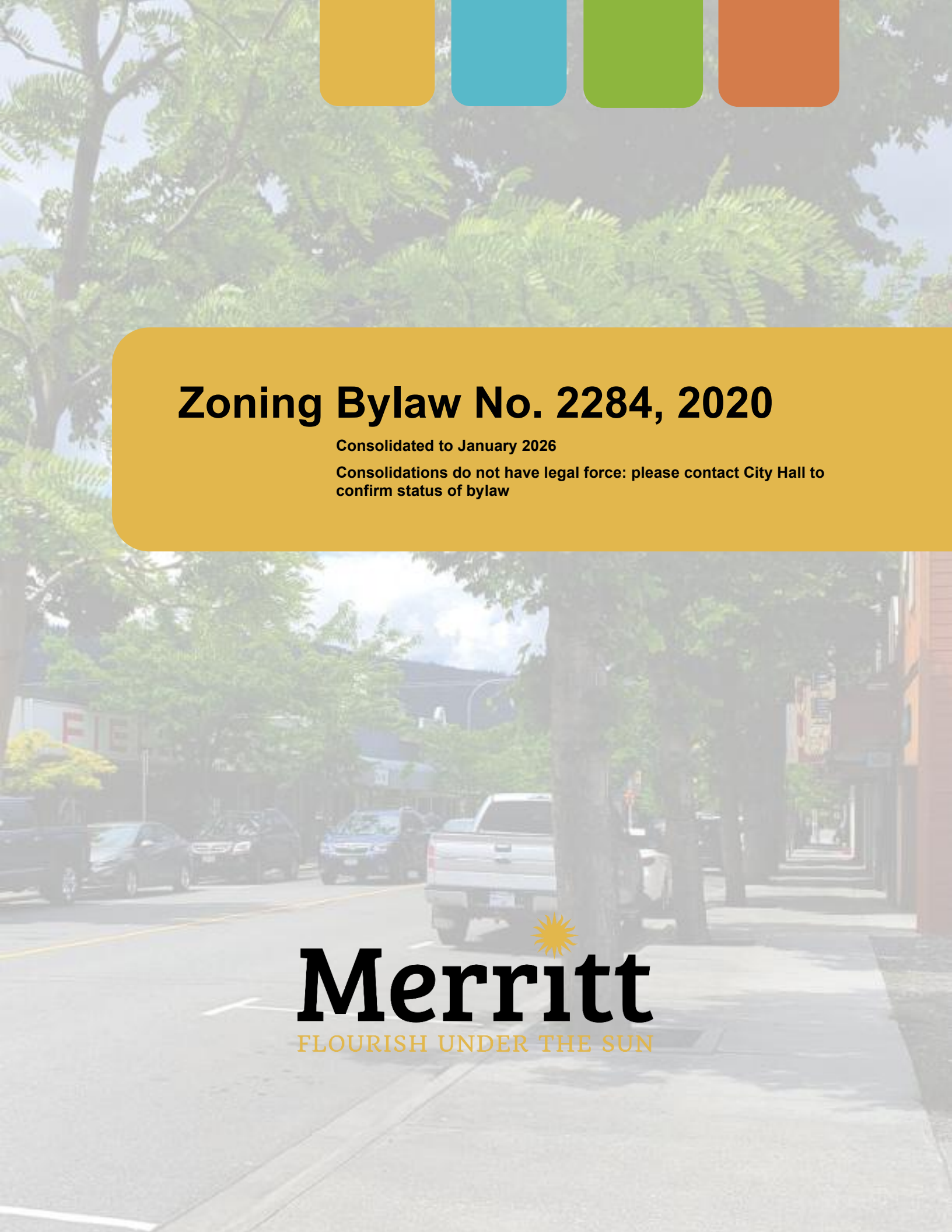

# Zoning Bylaw No. 2284, 2020

**Consolidated to January 2026**

**Consolidations do not have legal force: please contact City Hall to confirm status of bylaw**

Merritt

FLOURISH UNDER THE SUN

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# ZONING BYLAW 2284, 2020

## A BYLAW OF THE CITY OF MERRITT TO ESTABLISH ZONES AND REGULATE LAND USE AND DENSITY WITHIN THE ZONES

**WHEREAS** the *Local Government Act, 1996, RSBC Chapter 323*, permits a local government to divide the whole or part of the municipality into zones and establish boundaries of the zones;

**AND WHEREAS** the City of Merritt wishes to regulate use of land, buildings and other structures, the density of use of land, buildings and other structures, the siting, size and dimensions of buildings and other structures and the uses that are permitted on the land;

**AND WHEREAS** the City of Merritt wishes to regulate the shape, dimensions and area, including the establishment of minimum and maximum sizes of all Parcels of land that may be created by subdivision

**NOW THEREFORE** the Council of the City of Merritt, in open meeting assembled, hereby **ENACTS AS FOLLOWS**:

## Table of Amendments

* Amendments are identified throughout the document with a bolded asterisk.

| Section | Bylaw No. | Date | Description |
|---|---|---|---|
| 7.1.1 | 2413, 2025 | 13.01.2026 | Updating R1 Zone name from 'Single Family Residential' to 'Low Density Residential'. |
| 7.1.1 | 2413, 2025 | 13.01.2026 | Adding a new Zone 'Residential Mobile Home / R2' for provision of Mobile Homes on individual lots. |
| 7.3.8.d | 2413, 2025 | 13.01.2026 | Adding Special Regulation for provision of Mobile Home on parcels on Houston Street and Douglas Street. |
| 7.3.8.e | 2413, 2025 | 13.01.2026 | Adding Special Regulation for provision of Mobile Home on parcels on Telemon Place. |
| 7.4 | 2413, 2025 | 13.01.2026 | Adding a new Zone 'Residential Mobile Home / R2' for provision of Mobile Homes on individual lots. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding provision for having multiple Principal Buildings on a Parcel in the definition of 'Accessory Building'. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Revising the definition for 'Density' for consistency. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding a new definition for 'Dwelling Unit, Accessory' to improve clarity. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding provision for having multiple Principal Buildings on a Parcel in the definition of 'Dwelling, Detached Secondary' and adding clarity for Strata developments. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding provision for buildings to be Modular built in the definition of 'Dwelling, Multiple Unit Apartment'. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding provision for buildings to be Modular built in the definition of 'Dwelling, Multiple Unit Townhome' and revising to align with provision that Secondary Suites are permitted in all Dwelling Units. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding provision for buildings to be Modular built in the definition of 'Dwelling, Single Detached' and revising to align with provision that Secondary Suites are permitted in all Dwelling Units. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding provision for buildings to be Modular built in the definition of 'Dwelling, Semi-Detached' and revising to align with provision that Secondary Suites are permitted in all Dwelling Units. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding provision for having multiple Principal Buildings on a Parcel in the definition of 'Front Building Line'. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Revising the definition for 'Home-based Business' for consistency. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Revising the definition for 'Mobile Home' for consistency with *BC Building Code*. |

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| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding provision for buildings to be Modular built in the definition of 'Mobile Home and Modular Home Sales'. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Deleting definition for 'Modular Home' and adding a new definition for 'Modular Building' for various types of buildings to be Modular built. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding provision for having multiple Principal Buildings on a Parcel in the definition of 'Principal Building'. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Capitalizing 'Single Real Estate Entity' in the definition of 'Secondary Suite'. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding a new definition for 'Single Real Estate Entity' to improve clarity. |
| 2.2.1 | 2368, 2024 | 25.06.2024 | Adding definition for Zero Emission Charging for the objective of encouraging Low Carbon Mobility as outlined in the *Official Community Plan 2336, 2022*. |
| 4.2.1.d | 2368, 2024 | 25.06.2024 | Adding 'Zero Emission Charging' as a permitted Use in all the Zones to encourage and prioritize lower carbon transportation options. |
| 4.8.1 | 2368, 2024 | 25.06.2024 | Revised to reduce the maximum width of driveways (at the Parcel Line) for residential developments which will allow for multiple accesses on the same parcel and having more frontage available for on-street parking. |
| 4.8 | 2368, 2024 | 25.06.2024 | Adding provision to reduced driveway Access on the Front and encourage Lane Access wherever possible. |
| 4.8.3 | 2368, 2024 | 25.06.2024 | Revising to add multiple Single Detached Dwellings and Detached Secondary Dwellings to this provision which will allow all Dwelling Units to have parcel access. |
| 4.10.1 | 2368, 2024 | 25.06.2024 | Revising the clause for consistency. |
| 4.19.4 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| 4.19.5 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| Table 4.26 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones and adding provision to get Bonus of at least 1 Dwelling Unit for providing Public Benefit. |
| 4.26.5 | 2368, 2024 | 25.06.2024 | Revising to enable homeowners to redevelop on their own and adding a timeframe for the covenant. |
| 4.31.2 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| 4.32.1 | 2368, 2024 | 25.06.2024 | Revising to improve clarity for Home-based Business being a residential Use. |
| 4.32.3 | 2368, 2024 | 25.06.2024 | Revising to make provision for multiple Home-based Businesses in a principal Dwelling, including in Secondary Suites. |
| 4.32.6 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |

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| 4.32 | 2368, 2024 | 25.06.2024 | Adding clause 4.32.7 to make provision for Home-based Business being carried in ADUs. |
| 4.33.1 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| 4.34.1 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| 4.34.6 | 2368, 2024 | 25.06.2024 | Adding clarity to prevent conflicts between Secondary Suites and Short-Term Rental. |
| 4.34.7 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| 4.34.9 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| 4.35 | 2368, 2024 | 25.06.2024 | Adding a new section for 'Principal Buildings' for the provision for having multiple Principal Buildings on a Parcel and improve clarity. |
| 4.36 | 2368, 2024 | 25.06.2024 | Adding a new section for 'Accessory Dwelling Unit' as an umbrella term to improve clarity and adding regulations for the provision for having multiple Accessory Dwelling Units on a Parcel. |
| 4.37.1 | 2368, 2024 | 25.06.2024 | Revised to refer to the section 4.36, in case of multiple ADUs on a Parcel. |
| 4.37.2 | 2368, 2024 | 25.06.2024 | Revised to ensure fire separation in case of multiple Dwellings. |
| 4.37 | 2368, 2024 | 25.06.2024 | Adding figure for fire separation and Secondary Suites in case of multiple Dwellings. |
| 4.37.3 | 2368, 2024 | 25.06.2024 | Revised to have consistency with other sections and to make provision for flexibility in the City Centre. |
| 4.37.6 | 2368, 2024 | 25.06.2024 | Deleting parking regulation to increase flexibility and adding provision for Secondary Suites to be subordinate to the Principal Residence. |
| 4.38.1 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| 4.38.2 | 2368, 2024 | 25.06.2024 | Revised to refer to the section 4.36, in case of multiple ADUs on a Parcel. |
| 4.38.8 | 2368, 2024 | 25.06.2024 | Revised to accommodate provision for multiple Detached Secondary Dwellings on a Parcel. |
| 4.39.1 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| 4.40.2 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| 4.44.2 | 2368, 2024 | 25.06.2024 | Adding clarity for ADUs in Strata developments. |
| 4.46 | 2368, 2024 | 25.06.2024 | Adding a new section for 'Modular Buildings' for the provision that various types of buildings may be Modular built to increase flexibility. |
| 4.47 | 2368, 2024 | 25.06.2024 | Adding a new section of 'Crime Prevention Through Environmental Design' to provide guidelines for CPTED for developers for the objective of developing a Safe and |

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| | | | Healthy Community as outlined in the *Official Community Plan 2336, 2022*. |
| 5.3.1 | 2368, 2024 | 25.06.2024 | Revised to allow for tandem parking in Townhomes. |
| 5.3.2 | 2368, 2024 | 25.06.2024 | Revised to allow for tandem parking in small-scale multi-unit housing. |
| 5.4.1 | 2368, 2024 | 25.06.2024 | Revised to allow for communal parking in all Zones to provide flexibility. |
| 5.4.2 | 2368, 2024 | 25.06.2024 | Revised to allow for communal parking in all Zones to provide flexibility. |
| 5.6.2 | 2368, 2024 | 25.06.2024 | Revised to allow for more small size vehicle parking to reduce parking area requirement. |
| 5.7.4 | 2368, 2024 | 25.06.2024 | Revised to allow for instance where lane access may not be paved. |
| 5.7.6 | 2368, 2024 | 25.06.2024 | Revised to have more safety and security in all developments. |
| 5.7.7 | 2368, 2024 | 25.06.2024 | Revised to not mandate small-scale multi-unit housing. |
| 5.7.8 | 2368, 2024 | 25.06.2024 | Revised to not mandate small-scale multi-unit housing. |
| 5.7.9 | 2368, 2024 | 25.06.2024 | Revised to not mandate small-scale multi-unit housing. |
| 5.7.10.e | 2368, 2024 | 25.06.2024 | Revised to align with the minimum small vehicle parking stall dimension for consistency. |
| Table 5.8 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones and adding provision to get Bonus of at least 1 Parking Space for providing Public Benefit. |
| 5.8.2 | 2368, 2024 | 25.06.2024 | Adding a new clause 5.8.2 to ensure adequate parking allotment in a development after reductions. |
| 5.9 | 2368, 2024 | 25.06.2024 | Adding Section for ‘Street frontage parking reduction’ to encourage developments to maximise frontage and minimise driveway access to the Parcel. |
| 5.12.1 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones. |
| 5.17.1 | 2368, 2024 | 25.06.2024 | Revising for consistency. |
| 5.17.2 | 2368, 2024 | 25.06.2024 | Revised for consistency with BC Building Code. |
| Table 5.18 | 2368, 2024 | 25.06.2024 | Revised Section to allow for reduced Parking requirements for small-scale multi-unit housing. |
| 6.1.2 | 2368, 2024 | 25.06.2024 | Revised as R1 is now a multi-unit Zone. |
| 6.1.3 | 2368, 2024 | 25.06.2024 | Revised to reduce requirement for small-scale multi-unit housing and smaller developments. |
| 6.2.3.b | 2368, 2024 | 25.06.2024 | Revised to add clarity for screening height in the front. |
| 6.4.1 | 2368, 2024 | 25.06.2024 | Revised to reduce requirement for small-scale multi-unit housing. |

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| 7.1.1 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones combining those with 'R1 Low Density Residential Zone'. |
| 7.2.6.a | 2368, 2024 | 25.06.2024 | Revised to accommodate the provision that Modular built are not restricted to Single Detached Dwellings/ Home. |
| 7.2.6.b | 2368, 2024 | 25.06.2024 | Revised to accommodate the provision that Modular built are not restricted to Single Detached Dwellings/ Home. |
| 7.3 | 2368, 2024 | 25.06.2024 | Revising following the deletion of R1A, R2 and R6 Zones combining those with 'R1 Low Density Residential Zone'.<br>Adding Townhomes and Apartments as Principal Use to accommodate small-scale multi-unit housing legislative guidelines.<br>Adding Commercial Conversion as Principal Use from previous R2 Zone.<br>Revising Minimum Parcel Size requirements as prescribed in previous R2 Zone.<br>Adding Subdivision provision for Townhomes and Apartments as prescribed in R2 Zone for Townhomes.<br>Adding provision for individually owned Townhome Dwelling Units as prescribed in R2 Zone.<br>Revised Site Development regulations as prescribed in R2 Zone.<br>Maximum Density requirements follows the small-scale, multi-unit housing density recommendations.<br>Increased Maximum Height allowance allows for reduced building footprint to free up yard space, that could accommodate additional Detached Secondary Dwellings and to free up yard space to accommodate garage within the building instead of the yard, and Secondary Suite above ground instead of the basement.<br>Adding clause for clarity that Daycare Centre, Minor is not permitted in conjunction with Dwellings that share a wall with other Dwelling Units.<br>Adding clause for clarity that the setback is 5 metres for Principal Building to provide space for driveway access.<br>Adding clauses as prescribed in previous R2 Zone.<br>Adding clause for building separation in case of multiple Buildings and Dwellings.<br>Adding provision for Townhome Dwelling Units in conditions as prescribed in R2 Zone. |

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| | | | Adding Site Specific Special Regulations as prescribed in R2 Zone. |
| 7.4 | 2368, 2024 | 25.06.2024 | Deleting R1A Zone to combine with 'R1 Low Density Residential'. |
| 7.5 | 2368, 2024 | 25.06.2024 | Deleting R2 Zone to combine with 'R1 Low Density Residential'. |
| 7.6 | 2368, 2024 | 25.06.2024 | Adding provision for Multiple Unit Apartment, as per the small-scale, multi-unit housing legislation.<br><br>Adding provision for Multiple Unit Apartment in Subdivision Regulations, as per the small-scale, multi-unit housing legislation.<br><br>Maximum Density requirements follow the small-scale, multi-unit housing density recommendations.<br><br>Adding provision for Multiple Unit Apartment, as per the small-scale, multi-unit housing legislation.<br><br>Adding clause for clarity that the setback is 5 metres for Principal Building to provide space for driveway access.<br><br>Revised setback to building face to match the small-size vehicle parking space requirement.<br><br>Adding clause for building separation in case of multiple Buildings and Dwellings.<br><br>Adding development condition for corner parcel, consistent with other sections. |
| 7.7 | 2368, 2024 | 25.06.2024 | Adding Semi-Detached, Townhomes and Apartments as Principal Use to accommodate small-scale multi-unit housing legislative guidelines.<br><br>Deleted to accommodate the provision that Modular Buildings are permitted in all Zones.<br><br>Adding secondary uses to accommodate small-scale multi-unit housing legislative guidelines.<br><br>Adding Subdivision regulations for Modular Home Park as a Principal Use.<br><br>Adding Subdivision regulations for Semi-Detached, Townhomes and Apartments to accommodate small-scale multi-unit housing legislative guidelines.<br><br>Adding provision for individually owned Sem-Detached Dwelling Units for the purpose of subdivision.<br><br>Adding provision for individually owned Townhome Dwelling Units for the purpose of subdivision. |

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| | | | Maximum Density requirements follows the small-scale, multi-unit housing density recommendations.<br><br>Adding development regulations for Dwelling, Semi-Detached, Multiple Unit Townhomes, and Apartments.<br><br>Adding clause for clarity that the setback is 5 metres for Principal Building to provide space for driveway access.<br><br>Adding site development clauses for Multiple Unit Apartments, consistent with the other Sections.<br><br>Revising clause for building separation in case of multiple Buildings and Dwellings, consistent with the other sections.<br><br>Adding development condition for Semi-Detached and Townhome Dwellings on Parcel Line and Corner Parcel, consistent with other sections. |
| 7.9 | 2368, 2024 | 25.06.2024 | Deleting R6 Zone to combine with 'R1 Low Density Residential'. |
| 7.10.6 | 2368, 2024 | 25.06.2024 | Increase in Maximum permitted Density in R7 Zone to reflect comparable increase in density in Low Density Zones.<br><br>Adding clause for clarity that the setback is 5 metres for Principal Building to provide space for driveway access.<br><br>Revised setback to building face to match the small-size vehicle parking space requirement.<br><br>Revising clause for building separation in case of multiple Buildings and Dwellings, consistent with the other sections. |
| 7.11.6 | 2368, 2024 | 25.06.2024 | Increase in Maximum permitted Density in R7 Zone to reflect comparable increase in density in Low Density Zones.<br><br>Adding clause for Minimum Height for Multiple Unit Dwellings in R8 Zone corresponds to the intent of the Zone to provide higher density.<br><br>Adding clause for clarity that the setback is 5 metres for Principal Building to provide space for driveway access.<br><br>Revised setback to building face to match the small-size vehicle parking space requirement.<br><br>Revising clause for building separation in case of multiple Buildings and Dwellings, consistent with the other sections. |
| 7.15.8 | 2368, 2024 | 25.06.2024 | Adding clause for the six properties to have a minimum height requirement of 2 storeys to prioritise higher density in the Grandview Urban Village. |

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| 7.18.7.b | 2368, 2024 | 25.06.2024 | Adding clause that properties in C6 Zone would have a minimum height requirement of 3 storeys to prioritise higher density in the City Centre. |

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| 2.2.1 | 2329, 2022 | 19.04.2022 | Capitalizing ‘Subordinate’ in the definition of ‘Accessory’. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Capitalizing Subordinate in the definition of ‘Accessory Building’. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Revising the definition for ‘Brewing and Distilling’ to be ‘Brewing and Distilling, Craft’. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Revising the definition for ‘Commercial Conversion’ to reference the correct section. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Revising the definition for ‘Community Care Facility, Minor’ to improve clarification around where a ‘Community Care Facility, Minor’ Use is to be permitted. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Adding a new definition for ‘Designated Transit Stop’. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Updating the definition of ‘Development Approving Officer’ for consistency. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Capitalizing ‘Subordinate’ in the definition of ‘Dwelling, Detached Secondary’. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Revising the definition of ‘Multiple Unit Townhome Dwelling’ for consistency. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Adding a new definition for ‘Storage Yard’. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Adding a new definition for ‘Strata Lot’. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Adding a new definition for ‘Subordinate’. |
| 2.2.1 | 2329, 2022 | 19.04.2022 | Revising the definition of ‘Use, Discretionary’ for consistency. |
| 3.2.7 | 2329, 2022 | 19.04.2022 | Adding a provision to ensure consistency with Earthworks Bylaw 2313, 2021. |
| 4.2.4 | 2329, 2022 | 19.04.2022 | Adding a provision in accordance with Agricultural Land Commission comments. |
| 4.3.1(b) | 2329, 2022 | 19.04.2022 | Adding the term travel trailer to improve clarity. |
| 4.3.1(f) | 2329, 2022 | 19.04.2022 | Adding a provision to prohibit water intensive uses. |

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|---|---|---|---|
| 4.5.1(k) | 2329, 2022 | 19.04.2022 | Adding a provision in accordance with Agricultural Land Commission comments. |
| 4.8.1 | 2329, 2022 | 19.04.2022 | Revised to reduce the maximum width of driveways (at the Parcel Line) for Semi-detached Dwellings and Multiple Unit Townhome Dwellings which will allow for multiple accesses on the same parcel while reducing the width to help maintain street parking. |
| 4.8.2 | 2329, 2022 | 19.04.2022 | Revised to add Semi-Detached Dwellings to this provision which will allow both Dwelling Units to have parcel access. |
| 4.8.3 | 2329, 2022 | 19.04.2022 | Revised to ensure that Parcel Access for all lots, including commercial and industrial lots, will be subject to approval. |
| Table 4.11 | 2329, 2022 | 19.04.2022 | Additions to the table include structures or features similar to the types of structures or features already identified, which helps to improve clarity around what can project into the setbacks. |
| 4.11.1 | 2329, 2022 | 19.04.2022 | Revised in accordance with Agricultural Land Commission comments. |
| 4.11.3 | 2329, 2022 | 19.04.2022 | Revised to ensure consistency with the definitions, and is in accordance with comments received from the Agricultural Land Commission. |
| 4.12.3 | 2329, 2022 | 19.04.2022 | Adding a provision to reduce the presence of blank walls, while encouraging vibrancy and adding visual interest. |
| 4.13.1 | 2329, 2022 | 19.04.2022 | Revised to ensure the height exception is limited to 3m over a new or existing building height. |
| 4.13.2 | 2329, 2022 | 19.04.2022 | Adding a provision in accordance with Agricultural Land Commission comments. |
| 4.14.1(c) | 2329, 2022 | 19.04.2022 | Revised to remedy a current loophole where fences along the Front Parcel Line where a front building setback is 0m can be taller than 1.25m. |
| 4.14.2(c) | 2329, 2022 | 19.04.2022 | Revised to remedy a current loophole where fences along the Front Parcel Line where a front building setback is 0m can be taller than 1.25m. |
| 4.19.1 | 2329, 2022 | 19.04.2022 | Revised in accordance with Agricultural Land Commission comments. |
| 4.19.8 | 2329, 2022 | 19.04.2022 | Adding a provision in accordance with Agricultural Land Commission comments. |
| 4.26.5 | 2329, 2022 | 19.04.2022 | Adding a provision to enable a “Single Family Home Swap”. |
| 4.29.1 | 2329, 2022 | 19.04.2022 | Revised to remove conflicting information between the Zoning Bylaw and the Sanitary Sewer Bylaw. |
| 4.35.6 | 2329, 2022 | 19.04.2022 | Adding a provision to ensure vehicle parking for both the principal Dwelling and the Secondary Suite will be unobstructed and have access to the street. |

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| 4.37.1 | 2329, 2022 | 19.04.2022 | Revised to permit backyard hens in additional zones (P2 and P3). |
| 4.41.3 | 2293, 2020 | 24.11.2020 | Delete section which limited to four retail cannabis stores |
| 4.41.3 | 2329, 2022 | 19.04.2022 | Adding a provision in accordance with Agricultural Land Commission comments. |
| 4.42 | 2329, 2022 | 19.04.2022 | Adding a new section to add clarity around where strata development is permitted. |
| 4.43 | 2329, 2022 | 19.04.2022 | Adding a new section to provide added guidance to when temporary use permits can be issued and for how long. This will also give approving authority to the Development Approving Officer. |
| 5.1.4 | 2329, 2022 | 19.04.2022 | Adding the term utility trailer to improve clarity. |
| 5.4.1 | 2329, 2022 | 19.04.2022 | Revised to include purpose-built rental developments in this parking provision, where parking can be provided through communal parking areas. |
| 5.4.2 | 2329, 2022 | 19.04.2022 | Revised to include purpose-built rental developments in this parking provision, where parking can be provided through communal parking areas. |
| Table 5.6 | 2329, 2022 | 19.04.2022 | Revised to reduce drive aisle width and parking stall width. |
| 5.9 | 2329, 2022 | 19.04.2022 | Adding a new section to reduce parking requirements for Parcels located near Designated Transit Stops. |
| 5.10.1 | 2329, 2022 | 19.04.2022 | Revised to include commercial units in the parking reduction. |
| Table 5.17 | 2329, 2022 | 19.04.2022 | Revised the Commercial section of this table to improve clarity for developers and City staff. |
| 6.2.2 | 2329, 2022 | 19.04.2022 | Revised to remove an incorrect reference to a Zoning Bylaw section. |
| 6.2.3(g) | 2329, 2022 | 19.04.2022 | Adding a provision which outlines requirements for when trees are used as a method of screening. |
| 6.4.1(e) | 2329, 2022 | 19.04.2022 | Revised to include a minimum width requirement for landscaped islands. |
| 6.7.3 | 2329, 2022 | 19.04.2022 | Revised to include a non-refundable fee in the amount of 2% of the landscape cost estimate will help to cover the costs associated with conducting the necessary landscape inspections. |
| 7.2.2(h) | 2329, 2022 | 19.04.2022 | Adding a provision in accordance with Agricultural Land Commission comments. |
| 7.2.3(i) | 2329, 2022 | 19.04.2022 | Adding a provision in accordance with Agricultural Land Commission comments. |
| Table 7.2.4 | 2329, 2022 | 19.04.2022 | Revised in accordance with Agricultural Land Commission comments. |

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| 7.2.5(c) | 2329, 2022 | 19.04.2022 | Adding a provision in accordance with Agricultural Land Commission comments. |
| 7.2.6(b) | 2329, 2022 | 19.04.2022 | Adding a provision in accordance with Agricultural Land Commission comments. |
| 7.2.8(d) | 2329, 2022 | 19.04.2022 | Adding a provision in accordance with Agricultural Land Commission comments. |
| Table 7.3.6 | 2329, 2022 | 19.04.2022 | Revised to change the Exterior Side Setback for an Accessory Building from 2.8m to 1.2m which is consistent with other zones. |
| Table 7.4.6 | 2329, 2022 | 19.04.2022 | Revised to change the Exterior Side Setback for an Accessory Building from 2.8m to 1.2m which is consistent with other zones. |
| Table 7.5.6 | 2329, 2022 | 19.04.2022 | Revised to change the Exterior Side Setback for an Accessory Building from 2.8m to 1.2m which is consistent with other zones and revised to remedy an error. |
| 7.5.6(h) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |
| 7.5.6(i) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |
| 7.5.6(j) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |
| 7.5.6(k) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |
| Table 7.6.6 | 2329, 2022 | 19.04.2022 | Revised to change the Exterior Side Setback for an Accessory Building from 2.8m to 1.2m which is consistent with other zones. |
| 7.6.6(h) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |
| 7.6.6(i) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |
| 7.6.6(j) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |
| 7.6.6(k) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |
| 7.9.1 | 2329, 2022 | 19.04.2022 | Revised to ensure that bare land stratas will not be excluded from this zone. |
| Table 7.9.4 | 2329, 2022 | 19.04.2022 | Revised to include provisions for bare land strata lots. |
| 7.9.5(c) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |
| 7.9.5(d) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |

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| 7.9.5(e) | 2329, 2022 | 19.04.2022 | Revised to improve clarity and is consistent with other similar sections. |
| 7.14.2(b) | 2329, 2022 | 19.04.2022 | Revised to 'Brewing and Distilling, Craft'. |
| 7.14.4(e) | 2329, 2022 | 19.04.2022 | Revised to be more consistent with the intent of the provision, allowing Dwelling Units as a Secondary Use within the Principal Building. |
| 7.14.4(f) | 2329, 2022 | 19.04.2022 | Revised to be more consistent with the intent of the provision, allowing Dwelling Units as a Secondary Use within the Principal Building. |
| 7.15.2(d) | 2329, 2022 | 19.04.2022 | Revised to 'Brewing and Distilling, Craft'. |
| 7.15.4(e) | 2329, 2022 | 19.04.2022 | Revised to be more consistent with the intent of the provision, allowing Dwelling Units as a Secondary Use within the Principal Building. |
| 7.15.4(f) | 2329, 2022 | 19.04.2022 | Revised to be more consistent with the intent of the provision, allowing Dwelling Units as a Secondary Use within the Principal Building. |
| 7.15.6(e) | 2329, 2022 | 19.04.2022 | Adding a provision in alignment with Transport Canada regulations, and the classification of the Airport. |
| 7.15.8 | 2329, 2022 | 19.04.2022 | Adding a new section to restrict residential uses on specific commercial lots zoned C3 that are in the Airport neighbourhood. |
| 7.16.2(d) | 2329, 2022 | 19.04.2022 | Revised to 'Brewing and Distilling, Craft'. |
| 7.16.4(e) | 2329, 2022 | 19.04.2022 | Revised to be more consistent with the intent of the provision, allowing Dwelling Units as a Secondary Use within the Principal Building. |
| 7.16.4(f) | 2329, 2022 | 19.04.2022 | Revised to be more consistent with the intent of the provision, allowing Dwelling Units as a Secondary Use within the Principal Building. |
| 7.16.6(e) | 2329, 2022 | 19.04.2022 | Adding a provision in alignment with Transport Canada regulations, and the classification of the Airport. |
| 7.17.3(a) | 2329, 2022 | 19.04.2022 | Revised to 'Brewing and Distilling, Craft'. |
| 7.17.4(e) | 2329, 2022 | 19.04.2022 | Revised to be more consistent with the intent of the provision, allowing Dwelling Units as a Secondary Use within the Principal Building. |
| 7.17.4(f) | 2329, 2022 | 19.04.2022 | Revised to be more consistent with the intent of the provision, allowing Dwelling Units as a Secondary Use within the Principal Building. |
| 7.18.2(c) | 2329, 2022 | 19.04.2022 | Revised to 'Brewing and Distilling, Craft'. |
| 7.18.4(c) | 2329, 2022 | 19.04.2022 | Revised to be more consistent with the intent of the provision, allowing Dwelling Units as a Secondary Use within the Principal Building. |

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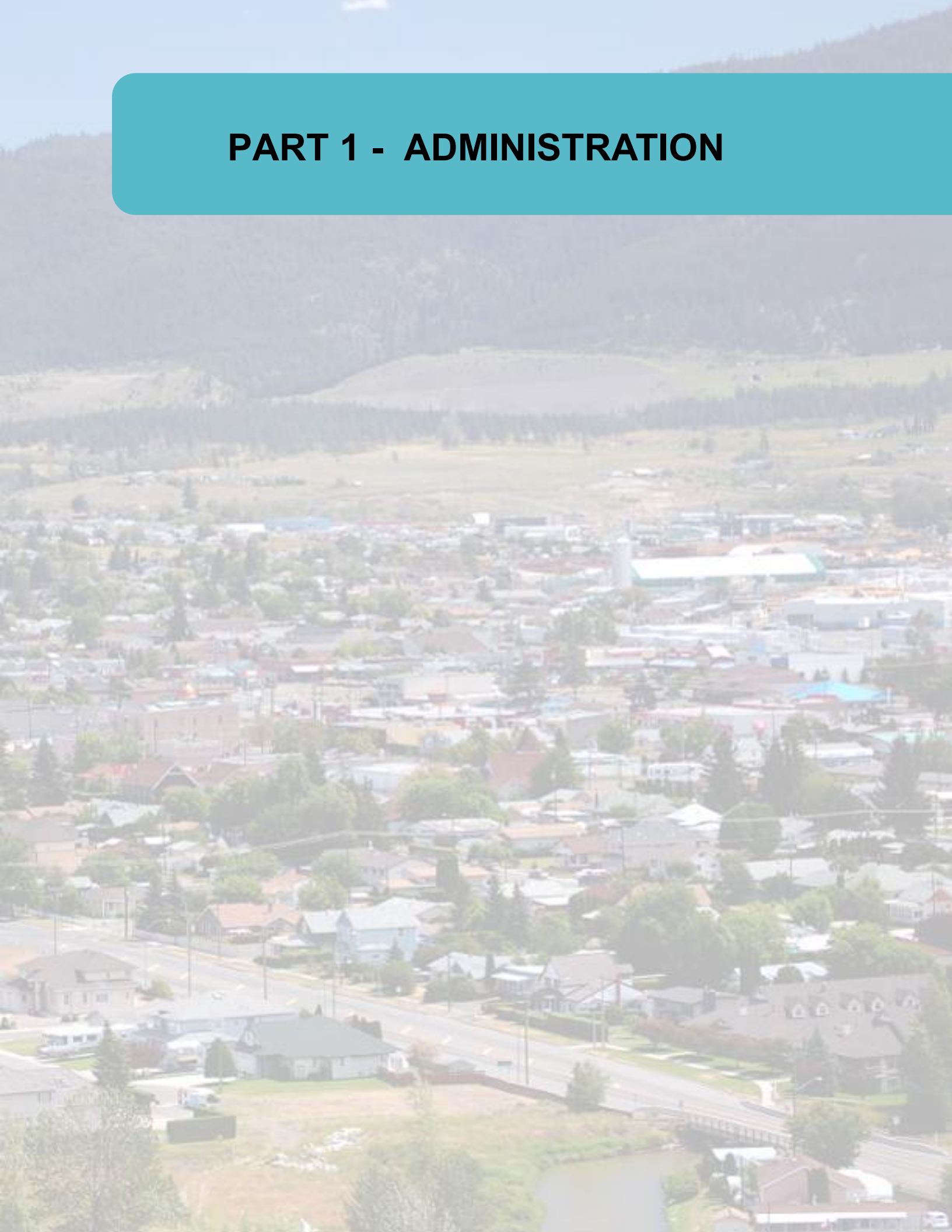
| 7.18.4(d) | 2329, 2022 | 19.04.2022 | Revised to be more consistent with the intent of the provision, allowing Dwelling Units as a Secondary Use within the Principal Building. |
| 7.19.2(y) | 2329, 2022 | 19.04.2022 | Revised as Vehicle Services was listed twice in this zone, and the new Use (Vehicle Storage & Towing) was originally intended to be included in the list of Principal Uses. |
| 7.19.6(d) | 2329, 2022 | 19.04.2022 | Adding a provision in alignment with Transport Canada regulations, and the classification of the Airport. |
| 7.20.3 | 2329, 2022 | 19.04.2022 | Adding a new section to include an option for Dwelling Units located within airport hangars, also known as “hangarminiums”. |
| 7.20.6(c) | 2329, 2022 | 19.04.2022 | Revised in alignment with Transport Canada regulations, and the classification of the Airport. |
| 7.21.2(c) | 2329, 2022 | 19.04.2022 | Revised to ‘Brewing and Distilling, Craft’. |
| 7.21.4(b) | 2329, 2022 | 19.04.2022 | Adding ‘Storage Yard’ as a Discretionary Use. |
| 7.21.4(c) | 2329, 2022 | 19.04.2022 | Adding a provision to include an option for Dwelling Units located within industrial buildings. |
| 7.21.6(d) | 2329, 2022 | 19.04.2022 | Adding a provision in alignment with Transport Canada regulations, and the classification of the Airport. |
| 7.22.2(j) | 2329, 2022 | 19.04.2022 | Adding ‘Storage Yard’ as a Principal Use. |
| 7.24.7 | 2329, 2022 | 19.04.2022 | Revised in accordance with Agricultural Land Commission comments. |

# PART 1 - ADMINISTRATION



# PART ONE - ADMINISTRATION

## 1.1 Title

**1.1.1** This Bylaw may be cited for all purposes as the "*Zoning Bylaw No. 2284, 2020*".

## 1.2 Application

**1.2.1** The provisions of this Bylaw shall apply to the land within the boundaries of the City of Merritt and to the uses, buildings, and structures thereon.

## 1.3 Amendment

**1.3.1** Where required, pursuant to the *Local Government Act*, the City shall mail or otherwise deliver the notice of Hearing on a rezoning or land use contract amendment to the owners and occupiers of all real property in accordance with the City's Land Use Procedures Bylaw.

## 1.4 Severability

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

## 1.5 Effective Date

**1.5.1** This Bylaw shall come into force and take effect upon adoption.

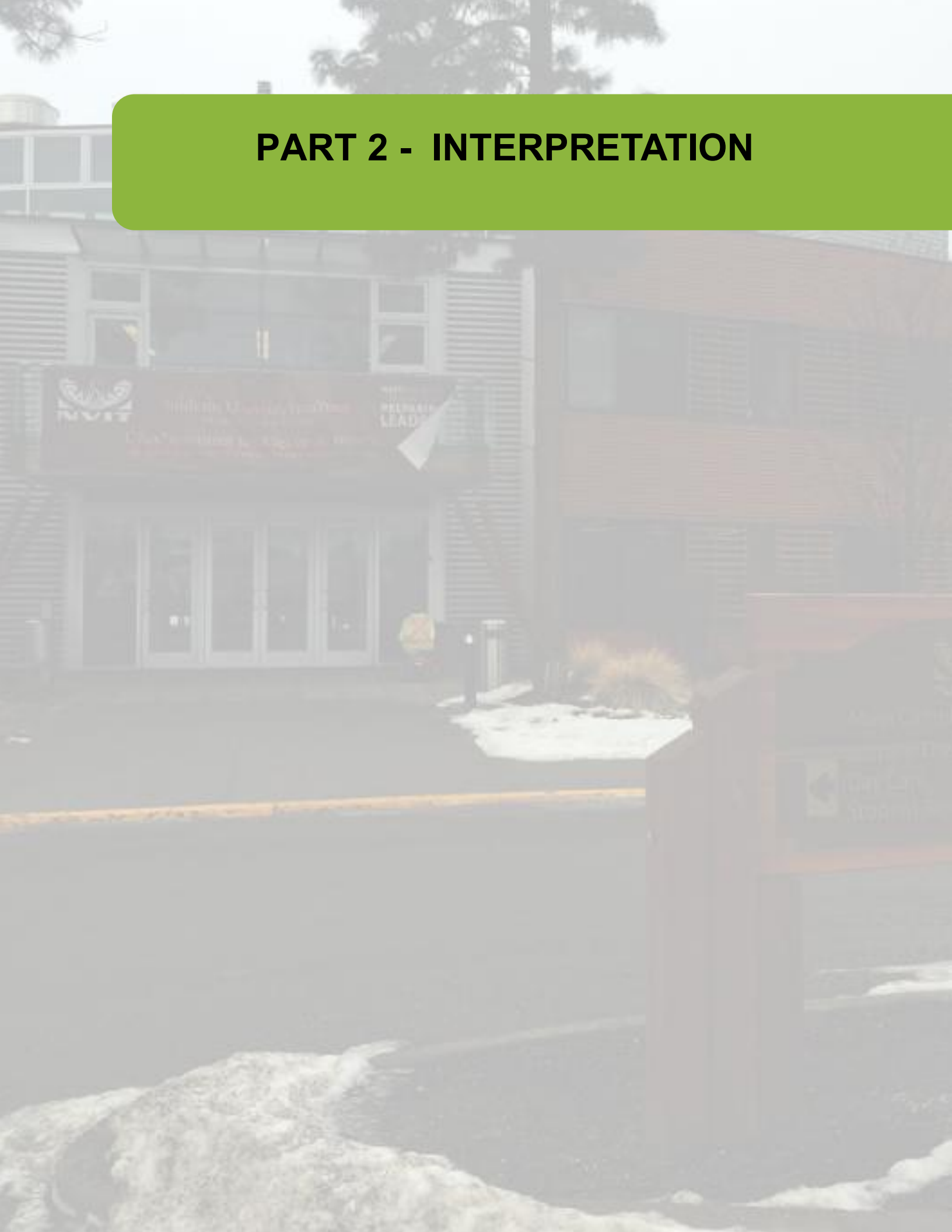
## 1.6 Repeal

**1.6.1** *City of Merritt Zoning Bylaw 2187, 2015* and all amendments thereto, are hereby repealed.

## 1.7 Schedules

**1.7.1** Schedule "A" - Zoning Map and Schedule "B" - Floodplain Map are attached to, and form part of this Bylaw.

# PART 2 - INTERPRETATION



# PART TWO - INTERPRETATION

## 2.1 Rules of Interpretation

**2.1.1** Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the words “person” includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual.

**2.1.2** In this Bylaw, Defined terms are denoted with capitalization.

**2.1.3** The words “shall”, “must” and “is” require mandatory compliance except where a variance has been granted pursuant to the *Local Government Act*.

**2.1.4** The phrase “used for” includes “arranged for”, “designed for”, “maintained for”, or “occupied for.”

**2.1.5** Words, phrases, and terms neither defined in this section nor in the *Local Government Act*, *Community Charter* or the *Interpretation Act* shall be given their usual and customary meaning for the purpose of interpreting this Bylaw.

**2.1.6** Where a regulation involves two or more conditions, provisions, or events, connection by the conjunction "and" means all the connected items are required; "or" means that any one will suffice, but does not prohibit fulfillment of multiple conditions, provisions or events.

**2.1.7** The zone boundaries on the Zoning Map shall be interpreted as follows:

a. where a zone boundary follows a street, lane, railway, pipeline, power line, utility right-of-way or easement, it follows the centreline, unless otherwise clearly indicated on the Zoning Map; and

b. where a zone boundary is shown as approximately following the municipal boundary, it follows the municipal boundary; and

c. in circumstances not covered above, the zone boundary shall be determined by the scale of the Zoning Map.

## 2.2 General Definitions

**2.2.1** In this Bylaw, unless the context otherwise requires:

**ABUT or ABUTTING** means contiguous to, or physically touching, and when used with respect to two Parcels, means that the Parcels share a common Parcel Line.

**ACCESS** means the location of vehicular Access to a Parcel, including a driveway or entrance to a Garage, which may Abut a Parcel Line at the front, exterior side on a Flanking Street or rear from a Lane.

*See Section 4.8 for regulations.*

**ACCESSORY** means anything of a customarily incidental and Subordinate nature to the Principal Use of land or buildings located on the same Parcel. *

**ACCESSORY BUILDING** means a Subordinate non-residential Structure, the Use of which is customarily incidental to the Use of the Principal Building(s) situated on the same Parcel or to the Principal Use being made of the Parcel upon which it is situated. Accessory Building does not include any Garage, Greenhouse or similar Structure attached to or forming part of the Principal Buildings. *

*See Section 4.16 for regulations.*

**ACCESSORY DWELLING UNIT** *See DWELLING UNIT, ACCESSORY*.

**ACCESSORY USE** *See USE, SECONDARY*.

**ADMINISTRATIVE OFFICE** means Premises for the conducting of administrative tasks related to the conducting of the business or the Principal Use of the Parcel.

**ADULT ENTERTAINMENT CLUB** means an Establishment which provides live entertainment and music, including but not limited to burlesque clubs, cabarets, gentlemen's clubs, nightclubs and strip clubs, and may offer food and liquor for sale.

**AFFORDABLE HOUSING** *See HOUSING, AFFORDABLE*.

**AGRICULTURAL USE** means the indoor or outdoor growing, rearing, producing, harvesting, or sale of agricultural crops, fur bearing animals, poultry or other livestock, and includes processing of primary agricultural products harvested, reared or produced by the farming operation, and the storage of farm machinery implements and agricultural supplies, and repairs to farm machinery and implements used by the farming operation.

**AGRICULTURE, GREENHOUSE** means the indoor growing, producing, harvesting, or wholesale of agricultural crops, and includes processing and packaging of products harvested or produced by the farming operation, and the storage of farm machinery implements and agricultural supplies, and repairs to farm machinery and implements used by the farming operation, but excludes fur bearing animals, poultry or other livestock, and fungi.

**AGRICULTURE, URBAN** means the cultivation of a portion of a Parcel for the personal or commercial production of food for human consumption only, including but not limited to eggs, fruits, honey, herbs, nuts, and vegetables. Activities that cause a Nuisance are prohibited. This Use includes Backyard Hens and Beekeeping, but excludes fur bearing animals or other livestock and fungi.

*See Section 4.39 and 4.40 for regulations*.

**AIRCRAFT SALES & SERVICING** means an Establishment where new or used aircraft or helicopters are sold, leased or rented and may include the associated storage and servicing of aircraft and helicopters as well as the sale of aircraft and helicopter parts and accessories.

**AIRPORT** means an aerodrome which is certified by the federal government, and may include supporting facilities, including but not limited to airport related installations and equipment, Bulk Petroleum & Electricity Sales, facilities for the service, repair and storage of aircraft, parking and terminal buildings.

**ALR** means the Provincial Agricultural Land Reserve.

**ANIMAL BOARDING** means Premises for the overnight boarding or impoundment of dogs, cats or other animals, but does not include Veterinary Services.

**ANIMAL SERVICES** means an establishment which caters to animals, including but not limited to animal beauty parlours or groomers, pet supply store, pet walking or day care, but excludes Veterinary Services and Animal Boarding.

**APARTMENT** *see DWELLING, MULTIPLE UNIT APARTMENT*.

**ARTISAN STUDIO** means an artist's workshop where works of art, for distribution or sale, are crafted, including but not limited to basket weaving, fashion design, glass blowing, jewelry making, painting, photography, pottery and woodworking, and which may include a Dwelling Unit, gallery and retail store.

**ASSEMBLY PLACE** means a private or public structure providing for the assembly of persons for charitable, cultural, educational, philanthropic, recreational or religious purposes, including but not limited to community halls, non-profit social clubs, and community centres operated by a residents association.

**AUCTION HOUSE** means an establishment that facilitates the buying and selling of assets and may include an auction room and temporary storage of items to be auctioned.

**AVIATION SERVICES** means the provision of aviation related services, including but not limited to aircraft manufacturing, aircraft repair and servicing, aircraft storage, aircraft and helicopter tour operators, Bulk Petroleum & Electricity Sales, flight school, and forest fire operations.

**BACHELOR UNIT** means a Dwelling Unit in which the sleeping facilities are not located in a separate bedroom.

**BACKYARD HENS** means hens that may be kept in the rear yard of a residential Parcel, but excludes roosters.

*See Section 4.39 for regulations.*

**BAR** See *LIQUOR PRIMARY ESTABLISHMENT*.

**BED and BREAKFAST** means the use of bedrooms in a Single Detached Dwelling by its owner or occupier for the temporary lodging of the traveling public.

*See Section 4.33 for regulations.*

**BEEKEEPING** means the keeping and maintaining of beehives for honey bees (*Apis Mellifera*) in the rear yard of a residential Parcel.

*See Section 4.40 for regulations.*

**BREWING AND DISTILLING, CRAFT** means an Establishment for the brewing or distilling of alcoholic beverages or beverage products with alcoholic content exceeding one percent by volume, which may involve the malting, milling, mashing, lautering, boiling, fermenting, filtering, and distilling of fruit, grain, hops, maize, malt, rice, spices, vegetables or other ingredients, and which may include the sale of liquor and the serving of food, live entertainment, and games such as bean bag toss, billiard tables or foosball. The total area for manufacturing must be limited to a maximum of 300m$^2$ and the total gross floor area must be limited to a maximum of 750m$^2$. *****

**BUILDING SUPPLY CENTRE** means an Establishment that sells building supplies, including but not limited to lumber, drywall, tools, and other associated construction and home renovation products.

**BULK PETROLEUM & ELECTRICITY SALES** means the sale of petroleum products or electricity for use in aircraft, helicopters and transport vehicles at a facility, including but not limited to a commercial card lock facility, airport fueling station or fuel dispensing or charging station, but does not include Filling Stations.

**BUS DEPOT** means Premises, including but not limited to a bus terminal or bus storage yard, for the purposes of private transportation services, public transit, or school district bus service, which may include Accessory Buildings for servicing vehicles.

**BUSINESS SUPPORT SERVICES** means Premises for the provision of services to businesses, including but not limited to the use of minor mechanical equipment for printing, duplicating, binding or photographic processing, the provision of secretarial services, graphic design, office maintenance, custodial services, office security, the sale, rental, repair, or servicing of office equipment, furniture and machines, and laboratory testing.

**CAMPGROUND** means an area of land in which spaces are provided, occupied and managed for the Temporary Accommodation of the travelling or vacationing public for a length of stay of less than 30 consecutive days, in travel trailers, recreational vehicles or tents but not mobile or modular homes. Campgrounds may include Accessory Buildings, including but not limited to washrooms and laundry facilities.

**CEMETERY** means a tract of land that is used for the burial of human or animal remains, and may include a columbarium, but does not include a Crematorium.

**COMMERCIAL CONVERSION** means a residential building in the area described in Section 4.31.2 altered to accommodate Personal and Professional Services other than a laundromat, employing fewer than five full-time or part-time employees. *

*See Section 4.31 for regulations*.

**COMMERCIAL RECREATION SERVICES** means an Establishment for the provision of activities which are primarily recreational and may be seasonal in nature, but do not occur on-site, including but not limited to ATV excursions, concert and festival organizing, entertainment planning, hang gliding and skydiving operations, heli-skiing operations, horseback trail tours, hot air balloon excursions, mountain biking tours, snowmobile excursions, white water rafting trips, or winery tours, and may include the on-site storage of vehicles, human-powered transportation, or apparatus that are used for the business activities.

**COMMUNITY CARE FACILITY, MAJOR** means:

a. the residential care of seven or more persons, in Premises licensed under the *Community Care and Assisted Living Act*, including supervision provided to minors through a prescribed residential program, or adults who require care because of family circumstances, age, disability, illness or frailty, in the form of three or more prescribed services as defined in the Community Care and Assisted Living Regulation; or

b. a daycare licensed under the Community Care and Assisted Living Act, for 13 or more children such as nursery school, emergency care, out of school care, family daycare, special needs daycare, group daycare, occasional, casual, or short-term supervised child care. This use includes supervised overnight accommodation for children.

c. Community Care Facility, Major may include accessory care services which are incidental and subordinate to residential care uses, including but not limited to Personal and Professional Services and recreational facilities.

**COMMUNITY CARE FACILITY, MINOR** means the use of a Single Detached Dwelling for the care of up to six persons who are not related by blood or marriage, in a facility licensed under the *Community Care and Assisted Living Act*, including supervision provided to minors through a residential program, or adults who require care because of family circumstances, age, disability, illness or frailty, in the form of three or more prescribed services as defined in the Community Care and Assisted Living Regulation. This Use is not permitted within Semi-

Detached Dwellings or Multiple Unit Townhome Dwellings, and if proposed in a Strata, the Use must be approved by Strata Council. *

**COMMUNITY CARE FACILITY, SPECIALIZED** means Premises where specialized care is provided to persons with addiction, physical, mental or other developmental disability, or chronic or progressive condition that is not primarily due to the aging process. Typical uses include mental hospitals, sanatoria, detoxification centres, drug addiction counselling and treatment centres, needle exchanges, and safe injection sites.

**COMPREHENSIVE DEVELOPMENT** means a site specific zone designed and developed according to a plan adopted under this Bylaw. All definitions and regulations of the Zoning Bylaw apply unless specifically stated in the Comprehensive Development zone.

**CONVENIENCE RETAIL STORE** *See RETAIL STORE, CONVENIENCE.*

**COOKING FACILITY** means the availability of appliances to cook a meal within a Dwelling Unit or suite, including gas, propane, or electric ranges or stoves, microwave ovens, counter-top cooking units, hot plates, wall ovens, toaster ovens, electric frying pans, pressure cookers, crock pots or any other such Cooking Facility or any combination of such Cooking Facilities, and includes the arrangement of service lines which provide the energy source being used or intended to be used to service such facilities.

**CREMATORIUM** means Premises with an indoor furnace intended to undertake the cremation of human or animal remains.

**CSA** means the Canadian Standards Association, and refers to a standard issued by that organization.

**DAYCARE CENTRE, MAJOR** means an establishment licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services, and supervision for more than eight children.

**DAYCARE CENTRE, MINOR** means an establishment licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services, and supervision to no more than eight children.

**DECK** means an outdoor seating area supported from the ground and being more than 0.6 metres above Grade with no walls except for privacy partitions between decks of Abutting Dwelling Units.

**DELIVERY FACILITY** means Premises used for the sorting and shipping of packages and related mail or courier service activities.

**DENSITY** means a measure of the intensity of development on a Parcel, including the number of Dwelling Units on a site measured in units/area or Floor Area Ratio, as the case may be, but does not include Accessory Dwelling Units such as Detached Secondary Dwellings or Secondary Suites. When calculation of density involves a number of units per Parcel and yields

a fractional number, the number of Dwelling Units permitted shall be rounded down to the lowest whole number. *

**DESIGNATED TRANSIT STOP** means any City-recognized stop for transit service designated for the embarkation or disembarkation of passengers. *****

**DEVELOPMENT APPROVING OFFICER** means the person authorized to exercise land use authority in accordance with the Officer Designation and Delegation of Authority Bylaw. *****

**DISCRETIONARY USE** *see USE, DISCRETIONARY*.

**DRIVE-THROUGH BUSINESS** means an Establishment serving clients in motor vehicles, including but not limited to a fast food restaurant or automatic banking machine, where normally the customer remains in the vehicle to purchase products or complete transactions, but shall not include car washes, Filling Stations or Vehicle Services.

*See Section 4.41 for regulations.*

**DWELLING** or **DWELLING UNIT** means one or more rooms which constitute a self-contained unit with a separate interior or exterior entrance, used or intended to be used as a domicile by one or more persons and usually containing a Cooking Facility, living, sleeping and sanitary facilities, but does not include Accessory Dwelling Units such as Detached Secondary Dwellings and Secondary Suites for the purpose of Density calculation.

**DWELLING UNIT, ACCESSORY** means a residential unit, such as a Detached Secondary Dwelling or Secondary Suite, which is secondary to the principal Dwelling(s). Accessory Dwelling Units are not included in Density calculations. *

*See Section 4.36 for regulations.*

**DWELLING, DETACHED SECONDARY** means an Accessory Dwelling Unit that is separate from the Principal Building(s) on a Parcel and is Subordinate to the principal Dwelling Unit in terms of gross Floor Area. The principal Dwelling Unit and Detached Secondary Dwelling together form a Single Real Estate Entity. In the case of a Strata development, any Detached Secondary Dwelling must be associated with a principal dwelling on the same Strata Lot. *****

*See Section 4.38 for regulations.*

**DWELLING, MULTIPLE UNIT** means any building consisting of three or more Dwelling Units, including but not limited to an apartment building or townhomes.

**DWELLING, MULTIPLE UNIT APARTMENT** means any building consisting of three or more Dwelling Units under one roof and each Dwelling Unit having a separate entrance off an interior corridor. A Multiple Unit Apartment may be a Modular Building. *

**DWELLING, MULTIPLE UNIT TOWNHOME** means a building containing three to eight Dwelling Units, including but not limited to a row house, back-to-back townhome or stacked

townhome, under one roof and each Dwelling Unit having a separate exterior entrance. A Multiple Unit Townhome may be a Modular Building. *

**DWELLING, SINGLE DETACHED** means a building consisting of a single Dwelling Unit. A Single Detached Dwelling may be a Modular Building. *

**DWELLING, SEMI-DETACHED** means any building consisting of two Dwelling Units. A Semi-Detached Dwelling may be a Modular Building. *

**EDUCATIONAL INSTITUTION** means a place of learning which offers post-secondary education courses, including but not limited to business schools, colleges, technical, trade and vocational schools, universities or special education programmes, that may or may not be publicly supported or subsidized.

**ENTERTAINMENT FACILITY** means an Establishment where fees are charged for the provision of entertainment to the public, including but not limited to an amusement and virtual reality arcade, billiard and pool hall, bowling alley, dance hall, escape room, or theatre, but shall not include Adult Entertainment Club, drive-in theatre, Gaming Facility and Liquor Primary Establishment.

**ESTABLISHMENT** means Premises for the purpose of conducting business activities.

**EXTERIOR SIDE PARCEL LINE** *See PARCEL LINE, EXTERIOR SIDE*.

**FILLING STATION** means an Establishment which sells diesel, electricity, gasoline, natural gas, propane or other fuels for vehicles, and may include a Convenience Retail Store, Food Primary Establishment or Vehicle Services.

*See Section 4.42 for regulations.*

**FILM STUDIO** means Premises used to make film productions, including but not limited to films, music videos or television shows, and may include Administrative Offices, talent trailers, the storage of film equipment and related supplies and catering services.

**FINANCIAL SERVICES** *See PERSONAL AND PROFESSIONAL SEVICES*.

**FLANKING STREET** means a Highway or Lane which is common to an Exterior Side Parcel Line.

**FLOOR AREA** means the area of any storey of a building within the outside surface of exterior walls and required firewalls, including the space occupied by interior walls and partitions, exits and vertical service spaces that pierce the storey, and floors that have roofs over them, with or without walls.

**FLOOR AREA RATIO** means the gross Floor Area of all buildings on a Parcel, divided by the Parcel Area, except that such Floor Area does not include any area used for parking within the Principal Building and does not include any area used for incidental service storage, installations of mechanical equipment, ventilation and heating systems, and similar uses.

**FOOD PRIMARY ESTABLISHMENT** means an Establishment that offers the serving of food, including but not limited to a bakery, café, concession stand, deli, diner or restaurant, and may include the serving of liquor and live entertainment space, but shall not include Drive-through Business.

**FRONTAGE** means the length of the Front Parcel Line.

**FRONT BUILDING LINE** means a line parallel to the Front Parcel Line drawn across the Parcel through the point where the Principal Building located on the Parcel is closest to the Front Parcel Line. Where there are multiple Principal Buildings on a Parcel, the building closest to the Front Parcel Line shall be used to determine the Front Building Line. *

**FRONT PARCEL LINE** *See PARCEL LINE, FRONT*.

**FUNERAL SERVICES** means Premises used for the preparation of the dead for burial or cremation and the holding of funeral services, but excludes a Crematorium.

**GALLERY AND MUSEUM** means Premises for the exhibition of artistic, cultural or historical works, including but not limited to art galleries, exhibition spaces or museums.

**GAMING FACILITY** means Premises that are customarily or regularly used for games of chance pursuant to a licence issued by or under the authority of the provincial government, including but not limited to bingo halls, casinos or social clubs with provincially licenced gaming.

**GARAGE** means a roofed Structure, whether enclosed or unenclosed, used to shelter parked vehicles or store equipment. This definition includes a carport.

**GARDEN CENTRE, INDOOR** means an Establishment for the purpose of retail sales of plants, trees, and associated gardening or landscaping supplies and garden equipment, and may include limited outdoor display of goods.

**GARDEN CENTRE, OUTDOOR** means an Establishment for the production and retail sales of plants, trees, and associated gardening or landscaping supplies and garden equipment, and may include outdoor growing or display of goods.

**GASOLINE SERVICE STATION** *See FILLING STATION*.

**GENERAL RETAIL STORE** *See RETAIL STORE, GENERAL.*

**GOLF COURSE** See *PARTICIPANT RECREATION SERVICES, OUTDOOR*.

**GRADE** means the lowest of the average levels of finished ground adjoining each exterior wall of a building.

**GREENHOUSE** *See AGRICULTURE, GREENHOUSE*.

**HEALTH SERVICES** *See PERSONAL AND PROFESSIONAL SERVICES*.

**HEIGHT** means the vertical distance from grade to the highest point of the surface of a flat roof including any parapet, the deck line of a mansard roof, and to the mean height level between the eaves and ridge of a gable, hip or gambrel roof.

*See Section 4.13 for height exceptions.*

**HELIPORT** means an aerodrome or a defined area on a Structure intended to be used wholly or in part for the arrival, departure and surface movement of helicopters, and may include supporting facilities, including but not limited to heliport related installations and equipment, Bulk Petroleum & Electricity Sales, facilities for the service, repair and storage of helicopters, parking and terminal buildings.

**HIGHWAY** means every road, street, Lane, or right of way designed or intended for or used by the general public for the passage of vehicles.

**HOME-BASED BUSINESS** means any business other than a Bed and Breakfast or Short-Term Rental, carried out in a Dwelling Unit, Accessory Dwelling Unit, or an associated Accessory Building, where such business is clearly incidental or secondary to the residential Use. *

*See Section 4.32 for regulations.*

**HOTEL** means a building providing for the Temporary Accommodation of the traveling public in Sleeping Units joined by an interior corridor, and which may contain Assembly Place, Brewing & Distilling, Food Primary Establishment, Liquor Primary Establishment, Participant Recreation Services, Indoor, Personal and Professional Services, and live entertainment space.

**HOUSING, AFFORDABLE** means Dwellings that sell or rent at a subsidized rate, and can include Near Market Housing, Subsidized Housing and Essential Housing, but excludes Community Care Facility, Major, Community Care Facility, Minor and Community Care Facility, Specialized.

**HOUSING, NEAR MARKET** means Dwellings, provided for persons with a below median household income, that sell or rent for not more than the lesser of 90% of market rate or the equivalent of 25% of median household income represented in the most recent Canadian census for Merritt.

**HOUSING, SUBSIDIZED** means Dwellings with two or more bedrooms, provided for persons with a household income below 70% of the median, that sell or rent for not more than the lesser of 70% of market rate or the equivalent of 20% of median household income represented in the most recent Canadian census for Merritt.

**HOUSING, ESSENTIAL** means Dwellings, provided for persons with a household income of below 50% of the median, that sell or rent for not more than the lesser of 50% of market rate or the equivalent of 15% of median household income represented in the most recent Canadian census for Merritt.

**HOUSING, MARKET RENTAL** means Dwellings that rent for market rate.

**INTERIOR SIDE PARCEL LINE** *See PARCEL LINE, INTERIOR SIDE*.

**LANE** means a Highway more than 3 metres but not greater than 10 metres in width, intended to provide primary or secondary Access to Parcels.

**LANDSCAPING** means changing, modifying or enhancing the external appearance of a development including reshaping the earth, planting vegetation, adding pathways, sidewalks, patios, fencing or other ornamental features, and includes the retention of existing trees and plants where appropriate.

**LIQUOR PRIMARY ESTABLISHMENT** means an Establishment that offers the sale of liquor and the serving of food, including but not limited to a bar, pub, sports bar, tavern or wine bar, and may include live entertainment space, billiard tables and other games or a dance floor, but does not include Brewing & Distilling.

**LIQUOR STORE** means an Establishment licensed by the British Columbia Liquor and Cannabis Regulation Branch to sell beer, wine, coolers, ciders, and all types of packaged liquor.

**LOT** *See PARCEL*.

**LOT AREA** *See PARCEL AREA*.

**MACHINE & WELDING SHOP** means Premises used for the fabricating, machining and welding of materials, such as metals or thermoplastics, into products for sale and distribution.

**MACHINERY REPAIR & SALES** means Premises for the repair of equipment, tools and machinery, and may include the sale of related items.

**MANUFACTURING, LIGHT** means the indoor manufacturing, processing, finishing or packaging of products for distribution, including but not limited to beverage and food, building materials, cabinetry and millworks, cannabis products, concrete products, furniture and upholstery, and textiles, and which does not cause nuisances such as noise, dust or odors.

**MANUFACTURING, HEAVY** means the manufacturing, processing, finishing or packaging of products for distribution, including but not limited to forest and wood products, concrete and ready-mix, or rock, sand and gravel, and may include outdoor activities which reasonably cause noise, dust or odors.

**MARKET RENTAL HOUSING** *See HOUSING, MARKET RENTAL*.

**METAL RECYCLING** means Premises dedicated to the collecting, sorting, temporary storage and processing of metal from end-of-life products and structures for reuse.

**MOBILE HOME** means a factory-built single detached Dwelling Unit built to CSA Z240 MH Series suitable for year-round, long-term occupancy, designed to be transported from the factory to its ultimate site on an integral chassis with integral or detached wheels and arriving at the site ready for occupancy, on a foundation as per BC Building Code. Mobile Home does not

include travel trailers, campers, recreational vehicles or other vehicles which are exempted by regulation from the operation of the Manufactured Home Act. *

**MOBILE HOME PARK** means a Parcel occupied by two or more Mobile Homes used for residential purposes, which may include a Dwelling Unit for the accommodation of a manager or operator, common recreational facilities and laundry facilities.

**MOBILE HOME AND MODULAR HOME SALES** means an Establishment where factory-built Dwelling Units built to CSA specification Z240 or A277 suitable for year-round, long term occupancy are sold or leased, and may include the associated storage of Mobile Homes and Modular Buildings to be sold or leased. *

**MOBILE HOME SPACE** means an area set aside and designated within a Mobile Home Park for the installation and placement of a Mobile Home, including adjacent space for the exclusive use by the owner or occupant of that Mobile Home.

**MOBILE RETAIL VENDOR** means a vehicle with a maximum gross vehicle weight of 6,350 kilograms or a pop-up installation not larger than 10 $m^2$ used for the sale or rental of goods, merchandise or foodstuffs, or display of informational, recreational or entertainment items.

**MODULAR BUILDING** means factory-built building built to CSA A277, suitable for year-round, long-term occupancy that is transportable in one or more sections and shall be installed on a continuous footing and foundation wall, except if for display purposes at a Modular Home Sales business. *

*See Section 4.46 for regulations.*

**MODULAR HOME PARK** means a Parcel occupied by two or more Modular Homes used for residential purposes, which may include a Dwelling Unit for the accommodation of a manager or operator, common recreation facilities and laundry facilities.

**MOTEL** means a building or buildings containing sleeping units for the Temporary Accommodation of the traveling or vacationing public, where each Sleeping Unit has exterior access, and which may contain Assembly Place, Brewing & Distilling, Entertainment Facility, Food Primary Establishment, Liquor Primary Establishment and Participant Recreation Services, Indoor.

**MULTIPLE UNIT DWELLING** *see DWELLING, MULTIPLE UNIT.*

**MULTIPLE UNIT APARTMENT DWELLING** *see DWELLING, MULTIPLE UNIT APARTMENT*.

**MULTIPLE UNIT TOWNHOME DWELLING** *see DWELLING, MULTIPLE UNIT TOWNHOME*. *

**NATURAL BOUNDARY** means the visible high-water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the body of water

a character distinct from that of the banks thereof, in respect to vegetation as well as in respect to the nature of the soil itself.

**NUISANCE** means anything that is obnoxious, offensive or interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses. This could include that which creates or is liable to create a Nuisance through emission of noise, smoke, dust, odour, heat, fumes, fire or explosive hazard, results in the unsightly or unsafe storage of goods, salvage, junk, waste or other materials, poses a hazard to health and safety; or adversely affects the amenities of the neighbourhood or interferes with the rights of neighbours to the normal enjoyment of any land or building.

**OPEN SPACE** means that portion of a Parcel not occupied by parking areas or driveways, which is suitable for gardens, landscaping, or recreational use, including but not limited to indoor common amenity space, rooftop gardens, terraces, or level landscaped recreation areas, and is accessible to building tenants or residents.

**OPEN SPACE, PRIVATE** means a usable area exclusive of required building Setbacks and parking areas (common or individual) which is developed for use by residents or tenants of a residential Dwelling Unit, and may include balconies, decks, or patios.

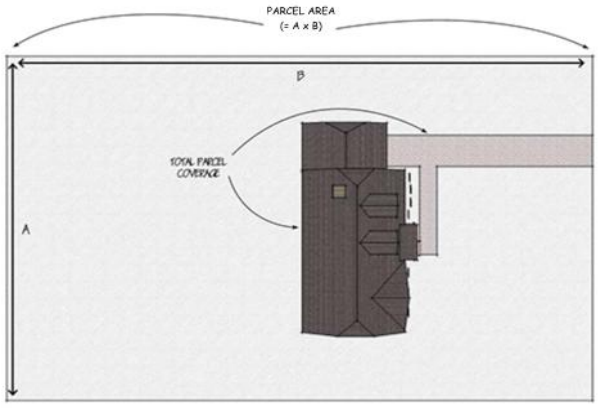
**PANHANDLE LOT** *See PARCEL, PANHANDLE.*

**PARCEL** means any lot or other area in which land is held or into which it is subdivided, but does not include a Highway.

**PARCEL AREA** means the area of a Parcel.

**PARCEL COVERAGE** means the percentage of the Parcel Area that is occupied by non-permeable Structures, including Garages, driveways, parking areas, pools, and covered patios.

**Figure 2.1: Parcel Area and Parcel Coverage**



**PARCEL DEPTH** means the average horizontal distance between the Front and Rear Parcel Lines.

**PARCEL LINE** means the outer boundary of a Parcel.

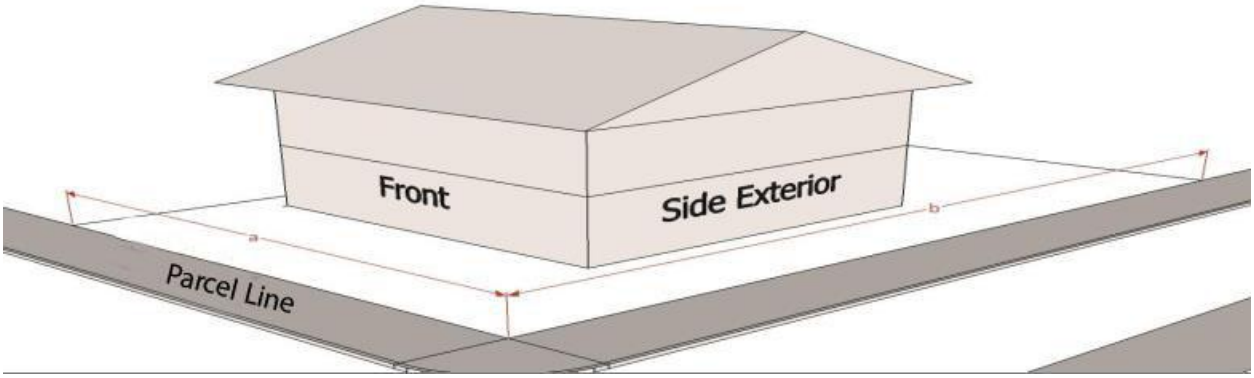
**PARCEL LINE, EXTERIOR SIDE** means a Parcel Line other than a front or rear Parcel Line which is common to a Parcel and a Highway.

**PARCEL LINE, FRONT** means any Parcel Line common to a Parcel and a Highway other than a Lane, but in the case of a corner Parcel, the front Parcel line shall be the shortest Parcel Line along a Highway other than a Lane.

**PARCEL LINE, INTERIOR SIDE** means a Parcel Line other than a rear or front Parcel Line, which is not common to the Parcel and a Highway.

**PARCEL LINE, REAR** means the boundary of a Parcel which lies opposite to and does not intersect the Front Parcel Line.

**Figure 2.2: Parcel Lines**




**PARCEL TYPE** means the type of Parcel, including but not limited to a Front Access Parcel, a Lane Access Parcel, Back to Back Parcel, a Corner Parcel, a Lane Access Corner Parcel, a Panhandle Parcel, or a Pie Parcel.

**PARCEL, BACK TO BACK** means a Parcel where the primary Accesses Abut the Front Parcel Line and the Lane.

**PARCEL, CORNER** means a Parcel that Abuts two Highways, where one Highway is common to the Front Parcel Line and the other Highway is a Flanking Street.

**PARCEL, FRONT ACCESS** means a Parcel where the primary Access is Abutting the Front Parcel Line.

**PARCEL, LANE ACCESS** means a Parcel where the primary Access is from a rear or side Lane.

**PARCEL, LANE ACCESS CORNER** means a Parcel that Abuts three Highways, including a minimum of one Lane, and where the primary Access is from a rear or side Lane.

**PARCEL, PANHANDLE** means a Parcel, of which a narrow portion provides Access from a Highway, with a Frontage less than 6 metres in width or 10% of its perimeter.

*See Section 4.9 for regulations.*

**PARCEL, PIE** means a Parcel which is generally configured such that its width at the Rear Parcel Line is greater than at its Front Parcel Line.

*See Section 4.10 for regulations*.

**PARCEL WIDTH** means the width of a Parcel where it Abuts the Front Parcel Line except in the case of an irregularly shaped Parcel, where the width shall be the average horizontal distance between the side Parcel Lines.

**PARK** means land for public use or environmental conservation that has been dedicated or otherwise reserved as Park.

**PARKING LOT, COMMERCIAL** means an area of land or Structure consisting of Parking Spaces which are rented on an hourly, daily or monthly basis.

**PARKING SPACE** means a space within a building or parking area, for the parking of one vehicle.

**PARTICIPANT RECREATION SERVICES, INDOOR** means indoor Premises for sports, active recreation and performing and cultural arts where patrons are predominantly participants, including but not limited to athletic clubs, bowling alleys, dance studios, health and fitness clubs, indoor soccer facilities, mini-golf, racquet clubs, swimming pools, and yoga studios.

**PARTICIPANT RECREATION SERVICES, OUTDOOR** means outdoor Premises for sports, active recreation and performing and cultural arts where patrons are predominantly participants, including but not limited to golf courses, mini-golf, riding stables, rodeo grounds, and sports fields.

**PARTY WALL AGREEMENT** means an instrument that contains a grant of one or more positive covenants, as outlined in the Land Title Act, including but not limited to altering, decorating, maintaining, repairing, replacing or taking down an adjoining wall.

*See Section 4.23 for regulations.*

**PERMEABLE SURFACE MATERIALS** means materials that allow precipitation or surface water to penetrate directly into the soil with the purpose of reducing a site's stormwater runoff, maintaining the hydrologic function of the soil, and encouraging the health of the overall watershed. Examples of permeable surface materials include porous asphalt and concrete, gravel, permeable unit pavers, concrete grass pavers, and plastic grid systems.

**PERSONAL AND PROFESSIONAL SERVICES** means an Establishment that provides administrative, communications, consulting, health and wellness, financial, management, personal or other services, including but not limited to accounting, architecture, beauty parlour, chiropractic, clerical, construction and development, counselling, dentistry, dry cleaning, electrical, engineers, hair salon, insurance agents, landscape architecture, land use planning, law, massage therapy, media, medical, optical, photography, physiotherapy, public relations, real estate, shoe repair, tailoring, travel agency, or watch repair, but excludes Public Use and the manufacture of products.

**PLACE OF WORSHIP** means Premises such as a cathedral, church, mosque, shrine, synagogue or temple, which is used by a religious organization for public worship and affiliated community activities and projects.

**PREMISES** means an area of land, including a Parcel, portion of a Parcel or collection of Parcels, with or without Structures.

**PRINCIPAL BUILDING** means a Structure which contains the Principal Use of a Parcel, including any attached Garages. A Parcel may have multiple Principal Buildings if the Use in each of the buildings is the same, except for residential buildings which may contain differing residential Uses. *

*See Section 4.35 for regulations*.

**PRINCIPAL USE** *See USE, PRINCIPAL*.

**PRIVATE OPEN SPACE** See *OPEN SPACE, PRIVATE*.

**PRIVATE SCHOOL** *See SCHOOL, PRIVATE*.

**PRODUCE STAND** means a temporary, portable Structure for the sale of fresh fruits, vegetables, edible plants, and related foodstuffs, goods, wares, or merchandise.

**PROHIBITED USE** *See USE, PROHIBITED*.

**PUBLIC SCHOOL** *See SCHOOL, PUBLIC*.

**PUBLIC USE** means Premises provided by a government, government agency or non-profit organization for purposes including but not limited to administration, arts and culture, communications, education, emergency services, employment, health, immigration, law enforcement, parks and recreation, public works, safety, social services, taxation, transportation, or welfare.

**PUBLIC UTILITY** means a system, work, Structure, plant, or equipment owned by the Government of Canada, the Province of British Columbia, a regional district, a municipality, an improvement district, government agency, private company or Crown corporation for the provision of gas, electricity, transportation or communication services.

**REAR PARCEL LINE** *See PARCEL LINE, REAR*.

**RECYCLING DEPOT** means Premises for the buying, collecting, sorting and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building.

**RESTAURANT** *See FOOD PRIMARY ESTABLISHMENT*.

**RETAIL CANNABIS SALES** means an Establishment for the sale or distribution of cannabis or its derivatives to the general public, including cannabis sold or distributed for medical purposes.

*See Section 4.43 for regulations.*

**RETAIL STORE, CONVENIENCE** means Premises which do not exceed 250 $m^2$ in gross Floor Area for the retail sale of variety of household goods, including but not limited to drug stores, florists, food stores or variety stores, which sells products such as beverages, confectionery, groceries, hardware, personal care items, pharmaceutical items, printed materials, tobacco, and tourism or seasonal related products or rentals, but specifically excludes Retail Cannabis Sales.

**RETAIL STORE, GENERAL** means Premises where goods, merchandise and other materials are offered for sale to the general public, and includes limited onsite storage or limited seasonal outdoor sales to support that store's operations, including but not limited to appliance, automotive parts, clothing, gift, grocery, hardware, pharmaceutical, and sporting goods stores. This use excludes warehouse sales and the sale of gasoline, Retail Cannabis Sales, heavy agricultural and industrial equipment, and Second-Hand Store.

**SCHOOL, PRIVATE** means Premises where academic, commercial, technical or vocational courses are offered, including but not limited to art schools, business schools, culinary schools, language schools, religious institutions or trade schools, that is not fully publicly supported or subsidized and specifically excludes Public School and Educational Institution.

**SCHOOL, PUBLIC** means Premises where academic or technical school subjects are offered and which is maintained by a municipal, regional or provincial government or non-profit organization, but excludes Educational Institution.

**SCHOOL, PORTABLE** means a temporary Accessory Building located on the grounds of a Public School to provide additional classroom space that does not have its exterior walls supported on concrete or masonry foundations and may be affixed to the land with anchors or tie downs.

**SCREENING** means a continuous fence or wall, or non-compact hedgerow, or combination thereof, but excludes compact evergreen hedges and cedars.

*See Section 6.2 for regulations.*

**SECONDARY SUITE** means a self-contained Accessory Dwelling Unit containing one or more rooms, located within a Single Detached, Semi-Detached or Multiple Unit Townhome Dwelling, used or intended to be used as a domicile by one or more persons and containing a Cooking Facility, living, sleeping and sanitary facilities, and is Subordinate to the associated principal Dwelling Unit. The principal Dwelling Unit and associated Secondary Suite together form a Single Real Estate Entity. *

*See Section 4.37 for regulations.*

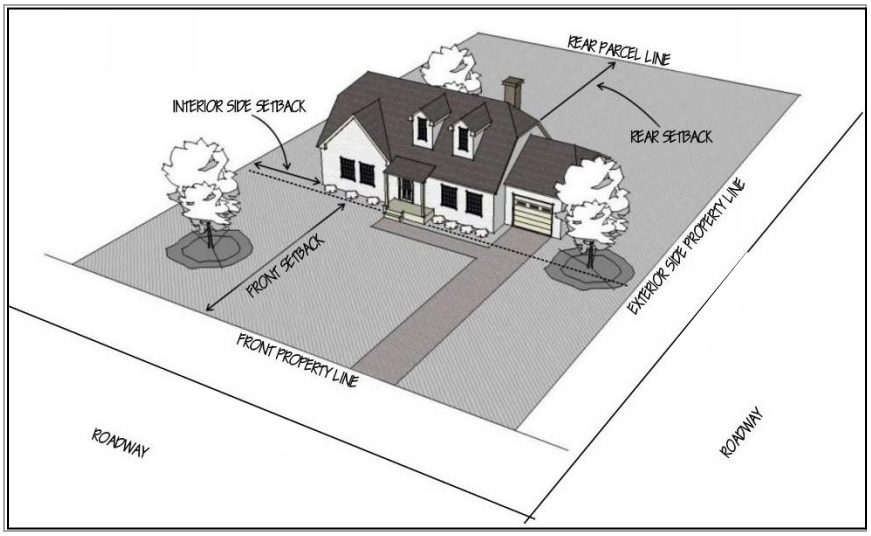
**SECONDARY USE** *see USE, SECONDARY*.

**SECOND-HAND STORE** means an Establishment that sells used goods, including but not limited to antiques shops, pawn shops, used clothing stores or used furniture stores, and excluding Vehicle Sales and Rentals.

**SECURITY / OPERATOR SUITE** means that portion of a Principal Building used to provide on-site accommodation for the caretaker, operator, or security personnel. No more than one Security / Operator Suite is permitted on a Premises.

**SETBACK** means that portion of a Parcel adjacent to a Parcel Line that this Bylaw requires to be kept free of Structures.

**Figure 2.3: Setbacks**




**SHIPPING CONTAINER** means a standardized, reusable vessel that was originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, and/or; designed for or capable of being mounted or moved on a rail car, and/or; designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

*See Section 4.19 for regulations.*

**SHOPPING CENTRE** means a group of commercial Establishments planned, constructed, or managed as an entity having common or shared parking available to all customers and employees.

**SHORT TERM RENTAL** means a building or any part thereof that is rented by a person or group of persons as a place of temporary residence, lodging or occupancy by way of permit, lease, license, rental agreement or similar arrangement for any period less than 30 consecutive days and 90 days in a calendar year.

*See Section 4.34 for regulations.*

**SIGHT TRIANGLE** means the area of a Corner Parcel which must be kept free of obstructions.

*See Section 4.15 for regulations.*

**SINGLE DETACHED DWELLING** *see DWELLING, SINGLE DETACHED*.

**SINGLE REAL ESTATE ENTITY** means a grouping of Dwelling Unit(s) and Accessory Building(s) on a Parcel that cannot be stratified or otherwise legally separated from each other. *

**SLEEPING UNIT** means a room without Cooking Facilities for the purposes of Temporary Accommodation, including but not limited to Bed and Breakfast, Hotel, Motel, Short-Term Rental or Truck Travel Centre Uses.

**STORAGE FACILITY, INDOOR** means Premises for the provision of indoor storage space for rent to the public for storage of personal goods.

**STORAGE YARD** means an area of a Parcel used for the storage of goods, materials, and machinery. A Storage Yard shall not include Vehicle Wrecking, a product display yard, or a junk yard. *

**STOREY** means that part of a building other than a basement or loft which is situated between the top of any floor and the top of the next floor above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

**STRATA LOT** means the area of a Parcel apportioned to an individual strata unit. *

**STRUCTURE** means a construction of any kind whether fixed to or supported by or sunk into land or water, including but not limited to buildings, docks, lean-tos, swimming pools, towers, and Temporary Fabric Structures.

**SUBORDINATE** means lesser in terms of building footprint, total square footage, Parcel Area, Height, or prevalence of Use, as determined by the Development Approving Officer. *

**TECHNOLOGY CENTRE** means Premises equipped with communications hardware and software used for receiving or transmitting large amounts of information through various technology resources (telephone, internet, email, etc.).

**TEMPORARY ACCOMMODATION** means the offering of a place of temporary lodging or occupancy for the travelling or vacationing public for any period less than 30 consecutive days and 90 days in a calendar year.

**TEMPORARY FABRIC STRUCTURE** means a temporary Structure without a permanent foundation, supported by a rigid frame designed to be collapsible or retractable and covered with a fabric material, but does not include a tent for the purposes of camping.

*See Section 4.18 for regulations.*

**TOWNHOME** *see DWELLING, MULTIPLE UNIT TOWNHOME*.

**TRANSPORTATION & LOGISTICS** means Premises for the storage of vehicles used for transportation, including but not limited to trucking companies, moving companies, or logistics management companies, and may include Administrative Office and related business activities such as sales of moving supplies and rentals of vehicles.

**TRUCK TRAVEL CENTRE** means Premises serving the day-to-day traveling needs of commercial truck traffic, including but not limited to Bulk Petroleum and Electricity Sales, Convenience Retail Store, Entertainment Facility, Filling Station, Food Primary Establishment, Produce Stand, Sleeping Units or Vehicle Services.

**SEMI-DETACHED DWELLING** *see DWELLING, SEMI-DETACHED*.

**URBAN AGRICULTURE** *See AGRICULTURE, URBAN*.

**USABLE SITE AREA** means the area of a Parcel that does not exceed 30% slope.

**USE** means a purpose for which land or a Structure is used.

**USE, DISCRETIONARY** means a Use that may be approved by the Development Approving Officer, with or without conditions, subject to all provisions of this Bylaw. *****

*See Section 4.5 for regulations.*

**USE, PRINCIPAL** means the main or predominant purpose for which land or a Structure is used.

**USE, PROHIBITED** means a Use that is expressly prohibited.

*See Section 4.3 for Uses that are prohibited in all zones.*

**USE, SECONDARY** means a Use that is customarily incidental and subordinate to the Principal Use of land or Structures located on the same Parcel.

**VEHICLE SERVICES** means an Establishment with facilities serving clients in motor vehicles, including but not limited to an automobile service station or car wash, which are driven onto the site where such business is carried on and where the customer may remain in the vehicle for

service, but does not include drive-in theatres, Drive-through Businesses or Filling Stations. The sale of automotive parts and accessories is permitted.

*See Section 4.41 for regulations.*

**VEHICLE STORAGE & TOWING** means the storage of vehicles that are not licensed for the current year and are capable of moving under their own power, or the storage for up to six months of vehicles that have been towed, damaged in an accident or suffered mechanical failure. The vehicles must not be used as a source of parts for other vehicles. This Use does not include Vehicle Wrecking.

**VEHICLE SALES & RENTALS** means an Establishment where new or used automobiles, motorcycles, boats, tractors and farm machinery, trailers or recreational vehicles are sold, leased or rented and may include the associated storage and servicing of vehicles to be sold, leased and rented as well as the sale of automotive parts and accessories.

**VEHICLE WRECKING** means the wrecking, salvaging or disassembly of vehicles, vehicle parts, vehicle frames or vehicle bodies or for the storage of vehicles that are not in operable condition, or used parts of motor vehicles.

**VETERINARY SERVICES** means Premises for the care, examination, diagnosis and treatment of sick, ailing, infirm or injured animals, including medical intervention and surgery, radiography, anesthesia, and may include accessory short-term accommodation of sick, ailing, infirm or injured animals, and the accessory retail sale of medicine and pet supplies, but excludes Animal Services and Animal Boarding.

**WAREHOUSE** means Premises where materials or goods are stored before their distribution or export for sale.

**WATER REFILL STATION** means an Establishment that provides filtered or purified water for retail sale to an end user, which does not include wholesale or distribution.

**WATERCOURSE** means a depression of 0.6 metres or more below the average natural elevation of surrounding land:

a. serving to give direction to a current of water for an average of at least six months of a year; or

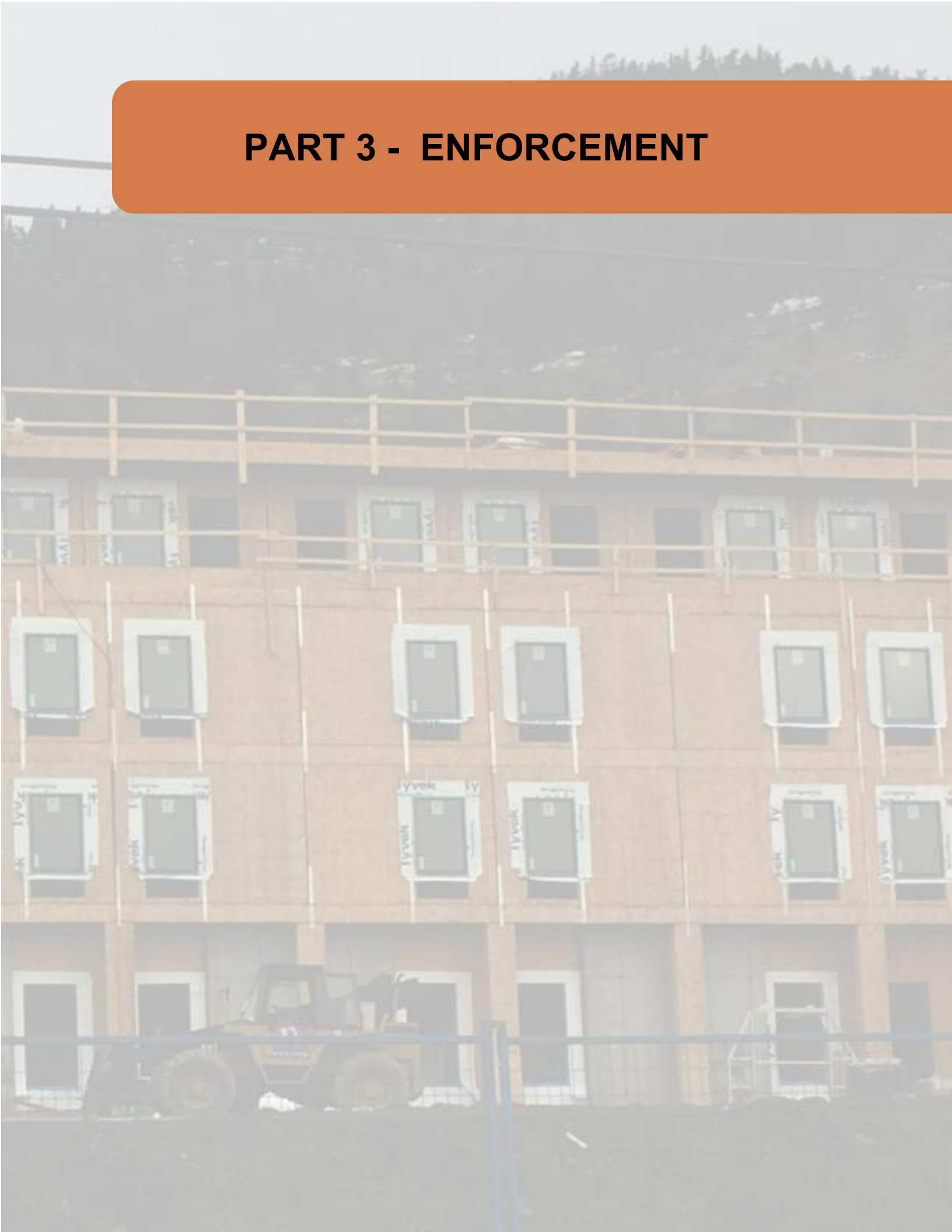
b. having a drainage area of two square kilometres or more.

*See Section 4.24 for regulations.*

**WINERY** means Premises where wine is manufactured and may include on-site wine tasting and sales.

**ZERO EMISSION CHARGING** means equipment for the charging and refuelling of vehicles by electrical or other clean energy sources including but not limited to electric vehicle charging or hydrogen fuelling stations.

# PART 3 - ENFORCEMENT



# PART 3 - ENFORCEMENT

## 3.1 Application

**3.1.1** The Building Inspector(s) and any other employee of the City appointed by the Council to administer or enforce this Bylaw, are hereby authorized to enter at all reasonable times upon any property to ascertain whether persons or properties are in compliance with the regulations and provisions of this Bylaw.

## 3.2 Prohibition

**3.2.1** No person shall contravene, cause, suffer, or permit a contravention of this Bylaw.

**3.2.2** No person shall commence or undertake a Use that is not permitted by this Bylaw.

**3.2.3** No person shall construct, make an addition to, or alter a Structure, which is not permitted by this Bylaw.

**3.2.4** No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by the Manager of Planning and Development Services or by a Building Inspector.

**3.2.5** No person shall authorize or do any construction that is at variance with the description, specifications or plans that were the basis for the issuance of a building permit if such variance contravenes this Bylaw.

**3.2.6** No person shall prevent or obstruct, or attempt to prevent or obstruct, the authorized entry of the Building Inspector or other appointed employee, authorized under Part 3.1.1 of this Bylaw.

**3.2.7** When required, an Earthworks Permit, issued by the Director of Planning and Development Services, must be obtained prior to commencing or continuing work. *****

## 3.3 Penalties

**3.3.1** Every person who violates a provision of this Bylaw commits an offence and is liable on summary conviction to a penalty not exceeding $10,000 and the costs of prosecution.

**3.3.2** Each day a violation of the provisions of this Bylaw exists or is permitted to exist shall constitute a separate offence.

# PART 4 - GENERAL REGULATIONS

# PART FOUR – GENERAL REGULATIONS

## 4.1 Application

**4.1.1** This part is applicable to all zones, unless expressly stated otherwise in a specific zone.

## 4.2 Permitted Uses

**4.2.1** The following uses are permitted in all zones:

a. Public Utility;

b. Temporary Structures, for non-residential Use, and the storage of materials required for an approved construction project located on the same Parcel, including the use of waste and recycling receptacles, Shipping Containers, or other similar temporary Structures, provided the temporary Structures are removed within 30 days of final occupancy or completion of construction;

c. Site preparation to accommodate or enhance a permitted Use, with a valid Soil Deposition and Removal permit;

d. Zero Emission Charging.

**4.2.2** Uses permitted in this section are subject to the regulations of the zone within which they are located.

**4.2.3** Uses that are permitted in a zone may be combined at a single Premises.

**4.2.4** Agricultural Land Commission rules on the Use of land take priority over the regulations of this Bylaw with respect to lands within the Provincial Agricultural Land Reserve. *

## 4.3 Prohibited Uses

**4.3.1** The following Uses are prohibited in all zones:

a. All Uses not expressly permitted by this Bylaw;

b. A Use that is carried on wholly or partly in a tent, recreational vehicle, travel trailer, or Mobile Home, except as specifically permitted by this Bylaw; *

c. The outdoor storage of vehicles (including parts thereof) which are in a state of disrepair, wrecked, or being dismantled for salvage or which are not licensed for the current year, except as specifically permitted by this Bylaw;

d. The incinerating or processing of fish, animal, or vegetable waste products;

e. The manufacturing of pulp, paper, or petroleum;

f. Any Use that is water-consumption intensive, as determined by the Development Approving Officer. *

## 4.4 Non-conforming Uses

**4.4.1** At the time of adoption of this Bylaw, if an existing Use of land or Structure is lawful, and as a result of adoption of this Bylaw, it is deemed non-conforming, then it may be continued as a legal non-conforming Use unless:

a. the Use is discontinued for a period of six months (subject to normal seasonal and agricultural practices); or

b. more than 75% of the value of the Structure above its foundation is damaged or destroyed.

## 4.5 Discretionary Uses

**4.5.1** Subject to all other provisions of this Bylaw, upon application, the Development Approving Officer may approve a Discretionary Use, with or without any of the conditions outlined in 4.5.2, provided that the Development Approving Officer first considers the following:

a. any plans and policies affecting the Parcel;

b. the purpose statement in the applicable zoning district;

c. the appropriateness of the location and Parcel for the proposed development;

d. Strata council approval, if applicable;

e. the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;

f. the merits of the proposed development;

g. the servicing requirements;

h. Access and transportation requirements;

i. vehicle and pedestrian circulation within the Parcel;

j. the impact on the public transit system;

k. the impact on agriculture; *****

l. sound planning principles; and

m. at the discretion of the Development Approving Officer, Council and public input.

**4.5.2** The Development Approving Officer may, as a condition of approving a Discretionary Use, impose conditions in respect of the following matters:

a. actions to be performed or carried out prior to approval;

b. the construction or maintenance of the proposed development in accordance with the approved plans;

c. the appropriate performance of a Use;

d. an environmental site profile;

e. the time or times a Use may be carried out;

f. phasing of the development;

g. limits imposed on the development;

h. bonusing requirements;

i. the construction of or payment for public utilities, other than telecommunications systems or works;

j. vehicular and pedestrian Access that are necessary to serve the development; and

k. the furtherance of sound planning principles.

**4.5.3** After considering an application for a Discretionary Use, the Development Approving Officer must provide written notification of the decision and the reasons for the decision to the applicant.

**4.5.4** Where the Development Approving Officer has refused an application for Discretionary Use, the applicant may appeal the decision by providing the Corporate Services Director with written notice of the Development Approving Officer's decision and the applicant's reasons for appeal, which will be forwarded to Council for consideration.

## 4.6 Parcel Area and Width

**4.6.1** Minimum Parcel Area and minimum Parcel Width requirements are set out for the purpose of subdivision only.

**4.6.2** Any Parcel existing prior to the adoption of this Bylaw which, at the time of adoption of this Bylaw, fails to meet the minimum Parcel Area or Parcel Width requirements of a zone as set out in this Bylaw, shall not, by reason thereof, be deemed to be non-conforming or unlawful.

## 4.7 Siting, Size and Dimensions of Structures

**4.7.1** The construction, reconstruction, alteration, moving, or extension of Structures within any zone shall be in conformity with the regulations for the siting, size, and dimensions of Structures specified in this Bylaw.

## 4.8 Parcel Access

**4.8.1** A driveway Access to a Parcel, for any residential development, may not be greater than 3 metres in width where the Access Abuts the Parcel Line. The driveway may be widened within the property, 0.6m away from the Parcel Line. *****

**4.8.2** Notwithstanding 4.8.1, there is no width restriction for an Access where a Rear Parcel Line Abuts a Lane**. ***

**4.8.3** A residential Parcel may have a maximum of one Frontage Access and one additional Access from a Lane, except in the case of multiple Single Detached Dwellings on the same Parcel, Semi-Detached Dwellings, Multiple Unit Townhome Dwellings, and Detached Secondary Dwellings, where each Dwelling Unit may have its own Access. *

**4.8.4** The location and number of Parcel Access is subject to approval by the Development Approving Officer or Building Inspector. *****

**4.8.5** An Access to a Parcel must be an adequate distance from an intersection, as determined by the Development Approving Officer or Ministry of Transportation and Infrastructure, as the case may be.

**4.8.6** An Access to a Parcel may not have a slope that exceeds fifteen percent.

## 4.9 Panhandle Parcels

**4.9.1** Where a Panhandle Parcel is of sufficient size to allow for further subdivision into two or more Parcels, the panhandle must have adequate Grade and alignment to provide for a future Highway.

**4.9.2** Where a Parcel is a Panhandle Parcel that cannot be further subdivided, the panhandle Access must have a width of not less than 3 metres and be suitable for entrance roadway standards of 3 metres width and fifteen percent maximum Grade.

**4.9.3** Where a Parcel is a Panhandle Parcel, the panhandle Access will not be calculated as part of the Parcel Area for the purpose of determining compliance with minimum Parcel Area requirements.

**4.9.4** The Setback requirement for adjacent Parcels from the Parcel Line of a Panhandle Parcel's panhandle Access is 0 metres.

**4.9.5** Notwithstanding the Frontage requirements cited elsewhere in this Bylaw, the dimension of a Parcel fronting a Highway must not be less than one tenth of the perimeter of the Parcel, unless an exemption is granted by the Approving Officer.

## 4.10 Pie Parcels

**4.10.1** Notwithstanding the Frontage requirements cited elsewhere in this Bylaw, Parcel Frontages of "pie shaped" Parcels or other irregularly shaped or asymmetrical Parcels located in residential zones may not be reduced to less than 6 metres, except for Semi-Detached Dwelling and Multiple Unit Townhome Dwelling Parcels, which may have a Frontage of not less than 3 metres, provided that the average Parcel Width complies with the required minimum Parcel Width. *

## 4.11 Siting Exceptions and Projections

**4.11.1** Siting exceptions in this Bylaw are subject to any requirements of the Ministry of Transportation and Infrastructure in relation to arterial Highways and the Agricultural Land Commission in relation to lands within the Provincial Agricultural Land Reserve. *****

**4.11.2** Certain types of architectural features and Structures are permitted to project into a required Setback in accordance with Table 4.11.

**4.11.3** Notwithstanding the projections in Table 4.11, canopies, awnings, patio coverings or other architectural projections may be permitted to project beyond a front or exterior side Parcel Line, subject to Development Approving Officer, and if required, Ministry of Transportation and Infrastructure, and Agricultural Land Commission, approval. *****

| Table 4.11: Projections * | |
|---|---|
| **Feature** | **Maximum Projection into Setback** |
| **Projections from a Structure** | |
| chimneys | 0.6 metres into any Setback |
| eaves, eavestroughs, roofs and gutters | 0.6 metres interior side<br>1.5 metres front, exterior side or rear |
| canopies and awnings | 0.6 metres interior side<br>1.5 metres front or exterior side<br>3.0 metres rear |
| covered or uncovered balconies, porches, decks, patios or verandas | 1.5 metres front or exterior side<br>3.0 metres rear<br>If less than 0.6 metres from Grade, not subject to regulations<br>No portion of the foundation shall project |
| patios for Food Primary Establishments, Liquor Primary Establishments or Brewing and Distilling | No limit |
| fire escapes, open stairways, landings, steps or ramps | 1.5 metres front or exterior side |
| wheelchair ramps | No limit |
| stairs to access a basement below Grade | No limit |
| ornamental elements such as sills, cornices, bay windows, parapets or pilasters | 0.6 metres into any Setback |
| any cantilevered, architectural projection that constitutes less than 25% of the wall face to which the projection is attached | 0.6 metres into any Setback |
| **Free Standing Projections** | |
| fences, landscape screening, retaining wall, or sign Structures | No limit, except as otherwise limited by this or other legislation |
| Accessory Buildings, including bicycle storage lockers and sheds used for storage of horticultural tools and supplies (*see Section 4.16*) | Up to 4.8 metres front, with a minimum 1.2 metre Front Setback in residential zones. |
| free standing lighting poles, warning devices, antennas, poles, masts, utility poles, wires, flag poles, gasoline service pumps and pump islands or electric charging stations, freestanding solar installations, air conditioners, book libraries (little free libraries) up to 1.8m tall, arbours up to 1.8m wide and 2.5m tall | No limit, except as otherwise limited by this bylaw or other legislation |
| **Underground Projections** | |
| underground Structures | No limit, provided that the top surface does not extend more than 0.5 metres above the average Grade |

## 4.12 Tall Buildings

**4.12.1** Buildings of six or more storeys must include the following safety measures:

a. Stairwells that are clearly marked, including roof access stairwells;

b. An approved Fire Department lock box that is installed as per the Fire and Safety Regulations Bylaw;

c. A room or closet on every sixth floor above grade, or alternate floor(s) as approved by the Fire Chief, that is dedicated and clearly identified as a firefighting equipment storage area. Each firefighting equipment storage area must be at least 0.5 metres deep by 1 metre wide and accessible by a locked standard height person door. Each firefighting equipment storage area must be equipped with apparatus as per the Fire and Safety Regulations Bylaw;

d. A copy of the construction fire safety plan is provided in accordance with the Building Bylaw;

e. A copy of the building fire safety plan is provided in accordance with the Building Bylaw.

**4.12.2** If the design of a building does not, in the opinion of the Fire Chief or designate, facilitate or permit emergency services communication between the interior of the building and Fire Department personnel assembling at the exterior of the building in response to an incident, one of the following must be installed and maintained:

a. A passive antenna or radiating cable system;

b. An internal multiple antenna system with unidirectional or bi-directional amplifiers, as needed;

c. A voting receiver system; or

d. Any other system approved by the Fire Chief or designate as meeting the requirements of the emergency services communications system.

**4.12.3** If a new building's exterior side wall is adjacent to a vacant Parcel or within 2.4 metres of a Building on an Abutting Parcel, and will be taller than the neighbouring Building by at least one Storey, the new building's blank wall (fire wall) may be required to include a mural, at the discretion of the Development Approving Officer. *****

## 4.13 Height Exceptions

**4.13.1** The Height of new or existing Structures may be exceeded to a maximum of 3.0 metres for industrial cranes, upright silos, grain elevators, telecommunication towers, tanks, bunkers, radio and television antennas, church spires, belfries, and domes, monuments, chimneys and smoke stacks, flag poles, stadiums, stadium bleachers, lighting poles, elevator shafts, stair towers, fire and hose towers, hydro transmission towers, rooftop pergolas, rooftop solar panels, and rooftop mechanical equipment. *****

**4.13.2** Height restrictions for agricultural buildings within the Provincial Agricultural Land Reserve are subject to Agricultural Land Commission requirements and approval. *****

## 4.14 Fences

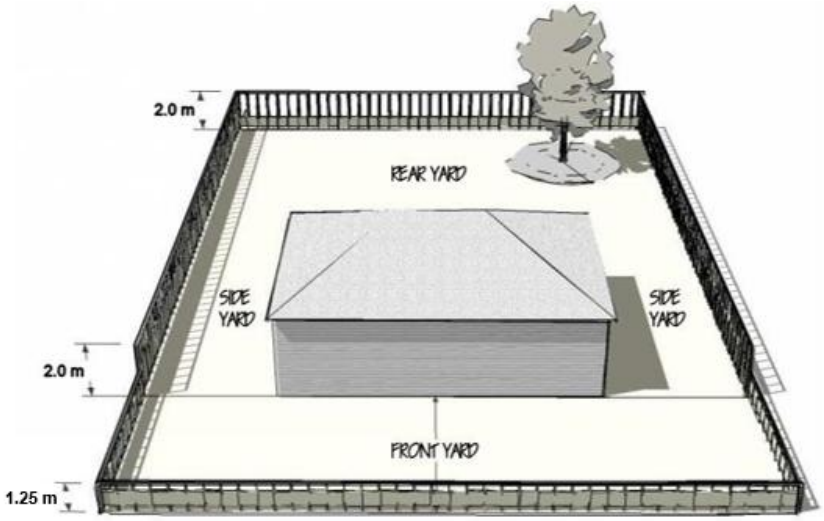
**4.14.1** In any Residential zone, fences, hedges, hedgerows, walls or projecting retaining walls may not exceed:

a. 1.25 metres in height where constructed between the Front Parcel Line and the Front Building Line;

b. 2.0 metres in height where constructed on the Parcel other than between the Front Parcel Line and the Front Building Line.

c. No fence facing, and constructed on or within 3 metres of the Front Parcel Line, may exceed 1.25m in height. *

**Figure 4.14: Height of Residential Fences**




**4.14.2** In Commercial zones, fences, hedges, hedgerows, walls or projecting retaining walls may not exceed:

a. 1.25 metres in height where constructed between the Front Parcel Line and the Front Building Line, except where this bylaw requires otherwise;

b. 2.5 metres in height where constructed on the Parcel other than between the Front Parcel Line and the Front Building Line, except where this bylaw requires otherwise.

c. No fence facing, and constructed on or within 3 metres of the Front Parcel Line, may exceed 1.25m in height. *

**4.14.3** In Industrial zones, fences, hedges, hedgerows, walls or projecting retaining walls may not exceed 2.5 metres in height, except where this bylaw requires otherwise;

**4.14.4** In Institutional or Park zones, fences, hedges, hedgerows, walls or projecting retaining walls may not exceed:

a. 1.25 metres in height where constructed between the Front Parcel Line and the Front Building Line, except where this bylaw requires otherwise;

b. 2.5 metres in height where constructed on the Parcel other than between the Front Parcel Line and the Front Building Line, except where this bylaw requires otherwise;

c. Notwithstanding 4.14.4(a) and 4.14.4(b), 3.5 metres in height for Cemetery, Park, playfield, playground, or Public School.

**4.14.5** Where Fences that exceed 1.25 metres in height are constructed between the Front Parcel Line and the Front Building Line, chain link fencing or other transparent barrier must be used.

**4.14.6** No barbed wire fence may be constructed in any residential zone and no razor wire fence may be constructed in any zone.

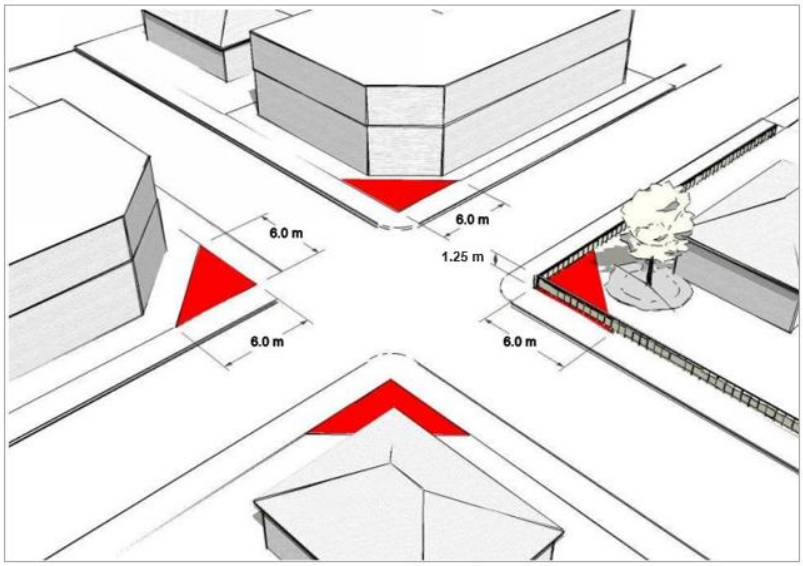
**4.14.7** Fences constructed on Corner Parcels must conform to the sight triangle, as per Section 4.15.

## 4.15 Visibility

**4.15.1** A sight triangle on a corner Parcel must be kept free of all obstacles or obstructions that are more than 1.25 metres in height above the established Grade of the adjoining street.

**4.15.2** The sight triangle is calculated as a triangular area formed by extending a line 6 metres along the Parcel Line from the point of the exterior corner intersection, and a line connecting these two points.

**Figure 4.15: Sight Triangle Dimensions**



## 4.16 Accessory Buildings

**4.16.1** An Accessory Building must not be erected on any Parcel unless:

a. a Principal Building has previously been erected; or

b. a Principal Building is erected simultaneously with the Accessory Building.

**4.16.2** An Accessory Building may not be used as a Dwelling Unit, Secondary Suite, Short-Term Rental or Temporary Accommodation in any zone.

**4.16.3** Accessory Buildings must conform with the development regulations outlined in each zone, including Setback, Height, Parcel Coverage and building separation.

**4.16.4** Accessory Buildings have the same Front Setback as the Principal Building.

**4.16.5** Notwithstanding Section 4.16.4, sheds and bicycle storage lockers which are screened as outlined in Section 6.2 and do not exceed a Height of 1.25 metres and 3 $m^2$ in area have a minimum Front Setback equal to the lesser of the Front Setback or 1.2 metres.

## 4.17 Swimming Pools

**4.17.1** Swimming pools have the same Front Setback as the Principal Building.

**4.17.2** At Grade, swimming pools must be located a minimum of 1.2 metres from Interior Side, Exterior Side and Rear Parcel Lines.

**4.17.3** Above ground swimming pools and associated Decks greater than 0.6 metres in height shall meet the siting requirements of Accessory Buildings and include a means of restricting access when unoccupied.

**4.17.4** Fencing must be erected around in-ground swimming pools and meet the following requirements:

a. Minimum of 1.5 metres in height;

b. Include a lockable gate;

c. Resistant to climbing;

d. Not allow the passage of a 0.1 metre sphere; and

e. Not consist of hedges, shrubs, bushes, trees and other plants.

## 4.18 Temporary Structures

**4.18.1** The installation of temporary Structures is permitted only in accordance with the following regulations:

a. Temporary Structures, including Temporary Fabric Structures, must meet the Setback and Height requirements for Accessory Buildings;

b. A maximum of one Temporary Fabric Structure is permitted per Parcel.

c. Shipping Containers used as temporary Structures must conform with Section 4.19.2, 4.19.3(b), 4.19.3(c), and 4.19.4.

## 4.19 Shipping Containers

**4.19.1** Shipping Containers, cargo containers, and similar metal storage containers may only be used as commercial, industrial, institutional, agricultural or residential Structures, or components of Structures, if the Shipping Container has been converted to meet the *BC Building Code* and has been issued a building permit from the City of Merritt. *****

**4.19.2** Except where prohibited, Shipping Containers may be used as Accessory Buildings, including for the purposes of storage, but only if the Shipping Container has been converted to meet the following requirements:

a. A vent must be installed in the lower portion of the Shipping Container doors. The vent must be 0.3 metres by 0.3 metres for containers under 6.0 metres in length and 0.5 metres by 0.5 metres for containers 6.0 metres or more in length;

b. A vent must be installed in the upper portion of the Shipping Container opposite the doors. The vent must be 0.3 metres by 0.3 metres for containers under 6.0 metres in length and 0.5 metres by 0.5 metres for containers 6.0 metres or more in length;

c. Display a placard, which lists all dangerous goods contained within the Shipping Container, on the most visible side.

**4.19.3** Shipping Containers used for storage purposes must be situated on a Parcel in such a way that the following requirements are met:

a. Located in the rear yard, except on industrial Parcels where Shipping Containers can also be located in side yards;

b. Minimum 3.0 metre separation from combustible Structures;

c. Doors facing away from Principal Building entrances and windows;

d. Screened from view from any Highway and Abutting Parcels in commercial or residential zones.

**4.19.4** Shipping Containers are prohibited as Accessory Buildings for the purposes of storage in the R3, R4, R5, R7, R8, RC1, C2 and C6 zones. *

**4.19.5** A maximum of one Shipping Container for the purposes of storage is permitted per residential Parcel in the R1 zone.

**4.19.6** Unless stated elsewhere in this Bylaw, the number of Shipping Containers permitted ancillary to a permitted Use in a Commercial or Industrial zone for storage purposes is based on Parcel Area at a rate of one Shipping Container per 0.2 hectares.

**4.19.7** Shipping Containers must be screened, as per Section 6.2. Shipping Containers for the purposes of storage may only be stacked in the M1, M2, and P2 zones and in no case may Shipping Containers be stacked above two containers in height.

**4.19.8** Unless stated elsewhere in this Bylaw, the number of Shipping Containers permitted ancillary to a permitted Use in the AR1 zone for storage purposes is based on Parcel Area at a rate of one Shipping Container per 2 hectares, with the exception of Parcels in the Agricultural Land Reserve, which are subject to restrictions and approval by the Agricultural Land Commission. *****

## 4.20 Stormwater Management

**4.20.1** A stormwater management plan must be prepared by a certified professional to confirm pre and post development flow conditions. This requirement may be waived by the Development Approving Officer or Building Inspector for developments of two or fewer Dwelling Units.

**4.20.2** Stormwater management plans should adhere to the standards outlined in the Subdivision and Development Servicing Bylaw. Where the standards in the Bylaw do not meet best management practices, the Master Municipal Construction Documents and Province of British Columbia's Stormwater Planning: A Guidebook for British Columbia should be used be used to guide development of the stormwater management plan.

**4.20.3** Post-development run-off must not exceed pre-development flow conditions for a rainfall event that has a probability of occurring once every 5 years.

**4.20.4** If City stormwater infrastructure is present adjacent to the subject Parcel, the development must connect to the stormwater system. If no infrastructure exists, on-site containment methods can be utilized.

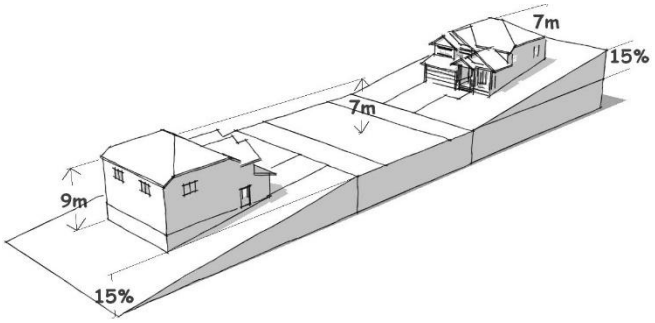
## 4.21 Hillside Development

**4.21.1** The intent of the hillside development regulation is to preserve view corridors from Parcels located upslope from a development and minimize the visual impact of buildings from views located below the development.

**4.21.2** If the average natural Grade over the depth of a Parcel equals or exceeds fifteen percent, development of the Parcel is subject to the following conditions:

a. Structures located below the Abutting street must not exceed a height of 7 metres above the elevation of the centerline of the street measured at the midpoint of the Parcel.

**Figure 4.21: Hillside Development**




b. Structures located above the Abutting street must not exceed a Height of 7 metres above the elevation of the mid-point of the rear Parcel Line.

c. In no case may a continuous vertical surface of a Structure exceed 9 metres measured from the lowest finished Grade of the Parcel on which it is located.

## 4.22 Application of Setback Requirements to Strata and Bareland Strata

**4.22.1** Setback regulations under this bylaw apply to bare land strata Parcels.

**4.22.2** The Interior Side Parcel Line requirements of this bylaw do not apply to strata Parcels under a registered plan pursuant to the *Strata Property Act* in respect of a boundary within a common wall shared by two or more Dwellings within a building.

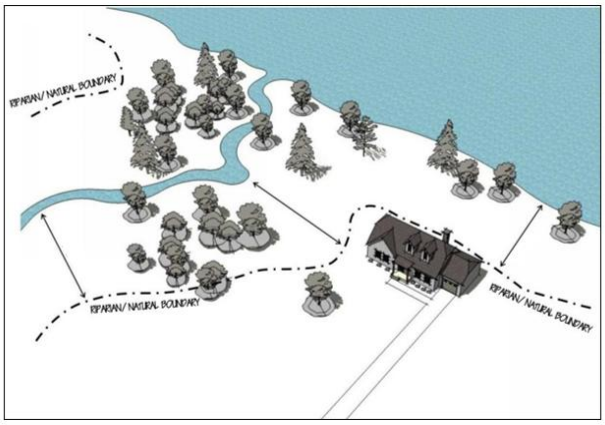
## 4.23 Party Wall Agreements

**4.23.1** A Party Wall Agreement must be registered on title for residential buildings containing two or more Dwellings in a Semi-Detached Dwelling or Multiple Unit Townhome Dwelling which share a common wall.

## 4.24 Watercourses

**4.24.1** Notwithstanding the Setback requirements specified in each zone, Setbacks from the natural boundary of any watercourse must accord with applicable Provincial and Federal regulations.

**Figure 4.24: Watercourse Setbacks**




## 4.25 Housing Agreements

**4.25.1** Increases in the maximum density or reductions in parking or loading requirements are permitted subject to the following conditions:

a. The owner enters into a housing agreement or covenant satisfactory to the City of Merritt; and

b. Such public benefit, determined by the City of Merritt, may include affordable or special needs housing for sale or rental at below market rates to qualifying purchasers or tenants or, amenities or amenity improvements to public spaces or community facilities.

**4.25.2** Special Needs Housing must incorporate physical design features or support services to meet the needs of persons with disabilities.

**4.25.3** All agreements and covenants entered into pursuant to Part 4.25 of the Bylaw shall run with the land as a priority charge against the title of the subject lands at the Land Title Office.

## 4.26 Density Bonuses

**4.26.1** An increase to the maximum Density may be approved by the Development Approving Officer according to the following:

**Table 4.26 Density Bonuses**

| Public Benefit | Zone | Maximum Density Bonus (Greater of) | |
|---|---|---|---|
| | | % increase | Dwelling Unit |
| Community Amenities, including but not limited to daycare centre, plaza space, playground, community garden or rooftop garden | R1, R3 | 5 | 1 |
| | R7 | 5 | 1 |
| | R8 | 5 | 1 |
| Affordable Housing: Near Market Housing (if a minimum of 20% of total Dwellings are Affordable Housing) | R1, R3 | 10 | 1 |
| | R7 | 10 | 1 |
| | R8 | 10 | 1 |
| Affordable Housing: Subsidized Housing (if a minimum of 20% of total Dwellings are Affordable Housing) | R1, R3 | 15 | 1 |
| | R7 | 15 | 1 |
| | R8 | 15 | 1 |
| Affordable Housing: Essential Housing (if a minimum of 20% of total Dwellings are Affordable Housing) | R1, R3 | 20 | 1 |
| | R7 | 20 | 1 |
| | R8 | 20 | 1 |
| Special Needs Housing | All zones where permitted | 15 | 1 |

**4.26.2** The Density bonuses for Community Amenities outlined in Table 4.26 can be combined with Affordable Housing or Special Needs Housing and are cumulative to a maximum of a 25% increase.

**4.26.3** A combination of Near Market Housing, Subsidized Housing, Essential Housing or Special Needs Housing is permitted. The density bonuses for these housing types, as outlined in Table 4.26, are not cumulative and shall be an average of the combined housing types.

**4.26.4** To qualify for a density bonus, the Community Amenity, Affordable Housing or Special Needs Housing Dwelling Units must be maintained as such for a minimum of 20 years, which must be guaranteed by way of a covenant.

**4.26.5** Notwithstanding the regulations outlined in Table 4.26, if a homeowner of a Single Detached Dwelling replaces the house, or partners with a developer to replace a house, with a Multiple Unit Dwelling, the new building is eligible to receive a density bonus of 1 additional Dwelling Unit to enable the original homeowner to live in one of the Dwelling Units in the new building. This arrangement would be outlined in a housing agreement, or a covenant registered on title for 5 years. *

## 4.27 Height Bonuses

**4.27.1** An increase to the maximum Height may be approved by the Development Approving Officer according to the following:

**Table 4.27 Height Bonuses**

| Public Benefit | Zone | Amount of space provided | Maximum Height Bonus | |
|---|---|---|---|---|
| | | | Height increase (metres) | Storeys |
| Daycare Centre | C2, C3, C4, C5 | Minimum of 100m2 | 4 | 0.5 |
| | C6 | | 4 | 1 |
| Recreational facility, such as swimming pool, futsal court, basketball court or pickleball court, accessible to the public | C2, C3, C4, C5 | Minimum of 450m2 | 4 | 0.5 |
| | C6 | | 4 | 1 |
| Plaza space, playground, community garden or rooftop garden, accessible to the public | R8 | Minimum of 50m2 | 4 | 0.5 |
| | C2, C3, C4, C5 | | 4 | 0.5 |
| | C6 | | 4 | 1 |
| Affordable Housing or Special Needs Housing | R8 | Minimum 20% of total Dwellings | 4 | 1 |
| | C3, C4, C5 | | 4 | 1 |
| | C6 | | 8 | 1.5 |
| Market Rental Housing | C3, C4 | 100% of Dwellings | 4 | 0.5 |
| | C5, C6 | | 4 | 1 |
| Affordable Lease Space | C2, C3, C4, C5 | Minimum of 20% of total lease space rented at 20% below market rate | 4 | 0.5 |
| | C6 | | 4 | 1 |
| Underground Parking | R8 | Minimum of 80% of parking spaces underground | 4 | 0.5 |
| | C2, C3, C4, C5, C6 | | 4 | 0.5 |
| Crime Prevention Through Environmental Design *(See Section 4.47 for regulations)* * | R8 | Measures in addition to the requirements outlined elsewhere in this Bylaw | 4 | 0.5 |
| | C2, C3, C4 | | 4 | 0.5 |
| | C5, C6 | | 4 | 1 |

**4.27.2** The Height bonuses outlined in Table 4.27 are cumulative to a maximum of the lesser of 8 metres or 2 storeys.

**4.27.3** To qualify for a Height bonus, the public benefit must be maintained as such for a minimum of 20 years, which must be guaranteed by way of a covenant.

## 4.28 Exception for minimum Parcel Size

**4.28.1** Minimum Parcel Area, Parcel Depth and Parcel Width provisions of this Bylaw do not apply in the case where:

a. Two or more Parcels are to be consolidated into one Parcel; or

b. The Parcel being created is to be used solely for an unattended building, or for equipment necessary for and to be used solely for the operation of:

i. A community sewer system;

ii. A community water system;

iii. A community gas distribution system;

iv. A radio or television receiving or broadcasting antenna;

v. A telecommunication relay station;

vi. An air navigation aid;

vii. An electrical substation or power generation station.

## 4.29 Subdivision without Community Sewer

**4.29.1** Parcels being subdivided must adhere to the regulations outlined in the City of Merritt Sanitary Sewer Bylaw No. 2182, 2015, as amended from time to time. *****

## 4.30 Floodplain Regulations

**4.30.1** Floodplain Designation

a. The lands identified on Schedule B of this bylaw as floodplains are hereby designated as a floodplain.

b. In addition to lands identified on Schedule B, land lower than the following levels is designated as floodplain:

i. The 200 year frequency flood levels applying to the Nicola River and Coldwater River, as designated on floodplain mapping by the Province of British Columbia; and

ii. 1.5 metres above the natural boundary of any other Watercourse.

**4.30.2** Siting Structures in Floodplains

a. Any fill material required to support a floor system or pad to the level required by this bylaw must not extend within 30 metres of the natural boundary of the Nicola River, the Coldwater River, or other watercourse, except where authorized by a *Riparian Area Protection Regulations* assessment.

b. The underside of any floor system or top of any pad supporting any space or room, including a Mobile Home, that is used for Dwelling purposes, business or the storage of goods which are susceptible to damage by flood water must be at least 0.6 metres above the floodplain levels outlined in 4.30.1(b).

## 4.31 Commercial Conversion

**4.31.1** The intent of this regulation is to allow commercial uses of residential buildings along Nicola Avenue and ensure that they retain the basic form and character of a Single Detached Dwelling.

**4.31.2** Commercial conversions are permitted in the R1 Zone for those Parcels fronting Nicola Avenue between Cleasby Street and one block east of Blair Street located within the heavy black line shown on the commercial conversion area illustration below.

**Figure 4.31: Commercial Conversion Area**

**4.31.3** No external structural alterations or additions may be made to a residential building while a commercial conversion Use is carried out in the building, or for the purpose of accommodating such a Use.

## 4.32 Home-Based Businesses

**4.32.1** Home-based Businesses with a valid business licence are permitted in all zones, except the RC1 zone, as a Secondary Use to a Dwelling Unit. *

**4.32.2** More than one Home-based Business is permitted at a Dwelling Unit or Parcel.

**4.32.3** The Home-based Business(es) must not occupy more than 40% of the Floor Area of the respective principal Dwelling. Home-based Business in Secondary Suites are included in the Floor Area Limit of the associated principal Dwelling. The Floor Area of the Dwelling used for the Home-based Business is limited to 25% if the Dwelling also contains a Bed and Breakfast. *

**4.32.4** There is no Floor Area limitation for a Detached Secondary Dwelling or Accessory Building for the Home-based Business.

**4.32.5** No exterior storage for a Home-based Business is permitted.

**4.32.6** A Home-based Business may in no way indicate from the exterior that the Dwelling is being so used, except for one home occupation sign in the AR1, R1, and R3 zones, as permitted by the Sign Bylaw. *

**4.32.7** A Home-based Business must be conducted by a person(s) who is resident of the Single Real Estate Entity where the Home-based Business is located. *

**4.32.8** A Home-based Business must not create a Nuisance.

**4.32.9** No more than one person, other than residents of the relevant residence, may be employed at a Dwelling Unit or Parcel with one or more Home-based Businesses.

**4.32.10** A Home-based Business must not involve delivery of materials to or from the residence by commercial vehicles.

**4.32.11** A Dwelling Unit or Parcel with one or more Home-based Businesses must not generate more than two clients to the site at any given time.

## 4.33 Bed and Breakfast

**4.33.1** A Bed and Breakfast with a valid business licence is permitted in Single Detached Dwellings in the AR1, R1, and R3 zones, as a secondary Use. *

**4.33.2** A Bed and Breakfast must not be conducted in the same building as a Secondary Suite or Short-Term Rental.

**4.33.3** A Bed and Breakfast must not alter the residential character or show an external indication the Dwelling is being so used, except for one fascia sign, as per the Sign Bylaw.

**4.33.4** A maximum of four Sleeping Units is permitted in a Bed and Breakfast.

**4.33.5** Off-street Parking Spaces for Bed and Breakfasts, in addition to the requirements for the Dwelling, are required as per Table 5.18.

**4.33.6** Parking areas and Open Space to be used by guests of a Bed and Breakfast must be oriented away and screened from Abutting Parcels to minimize the impact of the operation on neighbouring properties.

**4.33.7** The property owner or operator must reside in the Dwelling at least 180 days per calendar year.

**4.33.8** The maximum length of stay for any guest at a Bed and Breakfast is 30 consecutive days, and 90 days in a calendar year.

## 4.34 Short-Term Rentals

**4.34.1** A Short-Term Rental is permitted in the AR1, C2, C3, C4 and C6 zones, and may be permitted as a Discretionary Use in the R1, R3, R7, R8 and C5 zones subject to Section 4.5. *

**4.34.2** Operation of a Short-Term Rental requires a valid business licence and payment of all applicable fees and taxes.

**4.34.3** The submission of written permission from the strata council is required for a Short-Term Rental in a strata development.

**4.34.4** A valid business licence must be clearly displayed on-site of a Short-Term Rental.

**4.34.5** Short-Term Rental may contain Cooking Facilities.

**4.34.6** If a Dwelling Unit has an occupied Secondary Suite or an active Bed and Breakfast, it may not also have a Short-Term Rental, except in the C6 Zone. *

**4.34.7** Off-street Parking Spaces for Short-Term Rentals, in addition to the requirements for the Dwelling, are required in the AR1 and R1 zones as per Table 5.18.

**4.34.8** At least one Parking Space for the principal Dwelling and the Parking Space for the Short-Term Rental must be located so as to provide direct vehicular Access to the street without obstruction by a vehicle parked in another Parking Space.

**4.34.9** For a Short-Term Rental in the R1 or R3 zones, parking areas and Open Space to be used by guests must be oriented away and screened from Abutting Parcels to minimize the impact of the operation on neighbouring properties.

**4.34.10** The maximum length of stay for any guest at a Short-Term Rental is 30 consecutive days, and 90 days in a calendar year.

## 4.35 Principal Buildings *

**4.35.1** More than one Principal Building is permitted on a Parcel.

**4.35.2** No Principal Building may be located less than 3 metres away from another Principal Building on a Parcel.

## 4.36 Accessory Dwellings *

**4.36.1** The maximum number of Secondary Suite(s) and/ or Detached Secondary Dwelling(s) on a Parcel are outlined in the following table:

**Table 4.36 Maximum Accessory Dwelling Units permitted on a Parcel**

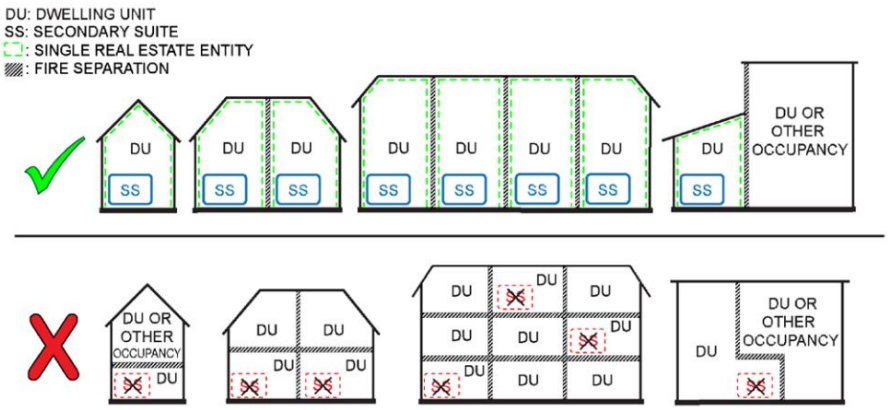
| Parcel Size | Maximum number of Accessory Dwelling Units |
|---|---|
| Less than or equal to 280 $m^2$ | 3 units |
| More than 280 $m^2$ | Greater of 4 units or 1 per Dwelling Unit |

## 4.37 Secondary Suites

**4.37.1** The maximum number of Secondary Suites on a Parcel is specified in Table 4.36. *

**4.37.2** Secondary Suite(s) must be contained within the principal Dwelling and separated from other Dwellings and occupancies by a vertical fire separation. *

**Figure 4.37: Secondary Suites**




**4.37.3** Secondary Suite(s) must not be conducted in the same building as a Bed and Breakfast or Short-Term Rental, except in the C6 Zone. *

**4.37.4** Rentals of a Secondary Suite must have a minimum tenancy period of one month.

**4.37.5** Off-street Parking Spaces for Secondary Suites, in addition to the requirements for the Dwelling, are required as per Table 5.18.

**4.37.6** The maximum floor area of a Secondary Suite must not exceed the floor area of the associated principal Dwelling Unit**. ***

## 4.38 Detached Secondary Dwellings

**4.38.1** Detached Secondary Dwellings are permitted in the AR1, R1, and R3 zones. *

**4.38.2** The maximum number of Detached Secondary Dwellings on a Parcel is specified in Table 4.36. *

**4.38.3** Detached Secondary Dwelling(s) are permitted on a Parcel that has a Bed and Breakfast or Secondary Suite in the Principal Building. *

**4.38.4** If a Secondary Suite exists in the Principal Building, it must be registered with the City of Merritt prior to the issuance of a building permit for the Detached Secondary Dwelling.

**4.38.5** A Detached Secondary Dwelling may contain a Short-Term Rental.

**4.38.6** A Detached Secondary Dwelling may not be occupied unless a Principal Building is in existence on the Parcel and has been issued an occupancy permit, except when an existing Dwelling is being converted into a Detached Secondary Dwelling in conjunction with the construction of a new Principal Building.

**4.38.7** The maximum floor area of a Detached Secondary Dwelling must be less than the floor area of the Principal Building.

**4.38.8** No Detached Secondary Dwelling may be located less than 3 metres away from a Principal Building or another Detached Secondary Dwelling on a Parcel. *

**4.38.9** Where a Principal Building is connected to the City of Merritt water and sanitary sewer system, any Detached Secondary Dwelling must also be connected via the connections serving the Principal Building.

**4.38.10** Off-street Parking Spaces for Detached Secondary Dwellings, in addition to the requirements for the Principal Building, are required as per Table 5.18.

## 4.39 Backyard Hens

**4.39.1** Backyard Hens are restricted to Parcels in the R1, R3, P2 and P3 zones. *****

**4.39.2** Backyard Hens must be kept in a Backyard Hen Enclosure. Only one Structure containing Backyard Hens is permitted on each property.

**4.39.3** The Backyard Hen enclosure must be sited to the rear of the Principal Building, be Setback a minimum of 1.2 metres from any Parcel Line, not be visible from the street, and be constructed in a way to prevent infiltration from predatory animals and rodents as well as for sound attenuation.

*See the Animal Control Bylaw for regulations on the keeping of animals.*

## 4.40 Beekeeping

**4.40.1** Written consent from owners and tenants of all Abutting properties and, if applicable, the subject property owner, must be obtained and provided to the City. Neighbours may only object to the keeping of beehives on medical grounds.

**4.40.2** Bees may only be kept on Parcels zoned R1 or R3.

**4.40.3** No more than 2 beehives on a Parcel of less than 1,000 $m^2$, 4 beehives on a Parcel that is between 1,000 $m^2$ and 2,000 $m^2$, and 6 beehives on a Parcel that is over 2,000 $m^2$.

**4.40.4** All beehives must be located in a rear yard and oriented to face away from adjacent properties and Lanes.

**4.40.5** Beehives have Interior Side, Exterior Side and Rear Setbacks of 2.0 metres.

**4.40.6** The positioning of all beehives must enable a clear flight path of at least 4.5 metres straight ahead from the front of the beehive to any Parcel Line or Structure.

**4.40.7** Beehives must be screened from view from any street, Lane or Abutting residential property.

*See the Animal Control Bylaw for regulations on the keeping of animals.*

## 4.41 Vehicle Services and Drive-Through Businesses

**4.41.1** Vehicle Services and Drive-through Businesses are subject to the following:

a. Vehicle Services and Drive-through Businesses are not permitted in the C2, C5 or C6 zones;

b. All buildings must be situated at least 5 metres from the side Parcel Lines;

c. The entire customer service area must be paved with a permanent impermeable surface such as asphalt and concrete.

## 4.42 Filling Stations

**4.42.1** Filling Stations are not permitted in the C2, C5 or C6 zones.

**4.42.2** Gasoline and propane service pumps or pump islands must be installed at least 5 metres away from any Parcel Line.

**4.42.3** All servicing equipment, other than that normally carried on a pump island, must be entirely enclosed within a building, excluding electric charging stations or propane filling equipment.

**4.42.4** The entire customer service area must be paved with a permanent surface of asphalt or concrete with proper on-site drainage connected to the City storm sewer system unless the Development Approving Officer has approved a dry well system on-site.

## 4.43 Retail Cannabis Sales

**4.43.1** No portion of a Retail Cannabis Sales store may be located within 150 metres of the Parcel Line for any property zoned Park and Cemetery (P1) or any property with a Daycare Centre, Major or Public School Use in the Institutional and Public Use (P2) or City Centre District (C6) zones.

**4.43.2** No portion of a Retail Cannabis Sales store may be located within 100 metres of the public entrance of another Retail Cannabis Sales store.

**4.43.3** For properties within the Provincial Agricultural Land Reserve, the regulations outlined in this section may not apply. *

## 4.44 Strata Developments *

**4.44.1** Building and bare land strata is permitted in all residential, commercial, and industrial zones.

**4.44.2** Accessory Dwelling Units are permitted in Strata Developments, subject to the Strata's Bylaws. *

## 4.45 Temporary Use Permits *

**4.45.1** Temporary Use Permits may be issued for any Use on any Parcel on which it is not already a contemplated Use.

**4.45.2** Temporary Use Permits are at the discretion of, and can be issued and extended by the Development Approving Officer.

**4.45.3** Temporary Use Permits may be issued for up to 18 months, and may be extended up to a maximum of 1 time, for a maximum period of an additional 18 months.

**4.45.4** Notwithstanding Section 4.45.1, industrial Uses are not permitted to be located on residential Parcels.

## 4.46 Modular Buildings *

**4.46.1** Modular Buildings, built to CSA A277 compliant with the British Columbia Building Code, may be used as residential, commercial, industrial, and institutional Structures.

## 4.47 Crime Prevention Through Environmental Design *

**4.47.1** Site and building layouts shall include design elements that take the principles of Crime Prevention Through Environmental Design (CPTED) into consideration, particularly for commercial, industrial, multi-unit residential Uses and Vehicle Parking Uses.

**4.47.2** These elements may include elements that allow for natural surveillance, increase sightlines and activity, and high-quality interior and exterior lighting.

**4.47.3** The physical layout and landscaping shall reduce the vulnerability of pedestrians by avoiding areas of concealment or entrapment such as: long public corridor spaces, stairwells, or other movement predictors), avoiding landscaping hazards such as: unpruned trees, rocks that can be thrown, or blind corners, and by locating Vehicle Parking areas close to building access points and by using wayfinding mechanisms.

# PART 5 - PARKING AND LOADING

# PART FIVE – PARKING AND LOADING

## 5.1 General Parking Provisions

**5.1.1** Off-street parking requirements for vehicles, bicycles and motorcycles are outlined in Table 5.18.

**5.1.2** Required parking must not be provided parallel to and flanking a Lane unless the parking area is accessible by a driveway and is screened from the Lane as outlined in Section 6.2.

**5.1.3** Any commercial, industrial, or institutional parking area containing four or more parking spaces, or any multiple unit residential parking area, must incorporate Landscaping, as outlined in Section 6.4. *

**5.1.4** No person at any time may park or store any commercial vehicle, truck, bus, motor home, truck camper, travel trailer, utility trailer, tow truck or any construction equipment or truck or commercial vehicle containing building material on a Parcel in a residential zone, except: *

a. one truck or commercial vehicle not exceeding 6,350 kg G.V.W. rated capacity;

b. one motor home, truck camper or travel trailer provided that the overall length does not exceed 10 metres;

c. trucks or equipment required for construction, repair, servicing, or maintenance of the premises when parking during normal working hours;

d. one boat or vessel not exceeding a length of 10 metres;

e. a truck or commercial vehicle containing building materials when the owner, lessee, or occupier of the Parcel is in possession of an unexpired building permit authorizing the construction of a building on the Parcel, provided that the materials are required for the construction of the building.

**5.1.5** Section 5.1.4 does not apply to the parking or storage of a vehicle that has been authorized by the City under another bylaw.

**5.1.6** The parking of a logging truck on residential property requires a permit, as per the Traffic Bylaw.

## 5.2 Street Parking Permit

**5.2.1** A parking permit may be issued for Parcels in the R3 zone, subject to regulations in the Traffic Bylaw.

**5.2.2** With a valid parking permit, the vehicle parking requirements for the R3 zone are as outlined in Table 5.18.

## 5.3 Tandem Parking

**5.3.1** Parking Spaces may be configured in tandem for Single Detached Dwellings, Detached Secondary Dwellings, Semi-Detached Dwellings, and Multiple Unit Townhome Dwellings. *

**5.3.2** In developments containing three or more Dwellings, tandem parking is allowed, provided each Dwelling has one Parking Space with direct Access from an internal road or a Highway and visitor Parking Spaces are not configured in tandem. *

## 5.4 Common Parking

**5.4.1** Parking Spaces in all zones may be provided by way of communal parking areas. *****

**5.4.2** Where Common Parking exists, a pathway or sidewalk must connect the parking areas to the occupied buildings**. ***

## 5.5 Shared Parking

**5.5.1** Where off-street Parking Spaces can serve two or more non-residential Uses on the same or separate Parcels, shared vehicle parking may be permitted if the peak parking demands of the Uses occur at different times of the day, and the following information is submitted to the City of Merritt in writing as part of a business license, building permit or development permit:

a. The names and addresses of the uses and of the owners or tenants that propose to share the use of the Parking Spaces;

b. The location, number, and type of Parking Spaces that would be shared.

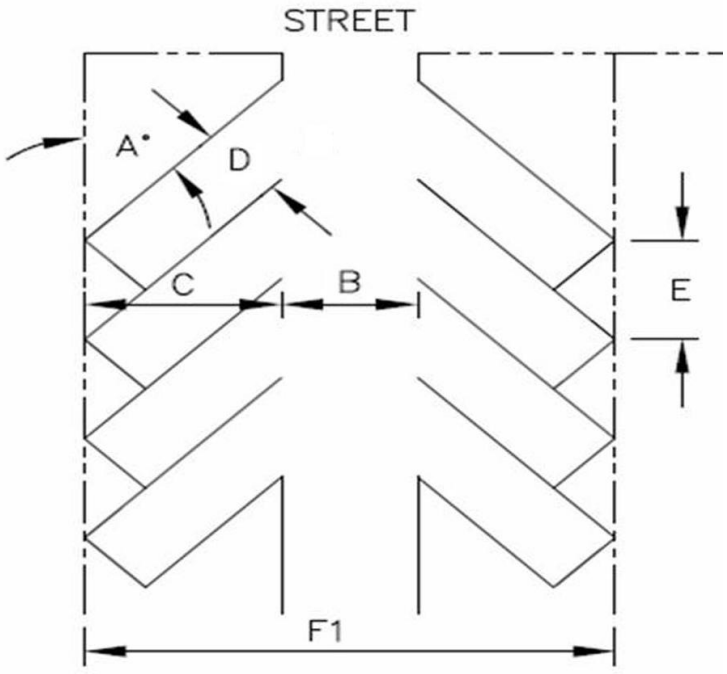
## 5.6 Parking Design Standards

**5.6.1** Unless otherwise stated within this Bylaw, vehicle Parking Spaces must meet the minimum dimension requirements listed within Table 5.6. The minimum parking dimension requirements are illustrated within Figure 5.6.

**5.6.2** Up to 50% of vehicle parking spaces may be dedicated to small size vehicle parking spaces. *

| Table 5.6: Minimum Parking Space and Aisle Dimensions | | | | | |
|---|---|---|---|---|---|
| **Parking Angle (A)*** | **Aisle Width (B)*** | **Stall Depth (C)*** | **Stall Width (D)*** | **Stall Width Parallel to Aisle (E)*** | **Clearance** |
| **Regular Size Parking Spaces** | | | | | |
| 0° (parallel) | 3.0 m | 7.0 m | 2.5 m | 7.0 m | 2.0 m |
| 30° | 3.1 m | 5.3 m | 2.5 m | 5.6 m | 2.0 m |
| 45° | 3.5 m | 6.1 m | 2.5 m | 4.0 m | 2.0 m |
| 60° | 5.5 m | 6.4 m | 2.5 m | 3.2 m | 2.0 m |
| 90° | 6.0 m | 5.8 m | 2.5 m | 2.6 m | 2.0 m |
| **Small Size Parking Spaces** | | | | | |
| 0° (parallel) | 3.0 m | 6.5 m | 2.4 m | 6.5 m | 2.0 m |
| 30° | 3.1 m | 5.0 m | 2.4 m | 2.6 m | 2.0 m |
| 45° | 3.5 m | 5.5 m | 2.4 m | 2.7 m | 2.0 m |
| 60° | 5.5 m | 5.8 m | 2.4 m | 2.8 m | 2.0 m |
| 90° | 6.0 m | 4.8 m | 2.4 m | 2.5 m | 2.0 m |
| **Accessible Parking Spaces** | | | | | |
| All configurations | Same as Regular Size | Regular Size plus 0.2 m | 3.9 m | Same as Regular Size | 2.3 m |
| **All two-way drive aisles without adjacent parking** | | | | | |
| N/A | 6.0 m | N/A | N/A | N/A | 2.0 m |

**Figure 5.6: Parking Dimension Factors**



## 5.7 Off-Street Vehicle Parking and Loading Provisions

**5.7.1** When any new development is initiated or when any existing development is expanded, intensified, enlarged, or a use is changed, off-street Parking Spaces and off-street loading spaces must be provided and maintained by the property owner in accordance with the standards of this section.

**5.7.2** Where provision of off-street parking or loading spaces is required by this Bylaw, a plan of the proposed site layout and landscape plan must be included with the development permit or building permit application. The site plan must be drawn to scale and must clearly illustrate the Parcel size and configuration, building locations, Parking Spaces, loading spaces, on-site circulation, Access driveways, Landscaping, Fences, and any other details relevant to the review of the development proposal.

**5.7.3** Off-street Parking Spaces shall not be credited as off-street loading spaces or vice versa.

**5.7.4** Every off-street parking or loading area, including every Access to such areas, must have a durable, dust-free hard surface of asphalt, concrete or similar material, unless the parking area is accessed from a lane. This requirement may be waived by the Development Approving Officer if a permeable surface alternative is used. *

**5.7.5** Every off-street parking or loading area must be constructed such that the surface drainage is directed to the City storm sewer system, if available, or alternatively to approved planting areas or an approved on-site drainage system.

**5.7.6** Every off-street parking or loading area that Abuts another property must have fencing, curbs or secured wheel stops to prevent vehicles from encroaching upon Parcel Lines. If the parking or loading area Abuts a Highway, the vehicle making use of the parking or loading area must not encroach upon the Highway. *

**5.7.7** All off-street Parking Spaces in multiple unit residential, commercial, industrial, or institutional developments that are Abutting a pedestrian walkway or landscaped area without a barrier curb must have a wheel stop that is 0.9 metres from the walkway or landscaping area and a minimum of 0.15 metres in height. This requirement does not apply to a Parking Space if the Parking Space is configured parallel to the curb or drive aisle. *

**5.7.8** Every off-street parking or loading area in multiple unit residential, commercial, industrial, or institutional developments must clearly delineate individual Parking Spaces, loading spaces, accessible Parking Spaces, entrances and exits, and garbage and recycling storage areas, where applicable, with pavement markings, signs, and/or other physical means. *

**5.7.9** Every off-street parking or loading area in multiple unit residential, commercial, industrial, or institutional developments must be designed using Crime Prevention Through Environmental Design techniques, including the installation of lighting, signage, and landscaping that enables natural surveillance. *

**5.7.10** Number of Spaces

a. The minimum number of off-street vehicle parking and loading spaces required for each Use is specified in the Parking and Loading table (Table 5.18).

b. Where the calculation of the total number of parking and loading spaces results in a fraction of 0.5 or greater, the next highest whole number shall be required.

c. Where Table 5.18 does not clearly define requirements for a particular development, the single Use class or combination of Use classes most representative of the development shall be used to determine the parking requirements.

d. Where a development consists of a mix of Use classes, the total off-street parking and loading requirement shall be the sum of the off-street parking and loading requirements for each Use class;

e. A driveway of a minimum of 4.8 metres in length shall qualify as a Parking Area, subject to Section 4.8 and any restrictions cited elsewhere in this bylaw.

## 5.8 Public Benefit Parking Reduction

**5.8.1** A reduction in the required Parking Spaces may be approved by the Development Approving Officer according to the following:

**Table 5.8: Public Benefit Parking Reduction**

| Public Benefit | Zone | Parking Reduction (Greater of) | |
|---|---|---|---|
| | | Spaces per Dwelling | Parking Spaces |
| Community Amenities, including but not limited to daycare centre, plaza space, playground, community garden or rooftop garden | R1, R3 | 0.1 | 1 |
| | R7 | 0.1 | |
| | R8 | 0.1 | |
| Affordable Housing: Near Market Housing (if 20% of total Dwellings) | R1, R3 | 0.1 | |
| | R7 | 0.1 | |
| | R8 | 0.1 | |
| Affordable Housing: Subsidized Housing (if 20% of total Dwellings) | R1, R3 | 0.2 | |
| | R7 | 0.2 | |
| | R8 | 0.2 | |
| Affordable Housing: Essential Housing (if 20% of total Dwellings) | R1, R3 | 0.25 | |
| | R7 | 0.25 | |
| | R8 | 0.25 | |
| Special Needs Housing | All zones where permitted | 0.25 | |

**5.8.2** Notwithstanding Table 5.8, the maximum Public Benefit Parking reduction shall be 50% of the total parking spaces required. *

## 5.9 Street Frontage Parking Reduction: *

**5.9.1** Off-street vehicle parking reduction shall apply in the following situations:

a. Where a Parcel has primary Access from the Lane and no Access from the street Abutting the Front Parcel Line – a reduction of 1 parking space;

b. Where a Parcel has Access from the street Abutting the Front Parcel Line – a reduction of 0.5 parking space for each continuous distance of 6m along the Front Parcel Line, uninterrupted by a driveway Access.

## 5.10 Transit Proximity Parking Reduction *

**5.10.1** There is no parking requirement for Detached Secondary Dwellings or Secondary Suites if the Parcel is within 200 metres of a Designated Transit Stop.

**5.10.2** Notwithstanding the regulations outlined in Table 5.8, parking requirements may be reduced by up to one Parking Space per Dwelling Unit for affordable housing developments if the Parcel is within 200 metres of a Designated Transit Stop.

## 5.11 City Centre Parking Reduction

**5.11.1** Vehicle parking requirements outlined in Table 5.18 shall be reduced by 0.25 spaces per Dwelling or per commercial unit for Parcels in the City Centre Parking Zone, as illustrated in Figure 5.13. *****

## 5.12 Pay in Lieu of Parking

**5.12.1** In lieu of providing the required number of off-street vehicle Parking Spaces on Parcels in the R7, R8, C1, C2, C3, C4, C5, C7, C8, M1 and M2 zones, an owner may provide to the City a sum of money equal to the number of Parking Spaces not provided multiplied by $2,000.00 for deposit to the City's Active Transportation and Parking Infrastructure Reserve Fund. *

**5.12.2** In lieu of providing the required number of off-street vehicle Parking Spaces on Parcels in the City Centre Parking Zone, as illustrated in Figure 5.13, an owner may provide to the City a sum of money, for deposit to the City's Active Transportation and Parking Infrastructure Reserve Fund, in the amount of $1.00 per space for up to a 25% reduction, an additional $100.00 per space for up to an additional 25% reduction, and an additional $1,000.00 per space for any additional reduction beyond 50% of the total Parking Spaces required.

**Figure 5.13: City Centre Parking Zone**

## 5.13 Motorcycle Parking Standards

**5.13.1** Unless otherwise stated within this Bylaw, required motorcycle Parking Spaces must be a minimum of 1.2 metres in width and have a depth of no less than 2.4 metres perpendicular to the aisle.

## 5.14 Bicycle Parking Standards – Short-Term

**5.14.1** Each required short-term bicycle Parking Space must be:

a. At least 0.6 metres wide by at least 1.8 metres long with a vertical clearance of at least 1.25 metres;

b. Located outside a building in a convenient, well-lit location that is visible from the Abutting street.

**5.14.2** Where a bicycle rack is provided for short-term bicycle parking, the rack must be:

a. Capable of enabling a bicycle frame and front or rear wheel to be locked to the rack with a U-shaped shackle lock if both wheels are left on the bicycle;

b. Constructed of theft resistant material and be securely anchored to the floor, ground, or exterior of a building.

**5.14.3** Where a bicycle locker is provided for short-term bicycle parking, the locker must be securely anchored.

**5.14.4** Bicycle storage lockers for short-term parking are permitted within the Front Setback of commercial, industrial, and institutional zones. Bicycle storage lockers, of a maximum height of 1.25 metres and gross floor area of 3 $m^2$, are permitted in residential front yards, where the front yard is fenced.

## 5.15 Bicycle Parking Standards – Long Term

**5.15.1** Each required long term bicycle Parking Space must be:

a. At least 0.6 metres wide by at least 1.8 metres long with a vertical clearance of at least 1.25 metres;

b. Covered within a building, under roof overhangs or awnings, in bicycle storage lockers or within or under other Structures;

c. Located in one of the following:

i. a locked room, closet or bicycle storage locker;

ii. an area that is enclosed by a floor-to-ceiling fence with a locked gate;

iii. an area monitored by a security camera; or

iv. an area that is visible from employee work areas.

**5.15.2** Where a bicycle rack is provided for long term bicycle parking, the rack must be:

a. Anchored to the floor, wall or ceiling of the covered space within which it is located;

b. Capable of enabling a bicycle frame and front or rear wheel to be locked to the rack with a U-shaped shackle lock if both wheels are left on the bicycle.

**5.15.3** Bicycle storage lockers for long term parking are permitted within the Front Setback of commercial, industrial, and institutional zones. Bicycle storage lockers, of a maximum height of 1.25 metres and gross floor area of 3 $m^2$, are permitted in residential front yards, where the front yard is fenced.

## 5.16 Active Transportation

**5.16.1** Parking for electric mobility scooters, e-bikes, push scooters and similar active transportation modes may be used to meet bicycle parking requirements as outlined in Table 5.18.

## 5.17 Accessible Parking

**5.17.1** If a development requires 9 or more parking spaces, Accessible parking for persons with disabilities is required as follows: *

a. must be designated using appropriate markings as accessible Parking Spaces;

b. are included in the calculation of the applicable minimum Parking Space requirement and are not additional to it;

c. must comprise at least 10 percent of the total number of Parking Spaces required by Table 5.18 with a minimum of one accessible Parking Space required.

**5.17.2** If the *BC Building Code* requires provision of Accessible Parking, it shall take precedence over section 5.17.1. *

**5.17.3** If the required number of total Parking Spaces is reduced, the 10 percent requirement for accessible Parking Spaces shall be calculated using the reduced total. Accessible Parking Spaces cannot be reduced below half of the unreduced total.

## 5.18 Off-Street Parking and Loading Requirements

**5.18.1** Off Street Parking and Loading requirements must meet the requirements of Table 5.18:

**Table 5.18: Off-Street Parking and Loading Requirements ***

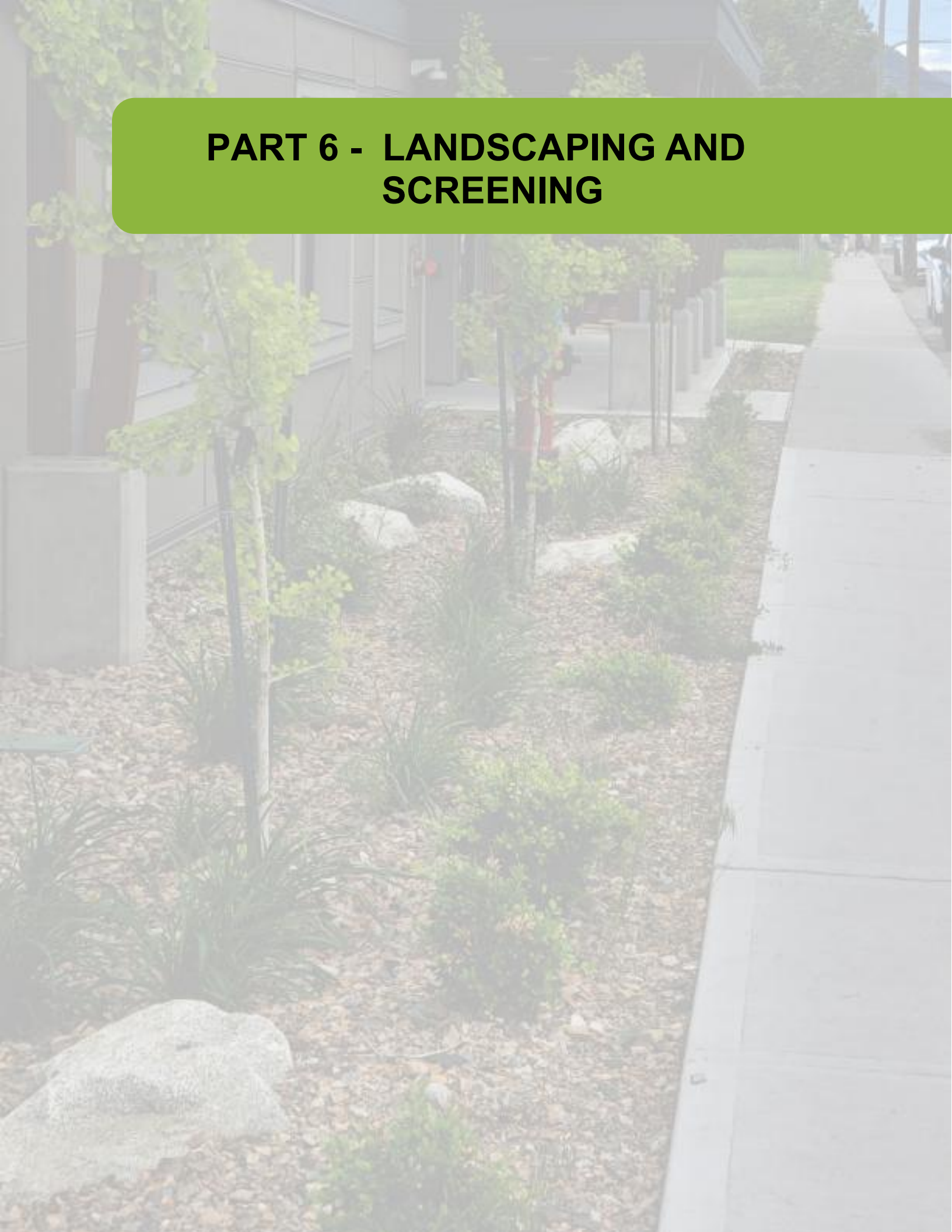
**Notwithstanding the off-street parking requirements, see sections 5.8, 5.9, 5.10, 5.11, and 5.12 for parking reductions.**

| Class of Building or Use | Minimum Vehicle Parking Spaces | Minimum Visitor Vehicle Parking Spaces | Minimum Vehicle Loading Spaces | Minimum Bike Parking – Short-Term | Minimum Bike Parking – Long-Term | Minimum Motorcycle Parking |
|---|---|---|---|---|---|---|
| **Residential** | | | | | | |
| Buildings containing 2 or less Dwellings – R1 | 1 per Dwelling | N/A | N/A | N/A | N/A | N/A |
| Buildings containing 2 or less Dwellings – R3 | 1 per Dwelling or 0 per Dwelling with a valid street parking permit | N/A | N/A | 1 per Dwelling | 0 spaces, or 1 per Dwelling that has 0 vehicle spaces | N/A |
| Dwelling, Multiple Unit Townhome | 4 or more bedroom units: 1.5 per Dwelling; Bachelor units, 1, 2 or 3 bedroom units: 1 per Dwelling | 0.1 per Dwelling for developments of 9 or more Dwelling Units | N/A | 2 spaces or 0.2 per Dwelling, whichever is greater | N/A | 0.1 per Dwelling for developments of 9 or more Dwelling Units |
| Dwelling, Multiple Unit Townhome – R3 | 1 per Dwelling or 0 per Dwelling with a valid street parking permit | N/A | N/A | 2 spaces or 0.2 per Dwelling, whichever is greater | N/A | 0.1 per Dwelling for developments of 9 or more Dwelling Units |
| Dwelling, Multiple Unit Apartment | 4 or more bedroom units: 1.5 per Dwelling; Bachelor units, 1, 2 or 3 bedroom units: 1 per Dwelling | 0.1 per Dwelling for developments of 9 or more Dwelling Units | 0 spaces for buildings under 20 Dwelling Units; 0.02 spaces per additional Dwelling | 4 spaces or 0.2 per Dwelling, whichever is greater | 0.5 per Dwelling | 0 spaces for buildings under 20 Dwelling Units; 0.1 per additional Dwelling |
| Dwellings in buildings also used for commercial Use | 3 or more bedroom units: 1.5 per Dwelling; Bachelor Suite, 1 or 2 bedroom units: 1 per Dwelling; Plus, 1 per 100 $m^2$ Floor Area for the commercial use(s) | 0.1 per Dwelling | 0 spaces for the residential Use of buildings under 20 Dwelling Units; 0.02 per additional Dwelling; Plus 1 per 2000 $m^2$ Floor Area for the commercial Use(s) | 4 spaces or 0.2 per Dwelling, whichever is greater; Plus 1 per 500 m2 Floor Area for the commercial Use(s). | 0.5 per Dwelling; Plus 1 per 1000 m2 Floor Area for the commercial Use(s). | 1 space or 0.1 per Dwelling, whichever is greater; Plus 1 per 1000 m2 Floor Area for the commercial Use(s). |
| Accessory Dwelling Unit: Detached Secondary Dwelling, Secondary Suite. | 2 or fewer units: 1 parking space; For each additional unit, 0.5 per unit | N/A | N/A | 0 for 1 unit, For each additional unit: 0.5 per unit | N/A | N/A |
| Bed and Breakfast | 1 per Sleeping Unit in addition to the Dwelling requirement | N/A | N/A | 1 per Sleeping Unit | N/A | 0.25 per Sleeping Unit |

| Table 5.18 (Ctd): Off-Street Parking and Loading Requirements | | | | | | |
|---|---|---|---|---|---|---|
| **Class of Building or Use** | **Minimum Vehicle Parking Spaces** | **Minimum Visitor Vehicle Parking Spaces** | **Minimum Vehicle Loading Spaces** | **Minimum Bike Parking – Short-Term** | **Minimum Bike Parking – Long-Term** | **Minimum Motorcycle Parking** |
| **Commercial** | | | | | | |
| Motel | 1 per Sleeping Unit | 0.05 per Sleeping Unit | N/A | 0.2 per Sleeping Unit | 0.05 per Sleeping Unit | 0.05 per Sleeping Unit |
| Hotel | 1 per Sleeping Unit | 0.02 per Sleeping Unit | 1 space | 0.2 per Sleeping Unit | 0.05 per Sleeping Unit | 0.05 per Sleeping Unit |
| Short-Term Rental | 1 space, in addition to Dwelling requirement | N/A | N/A | 1 per Sleeping Unit | N/A | N/A |
| Golf Driving Range | 1 per tee | N/A | N/A | 0.1 per tee | N/A | N/A |
| Golf Course | 2 per hole | N/A | 1 space per 9 holes | 0.1 per hole | 1 per 9 holes | N/A |
| Home-based Business | 1 per Home-based Business, in addition to Dwelling requirement | N/A | N/A | 1 space | N/A | N/A |
| Food Primary Establishment, Liquor Primary Establishment | 1 per 6 seats<br><br>For takeout only businesses the requirement is 1 per 100m$^2$ Floor Area<br><br>On Quilchena Avenue between Chapman Street and Charters Street the requirement is 0 Parking Spaces | N/A | 1 per 1500 m$^2$ Floor Area | 1 per 8 seats<br><br>For concession stands and takeout only businesses the requirement is 6 | 1 per 500 m$^2$ Floor Area | 1 per 1000 m$^2$ of Floor Area |
| Commercial Retail, Personal and Professional Services | 1 per 100 m$^2$ Floor Area | N/A | 1 per 1500 m$^2$ Floor Area | 1 per 500 m$^2$ of Floor Area | 1 per 500 m$^2$ of Floor Area | 1 per 1000 m$^2$ of Floor Area |
| **Industrial** | | | | | | |
| Vehicle Services, Garages, Auto Body Shops, Paint Shops | 2 per service bay or 1 per 100 m$^2$ Floor Area, whichever is greater | N/A | 1 per 2000 m$^2$ Floor Area | N/A | 1 per 1000 m$^2$ of Floor Area | 1 per 1000 m$^2$ of Floor Area |
| Warehouse, Storage, Manufacturing, or Wholesale Buildings | 1 per 250 m$^2$ Floor Area or 0.5 per employee, whichever is greater | N/A | 1 per 2000 m$^2$ Floor Area | N/A | 1 per 1000 m$^2$ of Floor Area | 1 per 1000 m$^2$ of Floor Area |

| Table 5.18 (Ctd): Off-Street Parking and Loading Requirements | | | | | | |
|---|---|---|---|---|---|---|
| **Class of Building or Use** | **Minimum Vehicle Parking Spaces** | **Minimum Visitor Vehicle Parking Spaces** | **Minimum Vehicle Loading Spaces** | **Minimum Bike Parking – Short-Term** | **Minimum Bike Parking – Long-Term** | **Minimum Motorcycle Parking** |
| **Institutional** | | | | | | |
| Hospital | 0.25 per employee | 1 per 5 beds | 1 per 40 beds | 0.2 per bed | 1 per 5 employees | 1 per 150 $m^2$ of Floor Area |
| Community Care Facility | 0.2 per bed | 1 per 10 beds | 1 per 10 beds | 0.1 per bed | 0.1 per bed; Plus 1 per 10 employees | 1 per 250 $m^2$ of Floor Area |
| Building for public institution use | 1 per 30.0 $m^2$ Floor Area | N/A | 1 per 3000 $m^2$ Floor Area | 6 per public entrance | 0.2 per employee | 1 per 1500 $m^2$ of Floor Area |
| Kindergarten and Elementary School | 1 per classroom | 0.5 per classroom | 3 per 100 students, plus 1 space per 3000 $m^2$ Floor Area | 10 per classroom | 0.5 per classroom | 0.1 per classroom |
| Secondary School | 2 per classroom | 0.5 per classroom | 1 per 100 students, plus 1 space per 3000 $m^2$ Floor Area | 10 per classroom | 0.5 per classroom | 0.1 per classroom |
| Educational Institution | 1 per 10 students and faculty | 1 per 500 $m^2$ of Floor Area | 1 per 3000 $m^2$ Floor Area | 0.2 per student | 0.2 per employee | 1 per 1500 $m^2$ of Floor Area |
| Assembly uses, Funeral homes, Theatres and community centre | 1 per 5 seats or per 20.0 $m^2$ Floor Area, whichever is greater | N/A | 1 per 3000 $m^2$ Floor Area | 6 per public entrance | 0.1 per employee | 1 per 1500 $m^2$ of Floor Area |
| Buildings for recreation use | 1 per 30 $m^2$ Floor Area | N/A | 1 per 3000 $m^2$ Floor Area | 6 per public entrance | 0.1 per employee | 1 per 1500 $m^2$ of Floor Area |
| Place of Worship | 1 per 10 seats or per 10 $m^2$ Floor Area, whichever is greater | N/A | 1 per 6000 $m^2$ Floor Area | 6 per public entrance | 0.1 per employee | 1 per 1500 $m^2$ of Floor Area |

# PART 6 - LANDSCAPING AND SCREENING



# PART SIX – LANDSCAPING AND SCREENING

## 6.1 General Requirements

**6.1.1** All required landscape areas and installations must meet or exceed the Canadian Landscape Standard as jointly published by the Canadian Nursery Landscape Association and Canadian Society of Landscape Architects, as amended from time to time, and must be regularly maintained to meet these standards.

**6.1.2** Landscaping is required as part of a development permit or building permit for Parcels in multiple unit residential, commercial, industrial, and institutional developments.

**6.1.3** Landscaping must conform to Crime Prevention Through Environmental Design techniques to enable natural surveillance in following instances: *

a. Residential Development over 9 or more units;
b. Commercial Development over 1000 m2;
c. Industrial Development over 1000 m2;
d. Institutional Development.

**6.1.4** Landscaping must consist of the following at minimum:

a. All plant materials must be of a species capable of healthy growth within the Thompson Nicola region of BC and must conform to the standards of the Canadian Nursery Landscape Association;
b. Landscaping should conform to xeriscaping techniques, including the use of drought tolerant, native species;
c. The use of cedar plant species is prohibited;
d. Deciduous trees must have a minimum caliper of 50 millimeters at the time of planting;
e. Coniferous trees, must have a minimum height of 1.5 metres at the time of planting;
f. Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

**6.1.5** Where a Parcel is to be developed in phases either singly or together with other Parcels, landscaping must be provided on all portions of the site used for a phase, including lands that have been graded or filled. Landscaping must be provided in subsequent phases at the time that these are developed.

**6.1.6** Any designated landscaping area between the Parcel Line and the existing road curb or shoulder area must be completed concurrently with landscaping within Parcel Lines to the standard of landscaping required for the Parcel.

## 6.2 Screening

**6.2.1** Screening must conform to the Landscaping requirements outline in Section 6.1.

**6.2.2** Landscape Screening consists of the following: *

a. a solid, opaque fence or wall, which is uniformly painted and well maintained, and not used for advertising or display purposes; or
b. a non-compact hedge row, which is well maintained; or
c. any other means of Screening that is approved by the Development Approving Officer.

**6.2.3** Landscaping Screening is required in the following instances:

a. In commercial and industrial zones, all outdoor storage areas and unsightly Uses must have landscape Screening of 2.5 metres in height around the perimeter of the outdoor storage area, and no material other than Shipping Containers may be piled to extend above such Screening;

b. Where any multiple unit residential, commercial or industrial parking or display area Abuts a Parcel with a residential Principal Use, other than a Parcel in the C6 zone, landscape Screening of 2.0 metres in height must be provided and properly maintained along the common Parcel Line, except between the Front Parcel Line and the Front Building Line; *

c. In accordance with Section 4.16.5, bicycle storage lockers and garden sheds within a Front Setback must have Screening of 1.25 metres in height between the Structure and the front and side Parcel Lines.

d. Shipping Containers must have a screen of 2.0 metres in height.

e. If trees are approved as a screening method by the Development Approving Officer, the trees may exceed the heights outlined in 6.2.3; however, any materials being screened may not exceed the heights outlined in 6.2.3; *****

f. All landscaping and Screening must provide for clear sightlines to Highway intersections in accordance with accepted engineering standards.

## 6.3 Screening of Refuse and Recycling Bins

**6.3.1** All Screening of refuse and recycling bins must comply with Section 6.2.

**6.3.2** All site refuse and recycling bins in zones other than AR1, including all receptacles used for the temporary storage of materials, must have opaque Screening from adjacent Parcels and Highways.

**6.3.3** All refuse and recycling bins must be at least 1.2 metres from any Abutting residential zone.

**6.3.4** An unobstructed Access with a minimum width of 3.0 metres and a minimum vertical clearance of 4.6 metres must be provided for refuse and recycling rooms or enclosures. The minimum distance in front of the enclosure for the commercial truck to access the container is 21.3 metres.

## 6.4 Landscaping of Parking Areas

**6.4.1** Any parking area in multiple unit residential, commercial, industrial, and institutional development must incorporate landscaping, as follows: *

a. Common parking areas must be screened from adjacent Dwellings;

b. Landscaped islands are required at the end of each parking aisle, must not be longer than the adjacent Parking Space, and must be designed so that loading and unloading vehicles can be done without undue interference;

c. The maximum number of Parking Spaces in a consecutive row is 10, with a landscaped island separating the next 10 spaces or drive aisle;

d. Landscaped islands must have a minimum width of 1 metre, and be clearly delineated as separate and in addition to required vehicle parking and loading spaces described in Table 5.18. *

## 6.5 Retaining Walls

**6.5.1** Retaining walls exceeding 1.2 metres in Height must be designed and reviewed by a registered professional engineer and require the issuance of building permit from the City of Merritt.

**6.5.2** Retaining walls on all residential Parcels, may not exceed a height of 1.2 metres measured from Grade on the lower side, except where the Grade of the Parcel on which it is located is lower than the Abutting Parcel, in which case the Height is subject to approval from the Development Approving Officer or Building Inspector.

**6.5.3** The combined height of a fence and retaining wall within 1.0 metre of a Parcel Line shall not exceed 2.0 metres, measured from grade.

**6.5.4** Multiple retaining walls must be spaced to provide at least a 1.2 metres horizontal separation.

**6.5.5** Retaining walls must be designed to resist the lateral pressure of the retained material.

## 6.6 Landscape Buffers

**6.6.1** Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage and wildlife movement.

**6.6.2** Landscaping buffers are required in the following areas:

a. If a Structure is constructed on a Parcel with a commercial or residential Use Abutting the Provincial Agricultural Land Reserve, a landscape buffer 8.0 metres wide is required on the commercial or residential Parcel;

b. Where any industrial Parcel Abuts a Parcel in a residential zone, a landscape buffer 3.0 metres wide is required on the industrial Parcel if a Structure is constructed on the Parcel;

c. Where any commercial or industrial Parcel Abuts a Highway other than a Lane, a landscape buffer is required on the commercial or industrial Parcel with a width equal to the required front or side yard Setback of the respective zone, when a Structure is constructed on the Parcel.

**6.6.3** Landscaping buffers must consist of the following:

a. A minimum of 20% of the landscaped area must be planted in shrubs;

b. A minimum of 5% of the landscaped area must be planted in trees using the canopy area of the trees at the time of planting as a measure of the number and size of trees required;

c. A maximum of 15% of the area must be planted with perennials;

d. For buffers under Section 6.6.2(a), a double row of coniferous trees is required;

e. For buffers under Section 6.6.2(b), a single row of coniferous trees is required.

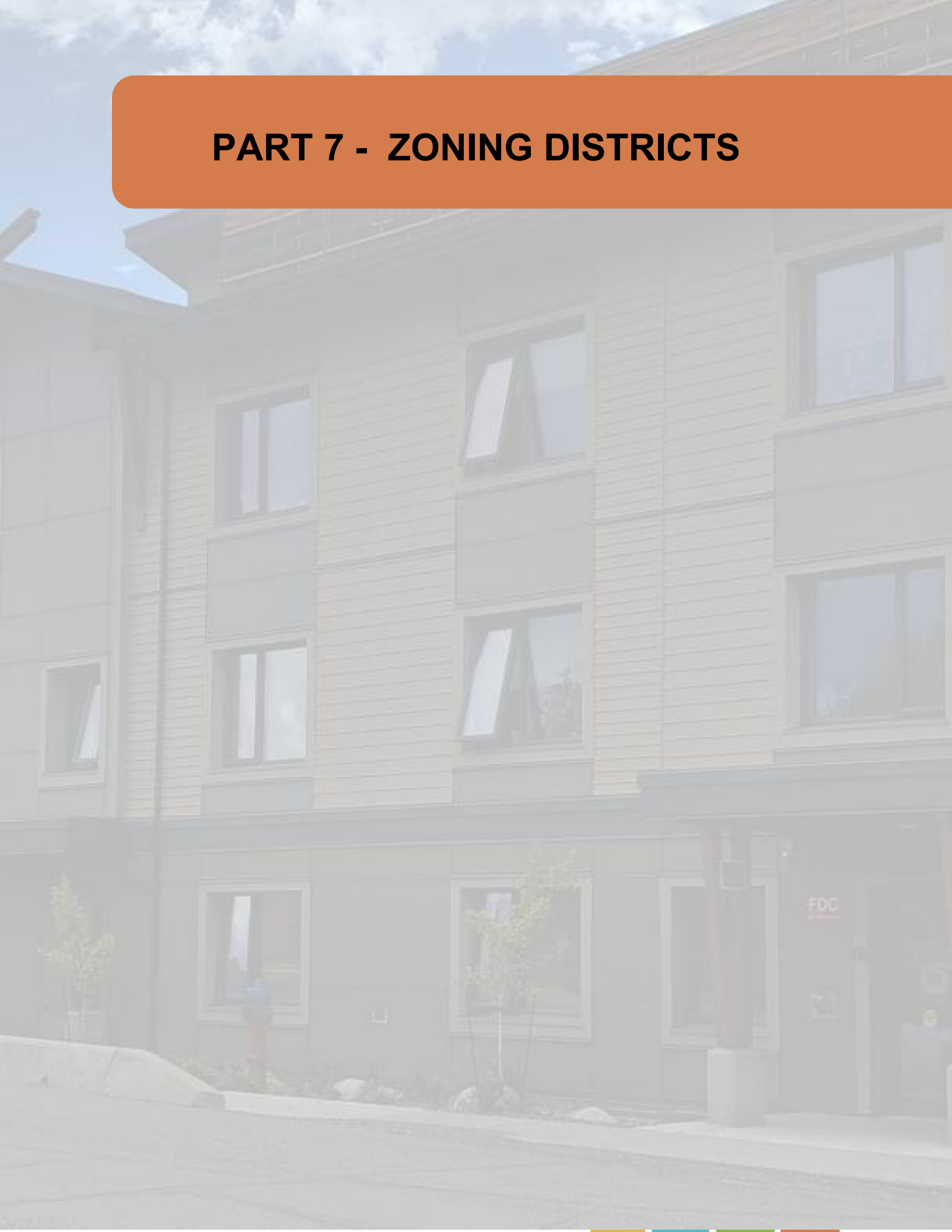
## 6.7 Landscape Plans, Cost Estimates and Security Deposits

**6.7.1** Applications for a development permit or building permit must be accompanied by a landscape plan for the landscaping or landscape buffer. The landscape plan must include a list of plant species to be used and any irrigation to be installed. The landscape plan must describe all proposed improvements to install, establish and maintain fencing, landscaping and landscape buffers in accordance with this bylaw. All plans must be drawn to scale by a qualified landscape designer professional.

**6.7.2** A landscape cost estimate must be prepared by a landscape architect, landscaping company or nursery and submitted with the landscape plan.

**6.7.3** A landscape security deposit in the amount 120% of the landscape cost estimate must be submitted with the landscape plan. When all works are completed, the City will refund 90% of the security deposit. The remaining 10% will be retained for one additional year to ensure the plants are established. In addition to the security deposit, a non-refundable fee in the amount of 2% of the landscape cost estimate will be required for the landscape inspections. *****

# PART 7 - ZONING DISTRICTS



# PART SEVEN – ZONING DISTRICTS

## 7.1 List of Zoning Districts

**7.1.1** The area within the boundaries of the City of Merritt is hereby divided into the zoning districts shown on the Zoning Map attached to and forming part of this Bylaw, with the following zoning district designations and their short form equivalents:

| Zoning Districts | Short Form |
|---|---|
| **Agriculture** | |
| Agricultural | AR1 |
| **Residential** | |
| Low Density Residential* | R1 |
| Residential Mobile Home* | R2 |
| Small Parcel Residential | R3 |
| Residential Modular Home | R4 |
| Mobile Home Park | R5 |
| Medium Density Residential | R7 |
| High Density Residential | R8 |
| Residential Care Housing | RC1 |
| **Commercial** | |
| Recreational Commercial | C1 |
| Tourist Commercial | C2 |
| Regional Commercial | C3 |
| Corridor Commercial | C4 |
| Neighbourhood Commercial | C5 |
| City Centre District | C6 |
| Service Commercial | C7 |
| Airport Commercial | C8 |
| **Industrial** | |
| Light Industrial | M1 |

| | |
|---|---|
| Heavy Industrial | M2 |
| **Institutional** | |
| Park and Cemetery | P1 |
| Institutional and Public Use | P2 |
| Post-Secondary Educational | P3 |
| **Special Use** | |
| Future Development | FD |
| **Comprehensive Development (CD)** | |
| Comprehensive Development – Residential Commercial | CD1-RC |
| Comprehensive Development – Gateway 286 | CD2-XX |
| Comprehensive Development – Gateway 286 | CD3-GW |

## 7.2 Agricultural – AR1

### 7.2.1 Intent

This zone provides for the conservation and preservation of lands for agricultural use and production.

### 7.2.2 Principal Uses

The following principal uses are permitted in the zoning district designated AR1:

a. Agricultural Use;
b. Animal Boarding;
c. Dwelling, Single Detached;
d. Greenhouse Agriculture;
e. Mobile Home;
f. Winery;
g. For Provincial Agricultural Land Reserve properties, any other Use as permitted by the Agricultural Land Commission. *

### 7.2.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated AR1:

a. Accessory Building;
b. Bed and Breakfast;
c. Dwelling, Detached Secondary;
d. Home-based Business;
e. Mobile Retail Vendor;
f. Produce Stand;
g. Secondary Suite;
h. Short-Term Rental;
i. For Provincial Agricultural Land Reserve properties, any other Use as permitted by the Agricultural Land Commission. *

### 7.2.4 Subdivision Regulations

a. Parcels to be created in the AR1 zone must conform to Table 7.2.4:

**Table 7.2.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses as outlined in 7.2.2 | ALR | 80,000 $m^2$ | 40 metres | 50 metres |
| | Outside ALR | 10,000 $m^2$ | 40 metres | 50 metres |

### 7.2.5 Site Development Regulations

a. Site development in the AR1 zone must conform to Table 7.2.5:

**Table 7.2.5 Site Development Regulations**

| Use | Parcel Type | Maximum Density | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Agricultural Use | Buildings used for agricultural use | N/A | 6 metres | 3 metres | 3 metres | 9 metres | 14 metres | 75% |
| | Buildings used to shelter livestock, furbearing animals, or poultry | N/A | 25 metres | 10 metres | 10 metres | 15 metres | 14 metres | |
| | Greenhouses with closed wastewater and stormwater management systems | N/A | 6 metres | 3 metres | 3 metres | 9 metres | 14 metres | |
| Dwelling, Single Detached or Mobile Home | All types | 1 Dwelling per Parcel | 6 metres | 3 metres | 3 metres | 9 metres | Lesser of 12 metres or 2.5 storeys | |
| Dwelling, Detached Secondary | All types | 1 detached secondary Dwelling per Parcel | 6 metres | 3 metres | 3 metres | 3 metres | Lesser of 10.5 metres or 2 storeys | |
| Accessory Building | All types | N/A | Front Building Line | 3 metres | 3 metres | 3 metres | Lesser of 12 metres or 2.5 storeys | |

b. Minimum building separation on a Parcel is 3 metres, except in the case of buildings used to shelter livestock, furbearing animals or poultry which is 12 metres from residential buildings.

c. Notwithstanding the regulations outlined in Table 7.2.5, Parcels located within the Provincial Agricultural Land Reserve must conform to the requirements of the Agricultural Land Commission. *****

### 7.2.6 Conditions of Use

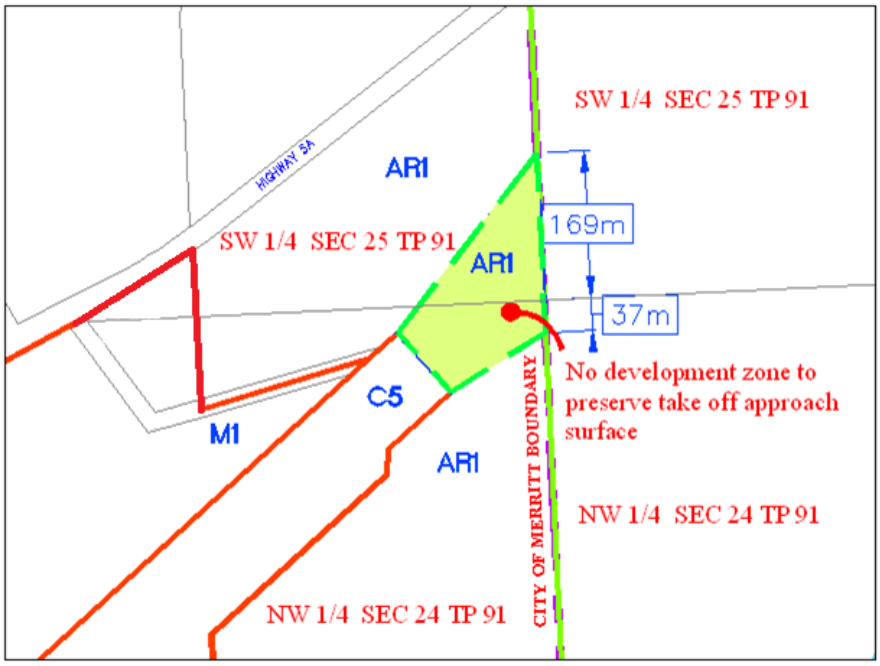
a. Mobile Homes and Modular Buildings must meet CSA Z240 or A277 and be on a foundation that meets the CSA Installation Standard for Z240 or A277. *

b. Mobile Homes and Modular Buildings located on Parcels within the Provincial Agricultural Land Reserve must conform to requirements of the Agricultural Land Commission. *****

### 7.2.7 Special Regulations

a. On SW ¼, Sec. 25, TP 91 and NW ¼, Sec. 24, TP 91 no buildings or Structures may be constructed or erected within the area between the eastern end of the airport runway and the City boundary from 169 metres north of the intersection of the municipal boundary with the northern boundary of NW ¼, Sec. 24, TP 91 to 37 metres south of the intersection of the municipal boundary with the southern boundary of Parcel SW ¼, Sec. 25, TP 91 as indicated on the following map.

b. Despite Table 7.2.4 above, the minimum Parcel Area requirement for the Parcel legally described as Parcel C, District Lot 124, Kamloops Division Yale District, Plan 773, except such undersurface rights as registered in absolute Fees book volume 16 Folio 284 No 5948D [PID: 012-096-636] (2675 Garcia Street) is 1.95 hectares.




### 7.2.8 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6;

d. All Structures and Uses located within the Provincial Agricultural Land Reserve must comply with requirements of the Agricultural Land Commission. *

## 7.3 Low Density Residential (R1) *

### 7.3.1 Intent

The Low Density Residential zone is oriented towards the development of compact, pedestrian-oriented Single Detached, Semi-Detached Dwellings, Multiple Unit Townhome Dwellings, and Multiple Unit Apartment Dwellings on serviced Parcels and may include Bed and Breakfasts, Detached Secondary Dwellings, Home-based Businesses, and Secondary Suites.

### 7.3.2 Principal Uses

The following principal uses are permitted in the zoning district designated R1:

a. Dwelling, Multiple Unit Apartment;

b. Dwelling, Multiple Unit Townhome;

c. Dwelling, Single Detached;

d. Dwelling, Semi-Detached;

e. Daycare Centre, Minor, subject to Section 7.3.6.b;

f. Commercial Conversion, as outlined in Section 4.31.

### 7.3.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. Short-Term Rental.

### 7.3.4 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated R1:

a. Accessory Building;

b. Bed and Breakfast;

c. Community Care Facility, Minor;

d. Dwelling, Detached Secondary;

e. Home-based Business;

f. Secondary Suite;

g. Urban Agriculture.

### 7.3.5 Subdivision Regulations

a. Parcels to be created in the R1 zone must conform to Table 7.3.5:

**Table 7.3.5 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| Dwelling, Single Detached | Lane Access | 270 $m^2$ | 9 metres | 30 metres |
| | Front Access | 270 $m^2$ | 9 metres | 30 metres |
| | Corner | 330 $m^2$ | 11 metres | 30 metres |
| | Lane Access Corner | 270 $m^2$ | 9 metres | 30 metres |
| | Panhandle | 270 $m^2$, not including the panhandle access | 9 metres, not including the panhandle access | 30 metres, not including the panhandle access |
| | Pie | 270 $m^2$ | 6 metre frontage and average width of 9 metres | 30 metres |
| Dwelling, Semi-Detached | Lane Access | 540 $m^2$ | 18 metres | 30 metres |
| | Front Access | 540 $m^2$ | 18 metres | 30 metres |
| | Corner | 630 $m^2$ | 21 metres | 30 metres |
| | Lane Access Corner | 540 $m^2$ | 18 metres | 30 metres |
| | Panhandle | 540 $m^2$, not including the panhandle access | 18 metres, not including the panhandle access | 30 metres |
| | Pie | 540 $m^2$ | 6 metre frontage and average width of 18 metres | 30 metres |
| Dwelling, Multiple Unit Apartment and Dwelling, Multiple Unit Townhome | Lane Access | 360 $m^2$ | 18 metres | 20 metres |
| | Front Access | 360 $m^2$ | 18 metres | 20 metres |
| | Corner | 420 $m^2$ | 21 metres | 20 metres |
| | Lane Access Corner | 360 $m^2$ | 18 metres | 20 metres |
| | Panhandle | 360 $m^2$, not including the panhandle access | 18 metres, not including the panhandle access | 20 metres, not including the panhandle access |
| | Pie | 360 $m^2$ | 6 metre frontage and average width of 18 metres | 20 metres |
| Daycare Centre, Minor | all Parcel types | 450 $m^2$ | 15 metres | 30 metres |

b. Notwithstanding the regulations in Table 7.3.5, in the case of Parcels created under the Land Title Act for Semi-Detached Dwellings constructed on the Parcel Line the minimum Parcel Width is 9 metres.

c. Notwithstanding the regulations in Table 7.3.5, in the case of a Multiple Unit Townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not have a Parcel Area less than 78 m2.

d. Notwithstanding the regulations in Table 7.3.5, in the case of a Multiple Unit Townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not be less than 3.9 metres in width.

### 7.3.6 Site Development Regulations

a. Site development in the R1 zone must conform to Table 7.3.6:

**Table 7.3.6 Site Development Regulations**

| Use | Parcel Type | Maximum Density or Units | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Dwelling, Single Detached and Dwelling, Semi-Detached | Lane Access | Less than or equal to 280 $m^2$: 3 Dwelling Units<br><br>More than 280$m^2$: 4 Dwelling Units or 40 Dwelling Units per hectare whichever is greater | 3 metres | 1.2 metres | N/A | 5 metres | Lesser of 14 metres or 3 storeys | 75%, except as outlined in 7.3.6(e) |
| | Front Access | | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Corner | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Lane Access Corner | | 3 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 14 metres or 3 storeys | |
| | Panhandle | | 3 metres, not including panhandle access | 1.2 metres, excluding panhandle access | 2.8 metres, excluding panhandle access | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Pie | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| Dwelling, Multiple Unit Apartment and Dwelling, Multiple Unit Townhome | Lane Access | 280 $m^2$: 3 Dwelling Units<br><br>More than 280$m^2$: 4 Dwelling Units or 60 Dwelling Units per hectare whichever is greater | 3 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Front Access | | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Corner | | 5 metres | 1.2 metres | 6 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Lane Access Corner | | 3 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Panhandle | | 3 metres, not including panhandle access | 1.2 metres, excluding panhandle access | 2.8 metres, excluding panhandle access | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Pie | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| Daycare Centre, Minor | all Parcel types | 1 | 5 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 14 metres or 3 storeys | |
| Dwelling, Detached Secondary | all Parcel types | See Table 4.36 | Front Building Line | 1.2 metres | 2.8 metres | 1.2 metres | Lesser of 10.5 metres or 2 storeys | |
| Accessory Building | all Parcel types | N/A | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in 7.3.2 Principal Uses, Daycare Centre, Minor is not permitted in conjunction with Multiple Unit Apartment Dwelling, Multiple Unit Townhome Dwelling, or Semi-Detached Dwelling Buildings.

c. Notwithstanding the regulations in Table 7.3.6, if a Parcel has multiple Accesses, the corresponding Front, Exterior Side, and/or Rear Setback for a Principal Building is 5 metres.

d. Notwithstanding the regulations in Table 7.3.6, if 20% of the total Dwelling Units are dedicated as Affordable Housing, the maximum Density may be increased, as per Table 4.26.

e. Notwithstanding the regulations in Table 7.3.6, Parcel Coverage may be increased to a maximum of 90% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

f. Private Open Space must be provided for each Multiple Unit Apartment Dwelling Unit and Multiple Unit Townhome Dwelling Unit based on the following:

   i. 10 $m^2$ for each three or more bedroom unit; and

   ii. 7.5 $m^2$ for each two bedroom unit; and

   iii. 5 $m^2$ for each one bedroom unit or bachelor unit.

g. Open Space in the minimum amount of 5% of the Parcel Area must be provided for purpose-built or Strata Multiple Unit Apartment or Multiple Unit Townhome Dwelling developments.

h. Notwithstanding the regulations in Table 7.3.6, the Interior Side Setback for Semi-Detached Dwellings or Multiple Unit Townhome Dwellings is 0 metres where adjoining units share a Parcel Line.

i. Notwithstanding the regulations in Table 7.3.6, the Interior Side Setback for Semi-Detached Dwelling or Multiple Unit Townhome Dwelling Garages with Access off a Lane is 0 metres when adjoining Garages share a Parcel Line.

j. Notwithstanding the regulations in Table 7.3.6, the Interior Side Setback is 0 metres where adjacent to a Panhandle Parcel's Access strip.

k. For building strata developments, the minimum Setback from the inner curb of the internal road is 1.5 metres to the building face and 4.8 metres to the front of a Garage.

l. Minimum separation between buildings is as following:

   i. 3 metres between Principal Buildings;

   ii. 3 metres between Principal Buildings and Detached Secondary Dwellings;

   iii. 1.5 metres between Accessory Buildings and other Structures; and

   iv. 3 metres between Shipping Containers and other combustible Structures.

### 7.3.7 Conditions of Use

a. For Semi-Detached Dwellings or Multiple Unit Townhome Dwellings constructed on a Parcel Line, the boundary between the Parcels must project in a straight line throughout the length of the Dwellings.

b. For Semi-Detached Dwellings or Multiple Unit Townhome Dwellings on a Corner Parcel, the corner Dwelling Unit must face the Flanking Street.

### 7.3.8 Special Regulations

a. The following regulations also apply to Lots 1 to 26 inclusive District Lot 122 KDYD Plan 27196 and Lots 1 to 26 inclusive District Lot 122 KDYD Plan 28057 (Cowley Street and Duncan Street).

   i. Minimum Parcel Area for Single Detached Dwelling is 530 $m^2$;

   ii. Minimum Parcel Area for Semi-Detached Dwelling is 750 m2, except in the case of Parcels created under the Land Title Act for Semi-Detached Dwellings constructed on the Parcel Line, the minimum Parcel Area is 270 m2. The boundary between the Parcels must project in a straight line throughout the length of the Parcel;

   iii. Minimum Frontage for Single Detached Dwelling is 15 metres; and

   iv. Minimum Frontage for Semi-Detached Dwelling is 18 metres, except in the case of Parcels created under the Land Title Act for Semi-Detached Dwellings constructed on the Parcel Line, the minimum Frontage is 6.5 metres.

b. In addition to the regulations within Section 4.38 and despite Table 7.3.6, a Detached Secondary Dwelling constructed on Lot 3, Block 25, DL 125, Plan 448 (1826 Quilchena Avenue) must:

   i. Have a minimum Front Setback of 25 metres;

   ii. Have a minimum Rear Setback of 1.5 metres;

   iii. Be the lesser of two storeys or 10 metres in Height;

   iv. Include a Garage on the ground floor;

   v. Not exceed a Floor Area Ratio of 10% or 10% of the Parcel Coverage of the principal building; and

   vi. be located within the rear yard.

c. In addition to the regulations within Section 4.38 and despite Table 7.3.6, a Detached Secondary Dwelling on Lot 2, DL 121, Plan KAP 63309, KDYD (2414 Spring Bank Avenue) and Lot 3, DL 121 Plan KAP63309, KDYD (2426 Spring Bank Avenue) must:

   i. Be the lesser of two storeys or 10 metres in Height;

   ii. Include a Garage; and

   iii. Not exceed a Floor Area Ratio of 10% or 10% of the Parcel Coverage of the Principal Buildings.

d. Notwithstanding the regulations in 7.3.2, Mobile Home is a permitted principal use on the parcels on Houston Street / Douglas Street legally described as:

   i. LOT 19 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 001-986-511 (1102 Houston St)

   ii. LOT 18 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-563-470 (1114 Houston St)

   iii. LOT 17 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-965 (1126 Houston St)

iv. LOT 16 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 001-523-511 (1138 Houston St)
v. LOT 15 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066 EXCEPT SUCH UNDERSURFACE RIGHTS AS ARE REGISTERED IN AFB VOL 18 FOL 152 NO. 9837D, PID: 003-078-159 (1152 Houston St)
vi. LOT 14 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-949 (1164 Houston St)
vii. LOT 13 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-931 (1176 Houston St)
viii. LOT 12 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-922 (1188 Houston St)
ix. LOT 11 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-914 (1198 Houston St)
x. LOT 10 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-906 (1202 Houston St)
xi. LOT 9 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-876 (1214 Houston St)
xii. LOT 8 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-868 (1226 Houston St)
xiii. LOT 7 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-833 (1238 Houston St)
xiv. LOT 6 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-825 (1240 Houston St)
xv. LOT 5 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-779 (1252 Houston St)
xvi. LOT 4 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-752 (1264 Houston St)
xvii. LOT 3 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-728 (1276 Houston St)
xviii. LOT 2 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-710 (1288 Douglas St)
xix. LOT 1 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 25066, PID: 005-688-639 (1298 Douglas St)
xx. LOT 4 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 21845, PID: 007-238-541 (1326 Douglas St)
xxi. LOT 3 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 21845, PID: 007-238-525 (1352 Douglas St)
xxii. LOT 2 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 21845, PID: 002-034-026 (1376 Douglas St)
xxiii. LOT 1 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 21845, PID: 007-238-495 (1398 Douglas St)

xxiv. LOT D DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 21844, PID: 003-766-012 (1402 Douglas St)
xxv. LOT C DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 21844, PID: 007-238-584 (1434 Douglas St)
xxvi. LOT B DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 21844, PID: 007-238-576 (1466 Douglas St)
xxvii. LOT A DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 21844, PID: 001-854-470 (1498 Douglas St)

e. Notwithstanding the regulations in 7.3.2, Mobile Home is a permitted principal use on the parcels on Telemon Place legally described as:
i. LOT 3 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 003-206-106 (2899 Telemon Pl)
ii. LOT 4 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 003-206-122 (2875 Telemon Pl)
iii. LOT 5 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 003-206-149 (2851 Telemon Pl)
iv. LOT 6 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 001-967-363 (2843 Telemon Pl)
v. LOT 7 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 003-206-157 (2825 Telemon Pl)
vi. LOT 8 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 003-206-173 (2801 Telemon Pl)
vii. LOT 9 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 003-206-181 (2800 Telemon Pl)
viii. LOT 10 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 002-077-604 (2802 Telemon Pl)
ix. LOT 11 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 003-206-211 (2826 Telemon Pl)
x. LOT 12 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 002-963-906 (2840 Telemon Pl)
xi. LOT 13 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 002-466-210 (2852 Telemon Pl)
xii. LOT 14 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 003-206-220 (2876 Telemon Pl)
xiii. LOT 15 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 003-206-246 (2898 Telemon Pl)
xv. LOT 16 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390, PID: 003-206-262 (2902 Telemon Pl)
xvi. LOT D DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 36400, PID: 003-387-160 (2916 Telemon Pl)
xvii. LOT E DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 36400, PID: 003-387-178 (2928 Telemon Pl)

xviii. LOT F DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 36400, PID: 003-387-186 (2940 Telemon Pl)
xix. LOT G DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 36400, PID: 003-387-194 (2952 Telemon Pl)
xx. LOT 1 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 39460, PID: 010-559-949 (2954 Telemon Pl)
xxi. LOT 2 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 39460, PID: 010-559-965 (2956 Telemon Pl)
xxii. LOT 3 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 39460, PID: 010-559-981 (2958 Telemon Pl)
xxiii. LOT 4 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 39460, PID: 010-560-009 (2960 Telemon Pl)
xxiv. LOT 5 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 39460, PID: 010-560-025 (2962 Telemon Pl)
xxv. LOT 6 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 39460, PID: 010-560-033 (2955 Telemon Pl)
xxvi. LOT 7 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 39460, PID: 010-560-041 (2951 Telemon Pl)
xxvii. LOT 8 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 39460, PID: 010-560-068 (2949 Telemon Pl)
xxviii. LOT 9 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 39460, PID: 010-560-092 (2947Telemon Pl)
xxix. LOT 10 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 39460, PID: 010-560-106 (2945 Telemon Pl)
xxx. LOT C DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 36400, PID: 003-387-151 (2943 Telemon Pl)
xxxi. LOT B DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 36400, PID: 003-387-143 (2931 Telemon Pl)
xxxii. LOT A DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 36400, PID: 003-387-127 (2911 Telemon Pl)
xxxiii. LOT 2 DISTRICT LOT 122 KAMLOOPS DIVISION YALE DISTRICT PLAN 33390,PID: 003-206-092 (2901 Telemon Pl)

f. Where there is an inconsistency between this Section and Section 4.38, this Section takes precedence.

### 7.3.9 Other Regulations

a. All Structures and Uses must comply with Part 4;
b. Off-street parking and loading must comply with Part 5;
c. Landscaping and Screening must comply with Part 6.

## 7.4 Residential Mobile Home (R2)*

### 7.4.1 Intent

The Residential Mobile Home Zone is intended for the development of single-wide or double-wide Mobile Home units on serviced parcels. Mobile Homes in the R2 zone must align with CSA Z-240 MH standards and be constructed in 2005 or later. The R2 zone may include home-based businesses and urban agriculture.

### 7.4.2 Principal Uses

The following Principal Uses are permitted in the zoning district designated R2:

a. Mobile Home

### 7.4.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated R2:

a. Accessory Building;

b. Home-based Business;

c. Urban Agriculture.

### 7.4.4 Subdivision Regulations

a. Parcels to be created in the R2 zone must conform to Table 7.4.4:

**Table 7.4.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| Mobile Home - Single wide | Lane Access | 480 $m^2$ | 15 metres | 29 metres |
| | Front Access | 480 $m^2$ | 15 metres | |
| | Corner | 480 $m^2$ | 15 metres | |
| | Lane Access Corner | 480 $m^2$ | 15 metres | |
| | Panhandle | 480 $m^2$ not including panhandle access | 15 metres not including panhandle access | |
| | Pie | 480 $m^2$ | 6 metre frontage and average width of 9 metres | |
| Mobile Home - Double wide | Lane Access | 480 $m^2$ | 15 metres | 29 metres |
| | Front Access | 480 $m^2$ | 15 metres | |
| | Corner | 480 $m^2$ | 15 metres | |
| | Lane Access Corner | 480 $m^2$ | 15 metres | |
| | Panhandle | 480 $m^2$ | 15 metres not including panhandle access | |
| | Pie | 480 $m^2$ | 11 metre frontage and average width of 15 metres | |

### 7.4.5 Site Development Regulations

a. Site development in the R2 zone must confirm to Table 7.4.5:

**Table 7.4.5 Site Development Regulations**

| Use | Parcel Type | Maximum Density or Units | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Mobile Home | Lane Access | 1 dwelling unit per parcel | 3 metres | 3 metres | 3 metres | 3 metres | Lesser of 7.6 metres or 1 storey | 70% except as outlined in 7.7.5(c) |
| | Front Access | | 3 metres | 3 metres | 3 metres | 3 metres | | |
| | Corner | | 3 metres | 3 metres | 3 metres | 3 metres | | |
| | Lane Access Corner | | 3 metres | 3 metres | 3 metres | 3 metres | | |
| | Panhandle | | 3 metres, not including panhandle access | 3 metres | 3 metres | 3 metres | | |
| | Pie | | 3 metres | 3 metres | 3 metres | 3 metres | | |

b. Notwithstanding the regulations in Table 7.4.5, if a Parcel has multiple Accesses, the corresponding Front, Exterior Side, and/or Rear Setback for a Principal Building is 5 metres.

c. Notwithstanding the regulations in Table 7.4.5, Parcel Coverage may be increased to a maximum of 85% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

d. Notwithstanding the regulations in Table 7.4.5, the Interior Side Setback is 0 metres where adjacent to a Panhandle Parcel's Access strip.

e. Minimum separation between buildings is as follows:

   i. 1.5 metres between Accessory Buildings and other Structures; and

   ii. 3 metres between Shipping Containers and other combustible Structures.

### 7.4 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

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## 7.6 Small Parcel Residential (R3) *

### 7.6.1 Intent

The purpose of the Small Parcel Residential zone is to provide for the establishment of small and narrow Parcels with Single Detached, Semi-Detached, Multiple Unit Townhome, and Multiple Unit Apartment residential and the development of Detached Secondary Dwellings, Home-based Business, and Secondary Suites.

### 7.6.2 Principal Uses

The following principal uses are permitted in the zoning district designated R3:

a. Dwelling, Multiple Unit Apartment;

b. Dwelling, Multiple Unit Townhome;

c. Dwelling, Single Detached;

d. Dwelling, Semi-Detached.

### 7.6.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. Short-Term Rental.

### 7.6.4 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated R3:

a. Accessory Building;

b. Dwelling, Detached Secondary;

c. Home-based Business;

d. Secondary Suite;

e. Urban Agriculture.

### 7.6.5 Subdivision Regulations

a. Parcels to be created in the R3 zone must conform to Table 7.6.5:

**Table 7.6.5 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| Dwelling, Single Detached | Lane Access | 112.5 $m^2$ | 7.5 metres | 15 metres |
| | Front Access | 112.5 $m^2$ | 7.5 metres | 15 metres |
| | Corner | 135 $m^2$ | 9 metres | 15 metres |
| | Lane Access Corner | 135 $m^2$ | 9 metres | 15 metres |
| | Panhandle | 112.5 $m^2$, not including the panhandle access | 7.5 metres, not including the panhandle access | 15 metres, not including the panhandle access |
| | Pie | 112.5 $m^2$ | 6 metre frontage and average width of 7.5 metres | 15 metres |
| Dwelling, Semi-Detached | Lane Access | 180 $m^2$ | 12 metres | 15 metres |
| | Front Access | 180 $m^2$ | 12 metres | 15 metres |
| | Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Lane Access Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Panhandle | 180 $m^2$, not including the panhandle access | 12 metres, excluding the panhandle access | 15 metres, excluding the panhandle access |
| | Pie | 180 $m^2$ | 6 metre frontage and average width of 12 metres | 15 metres |
| Dwelling, Multiple Unit Apartment and Dwelling, Multiple Unit Townhome | Lane Access | 225 $m^2$ | 15 metres | 15 metres |
| | Front Access | 225 $m^2$ | 15 metres | 15 metres |
| | Corner | 270 $m^2$ | 18 metres | 15 metres |
| | Lane Access Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Panhandle | 225 $m^2$, not including the panhandle access | 15 metres, not including the panhandle access | 15 metres, not including the panhandle access |
| | Pie | 225 $m^2$ | 6 metre frontage and average width of 15 metres | 15 metres |

b. Notwithstanding the regulations in Table 7.6.5, in the case of Parcels created under the Land Title Act for Semi-Detached Dwellings constructed on the Parcel Line the minimum Parcel width is 6 metres.

c. Notwithstanding the regulations in Table 7.6.5, in the case of a Multiple Unit townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not have a Parcel Area less than 58.5 $m^2$.

d. Notwithstanding the regulations in Table 7.6.5, in the case of a Multiple Unit townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not be less than 3.9 metres in width.

### 7.6.6 Site Development Regulations

a. Site development in the R3 zone must conform to Table 7.6.6:

**Table 7.6.6 Site Development Regulations ***

| Use | Parcel Type | Maximum Density or units | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Dwelling, Single Detached and Dwelling, Semi-Detached | Lane Access | Less than or equal to 280 $m^2$: 3 Dwelling Units<br>More than 280$m^2$: 4 Dwelling Units or 60 Dwelling Units per hectare whichever is greater | 3 metres | 1.2 metres | N/A | 5 metres | Lesser of 14 metres or 3 storeys | 85%, except as outlined in 7.6.6(d) |
| | Front Access | | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Corner | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Lane Access Corner | | 3 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 14 metres or 3 storeys | |
| | Panhandle | | 3 metres, not including panhandle access | 1.2 metres, excluding panhandle access | 2.8 metres, excluding panhandle access | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Pie | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| Dwelling, Multiple Unit Apartment and Dwelling, Multiple Unit Townhome | Lane Access | 280 $m^2$: 3 Dwelling Units<br>More than 280$m^2$: 4 Dwelling Units or 90 units per hectare whichever is greater | 3 metres | 1.2 metres | N/A | 5 metres | Lesser of 14 metres or 3 storeys | |
| | Front Access | | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Back to Back | | 5 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 14 metres or 3 storeys | |
| | Corner | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Lane Access Corner | | 3 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Panhandle | | 3 metres, not including panhandle access | 1.2 metres, excluding panhandle access | 2.8 metres, excluding panhandle access | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Pie | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| Dwelling, Detached Secondary | all Parcel types | See Table 4.36 | Front Building Line | 1.2 metres | 2.8 metres | 1.2 metres | Lesser of 10.5 metres or 2 storeys | |
| Accessory Building | all Parcel types | N/A | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.6.6, if a Parcel has multiple Accesses, the corresponding Front, Exterior Side, and/or Rear Setback for a Principal Building is 5 metres.

c. Notwithstanding the regulations in Table 7.6.6, if 20% of the total Multiple Unit Apartment Dwellings and Multiple Unit Townhome Dwellings are dedicated as Affordable Housing, the maximum density may be increased, as per Table 4.26.

d. Notwithstanding the regulations in Table 7.6.6, Parcel Coverage may be increased to a maximum of 95% with use of permeable surface materials for driveways and/or pathways on at least 10% of the total Parcel Area.

e. Private Open Space must be provided for each Multiple Unit Apartment Dwelling and Multiple Unit Townhome Dwelling Unit based on the following:

   i. 10 $m^2$ for each three or more bedroom unit; and

   ii. 7.5 $m^2$ for each two bedroom unit; and

   iii. 5 $m^2$ for each one bedroom unit or bachelor unit.

f. Notwithstanding the regulations in Table 7.6.6, the Interior Side Setback for Semi-Detached Dwellings or Multiple Unit Townhome Dwellings is 0 metres where adjoining units share a Parcel Line.

g. Notwithstanding the regulations in Table 7.6.6, the Interior Side Setback for Semi-Detached Dwelling or Multiple Unit Townhome Dwelling Garages with Access off a Lane is 0 metres when adjoining Garages share a Parcel Line.

h. For building strata developments, the minimum Setbacks from the inner curb of the internal road is 1.5 metres to the building face and 4.8 metres to the front of a Garage.

i. Minimum separation between buildings is as following:

   i. 3 metres between Principal Buildings;

   ii. 3 metres between Principal Buildings and Detached Secondary Dwellings; and

   iii. 1.5 metres between Accessory Buildings and other Structures.

### 7.6.7 Condition of Use

a. For Semi-Detached Dwellings or Multiple Unit Townhome Dwellings constructed on a Parcel Line, the boundary between the Parcels must project in a straight line throughout the length of the Dwellings.

b. For Semi-Detached Dwellings or Multiple Unit Townhome Dwellings on a Corner Parcel, the corner Dwelling Unit must face the Flanking Street.

### 7.6.8 Special Regulations

a. Notwithstanding the regulations in Tables 7.6.6, for the property legally described as LOT A, PLAN EPP27753, DISTRICT LOT 125, KAMLOOPS DIV OF YALE LAND DISTRICT (PID: 029-292-484), the Front Setback and/or Rear Setback may be reduced to 3 metres if there is no vehicle Access to the Parcel.

### 7.6.9 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.7 Residential Modular Home (R4) *

### 7.7.1 Intent

The Residential Modular Home zone is intended to regulate the development of Modular Buildings located within a common Parcel.

### 7.7.2 Principal Uses

The following Principal Uses are permitted in the zoning district designated R4:

a. Dwelling, Multiple Unit Apartment;
b. Dwelling, Multiple Unit Townhome;
c. Dwelling, Single Detached;
d. Dwelling Semi-Detached;
e. Modular Home Park.

### 7.7.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated R4:

a. Accessory Building;
b. Dwelling, Detached Secondary;
c. Home-based Business;
d. Secondary Suite;
e. Security/ Operator Suite.

### 7.7.4 Subdivision Regulations

a. Parcels to be created in the R4 zone must conform to Table 7.7.4:

**Table 7.7.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| Modular Home Park | Parent Parcel | 2500 $m^2$ | 50 metres | 50 metres |
| | Modular Home Lot See 7.7.4(b) | 160 $m^2$ | 8 metres | 20 metres |
| Dwelling, Single Detached | Lane Access | 160 $m^2$ | 8 metres | 20 metres |
| | Front Access | 180 $m^2$ | 9 metres | 20 metres |
| | Corner | 220 $m^2$ | 11 metres | 20 metres |
| | Lane Access Corner | 180 $m^2$ | 9 metres | 20 metres |
| | Panhandle | 180 $m^2$, not including the panhandle access | 9 metres, not including the panhandle access | 20 metres |
| | Pie | 180 $m^2$ | 6 metre frontage and average width of 9 metres | 20 metres |
| Dwelling, Semi-Detached | Lane Access | 180 $m^2$ | 12 metres | 15 metres |
| | Front Access | 180 $m^2$ | 12 metres | 15 metres |
| | Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Lane Access Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Panhandle | 180 $m^2$, not including the panhandle access | 12 metres, excluding the panhandle access | 15 metres, excluding the panhandle access |
| | Pie | 180 $m^2$ | 6 metre frontage and average width of 12 metres | 15 metres |
| Dwelling, Multiple Unit Apartment and Dwelling, Multiple Unit Townhome | Lane Access | 225 $m^2$ | 15 metres | 15 metres |
| | Front Access | 225 $m^2$ | 15 metres | 15 metres |
| | Corner | 270 $m^2$ | 18 metres | 15 metres |
| | Lane Access Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Panhandle | 225 $m^2$, not including the panhandle access | 15 metres, not including the panhandle access | 15 metres, not including the panhandle access |
| | Pie | 225 $m^2$ | 6 metre frontage and average width of 15 metres | 15 metres |

b. A modular home lot is a leasable or rentable portion of land, located within a Modular Home Park, reserved for the placement of a Modular Building for non-transient occupancy.

c. Notwithstanding the regulations in Table 7.7.4, in the case of Parcels created under the Land Title Act for Semi-Detached Dwellings constructed on the Parcel Line the minimum Parcel Width is 9 metres.

d. Notwithstanding the regulations in Table 7.7.4, in the case of a Multiple Unit Townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not have a Parcel Area less than 78 $m^2$.

e. Notwithstanding the regulations in Table 7.7.4, in the case of a Multiple Unit Townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not be less than 3.9 metres.

### 7.7.5 Site Development Regulations

a. Site development in the R4 zone must conform to Table 7.7.5:

**Table 7.7.5 Site Development Regulations**

| Use | Parcel Type | Maximum Density or Units | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Modular Home Park | All types | 60 units per hectare | 3 metres | 3 metres | 3 metres | 3 metres | Lesser of 12 metres or 2.5 storeys | 70%, except as outlined in 7.7.5(c) |
| Dwelling, Single Detached and Dwelling, Semi-Detached | Lane Access | Less than or equal to 280 $m^2$: 3 Dwelling Units<br>More than 280$m^2$: 4 Dwelling Units or 40 Dwelling Units per hectare whichever is greater | 3 metres | 1.2 metres | N/A | 5 metres | Lesser of 14 metres or 3 storeys | 70%, except as outlined in 7.7.5(c) |
| | Front Access | | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Corner | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Lane Access Corner | | 3 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 14 metres or 3 storeys | |
| | Panhandle | | 3 metres, not including panhandle access | 1.2 metres, excluding panhandle access | 2.8 metres, excluding panhandle access | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Pie | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| Dwelling, Multiple Unit Apartment and Dwelling, Multiple Unit Townhome | Lane Access | 280 $m^2$: 3 Dwelling Units<br>More than 280$m^2$: 4 Dwelling Units or 60 Dwelling Units per hectare whichever is greater | 3 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Front Access | | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Corner | | 5 metres | 1.2 metres | 6 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Lane Access Corner | | 3 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Panhandle | | 3 metres, not including panhandle access | 1.2 metres, excluding panhandle access | 2.8 metres, excluding panhandle access | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Pie | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| Dwelling, Detached Secondary | all Parcel types | See Table 4.36 | Front Building Line | 1.2 metres | 2.8 metres | 1.2 metres | Lesser of 10.5 metres or 2 storeys | |
| Accessory Building | all Parcel types | N/A | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.7.5, if a Parcel has multiple Accesses, the corresponding Front, Exterior Side, and/or Rear Setback for a Principal Building is 5 metres.

c. Notwithstanding the regulations in Table 7.7.5, Parcel Coverage may be increased to a maximum of 85% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

d. Private Open Space must be provided for each Multiple Unit Apartment Dwelling Unit and Multiple Unit Townhome Dwelling Unit based on the following:

   i. 10 $m^2$ for each three or more bedroom unit; and

   ii. 7.5 $m^2$ for each two bedroom unit; and

   iii. 5 $m^2$ for each one bedroom unit or bachelor unit.

e. Open Space in the minimum amount of 5% of the Parcel Area must be provided for purpose-built or Strata Multiple Unit Apartment or Multiple Unit Townhome Dwelling developments.

f. Notwithstanding the regulations in Table 7.7.5, the Interior Side Setback for Semi-Detached Dwellings or Multiple Unit Townhome Dwellings is 0 metres where adjoining units share a Parcel Line.

g. Notwithstanding the regulations in Table 7.7.5, the Interior Side Setback for Semi-Detached Dwelling or Multiple Unit Townhome Dwelling Garages with Access off a Lane is 0 metres when adjoining Garages share a Parcel Line.

h. Notwithstanding the regulations in Table 7.7.5, the Interior Side Setback is 0 metres where adjacent to a Panhandle Parcel's Access strip.

i. For building strata developments, the minimum Setback from the inner curb of the internal road is 1.5 metres to the building face and 4.8 metres to the front of a Garage.

j. Minimum separation between buildings is as following:

   i. 3 metres between Principal Buildings;

   ii. 3 metres between Principal Buildings and Detached Secondary Dwellings; and

   iii. 1.5 metres between Accessory Buildings and other Structures;

### 7.7.6 Conditions of Use

a. A modular home must be certified to conform to the CSA Standard A277.

b. For Semi-Detached Dwellings or Multiple Unit Townhome Dwellings constructed on a Parcel Line, the boundary between the Parcels must project in a straight line throughout the length of the Dwellings.

c. For Semi-Detached Dwellings or Multiple Unit Townhome Dwellings on a Corner Parcel, the corner Dwelling Unit must face the Flanking Street.

### 7.7.7 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.8 Mobile Home Park (R5)

### 7.8.1 Intent

The Mobile Home Park zone is intended to regulate the establishment of rental mobile home parks, in proper relationship to community facilities and surrounding development.

### 7.8.2 Principal Uses

The following principal uses are permitted in the zoning district designated R5:

a. Mobile Home Park.

### 7.8.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated R5:

a. Accessory Building;

b. Administrative Office;

c. Home-based Business.

### 7.8.4 Subdivision Regulations

a. Parcels to be created in the R5 zone must conform to Table 7.8.4:

**Table 7.8.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| Mobile Home Park | All types | 2,500 $m^2$ | 50 metres | 50 metres |
| Mobile Home | single-wide Space within a mobile home park | 180 $m^2$ | 9 metres | 20 metres |
| | Double-wide Space within a Mobile Home Park | 280 $m^2$ | 14 metres | 20 metres |

### 7.8.5 Site Development Regulations

a. Site development in the R5 zone must conform to Table 7.8.5:

**Table 7.8.5 Site Development Regulations**

| Use | Parcel Type | Maximum Density | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Mobile Home Park | All types | 55 units per hectare | 3 metres | 1.2 metres | 3 metres | 3 metres | Lesser of 7.6 metres or 1 storey | 70%, except as outlined in 7.8.5(b) |
| Mobile Home | Space within a mobile home park | 1 Dwelling Unit per Space | 0.9 metres | 1.2 metres | 1 metre | 1.2 metres | Lesser of 7.6 metres or 1 storey | |
| Accessory Building | All types | N/A | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.8.5, Parcel Coverage may be increased to a maximum of 85% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Each Mobile Home must be provided with an individual Mobile Home Space with internal road access, of not less than 180 m², with a minimum width of 9 metres and a minimum depth of 20 metres.

d. No Mobile Home may be located closer than 0.9 metres to the inner curb of an internal roadway or parking area, 2.4 metres to another Mobile Home, or 1.2 metres to the boundary of an adjacent Mobile Home Space.

e. Minimum separation between Accessory Buildings and other Structures is 1.5 metres.

f. A minimum of 5% of the Parcel Area must be Open Space.

### 7.8.6 Conditions of Use

a. A Mobile Home must be located on a permanent foundation and certified to conform to the CSA Standard Z240 or A277.

b. Mobile Homes must be registered with the Province of BC Manufactured Home Registry and meet or exceed Technical Safety BC standards at time of Placement Permit.

c. Administrative Office is limited to one office for the management and operation of the Mobile Home Park.

### 7.8.7 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

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## 7.10 Medium Density Residential (R7)

### 7.10.1 Intent

The Medium Density Residential zone is oriented towards providing higher-intensity, pedestrian-oriented residential development, including row houses, back-to-back townhomes, stacked townhomes, and apartment buildings.

### 7.10.2 Principal Uses

The following Principal Uses are permitted in the zoning district designated R7:

a. Dwelling, Multiple Unit Apartment.

b. Dwelling, Multiple Unit Townhome.

### 7.10.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. Short-Term Rental.

### 7.10.4 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated R7:

a. Accessory Building;

b. Daycare Centre, Major;

c. Daycare Centre, Minor;

d. Home-based Business;

e. Secondary Suite, in a Multiple Unit Townhome Dwelling.

### 7.10.5 Subdivision Regulations

a. Parcels to be created in the R7 zone must conform to Table 7.10.5:

**Table 7.10.5 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| Dwelling, Multiple Unit Apartment | Lane Access | 360 $m^2$ | 18 metres | 20 metres |
| | Front Access | 360 $m^2$ | 18 metres | 20 metres |
| | Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Lane Access Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Panhandle | 360 $m^2$, not including the panhandle access | 18 metres, not including the panhandle access | 20 metres, not including the panhandle access |
| | Pie | 360 $m^2$ | 6 metre frontage and average width of 18 metres | 20 metres |
| Dwelling, Multiple Unit Townhome | Lane Access | 360 $m^2$ | 18 metres | 20 metres |
| | Front Access | 360 $m^2$ | 18 metres | 20 metres |
| | Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Lane Access Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Panhandle | 360 $m^2$, not including the panhandle access | 18 metres, not including the panhandle access | 20 metres, not including the panhandle access |
| | Pie | 324 $m^2$ | 18 metres | 20 metres |

b. Notwithstanding the regulations in Table 7.10.5, in the case of a Multiple Unit Townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not have a Parcel Area less than 78 $m^2$.

c. Notwithstanding the regulations in Table 7.10.5, in the case of a Multiple Unit Townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not be less than 3.9 metres in width.

### 7.10.6 Site Development Regulations *

a. Site development in the R7 zone must conform to Table 7.10.6:

**Table 7.10.6 Site Development Regulations**

| Use | Parcel Type | Maximum Density (units per hectare of usable site area) | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Dwelling, Multiple Unit Apartment | Lane Access | 150, except as outlined in 7.10.6(c) | 0 metres | 1.2 metres | N/A | 0.9 metres | Lesser of 18 metres or 4 storeys | 80%, except as outlined in 7.10.6(d) |
| | Front Access | | 0 metres | 1.2 metres | N/A | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Corner | | 0 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Lane Access Corner | | 0 metres | 1.2 metres | 2.8 metres | 0.9 metres | Lesser of 18 metres or 4 storeys | |
| | Panhandle | | 3 metres, not including panhandle access | 1.2 metres, excluding panhandle access | 2.8 metres, excluding panhandle access | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Pie | | 0 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 18 metres or 4 storeys | |
| Dwelling, Multiple Unit Townhome | Lane Access | 150, except as outlined in 7.10.6(c) | 3 metres | 1.2 metres | N/A | 5 metres | Lesser of 18 metres or 4 storeys | |
| | Front Access | | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Corner | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Lane Access Corner | | 3 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 18 metres or 4 storeys | |
| | Panhandle | | 3 metres, not including panhandle access | 1.2 metres, excluding panhandle access | 2.8 metres, excluding panhandle access | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Pie | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 18 metres or 4 storeys | |
| Accessory Building | all Parcel types | N/A | Front Building Line | 1.2 metres | 1.2 metres, except as outline in 7.10.6(h) | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.10.6, for Multiple Unit Townhome Dwelling, if a Parcel has multiple Accesses, the corresponding Front, Exterior Side, and/or Rear Setback for a Principal Building is 5 metres.

c. Notwithstanding the regulations in Table 7.10.6, if 20% of the total Dwelling Units are dedicated as Affordable Housing, the maximum density may be increased, as per Table 4.26.

d. Notwithstanding the regulations in Table 7.10.6, Parcel Coverage may be increased to a maximum of 95% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

e. Private Open Space must be provided for each Multiple Unit Apartment Dwelling Unit and Multiple Unit Townhome Dwelling Unit based on the following:

   i. 10 m2 for each three or more bedroom unit; and

   ii. 7.5 m2 for each two bedroom unit; and

   iii. 5 m2 for each one bedroom unit or bachelor unit.

f. Open Space in the minimum amount of 5% of the Parcel Area must be provided for purpose-built or Strata Multiple Unit Apartment or Multiple Unit Townhome Dwelling developments.

g. Notwithstanding the regulations in Table 7.10.6, the Interior Side Setback for Multiple Unit Townhome Dwellings is 0 metres where adjoining units share a Parcel Line.

h. Notwithstanding the regulations in Table 7.10.6, the Interior Side Setback for Multiple Unit Townhome Dwelling Garages with Access off a Lane is 0 metres when adjoining garages share a Parcel Line.

i. For building strata developments, the minimum Setback from the inner curb of the internal road to the building face is 1.5 metres and to the front of a garage is 4.8 metres.

j. Minimum separation between buildings is as following:

   i. 3 metres between Principal Buildings;

   ii. 3 metres between Principal Buildings and Detached Secondary Dwellings; and

   iii. 1.5 metres between Accessory Buildings and other Structures.

### 7.10.7 Conditions of Use

a. Each Multiple Unit Townhome Dwelling building must contain a minimum of three and a maximum of eight Dwelling Units.

b. For Multiple Unit Townhome Dwellings constructed on a Parcel Line, the boundary between the Parcels must project in a straight line throughout the length of the Dwellings;

c. For Multiple Unit Townhome Dwellings, Corner Parcel Dwelling Units must face the Flanking Street.

### 7.10.8 Special Regulations

On Lot 26, Plan KAP60575 (4100 Belshaw Street) the following regulations apply despite Table 7.10.6.

a. Maximum Density: 73 Dwelling Units

b. Minimum Floor Area:

   i. Bachelor Suite: 32.2 $m^2$;

   ii. One-bedroom suite: 46 $m^2$.

c. Maximum Height of principal building: 16.75 metres

### 7.10.9 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.11 High Density Residential (R8)

### 7.11.1 Intent

The High Density Residential zone is oriented towards higher-intensity, pedestrian-oriented residential developments providing apartment buildings, row houses, back-to-back townhomes or stacked townhomes on serviced Parcels.

### 7.11.2 Principal Uses

The following Principal Uses are permitted in the zoning district designated R8:

a. Dwelling, Multiple Unit Apartment;

b. Dwelling, Multiple Unit Townhome.

### 7.11.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. Short-Term Rental.

### 7.11.4 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated R8:

a. Accessory Building;

b. Daycare Centre, Major;

c. Daycare Centre, Minor;

d. Home-based Business.

e. Secondary Suite in a Multiple Unit Townhome.

### 7.11.5 Subdivision Regulations

a. Parcels to be created in the R8 zone must conform to Table 7.11.5:

**Table 7.11.5 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| Dwelling, Multiple Unit Apartment | Lane Access | 360 $m^2$ | 18 metres | 20 metres |
| | Front Access | 360 $m^2$ | 18 metres | 20 metres |
| | Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Lane Access Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Panhandle | 360 $m^2$, not including the panhandle access | 18 metres, excluding the panhandle access | 20 metres, excluding the panhandle access |
| | Pie | 360 $m^2$ | 6 metre frontage and average width of 18 metres | 20 metres |
| Dwelling, Multiple Unit Townhome | Lane Access | 360 $m^2$ | 18 metres | 20 metres |
| | Front Access | 360 $m^2$ | 18 metres | 20 metres |
| | Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Lane Access Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Panhandle | 360 $m^2$, not including the panhandle access | 18 metres, excluding the panhandle access | 20 metres, excluding the panhandle access |
| | Pie | 360 $m^2$ | 6 metre frontage and average width of 18 metres | 20 metres |

b. Notwithstanding the regulations in Table 7.11.5, in the case of a Multiple Unit townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not have a Parcel Area less than 78 $m^2$.

c. Notwithstanding the regulations in Table 7.11.5, in the case of a Multiple Unit townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not be less than 3.9 metres in width.

### 7.11.6 Site Development Regulations *

a. Site development in the R8 zone must conform to Table 7.11.6:

**Table 7.11.6 Site Development Regulations**

| Use | Parcel Type | Maximum Density (units per hectare of usable site area) | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height<br><br>See Section 7.11.6(b) | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Dwelling, Multiple Unit Apartment | Lane Access | 225, except as outlined in 7.11.6(d) | 0 metres | 1.2 metres | N/A | 0.9 metres | Lesser of 22 metres or 5 storeys | 80%, except as outlined in 7.11.6(e) |
| | Front Access | | 0 metres | 1.2 metres | N/A | 3 metres | Lesser of 22 metres or 5 storeys | |
| | Corner | | 0 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 22 metres or 5 storeys | |
| | Lane Access Corner | | 0 metres | 1.2 metres | 2.8 metres | 0.9 metres | Lesser of 22 metres or 5 storeys | |
| | Panhandle | | 3 metres, not including panhandle access | 1.2 metres, excluding panhandle access | 2.8 metres, excluding panhandle access | 3 metres | Lesser of 22 metres or 5 storeys | |
| | Pie | | 0 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 22 metres or 5 storeys | |
| Dwelling, Multiple Unit Townhome | Lane Access | 225, except as outlined in 7.11.6(d) | 3 metres | 1.2 metres | N/A | 5 metres | Lesser of 18 metres or 4 storeys | |
| | Front Access | | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Corner | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Lane Access Corner | | 3 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 18 metres or 4 storeys | |
| | Panhandle | | 3 metres, not including panhandle access | 1.2 metres, excluding panhandle access | 2.8 metres, excluding panhandle access | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Pie | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 18 metres or 4 storeys | |
| Accessory Building | all Parcel types | N/A | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Multiple Unit Apartment Dwelling and Multiple Unit Townhome Dwelling must be a minimum of 2 storeys in height.

c. Notwithstanding the regulations in Table 7.10.6, for Multiple Unit Townhome Dwelling, if a Parcel has multiple Accesses, the corresponding Front, Exterior Side, and/or Rear Setback for a Principal Building is 5 metres.

d. Notwithstanding the regulations in Table 7.11.6, if 20% of the total Dwelling Units are affordable housing, the maximum density may be increased, as per Table 4.26.

e. Notwithstanding the regulations in Table 7.11.6, Parcel Coverage may be increased to a maximum of 95% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

f. Private Open Space must be provided for each Multiple Unit Apartment Dwelling Unit and Multiple Unit Townhome Dwelling Unit based on the following:

   i. 10 m2 for each three or more bedroom unit; and

   ii. 7.5 m2 for each two bedroom unit; and

   iii. 5 m2 for each one bedroom unit or bachelor unit.

g. Open Space in the minimum amount of 5% of the Parcel Area must be provided for purpose-built or Strata Multiple Unit Apartment or Multiple Unit Townhome Dwelling developments.

h. Notwithstanding the regulations in Table 7.11.6, the Interior Side Setback for Multiple Unit Townhome Dwellings is 0 metres where adjoining units share a Parcel Line.

i. Notwithstanding the regulations in Table 7.11.6, the Interior Side Setback for Multiple Unit Townhome Dwelling Garages with Access off a Lane is 0 metres when adjoining Garages share a Parcel Line.

j. For building strata developments, the minimum Setback from the inner curb of the internal road is 1.5 metres to the building face and 4.8 metres to the front of a Garage.

k. Minimum separation between buildings is as following:

   i. 3 metres between Principal Buildings;

   ii. 3 metres between Principal Buildings and Detached Secondary Dwellings; and

   iii. 1.5 metres between Accessory Buildings and other Structures.

### 7.11.7 Conditions of Use

a. Each Multiple Unit Townhome Dwelling building must contain a minimum of three and a maximum of eight Dwelling Units.

b. For Multiple Unit Townhome Dwellings constructed on a Parcel Line, the boundary between the Parcels must project in a straight line throughout the length of the Dwellings.

c. For Multiple Unit Townhome Dwellings, Corner Parcel Dwelling Units must face the Flanking Street.

### 7.11.8 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.12 Residential Care Housing (RC1)

### 7.12.1 Intent

The purpose of the Residential Care Housing zone is to provide for the use and development of on-site care housing in proper relation to surrounding areas and neighbourhoods.

### 7.12.2 Principal Uses

The following Principal Uses are permitted in the zoning district designated RC1:

a. Community Care Facility, Major;

b. Community Care Facility, Minor;

c. Community Care Facility, Specialized.

### 7.12.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated RC1:

a. Accessory Building;

### 7.12.4 Subdivision Regulations

a. Parcels to be created in the RC1 zone must conform to Table 7.12.4:

**Table 7.12.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 600 $m^2$ | 20 metres | 30 metres |

### 7.12.5 Site Development Regulations

a. Site development in the RC1 zone must conform to Table 7.12.5:

**Table 7.12.5 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | 6 metres | 3 metres | 3 metres | 6 metres | Lesser of 14 metres or 3 storeys | 60%, except as outlined in 7.12.5(b) |
| Accessory Building | All types | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.12.5, Parcel Coverage may be increased to a maximum of 75% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Private Open Space must be provided for each Dwelling Unit based on the following:

i. 10 $m^2$ for each three or more bedroom unit; and

ii. 7.5 $m^2$ for each two bedroom unit; and

iii. 5 $m^2$ for each one bedroom unit or bachelor unit

d. Open Space in the amount of 5% of the Parcel Area must be provided.

e. Minimum separation between Accessory Buildings and other Structures is 1.5 metres.

### 7.12.6 Conditions of Use

a. All Community Care Facilities must meet the definitions and requirements of the *Community Care and Assisted Living Act.*

### 7.12.7 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.13 Recreational Commercial (C1)

### 7.13.1 Intent

The purpose of the Recreational Commercial zone is to provide commercial facilities which are primarily recreational in nature.

### 7.13.2 Principal Uses

The following principal uses are permitted in the zoning district designated C1:

a. Campground;

b. Commercial Recreation Services;

c. Participant Recreation Services, Indoor;

d. Participant Recreation Services, Outdoor.

### 7.13.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated C1:

a. Administrative Office;

b. Food Primary Establishment;

c. Mobile Retail Vendor;

d. Retail Store, Convenience;

e. Dwelling, Single Detached or Modular Home, for a caretaker's Dwelling.

### 7.13.4 Subdivision Regulations

a. Parcels to be created in the C1 zone must conform to Table 7.13.4

**Table 7.13.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 450 $m^2$ | 15 metres | 30 metres |

### 7.13.5 Site Development Regulations

a. Site development in the C1 zone must conform to Table 7.13.5:

**Table 7.13.5 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except caretaker Dwelling or Accessory Building | All types | 6 metres | 1.2 metres | 2.8 metres | 6 metres | Lesser of 14 metres or 3 storeys | 50%, except as outlined in 7.13.5(b) |
| Dwelling, Single Detached or Modular Home | caretaker Dwelling | 6 metres | 1.2 metres | 2.8 metres | 6 metres | Lesser of 11 metres or 2.5 storeys | |
| Accessory Building | All types | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.13.5, Parcel Coverage may be increased to a maximum of 65% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel area.

c. Minimum separation between the Principal Building and a caretaker Dwelling is 3 metres, and the minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

### 7.13.6 Conditions of Use

a. All Modular Homes must be on a permanent foundation and meet CSA A277.

### 7.13.7 Special Regulations

a. Notwithstanding Section 7.13.2, on Lot C, District Lot 122, KDYD, Plan KAP55868 (2845 Neilson Street) the following Uses are also permitted: outdoor theatre, one Convenience Retail Store (maximum Floor Area of 200 $m^2$), one propane Filling Station and one minor RV maintenance shop as Secondary Uses to serve the clients of a recreational vehicle park.

### 7.13.8 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.14 Tourist Commercial (C2)

### 7.14.1 Intent

The purpose of the Tourist Commercial zone is to provide accommodation and commercial uses which primarily cater to the needs of visitors.

### 7.14.2 Principal Uses

The following principal uses must be permitted in the zoning district designated C2:

a. Artisan Studio;
b. Brewing and Distilling, Craft; *
c. Campground;
d. Commercial Recreation Services;
e. Entertainment Facility;
f. Food Primary Establishment;
g. Gallery and Museum;
h. Hotel;
i. Liquor Primary Establishment;
j. Motel;
k. Participant Recreation Services, Indoor;
l. Participant Recreation Services, Outdoor;
m. Short-Term Rental.

### 7.14.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. Adult Entertainment Club;
b. Gaming Facility;
c. Winery.

### 7.14.4 Secondary Uses

The following secondary uses are permitted in the zoning district designated C2:

a. Accessory Building;
b. Administrative Office;
c. Dwelling, Multiple Unit Apartment;
d. Dwelling, Multiple Unit Townhome;
e. Two Dwelling Units within a Principal Building; *
f. One Dwelling Unit in a Principal Building; *
g. Liquor Store;
h. Mobile Retail Vendor;
i. Parking Lot, Commercial;
j. Produce Stand;

k. Retail Store, Convenience;
l. Security / Operator Suite.

### 7.14.5 Prohibited Uses

The following are prohibited uses which shall not be permitted in the zoning district designated C2:

a. Drive-Through Business;
b. Filling Station;
c. Vehicle Services.

### 7.14.6 Subdivision Regulations

a. Parcels to be created in the C2 zone must conform to Table 7.14.6:

**Table 7.14.6 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 375 $m^2$ | 15 metres | 25 metres |

### 7.14.7 Site Development Regulations

a. Site development in the C2 zone must conform to Table 7.14.7:

**Table 7.14.7 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all permitted uses, except Accessory Building | All types | 0 metres | 1.2 metres | 0 metres | 3 metres | Lesser of 22 metres or 5 storeys | 70%, except as outlined in 7.14.7(b) |
| Accessory Building | All types | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.14.7, Parcel Coverage may be increased to a maximum of 85% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Private Open Space must be provided for each Dwelling Unit based on the following:

i. 10 $m^2$ for each three or more bedroom unit; and
ii. 7.5 $m^2$ for each two bedroom unit; and
iii. 5 $m^2$ for each one bedroom unit or bachelor unit

d. Minimum separation between Accessory Buildings and other Structures is 1.5 metres.

### 7.14.8 Conditions of Use

a. Where a building contains residential Dwelling Units and commercial uses, the residential Dwelling Units must be located above or below the main floor or behind the commercial use, except in the case of Motel or Hotel, where Dwelling Units are permitted on the main floor.

b. Single Detached Dwellings and Semi-Detached Dwellings may only be located as part of mixed use development, in conjunction with a commercial Use;

c. Dwelling Units must have a separate entrance from that of any commercial use, except in the case of Motel or Hotel, where Dwelling Units may share the commercial entrance.

### 7.14.9 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.15 Regional Commercial (C3)

### 7.15.1 Intent

The purpose of the Regional Commercial zone is to provide mixed use commercial development, including a range of retail, entertainment, personal and professional services within Shopping Centre environments consisting of multiple businesses or large format retail development.

### 7.15.2 Principal Uses

The following principal uses are permitted in the zoning district designated C3:

a. Animal Services;
b. Artisan Studio;
c. Assembly Place;
d. Brewing & Distilling, Craft; *
e. Building Supply Centre;
f. Business Support Services;
g. Commercial Recreation Services;
h. Entertainment Facility;
i. Filling Station;
j. Food Primary Establishment;
k. Gallery and Museum;
l. Garden Centre, Indoor;
m. Hotel;
n. Liquor Primary Establishment;
o. Liquor Store;
p. Motel;
q. Participant Recreation Services, Indoor;
r. Personal and Professional Services;
s. Public Use;
t. Retail Cannabis Sales;
u. Retail Store, Convenience;
v. Retail Store, General.
w. School, Private;
x. Veterinary Services.

### 7.15.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. Drive-through Business;
b. Funeral Services;
c. Gaming Facility;
d. Garden Centre, Outdoor;
e. Parking Lot, Commercial;
f. Second-Hand Store;
g. Vehicle Services;
h. Winery.

### 7.15.4 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated C3:

a. Accessory Building;
b. Administrative Office;
c. Dwelling, Multiple Unit Apartment;
d. Dwelling, Multiple Unit Townhome;
e. Two Dwelling Units within a Principal Building; *
f. One Dwelling Unit in a Principal Building; *
g. Mobile Retail Vendor;
h. Produce Stand;
i. Security / Operator Suite;
j. Short-Term Rental.

### 7.15.5 Subdivision Regulations

a. Parcels to be created in the C3 zone must conform to Table 7.15.5:

**Table 7.15.5 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 750 $m^2$ | 25 metres | 30 metres |

### 7.15.6 Site Development Regulations

a. Site development in the C3 zone must conform to Table 7.15.6:

**Table 7.15.6 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| All principal and discretionary uses | All types | 0 metres | 1.2 metres | 0 metres | 3 metres | Lesser of 22 metres or 5 storeys | 70%, except as outlined in 7.15.6(b) |
| Accessory Building | All types | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.15.6, Parcel Coverage may be increased to a maximum of 85% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Private Open Space must be provided for each Dwelling Unit based on the following:

i. 10 $m^2$ for each three bedroom unit; and

ii. 7.5 $m^2$ for each two bedroom unit; and

iii. 5 $m^2$ for each one bedroom unit or bachelor unit.

d. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

e. Notwithstanding the regulations in Table 7.15.6, site development and placement of objects must conform with Transport Canada regulations, including Obstacle Limitation Surfaces for an AGNII Non-Instrument aerodrome. *

### 7.15.7 Conditions of Use

a. Residential Dwelling Units must be located above or below the main floor or behind the commercial use.

b. Single Detached Dwellings and Semi-Detached Dwellings may only be located as part of mixed use development, in conjunction with a commercial Use;

c. Residential Dwelling Units must have a separate entrance from that of any commercial use.

### 7.15.8 Special Regulations

a. Notwithstanding Section 7.15.4, except for Security / Operator Suite, Dwelling Units are not permitted Uses on Lot A Plan KAP78643 Section 23 Township 91 Kamloops Division Yale District, PID: 026-363-721. *

b. Notwithstanding Section 7.15.4, except for Security / Operator Suite, Dwelling Units are not permitted Uses on Lot B Plan KAP78643 Section 23 Township 91 Kamloops Division Yale District, PID: 026-363-739. *

c. Notwithstanding Section 7.15.4, except for Security / Operator Suite, Dwelling Units are not permitted Uses on Lot C Plan KAP78643 Section 23 Township 91 Kamloops Division Yale District, PID: 026-363-747. *

d. Notwithstanding Section 7.15.4, except for Security / Operator Suite, Dwelling Units are not permitted Uses on Lot D Plan KAP78643 Section 23 Township 91 Kamloops Division Yale District, PID: 026-363-755. *

e. Notwithstanding Section 7.15.4, except for Security / Operator Suite, Dwelling Units are not permitted Uses on Lot E Plan KAP78643 Section 23 Township 91 Kamloops Division Yale District, PID: 026-363-763. *

f. The minimum Height for Principal Buildings for the following properties is 2 storeys: *

   i. Lot 1, Plan KAP58641, District Lot 121, Section 22, Township 91, Kamloops Div of Yale Land District (PID: 023-698-438);

   ii. Lot 1, Plan KAP74213, Section 23, Township 91, Kamloops Div of Yale Land District (PID: 025-766-678);

   iii. Lot 2, Plan KAP 74213, Section 23, Township 91, Kamloops Div of Yale Land District (PID: 025-766-686);

   iv. Lot 5, Plan KAP 74213, Section 23, Township 91, Kamloops Div of Yale Land District (PID: 025-766-716);

   v. Lot 6, Plan KAP 74213, Section 23, Township 91, Kamloops Div of Yale Land District (PID: 025-766-724); and

   vi. Lot 8, Plan KAP 74213, Section 23, Township 91, Kamloops Div of Yale Land District (PID: 025-766-741).

### 7.15.9 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.16 Corridor Commercial (C4)

### 7.16.1 Intent

The purpose of the Corridor Commercial zone is to provide mixed use commercial developments with a range of services adjacent to major corridors.

### 7.16.2 Principal Uses

The following principal uses are permitted in the zoning district designated C4:

a. Animal Services;
b. Artisan Studio;
c. Assembly Place;
d. Brewing and Distilling, Craft; *
e. Business Support Services;
f. Commercial Recreation Services;
g. Entertainment Facility;
h. Food Primary Establishment;
i. Gallery and Museum;
j. Hotel;
k. Liquor Primary Establishment;
l. Liquor Store;
m. Mobile Retail Vendor;
n. Motel;
o. Participant Recreation Services, Indoor;
p. Personal and Professional Services;
q. Public Use;
r. Retail Cannabis Sales;
s. Retail Store, Convenience;
t. Retail Store, General;
u. School, Private;
v. Veterinary Services.

### 7.16.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. Adult Entertainment Club;
b. Building Supply Centre;

c. Campground;
d. Drive-through Business;
e. Filling Station;
f. Funeral Services;
g. Gaming Facility;
h. Garden Centre, Indoor;
i. Garden Centre, Outdoor;
j. Second-Hand Store;
k. Vehicle Sales & Rentals;
l. Vehicle Services.

### 7.16.4 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated C4:

a. Accessory Building;
b. Administrative Office;
c. Dwelling, Multiple Unit Apartment;
d. Dwelling, Multiple Unit Townhome;
e. Two Dwelling Units within a Principal Building; *****
f. One Dwelling Unit in a Principal Building; *****
g. Produce Stand;
h. Security / Operator Suite;
i. Short-Term Rental.

### 7.16.5 Subdivision Regulations

a. Parcels to be created in the C4 zone must conform to Table 7.16.5:

**Table 7.16.5 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 375 $m^2$ | 15 metres | 25 metres |

### 7.16.6 Site Development Regulations

a. Site development in the C4 zone must conform to Table 7.16.6:

**Table 7.16.6 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | 0 metres | 0 metres | 0 metres | 0 metres | Lesser of 22 metres or 5 storeys | 70%, except as outlined in 7.16.6(b) |
| Accessory Building | All types | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.16.6, Parcel Coverage may be increased to a maximum of 85% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Private Open Space must be provided for each Dwelling Unit based on the following:

i. 10 $m^2$ for each three bedroom unit; and

ii. 7.5 $m^2$ for each two bedroom unit; and

iii. 5 $m^2$ for each one bedroom unit or bachelor unit.

d. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

e. Notwithstanding the regulations in Table 7.16.6, site development and placement of objects must conform with Transport Canada regulations, including Obstacle Limitation Surfaces for an AGNII Non-Instrument aerodrome. *

### 7.16.7 Conditions of Use

a. Residential Dwelling Units must be located above or below the main floor or behind the commercial use.

b. Single Detached Dwellings and Semi-Detached Dwellings may only be located as part of mixed use development, in conjunction with a commercial Use;

c. Residential Dwelling Units must have a separate entrance from that of any commercial use.

### 7.16.8 Special Regulations

a. Notwithstanding Section 7.16.2, the only Uses permitted on that part of Lot A, District Lot 166, Kamloops Division Yale District, Plan KAP59518 (Houston Street) that lies within the C4 zone are Convenience Retail Store, Filling Station, Hotel and Motel.

b. Despite Table 5.16: Off-Street Parking and Loading, the total number of required Parking Spaces for the Parcel described as Lot 1 District Lot 124 Kamloops Division Yale District Plan KAP50508, PID: 018-390-251 (2190 Voght Street) is sixteen.

### 7.16.9 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.17 Neighbourhood Commercial (C5)

### 7.17.1 Intent

The Neighbourhood Commercial zone is intended to provide mixed use commercial with a range of services needed by residents on a day to day basis within, or in close proximity to, residential neighbourhoods, but outside the primary business district.

### 7.17.2 Principal Uses

The following principal uses are permitted in the zoning district designated C5:

a. Animal Services;
b. Artisan Studio;
c. Assembly Place;
d. Business Support Services;
e. Daycare Centre, Minor;
f. Food Primary Establishment;
g. Participant Recreation Services, Indoor;
h. Personal and Professional Services;
i. Retail Store, Convenience.

### 7.17.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. Brewing and Distilling, Craft; *****
b. Liquor Primary Establishment;
c. Retail Store, General.

### 7.17.4 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated C5:

a. Accessory Building;
b. Administrative Office;
c. Dwelling, Multiple Unit Apartment;
d. Dwelling, Multiple Unit Townhome;
e. Two Dwelling Units within a Principal Building; *****
f. One Dwelling Unit in a Principal Building; *****
g. Mobile Retail Vendor;
h. Security / Operator Suite;
i. Short-Term Rental.

### 7.17.5 Prohibited Uses

The following are prohibited uses which shall not be permitted in the zoning district designated C5:

a. Drive-through Business

b. Filling Station;

c. Vehicle Services.

### 7.17.6 Subdivision Regulations

a. Parcels to be created in the C5 zone must conform to Table 7.17.6:

**Table 7.17.6 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 500 $m^2$ | 20 metres | 25 metres |

### 7.17.7 Site Development Regulations

a. Site development in the C5 zone must conform to Table 7.17.7:

**Table 7.17.7 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | 0 metres | 1.2 metres | 0 metres | 3 metres | Lesser of 18 metres or 4 storeys | 70%, except as outlined in 7.17.7(b) |
| Accessory Building | All types | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.17.7, Parcel Coverage may be increased to a maximum of 85% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Private Open Space must be provided for each Dwelling Unit based on the following ratio:

i. 10 $m^2$ for each three bedroom unit; and

ii. 7.5 $m^2$ for each two bedroom unit; and

iii. 5 $m^2$ for each one bedroom unit or bachelor unit.

d. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

### 7.17.8 Conditions of Use

a. Residential Dwelling Units must be located above or below the main floor or behind the commercial use.

b. Single Detached Dwellings and Semi-Detached Dwellings may only be located as part of mixed use development, in conjunction with a commercial Use;

c. Residential Dwelling Units must have a separate entrance from that of any commercial use.

### 7.17.9 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.18 City Centre District (C6)

### 7.18.1 Intent

The purpose of the City Centre District zone is to provide financial, retail, entertainment, government, and cultural services, as well as high density residential and mixed use development, within the Downtown.

### 7.18.2 Principal Uses

The following principal uses are permitted in the zoning district designated C6:

a. Animal Services;
b. Artisan Studio;
c. Brewing and Distilling, Craft; *
d. Business Support Services;
e. Commercial Recreation Services;
f. Dwelling, Multiple Unit Apartment;
g. Dwelling, Multiple Unit Townhome;
h. Entertainment Facility;
i. Food Primary Establishment;
j. Gallery and Museum;
k. Hotel;
l. Liquor Primary Establishment;
m. Liquor Store;
n. Participant Recreation Services, Indoor;
o. Personal and Professional Services;
p. Retail Cannabis Sales;
q. Retail Store, Convenience;
r. Retail Store, General;
s. School, Private;

### 7.18.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions. Discretionary Uses will not be considered on Parcels Abutting Quilchena Avenue between Charters Street and Chapman Street.

a. Adult Entertainment Club;
b. Assembly Place;
c. Bus Depot;
d. Building Supply Centre;

e. Community Care Facility, Major;
f. Community Care Facility, Minor;
g. Community Care Facility, Specialized;
h. Daycare Centre, Major;
i. Educational Institution;
j. Funeral Services;
k. Gaming Facility;
l. Garden Centre, Indoor;
m. Garden Centre, Outdoor;
n. Motel;
o. Parking Lot, Commercial;
p. Place of Worship;
q. Public Use;
r. School, Public;
s. Second-Hand Store;
t. Veterinary Services;
u. Water Refill Station.

### 7.18.4 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated C6:

a. Accessory Building;
b. Administrative Office;
c. Two Dwelling Units within a Principal Building; *
d. One Dwelling Unit in a Principal Building; *
e. Mobile Retail Vendor;
f. Secondary Suite;
g. Security / Operator Suite;
h. Short-Term Rental.

### 7.18.5 Prohibited Uses

The following are prohibited uses which shall not be permitted in the zoning district designated C6:

a. Drive-though Business;
b. Filling Station;
c. Vehicle Services.

### 7.18.6 Subdivision Regulations

a. Parcels to be created in the C6 zone must conform to Table 7.18.6:

**Table 7.18.6 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 120 $m^2$ | 6 metres | 20 metres |

### 7.18.7 Site Development Regulations

a. Site development in the C6 zone must conform to Table 7.18.7:

**Table 7.18.7 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | 0 metres | 0 metres | 0 metres | 0 metres, except as outlined in 7.17.7c | Lesser of 25 metres or 6 storeys | 95%, except as outlined in 7.18.7(b) |
| Accessory Building | All types | Front Building Line | 0 metres | 0 metres | 0 metres | Lesser of 5 metres or 1.5 storeys | |

b. The minimum Height for Principal Buildings in C6 Zone is 3 storeys. *

c. Notwithstanding the regulations in Table 7.18.7, Parcel Coverage may be increased to a maximum of 100% if Open Space in the form of rooftop garden space is provided on a minimum of 15% of the roof surface.

d. Notwithstanding the regulations in Table 7.18.7, the Rear Setback is 3 metres for Parcels without underground or under-building space for waste and recycling receptables.

e. Private Open Space must be provided for each Dwelling Unit based on the following:

   i. 10 $m^2$ for each three or more bedroom unit; and

   ii. 7.5 $m^2$ for each two bedroom unit; and

   iii. 5 $m^2$ for each one bedroom unit or bachelor unit

f. Notwithstanding 7.18.7(d), Private Open Space is not required if a minimum of 15% of the Parcel Area is provided as Open Space.

g. On Parcels Abutting Quilchena Avenue between Charters Street and Chapman Street, buildings over 4 storeys in Height must have a step-back of a minimum of 1.5 metres on the fifth storey and an additional 1.5 metres on every third storey thereafter.

h. Minimum separation between Accessory Buildings and other Structures is 1.5 metres.

### 7.18.8 Conditions of Use

a. Where a building contains residential Dwelling Units and commercial uses, the Dwelling Units must be located above or below the main floor or behind the commercial use.

b. Single Detached Dwellings and Semi-Detached Dwellings may only be located as part of mixed use development, in conjunction with a commercial Use.

c. Residential Dwelling Units must have a separate entrance from that of any commercial use.

### 7.18.9 Special Regulations

a. Notwithstanding Table 7.18.7, the minimum Setbacks of a Single Detached Dwelling on Lot 3 Block 14 DL 123 Plan 1 KDYD (2126 Granite Avenue) from Parcel Lines are 6 metres from the front and rear Parcel Lines, and 1.5 metres from each side Parcel Line.

b. For Parcel B (KJ48015) Block 16 District Lot 124 Kamloops Division Yale District Plan 1, PID: 023-113-952 (1990 Chapman Street), despite Section 7.18.2 permitted Uses, Place of Worship is added as a permitted Use; and despite Table 5.16: Off-Street Parking and Loading, the total number of required Parking Spaces for the building located on the north half of the Parcel is zero, and the total number of Parking Spaces for the building located on the southern portion of the Parcel is three.

### 7.18.10 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.19 Service Commercial (C7)

### 7.19.1 Intent

The purpose of the Service Commercial zone is to accommodate establishments which may require large areas for conducting of services, processing and distribution of products, or storage and handling of goods and equipment, such as light manufacturing, retail requiring indoor or outdoor storage, and vehicular oriented commercial uses.

### 7.19.2 Principal Uses

The following principal uses are permitted in the zoning district designated C7:

a. Animal Services;
b. Artisan Studio;
c. Auction House;
d. Building Supply Centre;
e. Bulk Petroleum & Electricity Sales;
f. Bus Depot;
g. Business Support Services;
h. Delivery Facility;
i. Vehicle Services;
j. Filling Station;
k. Machinery Repair & Sales;
l. Manufacturing, Light;
m. Machine & Welding Shop;
n. Mobile and Modular Home Sales;
o. Participant Recreation Services, Indoor;
p. Personal and Professional Services;
q. Public Use;
r. Recycling Depot;
s. Retail Store, Convenience;
t. Retail Store, General;
u. Second-Hand Store;
v. Storage Facility, Indoor;
w. Transportation & Logistics;
x. Vehicle Sales & Rentals;
y. Vehicle Storage & Towing; *

z. Veterinary Services;

aa. Warehouse;

bb. Water Refill Station.

### 7.19.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions.

a. Animal Boarding;

b. Bulk Petroleum & Electricity Sales;

c. Film Studio;

d. Food Primary Establishment;

e. Parking Lot, Commercial;

f. Truck Travel Centre;

g. Winery.

### 7.19.4 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated C7:

a. Accessory Building;

b. Administrative Office;

c. Security / Operator Suite;

d. Vehicle Storage & Towing.

### 7.19.5 Subdivision Regulations

a. Parcels to be created in the C7 zone must conform to Table 7.19.5:

**Table 7.19.5 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 450 $m^2$ | 15 metres | 30 metres |

### 7.19.6 Site Development Regulations

a. Site development in the C7 zone must conform to Table 7.19.6:

**Table 7.19.6 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | 0 metres | 1.2 metres | 0 metres | 1.2 metres | Lesser of 18 metres or 4 storeys | 80%, except as outlined in 7.19.6(b) |
| Accessory Building | All types | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.19.6, Parcel Coverage may be increased to a maximum of 95% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

d. Notwithstanding the regulations in Table 7.19.6, site development and placement of objects must conform with Transport Canada regulations, including Obstacle Limitation Surfaces for an AGNII Non-Instrument aerodrome. *

### 7.19.7 Conditions of Use

a. The Outdoor display of merchandise requires a minimum Setback of 2 metres from all Parcel Lines.

### 7.19.8 Special Regulations

a. Notwithstanding Section 7.19.2, the only Use permitted on the parts of Lot A, Plan 31180, TP 91, W6M (1750 Hill Street); Lot 11, Plan 11461, TP 91, W6M (1531 Walnut Avenue); and Lot 33, Plan 707, TP 91, W6M (1590 Fir Avenue) that lies within the C3 zone are a Machine & Welding Shop and associated storage and rental storage.

### 7.19.9 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.20 Airport Commercial (C8)

### 7.20.1 Intent

The purpose of the Airport Commercial zone is to provide aviation related services within close proximity to the airport.

### 7.20.2 Principal Uses

The following principal uses shall be permitted in the zoning district designated C8:

a. Aircraft Sales & Servicing;
b. Airport;
c. Aviation Services;
d. Bus Depot;
e. Commercial Recreation Services;
f. Delivery Facility;
g. Gallery or Museum;
h. Heliport;
i. Public Use;
j. Transportation & Logistics;
k. Warehouse.

### 7.20.3 Discretionary Uses *

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. One Dwelling Unit in an airport hangar.

### 7.20.4 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated C8:

a. Accessory Building;
b. Administrative Office;
c. Bulk Petroleum & Electricity Sales;
d. Food Primary Establishment;
e. Parking Lot, Commercial;
f. Security / Operator Suite;
g. Retail Store, Convenience;
h. Vehicle Sales & Rentals.

### 7.20.5 Subdivision Regulations

a. Parcels to be created in the C8 zone must conform to Table 7.20.5:

**Table 7.20.5 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 450 $m^2$ | 15 metres | 30 metres |

### 7.20.6 Site Development Regulations

a. Site development in the C8 zone must conform to Table 7.20.6:

**Table 7.20.6 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Airport and Accessory Building | All types | 3 metres | 0 metres | 0 metres | See 7.20.5(c) | Lesser of 18 metres or 4 storeys, except as outlined in 7.20.5(c) | 85%, except as outlined in 7.20.5(b) |
| Airport | All types | 3 metres | 3 metres | 3 metres | 3 metres | Lesser of 18 metres or 4 storeys, except as outlined in 7.20.5(c) | |
| Accessory Building | All types | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres, except as outlined in 7.20.5(c) | Lesser of 5 metres or 1.5 storeys, except as outlined in 7.20.5(c) | |

b. Notwithstanding the regulations in Table 7.20.6, Parcel Coverage may be increased to a maximum of 100% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Notwithstanding the regulations in Table 7.20.6, site development and placement of objects must conform with Transport Canada regulations, including Obstacle Limitation Surfaces for an AGNII Non-Instrument aerodrome. *

d. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

### 7.20.7 Special Regulations

a. Despite Table 7.20.6, the Rear Setback is 37.9 metres on PARCEL A (BEING A CONSOLIDATION OF LOTS A & B, SEE CA6302384) SECTION 23 TOWNSHIP 91 KAMLOOPS DIVISION YALE DISTRICT PLAN KAP 80535; PID: 030-251-826 (4074 Airport Road).

### 7.20.8 Other Regulations

a. All Structures and Uses must comply with Part 4;
b. Off-street parking and loading must comply with Part 5;
c. Landscaping and Screening must comply with Part 6.

## 7.21 Light Industrial (M1)

### 7.21.1 Intent

The Light Industrial zone is oriented towards a range of light and medium manufacturing, processing and other industrial uses.

### 7.21.2 Principal Uses

The following principal uses are permitted in the zoning district designated M1:

a. Artisan Studio;
b. Auction House;
c. Brewing and Distilling, Craft; *
d. Building Supply Centre;
e. Bulk Petroleum & Electricity Sales;
f. Bus Depot;
g. Business Support Services;
h. Crematorium;
i. Delivery Facility;
j. Film Studio;
k. Garden Centre, Outdoor;
l. Greenhouse Agriculture;
m. Machine & Welding Shop;
n. Machinery Repair & Sales;
o. Manufacturing, Light;
p. Metal Recycling;
q. Mobile and Modular Home Sales;
r. Participant Recreation Services, Indoor;
s. Public Use;
t. Recycling Depot;
u. Storage Facility, Indoor;
v. Technology Centre;
w. Transportation & Logistics;
x. Vehicle Sales & Rentals;
y. Vehicle Services;
z. Vehicle Storage & Towing;
aa. Veterinary Services;

bb. Warehouse;

cc. Water Refill Station;

dd. Winery.

### 7.21.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated M1:

a. Accessory Building;

b. Administrative Office;

c. Security / Operator Suite.

### 7.21.4 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. Food Primary Establishment;

b. Storage Yard; *

c. Dwelling Unit in an industrial building (one Dwelling Unit per industrial unit or bay). *

### 7.21.5 Subdivision Regulations

a. Parcels to be created in the M1 zone must conform to Table 7.21.5:

**Table 7.21.5 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 450 $m^2$ | 15 metres | 30 metres |

### 7.21.6 Site Development Regulations

a. Site development in the M1 zone must conform to Table 7.21.6:

**Table 7.21.6 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | 3 metres | 3 metres, except as outlined in 7.21.6(c) | 3 metres | 3 metres, except as outlined in 7.21.6(c) | 22 metres | 75%, except as outlined in 7.21.6(b) |
| Accessory Building | All types | Front Building Line | 3 metres | 3 metres | 3 metres | 16 metres | |

b. Notwithstanding the regulations in Table 7.21.6, Parcel Coverage may be increased to a maximum of 90% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

d. Notwithstanding the regulations in Table 7.21.6, site development and placement of objects must conform with Transport Canada regulations, including Obstacle Limitation Surfaces for an AGNII Non-Instrument aerodrome. *

### 7.21.7 Conditions of Use

a. All permitted Uses must be contained completely within an enclosed Structure.

b. With respect to Bulk Petroleum & Electricity Sales, the fuel pumps and Accessory Buildings of commercial cardlock facilities may not be located closer than 17 metres from the centre line of a controlled access Highway.

### 7.21.8 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.22 Heavy Industrial (M2)

### 7.22.1 Intent

The Heavy Industrial zone is oriented towards a range of heavy manufacturing, processing and other industrial uses that are likely to require outdoor storage and or produce noise, smoke, dust, glare, fumes or odours.

### 7.22.2 Principal Uses

The following principal uses are permitted in the zoning district designated M2:

a. Bulk Petroleum & Electricity Sales;
b. Greenhouse Agriculture;
c. Machine & Welding Shop;
d. Manufacturing, Heavy;
e. Metal Recycling;
f. Transportation & Logistics;
g. Vehicle Storage & Towing;
h. Vehicle Wrecking;
i. Warehouse;
j. Storage Yard. *

### 7.22.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated M2:

a. Accessory Building;
b. Administrative Office;
c. Security / Operator Suite.

### 7.22.4 Subdivision Regulations

a. Parcels to be created in the M2 zone must conform to Table 7.22.4:

**Table 7.22.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 600 $m^2$ | 20 metres | 30 metres |

### 7.22.5 Site Development Regulations

a. Site development in the M2 zone must conform to Table 7.22.5:

**Table 7.22.5 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | 6 metres | 6 metres | 6 metres | 6 metres | 18 metres | 75%, except as outlined in 7.22.5(b) |
| Accessory Building | All types | Front Building Line | 6 metres | 6 metres | 6 metres | 26 metres | |

b. Notwithstanding the regulations in Table 7.22.5, Parcel Coverage may be increased to a maximum of 90% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

### 7.22.6 Conditions of Use

a. Where practical, all permitted Uses must be contained completely within an enclosed Structure.

b. Nothing may be done which causes a Nuisance; nor may any activity be carried out which creates or causes a health, fire, or explosion hazard, electrical interference, or undue traffic congestion.

c. Notwithstanding any other provision of this Bylaw, no Parcel or Structure may be used for the incineration of waste or other material, except for the incineration of wood waste generated from forest-based manufacturing industries.

### 7.22.7 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.23 Park and Cemetery (P1)

### 7.23.1 Intent

The Park and Cemetery zone is intended to identify lands for active or organized activities in parks, playfields or recreational facilities, cemeteries, and public use within the municipality.

### 7.23.2 Principal Uses

The following principal uses are permitted in the zoning district designated P1:

a. Cemetery;

b. Daycare Centre, Major;

c. Park;

### 7.23.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated P1:

a. Accessory Building;

b. Food Primary Establishment;

c. Mobile Retail Vendor.

### 7.23.4 Subdivision Regulations

a. Parcels to be created in the P1 zone must conform to Table 7.23.4:

**Table 7.23.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 450 $m^2$, except as outlined in 7.23.4(b) | 15 metres, except as outlined in 7.23.4(b) | 30 metres, except as outlined in 7.23.4(b) |

b. Notwithstanding the regulations in Table 7.23.4, there is no minimum Parcel Area, Width or Depth for community gardens, playgrounds or plazas.

### 7.23.5 Site Development Regulations

a. Site development in the P1 zone must conform to Table 7.23.5:

**Table 7.23.5 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | 3 metres | 1.2 metres | 3 metres | 3 metres | Lesser of 16 metres or 4 storeys | 30%, except as outlined in 7.23.5(b) |
| Accessory Building | All types | 3 metres | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.23.5, Parcel Coverage may be increased to a maximum of 45% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

### 7.23.6 Special Regulations

a. Notwithstanding Section 7.23.2, a lawn bowling clubhouse is a permitted Use on Rem. Lot B, District Lot 124, Plan 26552 (2050 Merritt Avenue).

### 7.23.7 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.24 Institutional and Public Use (P2)

### 7.24.1 Intent

The Institutional and Public Use zone provides for the establishment of public use facilities, including government buildings and places of worship, and to provide suitable locations for public utilities.

### 7.24.2 Principal Uses

The following principal uses are permitted in the zoning district designated P2:

a. Bus Depot;
b. Community Care Facility, Major;
c. Community Care Facility, Minor;
d. Community Care, Facility, Specialized;
e. Daycare Centre, Major;
f. Daycare Centre, Minor;
g. Gallery and Museum;
h. Place of Worship;
i. Public Use;
j. School, Private;
k. School, Public.

### 7.24.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated P2:

a. Accessory Building;
b. Assembly Place;
c. Entertainment Facility;
d. Participant Recreation Services, Indoor;
e. Security / Operator Suite;
f. School Portable;
g. Dwelling Unit for staff, including a church manse;
h. Urban Agriculture.

### 7.24.4 Subdivision Regulations

a. Parcels to be created in the P2 zone must conform to Table 7.24.4:

**Table 7.24.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 450 $m^2$ | 15 metres | 30 metres |

### 7.24.5 Site Development Regulations

a. Site development in the P2 zone must conform to Table 7.24.5:

**Table 7.24.5 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | 0 metres | 1.2 metres | 0 metres | 3 metres | Lesser of 22 metres or 5 storeys | 85%, except as outlined in 7.24.5(b) |
| Accessory Building | All types | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.24.5, Parcel Coverage may be increased to a maximum of 100% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

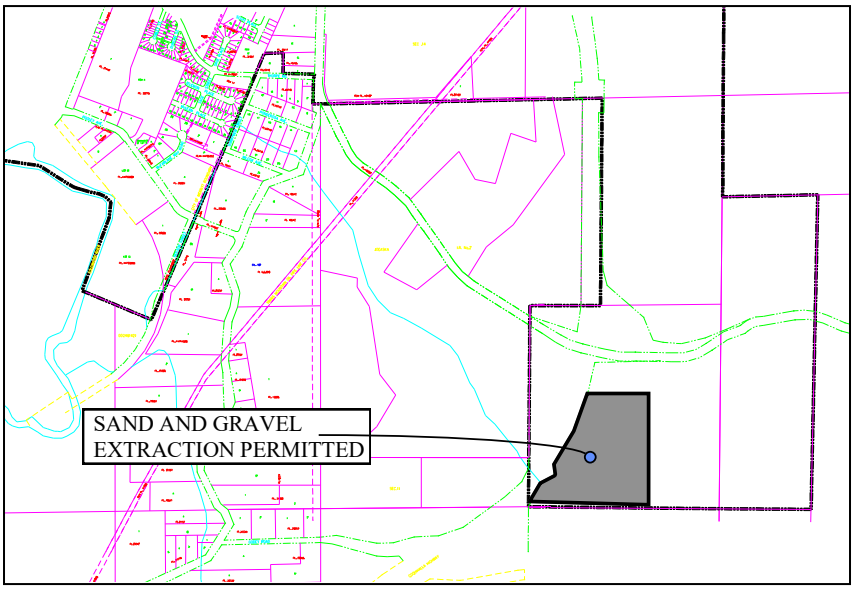
c. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

### 7.24.6 Conditions of Use

a. Community Care Facilities must meet the definitions and requirements of the *Community Care and Assisted Living Act*.

### 7.24.7 Special Regulations

a. Notwithstanding Section 7.24.2, sand and gravel extraction is a permitted use on that portion of the SE ¼, Section 11, TP 91, W6M shown on the following sketch plan.



b. Notwithstanding Section 7.24.2, the Uses permitted in the R2 zone are permitted on Lot A, DL 122, LD 25, Plan KAP47561 (Units A & B, 3191 Nicola Avenue).

c. Notwithstanding Section 7.24.2, a Mobile Home is permitted on Lot A, DL 176, Plan 34260 (319 Lindley Creek Road) for the purpose of a Security / Operator Suite. Any Uses on the Parcel must be consistent with the Agricultural Land Commission's approved site development plan and/or the *Agricultural Land Commission Act* and its regulations. *****

### 7.24.8 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6

## 7.25 Post-Secondary Educational (P3)

### 7.25.1 Intent

The Post-Secondary Educational zone provides for post-secondary educational institutions and their supporting uses. Provisions are also made to allow for Multiple Unit Dwellings to serve as faculty and student housing on the campus site.

### 7.25.2 Principal Uses

The following principal uses are permitted in the zoning district designated P3:

a. Educational Institution.

### 7.25.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated P3:

a. Accessory Building;
b. Daycare Centre, Major;
c. Daycare Centre, Minor;
d. Dwelling, Multiple Unit Apartment;
e. Dwelling, Multiple Unit Townhome;
f. Food Primary Establishment;
g. Liquor Primary Establishment;
h. Retail Store, Convenience;
i. Urban Agriculture.

### 7.25.4 Subdivision Regulations

a. Parcels to be created in the P3 zone must conform to Table 7.25.4:

**Table 7.25.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All Parcel types | 450 $m^2$ | 15 metres | 30 metres |

### 7.25.5 Site Development Regulations

a. Site development in the P3 zone must conform to Table 7.25.5:

**Table 7.25.5 Site Development Regulations**

| Use | Parcel Type | Maximum Density (units per hectare) | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Multiple Unit Dwelling or Accessory Building | All types | N/A | 0 metres | 3 metres | 0 metres | 3 metres | Lesser of 18 metres or 4 storeys | 75%, except as outlined in 7.25.5(b) |
| Dwelling, Multiple Unit | All types | 90, except as outlined in 7.25.5(c) | 0 metres | 3 metres | 0 metres | 3 metres | Lesser of 22 metres or 5 storeys | |
| Accessory Building | All types | N/A | Front Building Line | 1.2 metres | 0 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.25.5, Parcel Coverage may be increased to a maximum of 90% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. There is no maximum Density for residential developments that are occupied by current students of the Educational Institution.

d. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

### 7.25.6 Conditions of Use

a. Where a building contains residential Dwelling Units and institutional or commercial uses, the Dwelling Units must be located above or below the main floor or behind the institutional or commercial use.

b. Residential Dwelling Units must have a separate entrance, separate from that of any institutional or commercial use.

### 7.25.7 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.26 Future Development (FD)

### 7.26.1 Intent

The intent of the Future Development zone is to identify lands for future development as designated in the Official Community Plan. It is expected that new development in this zone will be aligned with the general vision of the corresponding OCP Sector.

### 7.26.2 Principal Uses

The following principal uses are permitted in the zoning district designated FD:

a. Dwelling, Single Detached;

b. Modular Home.

### 7.26.3 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated FD:

a. Accessory Building.

### 7.26.4 Subdivision Regulations

a. Parcels to be created in the FD zone must conform to Table 7.26.4:

**Table 7.26.4 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All Parcel types | 20,000 $m^2$ | 50 metres | 30 metres |

### 7.26.5 Site Development Regulations

a. Site development in the FD zone must conform to Table 7.26.5:

**Table 7.26.5 Site Development Regulations**

| Use | Parcel Type | Maximum Density | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Dwelling, Single Detached or Modular Home | all Parcel types | One Dwelling Unit per Parcel | 9 metres | 3 metres | 9 metres | 9 metres | Lesser of 11 metres or 2.5 storeys | 50% |
| Accessory Building | All Parcel types | N/A | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Minimum separation between the Principal Building and a Detached Secondary Dwelling is 3 metres, and the minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

### 7.26.6 Conditions of Use

a. Modular Homes must be on a permanent foundation and meet CSA A277.

### 7.26.7 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## 7.27 Comprehensive Development (CD)

### 7.27.1 Intent

The intent of the Comprehensive Development Zone is to allow for the creation of comprehensive, site specific land use regulations for properties within the City. Circumstances are such that control by conventional zones would be inappropriate or inadequate with regard to existing or future surrounding developments or to the interest of the applicant or to the public.

### 7.27.2 Application

a. The City shall only create this where the following conditions are met:

   i. the proposed development is, in the opinion of City Council, considered appropriate for the site with regard to the policies and objectives of the Official Community Plan and any other applicable City plan or policy; or

   ii. the use of any other zone in the Zoning Bylaw to accommodate the proposed development would, in the opinion of City Council, result in potential conflicts with the scale and character of existing or future surrounding development, should the full development potential of such zone be utilized; or

   iii. the proposed development is of a scale, character, or complexity requiring comprehensive planning and implementation that, in the opinion of City Council, is of a unique form or nature not contemplated or reasonably regulated by another zone.

b. In addition to the information required by the Development Procedures Bylaw, the applicant must also provide the following information:

   i. support rationale explaining why a Comprehensive Development Zone is desirable for the site, having regard to Section 7.27.2(a) above;

   ii. a proposed zone, laid out in a similar format to the standard zone, which includes: the general purpose of the zone, a list of permitted Uses for the site, a list of regulations for the site, and a list of any other regulations that may apply;

   iii. a narrative documenting the opinions and concerns of surrounding property owners and residents obtained through a public information program and how the proposed development responds to these concerns, together with a summary of the methods used to obtain such input;

   iv. a site plan and/or elevations may be required to be attached to the specific CD zone as a schedule, where, in the opinion of City Council, the complexity of the proposed development is such that a site plan and/or elevations would be necessary to clarify or interpret the written regulations of the specific CD zone.

c. The regulations of Part Two, Four, Five, and Six apply to all development within sites zoned as CD, unless such regulations are specifically excluded or modified by the CD zone.

d. If the Comprehensive Development Zone is located in a Development Permit Area, the City shall specify the nature of development that is permitted, or which requires a Development Permit, in accordance with the Official Community Plan.

e. CD zones shall be designated on the Zoning Map by "CD" followed by the reference number of the CD zone.

## 7.28 Comprehensive Development – Residential Commercial (CD1-RC)

### 7.28.1 Intent

The purpose of this zone is to permit comprehensively planned residential and commercial land use and development.

### 7.28.2 Principal Uses

The following principal uses are permitted in the zoning district designated CD1-RC:

a. Single Detached Dwellings, and a maximum of one detached secondary Dwelling per Parcel;

b. Multiple Unit Dwellings;

c. Hotel;

d. Home-based Businesses;

e. Accessory Buildings except for Shipping Containers;

f. Public service or utility buildings and Structures including towers;

g. Parks and playgrounds.

### 7.28.3 Subdivision Regulations

a. Minimum Parcel area for:

i. Single Detached Dwelling: 8,000 $m^2$;

ii. Multiple Unit Dwelling: 3 hectares;

iii. Hotel: 3 hectares.

### 7.28.4 Site Development Regulations

a. Maximum Density:

i. Maximum number of Single Detached residential Parcels: 90 Parcels;

ii. Single Detached Parcel: one Single Detached Dwelling and one Detached Secondary Dwelling;

iii. Multiple Unit Dwelling Parcels: 40 Dwelling Units per hectare;

iv. Multiple Unit Dwellings: 200 units;

v. Maximum number of Hotel suites: 125 suites.

b. Minimum Setbacks:

i. Front yard: 6 metres;

ii. Side yard: 4.5 metres, except in the case of Accessory Buildings where it is 1.5 metres;

iii. Rear yard: 6 metres except in the case of Accessory Buildings where it is 1.5 metres.

### 7.28.5 Conditions of Use

a. All development must be connected to the City of Merritt community water and sewage disposal systems.

b. For Uses permitted under Section 7.28.2, no exterior storage of any kind, and no Garages for the repair and maintenance of equipment is permitted.

c. The maximum Floor Area of a Detached Secondary Dwelling is 65 $m^2$.

d. No more than one Accessory Building is permitted on a Parcel.

e. The maximum Floor Area of an Accessory Building is 65 $m^2$,

f. Other than a Hotel, the maximum Height of a principal building is 12.0 metres and 6.0 metres for an Accessory Building.

g. A maximum of two horses is permitted per Parcel.

h. Home-based Business:

Notwithstanding Section 4.32, the following conditions apply to Home-based Businesses in Single Detached Dwellings:

i. A Home-based Business may involve no structural alterations to the Dwelling and must give no exterior indication except as permitted in Section 7.28.2 that the Dwelling is being used for any purpose other than a residential Use;

ii. One fascia sign not exceeding 0.19 $m^2$ in area is permitted;

iii. The Home-based Business must be carried out wholly within a Dwelling Unit or within an Accessory Building and may involve no external storage of materials, containers, or finished products;

iv. The Home-based Business must be operated solely by the resident of the residential Dwelling Unit with no more than one additional employee;

v. Home-based Businesses, excluding Daycare Centre, are permitted to use up to a maximum area of 20 $m^2$ entirely within the principal residential Dwelling Unit;

vi. A maximum of one Home-based Business is permitted per Dwelling Unit;

vii. A Home-based Business requiring delivery of material to or from the residence by commercial vehicles or trailers shall not be permitted;

viii. The Home-based Business Use must not generate the need for more than one additional on-site Parking Space;

ix. A Home-based Business must not produce offensive noise, vibration, smoke, dust, odor, heat, glare radiation, or electrical interference;

x. A Home-based Business is not permitted in Detached Secondary Dwellings if the Single Detached Dwelling has a Home-based Business;

xi. A Bed and Breakfast must not alter the residential character or show an external indication the Dwelling is being used for any purpose other than a residential Use;

xii. A Bed and Breakfast must be carried out wholly within the principal Dwelling Unit;

xiii. The minimum size of guestrooms shall be 10 $m^2$;

xiv. The maximum number of guestrooms permitted shall be two, accommodating a maximum of four guests combined;

xv. No meal other than breakfast may be served to guests. If Breakfast is served, it must be served before noon;

xvi. All Parking Spaces required for the Bed and Breakfast are in addition to those required for the Single Detached Dwelling;

xvii. The maximum length of stay for any guest is 10 days;

xviii. Bed and Breakfasts must clearly be incidental or secondary to the Use of the Dwelling for residential purposes.

xix. Notwithstanding Section 4.32, the following conditions apply to Home-based Business in Multiple Unit Dwellings:

xx. Home-based Business is limited to an office or home working space, and no other Use;

xxi. The public is not permitted to do business in the home where the Home-based Business is occurring;

xxii. Delivery of goods to the residence for the operation of the Home-based Business is not permitted;

xxiii. The Home-based Business in the residence will not occupy more than 10 $m^2$ of Floor Area;

xxiv. Vehicles for the operation of the Home-based Business are limited in size to a maximum of a one ton pick-up or a one ton cube van;

xxv. Non-resident employees are not permitted in Home-based Businesses.

### 7.28.6 Special Regulations

a. Notwithstanding Part Five, the following off street parking regulations also apply to any Structure and Use within the CD1-RC zone.

| Table 7.28.6 CD1-RC Parking Regulations | |
|---|---|
| Single Detached Dwelling | two Parking Spaces per Dwelling Unit. One additional Parking Space for a Detached Secondary Dwelling. |
| Multiple Unit Dwellings | 1.5 Parking Spaces per Dwelling Unit plus 0.5 Parking Spaces per Dwelling Unit for a common parking area for visitors, boats, trailers, or recreational vehicles. |
| Bed and Breakfast | one Parking Space per guestroom. |
| Hotels | 1.25 Parking Space per rentable unit |

## 7.29 Comprehensive Development – Gateway 286, (CD2-XX)

### 7.29.1 Intent

The purpose of this zone is to permit comprehensively planned neighbourhood encompassing low and medium density residential, commercial, office, and park uses.

### 7.29.2 Location and Lands

The CD2-XX lands are located at 2320 Hamilton Rd, Merritt. The site encompass approximately 26.1 hectares (64.5 acres) of land and consists of two (2) sub-areas, as described in Table 7.29.2, and shown on 7.29.20 *Plan CD2-XX.*

**Table 7.29.2 Comprehensive Development Zone Sub Areas**

| Sub-Area | Name | Total Area (ha) | Total Area (ac) |
|---|---|---|---|
| A | Low-to-Medium Density Residential | +/- 22.45 | +/- 55.49 |
| B | Mixed-Use Commercial Transition | +/- 3.65 | +/- 9.03 |

### 7.29.3 Subdivision Regulations

a. Excepting thereout Section 4.3(c), the minimum lot area to facilitate a block plan subdivision within any sub-area is 4,000 sq. metres (1 acre).

### 7.29.4 Site Development Regulations

a. The maximum permitted residential total for CD2-XX, excluding commercial and office areas, is 450 units and shall comply with Table 7.29.4 Maximum Permitted Residential Density, except:

   i. in the case where maximum permitted residential density is not achieved within a sub-area, the difference in residential density may be transferable to a different sub-area, subject:

      1) CD2-XX total maximum permitted residential density is not exceeded.

**Table 7.29.4 Maximum Permitted Residential Density**

| Sub-Area | Maximum Units | Total Developable Area (ha) | Total Developable Area (ac) |
|---|---|---|---|
| A | 300 | +/- 14.95 | +/- 36.95 |
| B | 150 | +/- 3.65 | +/- 9.03 |
| Total | 450 | +/- 18.6 | +/- 45.98 |

## Sub-Area A: Low-to-Medium Density Residential

### 7.29.5 Intent

The purpose of the Low-to-Medium Density Residential zone is to provide for the establishment of low to medium density residential housing in the form of Single Detached, Semi-Detached, Multiple Unit Townhome and Multiple Unit Apartment and may include Detached Secondary Dwellings and Secondary Suites.

### 7.29.6 Principal Uses

The following principal uses are permitted in the Sub-Area A:

a. Dwelling, Multiple Unit Apartment;

b. Dwelling, Multiple Unit Townhome;

c. Dwelling, Semi-Detached;

d. Dwelling, Single Detached;

e. Park.

### 7.29.7 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

a. Short-Term Rental

### 7.29.8 Secondary Uses

The following secondary uses are permitted in the Sub-Area A:

a. Accessory Building;

b. Bed and Breakfast;

c. Daycare Centre, Minor;

d. Dwelling, Detached Secondary;

e. Home-based Business;

f. Secondary Suite in a Single Detached or Semi-Detached, or Multiple Unit Townhome;

g. Urban Agriculture.

### 7.29.9 Subdivision Regulations

a. Parcels to be created in the Sub-Area A must conform to Table 7.29.9:

**Table 7.29.9 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| Dwelling, Single Detached | Lane Access | 112.5 $m^2$ | 7.5 metres | 15 metres |
| | Front Access | 112.5 $m^2$ | 7.5 metres | 15 metres |
| | Corner | 135 $m^2$ | 9 metres | 15 metres |
| | Lane Access Corner | 135 $m^2$ | 9 metres | 15 metres |
| | Panhandle | 112.5 $m^2$, not including the panhandle access | 7.5 metres, not including the panhandle access | 15 metres, not including the panhandle access |
| | Pie | 112.5 $m^2$ | 6 metre frontage, and average width of 7.5 metres | 15 metres |
| Dwelling, Semi-Detached | Lane Access | 180 $m^2$ | 12 metres | 15 metres |
| | Front Access | 180 $m^2$ | 12 metres | 15 metres |
| | Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Lane Access Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Panhandle | 180 $m^2$, not including the panhandle access | 12 metres, excluding the panhandle access | 15 metres, excluding the panhandle access |
| | Pie | 180 $m^2$ | 6 metre frontage, and average width of 12 metres | 15 metres |
| Dwelling, Multiple Unit Townhome | Lane Access | 225 $m^2$ | 15 metres | 15 metres |
| | Front Access | 225 $m^2$ | 15 metres | 15 metres |
| | Corner | 270 $m^2$ | 18 metres | 15 metres |
| | Lane Access Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Panhandle | 225 $m^2$, not including the panhandle access | 15 metres, not including the panhandle access | 15 metres, not including the panhandle access |
| | Pie | 225 $m^2$ | 6 metre frontage, and average width of 15 metres | 15 metres |
| Dwelling, Multiple Unit Apartment | Lane Access | 360 $m^2$ | 18 metres | 20 metres |
| | Front Access | 360 $m^2$ | 18 metres | 20 metres |
| | Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Lane Access Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Panhandle | 360 $m^2$, not including the panhandle access | 18 metres, not including the panhandle access | 20 metres, not including the panhandle access |
| | Pie | 360 $m^2$ | 6 metre frontage, and average width of 18 metres | 20 metres |
| Park | All types | 450 $m^2$, except as outlined in 7.29.9 (e) | 1.5 metres, except as outlined in 7.29.9 (e) | 30 metres, except as outlined in 7.29.9 (e) |

b. Notwithstanding the regulations in Table 7.29.9, in the case of Parcels created under the Land Title Act for Semi-Detached Dwellings constructed on the Parcel Line the minimum Parcel width is 6 metres.

c. Notwithstanding the regulations in Table 7.29.9, in the case of a Multiple Unit townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not have a Parcel Area less than 78 m2.

d. Notwithstanding the regulations in Table 7.29.9, in the case of a Multiple Unit townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not be less than 3.9 metres in width.

e. Notwithstanding the regulations in Table 7.29.9, there is no minimum Parcel Area, Width or Depth for community gardens, playgrounds, plazas, or trails.

### 7.29.10 Site Development Regulations

a. Site development in the Sub-Area A must conform to Table 7.29.10:

**Table 7.29.10 Site Development Regulations**

| Use | Parcel Type | Maximum Density | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Dwelling, Single Detached | Lane Access | 1 Dwelling Unit Per Parcel | 3 metres | 1.2 metres | N/A | 5 metres | Lesser of 14 metres or 3 storeys | i) 85% for parcels under 400 $m^2$,except as outlined in 7.29.10 (b); ii) 65% for parcels over 400 $m^2$,except as outlined in 7.29.10 (c); |
| | Front Access | 1 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Corner | 1 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | 1.5 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Lane Access Corner | 1 Dwelling Unit Per Parcel | 3 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 14 metres or 3 storeys | |
| | Panhandle | 1 Dwelling Unit Per Parcel | 3 metres, not including the panhandle access | 1.2 metres, excluding the panhandle access | 2.8 metres excluding the panhandle access | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Pie | 1 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| Dwelling, Semi-Detached | Lane Access | 2 Dwelling Unit Per Parcel | 3 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Front Access | 2 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Corner | 2 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Lane Access Corner | 2 Dwelling Unit Per Parcel | 3 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Panhandle | 2 Dwelling Unit Per Parcel | 3 metres, not including the panhandle access | 1.2 metres, excluding the panhandle access | 2.8 metres excluding the panhandle access | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Pie | 2 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |

| Use | Parcel Type | Maximum Density | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Dwelling, Multiple Unit Townhome | Lane Access | 90 Units Per Hectare | 3 metres | 1.2 metres | N/A | 5 metres | Lesser of 18 metres or 4 storeys | i) 85% for Parcels under 400 $m^2$,except as outlined in 7.29.10 (b); ii) 65% for Parcels over 400 $m^2$,except as outlined in 7.29.10 (c); |
| | Front Access | | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Back to Back | | 5 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 18 metres or 4 storeys | |
| | Corner | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Lane Access Corner | | 3 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 18 metres or 4 storeys | |
| | Panhandle | | 3 metres, not including the panhandle access | 1.2 metres, excluding the panhandle access | 2.8 metres excluding the panhandle access | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Pie | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 18 metres or 4 storeys | |
| Dwelling, Multiple Unit Apartment | Lane Access | 90 Units Per Hectare | 0 metres | 1.2 metres | N/A | 0.9 metres | Lesser of 22 metres or 5 storeys | |
| | Front Access | | 0 metres | 1.2 metres | N/A | 3 metres | Lesser of 22 metres or 5 storeys | |
| | Corner | | 0 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 22 metres or 5 storeys | |
| | Lane Access Corner | | 0 metres | 1.2 metres | 2.8 metres | 0.9 metres | Lesser of 22 metres or 5 storeys | |
| | Panhandle | | 3 metres, not including the panhandle access | 1.2 metres, excluding the panhandle access | 2.8 metres excluding the panhandle access | 3 metres | Lesser of 22 metres or 5 storeys | |
| | Pie | | 0 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 22 metres or 5 storeys | |
| Dwelling, Detached Secondary | All types | 1 Detached Secondary Dwelling per Parcel | Front Building Line | 1.2 metres | 2.8 metres | 1.2 metres | Lesser of 10.5 metres or 2 storeys | |
| Park | All types | N/A | 3 metres | 1.2 metres | 3 metres | 3 metres | Lesser of 16 metres or 4 storeys | 30% |
| Accessory Building | All types | N/A | Front Building Line | 1.2 metres | 2.8 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulation in Table 7.29.10, for Parcels under 400 $m^2$, Parcel Coverage may be increased to a maximum of 95% with use of permeable surface materials for driveways and/or pathways on at least 10% of the total Parcel Area.

c. Notwithstanding the regulation in Table 7.29.10, for Parcels over 400 $m^2$, Parcel Coverage may be increased to a maximum of 75% with use of permeable surface materials for driveways and/or pathways on at least 10% of the total Parcel Area.

d. Notwithstanding the regulations in Table 7.29.10, the Interior Side Setback for Semi- Detached Dwellings or Multiple Unit Townhome Dwellings is 0 metres where adjoining units share a Parcel Line.

e. Notwithstanding the regulations in Table 7.29.10, the Interior Side Setback for Semi- Detached Dwelling Garages or Multiple Unit Townhome Dwelling Garages with Access off a Lane is 0 metres when adjoining Garages share a Parcel Line.

f. Notwithstanding the regulations in Table 7.29.10, the Front Setback or Rear Setback for Single Detached Dwellings and Semi-Detached Dwellings may be reduced to 3 metres if there is no vehicle Access to the Parcel.

g. For building strata developments, the minimum Setback from a Highway is 3 metres.

h. For building strata developments, the minimum Setback from the inner curb of the internal road to the building face is 1.5 metres and to a garage is 4.5 metres.

i. Multiple Unit Townhome Dwelling Garages with Access off a Lane have a minimum Interior Side Setback of 0 metres.

j. Minimum separation between the Principal Building and a Detached Secondary Dwelling is 3 metres, and the minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

### 7.29.11 Conditions of Use

a. Each Multiple Unit Townhome Dwelling building must contain a minimum of three and a maximum of eight Dwelling Units.

b. For Multiple Unit Townhome Dwellings constructed on a Parcel Line, the boundary between the Parcels must project in a straight line throughout the length of the Dwellings;

c. For Multiple Unit Townhome Dwellings, Corner Parcel Dwelling Units must face the Flanking Street.

### 7.29.12 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## Sub-Area B: Mixed-Use Commercial Transition

### 7.29.13 Intent

The purpose of the Mixed-Use Commercial Transition area is to orderly development of mixed-use commercial area that will accommodate transitional residential uses.

### 7.29.14 Principal Uses

The following principal uses are permitted in the Sub-Area B:

a. Dwelling, Multiple Unit Apartment;
b. Dwelling, Multiple Unit Townhome;
c. Dwelling, Semi-Detached;
d. Dwelling, Single Detached;
e. Hotel;
f. Motel;
g. Park.

### 7.29.15 Secondary Uses

The following secondary uses are permitted in the Sub-Area B:

a. Accessory Building;
b. Administrative Office;
c. Brewing and Distilling;
d. Business Support Services;
e. Commercial Recreation Services;
f. Dwelling, Detached Secondary;
g. Entertainment Facility;
h. Food Primary Establishment;
i. Liquor Primary Establishment;
j. Liquor Store;
k. Participant Recreation Services, Indoor;
l. Personal and Professional Services;
m. Retail Cannabis Sales;
n. Retail Store, Convenience;
o. Retail Store, General;
p. Security / Operator Suite;
q. Short-Term Rental

### 7.29.16 Subdivision Regulations

a. Residential parcels to be created in the Sub-Area B must conform to Table 7.29.16:

**Table 7.29.16 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| Hotel or Motel | All types | 2.40 hectares (5.95 acres) | 15 metres | 25 metres |
| Dwelling, Single Detached | Lane Access | 112.5 $m^2$ | 7.5 metres | 15 metres |
| | Front Access | 112.5 $m^2$ | 7.5 metres | 15 metres |
| | Corner | 135 $m^2$ | 9 metres | 15 metres |
| | Lane Access Corner | 135 $m^2$ | 9 metres | 15 metres |
| | Panhandle | 112.5 $m^2$, not including the panhandle access | 7.5 metres, not including the panhandle access | 15 metres, not including the panhandle access |
| | Pie | 112.5 $m^2$ | 6 metre frontage, and average width of 7.5 metres | 15 metres |
| Dwelling, Semi-Detached | Lane Access | 180 $m^2$ | 12 metres | 15 metres |
| | Front Access | 180 $m^2$ | 12 metres | 15 metres |
| | Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Lane Access Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Panhandle | 180 $m^2$, not including the panhandle access | 12 metres, excluding the panhandle access | 15 metres, excluding the panhandle access |
| | Pie | 180 $m^2$ | 6 metre frontage, and average width of 12 metres | 15 metres |
| Dwelling, Multiple Unit Townhome | Lane Access | 225 $m^2$ | 15 metres | 15 metres |
| | Front Access | 225 $m^2$ | 15 metres | 15 metres |
| | Corner | 270 $m^2$ | 18 metres | 15 metres |
| | Lane Access Corner | 225 $m^2$ | 15 metres | 15 metres |
| | Panhandle | 225 $m^2$, not including the panhandle access | 15 metres, not including the panhandle access | 15 metres, not including the panhandle access |
| | Pie | 225 $m^2$ | 6 metre frontage, and average width of 15 metres | 15 metres |
| Dwelling, Multiple Unit Apartment | Lane Access | 360 $m^2$ | 18 metres | 20 metres |
| | Front Access | 360 $m^2$ | 18 metres | 20 metres |
| | Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Lane Access Corner | 400 $m^2$ | 20 metres | 20 metres |
| | Panhandle | 360 $m^2$, not including the panhandle access | 18 metres, not including the panhandle access | 20 metres, not including the panhandle access |
| | Pie | 360 $m^2$ | 6 metre frontage, and average width of 18 metres | 20 metres |
| Park | All types | 450 $m^2$, except as outlined in 7.29.16 (e) | 1.5 metres, except as outlined in 7.29.16 (e) | 30 metres, except as outlined in 7.29.16 (e) |

b. Notwithstanding the regulations in Table 7.29.16, in the case of Parcels created under the Land Title Act for Semi-Detached Dwellings constructed on the Parcel Line the minimum Parcel width is 6 metres.

c. Notwithstanding the regulations in Table 7.29.16, in the case of a Multiple Unit townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not have a Parcel Area less than 78 m2.

d. Notwithstanding the regulations in Table 7.29.16, in the case of a Multiple Unit townhome subdivided for the purpose of creating adjoining Dwelling Units for individual ownership, the new Parcels so created must not be less than 3.9 metres in width.

e. Notwithstanding the regulations in Table 7.29.16, there is no minimum Parcel Area, Width or Depth for community gardens, playgrounds, plazas, or trails.

### 7.29.17 Site Development Regulations

a. Site development in the Sub-Area B must conform to Table 7.29.17:

**Table 7.29.17 Site Development Regulations**

| Use | Parcel Type | Maximum Density | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Hotel; Motel | All types | N/A | 10 metres | 3 metres | 10 metres | 30 metres | Lesser of 25 metres or 6 storeys | 70% except as outlined in 7.29.17 (b) |
| Dwelling, Single Detached | Lane Access | 1 Dwelling Unit Per Parcel | 3 metres | 1.2 metres | N/A | 5 metres | Lesser of 14 metres or 3 storeys | i) 85% for Parcels under 400 $m^2$,except as outlined in 7.29.17 (c); ii) 65% for Parcels over 400 $m^2$,except as outlined in 7.29.17 (d); |
| | Front Access | 1 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Corner | 1 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | 1.5 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Lane Access Corner | 1 Dwelling Unit Per Parcel | 3 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 14 metres or 3 storeys | |
| | Panhandle | 1 Dwelling Unit Per Parcel | 3 metres, not including the panhandle access | 1.2 metres, excluding the panhandle access | 2.8 metres excluding the panhandle access | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Pie | 1 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| Dwelling, Semi-Detached | Lane Access | 2 Dwelling Unit Per Parcel | 3 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Front Access | 2 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Corner | 2 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Lane Access Corner | 2 Dwelling Unit Per Parcel | 3 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Panhandle | 2 Dwelling Unit Per Parcel | 3 metres, not including the panhandle access | 1.2 metres, excluding the panhandle access | 2.8 metres excluding the panhandle access | 3 metres | Lesser of 14 metres or 3 storeys | |
| | Pie | 2 Dwelling Unit Per Parcel | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 14 metres or 3 storeys | |

| Use | Parcel Type | Maximum Density | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| Dwelling, Multiple Unit Townhome | Lane Access | 90 Units Per Hectare | 3 metres | 1.2 metres | N/A | 5 metres | Lesser of 18 metres or 4 storeys | i) 85% for Parcels under 400 $m^2$,except as outlined in 7.29.17 (c); ii) 65% for Parcels over 400 $m^2$,except as outlined in 7.29.17 (d); |
| | Front Access | | 5 metres | 1.2 metres | N/A | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Back to Back | | 5 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 18 metres or 4 storeys | |
| | Corner | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Lane Access Corner | | 3 metres | 1.2 metres | 2.8 metres | 5 metres | Lesser of 18 metres or 4 storeys | |
| | Panhandle | | 3 metres, not including the panhandle access | 1.2 metres, excluding the panhandle access | 2.8 metres excluding the panhandle access | 3 metres | Lesser of 18 metres or 4 storeys | |
| | Pie | | 5 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 18 metres or 4 storeys | |
| Dwelling, Multiple Unit Apartment | Lane Access | 90 Units Per Hectare | 0 metres | 1.2 metres | N/A | 0.9 metres | Lesser of 22 metres or 5 storeys | |
| | Front Access | | 0 metres | 1.2 metres | N/A | 3 metres | Lesser of 22 metres or 5 storeys | |
| | Corner | | 0 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 22 metres or 5 storeys | |
| | Lane Access Corner | | 0 metres | 1.2 metres | 2.8 metres | 0.9 metres | Lesser of 22 metres or 5 storeys | |
| | Panhandle | | 3 metres, not including the panhandle access | 1.2 metres, excluding the panhandle access | 2.8 metres excluding the panhandle access | 3 metres | Lesser of 22 metres or 5 storeys | |
| | Pie | | 0 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 22 metres or 5 storeys | |
| Dwelling, Detached Secondary | All types | 1 Detached Secondary Dwelling per Parcel | Front Building Line | 1.2 metres | 2.8 metres | 1.2 metres | Lesser of 10.5 metres or 2 storeys | |
| Secondary Commercial Uses | All types | N/A | 0 metres | 1.2 metres | 2.8 metres | 3 metres | Lesser of 22 metres or 5 storeys | 70% |
| Park | All types | N/A | 3 metres | 1.2 metres | 3 metres | 3 metres | Lesser of 16 metres or 4 storeys | 30% |
| Accessory Building | All types | N/A | Front Building Line | 1.2 metres | 2.8 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. For Hotel, or Motel uses, notwithstanding the regulations in Table 7.29.17, Parcel Coverage may be increased to a maximum of 85% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Notwithstanding the regulation in Table 7.29.17, for residential Parcels under 400 $m^2$, Parcel Coverage may be increased to a maximum of 95% with use of permeable surface materials for driveways and/or pathways on at least 10% of the total Parcel Area.

d. Notwithstanding the regulation in Table 7.29.17, for residential Parcels over 400 $m^2$, Parcel Coverage may be increased to a maximum of 75% with use of permeable surface materials for driveways and/or pathways on at least 10% of the total Parcel Area.

e. Notwithstanding the regulations in Table 7.29.17, the Interior Side Setback for Semi-Detached Dwellings or Multiple Unit Townhome Dwellings is 0 metres where adjoining units share a Parcel Line.

f. Notwithstanding the regulations in Table 7.29.17, the Interior Side Setback for Semi-Detached Dwelling Garages or Multiple Unit Townhome Dwelling Garages with Access off a Lane is 0 metres when adjoining Garages share a Parcel Line.

g. Notwithstanding the regulations in Table 7.29.17, the Front Setback or Rear Setback for Single Detached Dwellings and Semi-Detached Dwellings may be reduced to 3 metres if there is no vehicle Access to the Parcel.

h. For building strata developments, the minimum Setback from a Highway is 3 metres.

i. For building strata developments, the minimum Setback from the inner curb of the internal road to the building face is 1.5 metres and to a garage is 4.5 metres.

j. Multiple Unit Townhome Dwelling Garages with Access off a Lane have a minimum Interior Side Setback of 0 metres.

k. Minimum separation between the Principal Building and a Detached Secondary Dwelling is 3 metres, and the minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation of 3 metres from combustible Structures.

### 7.29.18 Conditions of Use

a. Each Multiple Unit Townhome Dwelling building must contain a minimum of three and a maximum of eight Dwelling Units.

b. For Multiple Unit Townhome Dwellings constructed on a Parcel Line, the boundary between the Parcels must project in a straight line throughout the length of the Dwellings;

c. For Multiple Unit Townhome Dwellings, Corner Parcel Dwelling Units must face the Flanking Street.

d. Residential Dwelling Units must have a separate entrance from that of any commercial use.

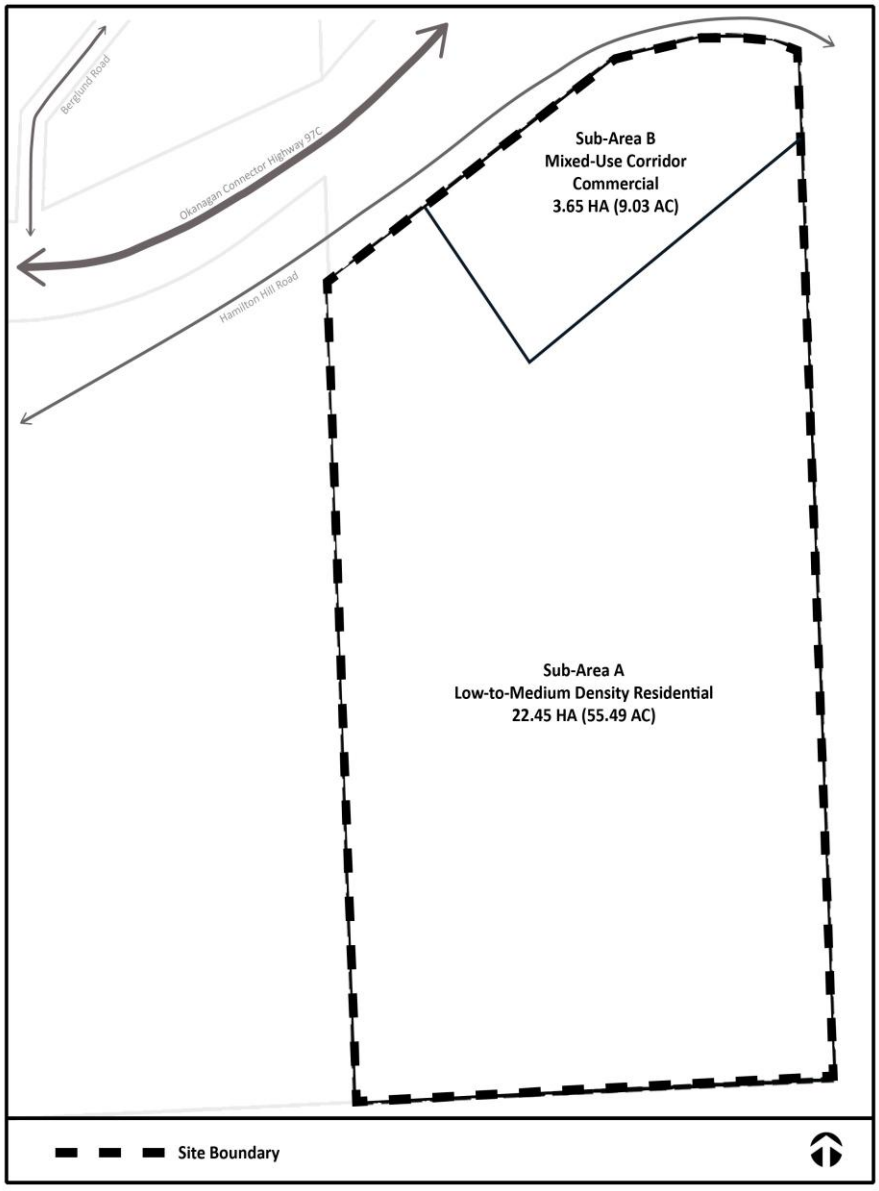
### 7.29.19 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

### 7.29.20 Plan CD2-X



## 7.30 Comprehensive Development – Gateway 286 (CD3-GW)

### 7.30.1 Intent

The purpose of the CD3 zone is to permit a comprehensively planned development which includes a mix of commercial, institutional, residential and park uses.

### 7.30.2 Location

The CD3-GW lands are located southeast of Highway 97C/5A and Highway 5 in Merritt. The site encompasses approximately 11.6 ha (28.7 ac) of land and consists of two (2) development cells, as described in Table 7.30.2, and shown on 7.30.15 *Plan CD3-GW*.

**Table 7.30.2 Comprehensive Development Cells**

| Development Cell | Name | Total Area (ha) | Total Area (ac) |
|---|---|---|---|
| A | Gateway Commercial | +/- 2.8 | +/- 9.0 |
| B | Comprehensive Mixed Use | +/- 8.0 | +/- 19.7 |

### 7.30.3 Definitions

Wellness Centre: means a place of business with equipment and facilities for exercising and improving fitness and mental well-being, which may include a range of professionally administered personal care treatments such as massages and facial, beauty and medical treatments.

**Development Cell A: Gateway Commercial**

### 7.30.4 Principal Uses

The following principal uses are permitted in the zoning district designated CD3:

a. Administrative Office;
b. Artisan Studio;
c. Brewing and Distilling;
d. Drive-Through Business;
e. Filling Station;
f. Food Primary Establishment;
g. Gallery and Museum;
h. Liquor Primary Establishment;
i. Liquor Store;
j. Mobile Retail Vendor;
k. Participant Recreation Services, Indoor;
l. Produce Stand;
m. Public Use;
n. Retail Store, Convenience;
o. Retail Store, General;

p. Vehicle Services;

q. Winery.

### 7.30.5 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated CD3:

a. Accessory Building;

b. Entertainment Facility;

c. Retail Cannabis Sales;

d. Park;

e. Parking Lot, Commercial.

### 7.30.6 Subdivision Regulations

a. Parcels to be created in the CD3 - Cell A zone must conform to Table 7.30.6:

**Table 7.30.6 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 375 $m^2$ | 15 metres | 25 metres |

### 7.30.7 Site Development Regulations

a. Site development in the CD3 – Cell A zone must conform to Table 7.30.7:

**Table 7.30.7 Site Development Regulations**

| Use | Parcel Type | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | 0 metres | 1.2 metres | 0 metres | 3 metres | Lesser of 22 metres or 5 storeys | 70%, except as outlined in 7.30.7(b) |
| Accessory Building | All types | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.30.7, Parcel Coverage may be increased to a maximum of 90% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Minimum separation between Accessory Buildings and other Structures is 1.5 metres.

### 7.30.8 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

## Development Cell B: Comprehensive Mixed Use

### 7.30.9 Principal Uses

The following principal uses are permitted in the zoning district designated CD3:

a. Administrative Office;
b. Artisan Studio;
c. Campground;
d. Commercial Recreation Services;
e. Community Care Facility, Major;
f. Drive-Through Business;
g. Entertainment Facility;
h. Food Primary Establishment;
i. Gallery and Museum;
j. Hotel;
k. Liquor Primary Establishment;
l. Mobile Retail Vendor;
m. Motel;
n. Participant Recreation Services, Indoor;
o. Participant Recreation Services, Outdoor;
p. Public Use;
q. Retail Store, Convenience;
r. Storage Facility, Indoor.

### 7.30.10 Secondary Uses

The following Secondary Uses are permitted in the zoning district designated CD3:

a. Accessory Building;
b. Administrative Office;
c. Liquor Store;
d. Park;
e. Produce Stand;
f. Retail Cannabis Sales;
g. Wellness Centre.

### 7.30.11 Subdivision Regulations

a. Parcels to be created in the CD3 – Cell B zone must conform to Table 7.30.11:

**Table 7.30.11 Subdivision Regulations**

| Use | Parcel Type | Minimum Parcel Area | Minimum Parcel Width | Minimum Parcel Depth |
|---|---|---|---|---|
| All permitted uses | All types | 375 $m^2$ | 15 metres | 25 metres |

### 7.30.12 Site Development Regulations

a. Site development in the CD3 – Cell B zone must conform to Table 7.30.12:

**Table 7.30.12 Site Development Regulations**

| Use | Parcel Type | | Minimum Front Setback | Minimum Interior Side Setback | Minimum Exterior Side Setback | Minimum Rear Setback | Maximum Height | Maximum Parcel Coverage |
|---|---|---|---|---|---|---|---|---|
| all Permitted Uses, except Accessory Building | All types | | 0 metres | 1.2 metres | 0 metres | 3 metres | Lesser of 14 metres or 3 storeys | 70%, except as outlined in 7.30.12(b) |
| Hotel; Motel | All types | | 5 metres | 3 metres | 5 metres | 10 metres | Lesser of 25 metres or 6 storeys | |
| Accessory Building | All types | | Front Building Line | 1.2 metres | 1.2 metres | 1.2 metres | Lesser of 5 metres or 1.5 storeys | |

b. Notwithstanding the regulations in Table 7.30.12, Parcel Coverage may be increased to a maximum of 90% with use of permeable surface materials for driveways and/or pathways on at least 15% of the total Parcel Area.

c. Minimum separation between Accessory Buildings and other Structures is 1.5 metres, except Shipping Containers which have a minimum separation distance of 3.0 metres from combustible Structures.

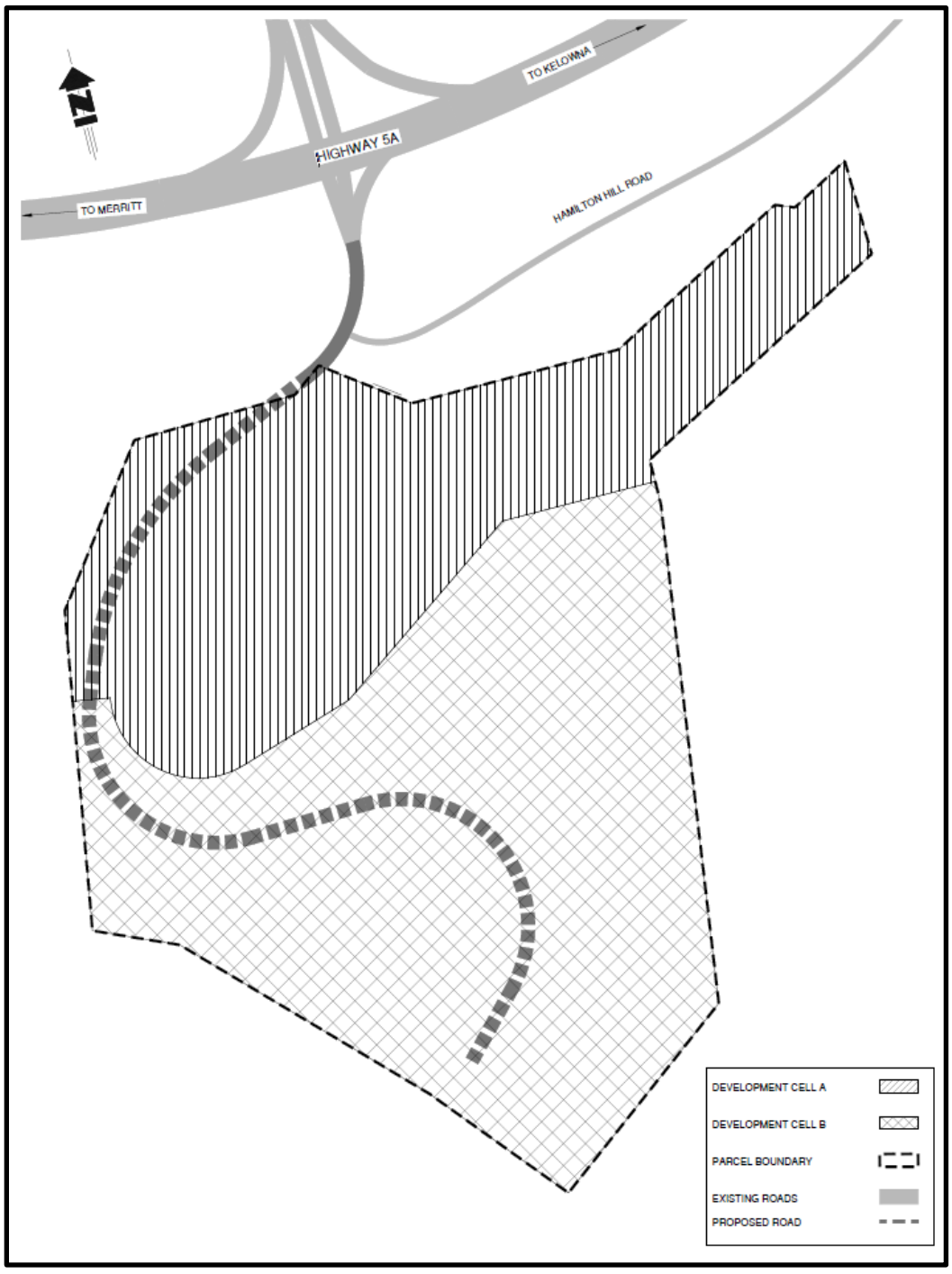
### 7.30.13 Other Regulations

a. All Structures and Uses must comply with Part 4;

b. Off-street parking and loading must comply with Part 5;

c. Landscaping and Screening must comply with Part 6.

### 7.30.14 Plan CD3-GW



**READ A FIRST TIME THIS** 30th day of June, 2020

**READ A SECOND TIME THIS** 30th day of June, 2020

**A Public Hearing was held on the** 4th day of August, 2020

**A subsequent Public Hearing was held on the** 18th day of August, 2020

**READ A THIRD TIME THIS** 18th day of August, 2020

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this 27 day of August, 20 20

for Minister of Transportation & Infrastructure

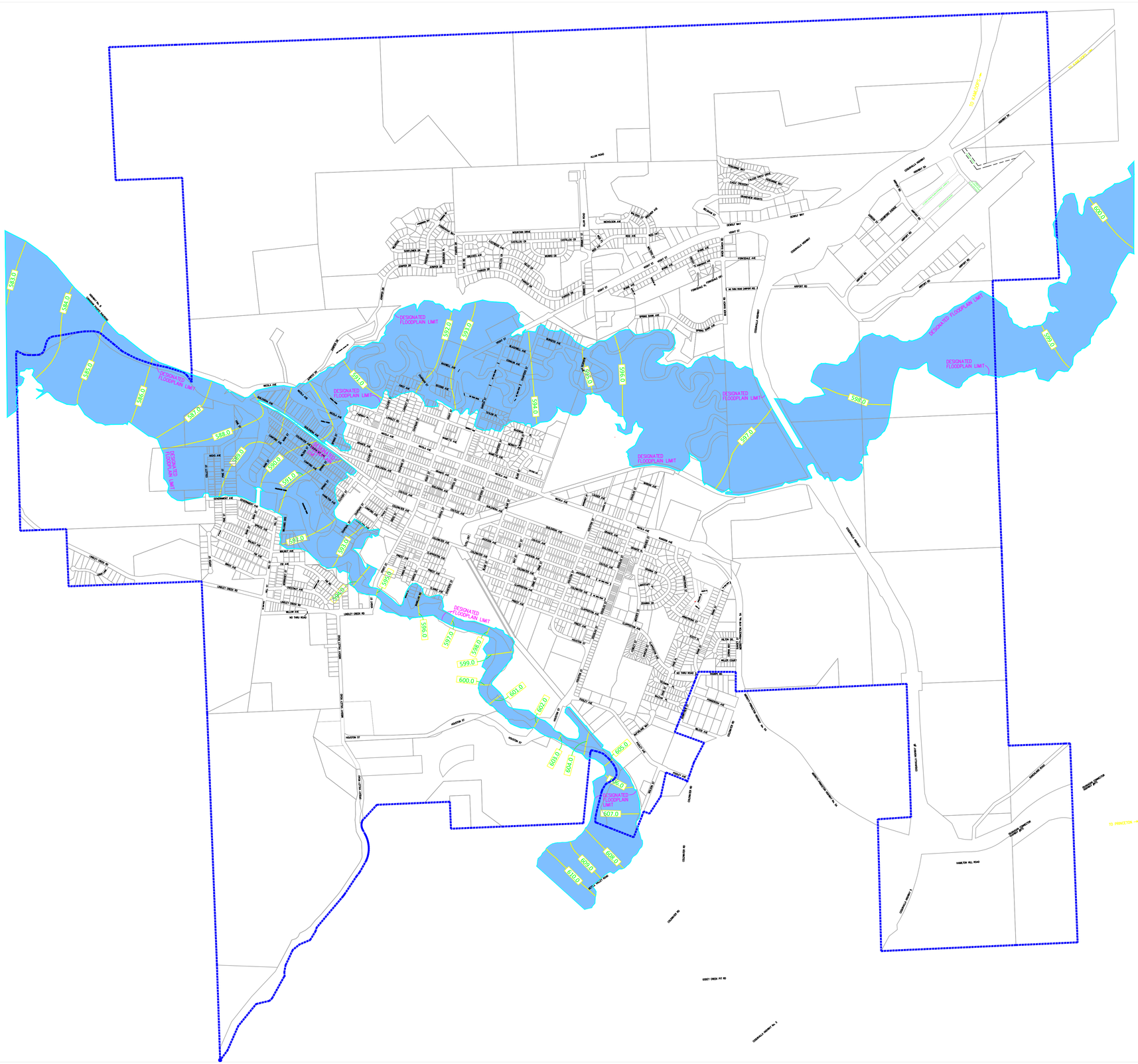
**ADOPTED THIS** _____ day of _____, 2020

Linda Brown
MAYOR

Sean Smith
CORPORATE OFFICER

# SCHEDULE “A” – ZONING MAP

# SCHEDULE “B” – FLOODPLAIN MAP


DESIGNATED FLOODPLAIN LIMIT
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NICOLA RIVER
COLDWATER RIVER
COLDWATER RD
HAMILTON HILL ROAD
HOUSTON ST
VALLEY VIEW RD
WILLOW PL
WILLOW COURT
ROSEMARY PL
ROSEMARY AVE
ROSEMARY CRES
ROSEMARY CRT
ROSEMARY PL
ROSEMARY RD
ROSEMARY WAY
ROSEMARY WYND
ROSEMARY HEIGHTS
ROSEMARY HEIGHTS CRES
ROSEMARY HEIGHTS PL
ROSEMARY HEIGHTS RD
ROSEMARY HEIGHTS WAY
ROSEMARY HEIGHTS WYND
ROSEMARY HEIGHTS CRT