



SUN PEAKS RESORT AREA

ZONING BYLAW NO. 1400

Sun Peaks Mountain Resort Municipality
106-3270 Village Way
Sun Peaks, BC V0E 5N0
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CONSOLIDATED FOR CONVENIENCE ONLY

Revised May 7, 2025

**Please check with Sun Peaks Mountain Resort Municipality
for current information on this Bylaw.**

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1. Bylaw No. 1532 - Reconsidered and Adopted August 15, 1996
Housekeeping Amendments - See File.
2. Bylaw No. 1625 - Reconsidered and Adopted July 10, 1997 (File No. RZ-P-36)
Inserted a new Division Thirteen - RS-2(Residential Single Family Two) - See File
3. Bylaw No. 1687 – Reconsidered and Adopted August 13, 1998 (File No. RZ-P-44)
 - Delete Sections 4.7(a) and (b) and insert new Section 4.7
 - Amend Section 4.12(a)
 - Delete Sections 5.8(b) and (c)
 - Amend Section 14.3(c)
 - Insert new Sections 19.2(e) and 20.2 (e)
 - See File
4. Bylaw No. 1777 – Reconsidered and Adopted April 13, 2000 (File No. RZ-P-50)
 - Delete Sections 4.7 and 4.12(b)
5. Bylaw No. 1825 – Reconsidered and Adopted March 8, 2001 (File No. RZ-P-55)
Insert a new section 19.2.1 as follows:
“19.2.1 Permitted Uses – Site Specific

In the TA-2 zone, the following use is permitted on a site specific basis only:

(a) Ancillary property management business in the case of Lot A, District Lot 6375, Kamloops Division Yale District, Plan KAP63275 except Strata Plan KAS2100 (Phases 1, 2, 3, 4 and 5) - *Strata Lot 47, Plan KAS2100 (#47-6005 Valley Drive, Sun Peaks, BC).*”
6. Bylaw No. 1855 – Reconsidered and Adopted Sept. 20, 2001 (File No. RZ-P-60)
Amend Division Eight – IL-1 (Industrial Light One) as follows:
 - i) Delete Sub-sections 8.2 (c), (e), (j), (l), (o), (p) (v) and (y);
 - ii) Add the following uses to Section 8.2 and renumber accordingly:
 - (c) Laundromat or dry cleaning establishment;
 - (d) Restaurant, excluding a drive-in restaurant;
 - (e) Retail store, business or undertaking catering primarily to the day-to-day needs of local residents and visitors;
 - (f) bakery;

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iii) Amend:

- Section 8.4 to read as follows: “The maximum permitted height of a building is 12 metres and 3 storeys.”
- Sub-section 8.9 (a) to increase the maximum number of bedrooms in a dwelling unit from 3 bedrooms to **4 bedrooms**.
- Section 8.9 by adding and renumbering accordingly: “(c) The maximum permitted total gross floor area of a principal building to be used for auxiliary dwelling units is 70 percent.”

7. Bylaw No. 1864 – Reconsidered and Adopted December 13, 2001 (File No. RZ-P-61)

Insert a new section 16.2.1 to the RM-2 (Residential Multiple Two) as follows:

- "(a) Property management business in the case of Strata Lot 3, District Lot 6336, Kamloops Division Yale District, Plan KAS1658 (#3-2160 Sun Peaks Road, Sun Peaks, BC), and subject to the following conditions of use:
- i) alterations are not made to indicate it is being used for any purpose other than its principal use;
 - ii) the owner and a maximum of one employee shall be engaged in home occupation use on the premises;
 - iii) no products or materials are stored outside of a principal building and auxiliary building;
 - iv) no products or materials are sold from a home occupation use; and
 - v) an advertising or identification sign not to exceed 1 square metre in area may be located at a mutually agreeable location in proximity to the entrance to the strata property."

8. Bylaw No. 2185 – Reconsidered and Adopted February 12, 2009 (File No. RZ-P-96)

Insert a new section 6.2.1 to the CL-1 (Commercial Local One) Zone as follows:

- "(a) Property Management Business in the case of Lot A, District Lot 5957, Kamloops Division Yale District, Plan KAP60466 (1160 Sun Peaks Road)."

Insert a new clause under Section 6.9 'Other Regulations' of the CL-1 (Commercial Local One) Zone as follows:

- "(h) Exterior storage of landscape maintenance equipment required in conjunction with the operation of a property management business shall be adequately screened to the satisfaction of the Regional District".

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9. Bylaw No. 2228 – Reconsidered and Adopted September 4, 2008 (File No. RZ-P-104)

Insert a new section 8.2.1 to the IL-1 (Industrial Light One) Zone as follows:

- “(a) Employee housing building to a maximum density of 50 dwelling units and, notwithstanding the parking and loading space requirements in Table 4A of this Bylaw, a minimum of 16 off-street parking spaces in the case of Lot 2, District Lot 5957, Kamloops Division Yale District, Plan KAP75365 (1138 Alpine Road, Sun Peaks, BC).
- (b) Employee housing building to a maximum density of 50 dwelling units and, notwithstanding the parking and loading space requirements in Table 4A of this Bylaw, a minimum of 16 off-street parking spaces in the case of Lot 3, District Lot 5957, Kamloops Division Yale District, Plan KAP75365 (1142 Alpine Road, Sun Peaks, BC).”

10. Bylaw No. 2304 – Textual Amendments to Zoning Bylaw No. 1400 (Sun Peaks) Reconsidered and Adopted June 10, 2010 (File No. BA000004)

- Delete and replace definition of “Grade” under Division One – Definitions
- Delete and replace definition of “Gross Floor Area” under Division One – Definitions
- Delete definition of “Height” and replace with the following two definitions: “Height, Auxiliary Building” and “Height, Principal Building”.
- Amend Section 3.4
- Amend Section 3.6 (a)
- Insert new Section 3.7 with diagram
- See File

11. Bylaw No. 0025 – Reconsidered and Adopted July 16, 2012 (File No. RZ-11-01)

Insert a new section 25.2.1 to the R-1 (Residential Single and Two Family) Zone as follows:

“25.2.1 PERMITTED USES – SITE SPECIFIC

In the R-1 zone, the following uses are permitted on a site specific basis only:

- (a) Office with limited customer/client visits and excluding storefront retail sales, within an existing dwelling unit (half duplex) in the case of Strata Lot 1, District Lot 5957, Kamloops Division Yale District, Strata Plan KAS1966 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1 and an undivided 1/54 share in Lot 51 District Lot 6282 Kamloops Division Yale District Plan 41697 (1332 Burfield Drive), and subject to the following conditions of use:

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- i. the use shall be carried out primarily by the owners of the property;
 - ii. the use shall be limited to a maximum of 3 employees;
 - iii. the use shall not create a nuisance;
 - iv. the use shall not involve exterior storage of any materials or products;
 - v. the use shall not involve advertising or identification signs exceeding 0.3 square metres in area; and
 - vi. alterations are not to be made to indicate the building is being used for any purpose other than its principal residential use.

- 12. Bylaw No. 0031 – Adopted April 28, 2014 (*Sun Peaks Resort Area Zoning Bylaw No. 1400 amendment*)
 - Insert a new Division Thirteen – RS-1A (Residential Single Family One – Tourist Accommodation Zone) and renumber the remaining sections accordingly.

 - Insert a new Division Twenty-Seven – R-1A (Residential Single and Two Family – Tourist Accommodation Zone) and renumber the remaining sections accordingly.

- 13. Bylaw No. 0055 – Adopted April 18, 2016 (*Sun Peaks Resort Area Zoning Bylaw No. 1400 amendment*)
 - Replace section 2.5 Enforcement.

- 14. Bylaw No. 0056 – Adopted May 9, 2016 (*File No. RZ-2015-003*)
 - Insert the following in the RS-1A (Residential Single Family One – Tourist Accommodation) Zone:

13.3.1 DENSITY – SITE SPECIFIC

In the RS-1A zone, the following is permitted on a site specific basis only:
A single family dwelling with a floor space ratio of 0.37 and an auxiliary residential dwelling unit containing a gross floor area of 81.5 square metre in the case of Lot 10, District Lot 6410, Kamloops Division Yale District, Plan KAP67926 (4128 Sundance Drive).

- 15. Bylaw 0068, 2016 – Adopted July 18, 2016 (*File No. RZ-2015-034*)

Insert the following in the TP-1 zone

 - (a) Restaurant as an auxiliary use to a pension in the case of Block A of District Lots 6259 and 6337, KDYD, except Plan KAP53479 (2232 Sunburst Drive), and subject to the following conditions of use:
 - i. the use must be carried out by the owners of the property; and
 - ii. the use is limited to a maximum of 30 seats in the dining area.

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16. Bylaw No. 0073 – Adopted September 6, 2016 (File No. RZ-2016-003)

- Insert the following in the CC-1 zone

5.2.1 PERMITTED USES – SITE SPECIFIC

- (a) Townhouse and apartment for either permanent residential and/or tourist accommodation in the case of Lot A, District Lots 6331 and 6417, KDYD, Plan KAP88812 Except Strata Plan KAS3653 (Phase 1) (3280 Village Way).

17. Bylaw No. 0088 – Adopted May 16, 2017 (File No. RZ-2016-005)

- Strike out s.13.9(g) of RS-1A zone in entirety and insert the following:
(g) Where a single family dwelling contains an auxiliary residential dwelling unit, only one dwelling unit (either the auxiliary dwelling unit or the principal dwelling unit) may be used for tourist accommodation.
- Strike out s.13.2(e) of RS-1A zone in entirety and insert the following:
(e) Tourist accommodation limited to one dwelling unit.
- Insert following provision as s.13.2.1 in the RS-1A zone:

13.2.1 PERMITTED USES - SITE SPECIFIC

In the RS-1A zone, the following use is permitted on a site-specific basis only:

Tourist accommodation in both the principal dwelling unit and auxiliary residential dwelling unit to a maximum of 6 bedrooms in the case of the following parcels only:

Lots 1, 2, 18, 23, 29, 31, and 38, District Lot 6337, KDYD, Plan KAP53479 (2202, 2204, 2306, 2316, 2219, 2215, 2201 Sunburst Dr); Lots 3 and 14, Plan KAP53479 (2206, 2228 Sunburst Dr); Lots 3 and 6, Plan KAP65774 (2422, 2425 Fairways Dr); Lot 12, Plan KAP74464 (2463 Fairways Dr); Lot 11, Plan KAP82619 (5425 Lookout Ridge Pl); Lots 5 and 13, Plan KAP53475 (2403, 2419 Fairways Dr); Lots 6, 9, and 14, Plan KAP80085 (5321, 5333, 5342 Lookout Ridge Dr); Lots 15 and 22, Plan KAP76953 (2544, 2557 Mountain View Drive); Lots 3, 8, and 10, Plan KAP67926 (4124, 4128, 4129 Sundance Drive); Lots 7 and 9, Plan KAP72523 (4155, 4159 Sundance Dr); Lots 8 and 9, Plan KAP70975 (2443, 2445 Fairways Dr); Lot 1, Plan KAP70182 (4130 Sundance Dr); and, Lots 14 and 16, Plan KAP58754 (4102, 4106 Sundance Dr).

18. Bylaw No. 0096 – Adopted July 6, 2017 (File No. DVP-2017-002)

- Notwithstanding section 25.7 (d) of the RC-1 zone, the gross floor area ratio shall be 1.12 for 1140 Sun Peaks Rd (legally described as Lot 1, DL 5957, KDYD, Plan KAP67659).

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19. Bylaw No. 0107 – Adopted March 20, 2018

In the RM-3 zone, the following use is permitted on a site-specific basis only:

A maximum of five single family dwellings and two two family dwellings within the overall area delineated by Strata Plan K18, in the case of Strata Lots 1-34, District Lot 5957, KDYD, Strata Plan K18 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (1260 Alpine Road).

20. Bylaw No. 0114 – Adopted May 15, 2018

- New definitions added for Cannabis, Cannabis Retail, Personal Service, and Home Occupation.
- Addition to Division Three – Special Provisions to include:

3.8 Non-Medical Cannabis Retail

Unless expressly permitted in this Bylaw, *cannabis retail* is prohibited in all zones including zones which broadly permit retail uses, retail stores and sales.

21. Bylaw No. 0134, 2019 – Adopted June 18, 2019 (File No. RZ-2019-003)

2.1 The following site-specific permitted use is added to the CL-1 zone of Zoning Bylaw No. 1400 as s. 6.2 (b):

(b) Cannabis retail in the case of Lot A, District Lot 5957, KDYD, Plan KAP60466 (1160 Sun Peaks Road).

22. Bylaw No. 0141, 2019 – Adopted December 17, 2019 (File No. RZ-2019-004)

2.1 The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (b):

(b) one Auxiliary Residential Dwelling Unit contained within the lower level of one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B, District Lots 3043 and 5957 Kamloops Division Yale District Strata Plan KAS3583 and an Undivided 1/44 Share in Lot 50 District Lot 6281 Kamloops Division Yale District Plan 41697 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form V (1404 Burfield Drive).

23. Bylaw No. 0143, 2019 – Adopted December 3, 2019 (File No. RZ-2019-005)

2.2 Section 13.2.1 of Zoning Bylaw No. 1400 is amended by deleting reference to “Lot 16” and “4102” under Permitted Uses – Site Specific.

24. Bylaw No. 0147, 2020 – Adopted February 18, 2020 (File No. RZ-2019-006)

2.1 The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (c):

(c) one Auxiliary Residential Dwelling Unit contained within the lower level of one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lot 5957, KDYD, Strata Plan EPS4902, Together with an Interest in the Common Property

in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V and an Undivided 1/54 Share in Lot 51, District Lot 6282, Plan 41697 (1326 Burfield Drive).

25. Bylaw No. 0149, 2020 – Adopted February 18, 2020 (File No. RZ-2019-006)

2.1 The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (d):

(d) one Auxiliary Residential Dwelling Unit contained within the lower level of one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B, District Lot 5957, KDYD, Strata Plan EPS4902, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V and an Undivided 1/54 Share in Lot 51, District Lot 6282, Plan 41697 (1328 Burfield Drive).

26. Bylaw No 0154, 2020 – Adopted September 15, 2020

2.1. New definition of “Shipping Container” is added to Division One – Definitions as follows: **“Shipping Container”** means a containment unit, typically 20 or 40 feet in length, for the storage of goods and materials designed for transportation by land, sea or air (trailer, rail car, barge, ship, or plane), whether new or refurbished. Commonly referred to as sea-can.

2.2 Section 3.9 is inserted under Division Three – Special Provisions as follows:

3.9 SHIPPING CONTAINERS

(a) Shipping containers are permitted as an auxiliary use in the IL-1, LR-1, and RR-1 zones only, subject to compliance with applicable zoning setback regulations.

(b) Notwithstanding the preceding, placement and use of a shipping container is permitted on a temporary basis during active construction in all zones where a valid Building Permit has been issued for the work. Shipping containers must be removed within fourteen (14) days following construction completion or occupancy permit issuance.

2.3 Section 12.3 (c) of the RS-1 zone is deleted in its entirety and replaced with the following:

12.3 (c) The maximum permitted floor area for parking use contained in a principal building or structure is 85 square metres.

2.4 Section 13.3 (c) of the RS-1A zone is deleted in its entirety and replaced with the following:

13.3 (c) The maximum permitted floor area for parking use contained in a principal building or structure is 85 square metres.

27. Bylaw No 0162, 2020 – Adopted December 15, 2020

2.1 The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (f):

(f) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lot 5957, KDYD, Strata

Plan KAS2373, and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697, Together with an Interest in the Common Property to the Unit Entitlement of the Strata Lot as shown on Form V (1378 Burfield Drive).

28. Bylaw No 0163, 2020 – Adopted December 15, 2020

- 2.1 The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (g):

(g) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B, District Lot 5957, KDYD, Strata Plan KAS2373, and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697, Together with an Interest in the Common Property to the Unit Entitlement of the Strata Lot as shown on Form V (1380 Burfield Drive).

29. Bylaw No 0160, 2020 – Adopted January 19, 2021

- 2.1 The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (f):

(f) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 1, District Lot 5957, KDYD, Strata Plan KAS1989, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697 (1361 Burfield Drive).

30. Bylaw No 0155, 2020 – Adopted January 19, 2021

- 2.1 The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (e):

(e) one Auxiliary Residential Dwelling Unit contained within the lower level of one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 1, District Lot 5957, KDYD, Strata Plan KAS3767, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V and an Undivided 1/54 Share in Lot 51, District Lot 6282, KDYD, Plan 41697 (1324 Burfield Drive).

31. Bylaw No. 0166, 2021 – Adopted September 7, 2021

- The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (i):

(i) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lots 5957 and 6281, KDYD, Strata Plan KAS3699 and an Undivided 1/44 Share in Lot 50, Plan 41697, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1364 Burfield Drive).

32. Bylaw No. 0173, 2021 – Adopted November 7, 2021

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (j):

(j) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lots 5957 and 6281, KDYD, Strata Plan KAS3601, and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form V (1360 Burfield Drive).

33. Bylaw No. 0175, 2021 – Adopted January 18, 2022

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (k):

(k) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 2, District Lots 5957 and 6281, KDYD, Strata Plan EPS5973, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V and an Undivided 1/44 Share in Lot 50, KDYD, Plan 41697 (1374 Burfield Drive).

34. Bylaw No. 0176, 2021 – Adopted November 7, 2023

The following site-specific permitted uses are added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1 (l) and (m):

(l) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 1, District Lot 5957, KDYD, Strata Plan EPS5013, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697 (1372 Burfield Drive).

(m) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 2, District Lot 5957, KDYD, Strata Plan EPS5013, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697 (1370 Burfield Drive).

35. Bylaw No. 0178, 2021 – Adopted March 7, 2023

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 1, District Lots 3044 and 5957, KDYD, Strata Plan KAS1729, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1, and an Undivided 1/54 Share in Lot 51, District Lot 6282, KDYD, Plan 41697 (1306 Burfield Drive).

36. Bylaw No. 0181, 2022 – Adopted May 2, 2023

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

two Auxiliary Residential Dwelling Units contained within each half of an existing two-family dwelling (half duplex) in the case of Lot 41, District Lot 5957, and an undivided 1/27 share in lot 51 District Lot 6282 KDYD Plan 41697, KDYD, Plan 41697, Together with an Interest in the Common Property to the Unit Entitlement of the Strata Lot as shown on Form V (1349 Burfield Drive).

37. Bylaw No. 0182, 2022 – Adopted April 5, 2022

The following amendment is added to Zoning Bylaw No. 1400 as Section 3.10:

3.10 Temporary Use Permits

Council hereby designates the entire Resort Municipality, as shown on the Sun Peaks Resort Municipality Zoning Bylaw Map as amended from time to time, as an area where temporary uses may be allowed. Council may issue a Temporary Use Permit for a period up to three years, renewable only once subject to a hearing. Upon expiration of a Temporary Use Permit, the permitted uses revert to those outlined in the Zoning Bylaw. Temporary uses granted through a Temporary Use Permit will be subject to the following conditions:

The Temporary Use:

- must not be noxious or undesirable because of smoke, noise, vibration, dirt, glare, odour, radiation, electrical interference;
- must not be either a health hazard or health impediment within the meaning of the Public Health Act, as amended from time to time;
- must not have a negative impact on adjacent lands;
- must not create a significant increase in the level or demand for services;
- must not permanently alter the site upon which it is located;
- must be compatible with the property's land use designation

With respect to temporary residential uses specifically, the following conditions will be considered:

- limiting tourist accommodation;
- limiting maximum number of guests;
- undertaking random inspections; and
- requiring an onsite or local manager.

38. Bylaw No. 0183 – Adopted May 3, 2022

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

two Auxiliary Residential Dwelling Units contained within each half of a two-family dwelling (duplex) in the case of Lot 45, District Lot 5957 and 6284 and an undivided 1/22 share in lot 50 District Lot 6281 KDYD Plan 41697, Together with an Interest in

the Common Property to the Unit Entitlement of the Strata Lot as shown on Form V (1365 Burfield Drive).

39. Bylaw No. 0184 – Adopted November 7, 2023

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lots 5957 and 6281, KDYD, Strata Plan KAS3600 and an Undivided 1/44 Share in Lot 50, Plan 41697, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1368 Burfield Drive).

40. Bylaw No. 0187 – Adopted January 17, 2023

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 1, District Lot 5957, KDYD, Strata Plan KAS1983 and an Undivided 1/54 Share in Lot 51, District Lot 6282, KDYD, Plan 41697, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1334 Burfield Drive).

41. Bylaw No. 0188 – Adopted February 21, 2023

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lots 3043, 5957, 6281 and 6284, KDYD, Strata Plan KAS4014 and an Undivided 1/44 Share in Lot 50, Plan 41697, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1371 Burfield Drive).

42. Bylaw No. 0189 – Adopted September 5, 2023

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B DL's 3044 & 5957 KDYD Strata Plan EPS4318 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V and an undivided 1/54 interest in Lot 51 DL 6282 PI 41697 (1329 Burfield Drive).

43. Bylaw No. 0195 – Adopted December 5, 2023

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B DL's 3044 & 5957 KDYD Strata Plan EPS4901 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V and an undivided 1/54 share in Lot 51 DL 6282 PI 41697 (1339 Burfield Drive).

44. Bylaw No. 0196 – Adopted September 5, 2023

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B District Lots 5957 and 6281 KDYD Strata Plan KAS3601 and an undivided 1/44 share in lot 50 District Lot 6281 KDYD Plan 41697 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V (1358 Burfield Drive).

45. Bylaw No. 0197 – February 6, 2024

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B District Lots 3043, 5957, 6281, and 6284 KDYD Strata Plan KAS 4014 Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V and an undivided 1/44 share in Lot 50 Plan 41697 (1369 Burfield Drive).

46. Bylaw No. 0204 – Adopted August 18, 2023

The certified zoning map incorporated in Bylaw No. 1400 is revised by rezoning a 2.35 ha area of land legally described as District Lot 6526 KDYD and containing 2.36 hectares, more or less, from RR-1: Resort Reserve One to RS-1A: Recreational Single Family One – Tourist Accommodation.

47. Bylaw No. 0208 – Adopted June 6, 2023

In the IL-1 zone, the following use is permitted on a site-specific basis only:

- (a) Employee housing building to a maximum density of 58 dwelling units within 4 storeys, and notwithstanding any other regulation in this bylaw, 6m front-yard setback and, a minimum of 16 off-street parking spaces in the case of Lot A DL 5957 KDYD Plan EPP112524 (1265 Alpine Road).

48. Bylaw No. 0210 – Adopted September 5, 2023

The following site-specific permitted use is added to the R-1 zone of Zoning Bylaw No. 1400 as s. 26.2.1, in numerical order:

two Auxiliary Residential Dwelling Units contained within each half of a two-family dwelling (duplex) in the case of Lot 39, District Lot 5957 and an undivided 1/27 share in lot 51 District Lot 6282 KDYD Plan 41697 (1341/43 Burfield Drive).

49. Bylaw No. 0211 – Adopted August 22, 2024

In the RC-1 zone, the following density is permitted on a site-specific basis only:

- (a) 110 dwelling units in the case of Lot A DL 3044 and 5957 KDYD Plan EPP125011 (1180 Sun Peaks Road, Sun Peaks, BC).

50. Bylaw No. 0225 – Adopted April 1, 2025

The following site-specific permitted use is added to the RC-1 zone of Zoning Bylaw No. 1400 as s. 25.2.1:

Mini Self-Storage at 1130 Sun Peaks Road (legally described as Strata Lots 1, 3, 4, and 6, District Lot 6520, K.D.Y.D, Strata Plan EPS 7569, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V).

51. Bylaw No. 0226 – Adopted 15, 2025

The certified zoning map incorporated in Bylaw No. 1400 is revised by rezoning 1235 Alpine Road, legally described as Lot B District Lot 5957 KDYD Plan KAP 70171, from LR -1 (Leisure Recreation 1) to RM-3 (Residential Multiple 3).

52. Bylaw No. 0227 – Adopted April 15, 2025

The certified zoning map incorporated in Bylaw No. 1400 is revised by rezoning an approximately 0.6ha parcel of Unsurveyed Crown Land located adjacent to 1130 Sun Peaks Road, from RR-1 (Resort Reserve One) to RM-3 (Residential Multiple Three).

THOMPSON-NICOLA REGIONAL DISTRICT

BYLAW NO. 1400

A BYLAW TO ADOPT "THOMPSON-NICOLA REGIONAL DISTRICT
SUN PEAKS RESORT AREA ZONING BYLAW NO. 1400"

WHEREAS an application (No. RZ-P-26) to adopt a new Zoning Bylaw No. 1400 has been made;

AND WHEREAS it is considered desirable that the use of land, water, buildings and structures be regulated having due regard to:

- a. the promotion of health, safety, convenience and welfare of the public;
- b. the prevention of the overcrowding of land and preservation of the amenities peculiar to any zone;
- c. the securing of adequate light, air and access;
- d. the value of the land and the nature of its present and prospective use and occupancy;
- e. the character of the buildings already erected and the peculiar suitability of the zone for particular uses;
- f. the conservation of property values; and
- g. the natural resources of the site and maintaining the integrity of the environment.

AND WHEREAS the desirable changes in uses of Land and Buildings have been considered;

AND WHEREAS a part of Electoral Area "P" as outlined on the zoning maps is designated as Sun Peaks Resort Area;

NOW THEREFORE, the Board of Directors of the Thompson-Nicola Regional District, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Thompson-Nicola Regional District Sun Peaks Resort Area Zoning Bylaw No. 1400, 1994" and shall apply to the "Sun Peaks Resort Area".
2. Thompson-Nicola Regional District Zoning Bylaw No. 940 is amended to delete the "Sun Peaks Resort Area".
3. The "Zoning Map for Electoral Areas "J", "L" & "P" of the Thompson-Nicola Regional District" is hereby amended to depict the change.
4. The "Sun Peaks Resort Area" of the Thompson-Nicola Regional District is hereby divided into the following zones:

Commercial Core One

CC-1

Commercial Local One	CL-1
Commercial Service Station One	CS-1
Industrial Light One	IL-1
Leisure Recreation One	LR-1
Leisure Park One	LP-1
Open Space One	OS-1
Residential Single Family One	RS-1
Residential Two Family One	RT-1
Residential Multiple One	RM-1
Residential Multiple Two	RM-2
Residential Multiple Three	RM-3
Tourist Accommodation One	TA-1
Tourist Accommodation Two	TA-2
Tourist Accommodation Three	TA-3
Tourist Bed and Breakfast One	TB-1
Tourist Pension One	TP-1
Resort Reserve One	RR-1
Recreational Residential Commercial	RC-1
Residential Single and Two Family	R-1
Residential Multi-Family	R-3

5. The zones so classified are shown on the zoning maps bearing the following certificate duly signed by the Chairman and the Secretary and the zoning maps, including all the explanatory matters on the same, shall be incorporated in and form part of this Bylaw:

"Certified that this zoning map is incorporated in and forms part of this Bylaw as "Thompson-Nicola Regional District Sun Peaks Resort Area Zoning Bylaw No. 1400, 1994".

6. The zones so created shall be subject to the detailed regulations included in Divisions One to Twenty-Five inclusive which form a part of this Bylaw.

7. This Bylaw shall come into force and be binding on all persons on and from the date of its adoption.

READ a FIRST time this 11th day of August, 1994.

READ a SECOND time this 8th day of September, 1994.

READ a THIRD time this 8th day of September, 1994.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1400, cited as "Thompson-Nicola Regional District Sun Peaks Resort Area Zoning Bylaw No. 1400, 1994" as READ a THIRD time by the Board of Directors.

Dated at Kamloops, B.C. this 16th day of September, 1994.

Secretary

Received the approval of the Minister of Municipal Affairs this day of , 19 .

RECONSIDERED and ADOPTED this day of , 19 .

Secretary

Chairperson

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1400, cited as "Thompson-Nicola Regional District Sun Peaks Resort Area Zoning Bylaw No. 1400, 1994".

Dated at Kamloops, B.C. this day of , 19 .

Secretary

DIVISION ONE - DEFINITIONS

In this Bylaw, unless the context otherwise requires:

"Aisle Space" means the area of a parcel which provides space for motor vehicle access and maneuvering but does not include parking space.

"Apartment" means a building containing three or more dwelling units, which has its principal access from a common entrance, and is not a townhouse.

"Assembly" means a gathering of persons for civic, cultural, political, travel, religious, social, education, recreation or like purposes in a building.

"Auxiliary Building" means a building that is ancillary or subordinate to the principal building on a parcel or principal buildings containing the principal use within the boundaries of the strata plan.

"Auxiliary Residential Dwelling Unit" means a dwelling unit that is contained within a single family dwelling; or is a dwelling unit which is ancillary to the principal use being made of the site upon which the auxiliary residential dwelling unit is located.

"Auxiliary Use" means a use that is ancillary or subordinate to a principal use on a parcel of land or within the boundaries of a strata plan.

"Basement" means the space between two floor levels, with the lower level located more than .6 metres, but less than 1.5 metres, below grade.

"Bedroom" means a room used principally for sleeping and excludes bathroom, dining room, furnace room, kitchen, principal living room, storage room and work room.

"Bed and Breakfast" means the use of a detached dwelling as the residence of the operator of a business of renting guest rooms, and the use of common areas, including a dining room and fewer than four bedrooms all within the detached dwelling for temporary lodging of paying guests.

"Building" means any structure that encloses and shelters a use.

"Campground" means a site used for the temporary accommodation of travellers in trailers, motorhomes, campers or tents, and which may be licensed accommodation under regulations made pursuant to the Travel Regulation Act.

"Church" means an assembly building which is maintained and controlled by a religious body organized to sustain public worship.

"Community Sewer System" means a sewage collection and sewage disposal system that has been approved as such under the Health Act or the Waste Management Act.

"Community Water System" means a system of waterworks serving two or more parcels and owned, operated and maintained by a municipality, regional district, improvement district, strata corporation, or a water utility as defined under the Water Utility Act and approved under the Health Act.

"Dwelling, Multi-Family" means a detached building, used exclusively for residential purposes, consisting of 3 or more dwelling units, either with private individual access or common access and hallways. Dwelling, Multi-Family shall include apartments, condominiums, row houses and townhouses.

"Dwelling, Single Family" means a detached residential building containing one principal dwelling unit.

"Dwelling, Two Family" means a detached building divided into 2 principal dwelling units separated by a common wall or floor. The two dwelling units may be placed one above the other or attached side by side.

"Dwelling Unit" means a self-contained set of habitable rooms, bathrooms and one set of permanently installed cooking facilities.

"Entertainment Facility" means commercial social uses including the following: premises licensed for the sale and consumption of alcoholic beverages on the premises; club; cabaret; neighborhood public house and lounge.

"Equestrian Use" means the keeping or riding of horses and uses relating to horseback riding arenas, stables, corrals and grooming and exercising facilities.

"Fence" means a tangible barrier such as an arbour, archways, boundary fences, gates, pergolas, screens, trellises, walls, hedges and similar structures constructed to stop passage as well as to stop or obstruct view across the barrier.

"Floor Space Ratio" means the figure obtained when the gross floor area of all buildings on a parcel or strata plan is divided by the gross parcel area of that parcel or strata plan.

"Front Parcel Line" means the boundary between a parcel and the highway from which it derives its access.

"Golf Course" means an area landscaped and developed for the playing of the game of golf and includes no buildings or structures other than the following:

- i) Clubhouse; and
- ii) Storage of equipment required for golf course use and maintenance.

"Grade" means the average level of finished ground on all sides of the building adjoining each exterior wall measured from corner points, except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

"Gross Floor Area" means the total area of all floors in all buildings on a parcel measured to the exterior walls of the buildings including corridors, hallways, foyers, enclosed balconies and mezzanines, enclosed porches or verandahs, and basements, but excluding parking areas, fireplaces, elevators and ventilating shafts, staircases, stairwells, and areas occupied by fixed machinery or equipment up to a maximum floor

area of 25 square metres, and any space less than 1.5 metres in height. Building plans must include dimensioned area calculations to verify Gross Floor Area.

"Guest Room" means not more than one habitable room that is used for temporary accommodation of paying guests and may include one set of permanently installed cooking facilities and a bathroom.

"Height, Auxiliary Building" means the vertical distance from grade to the highest point of the roof.

"Height, Principal Building" means the vertical distance from grade to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof and to the mean level between the eaves and the ridges of each gable, hip, gambrel or other sloping roof, and in the case of a structure without a roof, to the highest point of the structure. See Section 3.7 for calculation method.

"Home Occupation" means a craft or occupation conducted as an accessory use subordinate to the principal use of a residential dwelling.

"Hostel" means a building used as a temporary place of lodging containing one or more dormitories and includes common areas for washing, cooking, dining and socializing, bathroom, kitchen, dining and social facilities; and may also contain an auxiliary residential dwelling unit.

"Hotel" means any building used exclusively for the temporary lodging of the general public, wherein payment for occupancy is on a daily or weekly basis to the operator of the premises, which building must include areas used for the public: (a) Lobby, (b) restaurant, (c) assembly, (d) entertainment, (e) retail purposes, and which may include area used for public : (f) indoor recreation, (g) personal services.

"Indoor Recreation" means private, commercial or public enterprises operating sporting activities such as arenas, swimming pools, tennis courts, curling rinks, racquet courts and other similar activities.

"Inn" means a building which complies with the definition of "hotel" except that an inn does not include areas used for public retail.

"Interior side Setback" means the horizontal distance between a building and the abutting parcel boundary measured at ground elevation.

"Lobby" means that portion of a hotel, inn or tourist accommodation building which is primarily utilized as an entry area to the principal use of the building and may include, but is not limited to a reception area, entry foyer, administrative offices , temporary storage area for guests belongings and entry lounge.

"Lodge" means a building which complies with the definition of "hotel" except that a lodge is not required to include public areas for assembly, retail, entertainment or restaurant uses.

"Outdoor Recreation" means public and private unsheltered activities for civic, social, educational, entertainment or like purposes.

"Parcel" means:

- i) a single area of land with defined boundaries and registered under the provisions of the Land Titles Act; or
- ii) a single area of land with defined boundaries held by way of lease granted by the Federal or Provincial Crown or their agencies.

and includes a bare land strata lot and a strata lot.

"Parcel Coverage" means the figure obtained when the projected area of the outside of outermost walls, excluding steps, eaves, cantilevered balconies and sundecks, of all principal and auxiliary buildings is expressed as a percentage of the total parcel area.

"Parking Space" means a space for the parking of one motor vehicle either outside or inside a building or structure, but does not include aisle space for access and the maneuvering of motor vehicles.

"Pension" means a bed and breakfast use where four or more bedrooms are provided for paying guests.

"Personal Service" means a business catering to the needs of the general public and includes barber shop or beauty salon, dry cleaning, electrical appliance repair, financial institution, photography studio, shoe repair, ticket and travel agency, insurance agency and pet shop or pet grooming.

"Principal" means the main or most important purpose for which land, buildings or structures are ordinarily used.

"Public Institution" includes a college, court of law, community centre, recreation and arts facility, federal, provincial and municipal buildings, fire hall, jail and prison, library, museum, park, playground, public hospital, school and waterway but excludes a public storage yard and works yard.

"Public Utility" means electrical, telephone, sewer, water and other services established by a government, government agency or Crown corporation, or company and includes a broadcast transmission facility and public storage and works yard.

"Rear Parcel Line" means that boundary of the parcel which lies the most opposite to the front parcel line.

"Recreational Vehicle" means a trailer, motor home or similar motor vehicle designed for travel and temporary overnight sleeping accommodation.

"Recreational Vehicle Pad" means the area of a recreational vehicle park site intended for the parking of a recreational vehicle.

"Recreational Vehicle Park" means an area of land in which two or more recreational vehicles are parked and occupied for a temporary period of time.

"Recreational Vehicle Site" means a plot of ground within a recreational vehicle park set aside for the temporary use of a recreational vehicle.

"Resource Use" means a use providing for the conservation and management of recreation areas and facilities and the harvesting of primary forest materials, but excludes all processing and manufacturing of forestry and mineral resources.

"Service Station" means a building used principally for the retail sale of fuels, lubricating oils and accessories for motor vehicles and the servicing of motor vehicles, but excludes the retail and wholesale sales of other products and all structural repairs and painting of motor vehicles.

"Setback" without restricting the generality, means a space open to the sky, except eaves, gutters, cornices, sills, chimneys, or other similar features, provided that such projections do not exceed 60 centimetres; and uncovered patios, terraces or steps.

"Side Parcel Line" means the boundary of a parcel that connects the front parcel line to the rear parcel line.

"Sleeping Unit" means not more than two habitable rooms that are used for accommodation and may include bathrooms and one set of permanently installed cooking facilities.

"Storey" means the part of a building or structure between the top of any floor and the ceiling above, but excludes a basement.

"Structure" means any construction fixed to, supported by or sunk into land or water but not concrete and asphalt paving or similar surfacing of a lot.

"Temporary" means less than 4 consecutive weeks in a calendar year.

"Tourist Accommodation" means one or more habitable rooms or dwelling units that are used for temporary lodging by visitors or for personal occupancy by the owner of the habitable rooms or dwelling units but not for residential occupancy by any person other than the owner.

"Townhouse" means a residential building containing three or more dwelling units each of which has its own principal access at or near ground level.

"Usable Parcel Area" means the gross area of a parcel or strata plan excluding;

- i) area covered by a natural body of water including swamp or surface water; and
- ii) land where the natural slope exceeds 30 percent for lands zoned to permit townhouses, apartments, pensions and hostels; and 40 percent for lands zoned to permit single family and two family dwellings.

DIVISION TWO - GENERAL PROVISIONS

2.1 PURPOSE

The purpose of this bylaw is to guide the development of the Sun Peaks Resort Area in a systematic and orderly manner for the ultimate benefit of the Resort Area as a whole by ensuring that the various uses made of land and structures develop in proper relationship to one another, having due regard to:

- (a) the promotion of health, safety, convenience and welfare of the public;
- (b) the prevention of the overcrowding of land and preservation of the amenities peculiar to any zone;
- (c) the securing of adequate light, air and access;
- (d) the value of the land and the nature of its present and prospective use and occupancy;
- (e) the character of the buildings already erected and the peculiar suitability of the zone for particular uses;
- (f) the conservation of property values; and
- (g) the natural resources of the site and maintaining the integrity of the environment.

2.2 COMPLIANCE

No persons shall erect, construct, locate, alter, reconstruct or maintain any building or locate or carry on any industry, business, trade, or calling, or use any land or building contrary to the provisions of this bylaw and any use not specifically permitted by this bylaw is hereby prohibited.

2.3 ZONING BOUNDARIES

- (a) When the zoning boundary is designated on the official Zoning Map as following a road allowance or creek, the centre line of such road allowance or creek shall be the zoning boundary.
- (b) Where a zoning 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 Map.

2.4 INSPECTION

The Building Inspector or any other person appointed by the Thompson-Nicola Regional District, is hereby authorized to enter, at all reasonable times, upon any property or premises to ascertain whether the provisions of this Bylaw are being obeyed.

2.5 ENFORCEMENT

- (a) This Bylaw may be enforced:
 - (i) by a peace officer, a Bylaw Enforcement Officer, the Chief Administrative Officer or the Fire Chief or his designate.
 - (ii) by means of a bylaw notice issued under the *Sun Peaks Bylaw Notice Enforcement Bylaw No. 0011, 2010*.
- (b) Each day such a violation is caused to continue, or allowed to continue constitutes a separate offense.

2.6 BYLAW AMENDMENTS

An application for rezoning shall be treated as an application to amend this Bylaw.

2.7 BOARD OF VARIANCE

The conditions whereby certain matters contained in this Bylaw may be appealed to the Board of Variance are set forth in Section 962 of the Local Government Act.

2.8 SEVERABILITY

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

DIVISION THREE - SPECIAL PROVISIONS

3.1 NON-CONFORMING USES

- (a) A lawful use of premises existing at the time of adoption of the Zoning Bylaw, although such use does not conform to the provisions of the Bylaw, may be continued subject to the provisions of Section 970 of the Local Government Act.
- (b) On any parcel of land shown on a plan duly filed in the Land Titles Office prior to the passage of this Bylaw, which has less than the required minimum parcel size, all permitted uses in the zone shall be allowed provided that all other provisions of this Bylaw are met and the method of sewage disposal is approved by the Medical Health Officer.

3.2 AUXILIARY BUILDINGS AND USES

- (a) An auxiliary building may not be erected on any parcel unless the principal building has been erected or will be erected within a period not to exceed the duration of the Building Permit issued for the construction of the principal building and the auxiliary building.
- (b) Where an auxiliary building which is not completely open on its sides is attached to a principal building, or is attached by a structure that is not part of the principal building, it shall comply in all respects with the requirements of the Bylaw applicable to the principal building.
- (c) The maximum permitted floor area for an auxiliary building per principal dwelling unit is as follows:
 - i) 70 square metres for single family dwellings in RS-1 and RT-1 zones except as otherwise provided in this Bylaw.
 - ii) 50 square metres for two family dwellings in the RT-1 zone except as otherwise provided in this Bylaw.
- (d) Except as otherwise specified in this Bylaw, the maximum permitted floor area for an auxiliary building is 56 square metres in RM-1, RM-2, RM-3, TA-1, TA-2, TA-3, TP-1 and OS-1 zones provided that for the purpose of this Section lands within a strata plan or bare land strata plan shall be deemed to be a single parcel.
- (e) The maximum permitted height for an auxiliary building is 5 metres.

3.3 PROJECTIONS INTO REQUIRED SETBACK AREAS

The following features are permitted in setback areas:

- (a) eaves, gutters, cornices, sills, belt courses, bay windows, chimneys, heating or ventilating equipment provided such projections do not project more than 60 centimetres, measured horizontally, into a required setback area;
- (b) unenclosed stairwells, balconies, porches, canopies and sunshades, provided such projections do not project more than:
 - i) 1.5 metres into front and side setback requirements excepting in the CC-1 zone where a zero setback is permitted; and
 - ii) 2 metres into rear parcel setback requirements excepting in the CC-1 zone where a zero setback is permitted provided the foundations or supports for such projections do not encroach into a required setback area; and
- (c) any other features which are similar to any of the features listed above provided such projections do not project more than 1.5 metres measured horizontally into a required setback area excepting in the CC-1 zone where a zero setback is permitted.

3.4 RELAXATION OF BUILDING HEIGHT LIMITATIONS

The following building appurtenances of a greater height than otherwise permitted in a zone are permitted provided the appurtenances do not, in the aggregate, cover more than 10 percent of the total roof area of a building and the combined height of a building and appurtenances does not exceed 1.2 times the maximum permitted height of a building in that zone:

- (a) domes and cupolas;
- (b) monuments;
- (c) chimneys;
- (d) spires;
- (e) antennae and other masts;
- (f) elevated ridge vents;
- (g) mechanical appurtenances, provided they are adequately screened from view; and
- (h) items similar to above.

3.5 FENCES

- (a) The maximum height of a fence in LR-1, LP-1, RS-1, RT-1, RM-1, RM-2, RM-3, TA-1, TA-2 and TA-3 zones is 1 metre in a front setback area and 2 metres in all other setback areas on a parcel.
- (b) The maximum height of a fence is 2 metres in CC-1, CL-1, CS-1 and IL-1 zones.
- (c) Maximum height regulations do not apply to open mesh and chain link fences erected to enclose tennis courts, public utility uses, playgrounds, and industrial storage areas.

3.6 RELAXATION OF SITING LIMITATIONS

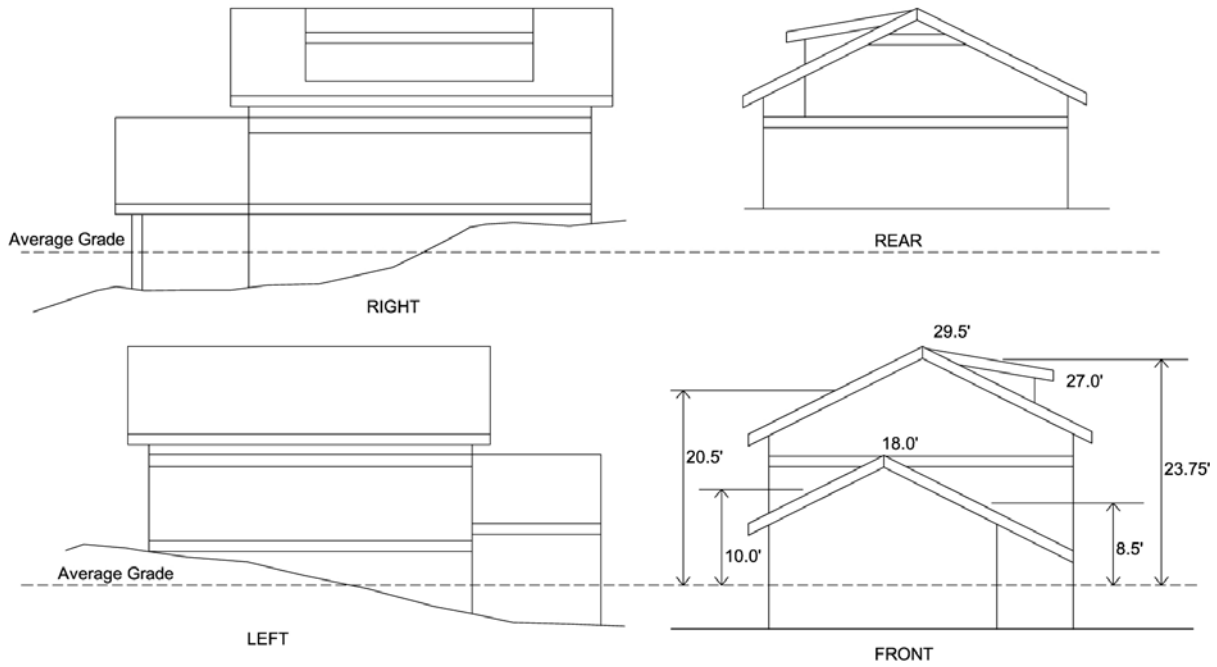
- (a) In the RS-1 and RT-1 zones, if the average grade of a parcel is 20 percent or more upwards or downwards from the front parcel line to the rear parcel line over a distance of at least 6 metres from the front parcel line, the front setback for an auxiliary building for a garage or carport use is permitted to be reduced from 6 metres to 2.5 metres.
- (b) Except as otherwise noted in Section 1 in the RS-1 and RT-1 zones, an auxiliary building for a garage or carport use is prohibited to be located within 6 metres of the front parcel line unless the structure containing the garage or carport use shares not less than a portion of one common wall with the principal residential building, and in which case the structure shall not be located less than 5 metres from the front parcel line.
- (c) Sections 1 and 2 do not apply where the setback area abuts onto an arterial highway.

3.7 CALCULATION OF HEIGHT

The overall mean level of a roof shall be established as follows:

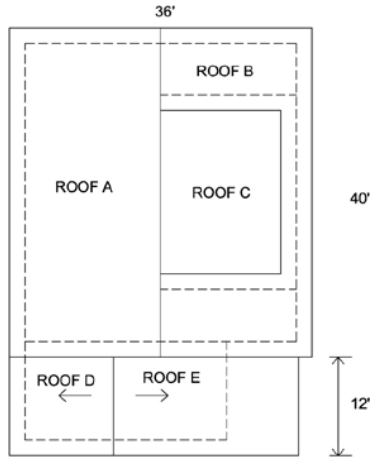
- (a) calculate the area of each plane within the roof (in plan view) as a percentage of the area of the entire roof.
- (b) multiply the mean height of each plane by its percentage of the overall roof area; and
- (c) add together the weighted averages of the heights of the roof planes to establish the overall mean level of the roof.

A table summarizing the calculations noted above must be prepared by the Architect, Designer, or Engineer and included with all building plans, as illustrated in the following diagram:



NTS

ROOF	AREA (ft ²)	% of TOTAL	HEIGHT	TOTAL
A	720	39%	20.5	7.99
B	336	18%	20.5	3.73
C	384	21%	23.75	4.94
D	144	8%	10.0	0.78
E	264	14%	8.5	1.21
	1848	100%		18.64



3.8 NON-MEDICAL CANNABIS RETAIL

Unless expressly permitted in this Bylaw, *cannabis retail* is prohibited in all zones including zones which broadly permit retail uses, retail stores and sales.

3.9 SHIPPING CONTAINERS

(a) Shipping containers are permitted as an auxiliary use in the IL-1, LR-1, and RR-1 zones only, subject to compliance with applicable zoning setback regulations.

(b) Notwithstanding the preceding, placement and use of a shipping container is permitted on a temporary basis during active construction in all zones where a valid Building Permit has been issued for the work. Shipping containers must be removed within fourteen (14) days following construction completion or occupancy permit issuance.

3.10 TEMPORARY USE PERMITS

Council hereby designates the entire Resort Municipality, as shown on the Sun Peaks Resort Municipality Zoning Bylaw Map as amended from time to time, as an area where temporary uses may be allowed. Council may issue a Temporary Use Permit for a period up to three years, renewable only once subject to a hearing. Upon expiration of a Temporary Use Permit, the permitted uses revert to those outlined in the Zoning Bylaw. Temporary uses granted through a Temporary Use Permit will be subject to the following conditions:

The Temporary Use:

- must not be noxious or undesirable because of smoke, noise, vibration, dirt, glare, odour, radiation, electrical interference;
- must not be either a health hazard or health impediment within the meaning of the Public Health Act, as amended from time to time;
- must not have a negative impact on adjacent lands;
- must not create a significant increase in the level or demand for services;
- must not permanently alter the site upon which it is located;
- must be compatible with the property's land use designation

With respect to temporary residential uses specifically, the following conditions will be considered:

- 4 limiting tourist accommodation;
- 5 limiting maximum number of guests;
- 6 undertaking random inspections; and
- 7 requiring an onsite or local manager.

DIVISION FOUR - OFF-STREET PARKING AND LOADING REGULATIONS

4.1 GENERAL REQUIREMENTS

- (a) Parking and loading spaces shall be provided and maintained in accordance with the regulations in this Division.

4.2 GENERAL REQUIREMENTS OF PARKING & LOADING SPACES

- (a) Parking and loading spaces shall be provided in accordance with:
 - i) Table 4A for parcels in all zones in the Resort Area excepting the CC-1 zone;
 - ii) Table 4B for parcels in the CC-1 zone.

In each schedule, Column 1 classifies the use; Columns 2, 3 and 4 set out the number of specific parking and loading spaces that are to be provided.

- (b) If a building or structure contains more than one use or provides collective parking for more than one class of building or use, the total number of spaces required shall be the sum of the various classes of use calculated separately, and except as permitted in this Division, a space required for one use shall not be included in the requirement for any other use.
- (c) Adequate provision shall be made for vehicles to gain access from a highway to all parking and loading spaces by means of an unobstructed maneuvering aisle.
- (d) Each building, structure, or site being used in a manner which involves receipt or delivery of goods or materials by vehicles, shall provide off-street loading spaces in accordance with:
 - i) Table 4A for all parcels in the Resort Area excepting the CC-1 zone;
 - ii) Table 4B for parcels in the CC-1 zone.
- (e) In all zones, no parking space shall be located within 1.5 metres of a parcel boundary.
- (f) Parking lots shall be required to provide low profile concrete curbs or other barriers to ensure vehicular movement only from authorized points and to completely restrict the vehicles within the site.

- (g) When a building is enlarged, altered or a change in use occurs which requires a greater number of parking or loading spaces, the additional parking or loading spaces required under the provisions of this Division shall be provided. In addition, any spaces removed due to the enlargement or alteration shall be replaced.
- (h) Where a calculation of the total required parking or loading spaces results is a fractional number less than 0.5, the required number of spaces shall be rounded to the next lower number and where the fractional number is greater than 0.5, the required number of spaces shall be rounded to the next higher number, and in no case shall less than 1 space be provided.

4.3 LOCATION OF PARKING AND LOADING SPACES

- (a) The regulations in this sub-section apply to parcels in all zones except the CC-1 zone.
- (b) All parking, loading, or bus parking spaces shall be located on the same parcel as the building or use for which they are required.
- (c) Parking spaces and driveways, except those access driveways which connect a parking area to a highway, are prohibited in setback areas in the Tourist Accommodation zones and Commercial Local One zones.
- (d) In all RM (Residential Multiple) zones, not more than 50 percent of setback areas shall be used for parking spaces and driveway but in no case shall any parking space be located within 1.5 metres of a parcel boundary.

4.4 PARKING AND LOADING DESIGN STANDARDS - COVERED PARKING AND LOADING SPACES

The regulations in this sub-section apply to parcels in all zones.

- (a) A parking space which has a roof or other structure above it shall have a minimum vertical clearance of 2.13 metres.
- (b) Parking spaces for compact automobiles, which have a roof or other structure above it, may comprise up to 20 percent of the parking spaces required for a building or use and shall:
 - i) be not less than 2.25 metres in width and 4.5 metres in length;
 - ii) have a minimum vertical clearance of 2.0 metres; and
 - iii) be indicated with a sign identifying parking for compact automobiles only.

- (c) A loading space shall:
 - i) be not less than 3 metres in width;
 - ii) be not less than 9 metres in length; and
 - iii) have a minimum vertical clearance of 4 metres.
- (d) Any parking space which has a roof or other structure above it, except those permitted for compact automobiles, shall comply with TABLE 4C.

Table 4C Covered Parking - Minimum Dimensions for Aisle Width & Depth of Stall

Minimum Stall Width (metres)	Angle of Parking (degrees)	Minimum Aisle Width (metres)	Minimum Stall Length (metres)
2.4	90	6.7	5.5
2.4	60-90	5.8*	5.5
2.4	45-60	4.0*	5.5
2.4	30-45	3.5*	5.5
2.4	parallel	3.7	6.1

* One way circulation required

4.5 PARKING AND LOADING DESIGN STANDARDS - UNCOVERED PARKING AND LOADING SPACES

- (a) All uncovered parking spaces shall have a minimum width of 2.6 metres and a minimum length of 6.1 metres.
- (b) Uncovered loading spaces must be a minimum width of 3.0 metres and a minimum length of 9.0 metres.
- (c) A bus parking space shall not be less than 3.8 metres in width and 13.5 metres in length.

4.6 VISITOR PARKING

Every parcel zoned RM-1, RM-2 and RM-3 shall provide a minimum of 15 percent of the required parking as visitor parking and such stalls shall be marked with a sign identifying them as such.

4.7 SURFACING

Parking and loading spaces and access areas required by this Bylaw shall be surfaced with asphalt, concrete, brick, stone, or concrete paving stones.

4.8 PARKING AND LOADING PLAN

A plan shall be submitted with all building permit applications showing all required parking and loading spaces, location of all public and private roads, snow storage areas, drainage, required under this Bylaw.

4.9 GENERAL LANDSCAPING REQUIREMENTS AT SITE PERIPHERY

All uncovered surface parking areas shall be landscaped as follows:

- i) except for points of access at street property lines a continuous landscape strip with ground cover shall be provided having a width equal to the setback area.

4.10 SIGNAGE

All entrances and exits of parking lots serving commercial and industrial uses shall be clearly defined, marked or signed.

4.11 OFF-SITE PARKING

Off-street parking spaces required by this Bylaw within the CC-1 zone may be provided and maintained off the site on which the development is located or proposed, provided the parcel containing the off-site parking is located within 500 metres of the parcel containing the development.

4.12 GARBAGE STORAGE AND COLLECTION STANDARDS.

- (a) All buildings in CC-1, CL-1, CS-1, IL-1, RM-1, RM-2, RM-3, TA-1, TA-2 and TA-3, TB-1 and TP-1 Zones shall provide adequate provision for enclosed storage and recycling of garbage.
- (b) The minimum inside dimensions of this space shall be not less than 3.0 metres wide x 1.8 metres deep x 2.4 metres high.
- (c) Clear and unobstructed access shall be maintained for garbage collection and in no case shall the access be blocked with a parking or loading space.

TABLE 4A

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Type of Use</u>	<u>Required Parking</u>	<u>Required Bus Parking</u>	<u>Required Loading</u>
Assembly use Community Centre Auditorium Theatres, Halls	4 spaces per 100 sq m of gross floor area used for public assembly except where such facility is located within 500 metres of a resort visitor parking lot	1 space per 1500 sq m of gross floor area	1 space per 2000 sq m of gross floor area
Auxiliary Residential Dwelling unit	1 space per dwelling unit	Not required	Not required
Bed and Breakfast	2 spaces for the operator's dwelling unit and 0.75 spaces for each guest room or sleeping unit	Not required	Not required
Clinic, Offices for Medical Dental use	4 spaces per 100 sq m gross floor area	Not required	Not required
Equestrian Stables	1 space per 4 horses stalls	Not required	Not required
Hostel	1 space per 15 sq m of floor area used for sleeping accommodation	Not required	Not required
Indoor Recreation	2 spaces per 100 sq m gross floor area	1 space per 1500 sq m of gross floor area	Not required
Manufacturing	1 space per 100 sq m of gross floor area	Not required	1 space per 2000 sq m of gross floor area
Offices	1 space per 30 sq m of gross floor area	Not required	1 space per 3000 sq m of gross floor area
Pensions	2 spaces for the operator's dwelling unit and 0.75 spaces for each guest room or sleeping unit	Not required	Not required

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Personal Services	4 spaces per 100 sq m of gross floor area	Not required	Not required
Premises or portions thereof licensed for the consumption of alcoholic beverages	11 spaces per 100 sq m of gross floor area	Not required	1 space per 1400 sq m of gross floor area
Residential building containing 2 or less dwelling units	2 spaces per dwelling unit with a gross floor area of 235 sq m or less, 3 spaces per dwelling unit greater than 235 sq m but less than 325 sq m and 4 spaces per dwelling unit in excess of 325 sq m	Not required	Not required
Residential buildings containing 3 or more dwelling units	1 space per dwelling unit with a gross floor area of 55 sq m or less, plus 0.5 spaces for every additional 40 sq m of gross floor area or part thereof to a maximum of 2 spaces per dwelling unit	Not required	Not required
Restaurant, Retail	5 spaces per 100 sq m of gross floor area	Not required	1 space per 1400 sq m of gross floor area
Service Station	4 spaces per 100 sq m of gross floor area, plus 3 spaces per service bay	Not required	Not required
Tourist Accommodation Hotel, Lodge, Inn, but excluding related commercial services			
0 - 100 sleeping units or guest rooms	0.7 space per guest room and 1 space per sleeping unit	Not required	1 space (in addition to any other required loading)

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101 - 200 sleeping units or guest rooms	0.65 space per guest room and 0.9 space per sleeping unit	Not required	1 space (in addition to any other required loading)
201 or more sleeping units or guest rooms	0.55 space per guest room and 0.80 space per sleeping unit	Not required	1 space (in addition to any other required loading)
Tourist Accommodation Hotel, Lodge, Inn containing dwelling units	1 space per 55 sq m of gross floor area in each dwelling unit plus 0.5 space for every additional 40 sq m of gross floor area or part thereof in each dwelling unit to a maximum of 2 spaces per dwelling unit	Not required	1 space (in addition to any other required loading)

TABLE 4B

<u>Column 1</u> Type of Use	<u>Column 2</u> Require Parking	<u>Column 3</u> Required Loading
Assembly use, Auditorium	The greater of 1 space per 50 fixed seats or 4 spaces per 100 sq m of gross floor area except where such facility is located within 500 metres of a Resort Visitor Parking Lot whereupon the lesser standard shall apply	1 space per 3000 sq m of gross floor area
Commercial uses including Offices, Retail, Personal Service, Restaurants, premises or portions thereof licensed for the sale and consumption of alcoholic beverages	1 space per 30 sq m of gross floor area (may be provided in satellite parking area)	1 space per 1400 sq m of gross floor area
Indoor Recreation	1 space per 60 sq m of gross floor area (may be provided in satellite parking area)	Not required

Residential, Auxiliary residential dwelling unit	1 space for the first 55 sq m of gross floor area in each dwelling unit plus 0.5 space for each additional 40 sq m of gross floor area or part thereof in each unit to a maximum of 2 spaces per unit	Not required
Tourist Accommodation, Hotel, Lodge, Inn, but excluding related commercial services		
0-100 guest rooms or sleeping units	0.7 space per guest room and 1 space per sleeping unit	1 space if no other loading required
101-200 sleeping units or guest rooms	0.65 space per guest room and 0.9 space per sleeping unit	1 space (in addition to any other required loading)
201 or more sleeping units or guest rooms	0.55 space per guest room and 0.8 space per sleeping unit	1 space (in addition to any other required loading)
Residential, Auxiliary residential dwelling units	1 space for the first 55 sq m of gross floor area in each dwelling unit plus 0.5 space for each additional 40 sq m of gross floor area or part thereof in each unit to a maximum of 2 spaces per unit	Not required

DIVISION FIVE - COMMERCIAL CORE ONE

CC-1 ZONE (Commercial Core One)

5.1 PURPOSE

The purpose of this zone is to provide for a mixture of commercial uses, personal services and tourist accommodation facilities in a predominantly pedestrian environment. This zone provides a central commercial focus for the Sun Peaks Resort Area.

5.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Auxiliary residential dwelling unit;
- (b) Assembly;
- (c) Bakery shop restricted to preparation of products for sale on the premises;
- (d) Child care facility;
- (e) Hotel;
- (f) Inn;
- (g) Lodge;
- (h) Office;
- (i) Park;
- (j) Parking area or garage;
- (k) Personal service;
- (l) Retail-Craft Studio;
- (m) Establishments licensed for the production, sale and consumption of alcoholic beverages on the premises including: hotel, club, recreational centre, restaurant, cabaret, neighbourhood public house, lounge, concert hall, sports stadium and cultural centre;
- (n) Recreational facility including health club or spa;
- (o) Restaurant, excluding a drive-in restaurant;

- (p) Retail;
- (q) Theatre, excluding a drive-in theatre; and
- (r) Tourist accommodation.

5.2.1 PERMITTED USES – SITE SPECIFIC

- (a) Townhouse and apartment for either permanent residential and/or tourist accommodation in the case of Lot A, District Lots 6331 and 6417, KDYD, Plan KAP88812 Except Strata Plan KAS3653 (Phase 1) (3280 Village Way).

5.3 DENSITY

The maximum permitted floor space ratio is 3.00.

5.4 HEIGHT

The maximum permitted height of a building is the lesser of 19 metres or 5 storeys.

5.5 PARCEL SIZE

The minimum parcel size is not applicable.

5.6 PARCEL COVERAGE

Not applicable.

5.7 SETBACKS

The minimum front setback is 4.5 metres except where varied in accordance with the Highway Act.

5.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading space shall be provided and maintained in accordance with the regulations contained in Table 4B where applicable; otherwise the parking and loading regulations in Division 4 of this Bylaw apply.

5.9 OTHER REGULATIONS

- (a) Neighbourhood public houses are subject to consideration and approval in accordance with the Provincial Liquor Licensing Requirements and the Thompson-Nicola Regional District 's Liquor Licensing Public Opinion Process.

- (b) The maximum permitted gross floor area of an auxiliary residential dwelling unit is 100 square metres.
- (c) The maximum permitted number of auxiliary residential dwelling units per principal building is one.
- (d) Landscaping plans must be submitted to the Thompson-Nicola Regional District and written approval obtained. The approved landscaping plans including all details must be completed to the satisfaction of the Thompson-Nicola Regional District within a period not exceeding one year after the completion of the principal building.

DIVISION SIX - COMMERCIAL LOCAL ONE

CL-1 ZONE (Commercial Local One)

6.1 PURPOSE

The purpose of this zone is to provide for small-scale convenience commercial establishments catering in a local area consisting primarily of retail sales, certain service functions and auxiliary residential accommodation.

6.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Auxiliary buildings and auxiliary uses;
- (b) Auxiliary residential dwelling units in conjunction with any use listed in this zone;
- (c) Bakery shop, restricted to the preparation of products for sale on the premises;
- (d) Child care facility;
- (e) Neighbourhood public house;
- (f) Office use;
- (g) Personal service;
- (h) Recreational facility;
- (i) Restaurant, excluding a drive-in restaurant;
- (j) Retail store, business or undertaking catering primarily to the day-to-day needs of local residents and visitors;
- (k) Ski equipment sales, repair and rental;
- (l) Tourist accommodation; and
- (m) Hostel.

6.2 PERMITTED USES – SITE SPECIFIC

- (a) Property Management Business in the case of Lot A, District Lot 5957, Kamloops Division Yale District, Plan KAP60466 (1160 Sun Peaks Road).

- (b) Cannabis retail in the case of Lot A, District Lot 5957, KDYD, Plan KAP60466 (1160 Sun Peaks Road).

6.3 DENSITY

The maximum permitted floor space ratio is 0.60.

6.4 HEIGHT

The maximum permitted height of a building is 12 metres and 3 storeys.

6.5 PARCEL SIZE

- (a) The minimum usable parcel size is 695 square metres.
- (b) The minimum parcel frontage is 1/10th of the parcel perimeter.

6.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 50 percent.

6.7 SETBACKS

- (a) The minimum permitted front setback is 6 metres.
- (b) The minimum permitted side setback is 3 metres.
- (c) The minimum permitted rear setback is 6 metres.

6.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

6.9 OTHER REGULATIONS

- (a) Neighbourhood public houses are subject to consideration and approval in accordance with the Provincial Liquor Licensing Requirements and the Thompson-Nicola Regional District 's Liquor Licensing Public Opinion Process.
- (b) The maximum permitted gross floor area of an auxiliary residential dwelling unit is 100 square metres.
- (c) The maximum permitted number of auxiliary residential dwelling units per business use is one.

- (d) A minimum of 50 percent of the gross floor area must be used for sleeping accommodation in a hostel and shall be provided in one or more dormitories.
- (e) The minimum permitted net floor area in a sleeping unit or dormitory is 3.0 square metres per bed.
- (f) An auxiliary residential dwelling unit is not permitted to contain more than one bedroom, one bathroom, one kitchen and one living room.
- (g) Landscaping plans must be submitted to the Thompson-Nicola Regional District and written approval obtained. The approved landscaping plans including all details must be completed to the satisfaction of the Thompson-Nicola Regional District within a period not exceeding one year after the completion of the principal building.
- (h) Exterior storage of landscape maintenance equipment required in conjunction with the operation of a property management business shall be adequately screened to the satisfaction of the Regional District.

DIVISION SEVEN - COMMERCIAL-SERVICE STATION ONE

CS-1 ZONE (Commercial-Service Station One)

7.1 PURPOSE

The purpose of this zone is to provide for gasoline service stations and convenience commercial uses.

7.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Auxiliary residential dwelling and auxiliary uses;
- (b) Automobile repair and servicing, excluding body repairs;
- (c) Automobile parts sales;
- (d) Service station;
- (e) Laundromat or dry cleaning establishment;
- (f) Restaurant, excluding a drive-in restaurant;
- (g) Retail store, business or undertaking catering primarily to the day-to-day needs of local residents and visitors; and
- (h) Propane sales.

7.3 DENSITY

The maximum permitted floor space ratio is 0.25.

7.4 HEIGHT

The maximum permitted height of a building is 7.6 metres and 2 storey.

7.5 PARCEL SIZE

- (a) The minimum required parcel size is 1350 square metres.
- (b) The minimum parcel frontage is 1/10th of the parcel perimeter.

7.6 PARCEL COVERAGE

The maximum parcel coverage shall be 60 percent.

7.7 SETBACKS

- (a) The minimum permitted front setback is 6 metres.
- (b) The minimum permitted side setback is 1.5 metres except where the side lot abuts a street where it shall be 4.5 metres.
- (c) The minimum permitted rear setback is 6 metres.

7.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

7.9 OTHER REGULATIONS

- (a) The minimum permitted setback for gas pumps and pump islands is 7 metres from any parcel boundary.
- (b) The maximum permitted gross floor area for restaurant use is 90 square metres.
- (c) Oil/water separators for runoff will be required in conjunction with uses permitted under Sections 7.2(c) and 7.2(d).
- (d) Landscaping plans must be submitted to the Thompson-Nicola Regional District and written approval obtained. The approved landscaping plans including all details must be completed to the satisfaction of the Thompson-Nicola Regional District within a period not exceeding one year after the completion of the principal building.

DIVISION EIGHT - INDUSTRIAL LIGHT ONE

IL-1 ZONE (Industrial Light One)

8.2 PURPOSE

The purpose of this zone is to provide for light industrial uses that do not detract from the natural environment or livability of the Sun Peaks Resort Area.

8.3 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Auxiliary buildings and auxiliary uses;
- (b) Auxiliary residential dwelling units for resort employees or other persons similarly employed;
- (c) Laundromat or dry cleaning establishment;
- (d) Restaurant, excluding a drive-in restaurant;
- (e) Retail store, business or undertaking catering primarily to the day-to-day needs of local residents and visitors;
- (f) Bakery;
- (g) Craft workshop;
- (h) Freight, transport and handling;
- (i) Furniture and fixture manufacturing or repair;
- (j) Glass products manufacturing;
- (k) Hardware, lumber and building supplies;
- (l) Machinery, industrial equipment and tool repairs or rental;
- (m) Parking area;
- (n) Publishing and printing;
- (o) Storage yard;
- (p) Textiles, knit goods, clothing or garments manufacturing;
- (q) Warehousing;

- (r) Welding;
- (s) Wholesaling;
- (t) Brewery; and
- (u) Recycling depot.

8.3.1 PERMITTED USES – SITE SPECIFIC

In the IL-1 zone, the following uses are permitted on a site specific basis only:

- (a) Employee housing building to a maximum density of 50 dwelling units and, notwithstanding the parking and loading space requirements in Table 4A of this Bylaw, a minimum of 16 off-street parking spaces in the case of Lot 2, District Lot 5957, Kamloops Division Yale District, Plan KAP75365 (1138 Alpine Road, Sun Peaks, BC).
- (b) Employee housing building to a maximum density of 50 dwelling units and, notwithstanding the parking and loading space requirements in Table 4A of this Bylaw, a minimum of 16 off-street parking spaces in the case of Lot 3, District Lot 5957, Kamloops Division Yale District, Plan KAP75365 (1142 Alpine Road, Sun Peaks, BC).
- (c) Employee housing building to a maximum density of 58 dwelling units within 4 storeys, and notwithstanding any other regulation in this bylaw, 6m front-yard setback and, a minimum of 16 off-street parking spaces in the case of Lot A DL 5957 KDYD Plan EPP112524 (1265 Alpine Road, Sun Peaks, BC).

8.1 DENSITY

The maximum permitted floor space ratio is 1.00.

8.2 HEIGHT

The maximum permitted height of a building is 12 metres and 3 storeys.

8.3 PARCEL SIZE

- (a) The minimum parcel size required is 1800 square metres.
- (b) The minimum parcel frontage is 1/10th of the parcel perimeter.

8.4 PARCEL COVERAGE - Not applicable.

8.5 SETBACKS

- (a) The minimum permitted front setback is 7.5 metres.
- (b) The minimum permitted side setback is 3 metres, except where the site abuts a highway, then the minimum depth of the side setback is 5 metres.
- (c) The minimum permitted rear setback is 1.5 metres, except where the lot abuts a highway, then the minimum depth of the rear setback is 7.5 metres.

8.6 OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

8.7 OTHER REGULATIONS

- (a) The maximum permitted gross floor area for an auxiliary dwelling unit is 100 square metres and a dwelling unit is not to contain more than 4 bedrooms.
- (b) Auxiliary residential dwelling units must be connected to and serviced by a community water system and community sewer system.
- (c) The maximum permitted total gross floor area of a principal building to be used for auxiliary dwelling units is 70 percent.
- (d) The maximum permitted total gross floor area of a principal building to be used for auxiliary office use is 40 percent.
- (e) Landscaping plans must be submitted to the Thompson-Nicola Regional District and written approval obtained. The approved landscaping plans including all details must be completed to the satisfaction of the Thompson-Nicola Regional District within a period not exceeding one year after the completion of the principal building.

DIVISION NINE - LEISURE RECREATION ONE

LR-1 ZONE (Leisure Recreation One)

9.1 PURPOSE

The purpose of this zone is to provide for commercial services which primarily complement downhill, cross country ski and golf activities.

9.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Auxiliary buildings and auxiliary uses customarily ancillary to the uses listed in this zone;
- (b) Establishments licensed for the sale and consumption of alcoholic beverages on the premises including club, restaurant, cabaret, neighbourhood public house and lounge;
- (c) Office, restricted to Resort area administration;
- (d) Recreational uses, indoor and outdoor;
- (e) Restaurants, excluding a drive-in restaurant;
- (f) Retail, including sporting goods;
- (g) Ski lift terminal;
- (h) Sporting equipment rental and repair;
- (i) Golf clubhouse and Pro-shop;
- (j) Fire station; and
- (k) Public Services Buildings.

9.3 DENSITY

The maximum permitted floor space ratio is 1.

9.4 HEIGHT

The maximum permitted height of a building is 12 metres.

9.5 PARCEL SIZE

- (a) The minimum parcel size is not applicable.
- (b) The minimum parcel frontage is 1/10th of the parcel perimeter.

9.6 PARCEL COVERAGE - Not applicable.

9.7 SETBACKS

The minimum front setback is 4.5 metres except where varied in accordance with the Highway Act.

9.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

9.9 OTHER REGULATIONS

- (a) Neighbourhood public houses are subject to consideration and approval in accordance with the Provincial Liquor Licensing Requirements and the Thompson-Nicola Regional District's Liquor Licensing Public Opinion Process.
- (b) Landscaping plans must be submitted to the Thompson-Nicola Regional District and written approval obtained. The approved landscaping plans including all details must be completed to the satisfaction of the Thompson-Nicola Regional District within a period not exceeding one year after the completion of the principal building.

DIVISION TEN - LEISURE PARK ONE

LP-1 ZONE (Leisure Park One)

10.1 PURPOSE

The purpose of this zone is to provide a passive area for outdoor recreational use.

10.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Auxiliary buildings and auxiliary uses;
- (b) Assembly;
- (c) Food concession;
- (d) Outdoor recreation;
- (e) Parking;
- (f) Park and playground; and
- (g) Rental, outdoor recreation equipment and supplies.

10.4 HEIGHT

The maximum permitted height of a building is 7.5 metres.

10.5 PARCEL SIZE

- (a) The minimum parcel size is not applicable.
- (b) The minimum parcel frontage is 1/10th of the parcel perimeter.

10.6 PARCEL COVERAGE - Not applicable.

10.7 SETBACKS

- (a) The minimum permitted front setback is 6 metres.
- (b) The minimum permitted side setback is 1.5 metres except where the side lot abuts a highway, then the minimum side set back is 4.5 metres.
- (c) The minimum permitted rear setback is 6 metres.

10.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

10.9 OTHER REGULATIONS

The minimum permitted separation between all buildings is 15 metres.

DIVISION ELEVEN - OPEN SPACE ONE

OS-1 ZONE (Open Space One)

11.1 PURPOSE

The purpose of this zone is to provide for the development of resource uses and other forms of development that are compatible with resource uses and resort activities in the Resort.

11.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Auxiliary buildings and auxiliary uses;
- (b) Auxiliary dwelling unit;
- (c) Agriculture;
- (d) Catering;
- (e) Church;
- (f) Golf Course;
- (g) Equestrian Use;
- (h) Outdoor recreation;
- (i) Park and playground;
- (j) Public storage and works yard;
- (k) Resource use;
- (l) Storage of explosives;
- (n) Free standing antennas and communication towers;
- (o) Heliports;
- (p) Amphitheater;
- (q) Performing Arts centre;
- (r) Educational Centre;
- (s) Temporary structures for uses of cultural and social activities;
- (t) Ski lift Terminals;
- (u) Indoor or structurally enclosed recreational facilities;
- (v) Public and private utilities and service structures;
- (w) Tourist Vehicle Parking; and
- (x) Campground.

11.3 DENSITY

The maximum permitted size of a building, is 1000 square metres or a floor space ratio of 0.25, whichever figure is lower.

11.4 HEIGHT

The maximum permitted height of a building is 10.7 metres, except for antennas or temporary structures.

11.5 PARCEL SIZE

- (a) The minimum parcel size is not applicable.
- (b) The minimum parcel frontage is 1/10th of the parcel perimeter.

11.6 SETBACKS

The minimum permitted setback for all buildings is 6 metres from all parcel boundaries.

11.7 OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

11.8 OTHER REGULATIONS

- (a) An auxiliary dwelling unit is not permitted to contain more than one bedroom, one bathroom, one kitchen and one living room.
- (b) Campgrounds are subject to compliance with the provisions of the Thompson-Nicola Regional District Campground Bylaw.
- (c) Landscaping plans must be submitted to the Thompson-Nicola Regional District and written approval obtained. The approved landscaping plans including all details must be completed to the satisfaction of the Thompson-Nicola Regional District within a period not exceeding one year after the completion of the principal building.

DIVISION TWELVE - RESIDENTIAL SINGLE FAMILY ONE

RS-1 ZONE (Residential Single Family One)

12.1 PURPOSE

The purpose of this zone is to provide a low density area for detached single family dwellings and also to permit an auxiliary dwelling unit within a principal building.

12.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Single family dwelling;
- (b) Auxiliary buildings and auxiliary uses;
- (c) Auxiliary residential dwelling unit; and
- (d) Home occupation.

12.3 DENSITY

- (a) The maximum permitted gross floor area of a single family dwelling is 500 square metres or a floor space ratio of 0.35, whichever figure is lower.
- (b) Notwithstanding Section 12.3(a) in this zone, the maximum permitted gross floor area of a single family dwelling situated on land within a bare land strata plan is the figure obtained when the total area of a bare land strata plan (exclusive of those portions intended to provide access routes) is multiplied by 0.35 and divided by the maximum total number of bare land strata lots in that plan, and regardless of any provision herein the maximum gross floor area of a single family dwelling shall not exceed 500 square metres.
- (c) The maximum permitted floor area for parking use contained in a principal or auxiliary building or structure is 60 square metres.

12.4 HEIGHT

The maximum permitted height of a building is 7.6 metres.

12.5 PARCEL SIZE

- (a) The minimum required parcel size for a single family dwelling is 700 square metres.

- (b) The minimum parcel frontage is 1/10th the parcel perimeter.

12.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 35 percent.

12.7 SETBACKS

- (a) The minimum permitted front setback is 6 metres.
- (b) The minimum permitted side setback is as follows :

<i>Gross floor area of Detached dwelling</i>	<i>Minimum side setback</i>
325 square metres or less	3 metres
Greater than 325 square metres	6 metres

- (c) The minimum rear setback is 7 metres, except where the rear lot line abuts a golf course or Crown land where it shall be 3 metres.

12.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

12.9 OTHER REGULATIONS

- (a) The minimum permitted gross floor area of a single family dwelling is 70 square metres.
- (b) The maximum permitted number of bedrooms in a single family dwelling is 4.
- (c) An auxiliary residential dwelling unit shall contain a gross floor area no greater than 80 square metres or less than 32.5 square metres, and in no case shall the auxiliary residential dwelling unit exceed 40 percent of the gross floor area of the principal building.
- (d) An auxiliary dwelling unit is not permitted to contain more than two bedrooms, one bathroom, one kitchen and one living room.
- (e) The placing of more than one principal building on a parcel or strata lot is prohibited in this zone.
- (f) Home occupation use is permitted in the principal building provided:

- i) alterations are not made to indicate it is being used for any purpose other than its principal use;
- ii) no person who does not normally occupy the dwelling unit is engaged in home occupation use on the premises;
- iii) no products or materials are stored outside of a principal building and auxiliary building; and
- iv) no products or materials are sold from a home occupation use.

DIVISION THIRTEEN - RESIDENTIAL SINGLE FAMILY ONE – TOURIST ACCOMMODATION

RS-1A ZONE (Residential Single Family One – Tourist Accommodation)

13.1 PURPOSE

The purpose of this zone is to provide low density single family residential development and the additional permitted use of short term rentals on a spot zone basis.

13.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Single family dwelling;
- (b) Auxiliary buildings and auxiliary uses;
- (c) Auxiliary residential dwelling unit;
- (d) Home occupation; and
- (e) Tourist accommodation limited to one dwelling unit.

13.2.1 PERMITTED USES – SITE SPECIFIC

In the RS-1A zone, the following use is permitted on a site-specific basis only:

Tourist accommodation in both the principal dwelling unit and auxiliary residential dwelling unit to a maximum of 6 bedrooms in the case of the following parcels only:

Lots 1, 2, 18, 23, 29, 31, and 38, District Lot 6337, KDYD, Plan KAP53479 (2202, 2204, 2306, 2316, 2219, 2215, 2201 Sunburst Dr); Lots 3 and 14, Plan KAP53479 (2206, 2228 Sunburst Dr); Lots 3 and 6, Plan KAP65774 (2422, 2425 Fairways Dr); Lot 12, Plan KAP74464 (2463 Fairways Dr); Lot 11, Plan KAP82619 (5425 Lookout Ridge Pl); Lots 5 and 13, Plan KAP53475 (2403, 2419 Fairways Dr); Lots 6, 9, and 14, Plan KAP80085 (5321, 5333, 5342 Lookout Ridge Dr); Lots 15 and 22, Plan KAP76953 (2544, 2557 Mountain View Drive); Lots 3, 8, and 10, Plan KAP67926 (4124, 4128, 4129 Sundance Drive); Lots 7 and 9, Plan KAP72523 (4155, 4159 Sundance Dr); Lots 8 and 9, Plan KAP70975 (2443, 2445 Fairways Dr); Lot 1, Plan KAP70182 (4130 Sundance Dr); and, Lots 14, Plan KAP58754 (4106 Sundance Dr).

13.3 DENSITY

- (a) The maximum permitted gross floor area of a single family dwelling is 500 square metres or a floor space ratio of 0.35, whichever figure is lower.
- (b) Notwithstanding Section 13.3(a) in this zone, the maximum permitted gross floor area of a single family dwelling situated on land within a bare land strata plan is the figure obtained when the total area of a bare land strata plan (exclusive of

those portions intended to provide access routes) is multiplied by 0.35 and divided by the maximum total number of bare land strata lots in that plan, and regardless of any provision herein the maximum gross floor area of a single family dwelling shall not exceed 500 square metres.

- (c) The maximum permitted floor area for parking use contained in a principal or auxiliary building or structure is 60 square metres.

13.3.1 DENSITY – SITE SPECIFIC

In the RS-1A zone, the following is permitted on a site specific basis only:

A single family dwelling with a floor space ratio of 0.37 and an auxiliary residential dwelling unit containing a gross floor area of 81.5 square metre in the case of Lot 10, District Lot 6410, Kamloops Division Yale District, Plan KAP67926 (4128 Sundance Drive).

13.4 HEIGHT

The maximum permitted height of a building is 7.6 metres.

13.5 PARCEL SIZE

- (a) The minimum required parcel size for a single family dwelling is 700 square metres.
- (b) The minimum parcel frontage is 1/10th the parcel perimeter.

13.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 35 percent.

13.7 SETBACKS

- (a) The minimum permitted front setback is 6 metres.
- (b) The minimum permitted side setback is as follows:

<i>Gross floor area of Detached dwelling</i>	<i>Minimum side setback</i>
325 square metres or less	3 metres
Greater than 325 square metres	6 metres
- (c) The minimum rear setback is 7 metres, except where the rear lot line abuts a golf course or Crown land where it shall be 3 metres.

13.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw. Where a parcel in RS-1A Zone is used for tourist accommodation use, Division 4 of this Bylaw does not apply to require unobstructed maneuvering aisles for that use and a minimum of 0.5 parking spaces shall be provided per bedroom.

13.9 OTHER REGULATIONS

- (a) The minimum permitted gross floor area of a single family dwelling is 70 square metres.
- (b) The maximum permitted number of bedrooms in a single family dwelling is 4.
- (c) An auxiliary residential dwelling unit shall contain a gross floor area no greater than 80 square metres or less than 32.5 square metres, and in no case shall the auxiliary residential dwelling unit exceed 40 percent of the gross floor area of the principal building.
- (d) An auxiliary dwelling unit is not permitted to contain more than two bedrooms, one bathroom, one kitchen and one living room.
- (e) The maximum permitted number of bedrooms for tourist accommodation use in a single family dwelling is 4.
- (f) The maximum permitted number of bedrooms for tourist accommodation use in an auxiliary residential dwelling unit is 2.
- (g) Where a single family dwelling contains an auxiliary residential dwelling unit, only one dwelling unit (either the auxiliary dwelling unit or the principal dwelling unit) may be used for tourist accommodation.
- (h) The placing of more than one principal building on a parcel or strata lot is prohibited in this zone.
- (i) Home occupation use is permitted in the principal building provided:
 - i) alterations are not made to indicate it is being used for any purpose other than its principal use;
 - ii) no person who does not normally occupy the dwelling unit is engaged in home occupation use on the premises;
 - iii) no products or materials are stored outside of a principal building and auxiliary building; and
 - iv) no products or materials are sold from a home occupation use.
- (j) Where the principal building is used for tourist accommodation, no home occupation use is permitted.

DIVISION FOURTEEN - RESIDENTIAL SINGLE FAMILY TWO

RS-2 ZONE (Residential Single Family Two)

14.1 PURPOSE

The purpose of this zone is to provide for small single family dwellings within a bare land strata subdivision.

14.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Single family dwelling; and
- (b) Auxiliary buildings and auxiliary uses.

14.3 DENSITY

- (a) The maximum permitted gross floor area of a single family dwelling is 157.5 square metres or a floor space ratio of 0.35, whichever figure is lower.
- (b) Notwithstanding Section 14.3(a) in this zone, the maximum permitted gross floor area of a single family dwelling situated on lands within a bare land strata plan is the figure obtained when the total area of a bare land strata plan (exclusive of any portions intended to provide access routes) is multiplied by 0.35 and divided by the total number of bare land strata lots in that plan, and regardless of any provision herein the maximum gross floor area of a single family dwelling shall not exceed 157.5 square metres.
- (c) The maximum permitted gross floor area for parking use for a single family dwelling contained in a principal or auxiliary building or structure is 40 square metres.

14.4 HEIGHT

The maximum permitted height of a building is 7.6 metres.

14.5 PARCEL SIZE

- (a) The minimum required parcel size is 350 square metres.
- (b) The minimum parcel frontage is 1/10th the parcel perimeter.

14.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 35 percent.

14.7 SETBACKS

- (a) The minimum permitted front setback for a single family dwelling within a bare land strata lot is 3 metres. No front setback is required for auxiliary buildings used for the purpose of parking.
- (b) The minimum permitted rear setback for a single family dwelling within a bare land strata lot is 3 metres. No rear setback is required for auxiliary buildings used for the purpose of parking.
- (c) No side setbacks are required.
- (d) Notwithstanding 14.7(a), (b), and (c), no building located within a bare land strata plan shall be less than 6 metres from the boundaries of that plan except where the boundary abuts a golf course or Crown land, then the setback shall be 3 metres.

14.8 OFF-STREET PARKING AND LOADING

- (a) Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.
- (b) Parking requirements for strata lots within a bare land strata plan may be provided on common property or limited common property within the boundaries of the strata plan.

14.9 OTHER REGULATIONS

- (a) The minimum permitted gross floor area of a single family dwelling is 70 square metres.
- (b) The placing of more than one principal dwelling on a parcel or strata lot is prohibited in this zone.
- (c) An auxiliary residential dwelling unit is prohibited in this zone.
- (d) The minimum permitted separation between principal buildings is 3 metres.

- (e) Landscaping plans must be submitted to the Thompson-Nicola Regional District and written approval obtained. The approved landscaping plans including all detail must be completed to the satisfaction of the Thompson-Nicola Regional District within a period not exceeding one year after the date of completion of the principal building.

DIVISION FIFTEEN - RESIDENTIAL TWO FAMILY ONE

RT-1 ZONE (Residential Two Family One)

15.1 PURPOSE

The purpose of this zone is to provide a low density area for single and two family dwellings.

15.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Single family dwelling;
- (b) Two family dwelling;
- (c) Auxiliary buildings and auxiliary uses;
- (d) Auxiliary residential dwelling unit provided it is contained within a single family dwelling or a two family dwelling;
- (e) Park and playground; and
- (f) Home occupation.

15.3 DENSITY

- (a) The maximum permitted gross floor area of a single family dwelling is 325 square metres or a floor space ratio of 0.35, whichever figure is lower.
- (b) The maximum permitted gross floor area of a two family dwelling is a 375 square metres or a floor space ratio of 0.45, whichever figure is lower.
- (c) Notwithstanding Section 15.3(a) in this zone, the maximum permitted gross floor area of a single family dwelling situated on lands within a bare land strata plan is the figure obtained when the total area of a bare land strata plan (exclusive of those portions intended to provide access routes) is multiplied by 0.35 and divided by the maximum total number of bare land strata lots in that plan, and regardless of any provision herein the maximum gross floor area of a single family dwelling shall not exceed 325 square metres.
- (d) Notwithstanding Section 15.3(b) in this zone, the maximum permitted gross floor area of a two family dwelling situated on lands within a bare land strata plan is the figure obtained when the total area of a bare land strata plan (exclusive of those portions intended to provide access

routes) is multiplied by 0.45 and divided by the maximum total number of bare land strata lots in that plan, and regardless of any provision herein the maximum gross floor area of a two family dwelling shall not exceed 375 square metres.

- (e) The maximum permitted gross floor area for auxiliary parking use for a single family dwelling contained in a principal building or auxiliary building or structure is 56 square metres.
- (f) The maximum permitted gross floor area for auxiliary parking use of a two family dwelling contained in a principal or auxiliary building or structure is 40 square metres per dwelling unit.

15.4 HEIGHT

The maximum permitted height of a building is 7.6 metres.

15.5 PARCEL SIZE

- (a) The minimum parcel size and usable parcel area requirements per dwelling unit is as follows:

<i>TYPE OF DWELLING</i>	<i>MINIMUM PARCEL SIZE</i>	<i>MINIMUM USABLE PARCEL AREA</i>
Single Family Dwelling	700 square metres	465 square metres
Two Family Dwelling	820 square metres	750 square metres

- (b) The minimum parcel frontage is 1/10th of the parcel perimeter.

15.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 35 percent.

15.7 SETBACKS

- (a) The minimum permitted front setback is 6 metres.
- (b) The minimum permitted side setback is 3 metres.
- (c) The minimum permitted rear setback is 6 metres.
- (d) Notwithstanding Sections 15.1, 15.2 and 15.3 of this Division, no single family dwelling or two family dwelling shall be situated in a bare land strata plan where it is less than:
 - i) 7.5 metres from the boundaries of that plan;
 - ii) 7.5 metres from an internal access road; and

- ii) 6 metres from another single family dwelling or two family dwelling.

15.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

15.9 OTHER REGULATIONS

- (a) The minimum permitted gross floor area for single family dwelling is 70 square metres and the minimum permitted gross floor area for each dwelling unit in a two family dwelling is 50 square metres.
- (b) The maximum permitted number of bedrooms in a single family dwelling is 4.
- (c) The maximum permitted number of bedrooms in a two family dwelling is 8.
- (d) The maximum permitted gross floor area of an auxiliary residential dwelling unit in a principal building unit is 80 square metres and shall not occupy more than 45 percent of the gross floor area of the principal building.
- (e) The placing of more than one principal building on a parcel is prohibited.
- (f) An auxiliary residential dwelling unit shall not contain more than one bedroom, one bathroom, one kitchen, and one living room.
- (g) Home occupation use is permitted in the principal building provided:
 - i) alterations are not made to indicate it is being used for any purpose other than its principal use;
 - ii) no person who does not normally occupy the dwelling unit is engaged in home occupation use on the premises;
 - iii) no products or materials are stored outside of a principal building and auxiliary building; and
 - iv) no products or materials are sold from a home occupation use.

DIVISION SIXTEEN - RESIDENTIAL MULTIPLE ONE

RM-1 ZONE (Residential Multiple One)

16.1 PURPOSE

The purpose of this zone is to provide for the development of cluster single family and townhouse dwellings.

16.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Single family dwelling;
- (b) Two family dwelling;
- (c) Townhouse;
- (d) Auxiliary buildings and auxiliary uses; and
- (e) Home occupation in single family and two family dwellings only.

16.3 DENSITY

The maximum permitted floor space ratio is 0.25.

16.4 HEIGHT

The maximum permitted height of a townhouse building is 10.7 metres.

16.5 PARCEL SIZE

- (a) The minimum parcel size and usable parcel area requirements per dwelling unit are as follows:

<i>TYPE OF DWELLING</i>	<i>MINIMUM PARCEL SIZE</i>	<i>MINIMUM USABLE PARCEL AREA</i>
Single Family Dwelling	420 square metres	280 square metres
Two Family Dwelling or Townhouse	300 square metres	200 square metres

- (b) The minimum parcel frontage is 1/10th of the parcel perimeter.

16.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 35 percent.

16.7 SETBACKS

(a) For Fee Simple and bare land strata lots:

- i) The minimum permitted front setback is 6 metres.
- ii) The minimum permitted side setback is 3 metres.
- iii) The minimum permitted rear setback is 6 metres except where the rear lot abuts a golf course where it shall be 3 metres.

(b) For Strata Lots where there are more than 2 buildings on one parcel:

- i) The minimum permitted separation between buildings is 6 metres.

16.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

16.9 OTHER REGULATIONS

- (a) The minimum permitted gross floor area for a dwelling unit is 50 square metres.
- (b) The maximum permitted number of bedrooms in a principal dwelling unit is 4.
- (c) An auxiliary residential dwelling unit is prohibited in this zone.
- (d) Home occupation use is permitted in the principal building provided:
 - i) alterations are not made to indicate it is being used for any purpose other than its principal use;
 - ii) no person who does not normally occupy the dwelling unit is engaged in home occupation use on the premises;
 - iii) no products or materials are stored outside of a principal building and auxiliary building; and
 - iv) no products or materials are sold from a home occupation use.

DIVISION SEVENTEEN - RESIDENTIAL MULTIPLE TWO

RM-2 ZONE (Residential Multiple Two)

17.1 PURPOSE

The purpose of this zone is to provide low density multi-family residential or townhouse development.

17.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Multi-family dwelling;
- (b) Townhouse;
- (c) Auxiliary residential dwelling unit; and
- (d) Auxiliary buildings and auxiliary uses.

17.2.1 PERMITTED USES – SITE SPECIFIC

In the RM-2 Zone, the following use is permitted on a site specific basis only:

- (a) Property management business in the case of Strata Lot 3, District Lot 6336, Kamloops Division Yale District, Plan KAS1658 (#3-2160 Sun Peaks Road, Sun Peaks, BC), and subject to the following conditions of use:
 - i) alterations are not made to indicate it is being used for any purpose other than its principal use;
 - ii) the owner and a maximum of one employee shall be engaged in home occupation use on the premises;
 - iii) no products or materials are stored outside of a principal building and auxiliary building;
 - iv) no products or materials are sold from a home occupation use; and
 - v) an advertising or identification sign not to exceed 1 square metre in area may be located at a mutually agreeable location in proximity to the entrance to the strata property.

17.3 DENSITY

The maximum permitted floor space ratio is 0.35

17.4 HEIGHT

The maximum permitted height of a building is 10.7 metres.

17.5 PARCEL SIZE

- (a) The minimum usable parcel area for each dwelling unit is 175 square metres.
- (b) The minimum parcel frontage is 1/10th the parcel perimeter.

17.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 35 percent.

17.7 SETBACKS

- (a) The minimum permitted front setback is 6 metres.
- (b) The minimum permitted side setback is 6 metres.
- (c) The minimum permitted rear setback is 6 metres except where the rear lot abuts a golf course where it shall be 3 metres.

17.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

17.9 OTHER REGULATIONS

- (a) The minimum permitted separation between principal buildings is 6 metres.
- (b) The minimum permitted gross floor area for a dwelling unit is 50 square metres.
- (c) The maximum permitted number of bedrooms in a dwelling unit is 3.
- (d) A maximum of one auxiliary residential dwelling unit is permitted per 38 principal dwelling units.
- (e) The maximum permitted gross floor area of an auxiliary residential dwelling unit is 100 square metres.
- (f) The maximum permitted gross floor area of an auxiliary building for indoor recreation use is 235 square metres.

DIVISION EIGHTEEN - RESIDENTIAL MULTIPLE THREE

RM-3 ZONE (Residential Multiple Three)

18.1 PURPOSE

The purpose of this zone is to provide for medium density multi-family residential development.

18.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Multi-family dwelling;
- (b) Townhouse;
- (c) Auxiliary buildings and auxiliary uses; and
- (d) Auxiliary residential dwelling unit.

18.3 PERMITTED USES – SITE SPECIFIC

The following use is permitted on a site-specific basis only:

A maximum of five single family dwellings and two two-family dwellings within the overall area delineated by Strata Plan K18, in the case of Strata Lots 1-34, District Lot 5957, KDYD, Strata Plan K18 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (1260 Alpine Road).

18.4 DENSITY

The maximum permitted floor space ratio is 0.45.

18.5 HEIGHT

The maximum permitted height of a building is 10.7 metres.

18.6 PARCEL SIZE

- (a) The minimum usable parcel area for each dwelling unit is 150 square metres.
- (b) The minimum parcel frontage is 1/10th the parcel perimeter.

18.7 PARCEL COVERAGE

The maximum permitted parcel coverage is 35 percent.

18.8 SETBACKS

- (a) The minimum permitted front setback is 6 metres.
- (b) The minimum permitted side setback is 6 metres.
- (c) The minimum permitted rear setback is 6 metres.

18.9 OFF-STREET PARKING AND LOADING

Off-street parking and loading shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

18.10 OTHER REGULATIONS

- (a) The minimum permitted separation between principal buildings is 6 metres.
- (b) The minimum permitted gross floor area of a dwelling unit is 50 square metres.
- (c) The maximum permitted number of bedrooms in a dwelling unit is 4.
- (d) A maximum of one auxiliary residential dwelling unit is permitted per 38 principal dwelling units.
- (e) The maximum permitted gross floor area of an auxiliary residential dwelling unit is 100 square metres.
- (f) The maximum permitted gross floor area of an auxiliary building for indoor recreation use is 235 square metres.

DIVISION NINETEEN - TOURIST ACCOMMODATION ONE

TA-1 ZONE (Tourist Accommodation One)

19.1 PURPOSE

The purpose of this zone is to provide for commercial tourist accommodation that complements the scale and density of housing in the surrounding area.

19.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Hotel;
- (b) Inn;
- (c) Lodge;
- (d) Apartment;
- (e) Tourist accommodation;
- (f) Townhouse;
- (g) Auxiliary buildings and auxiliary uses; and
- (h) Auxiliary residential dwelling unit.

19.3 DENSITY

The maximum permitted floor space ratio is 0.45.

19.4 HEIGHT

The maximum permitted height of a building is 10.7 metres and 3 storeys.

19.5 PARCEL SIZE

- (a) The minimum parcel size is not applicable.
- (b) The minimum parcel frontage is 1/10th the parcel perimeter.

19.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 30 percent.

19.7 SETBACKS

The minimum permitted setback for all buildings is 6 metres from all parcel boundaries.

19.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

19.9 OTHER REGULATIONS

- (a) Neighbourhood public houses are subject to consideration and approval in accordance with the Provincial Liquor Licensing Requirements and the Thompson-Nicola Regional District's Liquor Licensing Public Opinion Process.
- (b) A minimum of 70 percent of the permitted gross floor area of a building shall be used for tourist accommodation.
- (c) The maximum permitted gross floor area used for restaurant, lounge, personal services, retail, neighbourhood public house, entertainment and assembly is 30 percent of all buildings on a parcel or strata lot.
- (d) The minimum size of a dwelling unit or hotel room shall be 35 square metres.
- (e) Landscaping plans must be submitted to the Thompson-Nicola Regional District and written approval obtained. The approved landscaping plans including all details must be completed to the satisfaction of the Thompson-Nicola Regional District within a period not exceeding one year after the completion of the principal building.
- (f) A maximum of one auxiliary residential dwelling unit is permitted per 38 principal dwelling units.
- (g) The maximum permitted gross floor area of an auxiliary residential dwelling unit is 80 square metres.

DIVISION TWENTY - TOURIST ACCOMMODATION TWO

TA-2 ZONE (Tourist Accommodation Two)

20.1 PURPOSE

The purpose of this zone is to provide for commercial tourist accommodation that complements the scale and density of housing in the surrounding area.

20.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Hotel;
- (b) Inn;
- (c) Lodge;
- (d) Apartment;
- (e) Townhouse;
- (f) Tourist accommodation;
- (g) Auxiliary buildings and auxiliary uses; and
- (h) Auxiliary residential dwelling unit.

20.2.1 PERMITTED USE – SITE SPECIFIC

In the TA-2 zone, the following use is permitted on a site specific basis only:

- (a) Ancillary property management business in the case of Lot A, District Lot 6375, Kamloops Division Yale District, Plan KAP63275 except Strata Plan KAS2100 (Phases 1, 2, 3, 4 and 5) - *Strata Lot 47, Plan KAS2100 (#47-6005 Valley Drive, Sun Peaks, BC).*”

20.3 DENSITY

The maximum permitted floor space ratio is 0.55.

20.4 HEIGHT

The maximum permitted height of a building is 12 metres and 4.0 storeys.

20.5 PARCEL SIZE

- (a) The minimum parcel size is not applicable.
- (b) The minimum parcel frontage is 1/10th the parcel perimeter.

20.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 30 percent.

20.7 SETBACKS

The minimum permitted setback for all buildings is 6 metres from all parcel boundaries.

20.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

20.9 OTHER REGULATIONS

- (a) Neighbourhood public houses are subject to consideration and approval in accordance with the Provincial Liquor Licensing Requirements and the Thompson-Nicola Regional District's Liquor Licensing Public Opinion Process.
- (b) A minimum of 70 percent of the permitted gross floor area of a building shall be used for tourist accommodation.
- (c) The maximum permitted gross floor area used for restaurant, lounge, personal services, retail, neighbourhood public house, entertainment and assembly is 30 percent of all buildings on a parcel or strata lot.
- (d) The minimum size of dwelling unit or hotel room shall be 35 square metres.
- (e) Landscaping plans must be submitted to the Thompson-Nicola Regional District and written approval obtained. The approved landscaping plans including all details must be completed to the satisfaction of the Thompson-Nicola Regional District within a period not exceeding one year after the completion of the principal building.
- (f) A maximum of one auxiliary residential dwelling unit is permitted per 38 principal dwelling units.
- (g) The maximum permitted gross floor area of an auxiliary residential dwelling unit is 80 square metres.

DIVISION TWENTY-ONE - TOURIST ACCOMMODATION THREE

TA-3 ZONE (Tourist Accommodation Three)

21.1 PURPOSE

The purpose of this zone is to provide for commercial tourist accommodation that complements the scale and density of housing in the surrounding area.

21.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Hotel;
- (b) Inn;
- (c) Lodge;
- (d) Apartment;
- (e) Townhouse;
- (f) Tourist accommodation;
- (g) Auxiliary buildings and auxiliary uses; and
- (h) Auxiliary residential dwelling unit.

21.3 DENSITY

The maximum permitted floor space ratio is 0.75.

21.4 HEIGHT

The maximum permitted height of a building is 12 metres and 4 storeys.

21.5 PARCEL SIZE

- (a) The minimum parcel size is not applicable.
- (b) The minimum parcel frontage is 1/10th the parcel perimeter.

21.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 35 percent.

21.7 SETBACKS

The minimum permitted Setback for all buildings is 6 metres from all parcel boundaries.

21.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this Bylaw.

21.9 OTHER REGULATIONS

- (a) Neighbourhood public houses are subject to consideration and approval in accordance with the Provincial Liquor Licensing Requirements and the Thompson-Nicola Regional District's Liquor Licensing Public Opinion Process.
- (b) A minimum of 70 percent of the permitted gross floor area of a building shall be used for tourist accommodation.
- (c) The maximum permitted gross floor area used for restaurant, lounge, personal services, retail, neighbourhood public house, entertainment and assembly is 30 percent of all buildings on a parcel of strata lot.
- (d) The minimum size of dwelling unit or hotel room shall be 35 square metres.
- (e) Landscaping plans must be submitted to the Thompson-Nicola Regional District and written approval obtained. The approved landscaping plans including all details must be completed to the satisfaction of the Thompson-Nicola Regional District within a period not exceeding one year after the completion of the principal building.
- (f) A maximum of one auxiliary residential dwelling unit is permitted per 38 principal dwelling units.
- (g) The maximum permitted gross floor area of an auxiliary residential dwelling unit is 80 square metres.

DIVISION TWENTY-TWO - TOURIST BED AND BREAKFAST ONE

TB-1 ZONE (Tourist Bed and Breakfast One)

22.1 PURPOSE

The purpose of this zone is to provide for bed and breakfast use within a single family residential area

22.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Single family dwelling;
- (b) Bed and breakfast;
- (c) Auxiliary buildings and auxiliary uses; and
- (d) Auxiliary residential dwelling unit provided it is contained within the principal building.

22.3 DENSITY

The maximum permitted gross floor area is 450 square metres or a floor space ratio of 0.35, whichever figure is lower.

22.4 HEIGHT

The maximum permitted height is 7.6 metres

22.5 PARCEL SIZE

- (a) The minimum required parcel size, usable parcel area and frontage is as follows:

<i>Gross floor area</i>	<i>Minimum Parcel Size</i>	<i>Minimum Usable Parcel area</i>	<i>Minimum Frontage</i>
325 square metres or less	700 square metres	465 square metres	18 metres
greater than 325 square m.	930 square metres	575 square metres	24 metres

- (b) The minimum parcel frontage is 1/10th of the parcel perimeter.

22.6 PARCEL COVERAGE

The maximum parcel coverage is 35 percent.

22.7 SETBACKS

- (a) The minimum permitted front setback is 6 metres
- (b) The minimum permitted side setback is 3 metres for a building of a gross floor area of 325 square metres or less, and 4.5 metres for a building of gross floor area greater than 325 square metres.
- (c) The minimum rear setback is 6 metres.

22.8 OFF STREET PARKING AND LOADING

Off street parking and loading shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this bylaw.

22.9 OTHER REGULATIONS

- (a) A maximum of three guest rooms are permitted in a bed and breakfast.
- (b) The maximum permitted gross floor area for all guest rooms in a bed and breakfast is 74 square metres.
- (c) The maximum permitted gross floor area for any guest room is 22 square metres.
- (d) The maximum permitted gross floor area for an auxiliary building is 65 square metres.
- (e) An auxiliary residential dwelling unit shall contain a gross floor area no greater than 80 square metres or less than 32.5 square metres, and in no case shall the auxiliary residential dwelling unit exceed 45 percent of the gross floor area of the single family dwelling.
- (f) An auxiliary residential dwelling unit shall contain no more than two bedrooms, one bathroom, one kitchen, and one living room.
- (g) A maximum of 4 (four) bedrooms is permitted in a single family dwelling.
- (h) Auxiliary residential dwelling unit shall not be used for tourist accommodation and all other uses not expressly permitted in this Division are prohibited.
- (i) The placing of more than one principal building on a parcel is prohibited.

DIVISION TWENTY-THREE - TOURIST PENSION ONE

TP-1 ZONE (Tourist Pension One)

23.1 PURPOSE

The purpose of this zone is to provide for pensions within a residential area.

23.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited.

- (a) Pension;
- (b) One auxiliary residential dwelling, provided it is contained within the principal building; and
- (c) Auxiliary buildings and auxiliary uses.

23.2.1 PERMITTED USES – SITE SPECIFIC

In the TP-1 zone, the following use is permitted on a site-specific basis only:

- (a) Restaurant as an auxiliary use to a pension in the case of Block A of District Lots 6259 and 6337, KDYD, except Plan KAP53479 (2232 Sunburst Drive), and subject to the following conditions of use:
 - i. the use must be carried out by the owners of the property; and
 - ii. the use is limited to a maximum of 30 seats in the dining area.

23.3 DENSITY

- (a) The maximum permitted density is a gross floor area of 500 square metres or a floor space ratio of 0.35, whichever is lower.
- (b) The maximum number of guest rooms in a pension is based on the parcel size as shown below:

Actual Permitted Parcel Area (square metres)	Maximum Numbers of Guest Rooms
836 - 887	4
888 - 939	5
940 - 991	6
992 - 1044	7
1045 - 1095	8
1096 - 1147	9

23.4 HEIGHT

The maximum permitted height of a building is 7.6 metres.

23.5 PARCEL SIZE

- (a) The minimum parcel size to be created by subdivision is 836 square metres.
- (b) The minimum parcel frontage is 1/10th of the parcel perimeter.

23.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 30 percent.

23.7 SETBACKS

- (a) The minimum permitted front setback is 6 metres.
- (b) The minimum permitted side setback is 3 metres for a building of a gross floor area of 325 square metres or less, and 4.5 metres for a building of a gross floor area greater than 325 square metres.
- (c) The minimum permitted rear setback is 6 metres.

23.8 OFF STREET PARKING

Off street parking and loading shall be provided and maintained in accordance with regulations contained in Division 4 and Table 4A of this Bylaw.

23.9 OTHER REGULATIONS

- (a) A maximum permitted gross floor area for any guest room is 28 square metres.
- (b) The minimum gross floor area for any guest room is 9.5 square metres.
- (c) An auxiliary residential dwelling unit shall contain a gross floor area equal to or greater than 50 square metres.
- (d) The placing of more than one principal building on a parcel is prohibited.

DIVISION TWENTY-FOUR - RESORT RESERVE ONE

RR-1 ZONE (Resort Reserve One)

24.1 PURPOSE

The purpose of this zone is to provide a low density area within which a limited range of resort, recreational and resource uses could occur while preserving lands from premature or inappropriate development.

24.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Single family dwelling;
- (b) Establishments licensed for the sale and consumption of alcoholic beverages on the premises including club, restaurant, cabaret, neighbourhood public house and lodge;
- (c) Office, restricted to resort area administration;
- (d) Forestry practice including silviculture and logging, excluding secondary processing;
- (e) Ski hills, golf courses and related open land recreational use, including golf clubhouse and proshop;
- (f) Public service or utility buildings and structures, including towers, transmitters and utility lines;
- (h) Retail, including sporting goods;
- (i) Sporting equipment rental and repair;
- (j) Ski lift terminal; and
- (k) Auxiliary buildings in conjunction with any of the above uses.

24.3 PARCEL SIZE

The minimum parcel size for all uses is 8 hectares, except for uses permitted under Section 24.2(f) where no minimum parcel size is required.

24.4 SETBACKS

- (a) The minimum permitted front setback is 6 metres
- (b) The minimum permitted side setback is 6 metres.
- (c) The minimum permitted rear setback is 6 metres.

24.5 OFF-STREET PARKING AND LOADING

Off-street parking and loading shall be provided and maintained in accordance with the regulations contained in Division 4 and Table 4A of this bylaw.

DIVISION TWENTY-FIVE - RECREATIONAL RESIDENTIAL/COMMERCIAL

RC-1 ZONE (Recreational Residential/Commercial)

25.1 PURPOSE

The purpose of this zone is to permit the comprehensive development of a destination ski resort which may provide year round recreation.

25.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Multi-family dwelling;
- (b) Hostels, motels and hotels;
- (c) Restaurants and coffee shops;
- (d) Entertainment establishments, including cocktail lounges, bars, nightclubs, discotheques and movie theatres;
- (e) Retail stores including gift shops, sporting good stores and convenience stores including post offices;
- (f) Sporting goods rental shops;
- (g) Communal facilities and utilities;
- (h) Indoor and Outdoor recreation facilities;
- (i) Personal service shops; and
- (j) Dwelling units in combination with the above permitted uses (c) to (i) inclusive.

25.3 PERMITTED USES – SITE SPECIFIC

In the RC-1 zone, the following density is permitted on a site-specific basis only:

- (a) 110 dwelling units in the case of Lot A DL 3044 and 5957 KDYD Plan EPP125011 (1180 Sun Peaks Road, Sun Peaks, BC).
- (b) Mini Self-Storage at 1130 Sun Peaks Road (legally described as Strata Lots 1, 3, 4, and 6, District Lot 6520, K.D.Y.D, Strata Plan EPS 7569, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot.

25.4 DENSITY

The maximum density permitted within this zone for residential uses shall be no more than 55 dwelling units per one hectare.

25.5 PARCEL COVERAGE

The maximum permitted parcel coverage is 30 percent.

25.6 SETBACKS

- (a) The minimum permitted front setback is 6 metres
- (b) The minimum permitted side setback is 1.5 metres except where the side lot line abuts a street where it is 4.5 metres.
- (c) The minimum permitted rear setback is 6 metres except in the case of auxiliary buildings where it is 1.5 metres.

25.7 OFF-STREET PARKING AND LOADING

- (a) Off street parking and loading shall be provided and maintained in accordance with the regulations contained in Division 4 of this Bylaw.
- (b) The number of parking spaces required shall be as follows:

<u>Use</u>	<u>Parking Required</u>
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Commercial accommodation uses, motels and hotels	1 parking space per sleeping unit
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Residential Use	2 parking spaces per dwelling unit
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Other commercial uses	6 parking spaces per 100 square metres of gross floor area
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25.8 OTHER REGULATIONS

- (a) There shall be no physical access between residential and commercial uses.
- (b) Sporting goods shall not include motorized vehicles.
- (c) All buildings requiring water and sewerage services shall be connected to:
 - i) a community water system; and
 - ii) a community sewer system.
- (d) The gross floor area ratio shall not exceed 0.90. The floor area ratio does not include covered parking areas.

25.8.1 DENSITY – SITE SPECIFIC

Notwithstanding section 25.7 (d) of the RC-1 zone, the gross floor area ratio shall be 1.12 for 1140 Sun Peaks Rd (legally described as Lot 1, DL 5957, KDYD, Plan KAP67659).

DIVISION TWENTY-SIX - RESIDENTIAL SINGLE AND TWO FAMILY

R-1 ZONE (Residential Single and Two Family)

26.1 PURPOSE

The purpose of this zone is to permit conventional, low density urban residential development.

26.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Single family dwelling;
- (b) Two family dwelling;
- (c) Mobile home;
- (d) Home occupation;
- (e) Auxiliary building; and
- (f) Parks and playgrounds.

26.2.1 PERMITTED USES – SITE SPECIFIC

In the R-1 zone, the following uses are permitted on a site specific basis only:

- (a) Office with limited customer/client visits and excluding storefront retail sales, within an existing dwelling unit (half duplex) in the case of Strata Lot 1, District Lot 5957, Kamloops Division Yale District, Strata Plan KAS1966 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1 and an undivided 1/54 share in Lot 51 District Lot 6282 Kamloops Division Yale District Plan 41697 (1332 Burfield Drive), and subject to the following conditions of use:
 - i. the use shall be carried out primarily by the owners of the property;
 - ii. the use shall be limited to a maximum of 3 employees;
 - iii. the use shall not create a nuisance;
 - iv. the use shall not involve exterior storage of any materials or products;
 - v. the use shall not involve advertising or identification signs exceeding 0.3 square metres in area; and
 - vi. alterations are not to be made to indicate the building is being used for any purpose other than its principal residential use.
- (b) one Auxiliary Residential Dwelling Unit contained within the lower level of one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B, District Lots 3043 and 5957 Kamloops Division Yale District Strata Plan

KAS3583 and an Undivided 1/44 Share in Lot 50 District Lot 6281 Kamloops Division Yale District Plan 41697 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form V (1404 Burfield Drive).

- (c) one Auxiliary Residential Dwelling Unit contained within the lower level of one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lot 5957, KDYD, Strata Plan EPS4902, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V and an Undivided 1/54 Share in Lot 51, District Lot 6282, Plan 41697 (1326 Burfield Drive).
- (d) one Auxiliary Residential Dwelling Unit contained within the lower level of one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B, District Lot 5957, KDYD, Strata Plan EPS4902, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V and an Undivided 1/54 Share in Lot 51, District Lot 6282, Plan 41697 (1328 Burfield Drive).
- (e) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lot 5957, KDYD, Strata Plan KAS2373, and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697, Together with an Interest in the Common Property to the Unit Entitlement of the Strata Lot as shown on Form V (1378 Burfield Drive).
- (f) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B, District Lot 5957, KDYD, Strata Plan KAS2373, and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697, Together with an Interest in the Common Property to the Unit Entitlement of the Strata Lot as shown on Form V (1380 Burfield Drive).
- (g) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 1, District Lot 5957, KDYD, Strata Plan KAS1989, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697 (1361 Burfield Drive).
- (h) one Auxiliary Residential Dwelling Unit contained within the lower level of one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 1, District Lot 5957, KDYD, Strata Plan KAS3767, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V and an Undivided 1/54 Share in Lot 51, District Lot 6282, KDYD, Plan 41697 (1324 Burfield Drive).

- (i) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lots 5957 and 6281, KDYD, Strata Plan KAS3699 and an Undivided 1/44 Share in Lot 50, Plan 41697, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1364 Burfield Drive).
- (j) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lots 5957 and 6281, KDYD, Strata Plan KAS3601, and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form V (1360 Burfield Drive).
- (k) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 2, District Lots 5957 and 6281, KDYD, Strata Plan EPS5973, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V and an Undivided 1/44 Share in Lot 50, KDYD, Plan 41697 (1374 Burfield Drive).
- (l) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 1, District Lot 5957, KDYD, Strata Plan EPS5013, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697 (1372 Burfield Drive).
- (m) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 2, District Lot 5957, KDYD, Strata Plan EPS5013, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, and an Undivided 1/44 Share in Lot 50, District Lot 6281, KDYD, Plan 41697 (1370 Burfield Drive).
- (n) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 1, District Lots 3044 and 5957, KDYD, Strata Plan KAS1729, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1, and an Undivided 1/54 Share in Lot 51, District Lot 6282, KDYD, Plan 41697 (1306 Burfield Drive).
- (o) two Auxiliary Residential Dwelling Units contained within each half of an existing two-family dwelling (half duplex) in the case of Lot 41, District Lot 5957, and an undivided 1/27 share in lot 51 District Lot 6282 KDYD Plan 41697, KDYD, Plan 41697, Together with an Interest in the Common Property to the Unit Entitlement of the Strata Lot as shown on Form V (1349 Burfield Drive)
- (p) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lots 5957 and 6281, KDYD, Strata Plan KAS3600 and an Undivided 1/44 Share in Lot 50, Plan 41697, Together with an Interest in the Common Property in

Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1368 Burfield Drive).

- (q) two Auxiliary Residential Dwelling Units contained within each half of a two-family dwelling (duplex) in the case of Lot 45, District Lot 5957 and 6284 and an undivided 1/22 share in lot 50 District Lot 6281 KDYD Plan 41697, Together with an Interest in the Common Property to the Unit Entitlement of the Strata Lot as shown on Form V (1365 Burfield Drive).
- (r) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot 1, District Lot 5957, KDYD, Strata Plan KAS1983 and an Undivided 1/54 Share in Lot 51, District Lot 6282, KDYD, Plan 41697, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1334 Burfield Drive).
- (s) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot A, District Lots 3043, 5957, 6281 and 6284, KDYD, Strata Plan KAS4014 and an Undivided 1/44 Share in Lot 50, Plan 41697, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (1371 Burfield Drive).
- (t) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B DL's 3044 & 5957 KDYD Strata Plan EPS4318 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V and an undivided 1/54 interest in Lot 51 DL 6282 PI 41697 (1329 Burfield Drive).
- (u) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B DL's 3044 & 5957 KDYD Strata Plan EPS4901 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V and an undivided 1/54 share in Lot 51 DL 6282 PI 41697 (1339 Burfield Drive).
- (v) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B District Lots 5957 and 6281 KDYD Strata Plan KAS3601 and an undivided 1/44 share in lot 50 District Lot 6281 KDYD Plan 41697 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V (1358 Burfield Drive).
- (w) one Auxiliary Residential Dwelling Unit contained within one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B District Lots 3043, 5957, 6281, and 6284 KDYD Strata Plan KAS 4014 Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V and an undivided 1/44 share in Lot 50 Plan 41697 (1369 Burfield Drive).

- (x) two Auxiliary Residential Dwelling Units contained within each half of a two-family dwelling (duplex) in the case of Lot 39, District Lot 5957 and an undivided 1/27 share in lot 51 District Lot 6282 KDYD Plan 41697 (1341/43 Burfield Drive).

26.3 PARCEL SIZE

The minimum parcel size, except for parks and playgrounds where no minimum parcel size shall be required is:

- (a) 700 square metres for a single family dwelling, two family dwelling or mobile home served by a community water system and a community sewer system.
- (b) 925 square metres for a single family dwelling or mobile home served by a community water system but no community sewer system.
- (c) 1,400 square metres for a single family dwelling served by a community water system but no community sewer system.
- (d) 8,000 square metres for a single family dwelling, mobile home, or two family dwelling not served by a community water system or community sewer system.

26.4 PARCEL COVERAGE

The maximum permitted parcel coverage is 25 percent.

26.5 SETBACKS

- (a) The minimum permitted front setback is 6 metres
- (b) The minimum permitted side setback is 1.5 metres, unless the side lot abuts a street where it is 4.5 metres, except where varied in accordance with the Highway Act.
- (c) The minimum permitted rear setback is 6 metres, except in the case of auxiliary buildings where it is 1.5 metres.

26.6 HEIGHT

The maximum permitted height of a building is:

- (a) 12 metres for the single family dwelling, two family dwelling or mobile home; and
- (b) 5 metres for any auxiliary building.

26.7 DWELLINGS PER PARCEL

There shall be no more than one single family dwelling, two family dwelling or mobile home on any parcel.

- (b) one Auxiliary Residential Dwelling Unit contained within the lower level of one half of an existing two-family dwelling (half duplex) in the case of Strata Lot B, District Lots 3043 and 5957 Kamloops Division Yale District Strata Plan KAS3583 and an Undivided 1/44 Share in Lot 50 District Lot 6281 Kamloops Division Yale District Plan 41697 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form V (1404 Burfield Drive)

26.8 OFF STREET PARKING AND LOADING

- (a) Off-street parking and loading shall be provided and maintained in accordance with the regulations contained in Division 4 of this Bylaw.
- (b) The number of parking spaces required shall be as follows:

<u>Use</u>	<u>Parking Required</u>
Single family dwellings, two family dwellings, or mobile homes	2 parking spaces per dwelling unit

26.9 OTHER REGULATIONS

- (a) Mobile homes permitted under Section 26.2(c) shall be subject to the following conditions:
 - i) The mobile home shall have a minimum floor dimension between the exterior surfaces of the exterior walls of 6.5 metres;
 - ii) The mobile home shall comply with the provisions of the current edition of the British Columbia Building Code or to Canadian Standards Association Z240 Standards;
 - iii) The mobile home shall be placed on a foundation complying with the provisions of the current edition of the British Columbia Building Code; and
 - iv) The mobile home shall be protected by skirting.
- (b) Home occupation permitted under Section 26.2(d) shall be carried out primarily by residents on the property and confined to the interior of the single family dwelling or mobile home and shall not;
 - i) create a nuisance;
 - ii) involve exterior storage of any materials used directly or indirectly in the processing or resulting from the processing of any product of such craft or occupation;

- iii) involve material or products that produce inflammable or explosive vapours or gases under ordinary temperatures; and
 - iv) involve advertising or identification signs exceeding 0.3 square metres in area.
- (c) Each auxiliary building permitted under Section 26.2(e) shall not exceed a maximum floor area of 65 square metres except where the minimum parcel size is 4,000 square metres or greater.
- (d) Fences shall be:
- i) not more than 1 metre high in front yards; and
 - ii) not more than 2 metres high in side and rear yards.

DIVISION TWENTY-SEVEN - RESIDENTIAL SINGLE AND TWO FAMILY – TOURIST
ACCOMMODATION

R-1A ZONE (Residential Single and Two Family - Tourist Accommodation)

27.1 PURPOSE

The purpose of this zone is to permit conventional, low density urban residential development and the additional permitted use of short term rentals on a spot zone basis.

27.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Single family dwelling;
- (b) Two family dwelling;
- (c) Home occupation;
- (d) Auxiliary building;
- (e) Parks and playgrounds; and
- (f) Tourist accommodation.

27.3 PARCEL SIZE

The minimum parcel size, except for parks and playgrounds where no minimum parcel size shall be required is 700 square metres.

27.4 PARCEL COVERAGE

The maximum permitted parcel coverage is 25 percent.

27.5 SETBACKS

- (a) The minimum permitted front setback is 6 metres
- (b) The minimum permitted side setback is 1.5 metres, unless the side lot abuts a street where it is 4.5 metres, except where varied in accordance with the Highway Act.
- (c) The minimum permitted rear setback is 6 metres, except in the case of auxiliary buildings where it is 1.5 metres.

27.6 HEIGHT

The maximum permitted height of a building is:

- (a) 12 metres for the single family dwelling, two family dwelling, or tourist accommodation; and
- (b) 5 metres for any auxiliary building.

27.7 DWELLINGS PER PARCEL

There shall be no more than one single family dwelling or two family dwelling on any parcel.

27.8 OFF STREET PARKING AND LOADING

- (a) Off-street parking and loading shall be provided and maintained in accordance with the regulations contained in Division 4 of this Bylaw. Where a parcel in R-1A Zone is used for tourist accommodation use, Division 4 of this Bylaw does not apply to require unobstructed maneuvering aisles.
- (b) The number of parking spaces required shall be as follows:

<u>Use</u>	<u>Parking Required</u>
Single family dwellings, two family dwellings	2 parking spaces per dwelling unit
Tourist Accommodation	0.5 parking spaces per bedroom

27.9 OTHER REGULATIONS

- (a) Home occupation permitted under Section 27.2(c) shall be carried out only by the owner of the property and confined to the interior of the single family dwelling and shall not;
 - i) create a nuisance;
 - ii) involve exterior storage of any materials used directly or indirectly in the processing or resulting from the processing of any product of such craft or occupation;
 - iii) involve material or products that produce inflammable or explosive vapours or gases under ordinary temperatures; and

- iv) involve advertising or identification signs exceeding 0.3 square metres in area.
- (b) Where the principal building is used for tourist accommodation, no home occupation use is permitted.
- (c) Each auxiliary building permitted under Section 27.2(d) shall not exceed a maximum floor area of 65 square metres except where the minimum parcel size is 4,000 square metres or greater.
- (d) Fences shall be:
 - i) not more than 1 metre high in front yards; and
 - ii) not more than 2 metres high in side and rear yards.
- (e) The maximum permitted number of bedrooms for tourist accommodation use in a single family dwelling is 4.
- (f) The maximum permitted number of bedrooms for tourist accommodation use in a two family dwelling is 4 per dwelling unit.

DIVISION TWENTY-EIGHT - RESIDENTIAL MULTI-FAMILY

R-3 ZONE (Residential Multi-Family)

28.1 PURPOSE

The purpose of this zone is to permit development of multi-family dwellings in areas served by approved community water systems in order to provide an integrated mix of housing types.

28.2 PERMITTED USES

The following uses are permitted and all other uses are prohibited:

- (a) Multi-family dwellings; and
- (b) Auxiliary buildings.

28.3 DENSITY

The maximum density permitted in this zone shall be no more than one dwelling unit per 240 square metres.

28.4 HEIGHT

The maximum permitted height of a building is:

- (a) 12 metres for the multi-dwelling; and
- (b) 5 metres for the auxiliary building.

28.5 PARCEL SIZE

- (a) The minimum parcel size for a multi-family dwelling development shall be as follows:
 - i) 1,000 square metres if served by a community water system and a community sewer system; or
 - ii) 2,000 square metres if served by a community water system but no community sewer system.
- (b) Notwithstanding Section 28.5(a), where a parcel is subdivided for the purpose of allowing townhouse units, each parcel shall have an area of not less than 240 square metres per dwelling unit, except in the case of end units where the minimum parcel area shall be 320 square metres, provided that each parcel is served by a community water system and a community sewer system.

- (c) The minimum parcel frontage is 30 metres, except where a parcel is subdivided for the purpose of allowing townhouse units, each unit shall have a minimum frontage of 7 metres.

28.6 PARCEL COVERAGE

The maximum permitted parcel coverage is 30 percent.

28.7 SETBACKS

- (a) The minimum permitted front setback is 8 metres.
- (b) The minimum permitted side setback
 - i) is 8 metres, except where multi-family dwellings are on parcels subdivided for the purpose of allowing townhouse units, where no interior side setback between units is required; and
 - ii) for auxiliary structures is 1.5 metres, except where the side lot line abuts a street where it is 4.5 metres.
- (c) The minimum permitted rear setback is 8 metres, except in the case of auxiliary buildings where it is 1.5 metres.
- (d) Where there are two or more buildings on a parcel, they must be no less than 6 metres apart and have suitable provisions for safe pedestrian access.

28.8 OFF-STREET PARKING AND LOADING

- (a) Off-street parking and loading spaces shall be provided and maintained in accordance with the regulations contained in Division 4 of this Bylaw.
- (b) The number of parking spaces required is as follows:

<u>Use</u>	<u>Parking Required</u>
Multi-family dwellings	1.5 parking spaces per dwelling unit plus 0.5 parking spaces per dwelling unit for a communal parking area for visitors, boats, trailers, or recreational vehicles.

- (c) All communal parking area shall be paved and screened from all adjoining street or streets and from all adjoining parcels by a uniformly painted, view-obscuring fence or wall of not less than 1.25 metres in height which shall be maintained in good condition at all times.

(d) Parking shall not be permitted in a required front yard.

28.9 OTHER REGULATIONS

(a) No more than one auxiliary building shall be permitted on a parcel.

(b) An auxiliary building permitted under Section 28.2(b) shall not exceed a maximum floor area of 65 square metres.

(c) Fences shall be:

i) not more than 1 metre high in front yards; and

ii) not more than 2 metres high in side and rear yards.

(d) Amenity open space, meaning a landscaped area of land available to the residents of the dwelling located on that particular parcel for their personal enjoyment and recreation, shall be provided and having an area of at least 35 square metres per dwelling unit. Parking areas shall not be considered as part of or contributing to any amenity area.

(e) The method by which sewage is disposed of shall be approved pursuant to the Health Act or Waste Management Act.