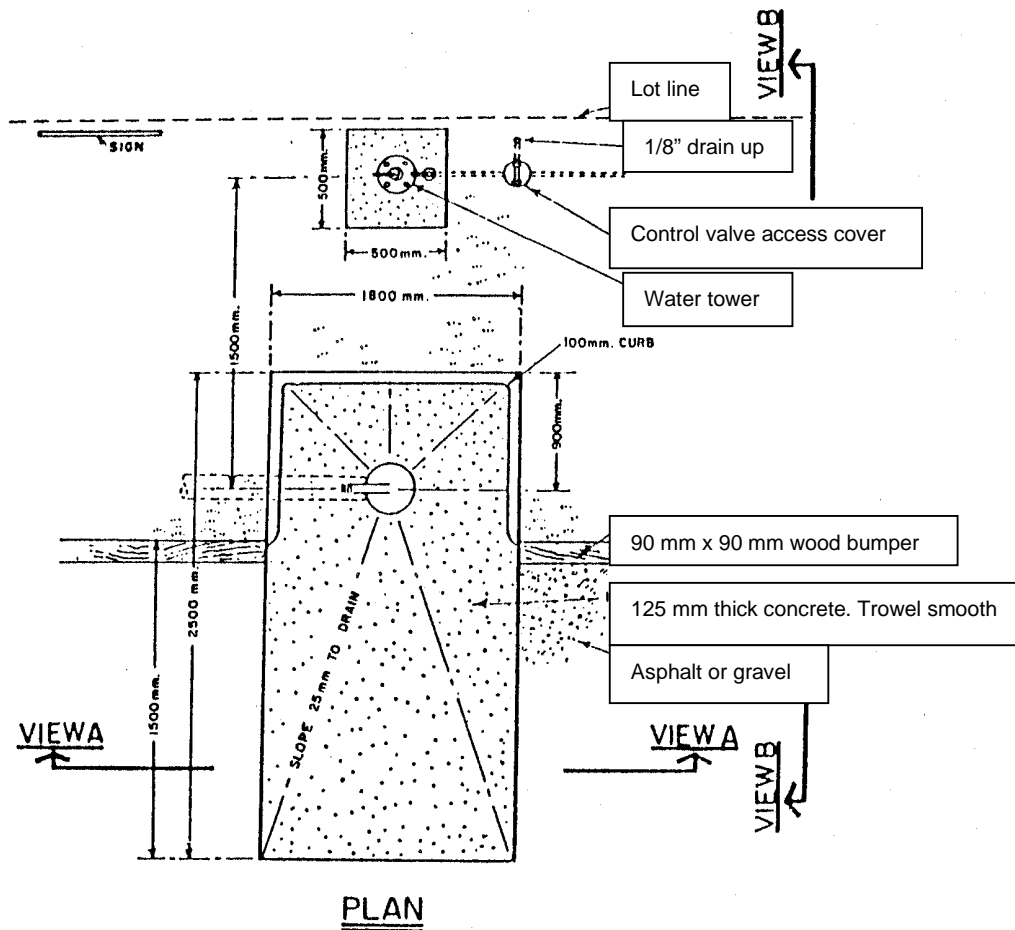
- c. Trailer sewage disposal stations shall be constructed in accordance with the design shown in Appendix A to this Section.

25. Garbage Disposal:

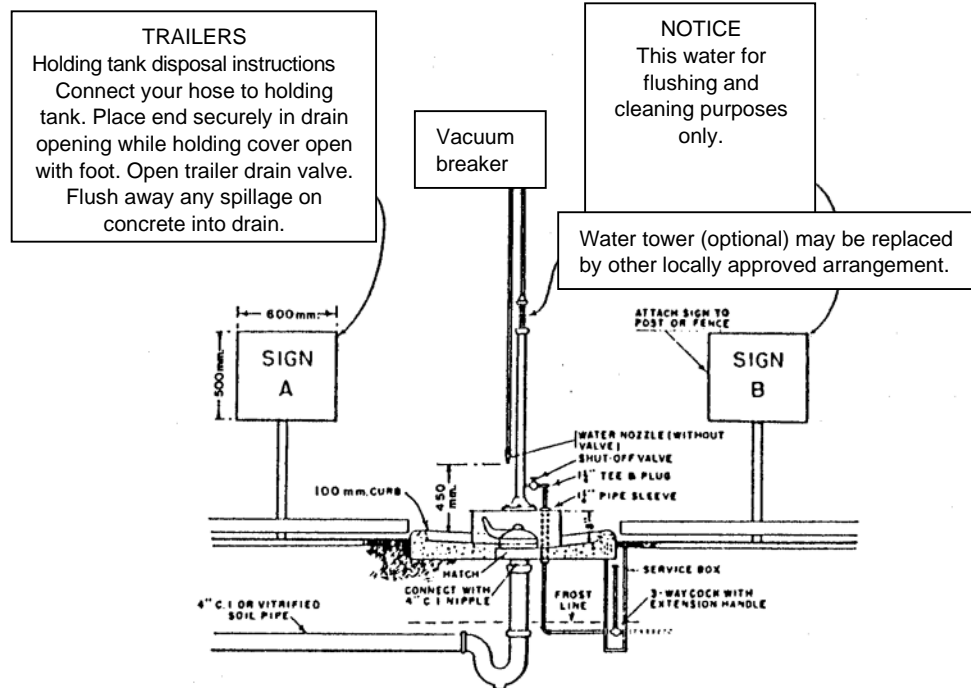
- a. The owner of a campground shall dispose or arrange for disposal of garbage or refuse.
- b. The owner of a campground shall:
  - i. provide at each camping space a container that is durable, fly tight, water tight, rodent proof for the disposal of all garbage; and
  - ii. maintain the containers so that they shall not become foul smelling, unsightly, or a breeding place for flies; and
  - iii. be responsible for ensuring that no person shall dispose of garbage, waste, or refuse except in accordance with the arrangements made for the campground.

Appendix "A" attached to and forming part of Section Nine

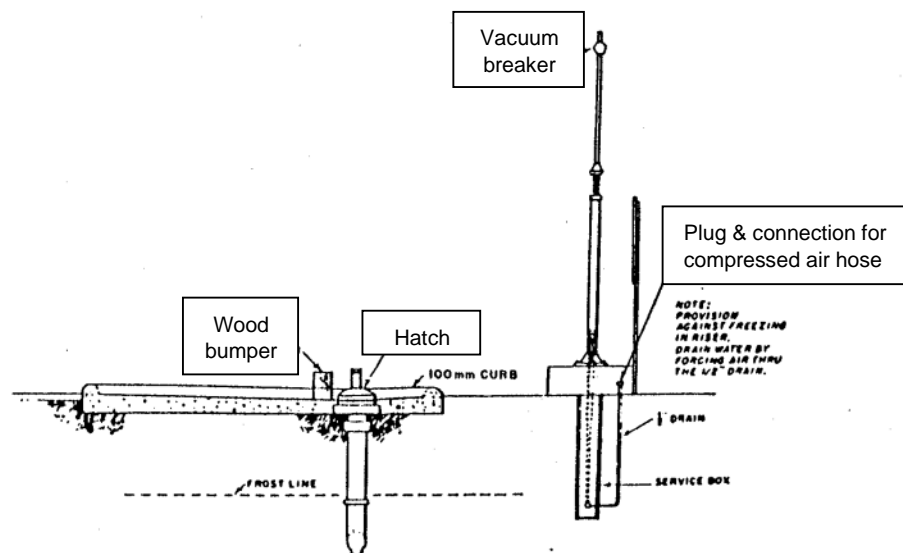
Trailer Sewage Disposal System



VIEW A



VIEW B



## **1001 GENERAL COMMERCIAL ZONE (C.1)**

### **1. Permitted Uses of Land, Buildings, and Structures:**

The following uses shall be permitted in the General Commercial Zone (C.1):

- a. Accessory buildings and structures
- b. Accommodation including apartments, hotels, motels, and one (1) dwelling unit for the owner, operator, or employee of the principal and permitted use
- c. Civic and public service use
- d. Educational facilities and professional studios including art studios, business colleges, dance studios, music studios, photography studios, radio studios, television studios, and trade schools
- e. Entertainment and recreation facilities including arcades, billiard halls, bowling alleys, cabarets, fraternal lodges, health spas, museums, neighbourhood pubs, night clubs, social clubs, sport clubs, sports facilities, and theatres
- f. Food service including bakeries, butcher shops, caterers, coffee shops, dairy bars, fish shops, and restaurants, **and mobile street vendors and stationary street vendors** (B/L 887, 2023)
- g. Office and commerce facilities accommodating appraisers, architects, banks, bookkeepers, brokers, chartered accountants, credit unions, dentists, dental labs, engineers, finance companies, funeral homes, insurance agents, lawyers, management companies; medical offices, labs, and clinics; mortuaries, newspapers, notaries, pawnbrokers, publishers, real estate agents, surveyors, travel agents, and veterinarians
- h. Retail sales (including parts and accessories) of appliances, automobiles, (including service but excluding body and paint shops), beverages, bicycles, boats (including service but excluding body and paint shops), books, candy, **cannabis**, clothing, computers, draperies, drugs, electronic equipment, fabric, flowers, food (including meat and fish), fruit, furniture, garden supplies, gasoline and motor oil, glass, gifts, groceries, hardware, hobby equipment, jewellery, liquor, lumber, medical supplies, motorcycles (including service but excluding body and paint shops), musical supplies, novelties, office equipment and supplies, optical supplies, paint, pets, pet food, photographic supplies, plants, produce, sporting goods (including rental), stationery, tools and small equipment, toys, and watches (B/L 813, 2018)
- i. Service and repair including animal beauty parlours, appliance repair, service stations, automobile rental, barber shops, bottle depots, car wash facilities, costume rental, dry cleaners, greenhouses, hairdressers, interior decorators, laundromats, locksmith, shops, optical shops, shoe repair, tailor shops, upholstering shops, video rental shops, and watch repair shops

- j. Transportation facilities including commercial parking lots and garages, passenger transportation depots, and taxi dispatch offices

2. ~~Buildings Per Lot:~~

~~Except for motel use, there shall be not more than one (1) principal building allowed per lot.~~ **(B/L 811, 2018)**

3. ~~Floor Area:~~

- k. ~~The floor area for a dwelling unit for the owner, operator, or employee of the principal and permitted use shall be not less than 60 m<sup>2</sup> (645.8 square feet).~~

- l. ~~The floor area for apartment use shall be not less than:~~

- iv. ~~27 m<sup>2</sup> (290.6 square feet) within each bachelor dwelling unit; or~~  
v. ~~40 m<sup>2</sup> (430.6 square feet) within each one-bedroom dwelling unit; or~~  
vi. ~~45 m<sup>2</sup> (484.4 square feet) within each two-bedroom dwelling unit; or~~  
vii. ~~55 m<sup>2</sup> (592.0 square feet) within each three-bedroom dwelling unit.~~

- m. ~~The floor area for bakeries shall be not greater than 100 m<sup>2</sup> (1,076 square feet).~~

- n. ~~The floor area for hotel and motel use shall be not less than:~~

- i. ~~20 m<sup>2</sup> (215.3 square feet) within each sleeping unit; or~~  
ii. ~~30 m<sup>2</sup> (322.9 square feet) within each kitchenette unit; or;~~  
iii. ~~35 m<sup>2</sup> (376.7 square feet) within each one-bedroom unit; or~~  
iv. ~~55 m<sup>2</sup> (592.0 square feet) within each two-bedroom or larger units.~~

**(B/L 811, 2018)**

2. Height of Buildings and Structures:

The height of buildings and structures shall not exceed the lesser of 12 m (39.37 feet) or three (3) storeys.

3. Lot Area:

Each lot shall have an area of not less than 300 m<sup>2</sup> (3,229 square feet) except that lots for hotel and motel use shall have an area of not less than 2,000 m<sup>2</sup> (21,528 square feet).

4. Lot Coverage:

Lot coverage shall be not greater than sixty percent (60%) of the lot area for all buildings and structures.

5. Lot Frontage:

Each lot shall have a road frontage of not less than 10 m (32.81 feet) except that lots for hotel and motel use shall have a road frontage of not less than 20 m (65.62 feet).

6. Setbacks:

a. Exterior Side Yard:

No exterior side yard shall be required.

b. Front Yard:

No front yard shall be required.

c. Rear Yard:

No rear yard shall be required except that where a lot abuts a lot in a Residential zone, a rear yard free of all buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet) or where a lot is serviced by a lane, a rear yard free of all buildings and structures shall be provided with a depth of not less than 3 m (9.84 feet).

d. Interior Side Yards:

No side yards shall be required, except that:

- i. where a lot abuts a Residential zone or is separated by a lane therefrom, a side yard free of all buildings and structures shall be provided with a width of not less than 2 m (6.56 feet); and
- ii. where the parcel is not served by a lane, there shall be a minimum of 5 m (16.40 feet) side yard free of all buildings and structures on at least one (1) side.

e. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

7. Other Requirements:

- a. No business or undertaking shall be carried on on any lot or lots situate within this Zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained.
- b. Every business or undertaking shall be conducted within a completely enclosed building, except for parking and loading facilities, ~~and~~ outdoor garden shops, **and mobile street vendors and stationary street vendors. (B/L 887, 2023)**
- c. Off-street parking and loading shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.
- d. Screening and landscaping shall be provided in accordance with the requirements of Section 700 of this Bylaw.
- e. A dwelling unit for the use of the owner, operator, or employee of the principal and permitted use shall be located either at the second storey level or behind the commercial premises, but being an integral part of these premises.
- f. An apartment use:
  - i. shall include one (1) or more dwelling units each of which is occupied or intended to be occupied as a permanent home or residence of one (1) family as distinct from a hotel or motel; and
  - ii. shall be limited exclusively to storeys above the first storey of a building and shall be located entirely above any commercial use of the same building; and
  - iii. ~~shall not exceed a gross density of thirty (30) units per hectare (12.14 units per acre).~~ **(B/L 811, 2018)**
- g. With respect to gasoline sales or service station use, the fuel pumps and accessory structures shall not be located closer than 17 m (55.77 feet) from the centre line of a controlled access highway.
- h. No storage yard or area shall be permitted in a required front yard, nor in any required yard which abuts a lot in a Residential zone, or is separated there from by a street or main thoroughfare.

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## **1002 HIGHWAY SERVICE COMMERCIAL ZONE (C.2)**

### 1. Permitted Uses of Land, Buildings, and Structures:

The following uses shall be permitted in the Highway Service Commercial Zone (C.2):

- a. Accessory buildings and structures
- b. Accommodation including hotels, motels, campgrounds and one (1) dwelling unit for the owner, operator or employee of the principal and permitted use
- c. Retail sales, service and repair of new or used tires or tubes
- d. Retail sales of flowers, food (including meat and fish) subject to the provisions of Section 1002.3.c
- e. Sales, service and repair of small equipment and appliances
- f. Manufacture and distribution of hydraulic cylinders
- g. Car washing facilities and service stations

### 2. Buildings Per Lot:

There shall be not more than one (1) principal building allowed per lot.

### 3. Floor Area:

- a. The floor area for a dwelling unit for the owner, operator, or employee of the principal and permitted use shall be not less than 60 m<sup>2</sup> (645.8 square feet).
- b. The floor area for hotel and motel use shall be not less than:
  - i. 20 m<sup>2</sup> (215.3 square feet) within each sleeping unit; or
  - ii. 30 m<sup>2</sup> (322.9 square feet) within each kitchenette unit; or
  - iii. 35 m<sup>2</sup> (376.7 square feet) within each one-bedroom unit; or
  - iv. 55 m<sup>2</sup> (592.0 square feet) within each two-bedroom or larger units.
- c. The total floor area for retail sales of flowers, food (including meat and fish), fruit, groceries, plants, and produce shall be not greater than 150 m<sup>2</sup> (1,615 square feet).

4. Height of Buildings and Structures:

The height of buildings and structures shall not exceed:

- a. the lesser of 10 m (32.81 feet) or two (2) storeys for motel use; or
- b. the lesser of 12 m (39.37 feet) or three (3) storeys for hotel use; or
- c. 10 m (32.81 feet) for all other uses.

5. Lot Area:

Each lot shall have an area of not less than:

- a. 1,100 m<sup>2</sup> (11,840 square feet) for service station use; or
- b. 2,000 m<sup>2</sup> (21,528 square feet) for hotel and motel use; or
- c. 0.4 ha (0.988 acres) for campground use; or
- d. 560 m<sup>2</sup> (6,028 square feet) for all other uses.

6. Lot Coverage:

Lot coverage shall be not greater than fifty percent (50%) of the lot area for all buildings and structures.

7. Lot Frontage:

Each lot shall have a road frontage of not less than 15 m (49.21 feet).

8. Setbacks:a. Exterior Side Yard:

No exterior side yard shall be required.

b. Front Yard:

No front yard shall be required.

c. Rear Yard:

No rear yard shall be required except that where a lot abuts a lot in a Residential zone, a rear yard free of all buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet) or where a lot is serviced by a lane, a rear yard free of all buildings and structures shall be provided with a depth of not less than 3 m (9.84 feet).

d. Interior Side Yards:

No side yards shall be required, except that:

- i. where a lot abuts a Residential zone or is separated by a lane therefrom, a side yard free of all buildings and structures shall be provided with a width of not less than 2 m (6.56 feet); and
- ii. where the parcel is not served by a lane, there shall be a minimum of 5 m (16.40 feet) side yard free of all buildings and structures on at least one (1) side.

e. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

9. Other Requirements:

- a. No business or undertaking shall be carried on on any lot or lots situate within this Zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained.
- b. Off-street parking and loading shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.
- c. Screening and landscaping shall be provided in accordance with the requirements of Section 700 of this Bylaw.
- d. A dwelling unit for the use of the owner, operator, or employee of the principal and permitted use shall be located either at the second storey level or behind the commercial premises, but being an integral part of these premises.
- e. No storage yard or area shall be permitted in a required front yard, nor in any required yard which abuts a lot in a Residential zone, or is separated there from by a street or main thoroughfare.

## **1101 LIGHT INDUSTRIAL ZONE (I.1)**

### **1. Permitted Uses of Land, Buildings, and Structures:**

The following uses shall be permitted in the Light Industrial Zone (I.1):

- a. Accessory buildings and structures including Steel Cargo Containers
- b. Accommodation including one (1) dwelling unit for the owner, operator, or employee of the principal and permitted use
- c. Civic and public services uses
- d. Food service including bakeries, and coffee shops, **and mobile street vendors**  
**(B/L 887, 2023)**
- e. Livestock and farm equipment auctions
- f. Retail sales (including parts and accessories) of automobiles, building supplies, chemicals, farm equipment (including service), heavy equipment and machinery, irrigation equipment (including service), lumber, manufactured homes (including service), tools and small equipment, trucks, **domestic and agricultural animal feed, supplies and accessories**, and other products manufactured or processed on site  
**(B/L 888, 2023)**
- g. Service and repair including auction marts, automobile body and paint shops, automobile service and repair, battery shops, boat service and repair, bottling plants and depots, car wash, cheese factory, crematoriums, cold storage plants, frozen food lockers, glass shops, greenhouses, hatcheries, heavy equipment and machinery, laboratories, machine shops, manufacturing and processing provided that they do not create fire, explosion, or safety hazards; noise in excess of average intensity of street and traffic noise in the area in question; emit smoke, dust, dirt, toxic, or offensive odours or gas; and there is no production of heat or glare perceptible from any lot line of the site on which the use is located, mini storage facilities, nurseries, petroleum distribution installations, printing shops, recreation vehicle servicing and rental, service stations, sign shops, taxidermists, tire shops, tools and small equipment servicing and rental, trade contractors offices including storage, truck service and repair, truck wash, trucking yards and terminals including cartage and freighting, upholstery shops, warehousing (wholesale and distribution), weigh scales, and welding shops
- h. Transportation facilities including passenger transportation depots and taxi dispatch offices
- i. Manufacture, repair and distribution of hydraulic cylinders.
- j. Cannabis Production Facilities**

**(Bylaw No. 826, 2019)**

2. Floor Area:

The dwelling unit shall have a minimum floor area of 60 m<sup>2</sup> (645.8 square feet) and shall be an integral part of the principal building.

3. Height of Buildings and Structures:

The height of buildings and structures shall not exceed 12 m (39.37 feet).

4. Lot Area:

Each lot shall have an area of not less than 650 m<sup>2</sup> (6,997 square feet).

5. Lot Coverage:

Lot coverage shall be not greater than sixty percent (60%) of the lot area for all buildings and structures.

6. Lot Frontage:

Each lot shall have a road frontage of not less than 20 m (65.62 feet).

7. Setbacks:

a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall, where applicable, be provided with a depth of not less than 6 m (19.68 feet), except that where a lot is separated from a lot in a Residential or Rural zone by a street, an exterior side yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet).

b. Front Yard:

A front yard free of all buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet), except that where a lot is separated from a lot in a Residential or Rural zone by a street, a front yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet).

c. Rear Yard:

No rear yard shall be required, except where a lot abuts a lot in a Residential or Rural zone or is separated by a lane therefrom, a rear yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet).

d. Interior Side Yards:

No side yard shall be required, except that where a lot abuts a lot in a Residential or Rural zone or is separated by a lane therefrom, a side yard free of all buildings and structures shall be provided with a width of not less than 6 m (19.68 feet).

e. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

8. Other Requirements:

- a. No business or undertaking shall be carried on on any lot or lots situate within this zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained.
- b. All permitted uses shall be housed completely within an enclosed building, except for outdoor display, rental, sale or storage yards, parking and loading facilities, **mobile street vendors**, and restricted agricultural use.  
(B/L 887, 2023)
- c. Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire, or explosion hazard, electrical interference, or undue traffic congestion.
- d. A dwelling unit for the use of the owner, operator, or employee of the principal and permitted use shall be located either at the second storey level or behind the industrial premises, but being an integral part of these premises.
- e. Off-street parking shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.
- f. Screening and landscaping shall be provided in accordance with the requirements of Section 700 of this Bylaw.
- g. With respect to service station use, the fuel pumps and accessory structures shall not be located closer than 17 m (55.77 feet) from the centre line of a controlled access highway.
- h. No storage yard or area shall be permitted in a required front yard, nor in any required yard which abuts a lot in a Residential zone, or is separated there from by a street or main thoroughfare.
- i. Steel cargo containers may only be contained within an outdoor storage area surrounded by a screen as outlined in Section 700.1.a of this bylaw. In no case shall a steel cargo container be stacked above the height of the surrounding screen. Containers containing flammable or combustible liquids must be setback no less than 3 m (9.84 feet) from combustible structures or other fire loads.

## **1102 GENERAL INDUSTRIAL ZONE (I.2)**

### 1. Permitted Uses of Land, Buildings, and Structures:

The following uses shall be permitted in the General Industrial Zone (I.2):

- a. Accessory buildings and structures
- b. Retail sales (including parts and accessories) of heavy equipment and machinery
- c. Limited Agricultural Use subject to the provisions of Section 1102.8.f
- d. Service and repair including automobile wrecking and junk yards, bulk storage plants, contractors for general and heavy construction, machinery and heavy equipment repair, and the manufacturing, processing, and storage of:
  - chemical and allied products including compressed gases, disinfectants, gum and wood chemicals, insecticides, primer and plastics, and rubber
  - food products including feed, flour, fruit, and grain
  - machinery and transportation equipment or other products of like character and kind such as agricultural implements, boats, compressors, electrical machinery, engines, pumps, and turbines
  - metal products including boilers and plates, fabricated and structural metals, and pipe tubing
  - non-metallic mineral products or other products of like character and kind such as abrasive products, asbestos products; cement, plaster, lime, gypsum, and associated products; clay and clay products; concrete products or ready mix concrete; fibreglass products; rock, sand, and gravel; and stone products
  - petroleum and coal products including asphalt, coal and tar products, coke, creosote, paving and roofing materials, and petroleum products
  - synthetic fibres
  - wood products including lumber and building materials, millwork products, plywood and veneer, poles, prefabricated and structural wood products, shingles, and wood preserving
- e. Uses permitted in the Light Industrial Zone (I.1)

**f. ~~Medical marijuana production facilities~~ Cannabis Production Facilities  
(B/L 752, 2013) (B/L 813, 2018)**

### 2. Floor Area:

The dwelling unit shall have a minimum floor area of 60 m<sup>2</sup> (645.8 square feet) and shall be an integral part of the principal building.

### 3. Height of Buildings and Structures:

The height of buildings and structures shall not exceed 18 m (59.05 feet).

4. Lot Area:

Each lot shall have an area of not less than 650 m<sup>2</sup> (6,997 square feet).

5. Lot Coverage:

Lot coverage shall be not greater than sixty percent (60%) of the lot area for all buildings and structures.

6. Lot Frontage:

Each lot shall have a road frontage of not less than 20 m (65.62 feet).

7. Setbacks:a. Exterior Side Yard:

- i. An exterior side yard free of all buildings and structures shall, where applicable, be provided with a depth of not less than 6 m (19.68 feet), except that where a lot is separated from a lot in a Residential or Rural zone by a street, an exterior side yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet); or

- ii. ***Where a lot is used for a ~~medical-marihuana~~ cannabis production facility, an exterior side yard free of all buildings and structures shall be provided with a depth of not less than 15 m (49.21 feet), except that where a lot is separated from a lot in a Residential or Rural zone by a street, an exterior side yard free of all buildings and structures shall be provided with a depth of not less than 30 m (98.42 feet).***

***(B/L 752, 2013) (B/L 813, 2018)***

b. Front Yard:

- i. A front yard free of all buildings and structures shall be provided with a depth of not less than 6 m (19.68 feet), except that where a lot is separated from a lot in a Residential or Rural zone by a street, a front yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet); or

- ii. ***Where a lot is used for a ~~medical-marihuana~~ cannabis production facility, a front yard free of all buildings and structures shall be provided with a depth of not less than 15 m (49.21), except that where a lot is separated from a lot in a Residential or Rural zone by a street, a front yard free of all buildings and structures shall be provided with a depth of not less than 30 m (98.42 feet).***

***(B/L 752, 2013) (B/L 813, 2018)***

c. Rear Yard:

- i. A rear yard free of all buildings and structures shall be provided with a depth of not less than 3 m (9.842 feet), except where a lot abuts a lot in a Residential or Rural zone or is separated by a lane therefrom, a rear yard free of all buildings and structures shall be provided with a depth of not less than 9 m (29.53 feet); or
- ii. ***Where a lot is used for a ~~medical-marihuana~~ cannabis production facility, a rear yard free of all buildings and structures shall be provided with a depth of not less than 15 m (49.21), except that where a lot abuts a lot in a Residential or Rural zone or is separated by a lane therefrom, a rear yard free of all buildings and structures shall be provided with a depth of not less than 30 m (98.42 feet).***  
(B/L 752, 2013) (B/L 813, 2018)

d. Interior Side Yards:

Side yards free of all buildings and structures shall be provided with a width of not less than 3 m (9.842 feet), except that:

- i. a side yard not flanked by a street, lane, or Residential or Rural zone may be reduced to nil, provided that the other side yard has a width of not less than 6 m (19.68 feet); and
- ii. Where a lot abuts a lot in a Residential or Rural zone or is separated by a lane therefrom, a side yard free of all buildings and structures shall be provided with a width of not less than 6 m (19.68 feet); or
- iii. ***Where a lot is used for ~~medical-marihuana~~ cannabis production facility, a side yard free of all buildings and structures shall be provided with a depth of not less than 15 m (49.21 feet), except that where a lot abuts a lot in a Residential or Rural zone or is separated by a lane therefrom, a side yard free of all buildings and structures shall be provided with a depth of not less than 30 m (98.42 feet).***  
(B/L 752, 2013) (B/L 813, 2018)

e. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

8. Other Requirements:

- a. No business or undertaking shall be carried on on any lot or lots situate within this zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained.

- b. Where practical, all permitted uses shall be housed completely within an enclosed building.
- c. Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluence, dust, smoke, vibration, noise or glare; nor shall any activity be carried out which creates or causes a health, fire, or explosion hazard, electrical interference, or undue traffic congestion.
- d. Off-street parking and loading shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.
- e. Screening and landscaping shall be provided in accordance with the requirements of Section 700 of this Bylaw.
- f. A dwelling unit for the use of the owner, operator, or employee of the principal and permitted use shall be located either at the second storey level or behind the industrial premises, but being an integral part of these premises.
- g. A limited agricultural use shall not be permitted on lots smaller than 1 ha (2.471 acres) and shall conform with the following provisions. All buildings and structures used for limited agricultural purposes shall:
  - i. not exceed two (2) per lot; and
  - ii. not exceed a height of 10 m (32.81 feet); and
  - iii. not exceed a site coverage of ten percent (10%); and
  - iv. not be sited less than:
    - a. 30 m (98.42 feet) from any front or exterior side lot line; and
    - b. 8 m (26.25 feet) from any side or rear lot line; and
    - c. 30 m (98.42 feet) from any lot line, for all buildings and structures used for housing and feeding animals, notwithstanding the requirements of Subsection a.ii. above; and
    - d. 3 m (9.84 feet) from any other building.
- h. With respect to service station use, the fuel pumps and accessory structures shall not be located closer than 17 m (55.77 feet) from the centre line of a controlled access highway.
- i. No storage yard or area shall be permitted in a required front yard, nor in any required yard which abuts a lot in a Residential zone, or is separated there from by a street or main thoroughfare.

- j. Steel cargo containers may only be contained within an outdoor storage area surrounded by a screen as outlined in Section 700.1.a of this bylaw. In no case shall a steel cargo container be stacked above the height of the surrounding screen. Containers containing flammable or combustible liquids must be setback no less than 3 m (9.84 feet) from combustible structures or other fire loads.

## **1201 RESIDENTIAL SINGLE FAMILY ZONE (R.1)**

### 1. Permitted Uses of Land, Buildings, and Structures:

The following uses shall be permitted in the Residential Single Family Zone (R.1):

- a. Accessory buildings and structures
- b. Public parks
- c. Single family dwellings
- d. Community Care Facilities ***subject to the provisions of Section 1201.9.a***  
(B/L 811, 2018)
- e. Secondary Suites ***subject to the provisions of Section 410***  
(B/L 811, 2018)
- f. Home Occupations ***subject to the provisions of Section 409***  
(B/L 811, 2018)
- g. ***Boarding, lodging, or rooming houses subject to the provisions of Section 1201.9.c***  
(B/L 786, 2016)
- h. ***Secondary detached dwellings subject to the provisions of Section 412***  
(B/L 811, 2018)

### 2. Accessory Uses:

The siting, size, and dimensions of accessory buildings and structures, secondary suites, ***secondary detached dwellings***, and home occupations shall be in accordance with Section 400 of this Bylaw. (B/L 811, 2018)

### ~~3. Buildings Per Lot:~~

~~The number of buildings allowed per lot shall be not more than:~~

- ~~a. one (1) single family dwelling; and~~
- ~~b. two (2) accessory residential buildings.~~

### 3. **Buildings and Dwellings Per Lot**

***The number of buildings and dwellings allowed per lot shall be not more than:***

- a. ***one (1) single family dwelling which may contain a secondary suite; or***
- b. ***one (1) single family dwelling and (1) one secondary detached dwelling; and***
- c. ***two (2) accessory residential buildings.*** (B/L 811, 2018)

4. ~~Floor Area:~~

~~The floor area for a single family dwelling shall be not less than 85 m<sup>2</sup> (914.9 square feet) on one (1) floor, except that the floor area on one (1) floor may be reduced to 60 m<sup>2</sup> (645.8 square feet) where there are two (2) floor levels exclusive of the basement floor.~~ **(B/L 811, 2018)**

4. Height of Buildings and Structures:

a. ~~The height of residential dwellings shall not exceed the lesser of 9 m (29.53 feet) or two (2) stories except where the average natural slope of the lot exceeds seven percent (7%), in which case the height of residential dwellings located on the downhill side of a road shall not exceed a height of 7 m (22.96 feet) above the centreline of the road immediately adjacent to the centre of the front of the residence and residential dwellings located on the uphill side of the road shall not exceed a height of 7 m above the mid-point of the rear property line on which the residence is located. In no case shall the height of residential dwellings exceed a height of 11 m (36.09 feet) on lots that exceed 7% natural slope **the lesser of 12 m (39.37 feet) or three storeys for single family dwellings.**~~

**(B/L 895, 2024)**

b. 10 m (32.81 feet) for Community Care Facilities.

5. Lot Area:

~~Each lot shall have an area of not less than 560 m<sup>2</sup> (6,028 square feet), except that corner lots shall have an area of not less than 650 m<sup>2</sup> (6,997 square feet).~~

5. Lot Area:

***Each lot shall have an area of not less than:***

***a. 450 m<sup>2</sup> (4,844 square feet), except that corner lots shall have an area not less than 560 m<sup>2</sup> (6,028 square feet); or***

***b. 560 m<sup>2</sup> (6,028 square feet) for Community Care Facilities, except that corner lots shall have an area not less than 650 m<sup>2</sup> (6,997 square feet).***

**(B/L 811, 2018)**

6. ~~Maximum Lot Coverage: 35% and together with driveways and parking areas, shall not exceed 45%. Lot coverage may be increased to a maximum of 60% with use of permeable surfaces. Examples of permeable surfaces include:~~

- ~~a. Porous asphalt and concrete~~
- ~~b. Permeable unit pavers~~
- ~~c. Concrete grass pavers~~
- ~~d. Plastic Grid Systems~~

6. **Maximum Lot Coverage: 40% and together with driveways and parking areas, shall not exceed 50%. Lot coverage may be increased to a maximum of 60% with use of permeable surfaces. Examples of permeable surfaces include:**
- a. porous asphalt and concrete;
  - b. permeable unit pavers;
  - c. concrete grass pavers; and
  - d. plastic grid systems. (B/L 811, 2018)
7. **Lot Frontage:**
- Each lot shall have a road frontage of not less than ~~48 m (59.06 feet)~~ **14 m (45.93 feet)**, except that corner lots shall have a road frontage of not less than ~~24 m (68.90 feet)~~ **16 m (52.49 feet)**. (B/L 811, 2018)
8. **Setbacks:**
- a. ~~Exterior Side Yard:~~
- ~~An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 5 m (16.40 feet) where applicable.~~
- a. **Exterior Side Yard:**
- An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet) except that it is 6 m (19.68 feet) to the vehicle entry façade of any attached garage or carport that has vehicular access to a street flanking the exterior side lot line.**
- (B/L 811, 2018)**
- b. ~~Front Yard:~~
- ~~A front yard free of buildings and structures shall be provided with a depth of not less than:~~
- ~~i. 8 m (26.25 feet) for single family dwellings; and~~
  - ~~ii. 10 m (32.81 feet) for Community Care Facility.~~
- b. **Front Yard**
- A front yard free of buildings and structures shall be provided with a depth of not less than:**
- i. 4.5 m (14.76 feet) for single family dwellings, except that it is 6 m (19.68 feet) for attached garages or carports; and**
  - ii. 10 m (32.81 feet) for a Community Care Facility. (B/L 811, 2018)**

c. Other Buildings:

Buildings shall not be sited within 3 m (9.842 feet) of any other building.

d. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than ~~8 m (26.25 feet)~~ **6 m (19.69 feet)** for single family dwellings.

**(B/L 895, 2024)**

~~e. Interior Side Yards:~~~~Side yards free of buildings and structures shall be provided with a width of not less than:~~~~i. 2 m (6.56 feet) for the least side yard and 5 m (16.40 feet) for the sum of both side yards for single family dwellings; and~~~~ii. 8 m (26.25 feet) for Community Care Facilities.~~e. **Interior Side Yards**

**Side yards free of buildings and structures shall be provided with a width of not less than:**

**i. 2 m (6.56 feet) for single family dwellings; and**

**ii. 8 m (26.25 feet) for a Community Care Facility. (B/L 811, 2018)**

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

9. Other Requirements:

a. A Community Care Facility use shall be in conformity with the *Community Care and Assisted Living Act*, (SBC 2004).

b. Off-street parking shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.

**c. A boarding, lodging or rooming house use shall be completely enclosed within a building used for residential purposes and shall accommodate not more than four (4) boarders provided one (1) additional boarder may be added for each 45 m<sup>2</sup> (484.4 square feet) of lot area in excess of 1100 m<sup>2</sup> (11,840 square feet).**

**(B/L 786, 2016)**

- d. Useable open space shall be provided on the lot for each dwelling unit based on the following ratio:*
- i. minimum 45 m<sup>2</sup> (484.4 square feet) for each three-bedroom, or larger, unit; and*
  - ii. minimum 35 m<sup>2</sup> (376.7 square feet) for each two-bedroom unit; and*
  - iii. minimum 25 m<sup>2</sup> (269.1 square feet) for each one-bedroom or bachelor unit.*

*The useable open space shall be contiguous with the dwelling unit to which it is allocated.*

*(B/L 811, 2018)*

**1202 RESIDENTIAL TWO FAMILY ZONE (R.2)**

1. Permitted Uses of Land, Buildings, and Structures:

The following uses shall be permitted in the Residential Two Family Zone (R.2):

- a. Accessory buildings and structures
- b. Assembly, public service, and civic use
- c. Community Care Facilities subject to the provisions of Section 1202.9.a.
- d. Boarding, lodging, or rooming houses subject to the provisions of Section 1202.9.b
- e. Single family dwellings
- f. Two family dwellings
- g. Secondary Suites **subject to the provisions of Section 410** (B/L 811, 2018)
- h. Home Occupations **subject to the provisions of Section 409** (B/L 811, 2018)
- i. **Secondary detached dwellings subject to the provisions of Section 412** (B/L 811, 2018)

2. Accessory Uses:

The siting, size, and dimensions of accessory buildings and structures, secondary suites, **secondary detached dwellings**, and home occupations shall be in accordance with Section 400 of this Bylaw. (B/L 811, 2018)

~~3. Buildings Per Lot:~~

~~The number of buildings allowed per lot for each of the following uses shall be not more than:~~

- ~~a. one (1) single family dwelling or one (1) two family dwelling; and~~
- ~~b. two (2) accessory residential buildings per dwelling unit.~~

3. **Buildings and Dwellings Per Lot**

**The number of buildings and dwellings allowed per lot shall be not more than:**

- a. one (1) single family dwelling which may contain a secondary suite; or**

- b. one (1) single family dwelling and one (1) secondary detached dwelling;  
or**
- c. one (1) two family dwelling; and**
- d. two (2) accessory residential buildings per dwelling unit except there shall be only one (1) accessory residential building per secondary suite or secondary detached dwelling.**

**(B/L 811, 2018)**

4. Floor Area:

- ~~a. The floor area for a single family dwelling shall be not less than 60 m<sup>2</sup> (645.8 square feet).~~
- ~~b. The floor area for a two family dwelling shall be not less than 60 m<sup>2</sup> (645.8 square feet) per dwelling unit.~~

**(B/L 811, 2018)**

4. Height of Buildings and Structures:

The height of buildings and structures shall not exceed:

- ~~a. The height of residential dwellings shall not exceed the lesser of 9 m (29.53 feet) or two (2) stories except where the average natural slope of the lot exceeds seven percent (7%), in which case the height of residential dwellings located on the downhill side of a road shall not exceed a height of 7 m (22.96 feet) above the centreline of the road immediately adjacent to the centre of the front of the residence and residential dwellings located on the uphill side of the road shall not exceed a height of 7 m above the mid-point of the rear property line on which the residence is located. In no case shall the height of residential dwellings exceed a height of 11 m (36.09 feet) on lots that exceed 7% natural slope. **the lesser of 12 m (39.37 feet) or three storeys for single and two family dwellings.**~~

**(B/L 895, 2024)**

- b. 10 m (32.81 feet) for all other uses.

5. Lot Area:

Each lot shall have an area of not less than:

- a. 450 m<sup>2</sup> (4,844 square feet) for single family dwellings, assembly, public service, and civic use, except that corner lots shall have an area of not less than 560 m<sup>2</sup> (6,028 square feet); or
- b. 700 m<sup>2</sup> (7,535 square feet) for two family dwellings, except that corner lots shall have an area of not less than 790 m<sup>2</sup> (8,503 square feet); or
- c. 560 m<sup>2</sup> (6,028 square feet) for Community Care Facilities; or

- d. 350 m<sup>2</sup> (3,767 square feet) for each half of an existing two family dwelling subdivided pursuant to Section 1202.8.e.i. of this Bylaw.
6. **Maximum Lot Coverage:** ~~35%~~ **40%** and together with driveways and parking areas, shall not exceed ~~45%~~ **50%**. Lot coverage maybe increased to a maximum of 60% with use of permeable surfaces. Examples of permeable surfaces include:
- Porous asphalt and concrete
  - Permeable unit pavers
  - Concrete grass pavers
  - Plastic Grid Systems

**(B/L 811, 2018)**~~7. **Frontage:**~~~~Each lot shall have a road frontage of not less than:~~

- ~~15 m (49.21 feet) for single family dwellings, assembly, public service, and civic use, except that corner lots shall have a road frontage of not less than 18 m (59.06 feet); or~~
- ~~23 m (75.46 feet) for two family dwellings, except that corner lots shall have a road frontage of not less than 26 m (85.30 feet); or~~
- ~~18 m (59.06 feet) for convalescent, nursing, and personal care homes; or~~
- ~~10.5 m (34.45 feet) for each half of an existing two family dwelling subdivided pursuant to Section 1202.9.e.ii. of this Bylaw.~~

7. **Lot Frontage*****Each lot shall have a road frontage of not less than:***

- 14 m (45.93 feet) except that corner lots shall have a road frontage of not less than 16 m (52.49 feet); or***
- 9 m (29.53 feet) for dwellings subdivided pursuant to Section 1202.8.e.i of this Bylaw.***

**(B/L 811, 2018)**8. **Setbacks:**a. ~~**Exterior Side Yard:**~~~~An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 5 m (16.40 feet) where applicable.~~a. **Exterior Side Yard:*****An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet) except that it is 6 m (19.68***

*feet) to the vehicle entry façade of any attached garage or carport that has vehicular access to a street flanking the exterior side lot line.*

*(B/L 811, 2018)*

~~b. Front Yard:~~

~~A front yard free of buildings and structures shall be provided with a depth of not less than:~~

~~iii. 8 m (26.25 feet) for single family dwellings, two family dwellings, and assembly, public service, and civic use; and~~

~~iv. 10 m (32.81 feet) for Community Care Facilities.~~

**b. Front Yard:**

**i. 4.5 m (14.76 feet) for single family dwellings and two family dwellings, except that it is 6 m (19.68 feet) for attached garages or carports; and**

**ii. 8 m (26.25 feet) for assembly, public service, and civic use; and**

**iii. 10 m (32.81 feet) for Community Care Facility.**

**(B/L 811, 2018)**

~~c. Other Buildings:~~

~~Buildings shall not be sited within 3 m (9.84 feet) of any other building.~~

~~d. Rear Yard:~~

~~A rear yard free of buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet) **6 m (19.69 feet)** for single family dwellings, two family dwellings, Community Care Facilities, and assembly, public service, and civic use.~~

**(B/L 895, 2024)**

~~e. Interior Side Yards:~~

~~Side yards free of buildings and structures shall be provided with a width of not less than:~~

~~i. 2 m (6.56 feet) for the least side yard and 5 m (16.40 feet) for the sum of both side yards for single family dwellings; and~~

~~ii. 3 m (9.84 feet) for two family dwellings, except that a two family dwelling shall be allowed to straddle a property line provided that the property line coincides with the party wall and provided that all other requirements of this Bylaw are met; and~~

~~iii. 8 m (26.25 feet) for Community Care Facilities, and for assembly, public service, and civic use.~~

e. **Interior Side Yards:**

***Side yards free of buildings and structures shall be provided with a width of not less than:***

***i. 2 m (6.56 feet) for single family dwellings and two family dwellings, except that a two family dwelling shall be allowed to straddle a property line provided the property line coincides with the party wall and provided that all other requirements of this Bylaw are met; and***

***ii. 8 m (26.25 feet) for Community Care Facilities, and for assembly, public service, and civic use.***

***(B/L 811, 2018)***

f. **Water Bodies:**

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

9. **Other Requirements:**

a. A Community Care Facility use shall be in conformity with the *Community Care and Assisted Living Act* (SBC 2004).

b. A boarding, lodging or rooming house use shall be completely enclosed within a building used for residential purposes and shall accommodate not more than four (4) boarders provided one (1) additional boarder may be added for each 45 m<sup>2</sup> (484.4 square feet) of lot area in excess of 1100 m<sup>2</sup> (11,840 square feet).

c. Off-street parking shall be provided and maintained in accordance with the provisions of Section 600.

***d. Useable open space shall be provided on the lot for each dwelling unit based on the following ratio:***

***i. minimum 45 m<sup>2</sup> (484.4 square feet) for each three-bedroom, or larger, unit; and***

***ii. minimum 35 m<sup>2</sup> (376.7 square feet) for each two-bedroom unit; and***

***iii. minimum 25 m<sup>2</sup> (269.1 square feet) for each one-bedroom or bachelor unit.***

***The useable open space shall be contiguous with the dwelling unit to which it is allocated.***

***(B/L 811, 2018)***

**1203 RESIDENTIAL MULTIPLE FAMILY ZONE (R.3)**

1. Permitted Uses of Land, Buildings, and Structures:

The following uses shall be permitted in the Residential Multiple Family Zone (R.3):

- a. Accessory buildings and structures
- b. Multiple family dwellings
- c. Four family dwellings
- d. Row housing dwellings
- e. Three family dwellings
- f. Two family dwellings
- g. Single family dwellings
- h. Adult retirement housing (one, two, three and four family dwellings)
- i. Home Occupations **subject to the provisions of Section 409**  
(B/L 811, 2018)
- j. **Community Care Facilities subject to the provisions of Section 1203.9.c**  
(B/L 811, 2018)

2. Accessory Buildings:

The siting, size, and dimensions of accessory buildings and structures and home occupations shall be in accordance with Section 400 of this Bylaw.

~~3. Buildings Per Lot:~~

~~The number of buildings allowed per lot for each of the following uses shall be not more than:~~

- ~~a. one (1) single family dwelling or one (1) two family dwelling or one (1) three family dwelling or one (1) four family dwelling or one (1) row housing unit; and~~
- ~~b. two (2) accessory residential buildings per dwelling unit (one and two family only); and~~
- ~~c. one (1) accessory residential building per dwelling unit (three and four family only).~~

~~The number of buildings for multiple family dwellings and adult retirement housing use shall not be restricted.~~

3. **Buildings Per Lot:**

*The number of buildings per lot shall not be restricted except that the number of accessory buildings allowed per lot shall be not more than two (2) accessory residential buildings per dwelling unit (single and two family only) except there shall be only one (1) accessory residential building per dwelling unit (three and four family only).*

**(B/L 811, 2018)**

~~4. **Floor Area:**~~

- ~~a. The floor area for a single family dwelling, or row housing unit shall be not less than 60 m<sup>2</sup> (645.8 square feet).~~
- ~~b. The floor area for a two, three, and four family dwelling unit shall be not less than 60 m<sup>2</sup> (645.8 square feet) per dwelling unit.~~
- ~~c. The floor area for multiple family use shall be not less than:~~
- ~~i. 27 m<sup>2</sup> (290.6 square feet) within each senior citizen dwelling unit; or~~
- ~~ii. 27 m<sup>2</sup> (290.6 square feet) within each bachelor dwelling unit; or~~
- ~~iii. 40 m<sup>2</sup> (430.6 square feet) within each one-bedroom dwelling unit; or~~
- ~~iv. 45 m<sup>2</sup> (484.4 square feet) within each two-bedroom dwelling unit; or~~
- ~~v. 55 m<sup>2</sup> (592.0 square feet) within each three-bedroom or larger dwelling unit.~~

4. **Height of Buildings and Structures:**

The height of buildings and structures shall not exceed:

- ~~a. The height of residential dwellings shall not exceed the lesser of 9 m (29.53 feet) or two (2) stories except where the average natural slope of the lot exceeds seven percent (7%), in which case the height of residential dwellings located on the downhill side of a road shall not exceed a height of 7 m (22.96 feet) above the centreline of the road immediately adjacent to the centre of the front of the residence and residential dwellings located on the uphill side of the road shall not exceed a height of 7 m above the mid-point of the rear property line on which the residence is located. In no case shall the height of residential dwellings exceed a height of 11 m (36.09 feet) on lots that exceed 7% natural slope.~~

**(B/L 895, 2024)**

- a. the lesser of 12 m (39.37 feet) or three (3) storeys for multiple family dwellings; or  
**(B/L 895, 2024)**
- b. 10 m (32.81 feet) for all other uses.

5. Lot Area:

Each lot shall have an area of not less than:

- a. ~~450 m<sup>2</sup> (4,044 square feet) for single family dwellings, assembly, public service, and civic use, except that corner lots shall have an area of not less than 560 m<sup>2</sup> (6,028 square feet); or~~
- b. ~~700 m<sup>2</sup> (7,535 square feet) for two family dwellings, except that corner lots shall have an area of not less than 790 m<sup>2</sup> (8,503 square feet); or~~
- c. ~~1,000 m<sup>2</sup> (10,764 square feet) for three family dwellings and four family dwellings; or~~
- d. ~~1,900 m<sup>2</sup> (20,451 square feet) for multiple family dwellings; or~~
- e. ~~220 m<sup>2</sup> (2,368 square feet) for each unit of a row housing development, except that the end unit shall have an area of not less than 330 m<sup>2</sup> (3,552 square feet); or~~
- f. ~~560 m<sup>2</sup> (6,028 square feet) for Community Care Facilities; or~~
- g. ~~350 m<sup>2</sup> (3,767 square feet) for each half of an existing two family dwelling subdivided pursuant to Section 1203.9.e.ii. of this Bylaw.~~
- h. ~~400 m<sup>2</sup> (4,305 square feet) per adult retirement housing unit where the individual units are to be sited on their own lot.~~

5. Lot Area:

*Each lot shall have an area of not less than:*

- a. ***400 m<sup>2</sup> (4,306 square feet) for a single family dwelling, assembly, public service, and civic use, except that corner lots shall have an area not less than 500 m<sup>2</sup> (5,382 square feet); or***  
(B/L 895, 2024)
- b. ~~*600 m<sup>2</sup> (6,458 square feet) for a two family dwelling, except that corner lots shall have an area of not less than 700 m<sup>2</sup> (7,535 square feet); or*~~
- b. ***450 m<sup>2</sup> (4,844 square feet) for a single family dwelling, two family dwelling, three family dwelling or four family dwelling; or***  
(B/L 895, 2024)
- c. ~~*900 m<sup>2</sup> (9,688 square feet) for a three family dwelling or a four family dwelling; or*~~

- c. **800 m<sup>2</sup> (8,611 square feet) for multiple family dwellings containing five to eight dwelling units; or**  
(B/L 895, 2024)
- ~~d. 1700 m<sup>2</sup> (18,299 square feet) for multiple family dwellings or lots containing multiple dwellings; or~~
- d. **1,100 m<sup>2</sup> (11,840 square feet) for multiple family dwellings containing nine or more dwelling units; or**  
(B/L 895, 2024)
- e. **200 m<sup>2</sup> (2,153 square feet) for each unit of a row housing development, except that the end unit shall have an area of not less than 300 m<sup>2</sup> (3,229 square feet); or**
- f. **500 m<sup>2</sup> (5,382 square feet) for Community Care Facilities; or**
- g. **300 m<sup>2</sup> (3,229 square feet) for each unit in two, three, or four family dwellings when such dwellings are subdivided pursuant to Section 1203.8.e.i of this Bylaw; or**
- h. **350 m<sup>2</sup> (3,767 square feet) per adult retirement housing unit where the individual units are to be sited on their own lot.**  
(B/L 811, 2018)
6. **Maximum Lot Coverage:** 40% **50%** and together with driveways and parking areas, shall not exceed 50% **60%**. Lot coverage may be increased to a maximum of ~~65%~~ **75%** with use of permeable surfaces. Examples of permeable surfaces include:  
(B/L 874, 2022)
- a. Porous asphalt and concrete
  - b. Permeable unit pavers
  - c. Concrete grass pavers
  - d. Plastic Grid Systems
- ~~7. **Lot Frontage:**~~
- ~~Each lot shall have a road frontage of not less than:~~
- ~~a. 15 m (49.21 feet) for single family dwellings, assembly, public service and civic use, except that corner lots shall have a road frontage of not less than 18 m (59.06 feet); or~~
  - ~~b. 23 m (75.46 feet) for two family dwellings, except that corner lots shall have a road frontage of not less than 26 m (85.30 feet); or~~
  - ~~c. 30 m (98.42 feet) for three and four family dwellings; or~~
  - ~~d. 35 m (114.83 feet) for multiple family dwellings; or~~

- e. ~~7.5m (24.61 feet) for each unit of a row housing development, except that the end unit shall have a road frontage of not less than 11 m (36.09 feet); or~~
- f. ~~18 m (59.06 feet) for convalescent, nursing, and personal care homes; or~~
- g. ~~10.5 m (34.45 feet) for each half of an existing two family dwelling subdivided pursuant to Section 1203.9.e.ii. of this Bylaw.~~
- h. ~~12 m (39.37 feet) per adult retirement housing unit where the individual units are to be sited on their own lot.~~

7. **Lot Frontage:**

***Each lot shall have a road frontage of not less than:***

- a. ***14 m (45.9 feet) for single family dwellings, two family dwellings, three and four family dwellings, assembly, public service, and civic use, except that corner lots shall have a road frontage of not less than 16 m (52.5 feet); or***  
(B/L 895, 2024)
- b. ***27 m (88.58 feet) for ~~three and four family dwellings~~ multiple family dwellings containing five to eight dwelling units; or***  
(B/L 895, 2024)
- c. ***31 m (101.71 feet) for multiple family dwellings containing nine or more dwelling units; or***  
(B/L 895, 2024)
- d. ***10 m (32.8 feet) for the end unit of dwellings subdivided pursuant to Section 1203.8.e.i of this Bylaw; or***
- e. ***7 m (23 feet) for internal units of dwellings subdivided pursuant to Section 1203.8.e.i of this Bylaw.***  
(B/L 811, 2018)

8. **Setbacks:**

a. ~~Exterior Side Yard:~~

~~An exterior side yard free of all buildings and structures shall, where applicable, be provided with a depth of not less than 5 m (16.40 feet) except that an exterior side yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet) for multiple family dwellings.~~

a. **Exterior Side Yard:**

***An exterior side yard free of all buildings and structures shall, where applicable, be provided with a depth of not less than:***

- i. 4.5 m (14.76 feet) for single, two, three and four family dwellings, except that it is 6 m (19.69 feet) for attached garages or carports.*
- ii. 4 m (13.12 feet) for all other buildings not higher than two (2) storeys except that it is 6 m (19.68 feet) for attached garages or carports; or*
- iii. 6 m (19.68 feet) for all other buildings higher than two (2) storeys.  
(B/L 811, 2018) (B/L 895, 2024)*

~~b. Front Yard:~~

~~A front yard free of buildings and structures shall be provided with a depth of not less than:~~

- ~~i. 8 m (26.25 feet) for single, two, three and four family dwellings; or~~
- ~~ii. 10 m (32.81 feet) for multiple family dwellings; or~~
- ~~iii. 6 m (19.68 feet) for row housing and adult retirement housing; or~~
- ~~iv. 8 m (26.25 feet) for Community Care Facilities and for assembly, public service, and civic uses.~~

**b. Front Yard:**

***A front yard free of buildings and structures shall be provided with a depth of not less than:***

- i. 4.5 m (14.76 feet) for ~~single family dwellings and two family dwellings~~ single, two, three, and four family dwellings, except that it is 6 m (19.68 feet) for attached garages or carports; or  
(B/L 895, 2024)***
- ii. 6 m (19.68 feet) for all other dwellings and uses.  
(B/L 811, 2018)***

**c. Other Buildings:**

Buildings shall not be sited within 3 m (9.84 feet) of any other building.

~~d. Rear Yard:~~

~~A rear yard free of buildings and structures shall be provided with a depth of not less than:~~

- ~~i. 8 m (26.25 feet) for single, two, three, and four family dwellings, Community Care Facilities, and for assembly, public service, and civic use; or~~
- ~~ii. 10 m (32.81 feet) for multiple family dwellings; or~~
- ~~iii. 6 m (19.68 feet) for row housing and adult retirement housing.~~

d. **Rear Yard:**

***A rear yard free of buildings and structures shall be provided with a depth of not less than:***

i. ***8 m (26.25 feet) single, two, three, four, and multiple family dwellings, Community Care Facilities, and for assembly, public service and civic use; or***

***(B/L 895, 2024)***

ii. ***6 m (19.68 feet) for single, two, three, and four dwellings and row housing and adult retirement housing.***

***(B/L 811, 2018) (B/L 895, 2024)***

e. ~~**Interior Side Yards:**~~

~~Side yards free of buildings and structures shall be provided with a width of not less than:~~

~~i. 2 m (6.56 feet) for the least side yard and 5 m (16.40 feet) for the sum of both side yards for single family dwellings and for assembly, public service, and civic use; or~~

~~ii. 3 m (9.84 feet) for two, three, and four family dwellings and multiple family dwellings for a wall without a window or with a window to a non-habitable room, except that a two family dwelling and adult retirement housing shall be allowed to straddle a property line provided that the property line coincides with the party wall and provided that all other requirements of this Bylaw are met; or~~

~~iii. 8 m (26.25 feet) for multiple family dwellings with a wall with a balcony or with a window to a habitable room; or~~

~~iv. 4 m (13.12 feet) for the outside wall of the end unit of a row housing project; or~~

~~v. 8 m (26.25 feet) for Community Care Facilities.~~

~~vi. 1.5 m (4.921 feet) for adult retirement housing.~~

e. **Interior Side Yards:**

***Side yards free of buildings and structures shall be provided with a width of not less than:***

- i. **2 m (6.56 feet) for single, two, three, and four family dwellings and multiple family dwellings up to two (2) storeys in height except that dwellings shall be allowed to straddle a property line provided that the property line coincides with the party wall and provided that all other requirements of this Bylaw are met; or**

**(B/L 895, 2024)**

- ii. **3 m (9.84 feet) for multiple family dwellings greater than two (2) storeys in height.**

**(B/L 811, 2018) (B/L 895, 2024)**

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

9. Other Requirements:

- ~~a. The maximum permitted gross density for multiple family dwellings shall not exceed sixty (60) units per hectare (24.28 units per acre) and the maximum permitted gross density for adult retirement housing shall not exceed 22 units per hectare (8.903 units per acres).~~

**(B/L 874, 2022)**

- a. Useable open space shall be provided on the lot for each dwelling unit contained in a multiple family building based on the following ratio:

**(B/L 811, 2018)**

- i. 45 m<sup>2</sup> (484.4 square feet) for each three-bedroom unit; and
- ii. 35 m<sup>2</sup> (376.7 square feet) for each two-bedroom unit; and
- iii. 25 m<sup>2</sup> (269.1 square feet) for each one-bedroom unit or bachelor unit.

- b. A Community Care Facility use shall not be permitted on lots smaller than 0.4 ha (0.98 acres) and shall be in conformity with the *Community Care and Assisted Living Act*, (SBC 2004).

- c. A row housing development shall be designed in such a manner so as to stagger each pair of dwelling units, with a minimum of 1 m (3.281 feet) offset.

- d. Each dwelling unit contained in a row housing project shall be provided with a rear yard having access to a lane.

- e. Each row housing structure shall contain a minimum of four (4) and a maximum of eight (8) side-by-side family dwelling units.

- f. Off-street parking shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.

- g. Screening shall be provided in accordance with the requirements of Section 700 of this Bylaw.
- h. Adult retirement housing shall not be permitted on lots smaller than 0.4 ha (0.988 acres)

## **1204 RESIDENTIAL MANUFACTURED HOME SUBDIVISION ZONE (R.4)**

### 1. Permitted Uses of Land, Buildings, and Structures:

The following uses shall be permitted in the Residential Manufactured Home Subdivision Zone (R.4):

- a. Accessory buildings and structures
- b. Manufactured homes *subject to the provisions of Section 1204.10.a*  
(B/L 811, 2018)
- c. Single family dwellings
- d. Community Care Facilities *subject to the provisions of Section 1204.10.b*  
(B/L 811, 2018)
- e. Secondary Suites *subject to the provisions of Section 410*  
(B/L 811, 2018)
- f. Home Occupations *subject to the provisions of Section 409*  
(B/L 811, 2018)

### 2. Accessory Uses:

The siting, size, and dimensions of accessory buildings and structures, secondary suites, and home occupations shall be in accordance with Section 400 of this Bylaw.

### ~~3. Buildings Per Lot:~~

~~The number of buildings allowed per lot shall be not more than:~~

- ~~a. one (1) manufactured home or one (1) single family dwelling; and~~
- ~~b. two (2) accessory residential buildings.~~

### 3. **Buildings and Dwellings Per Lot**

***The number of buildings and dwellings allowed per lot shall be not more than:***

- a. one (1) manufactured home; or***
- b. one single family dwelling which may contain a secondary suite; and***
- c. two (2) accessory residential buildings***

(B/L 811, 2018)

### 4. Floor Area:

The floor area for a manufactured home shall be not less than 45 m<sup>2</sup> (484.4 square feet) and the floor area for a single family dwelling shall be not less than 60 m<sup>2</sup> (645.8 square feet).

5. Height of Buildings and Structures:

The height of buildings and structures shall not exceed 8 m (26.25 feet), except in the case of Community Care Facilities, where the height shall not exceed 10 m (32.81 feet).

6. Lot Area:

Each lot shall have an area of not less than 560 m<sup>2</sup> (6,028 square feet), except that corner lots shall have an area of not less than 650 m<sup>2</sup> (6,997 square feet).

7. Maximum Lot Coverage: 35% and together with driveways and parking areas, shall not exceed 45%. Lot coverage maybe increased to a maximum of 60% with use of permeable surfaces. Examples of permeable surfaces include:

- a. Porous asphalt and concrete
- b. Permeable unit pavers
- c. Concrete grass pavers
- d. Plastic Grid Systems

8. Lot Frontage:

Each lot shall have a road frontage of not less than 18 m (59.06 feet), except that corner lots shall have a road frontage of not less than 21 m (68.90 feet).

9. Setbacks:

a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 5 m (16.40 feet) where applicable.

b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet) for manufactured homes, single family dwellings and Community Care Facilities.

c. Other Buildings:

Buildings shall not be sited within 3 m (9.842 feet) of any other building.

d. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet) for manufactured homes and single family dwellings.

e. Interior Side Yards:

Side yards free of buildings and structures shall be provided with a width of not less than:

- i. 2 m (6.562 feet) for manufactured homes and single family dwellings; or
- ii. 8 m (26.25 feet) for Community Care Facilities.

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

10. Other Requirements:

- a. The use of a manufactured home as a dwelling shall be permitted provided that the manufactured home is certified by the Canadian Standards Association to conform with the CSA Standard Z240.
- b. A Community Care Facility use shall be in conformity with the *Community Care and Assisted Living Act*, (SBC 2004).
- c. Off-street parking shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.

## **1205 RESIDENTIAL MANUFACTURED HOME PARK ZONE (R.5)**

### 1. Permitted Uses of Land, Buildings, and Structures:

Subject to the provisions of Bylaw No. 309, 1981 being the "Corporation of the Village of Lumby Mobile Home Park Bylaw No. 309, 1981", the following uses and no others shall be permitted in the Residential Manufactured Home Park Zone (R.5):

- a. Accessory buildings and structures
- b. Campgrounds ancillary to the manufactured home park
- c. Identification signs
- d. Manufactured homes
- e. One (1) dwelling unit for the accommodation of the owner/ operator
- f. Recreation areas
- g. Utility service buildings
- h. Community Care Facilities in accordance with provisions of the R.4 Zone.

## **1206 RESIDENTIAL RESOURCE ZONE (R.6)**

### 1. Permitted Uses of Land, Buildings, and Structures:

The following uses shall be permitted in the Residential Resource Zone (R.6):

- a. Accessory buildings and structures
- b. Assembly, public service, and civic use
- c. Boarding, lodging or rooming houses subject to the provisions of Section 1206.10.b
- d. Community Care Facilities, subject to the provisions of Section 1206.10.a.
- e. Single family dwellings
- f. Two family dwellings
- g. Home Occupations ***subject to the provisions of Section 409***

***(B/L 811, 2018)***

### 2. Accessory Uses:

The siting, size, and dimensions of accessory buildings and structures and home occupations shall be in accordance with Section 400 of this Bylaw.

### 3. Buildings Per Lot (Density):

There shall be not more than one (1) accessory residential building per dwelling unit and there shall be not more than one (1) dwelling unit per 1,900 m<sup>2</sup> (20,452 square feet) of gross lot area.

### 4. Floor Area:

- a. The floor area for a single family dwelling shall be not less than 60 m<sup>2</sup> (645.8 square feet).
- b. The floor area for a two family dwelling shall be not less than 60 m<sup>2</sup> (645.8 square feet) per dwelling unit.
- c. The floor area for accessory residential buildings shall be not greater than 110 m<sup>2</sup> (1,184 square feet).

### 5. Height of Buildings and Structures:

The height of buildings and structures shall not exceed:

- a. the lesser of 8 m (26.25 feet) or two (2) storeys for residential dwellings; and

b. 10 m (32.81 feet) for all other uses.

6. Lot Area:

Each lot shall have an area of not less than 0.18 ha (0.445 acres).

7. Maximum Lot Coverage: 35% and together with driveways and parking areas, shall not exceed 45%. Lot coverage maybe increased to a maximum of 60% with use of permeable surfaces. Examples of permeable surfaces include:

- a. Porous asphalt and concrete
- b. Permeable unit pavers
- c. Concrete grass pavers
- d. Plastic Grid Systems

8. Lot Frontage:

Each lot shall have a road frontage of not less than 45 m (147.6 feet).

9. Setbacks:

a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet) where applicable.

b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than:

- i. 8 m (26.25 feet) for accessory buildings, single family dwellings, two family dwellings, and assembly, public service, and civic use; and
- ii. 10 m (32.81 feet) for Community Care Facilities.

c. Other Buildings:

Buildings shall not be sited within 3 m (9.842 feet) of any other building.

d. Rear Yard:

A rear yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet).

e. Interior Side Yards:

Side yards free of buildings and structures shall be provided with a width of not less than:

- i. 2 m (6.562 feet) for single family dwellings; and
- ii. 3 m (9.842 feet) for accessory buildings and two family dwellings; and
- iii. 8 m (26.25 feet) for Community Care Facilities, and for assembly, public service, and civic use.

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

10. Other Requirements:

- a. A Community Care Facility use shall be in conformity with the *Community Care and Assisted Living Act*, (SBC 2004).
- b. A boarding, lodging or rooming house use shall be completely enclosed within a building used for residential purposes and shall accommodate not more than four (4) boarders provided one (1) additional boarder may be added for each 45 m<sup>2</sup> (484.4 square feet) of lot area in excess of 1100 m<sup>2</sup> (11,840 square feet).
- c. Off-street parking shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.

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## **1207 RESIDENTIAL SMALL-SCALE, MULTI-UNIT HOUSING (R.7) ZONE**

### **1. Permitted Uses of Land, Buildings, and Structures:**

*The following uses shall be permitted in the Residential Small-Scale, Multi-Unit Housing (R.7) zone:*

- a. Accessory buildings and structures*
- b. Single family dwellings, two family dwellings, three family dwellings and four family dwellings*
- c. Community care facilities subject to the provisions of Section 1201.9.a*
- d. Boarding, lodging, or rooming houses subject to the provisions of Section 1201.9.c*
- e. Secondary suites subject to the provisions of Section 410*
- f. Secondary detached dwellings subject to the provisions of Section 412*
- g. Home Occupations subject to the provisions of Section 409*  
*(B/L 897, 2024)*

### **2. Accessory Uses:**

*The siting, size, and dimensions of accessory buildings and structures, secondary suites, secondary detached dwellings, and home occupations shall be in accordance with Section 400 of this Bylaw.*

### **3. Buildings and Dwellings Per Lot:**

- a. On properties which are less than 280 m<sup>2</sup> (3,014 square feet), no more than three dwelling units are permitted per lot.*
- b. On properties which are 280 m<sup>2</sup> (3,014 square feet) and larger, no more than four dwelling units are permitted per lot.*
- c. The number of accessory buildings allowed per lot shall be not more than two (2) accessory residential buildings per dwelling unit (single and two family only) except there shall be only one (1) accessory residential building per dwelling unit (three and four family only).*

### **4. Height of Buildings:**

*The height of buildings must not exceed:*

- a. the lesser of 12 m (39.37 feet) or three storeys for dwellings.*
- b. 10 m (32.81 feet) for community care facilities.*

**5. Lot Area:**

*Each lot shall have an area of not less than:*

- a. 450 m<sup>2</sup> (4,844 square feet), except that corner lots shall have an area not less than 560 m<sup>2</sup> (6,028 square feet); or*
- b. 560 m<sup>2</sup> (6,028 square feet) for community care facilities, except that corner lots shall have an area not less than 650 m<sup>2</sup> (6,997 square feet).*
- c. 350 m<sup>2</sup> for lots with proposed or existing dwellings that straddle a lot line pursuant to Section 1207.8.d or Section 1207.8.e.i of this Bylaw and where a Section 219 covenant has been registered on the title of the lot to require that all dwellings on the lot be constructed in accordance with this Section.*

*(B/L 897, 2024)*

**6. Maximum Lot Coverage:**

*50% and together with driveways and parking areas, shall not exceed 60%. Lot coverage may be increased to a maximum of 75% with use of permeable surfaces. Examples of permeable surfaces include:*

- a. porous asphalt and concrete;*
- b. permeable unit pavers;*
- c. concrete grass pavers; and*
- d. plastic grid systems.*

**7. Lot Frontage:**

~~*Each lot shall have a road frontage of not less than 14 m (45.93 feet), except that corner lots shall have a road frontage of not less than 16 m (52.49 feet).*~~

*Each lot shall have road frontage of not less than:*

- a. 14 m (45.93 feet), except that corner lots shall have a road frontage of not less than 16 m (52.49 feet); or*
- b. 9 m (29.53 feet) for lots with dwellings that straddle a lot line pursuant to Section 1207.8.e.i of this Bylaw*

*(B/L 897, 2024)*

**8. Setbacks:****a. Exterior Side Yard:**

*An exterior side yard free of all buildings and structures shall, where applicable, be provided with a depth of not less than 4.5 m (14.76 feet) for dwellings and community care facilities except that it is 6 m (19.68 feet) for attached garages or carports.*

b. **Front Yard:**

*A front yard free of buildings and structures shall be provided with a depth of not less than:*

- i. *4.5 m (14.76 feet) for dwellings, except that it is 6 m (19.68 feet) for attached garages or carports; and*
- ii. *10 m (32.81 feet) for community care facilities*

c. **Other Buildings:**

*Buildings shall not be sited within 3 m (9.842 feet) of any other building.*

d. **Rear Yard:**

*A rear yard free of buildings and structures shall be provided with a depth of not less than 6 m (26.25 feet) for dwellings and community care facilities except that dwellings located on corner lots shall be allowed to straddle a rear property line or one side yard in accordance with Section 1207.8.e.i provided that the property line coincides with the party wall and provided that all other requirements of this Bylaw are met.*

*(B/L 897, 2024)*

e. **Interior Side Yards:**

*Side yards free of buildings and structures shall be provided with a width of not less than:*

- i. *2 m (19.68 feet) for dwellings except that dwellings shall be allowed to straddle a property line for one side yard provided that the property line coincides with the party wall and provided that all other requirements of this Bylaw are met; and*

*(B/L 897, 2024)*

- ii. *8 m (26.25 feet) for community care facilities.*

*(B/L 895, 2024)*

## **1301 SMALL HOLDING ZONE (S.H.)**

### **1. Permitted Uses of Land, Buildings, and Structures:**

The following uses shall be permitted in the Small Holding Zone (S.H.):

- a. Accessory buildings and structures
- b. Restricted agricultural use subject to the provisions of Section 1301.9.a
- c. Community Care Facilities subject to the provisions of Section 1301.9.b
- d. Boarding, lodging, or rooming houses subject to the provisions of Section 1301.9.c
- e. Single family dwellings
- f. Secondary suites ***subject to the provisions of Section 410*** (B/L 811, 2018)
- g. Home Occupations ***subject to the provisions of Section 409*** (B/L 811, 2018)
- h. Secondary detached dwellings subject to the provisions of Section 412*** (B/L 811, 2018)

### **2. Accessory Uses:**

The siting, size, and dimensions of accessory buildings and structures, secondary suites, ***secondary detached dwellings***, and home occupations shall be in accordance with Section 400 of this Bylaw.

(B/L 811, 2018)

### ~~3. Buildings Per Lot:~~

~~The number of buildings allowed per lot for each of the following uses shall be not more than:~~

- ~~a. one (1) single family dwelling; and~~
- ~~b. two (2) accessory residential buildings; and~~
- ~~c. two (2) restricted agricultural buildings.~~

### **3. Buildings and Dwellings Per Lot**

***The number of buildings and dwellings allowed per lot shall be not more than:***

- a. one (1) single family dwelling which may contain a secondary suite; or***

- b. one (1) single family dwelling and one (1) secondary detached dwelling;  
and*
- c. two (2) accessory residential buildings; and*
- d. two (2) restricted agricultural buildings.*

**(B/L 811, 2018)**~~4. Floor Area:~~

- ~~a. The floor area for a single family dwelling shall be not less than 85 m (914.9 square feet).~~
- ~~b. The floor area for an accessory residential building shall be not greater than 65 m (699.7 square feet) with no horizontal dimension exceeding 9 m (29.53 feet).~~

**(B/L 811, 2018)****4. Height of Building and Structures:**

The height of buildings and structures shall not exceed:

- a. 5 m (16.40 feet) for accessory residential use; or
- b. 8 m (26.25 feet) for residential use; or
- c. 10 m (32.81 feet) for restricted agricultural use.

**5. Lot Area:**

Each lot shall have an area of not less than 1 ha (2.471 acres).

- 6. Maximum Lot Coverage:** 30% and together with driveways and parking areas, shall not exceed 40%. Lot coverage may be increased to a maximum of 50% with use of permeable surfaces. Examples of permeable surfaces include:
  - a. Porous asphalt and concrete
  - b. Permeable unit pavers
  - c. Concrete grass pavers
  - d. Plastic Grid Systems

**7. Lot Frontage:**

Each lot shall have a road frontage of not less than 45 m (147.6 feet).

**8. Setbacks:**a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 5 m (16.40 feet) where applicable.

b. Front Yard:

Front yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet).

c. Other Buildings:

Buildings shall not be sited within 3 m (9.842 feet) of any other building, except that buildings for restricted agricultural use involving the keeping of animals shall not be sited within 30 m (98.42 feet) of any residential building not sited on the same lot.

d. Rear Yard:

A rear yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet), except that rear yards free of buildings and structures used for keeping of animals shall be provided with a depth of not less than 30 m (98.42 feet) where the use abuts a Residential Zone.

e. Interior Side Yards:

Side yards free of all buildings and structures shall be provided with a width of not less than 3 m (9.842 feet), except that side yards free of buildings and structures used for keeping animals shall be provided with a width of not less than 30 m (98.42 feet) where the use abuts a Residential zone.

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

**9. Other Requirements:**

- a. Notwithstanding any other provisions of this Bylaw a restricted agricultural use shall not be permitted on lots smaller than 1 ha (2.471 acres) and shall only permit the keeping of three (3) horses per 1 ha (2.471 acres) of land area.
- b. A Community Care Facility use shall be in conformity with the *Community Care and Assisted Living Act*, (SBC 2004).
- c. A boarding, lodging or rooming house use shall be completely enclosed within a building used for residential purposes and shall accommodate not more than four (4) boarders provided one (1) additional boarder may be added for each 45 m<sup>2</sup> (484.4 square feet) of lot area in excess of 1100 m<sup>2</sup> (11,840 square feet).
- d. Off-Street parking shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.

## **1302 COUNTRY RESIDENTIAL ZONE (C.R.)**

### 1. Permitted Uses of Land, Buildings, and Structures:

The following uses shall be permitted in the Country Residential Zone (C.R.):

~~a. Accessory employee residential use subject to the provisions of Section 1302.10.a.~~

**(B/L 811, 2018)**

a. Accessory produce and fruit sales **subject to the provisions of Section 1302.10.d**

**(B/L 811, 2018)**

b. Accessory buildings and structures

c. Assembly and civic use

d. Boarding, lodging, or rooming houses subject to the provisions of Section 1302.10.h

e. Community Care Facilities **subject to the provisions of Section 1302.10.b**

**(B/L 811, 2018)**

f. Fruit and produce pickers' cabins **subject to the provisions of Section 1302.10.e**

**(B/L 811, 2018)**

g. Intensive agricultural use subject to the provisions of Section 1302.10.b.

h. Limited agricultural use

i. Manufactured homes **subject to the provisions of Section 1302.10.c**

**(B/L 811, 2018)**

j. Single family dwellings

k. Two family dwellings

l. Secondary suites **subject to the provisions of Section 410**

**(B/L 811, 2018)**

m. Home Occupations **subject to the provisions of Section 409**

**(B/L 811, 2018)**

**n. Secondary detached dwellings subject to the provisions of Section 412**

**(B/L 811, 2018)**

### 2. Accessory Uses:

The siting, size, and dimensions of accessory buildings and structures, secondary suites, **secondary detached dwellings** and home occupations shall be in accordance with Section 400 of this Bylaw.

**(B/L 811, 2018)**

~~3. Buildings Per Lot:~~~~The number of buildings allowed per lot for each of the following uses shall be not more than:~~

- ~~a. one (1) single family dwelling or one (1) two family dwelling or one (1) manufactured home; and~~
- ~~b. one (1) accessory employee residential dwelling; and~~
- ~~c. one (1) accessory produce and fruit sales.~~

**3. Buildings and Dwellings Per Lot*****The number of buildings and dwellings allowed per lot shall be not more than:***

- a. one (1) single family dwelling which may contain a secondary suite; or***
- b. one (1) single family dwelling and one (1) secondary detached dwelling; or***
- c. one (1) manufactured home and one (1) secondary detached dwelling; or***
- d. one (1) two family dwelling; and***
- e. one (1) accessory produce and fruit sales.***

***(B/L 811, 2018)*****4. Floor Area:**~~a. The floor area for a single family dwelling or accessory employee residential dwelling shall be not less than 60 m<sup>2</sup> (645.8 square feet).~~~~b. The floor area for a two family dwelling shall be not less than 60 m<sup>2</sup> (645.8 square feet) per dwelling unit.~~***(B/L 811, 2018)*****a. The floor area for a fruit and produce pickers' cabin shall not exceed 25 m<sup>2</sup> (269.1 square feet).****b. The floor area for a manufactured home shall be not less than 45 m<sup>2</sup> (484.4 square feet).****5. Height of Buildings and Structures:****The height of buildings and structures shall not exceed:**

- a. 8 m (26.25 feet) for accessory residential use; or**
- b. 10 m (32.81 feet) for residential, assembly, and civic use; or**

c. 20 m (65.62 feet) for agricultural use.

6. Lot Area:

Each lot shall have an area of not less than 2 ha (4.942 acres).

7. Maximum Lot Coverage: 30% and together with driveways and parking areas, shall not exceed 40% and not greater than ten percent (10%) for feed lot and piggery use. Lot coverage maybe increased to a maximum of 50% with use of permeable surfaces. Examples of permeable surfaces include:

- a. Porous asphalt and concrete
- b. Permeable unit pavers
- c. Concrete grass pavers
- d. Plastic Grid Systems

8. Lot Frontage:

Each lot shall have a road frontage of not less than 45 m (147.6 feet).

9. Setbacks:

a. Exterior Side Yard:

An exterior side yard free of buildings and structures shall, where applicable, be provided with a depth of not less than:

- i. 30 m (98.42 feet) for limited agricultural use; or
- ii. 60 m (196.8 feet) for intensive agricultural use, feed lots, and piggeries; or
- iii. 200 m (656.2 feet) for intensive agricultural use (excluding feed lots and piggeries) where the use is to be established adjacent to an existing Residential zone; or
- iv. 400 m (1,312 feet) for feed lots and piggeries where the use is to be established adjacent to an existing Residential zone; or
- v. 12 m (39.37 feet) for all other uses.

b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than:

- i. 30 m (98.42 feet) for limited agricultural use; or
- ii. 60 m (196.8 feet) for intensive agricultural use, feed lots, and piggeries; or

- iii. 200 m (656.2 feet) for intensive agricultural use (excluding feed lots and piggeries) where the use is to be established adjacent to an existing Residential zone; or
- iv. 400 m (1,312 feet) for feed lots and piggeries where the use is to be established adjacent to an existing Residential zone; or
- v. 12 m (39.37 feet) for all other uses.

c. Other Buildings:

Buildings shall not be sited within 3 m (9.842 feet) of any other building, except that:

- i. buildings for limited agricultural use involving the keeping of animals shall not be established within 30 m (98.42 feet) of any existing residential dwelling not sited on the same lot; and
- ii. buildings for intensive agricultural use shall not be established within 60 m (196.8 feet) of any existing residential dwelling not sited on the same lot; and
- iii. feed lots and piggeries shall not be established within 100 metres (328.1 feet) of any residential dwelling not sited on the same lot.

d. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than:

- i. 30 m (98.42 feet) for limited agricultural use involving the keeping of animals where the use is to be established adjacent to an existing Residential zone; or
- ii. 60 m (196.8 feet) for intensive agricultural use, feed lots, and piggeries; or
- iii. 200 m (656.2 feet) for intensive agricultural use (excluding feed lots and piggeries) where the use is to be established adjacent to an existing Residential zone; or
- iv. 400 m (1,312 feet) for feed lots and piggeries where the use is to be established adjacent to an existing Residential zone; or
- v. 8 m (26.25 feet) for all other uses.

e. Interior Side Yards:

Side yards free of buildings and structures shall be provided with a width of not less than:

- i. 30 m (98.42 feet) for limited agricultural use involving the keeping of animals where the use is to be established adjacent to an existing Residential zone; or
- ii. 60 m (196.8 feet) for intensive agricultural use, feed lots, and piggeries; or
- iii. 200 m (656.2 feet) for intensive agricultural use (excluding feed lots and piggeries) where the use is to be established adjacent to an existing Residential zone; or
- iv. 400 m (1,312 feet) for feed lots and piggeries where the use is to be established adjacent to an existing Residential zone; or
- v. 3 m (9.842 feet) for all other uses.

f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section 500 of this bylaw.

10. Other Requirements:

~~a. An accessory employee residential use shall not be permitted on a lot of less than 4 ha (9.884 acres).~~

**(B/L 811, 2018)**

- a. An intensive agricultural use shall not be permitted on lots smaller than 0.8094 ha (2.000 acres) and shall only be permitted on lands that are located within the Agricultural Land Reserve.
- b. A Community Care Facility use shall be in conformity with the *Community Care and Assisted Living Act*, (SBC 2004).
- c. The use of a manufactured home as a dwelling shall be permitted provided that the manufactured home is certified by the Canadian Standards Association to conform with the CSA Standard Z240.
- d. An accessory produce and fruit sales use shall not allow the sales of any product, produce, or fruit other than those vegetables or fruits grown on the same parcel.
- e. Fruit and produce pickers' cabin use:
  - i. A fruit and produce pickers' cabin use shall not be permitted on a lot of less than 4 ha (9.884 acres), unless such use existed prior to the adoption of this Bylaw.
  - ii. The use of a fruit and produce pickers' cabin as a rental unit is prohibited.

- f. Insofar as residential buildings are concerned, where a lot of less than 0.5 ha (1.235 acres) was existing at the effective date of this Bylaw, the provisions of Section 1201.8. of this Bylaw shall apply.
- g. A boarding, lodging or rooming house use shall be completely enclosed within a building used for residential purposes and shall accommodate not more than four (4) boarders provided one (1) additional boarder may be added for each 45 m<sup>2</sup> (484.4 square feet) of lot area in excess of 1100 m<sup>2</sup> (11,840 square feet).
- h. Off-street parking shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.

## **1401 RECREATION PARK ZONE (R.P.)**

### 1. Permitted Uses of Land, Buildings, and Structures:

The following uses shall be permitted in the Recreation Park Zone (R.P.):

- a. Accessory buildings and structures
- b. Accommodation including campgrounds (including rental cabins), and one (1) dwelling unit for the owner, operator, or employee of the principal and permitted use
- c. Assembly, public service and civic use
- d. Entertainment and recreation facilities including arcades, billiard halls, bowling alleys, drive-in theatres, golf courses and driving ranges, health spas, marinas, museums, outdoor entertainment, amusement and recreation facilities, ski hills, sports clubs, sports facilities, theatres, tourist amusement facilities, theme parks, and zoos
- e. Retail sales of sporting goods (including rental)
- f. *Food services including mobile street vendors and stationary street vendors.* (B/L 887, 2023)**

### 2. Floor Area:

- a. The floor area for a dwelling unit for a caretaker or watchman shall be not less than 60 m<sup>2</sup> (645.8 square feet).
- b. The total floor area for retail sales of sporting goods (including rental) shall be not greater than 150 m<sup>2</sup> (1,615 square feet).

### 3. Lot Area:

Each lot, excluding lots for park and playground use, shall have an area of not less than 0.5 ha (1.235 acres), except that lots for campgrounds shall have an area of not less than 0.4 ha (0.9884 acres).

### 4. Lot Coverage:

Lot coverage shall be not greater than thirty percent (30%) of the lot area for all buildings and structures.

### 5. Lot Frontage:

Each lot shall have a road frontage of not less than 40 m (131.3 feet).

6. Setbacks:
  - a. Exterior Side Yard:

An exterior side yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet) where applicable.
  - b. Front Yard:

A front yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet).
  - c. Other Buildings:

Buildings shall not be sited within 3 m (9.842 feet) of any other building.
  - d. Rear Yard:

A rear yard free of all buildings and structures shall be provided with a depth of not less than 8 m (26.25 feet).
  - e. Interior Side Yards:

Side yards free of all buildings and structures shall be provided with a width of not less than 2 m (6.562 feet).
  - f. Water Bodies:

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section Five of this bylaw.
7. Other Requirements:
  - a. Campgrounds shall conform with the requirements of Section 900 of this Bylaw.
  - b. No business or undertaking shall be carried on on any lot or lots situate within this zone unless the proprietor or owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained under the provisions of the *Trade Licence Act* of British Columbia or the provisions of such other applicable Statutes, Bylaws, and regulations in force from time to time.
  - c. Off-street parking and loading shall be provided and maintained in accordance with the provisions of Section 600 of this Bylaw.
  - d. ***Notwithstanding the Permitted Uses of the Recreation Park (R.P) zone as outlined in Section 1401.1 of this Bylaw, a shooting range including clubhouse facilities on the property legally described as Lot 6, District Lot***

**164, ODYD, Plan 2003, Except Plans 4141, 4211, 6035, B6097 and H15629 and located at 2631 Highway 6 is a permitted use subject to the following:**

- 1. The shooting range be restricted to one (1) 91.4 m (100 yard) long gun range, one (1) 45.7 m (50 yard) hand gun range, one (1) trap range and shelter structure, one clubhouse, and accessory buildings and structures in conformance with the provisions of Section 1401 of this bylaw, and that there be a minimum of one (1) on-site parking space per shooting station plus one additional space.**

**(B/L 803,2017)**

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## **1402 TRANSPORTATION CORRIDOR ZONE (T.C.)**

### 1. Permitted Uses of Land, Buildings and Structures:

The following uses shall be permitted in the Transportation Corridor Zone (T.C):

- a. Railway
- b. Highway
- c. Off-street parking
- d. Cycling and pedestrian paths
- e. Public Service Use
- f. Accessory buildings and structures

### 2. Height of Buildings and Structures:

The height of accessory buildings and structures shall not exceed the lesser of 10 m (32.81 feet) or two (2) storeys.

### 3. Lot Area:

Each lot shall have an area of not less than 6.0 ha (14.8 acres).

### 4. Setbacks:

#### a. Exterior Side Yard:

An exterior side yard free of buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet).

#### b. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet).

#### c. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet).

#### d. Interior Side Yard:

A side yard free of buildings and structures shall be provided with a depth of not less than 4.5 m (14.76 feet).

5. Other Requirements:
  - a. Screening shall be provided in accordance with the requirements of Section 700 of this Bylaw.
  - b. Off-street parking shall be provided and maintained in accordance with the provisions of Section 600 of this bylaw.

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## **1403 COMPREHENSIVE DEVELOPMENT – SENIOR CITIZENS ASSISTED LIVING ZONE (CD.1)**

### 1. Permitted Uses of Land, Buildings and Structures:

The following uses shall be permitted in the Comprehensive Development - Senior Citizens Assisted Living Zone (CD.1):

- a. Multiple family dwellings
- b. Common facilities including dining room, kitchen, lounge, games room and other amenities for residents
- c. Convalescent, nursing, and personal care use shall in accordance with the regulations of the *Community Care and Assisted Living Act*

### 2. Floor Area:

- a. The floor area for multiple family dwellings shall be not less than:
  - i. 27 m<sup>2</sup> (290.6 square feet) within each bachelor dwelling unit; or
  - ii. 40 m<sup>2</sup> (430.6 square feet) within each one-bedroom dwelling unit; or
  - iii. 55 m<sup>2</sup> (592.0 square feet) within each two-bedroom dwelling unit.

### 3. Height of Buildings and Structures:

The height of buildings and structures shall not exceed the lesser of 12 m (39.37 feet) or 3 stories for multiple family use; or

### 4. Lot Area:

Each lot shall have an area of not less than 0.21 ha (0.52 acres).

### 5. Lot Coverage:

Lot coverage shall not be greater than forty percent (40%) of the lot area for all buildings and structures.

### 6. Lot Frontage:

Each lot shall have a road frontage of not less than 35 m (114.83 feet).

7. Setbacks:
- a. Exterior Side Yard:
- An exterior side yard free of buildings and structures shall, where applicable, be provided with a depth of not less than 8 m (26.25 feet).
- b. Front Yard:
- A front yard free of buildings and structures shall be provided with a depth of not less than 10 m (32.8 feet).
- c. Other Buildings:
- Buildings shall not be sited within 3 m (9.842 feet) of any other building.
- d. Rear Yard:
- A rear yard free of buildings and structures shall be provided with a depth of not less than 10 m (32.8 feet).
- e. Interior Side Yards:
- Side yards free of buildings and structures shall be provided with a width of not less than 8 m (26.25 feet).
- f. Water Bodies:
- Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Section Five of this bylaw.
8. Other Requirements:
- a. The maximum permitted gross density for senior citizen assisted living housing shall not exceed ninety-six (96) units per ha [thirty-nine (39) units per acre].
- b. Useable open space shall be provided on the lot for each dwelling unit contained in a senior citizen assisted living building based on the following:
- i. 35 m<sup>2</sup> (376.7 square feet) for each two bedroom unit; and
  - ii. 25 m<sup>2</sup> (269. square feet) for each one bedroom unit.
- c. Screening shall be provided in accordance with the requirements of Section 700 of this Bylaw.
- d. Off-street parking shall be provided and maintained in accordance with the provisions of Section 600 of this bylaw.