

## ZONING BYLAW 2008

### THE CORPORATION OF VILLAGE OF BURNS LAKE

#### BYLAW NO. 880, 2008

WHEREAS Council wished to repeal the Village of Burns Lake Zoning Bylaw No. 759, 1999, as amended, and wish to adopt a new Zoning Bylaw and Parking provisions pursuant to the *Local Government Act*.

NOW THEREFORE Council of the Village of Burns Lake, in open meeting assembled hereby enacts as follows:

1. This Bylaw shall be cited as the "Village of Burns Lake Zoning Bylaw No. 880, 2008".
2. The following schedules form part of this Bylaw and adopted as the Zoning Bylaw for the Village of Burns Lake:
  - (a) Schedule 1 (Zoning Bylaw text)
  - (b) Schedule 2 (Parking Provisions)
  - (c) Schedule 3 (Zoning Bylaw map)
3. The "Village of Burns Lake Zoning Bylaw No. 759, 1999" and amendments thereto is hereby repealed.

READ A FIRST TIME THIS 30<sup>TH</sup> DAY OF SEPTEMBER, 2008

READ A SECOND TIME THIS 30<sup>TH</sup> DAY OF SEPTEMBER, 2008

PUBLIC HEARING HELD ON 14<sup>TH</sup> DAY OF OCTOBER, 2008

READ A THIRD TIME THIS 14<sup>TH</sup> DAY OF OCTOBER, 2008

APPROVED PURSUANT TO TRANSPORTATION ACT, THIS 11 DAY OF

December, 2008  S. Applegate Approving  
Officer - Ministry of Transportation and Infrastructure

ADOPTED THIS 14<sup>TH</sup> DAY OF OCTOBER, 2008

  
MAYOR

  
CLERK

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## **SCHEDULE 1**

### **SECTION 1: ADMINISTRATION**

#### **1.1 Title**

- .1 This Bylaw will be referred to as the *Corporation of the Village of Burns Lake Zoning Bylaw No. 880, 2008*.

#### **1.2 Purpose**

- .1 The purpose of this Bylaw is to provide a clear and efficient system of land use regulation for the orderly, economic, beneficial, equitable and environmentally sensitive use, development, and redevelopment of the Village of Burns Lake having regard for the provisions of the *Burns Lake Official Community Plan Bylaw No. 879, 2007*.
- .2 The Village of Burns Lake has been divided into zones and regulated within those zones are:
  - (a) the use of land, surface of water, buildings and structures;
  - (b) the density of the use of land, buildings and structures;
  - (c) the siting, size and dimensions of:
    - i. buildings and structures; and
    - ii. uses that are permitted on the land;
  - (d) the shape, dimensions and area, including the establishment of maximum and minimum sizes of all parcels of land that may be created by subdivision;
  - (e) the provision of off-street parking and loading spaces; and,
  - (f) the provision of screening or landscaping.

#### **1.3 Effective Date**

- .1 This Bylaw will come into effect on the date of adoption thereof by Council of the Village of Burns Lake.

#### **1.4 Applications in Process**

- .1 A completed application for a building permit or subdivision, which is received prior to the effective date of this Bylaw must be processed in accordance with Section 943 of the *Local Government Act*, for subdivision, and; Section 911 of the *Local Government Act* for building permits.

#### **1.5 Severability**

- .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, the invalid portion must be severed and the decision that it is invalid must not affect the validity of the remainder.

## **1.6 Compliance with Other Legislation**

- .1 Nothing contained in this Bylaw shall relieve any person from the responsibility to seek out and comply with other applicable Village bylaws, or Provincial or Federal statutes and regulations applicable to their undertaking.
- .2 The provisions of the development permit system included within the *Corporation of the Village of Burns Lake Official Community Plan* apply in addition to the regulations in this Bylaw.

## **1.7 Zoning Maps**

- .1 The Village of Burns Lake is divided into land use zones.
- .2 The boundaries of those zones and areas, together with all explanations written on or appended, are shown on the Zoning Map which is attached as Schedule 3 to this Bylaw.

## **1.8 Non-Conforming Lots**

- .1 Lots created prior to the adoption of this Bylaw, regardless of area or dimensions, may be used for any of the permitted uses of the designation in which they fall, subject to the limitations contained therein and provided the method by which sewage is disposed is satisfactory to the Medical Health Officer or recognized authority.
- .2 Where a lot is reduced in size as a result of taking for public use by the Village, Provincial or Federal Government, the School District, or a Public Utility by dedication, expropriation, or purchase, the lot and buildings and structures thereon are deemed to conform with the provisions of this Bylaw and the lot must be considered to exist as it did prior to the taking for the purpose of further development upon the lot under its existing zoning regulations, provided such taking:
  - (a) is satisfactory to the Medical Health Officer or recognized authority with respect to on-site sewage disposal;
  - (b) does not reduce a minimum front, side or rear yard below 1.5 m unless this Bylaw does not require such yard;
  - (c) the utility installation does not endanger the continuing use of the property as permitted by this Bylaw; and
  - (d) does not result in the parcel being rendered unsuitable for any of the uses permitted in the zone in which the lot is located.

## **1.9 Non-Conforming Uses**

- .1 A lawful use of land, buildings or structures existing or lawfully under construction at the time of the adoption of this Bylaw, although such use does not conform to the provisions of this Bylaw, may be continued, subject to the provisions of the *Local Government Act* and *Community Charter*.

## **1.10 Administration of Bylaw**

- .1 Authorized employees and Officers of the Corporation of the Village of Burns Lake are hereby appointed to administer this Bylaw.

**1.11 Inspection**

- .1 Every authorized employee of the municipality and the Building Official and such other persons appointed by the Council as enforcement officers, are hereby authorized when the Village's office is open during regular business hours, to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations or directions under this Bylaw are being observed.
- .2 Where any dwelling, apartment or guest room of any structure to be entered is occupied, an Officer or the Building Official shall first obtain the consent of the occupant or provide written notice to the occupant twenty-four (24) hours in advance of inspection.

**1.12 Violation**

- .1 Every person who:
    - (a) contravenes any provision of this Bylaw;
    - (b) causes or permits any act or thing to be done in contravention of any of the provisions of this Bylaw;
    - (c) neglects or omits to do anything required under this Bylaw;
    - (d) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this Bylaw;
    - (e) fails to comply with an order, direction or notice given under this Bylaw; or
    - (f) prevents or obstructs, or attempts to prevent or obstruct, the authorized entry of an Enforcement Officer to enforce this Bylaw on property;
- will be deemed to have violated the provisions of this Bylaw.

**1.13 Notice of Violation**

- .1 Once an Enforcement Officer has found a violation of this Bylaw, the Enforcement Officer may notify the owner of the property, the person in possession of the land or development or the person responsible for the Bylaw violation or contravention, by either:
  - (a) delivering, in person or by ordinary mail or fax, a Warning Notice of Violation; or
  - (b) posting a Warning Notice of Violation in a conspicuous location on the site.
- .2 A *Warning Notice of Violation* must state:
  - (a) the nature of the violation of this Bylaw;
  - (b) the scope of the corrective measures required to comply with this Bylaw; and
  - (c) the time limit within which such corrective measures must be performed.

.3 Pursuant to the provisions of the *Local Government Act*, Council may direct the owner of the property, the person in possession of the land or buildings, or the person responsible for the contravention to comply with the provisions of this Bylaw, by way of an Order.

Council may order any person carrying out any development or doing anything in contravention of this Bylaw to:

- (a) immediately stop the development or use of the land, building or structure in whole or in part; or
- (b) take such other measures as are specified in the Order so that the development or use of the land or building is in accordance with this Bylaw; and
- (c) comply with the provisions of this Bylaw within the time specified by the Order.

#### **1.14 Order**

- .1 This Order must be delivered by registered mail or be personally served to the person identified in Section 1.12.
- .2 Where a person fails or refuses to comply with the Order, the Enforcement Officer must take such action as is necessary to enforce the order.
- .3 Any costs or expenses incurred by the Village in carrying out an Order will be placed on the tax roll as an additional tax against the property concerned, and that amount will be collected in the same manner as taxes on the land.

#### **1.15 Penalties**

- .1 Every person who violates any provision of this bylaw commits an offence and is punishable in accordance with the *Offence Act*.
- .2 Each day's continuance of an offence under Section 1.12 constitutes a new and distinct offence.

### **SECTION 2.0: INTERPRETATION**

#### **2.1 General**

- .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 word "person" includes a corporation, firm, partnership, trust, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.
- .2 The words "must" and "will" require mandatory compliance except where a variance has been granted pursuant to the *Local Government Act*.

- .3 Words, phrases, and terms neither defined in this section nor in the *Local Government Act* will be given their usual and customary meaning.
- .4 Where a specific use does not conform to the wording of any defined use or generally conforms to the wording of two or more definitions, the use conforms to and is included in that land use which is most appropriate in character and purpose.

## 2.2 Zone Boundaries

- .1 The zone boundaries on the Zoning Map will be interpreted as follows:
  - (a) where a zone boundary follows a highway, lane, railway, pipeline, power line, utility right-of-way, or easement, it follows the centre line, unless otherwise clearly indicated on the Zoning Map;
  - (b) where a zone boundary is shown as approximately following the Village of Burns Lake boundary, it follows the Municipal boundary;
  - (c) where a zone boundary is shown as approximately following the edge, shoreline, or high water mark of a creek, lake, or other water body, it follows that line. In the event of change, it moves with the edge or shoreline;
  - (d) where a zone boundary is shown as approximately following a property line, it is interpreted as following the property line;
  - (e) where a zone boundary is shown as approximately following a topographic contour line or a top-of-bank line, it follows that line;
  - (f) where a zone boundary is shown as being generally parallel to or as an extension of any of the features listed above, it will be so; and
  - (g) in circumstances not covered above, the zone boundary will be determined by the scale of the Zoning Map on Schedule 3.

- .2 When any highway, lane, railway, pipeline, powerline, utility right-of-way or easement is closed, the said lands have the same zoning as the abutting land. When abutting lands are governed by different zones, the centre of right-of-way or easement is the zone boundary unless the zone boundary is shown clearly following the edge of the right-of-way or easement. If the right-of-way or easement is consolidated with an adjoining parcel, the parcel's zoning designation applies to affected portions of the right-of-way or easement.

## 2.3 Definitions

In this Bylaw, all words, terms and expressions contained herein must be interpreted in accordance with the following definitions unless the context otherwise requires:

**“accessory building”** means a building or buildings ancillary, auxiliary or subordinate to the principal building;

**“accessory use”** means a use ancillary, auxiliary, or subordinate to a principal use;



**“agriculture”** means the use of land, buildings or structures for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or farm products, but excludes processing and retail sales of farm products. Agriculture includes producing and rearing animals and range grazing of horses, cattle, sheep, and other livestock but excludes commercial enterprises or institutions for the confinement of poultry, livestock or fur bearing animals, the growing of mushrooms and fish hatcheries;

**“amenity area”** means:

1. an area located on the same parcel as a mobile (manufactured) home park or bare land strata development which:
  - (a) is required under this Bylaw to be used for landscaping or communal recreational purposes; and
  - (b) may include landscaped areas, rooftop gardens, tennis courts, swimming pools and communal lounges; or
2. an area, not including the front setback, located on the same parcel as a multiple dwelling building, which:
  - (a) is required under this Bylaw to be used for landscaping or communal recreational purposes; and
  - (b) may include landscaped areas, rooftop gardens, tennis courts, swimming pools, communal lounges and private balconies to the extent of not more than 5 m<sup>2</sup> of private balcony space per dwelling;

**“amusement establishment, indoors”** means development providing facilities within an enclosed building for various table games or electronic games played by patrons for entertainment. Typical uses include billiard parlor, electronic game arcades, and bingo halls. This use does not include carnivals, circuses, indoor participant recreation services, or:

1. such establishments which sell such devices, provided that such devices are not available on the premises for use on a commercial basis by the public; and
2. establishments where such devices are made available as an accessory use provided that the floor area occupied by the device does not exceed five percent (5%) of the total leaseable floor area of the establishment, but in no case must the number of devices which are accessory to another use exceed four;

**“amusement establishment, outdoors”** means permanent development providing facilities for entertainment and amusement activities which primarily take place out-of-doors, where patrons are primarily participants. This use does not include drive-in motion picture theatres, carnivals or circuses. Typical uses include amusement parks, go-cart tracks and miniature golf establishments;

**“animal care”** means a building that would allow for the care, treatment and hospitalization of animals. All animals must be kept within an enclosed building. This use includes pet clinics, small animal veterinary clinics, animal hospitals and veterinary offices. This does not include facilities which board and shelter healthy animals;

“**apartment**” means a multiple dwelling building comprising three or more dwelling units with shared entrances and other essential facilities and services and with shared exit facilities provided for dwelling units located above the first storey;

“**approving officer**” means an approving officer as defined in the Land Title Act and appointed by the Village of Burns Lake Council;

“**assembly hall**” means any building which is used by the public for the purpose of assembly, instruction, culture or enlightenment, or for a communal activity, but does not include a school, or a place of public entertainment for which an admission fee is customarily charged;

“**auctioneering establishment**” means development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment;

“**autobody repair and paint shop**” means development for the repairing and painting of automobiles;

“**automotive and equipment repair shops**” means development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts. This use includes transmission shops, muffler shops, tire shops, drive-through vehicle services, automotive glass shops, and automotive upholstery shops. This use does not include auto body repair and paint shops;

“**automotive and minor recreation vehicles sales and rental**” means development used for the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services and sale of parts. This use includes automobile dealerships, car rental agencies and motorcycle dealerships. This use does not include dealerships for the sale or rental of trucks or motor homes with a gross vehicle rating of 4,000 kg (8,818 pounds) or greater;

“**bed and breakfast**” means a home occupation conducted within a principal dwelling unit, by the residents of the dwelling unit, which provides sleeping accommodations to the travelling public on a daily basis and may include the preparation of a morning meal to guests using the sleeping accommodations;

“**building**” means any structure consisting of a roof supported by walls or columns used or intended to be used for sheltering, accommodating or enclosing people, animals, goods, chattels or equipment;

“**building official**” means the official or officials appointed by the Council of the Village of Burns Lake to administer the provisions of the BC Building Code, the Village’s Building Bylaw and/or this Bylaw;

“**bulk fuel storage and distribution**” means a fuel distribution establishment where fuel is normally received by cargo tanker and stored in bulk for distribution by cargo tanker, but also includes key lock and card lock distribution;

**“business support services”** means development used to provide support services to business and which are characterized by one or more of the use of secretarial services; the provision of office maintenance or custodial services; the provision of offices security; and the sale, rental, repair and servicing of office furniture, equipment and machines. Typical uses include but are not limited to printing establishments, testing laboratories, film processing establishments, janitorial firms, and office equipment sales, repair and sign shops;

**“campground”** means a site occupied and maintained or intended to be occupied and maintained for the temporary accommodation of travelers which is operated for reward and may include an office as part of the permitted use, but does not include a mobile home park, motel, hotel or a camp licensed under the *Community Care Facilities Act*;

**“care centre, intermediate”** means an establishment licensed as required under the *Community Care Facilities Act* intended to provide care, educational services, and supervision for children or adults during the day or evening, and may include limited overnight accommodation to accommodate shift workers. This use includes group day care centres, out-of-school centres, and drop-in centres. This includes developments for up to 25 patrons for group day-care or the provision of care;

**“care centre, major”** means an establishment licensed as required under the *Community Care Facilities Act* intended to provide care, educational services, and supervision for children or adults during the day or evening, and may include limited overnight accommodation to accommodate shift workers. This use includes group day care centres intended for 26 or more patrons; out-of-school centres; and drop-in centres;

**“care centre, minor”** means an establishment licensed as required under the *Community Care Facilities Act* intended to provide care, educational services, and supervision for children during the day or evening. This use includes group day care centres, up to 7 children, for the provision of care, before and after school hours and during school holidays;

**“catering food services”** means the delivery and sale of food to the public using a fleet of one or more vehicles.

**“cemetery”** means development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments; crematories, cinerariums, columbariums, and mausoleums. Typical uses include memorial parks, burial grounds and gardens of remembrance;

**“commercial and trade school”** means development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. This use does not include schools defined as public education or private education. Typical uses include secretarial, business, hairdressing, carpentry, beauty culture, dancing or music schools;

**“community hall”** means a building or part of a building designed for, or intended to be used for, such purposes as civic meetings, educational meetings, political meetings, recreational activities or social activities and may include accessory banquet facilities;

**“congregate housing”** means housing in multiple dwelling building form for semi-independent persons within which is provided living and sleeping facilities, meal preparation, laundry services, and room cleaning. Such facilities may also provide other services such as transportation for routine medical appointments and counseling;

**“contractor services, general”** means development used for the provision of buildings construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services or a construction nature which requires on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales areas must be accessory to the principal general contractor service use only. This use does not include professional, financial and office support services;

**“contractor services, limited”** means development used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four vehicles;

**“convenience store”** see **“retail stores, convenience”**;

**“Council”** means the Council of the Corporation of the Village of Burns Lake;

**“density”** means the intensity of development on a parcel of land, and is expressed in this bylaw as either a floor area ratio, or the maximum number of dwelling units permitted to be located on 1 ha of land;

**“derelict vehicle”** means any vehicle which is not displaying a current license number plate, issued pursuant to the *Motor Vehicle Act*, and which is not enclosed within a garage or carport;

**“development”** means any improvement of land that occurs as a result of the issuance of a building permit or approval of a plan of subdivision;

**“duplex”** means a principal building containing two dwelling units vertically attached on a parcel and with each unit having an independent exterior entrance;

**“dwelling unit”** means one or more habitable rooms constituting one self-contained unit which has a separate entrance and which contains washroom facilities, one kitchen facility and which is designed for use as a single house-keeping establishment;

**“eating and drinking establishment”** means a development where prepared foods and beverages are offered for sale to the public for consumption within the premises or off the site and includes licensed restaurants, lounges, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants but excludes mobile catering food services and liquor primary establishments;

**“equipment rentals”** means development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment or similar items. This use class does not include the rental of motor vehicles or industrial equipment;

**“essential utility services”** means development which is part of the infrastructure of a principal utility development which is necessary for the local distribution of utility services. Typical uses in this class include gas regulating stations, pumping stations, electrical power transformers, underground water reservoirs and wells;

**“exterior side lot line”** means any lot line common to a highway, other than a lane, which is not a front lot line;

**“fast food outlet”** means an eating establishment providing for the sale of prepared food and beverages that can be consumed in vehicles, taken off the premises for consumption or consumed on the premises, and may include drive-through services;

**“fence”** means an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land;

**“financial services”** means development primarily used for the provision of financial services, but does not include health services or government services. Typical uses include: offices for financial, insurance, accounting, bookkeeping and banks, credit unions, loan offices and similar financial uses;

**“fleet services”** means development using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to ambulance services, taxi services, bus lines, messenger and courier services. This does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg;

**“floor area”**, see **“gross floor area”**;

**“floor area ratio”** means the figure obtained when the gross floor area of all the buildings on a lot is divided by the area of the lot;

**“forestry”** means the management of forests, including harvesting, silviculture, log storage and logging camps but excludes the processing of trees and wood products;

**“front lot line”** means any lot line common to a lot and one highway other than a lane, provided that, where a lot is contiguous to the intersection of two highways, the front lot line is the shortest lot line contiguous to one of the highways. Where a lot is bisected by a highway, both lot lines abutting the highway are considered to be front lot lines;

**“front yard”** means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the building;

**“funeral services”** means development used for the preparation of the dead for burial or cremation, and the holding of funeral services. This use class includes funeral homes and undertaking establishments;

**“gas bar”** means a development used for the sale of motor fuel, lubricating oils, automotive fluids and associated convenience store products. The gas bar may be a self-service, full service, or other similar operation. This does not include a facility where vehicles are repaired, stored, or washed;

**“golf course”** means an area of land operated for the purpose of playing golf and may include an eating and drinking establishment, a hall, miniature golf course, driving range, putting green or similar accessory buildings and uses;

**“government services”** means development providing Municipal, Provincial or Federal government services directly to the public. This use does not include protective and emergency services, minor or major impact utility services and public education services. Typical uses include taxation offices, courthouse, postal distribution offices, human resources office, social service offices and travel information centres;

**“grade”** means the average natural ground level adjoining each exterior wall of a building excluding any localized mounds or depressions such as those for vehicle or pedestrian entrances;

**“gravel processing”** means screening, sorting, crushing and storing of any earth material. Excludes associated operations such as asphalt mixing and ready-mix concrete plants;

**“green house and plant nursery”** means development used primarily for the raising, storage and sale of bedding, household and ornamental plants;

**“gross floor area”** means the total floor area of a building on a lot measured to the outer limits of the building; excluding uncovered parking, unenclosed swimming pools, uncovered balconies, sundecks and parking within a building;

**“health services”** means development used for the provision of physical and mental health services on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counseling nature. Typical uses include medical and dental offices, health clinics and counseling services;

**“height”** means, when used in reference to a building or structure, the vertical distance in metres between a horizontal plane through natural grade level and the mid-point of the roof or structure; however, in deciding whether a development conforms to the maximum height permissible in any zoning district, the following features will not be considered for the purposes of determining maximum height; chimneys, stacks, elevator shafts, flagpoles or clearance markers, provided they meet the Federal Department of Transportation requirements for flight paths and microwave beams;

**“highway”** means a street, road, lane, bridge, viaduct or any other way open to public use for the purpose of travelling, but does not include a private right-of-way on private property;

**“home industry”** means an occupation or a business which is accessory and subordinate to the principal residential use of the lot occupied by a dwelling unit;

**“home occupation”** means an occupation or profession which is clearly subordinate to the principal use of a dwelling unit for residential purposes or is subordinate to the principal residential use of a lot occupied by a dwelling unit;

**“hotel”** means development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and are not equipped with individual kitchen facilities. Hotels may include accessory eating and drinking establishments, meeting rooms and personal service shops;

**“household repair services”** means development used for the provision of repair services to goods, equipment and appliances normally found within the home. This use includes radio, television and appliance repair shops, and furniture refinishing and upholstery shops. This use does not include personal services shops;

**“impact utility service, major”** means development for public utility infrastructure which are likely to have a major impact on the environment or adjacent uses by virtue of their potential emissions or effects, or their appearance. Typical uses include sanitary land fill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants, district heating plants, incinerators and waste recycling plants;

**“impact utility services, minor”** means development for public utility infrastructural purposes which is likely to have some impact on the environment or adjacent land uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical uses include vehicle, equipment and material storage yards for utilities and services, telephone exchanges, wire centres, switching centres, snow dumping sites, depots and transfer facilities, surface reservoirs or storm water lakes, water reservoirs hydrospheres, water treatment plants, power terminal and distributing substations, communication towers and gate stations for natural gas distribution;

**“industrial storage”** means development used exclusively for outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include pipe yards, vehicle or heavy equipment storage, auto wrecking, buildings on skids or temporary foundations, storage of aggregates, building supplies, construction equipment, farm machinery, unoccupied mobile homes, and oil and gas equipment. Industrial storage does not include general industrial uses, warehouses or wholesale sales and operations, industrial vehicle and equipment sales and rentals;

**“industrial uses, general”** means development used principally for one or more of the following activities:

- (a) the processing of raw materials;
- (b) the manufacturing or assembling of semi-finished or finished goods, products or equipment;
- (c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;
- (d) the storage or shipping of materials, goods and equipment;
- (e) the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to general retail stores or other sales use classes defined in this Bylaw for resale to individual consumers; or

(f) the training or personnel in general industrial operations.

Any indoor display, office, technical or administrative support areas or any retail sale operations must be accessory to the general industrial use activities identified above;

“**industrial/utilities-oriented office**” means a building or part of a building where persons are employed in the management, direction and conducting of business related to a utility use or an assembly, manufacturing or processing plant, a food preparation plant, a warehouse or a wholesale distribution centre where such office uses are not required to be located on the same lot as the related utility use, plant, warehouse or wholesale distribution centre;

“**interior side lot line**” means a lot line between two or more lot other than the front, rear or exterior side lot line;

“**kennel**” means a facility for the care of four or more dogs, cats or other household pets, where such animals are kept commercially for boarding, propagation, training, grooming or sale;

“**landscaped strip**” means a continuous strip at least 1.5 m wide containing grass or other decorative surface treatment, within which at least three shrubs or trees capable of attaining a height of 1 m or more, are planted every 5 m, broken only for walkways or driveways;

“**lane**” means a highway which provides a second access to a lot and is less than 8 m wide;

“**licensee retail store**” means an establishment licensed by the British Columbia Liquor Control and Licensing Branch to sell all types of liquor;

“**livestock**” means horses, cattle, sheep, swine, llamas, farmed game and other such animals;

“**liquor primary**” means an establishment where food and alcoholic beverages are offered for sale to the public, for consumption within the premises or off the site. Typical uses include but are not limited to neighbourhood pubs, beverage rooms, cocktail lounges, cabarets and nightclubs. This use must hold a liquor primary license and may include off-sales as an accessory use;

“**lot**” means any lot, parcel, block or other area in which land is held or into which it is subdivided, but does not include a highway;

“**lot width**” means the mean horizontal distance between the side lot lines of any lot;

“**manufacturing establishment**” means development used for small scale on-site production, manufacturing, assembly or semi-finished or finished goods, products or equipment. All on-site production is contained within the confines of the principle building or its accessory buildings. This use would also include the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the small scale manufacturing process, where such operations have impacts that are not incompatible with the surrounding non-industrial uses. Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory to the minor manufacturing use. Typical uses include, but are not limited to, musical instrument or toy manufacturing, gunsmiths, pottery or sculpture studios, tinsmith shop, carpentry or cabinet shops;



“**minimum lot size**” means the minimum area of a lot which can be created by subdivision;

“**mobile home**” means a single or multiple section single detached dwelling unit (*Canadian Standards Association (CSA) Z-240* certified single-wide or (CSA) A277 certified double-wide mobile home) for residential occupancy designed to be transportable on its own chassis and is ready for occupancy upon arrival at its site except for incidental improvements such as placement on a hard surfaced pad, addition of steps, skirting around the base, and connection to utilities;

“**motel**” means a building or buildings containing housekeeping and/or sleeping units, each with an exterior entrance and designed to provide temporary accommodation for the travelling public. Motels may include accessory eating and drinking establishments and personal service shops;

“**multiple dwelling building**” means a building containing three or more dwelling units;

“**office**” means development primarily used for the provision of administrative, management, technical or consulting services but does not include financial services, health services or government services. Typical uses include clerical, secretarial, charitable and non-profit administration, the offices of lawyers, accountants, engineers, architects and surveyors;

“**owner**” means an owner, agent, lessor or manager of a lot or parcel of land;

“**panhandle lot**” means a lot which has its primary legal access from a highway through a relatively narrow strip of land which is an integral part of the lot. This narrow strip is hereinafter referred to as the panhandle;

“**participant recreation services, indoor**” means development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; small bore rifle, pistol, or archery ranges, bowling alleys and racquet clubs;

“**participant recreation services, outdoor**” means development providing facilities which are available to the public at large for sports and active recreation conducted outdoors. This use does not include spectator sports establishments and outdoor amusement establishments. Typical uses include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks athletic fields, boating facilities, outdoor swimming pools, bowling greens, archery ranges, riding stables and fitness trails;

“**person**” means a corporation, firm, partnership, trust, and other similar entities as well as an individual;

**“personal service establishment”** means a building or part of a building employing people who cater to peoples’ personal needs and, without limiting the generality of the foregoing, may include a tailor, seamstress, shoe repair, facility, photographer, barber, beautician, hairdresser, laundry and dry cleaning facilities or the offices of an insurance agent, or real estate agent and may also include the sale of merchandise as an accessory use to the personal service provided;

**“principal use”** means the main purpose for which the parcel, building or structure is used;

**“private club”** means a development used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organization. Private clubs may include rooms for eating, drinking and general assembly;

**“protective and emergency services”** means development which is required for the public protection of persons and property from injury, harm or damage, together with the incidental storage of emergency equipment and vehicles. Typical uses include police stations, fire stations and ancillary training facilities;

**“public education services”** means development which is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provision of such services on the same site. This use includes public and separate schools, community colleges, universities and technical and vocational schools, and their administrative offices. This use does not include commercial schools;

**“public library and cultural exhibits”** means development for the collection of literary, artistic, musical and similar references materials in the form books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical uses include libraries, museums and art galleries;

**“public park”** means any publicly-owned outdoor land or facility specifically designed for passive or active recreation, including tot-lots, playgrounds, walkways, trails, bandshells, greenbelts, buffers, nature interpretation areas and similar land uses including all natural and man-made landscaping, facilities, playing fields, buildings and structures consistent with the general purpose of public park land;

**“rear lot line”** means the boundary of a lot which lies the most opposite to the front lot line or the exterior side lot line and, where the property has only three lot lines, the rear is the junction of the two side lot lines;

**“rear yard”** means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the building;

**“recreational vehicle”** means a vehicle designed to be towed behind a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes and other similar vehicles, which provide sleeping and other facilities for persons while travelling or on holiday;

**“recreation vehicle storage”** means the storage of recreational vehicles for tenants living in multiple family dwellings in the R5 and R6 zones. It is not intended as a storage facility for non-residents of the multi-family dwelling;

**“recycling depot”** means development used for the buying and temporary storage of bottles, cans, newspapers and similar goods for reuse, recycle, or waste reduction, where all storage is contained within an enclosed building;

**“religious assembly”** means development owned by a religious organization used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, and classrooms. Typical uses include churches, chapels, mosques, temples, and synagogues. This use does not include public education services and commercial schools, even as accessory uses;

**“retail store, convenience”** means development used for the retail sale of those goods required by area residents or employees on a day to day basis. Typical uses include small food stores, drug stores, souvenir stores, bakeries and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter, with a gross floor area not exceeding 235 m<sup>2</sup>;

**“retail store, general”** means development used for the retail sale of groceries, baked goods, beverages, clothing, personal apparel, household goods, furniture and appliances, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationery and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots are permitted within general retail stores. This use does not include development used for the sale of gasoline, new or used vehicles, agricultural and heavy industrial equipment or second hand goods or developments defined as warehouse sale;

**“rowhouse”** means a block of at least three side-by-side dwelling units, accessible from ground level, with each dwelling unit having a separate yard space, and separated from each other on at least one side by a common party wall;

**“screen”** means a fence, wall or hedge used as an enclosure and a visual barrier around all or part of a parcel, broken only for driveways and walkways;

**“secondary suite”** means a self-contained accessory dwelling unit located within a principal or accessory building, and clearly subordinate to a single detached dwelling, used or intended to be used as a residence, with self-contained sleeping, living, cooking and sanitary facilities and direct access to the open air without passage through any portion of the principal dwelling unit. Does not include duplex housing, semi-detached housing or multiple-dwelling housing;

**“secondhand store”** means development primarily used for the retail sale of secondhand or used household and personal goods, including the minor repair and preparation of such goods. This use does not include the sale of used vehicles, recreation craft, or construction and industrial equipment. Typical uses include antique furniture stores, thrift shops and pawnshops;

**“semi-detached dwelling”** means development consisting of only two dwellings situated side-by-side and sharing a common wall. Each dwelling must have separate, individual and direct access to grade, with no interior access connections, and no common means of access with other dwellings;

**“service industry”** means repair shops; equipment, automobile, agricultural implement and trailer sales, rentals, repair and services; plumbing and heating establishments; contractors’ yard and shops, machine and woodworking shops;

**“service station”** means development used for the servicing, washing, and repairing of vehicles, and/or the sale of gasoline, petroleum products, vehicle parts and accessories. Service stations may include eating and drinking establishments. Typical uses include truck stops and highway service stations. This use does not include autobody repair and paint shops;

**“setback”** means the minimum permitted distance between a building or structure and a specified lot line, as identified in this Bylaw;

**“shopping centre”** means a group of commercial establishments, planned, developed, owned and managed as a unit, with off-street parking provided on the property. This development services both the community and its trade area and offers a range of goods comparable to that which exists in the downtown. Typical uses include major retail stores, individual commercial retail units (a.k.a. CRU’s), department stores, food stores, professional and financial services and personal service shops;

**“side yard”** means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the building;

**“single detached dwelling”** means a dwelling which is freestanding, separate and detached from other buildings or structures and which contains only one dwelling unit and is constructed on a permanent foundation, crawl space or basement;

**“soilless medium”** means a material that is manufactured for the growing of plants and may contain natural soils and/or organic compounds such as peat and bark;

**“special needs housing”** means non-market housing that is oriented to people with special needs including but not limited to, the elderly or physically or mentally challenged who have difficulty living in or affording market housing;

**“spectator entertainment establishment”** means development providing facilities within an enclosed building specifically intended for live, theatrical, musical or dance performances; or the showing of motion pictures. This use class does not include entertainment developments associated with major eating and drinking establishments. Typical uses include auditoria, cinemas, theatres and concert halls;

**“storey”** means that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it;

**“storey, first”** means the storey with its floor closest to grade and having its ceiling 2 m or more above grade;

**“truck and mobile home sales/rental”** means development used for the sale or rental of new or used trucks, motor homes, mobile homes, and automobiles together with incidental maintenance services and the sale of parts and accessories. Typical uses include truck dealerships, recreation vehicle sales and mobile home dealerships;

**“vehicle and equipment sales/rentals, industrial”** means development used for the sale or rental of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling and processing operations and agricultural production. This use class does not include truck and mobile home sales/rentals;

**“warehouse sales”** means development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This use includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials. This use does not include developments used for the retail sale of food or a broad range of goods for personal or household use;

**“yard”** means a portion of a lot upon or over which no building or structure other than a boundary fence is erected, unless otherwise herein permitted.

### **SECTION 3.0 GENERAL REGULATIONS**

#### **3.1 Applicability of General Regulations**

- .1 Except as otherwise specified in this Bylaw, the provisions of Section 3.0 apply to all zones established under this Bylaw.

#### **3.2 Subdivision**

- .1 All subdivisions must comply with relevant sections of the *Condominium Act, Strata Property Act, Health Act, Land Title Act, Local Services Act, Local Government Act, Environmental Protection Act, Waste Management Act, the Subdivision and Development Servicing Bylaw* and the provisions of this Bylaw.
- .2 Compliance with Other Regulations:
  - (a) applications for subdivision will be reviewed for compliance with the requirements of this Bylaw, the *Subdivision and Development Servicing Bylaw* and other Local Authorities and Provincial legislation. Nothing contained in this Bylaw will relieve the owner of a subdivision from the responsibility to seek out and comply with legislation applicable to this undertaking;
  - (b) except where a setback of a building or structure in respect to a highway is concerned, no subdivision will be approved which would cause any existing building or structure, sewage disposal installation or used source of potable water to contravene any Bylaw or other regulation in force; and
  - (c) properties that are within the Ministry of Transportation and Infrastructure jurisdiction must comply with that Ministry’s policies and regulations.

### **3.3 Minimum Lot Size Exceptions**

- .1 The minimum lot size for subdivision requirements of this Bylaw do not apply to:
  - (a) the consolidation of existing lots or the addition of closed streets to an existing lot;
  - (b) the alteration of lot lines between two or more lots where:
    - i. no additional lots are created upon completion of the alteration;
    - ii. the altered lot line does not infringe on the required setbacks for an existing building or structure located on a lot; and
    - iii. the alteration does not reduce the site area of the lots involved to a size less than that of the smallest lot that existed prior to the alteration.
- .2 an existing lot that meets the present minimum lot size requirements of this Bylaw must not, upon completion of a lot line alteration, have a lot size less than that required within the respective zone.

### **3.4 Minimum Lot Width Exceptions**

- .1 Despite the minimum lot width for subdivision provisions of this Bylaw, a panhandle lot may be permitted provided that:
  - (a) the minimum lot width of the panhandle is 6 m; and
  - (b) two panhandles abutting each other is not permitted.

### **3.5 Strata Development**

- .1 The Lot Coverage, Lot Area and Lot Width provisions of this Bylaw shall not apply to strata lots provided the entire strata plan meets the Lot Coverage, Lot Area and Lot Width provisions.
- .2 The setback provisions of this bylaw apply only to the parcel lines on the perimeter of the parcel, and not to internal parcel lines for strata lots under a registered plan.

### **3.6 Principal Building**

- .1 No residential use building is to be located on the same lot as any other residential use building or non-residential use building, except as otherwise provided for in this Bylaw.

### **3.7 Uses Permitted in Every Zone**

- .1 The following uses are permitted in every zone and are not subject to the minimum parcel area of any zone:
  - (a) public park;
  - (b) essential utility services;
  - (c) highway and lane;

- (d) conservation areas, ecological reserves and preservation areas; and
- (e) protective and emergency services.

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

- .1 The use of a tent, trailer or motor home or other recreational vehicle as a permanent residence is prohibited.
- .2 Unless otherwise specifically permitted in this Bylaw, no parcel must be used for the wrecking, salvage or storage of more than one derelict vehicle or as a salvage operation.

### **3.9 Height Exceptions**

Any of the following may exceed the height limitations specified for each zone of this Bylaw, and must not occupy greater than 10 percent of the roof area of the building on which the item is located:

- .1 flag pole;
- .2 water tower;
- .3 fire and hose tower;
- .4 antenna or mast for the transmission or reception of radio and television signals;
- .5 chimney;
- .6 church spires, belfries;
- .7 mechanical appurtenance located on a rooftop;
- .8 mast or aerial; or
- .9 transmission tower.

### **3.10 Projections**

- .1 Except as otherwise provided for in particular zones, the following regulations apply to projections on buildings:
  - (a) gutters, chimneys, bay windows, ornamental features, eaves, sunshades, cornices, sills and belt courses may project into required setbacks to a maximum of 0.6 m measured horizontally;
  - (b) a bay window projecting into a yard must not exceed 20% of the area of the exterior wall in which it is located;
  - (c) unenclosed access ramps for physically challenged persons may project fully into required setbacks;
  - (d) in Low Density Residential and Multiple Dwelling Residential Zones the following features may project into the required setbacks:
    - i. chimneys, bay windows or other architectural projections which do not comprise more than 20% of the total face of a wall and do not project more than 0.6 m measured horizontally; and

ii. unenclosed stairwells, balconies, sun decks, patios, porches or canopies, if the projections measured horizontally do not extend more than 3 m into a front yard, 0.6 m into the interior side yard setback or more than 3 m into the exterior side yard or rear yard setback; and

(e) in no case must a projection cross a lot line.

### **3.11 Accessory Buildings and Structures**

- .1 All accessory buildings or structures attached to a principal building are deemed to be a portion of the principal building.
- .2 An accessory building or structure must not be erected on any lot unless the principal building to which the accessory building or structure is an accessory use has been erected or is in the process of being erected.
- .3 An accessory building or structure must not be used as a principal dwelling.

### **3.12 Temporary Buildings and Structures**

- .1 Temporary buildings and structures which are erected for the purpose of providing temporary office space, shelter and accommodation for construction crews or storage of materials for the construction of any essential utility service, or building or structure for which a required building permit has been obtained, may be permitted in all zones provided:
  - (a) application is made in writing to the Building Official for a permit to erect a temporary building or structure. The application must state clearly the proposed location of the building or structure, the nature and purpose, and the length of time the building or structure is to be maintained;
  - (b) the proposed temporary building or structure must not constitute or cause a public hazard, nor obstruct unnecessarily any public right-of-way;
  - (c) security is provided in the form of a bond of up to \$5000.00 as deemed necessary by the Building Official; and
  - (d) the temporary building or structure must be removed within thirty (30) days of the completion of the essential utility service, or building or structure. The site must be restored as nearly as possible to its original condition.
- .2 A temporary residential dwelling unit may be permitted in a rural zone provided:
  - (a) application is made to the Building Official for a permit to erect a temporary dwelling clearly stating the proposed location and the length of time the temporary dwelling unit is intended to be used;
  - (b) security is provided in the form of a bond up to \$5000.00 as deemed necessary by the Building Official, to ensure removal of the temporary dwelling;
  - (c) the temporary dwelling:



- i. meets all the requirements of the zone in which it is situated;
- ii. does not constitute or cause a public hazard;
- iii. meets Health regulations for septic and potable water; and
- iv. must be removed within thirty (30) days of the completion of the permanent dwelling unit, and the site must be restored as nearly as possible to its original condition.

(d) Such permit may be renewed once, upon written application for a further period not to exceed six months.

### 3.13 Fence Heights

- .1 The height of a fence, wall or hedge will be measured from the ground level 1 m from both sides of the said fence, wall or hedge.
- .2 Despite 3.13.1 above, in cases where a retaining wall has been constructed along a property line, the height measurement must be determined from the surface of the ground which the retaining wall supports at the average grade level.
- .3 In all zones fences other than required screening, subject to Section 3.16, must not exceed:
  - (a) 1.2 m in height between the front lot line and the building or use on the lot; and
  - (b) 2.0 m in height elsewhere on the lot except for industrial zones in which the height must not exceed 4.0 m.
- .4 Despite the regulations contained in this section, open mesh or chain link type fences may be erected in a commercial, industrial or institutional zone to a maximum height of 4.0 m, and subject to Section 3.16.

### 3.14 Screening and Landscaping

- .1 Screening and landscaping must be provided and maintained in accordance with the regulations specified in Table 3.14. Properties within Development Permit Areas may have further requirements.

**TABLE 3.14  
SCREENING AND LANDSCAPING REQUIREMENTS**

<b>USE</b>	<b>LOCATION OF USE</b>	<b>REQUIREMENTS</b>
Outdoor storage or off-street parking area	Along a highway	Landscaped strip average 1.5 m wide
	Abuts any low density residential or park use	Screen 1.5 m minimum height
Recreation Vehicle Storage	In rear lot, interior side lot or exterior side lot.	Screen 1.5m minimum height
Any use in a R4, R5, C1, C2, C3, C4, M1, M2 or I zone.	Along a highway	Landscaped strip average 1.5 m wide
	Abuts any low density residential or park use.	Screen 1.5 m minimum height

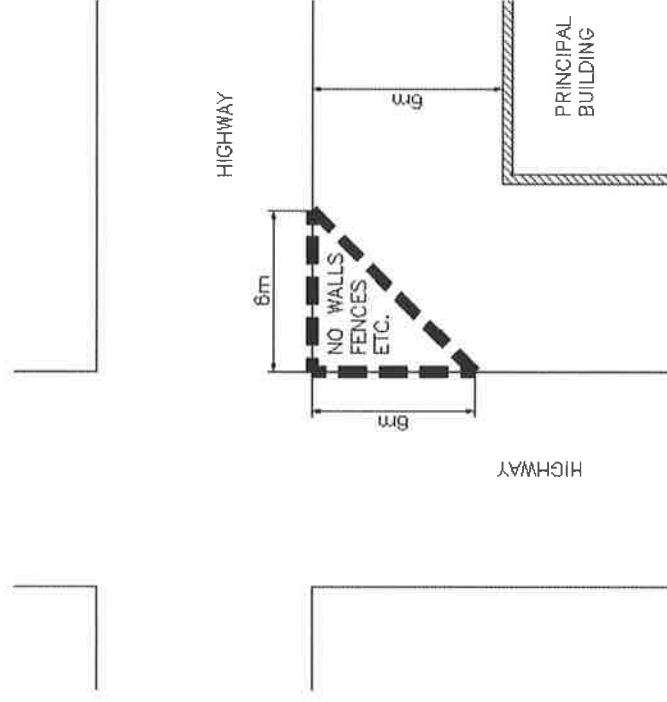
- .2 Within Development Permit Areas, where landscape plans are required, every plan must provide sufficient information to identify the site and any improvements thereon including:
  - (a) drawings which show the dimensions and location of footprints for all existing and proposed landscaping relative to the existing and final site grades, vehicle areas, property lines, easements, adjacent land uses, building entrances and walkways, exterior lighting, street furniture, hydrants, garbage collection areas, utility poles, and underground utilities;
  - (b) drawings which describe the existing and proposed plant materials (including areas of natural vegetation to be retained) identifying common and scientific plant names, quantity, caliper, rootball size, and height at planting and maturity;
  - (c) drawings which describe the irrigation systems relative to boulevards, buffer strip and public rights-of way, direction of drainage, and catch basins and sub-drains marked with proposed rim and invert elevations;
  - (d) landscape drawings are to include a north arrow and legend that includes the date, metric scale, revision box, and plant materials list; and/or
  - (e) any information required by the Village.
- .3 Any changes to an approved landscape plan must be authorized by the Village.
- .4 No building permit will be issued prior to the approval of a required landscape plan.
- .5 No occupancy permit other than a temporary occupancy permit will be issued prior to completing the landscape requirements in accordance with the approved landscape plan unless security or warranties are provided pursuant to a Development Permit.

### **3.15 Exterior Lighting**

- .1 All exterior floodlighting or spotlighting must be deflected away from adjacent properties.

### **3.16 Vision Clearance at Intersections**

- .1 In the case of a parcel abutting a highway intersection no structures or vegetation exceeding 0.6 m in height shall be permitted within the sight triangle formed by the intersection of the lot lines at the corner and a line joining points along the lot lines a distance of 6.0m from their points of intersection, pursuant to the *Transportation Act Regulation*.



**Restrictions of Corner Lots Sight Triangle**

**3.17 Housing Agreements**

- .1 The authorized employee of the municipality may recommend to the Village Council that a housing agreement be entered into pursuant to the *Local Government Act*, as a condition of approval for special needs housing, containing contractual arrangements as to any, or all, of the following:
  - (a) the use of the lot in relation to any existing or proposed building or structure including the preservation of buildings, structures and environmental setbacks to ensure:
    - i. the occupancy, form of tenure, availability, administration, management and rent provisions, of the dwelling units;
    - ii. the timing of the development; and
    - iii. such other conditions as may be considered reasonable under the circumstances.

.2 Increases in the maximum residential density are permitted to the density specified in the R5, R6, and C1 zones.

.3 All agreements entered into pursuant to Section 3.17 must run with the land as a charge against the title of the subject lands at the Land Title Office.

**SECTION 4.0 SPECIFIC USE REGULATIONS**

**4.1 Home Occupation**

- .1 Home occupation may include the following uses:
  - (a) home professional business office;
  - (b) art or music studio;
  - (c) tutoring;

- (d) homecraft;
  - (e) bed and breakfast; and
  - (f) seamstress.
- .2 No more than 55 m<sup>2</sup> of the floor area of the principal dwelling unit must be used in connection with the home occupation.
  - .3 Any home occupation must be carried out within the dwelling unit or in an accessory building (where permitted in the particular zone), with no external storage of materials, containers or finished products.
  - .4 A home occupation is not permitted to have any commercial vehicle, exceeding 1 tonne in vehicle weight, to be located outside of an unenclosed building.
  - .5 Only the inhabitants of the principal dwelling unit may carry on the home occupation located on the site occupied by the dwelling unit.
  - .6 A home occupation must not generate traffic congestion or parking problems within the zone and must not produce a public offence or nuisance of any kind (e.g. noise, smoke, dust, toxic or noxious matter, odour, electrical interference) beyond the lot lines containing the home occupation.
  - .7 The home occupation must not use material or products that produce flammable or explosive vapours or gasses.
  - .8 In addition to the above provisions, a bed and breakfast operation is permitted in all zones allowing home occupations, unless specifically not permitted, and provided that:
    - (a) the operation is located within the principal dwelling unit on the parcel;
    - (b) no more than six patrons are accommodated within the dwelling unit at one time;
    - (c) no more than three bedrooms are used for the bed and breakfast operation;
    - (d) no cooking facilities or other facilities for the keeping of food are provided for within the bedrooms intended for the said operation; and
    - (e) no patron stays within the same dwelling for more than thirty days in a calendar year.

#### **4.2 Home Industry**

- .1 Home industry includes the following uses:
  - (a) enclosed maintenance, storage and repair of vehicles and machinery owned or operated by the resident;
  - (b) small-scale processing of food, the assembly or repair of wood, repair of small engines, electronic devices, electrical components, home craft or hobby and similar products;
  - (c) printing shops; and
  - (d) contractors' offices.

- .2 No home industry must be used for the salvage or storage of derelict vehicles and equipment, used building or domestic products and similar discarded or recyclable materials.
- .3 Any home industry must be carried on in the principal dwelling unit and/or in an accessory building.
- .4 No more than 55 m<sup>2</sup> of the floor area of the principal dwelling unit may be used for a home industry.
- .5 No retail sales other than the sale of goods produced, grown or assembled on the premises, are permitted.
- .6 Storage of materials, commodities or finished products associated with a home industry are permitted provided that such storage is enclosed within a building and the building does not exceed 100 m<sup>2</sup> in area.
- .7 Only the inhabitants of the principal dwelling unit may be employed to carry on the home industry located on the site.
- .8 Home industry must not be located on a lot unless a principal dwelling unit already exists or is being constructed simultaneously, on the same lot.
- .9 Home industry must not change the outside appearance of the premises or create other visible evidence of its existence, other than one sign.
- .10 Home industry must provide off street parking on the parcel for all non-resident employees.
- .11 Home industry must create no noise, vibration, glare, fumes, odours, dust, or smoke detectable off the parcel to the normal senses.

#### **4.3 Secondary Suite**

- .1 A secondary suite, where permitted within this Bylaw, may be located in a new purpose built dwelling or a converted single detached dwelling. No structural alterations or additions shall be undertaken that alters the existing single detached dwelling character of the area.
- .2 No more than one secondary suite will be permitted per principal dwelling unit and is permitted within the principal dwelling unit only.
- .3 No secondary suite will be allowed without connections to a community sanitary sewer.
- .4 The maximum floor area of a secondary suite must not exceed the lesser of 90 m<sup>2</sup> or 40% of the total floor area of the principal dwelling.
- .5 A secondary suite must comply with all relevant Village Bylaws, and the *B.C. Building Code*, as amended.
- .6 A secondary suite must not be strata titled.

#### **4.4 Keeping of Livestock**

- .1 In this Bylaw, where agriculture is a permitted use:
  - (a) on any parcel 2 hectares or less in area, the total number of livestock, must not exceed 1 animal unit (with 1 animal unit being equal to 450 kg of livestock) for each 0.4 ha of parcel area.

#### **4.5 Drive-In Services**

- .1 Drive-in service sites must be located at the intersection of two or more highways, but not including a lane, provided that a site may be located between intersections where there is a service road or a centre dividing strip on the highway, or as part of a shopping centre.
- .2 In the case of establishments where the customer normally remains in the vehicle for service, the minimum site area must be 930 m<sup>2</sup> with a minimum area of building to be erected thereon of 40 m<sup>2</sup>.
- .3 For drive-in food services and banks having a drive-up service window, a minimum of six inbound queuing spaces must be provided for vehicles approaching the drive-up service window. One outbound queuing space must be provided on the exit side of each service position and this phase must be located so as not to interfere with service to the next vehicles.
- .4 All queuing spaces shall be a minimum of 6 m long and 3 m wide. Queuing lanes must provide sufficient space for turning and maneuvering.
- .5 All parts of the site to which vehicles may have access must be hard-surfaced and drained to provide a durable dust-free surface.
- .6 Proper site drainage must be provided in accordance with Village engineering design standards.
- .7 Any lighting proposed to illuminate off-street parking areas must be located and arranged so that all direct rays of light are directed upon the site only and not on any adjoining properties.

#### **4.6 Drive-Through Vehicle Services**

- .1 Drive-through vehicle service sites must be located:
  - (a) at the intersection of two or more highways, not including a lane, provided that a site may be located between intersections where there is a service road or a centre dividing strip on the public roadway; or
  - (b) as part of a shopping centre.
- .2 If located at an intersection, the site and access to it must be at the entrance of the intersection, i.e. on the right-hand side of the street, before entering an intersection so that access and egress will not create congestion of the intersection.

- .3 The minimum site area and coverage for a drive-through vehicle services development must be determined on the basis of 112 m<sup>2</sup> of space not covered by building or structures for each service bay.
- .4 For drive-through vehicle services, a minimum of four inbound and one outbound queuing spaces must be provided for each service bay.
- .5 All queuing spaces must be a minimum of 6 m long and 3 m wide. Queuing lanes must provide sufficient space for turning and maneuvering.
- .6 Where two or more uses are part of a mixed use development on the same site, the total site area requirement must be the sum of the requirements of the uses computed separately.
- .7 Where gas bars are a joint use with a drive-through vehicle service, site coverage must be determined on the basis of 60 m<sup>2</sup> of space not covered by buildings or structures for each fuel pump.
- .8 All parts of the site to which vehicles may have access must be hard-surfaced and drained to provide a durable dust free surface.
- .9 Proper site drainage must be provided in accordance with Village engineering design standards.

#### **4.7 Service Stations**

- .1 Service station sites must be located:
  - (a) at the intersection of two or more highways, but not including a lane, provided that the site may be located between intersections where there is a service road or a centre dividing strip on the highway; or
  - (b) as part of a shopping centre.
- .2 Site area and coverage:
  - (a) the minimum site area must be based on the ratio of 0.6 m<sup>2</sup> of open space for each 0.1 m<sup>2</sup> on which buildings are erected;
  - (b) the minimum site area and coverage for a gas bar as an independent development must be determined on the basis of 60 m<sup>2</sup> of space not covered by buildings or structures for each fuel pump island; and
  - (c) canopies over pump islands must be a minimum of 3 m from any lot line.
- .3 All parts of the site to which vehicles may have access must be hard-surfaced and drained to provide a durable, dust-free surface.
- .4 All curb crossings, entrances, exits and drainage must conform to Village engineering design standards.
- .5 Any lighting proposed to illuminate off-street parking areas must be located and arranged so that all direct rays of light are directed upon the site only and not on any adjoining properties.

- .6 The owner, tenant, operator or person in charge of a service station must at all times be prohibited from the conducting of any business or activity which is obnoxious or offensive, or which may constitute a nuisance or any annoyance to persons occupying lands in the immediate vicinity of the site of a service station by reason of dust, noise, gases, odour, smoke or vibration.

## **SECTION 5.0: ESTABLISHMENT OF ZONING DISTRICTS**

### **5.1 Zoning Districts**

For the purposes of this Bylaw, the Village is divided into Zoning Districts with the following zones and their abbreviations.

The underlined headings below create categories of zones and represent all the zones under that heading.

#### **ZONING DISTRICT TITLE**

#### **ABBREVIATION**

##### **RURAL ZONES**

Rural Residential  
Urban Reserve

RR1  
UR

##### **LOW DENSITY RESIDENTIAL ZONES**

Residential Low Density  
Residential Duplex  
Residential Comprehensive Development  
Residential Mobile Home Park

R1  
R2  
R3  
R4

##### **MULTIPLE DWELLING RESIDENTIAL ZONES**

Residential Medium Density  
Residential High Density

R5  
R6

##### **COMMERCIAL ZONES**

Central Business District Commercial  
Highway Commercial  
Shopping Centre Commercial  
Tourist Commercial

C1  
C2  
C3  
C4

##### **INDUSTRIAL ZONES**

Light Industrial  
Heavy Industrial

M1  
M2

##### **INSTITUTIONAL ZONE**

Institutional

I

##### **PARK ZONES**

Park and Recreation  
Park and Open Space

P1  
P2



## **5.2 Area of Zones**

- .1 The area of each zone is defined by Schedule 3.

## **5.3 Headings**

- .1 For the purpose of this Bylaw and except as noted in Section 5.1, all headings and other references forming part of this Bylaw must be construed as being inserted for convenience and reference only.

## **5.4 Permitted Uses**

In each zone created under section 5.1 of this Bylaw:

- .1 The only uses permitted are those listed in respect of each zone under the headings “Principal Permitted Uses” and “Accessory Permitted Uses” in Sections 6.0 to 12.0 of this Bylaw;
- .2 Uses not listed in respect of a particular zone are prohibited.

## **5.5 Conditions of Use**

- .1 On a particular lot in a specified zone created under Section 5.1 of this Bylaw, the maximum permitted lot coverage, height and density and the minimum required setbacks are set out in respect of each specified zone in the provisions found in Sections 6.0 to 12.0 inclusive of this Bylaw.

## **SECTION 6.0 RURAL ZONES**

### **6.1 Rural Residential Zone (RR1)**

- .1 Purpose:

The purpose of this zone is to provide rural residential lots outside intensive urban development areas.

- .2 Principal Permitted Uses:

- (a) agriculture;
- (b) animal care;
- (c) kennel; and
- (d) single detached dwelling.

- .3 Accessory Permitted Uses:

- (a) accessory buildings and structures;
- (b) home industry, accessory to a single detached dwelling;
- (c) home occupation, accessory to a single detached dwelling; and
- (d) secondary suite, accessory to a single detached dwelling.

**Regulations**

- .4 Minimum Lot Area: 2 ha.
- .5 Minimum Lot Width: 50 m.
- .6 Minimum Setbacks to Lot Lines:

(a) principal building:

- i. front yard – 9 m;
- ii. interior side yard – 3 m;
- iii. exterior side yard – 5 m; and
- iv. rear yard – 9 m.

(b) accessory buildings and structures:

- i. front yard – 9 m;
- ii. interior side yard – 3 m;
- iii. exterior side yard – 5 m; and
- iv. rear yard – 3 m.

(c) farm buildings and structures: see Tables 6.1.1a and 6.1.1b

**Table 6.1.1a  
SETBACKS FOR PRINCIPAL FARM BUILDINGS & STRUCTURES IN RR1 ZONE**

Minimum Required Setback:	TYPE OF AGRICULTURE			
	Apiculture	Greenhouse Nursery & Turf	Livestock, Game & Fur, Poultry, Stables & Kennels	Field & Forage Crop
<b>From Existing Residential Use Zones:</b> (common lot lines)	15 m	15 m for buildings with boilers & exhaust fans, otherwise 7.5 m	60 m	15 m for buildings with boilers & exhaust fans otherwise 7.5 m
<b>From Lot Lines:</b> Front & Exterior Side	7.5 m	9 m	30 m	9 m
	4.5 m	5 m	30 m	5 m
Rear & Interior Side	n/a	15 m for buildings with boilers & exhaust fans	n/a	15 m for buildings with boilers & exhaust fans
<b>Any lot line</b>				
<b>From Water:</b> Domestic Water Supplies	6 m	6 m	30 m	6 m
<b>Water Courses or Ditches</b>	4.5 m	7.5 m	30 m	7.5 m

**Note: For Table 6.1.1a “exhaust fans” refers only to fans on an exterior wall which face the lot line.**

**Table 6.1.1b**

**SETBACKS FOR ACCESSORY FARM BUILDINGS & STRUCTURES IN RR1 ZONE**

<b>Type of Facility or Use</b>	<b>Minimum Required Setback from Any Parcel Line</b>
Incinerator	30 m
Silo	30 m
Chemical Storage Structure	15 m when abutting a residential use zone
Generator Shed	15 m
Soilless Medium Storage Structure	30 m when abutting a residential use zone
On-Farm Processing Building	7.5 m

- .7 Maximum Height:
  - (a) principal dwelling – 10.5 m;
  - (b) accessory buildings and structures – 8 m; and
  - (c) farm buildings and structures – 12 m.
- .8 Maximum Density: 1 principal dwelling per 2 ha.
- .9 Maximum Lot Coverage: 15% for all buildings and structures.
- .10 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .11 General Regulations: in accordance with the Section 3.0 of this Bylaw.
- .12 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

**6.2 Urban Reserve Zone(UR)**

- .1 Purpose:
 

The purpose of this zone is to reserve those areas of the municipality which are rural in character for future urban development until such time as Council approves a specific urban zone.
- .2 Principal Permitted Uses:
  - (a) agriculture;
  - (b) forestry;
  - (c) greenhouse and plant nursery;
  - (d) gravel processing;
  - (e) impact utility services, major and minor;
  - (f) kennel; and
  - (g) single detached dwelling.
- .3 Accessory Permitted Uses:
  - (a) accessory buildings and structures;
  - (b) home industry, accessory to a single detached dwelling; and
  - (c) home occupation, accessory to a single detached dwelling.

**Regulations:**

- .4 Minimum Parcel Area: 8 ha.
- .5 Minimum Parcel Width: 60 m.
- .6 Minimum Setbacks to Lot Lines:
  - (a) principal building:
    - i. front yard – 9 m;
    - ii. interior side yard – 5 m;
    - iii. exterior side yard – 5 m; and
    - iv. rear yard – 5 m.
  - (b) accessory buildings and structures:
    - i. front yard – 9 m;
    - ii. interior side yard – 5 m;
    - iii. exterior side yard – 5 m; and
    - iv. rear yard – 5 m.
- .7 Maximum Height:
  - (a) principal dwelling – 10.5 m;
  - (b) accessory buildings and structures – 5 m; and
  - (c) farm buildings and structures – 12 m.
- .8 Maximum Density: 1 principal dwelling per 8 ha.
- .9 Maximum Lot Coverage: 10% for all buildings and structures.
- .10 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .11 General Regulations: in accordance with Section 3.0 of this Bylaw.
- .12 Specific Use Regulations:
  - (a) in accordance with Section 4.0 of this Bylaw; and
  - (b) despite the specific use regulations, prior to any rezoning of UR parcels to any other zone, Council will require a Concept Development Plan be prepared pursuant to the long-term policy direction established in the Corporation of the Village of Burns Lake Official Community Plan.

## **SECTION 7.0: LOW DENSITY RESIDENTIAL ZONES**

### **7.1 Residential Low Density Zone (R1)**

**.1 Purpose:**

The purpose of this zone is to provide areas for low density residential housing.

**.2 Principal Permitted Use:**

(a) single detached dwelling.

**.3 Accessory Permitted Uses:**

- (a) accessory buildings and structures;
- (b) care centre, minor;
- (c) home occupation; and
- (d) secondary suite.

### **Regulations**

**.4 Minimum Lot Area:** 464 m<sup>2</sup>.

**.5 Minimum Lot Width:** 15 m.

**.6 Minimum Setbacks to Lot Lines:**

(a) principal building:

- i. front yard – 6 m;
- ii. interior side yard – 1.5 m;
- iii. exterior side yard – 5 m; and
- iv. rear yard – 7.5 m.

(b) accessory buildings and structures:

- i. front yard – 6 m;
- ii. interior side yard – 1.5 m;
- iii. exterior side yard – 5 m; and
- iv. rear yard – 1.5 m.

**.7 Maximum Height:**

- (a) principal dwelling – 10.5 m; and
- (b) accessory buildings or structures – 5 m.

**.8 Maximum Density:**

- (a) 16 units per hectare; and
- (b) one principal dwelling per parcel.

**.9 Minimum Floor Area:** principal dwelling - 90 m<sup>2</sup>.

**.10 Minimum Dwelling Width:** principal dwelling – 6 m.

- .11 Maximum Lot Coverage: 40% for all buildings and structures.
- .12 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw .
- .13 General Regulations: in accordance with Section 3.0 of this Bylaw.
- .14 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

## **7.2 Residential Duplex Zone (R2)**

### **.1 Purpose:**

The purpose of this zone is to provide low density residential housing in the form of duplex and semi-detached dwellings.

### **.2 Principal Permitted Use:**

- (a) duplex;
- (b) semi-detached dwelling; and
- (c) single detached dwelling.

### **.3 Accessory Permitted Uses:**

- (a) accessory buildings and structures;
- (b) care centre, minor, accessory to a single detached dwelling;
- (c) home occupation, excluding a bed and breakfast; and
- (d) secondary suite accessory to a single detached dwelling.

## **Regulations**

### **.4 Minimum Lot Area:**

- (a) duplex lot – 830 m<sup>2</sup>;
- (b) one dwelling unit of semi-detached lot – 464 m<sup>2</sup>; and
- (c) single detached dwelling lot – 464 m<sup>2</sup>.

### **.5 Minimum Lot Width:**

- (a) interior duplex lot – 22 m;
- (b) corner duplex lot – 24 m;
- (c) interior, one dwelling unit of semi-detached lot – 11 m;
- (d) corner, one dwelling unit of semi-detached lot – 12 m;
- (e) interior, single detached lot – 11 m; and
- (f) corner, single detached lot – 12 m.

### **.6 Minimum Setbacks to Lot Lines:**

- (a) principal building:
  - i. front yard – 6 m;
  - ii. interior side yard – 1.5 m;
  - iii. interior attached units – 0 m
  - iv. exterior side yard – 4.5 m; and

- v. rear yard – 7.5 m.
- (b) accessory buildings and structures:
  - i. front yard – 6 m;
  - ii. interior side yard – 1.5 m;
  - iii. exterior side yard – 4.5 m; and
  - iv. rear yard – 1.5 m.
- .7 Maximum Height:
  - (a) principal dwelling – 10.5 m; and
  - (b) accessory buildings and structures – 5 m.
- .8 Maximum Density:
  - (a) 17.5 units per hectare; and
  - (b) up to two dwellings per parcel as per Section 7.2.4.
- .9 Minimum Floor Area:
  - (a) single detached dwelling – 90 m<sup>2</sup>; and
  - (b) semi-detached and duplex dwelling - 70 m<sup>2</sup> per unit.
- .10 Minimum Dwelling Width: principal dwelling – 6 m.
- .11 Maximum Lot Coverage: 45% for all buildings and structures.
- .12 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .13 General Regulations: in accordance with Section 3.0 of this Bylaw.
- .14 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

**7.3 Residential Comprehensive Development Zone (R3)**

- .1 Purpose:
 

The purpose of this zone is to provide low density residential housing on smaller lots on a comprehensively planned, traditional “fee simple” lot or as part of a bare land strata development.
- .2 Principal Permitted Uses:
  - (a) semi-detached dwelling; and
  - (b) single detached dwelling.
- .3 Accessory Permitted Uses:
  - a) accessory buildings and structures; and
  - b) home occupation, excluding bed and breakfast.
  - c) secondary suite accessory to a single detached dwelling.

## Regulations

- .4 Minimum Lot Area:
  - (a) individual parcel or strata lot – 375 m<sup>2</sup>;
  - (b) one dwelling unit of semi-detached lot – 375 m<sup>2</sup>; and
  - (c) bare land strata developments – 1 ha.
  
- .5 Minimum Lot Width:
  - (a) interior lot or strata lot – 11 m;
  - (b) corner lot or strata lot – 12 m; and
  - (c) bare land strata development parcel – 40 m.
  
- .6 Minimum Setbacks to Lot Lines and Strata Lot Lines:
  - (a) principal building:
    - i. front yard – 4 m;
    - ii. interior side yard – 1.5 m;
    - iii. exterior side yard – 4.5 m;
    - iv. interior attached units – 0 m; and
    - v. rear yard – 6 m.
  - (b) Accessory buildings and structures:
    - i. front yard – 4 m;
    - ii. interior side yard – 1.5 m;
    - iii. exterior side yard – 4.5 m; and
    - iv. rear yard – 1 m.
  - (c) Any dwellings, buildings or structures abutting any other zone:
    - 4.5m.
  
- .7 Maximum Height:
  - (a) principal dwelling – 10.5 m; and
  - (b) accessory buildings or structures – 5 m.
  
- .8 Maximum Density:
  - (a) 17.5 units per hectare; and
  - (b) one principal dwelling per lot or bare land strata lot.
  
- .9 Minimum Floor Area: 70 m<sup>2</sup>.
  
- .10 Minimum Dwelling Width: principal dwelling – 6 m.
  
- .11 Maximum Lot Coverage: 50% for all buildings and structures.
  
- .12 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
  
- .13 General Regulations:
  - (a) in accordance with Section 3.0 of this Bylaw; and



(b) despite the general regulations, other than the required yard setbacks, a minimum of 10% must be amenity area in bare land strata developments.

.14 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

#### **7.4 Residential Mobile Home Park Zone (R4)**

.1 Purpose:

The purpose of this zone is to provide areas for mobile home parks.

.2 Principal Permitted Use:

(a) manufactured or mobile home.

.3 Accessory Permitted Uses:

(a) accessory buildings and structures;

(b) amenity area;

(c) home occupation, excluding bed and breakfast;

(d) retail store, convenience; and

(e) recreational vehicle storage.

#### **Regulations**

.4 Minimum Mobile Home Site/Park Lot or Parcel Area:

(a) mobile home site – 370 m<sup>2</sup>; and

(b) mobile home park development lot or parcel – 2 ha.

.5 Minimum Mobile Home Site/Park Lot or Parcel Width:

(a) mobile home site – 12 m;

(b) cul-de-sac sites – 6 m; and

(c) mobile home park lot or parcel – 40 m.

.6 Minimum Setbacks to Lot Lines and Other Mobile Homes:

(a) to another mobile home – 6 m;

(b) to an internal access road – 6 m;

(c) to a rear or side site line – 1.5 m; and

(d) to an exterior property line – 4.5 m.

.7 Maximum Height: 7.6 m.

.8 Maximum Density:

(a) 20 units per hectare; and

(b) one mobile home per mobile home site.

.9 Minimum Floor Area: Principal dwelling - 70 m<sup>2</sup>.

.10 Maximum Site Coverage: 55% all buildings and structures on an individual mobile home site.

.11 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.

.12 General Regulations:

- (a) in accordance with Section 3.0 of this Bylaw;
- (b) despite the general regulations, other than the required yard setbacks, a minimum of 10% must be amenity area in a mobile home park; and
- (c) despite the general regulations, mobile home parks permitted within the R4 Zone are subject to the provisions of the Village of Burns Lake *Mobile Home Park Bylaw*, and any amendments thereto. Where there is a conflict between the regulations of the R4 Zone and the *Mobile Home Park Bylaw*, the regulations of the R4 Zone apply.

.13 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

## **SECTION 8.0: MULTIPLE DWELLING RESIDENTIAL ZONES**

### **8.1 Residential Medium Density Zone (R5)**

.1 Purpose:

The purpose of this zone is to provide medium density multi-unit housing.

.2 Principal Permitted Uses:

- (a) apartment;
- (b) congregate housing;
- (c) duplex;
- (d) fourplex;
- (e) rowhouse;
- (f) semi-detached dwelling; and
- (g) special needs housing.

.3 Accessory Permitted Uses:

- (a) accessory buildings and structures;
- (b) amenity area;
- (c) home occupation, excluding bed and breakfast; and
- (d) recreation vehicle storage, accessory to apartment and rowhouse.

#### **Regulations**

.4 Minimum Lot Area:

- (a) apartment and congregate housing – 1,400 m<sup>2</sup>;
- (b) rowhouse – 1,000 m<sup>2</sup>; and
- (c) duplex, fourplex and semi-detached – 830 m<sup>2</sup>.

- .5 Minimum Lot Width:
  - (a) apartment, congregate housing, and rowhouse, interior and corner lots – 30 m;
  - (b) duplex, fourplex and semi-detached interior lots – 22 m; and
  - (c) duplex, fourplex and semi-detached corner lots – 24 m.
  
- .6 Minimum Setbacks to Lot Lines:
  - (a) principal building:
    - i. front yard – 6 m, except apartments and congregate housing which must be 7.5 m;
    - ii. interior side yard – 2 m;
    - iii. exterior side yard – 5 m; and
    - iv. rear yard – 7.5 m.
  - (b) accessory buildings and structures:
    - i. front yard – 6 m;
    - ii. interior side yard – 1.5 m;
    - iii. exterior side yard – 5 m; and
    - iv. rear yard – 1.5 m.
  
- .7 Maximum Height:
  - (a) principal buildings – 10.5 m; and
  - (b) accessory buildings and structures – 5 m.
  
- .8 Maximum Density:
  - (a) 30 dwelling units per hectare; and
  - (b) despite 8.1.8(a), where provision for special needs housing is provided, as defined in Section 2.3 and regulated in Section 3.17 of this Bylaw, density may be increased to 35 dwelling units per hectare.
  
- .9 Minimum Floor Area:
  - (a) Apartments:
    - i. bachelor units – 50 m<sup>2</sup>;
    - ii. one bedroom unit – 65 m<sup>2</sup>;
    - iii. two bedroom unit – 72 m<sup>2</sup>; and
    - iv. three bedroom unit or greater – 85 m<sup>2</sup>.
  - (b) Rowhouse:
    - i. one bedroom unit – 70 m<sup>2</sup>;
    - ii. two bedroom unit – 85 m<sup>2</sup>; and
    - iii. three bedroom unit or greater – 95 m<sup>2</sup>.
  
- .10 Maximum Lot Coverage:
  - (a) all buildings – 40%; and
  - (b) all buildings, driveways and parking areas – 50%.

- .11 Recreation Vehicle Storage:
  - (a) must not be located within the front yard setback.
  - (b) must be screened and landscaped according to section 3.14 of this bylaw.
- .12 Off-street parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .13 General Regulations:
  - (a) in accordance with Section 3.0 of this Bylaw; and
  - (b) despite the general regulations, other than the required yard setbacks, for rowhouse and apartment, a minimum of 7 m<sup>2</sup> per bachelor unit; 12 m<sup>2</sup> per one bedroom unit; and 18 m<sup>2</sup> per each two or more bedroom unit of amenity area is required.
- .14 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

## **8.2 Residential High Density Zone (R6)**

- .1 Purpose:
 

The purpose of this zone is to provide high density multiple dwelling housing.
- .2 Principal Permitted Uses:
  - (a) apartment;
  - (b) congregate housing;
  - (c) rowhouse; and
  - (d) special needs housing.
- .3 Accessory Permitted Uses:
  - (a) accessory buildings and structures;
  - (b) amenity area;
  - (c) home occupation, excluding bed and breakfast; and
  - (d) recreation vehicle storage.

### **Regulations**

- .4 Minimum Lot Area: 1,600 m<sup>2</sup>.
- .5 Minimum Lot Width: 30 m.
- .6 Minimum Setbacks to Lot Lines:
  - (a) principal buildings:
    - i. front yard – 7.5 m;
    - ii. interior side yard for buildings less than 2 storeys – 4.5 m;
    - iii. interior side yard for buildings over 2 storeys – 7.5 m;
    - iv. exterior side yard – 7.5 m; and

- v. rear yard – 7.5 m.
- (b) accessory buildings and structures:
- i. front yard – 7.5 m;
  - ii. interior side yard – 1.5 m;
  - iii. exterior side yard – 7.5 m; and
  - iv. rear yard – 1.5 m.
- .7 Maximum Height:
- (a) principal buildings – 14 m; and
  - (b) accessory buildings and structures – 5 m.
- .8 Maximum Density
- (a) 60 dwelling units per hectare; and
  - (b) despite 8.1.8(a) where provision for special needs housing is provided, as defined in Section 2.3 and regulated in Section 3.17 of this Bylaw, this density may be increased to 65 dwelling units per hectare.
- .9 Minimum Floor Area:
- (a) apartments:
    - i. bachelor units – 50 m<sup>2</sup>;
    - ii. one bedroom unit – 65 m<sup>2</sup>;
    - iii. two bedroom unit – 72 m<sup>2</sup>; and
    - iv. three bedroom unit or greater – 85 m<sup>2</sup>.
  - (b) rowhouse:
    - i. one bedroom unit – 70 m<sup>2</sup>;
    - ii. two bedroom unit – 85 m<sup>2</sup>; and
    - iii. three bedroom unit or greater – 95 m<sup>2</sup>.
- .10 Maximum Lot Coverage:
- (a) all buildings – 40%; and
  - (b) all buildings, driveways, and parking areas – 60%.
- .11 Recreation Vehicle Storage:
- (a) must not be located within the front yard setback.
  - (b) must be screened and landscaped according to section 3.14 of this bylaw.
- .12 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .13 General Regulations:
- (a) in accordance with Section 3.0 of this Bylaw; and
  - (b) despite the general regulations, other than the required yard setbacks, for rowhouse and apartments, a minimum of 7 m<sup>2</sup> per bachelor unit; 12 m<sup>2</sup> per one bedroom unit; and 18 m<sup>2</sup> per each two or more bedroom unit of amenity area is required.

.14 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

## **SECTION 9.0 COMMERCIAL ZONES**

### **9.1 Central Business District Commercial Zone (C1)**

**.1 Purpose:**

The purpose of this zone is to designate and preserve land for the orderly development of the financial, governmental, cultural, high density residential, office, and commercial core of the Village of Burns Lake.

**.2 Principal Permitted Uses:**

- (a) amusement establishment, indoor;
- (b) assembly hall;
- (c) business support services;
- (d) care centre, minor;
- (e) catering food services;
- (f) commercial and trade school;
- (g) community hall;
- (h) contractor services, limited;
- (i) duplex, subject to subsection 9.1.1.1;
- (j) eating and drinking establishment;
- (k) equipment rentals;
- (l) farmer's market;
- (m) financial services;
- (n) fleet services;
- (o) funeral services;
- (p) gas bar;
- (q) government services;
- (r) hardware and home improvement store;
- (s) health services;
- (t) hotel;
- (u) household repair services;
- (v) licensee retail store;
- (w) liquor primary;
- (x) motel;
- (y) office;
- (z) personal service establishments;
- (aa) private clubs;
- (bb) public education services;
- (cc) public library and cultural exhibits;
- (dd) religious assembly;
- (ee) retail store, convenience;
- (ff) retail store, general;
- (gg) secondhand store;
- (hh) semi-detached dwelling, subject to subsection 9.1.1.1;
- (ii) single detached dwelling, subject to subsection 9.1.1.1; and
- (jj) spectator entertainment establishment.

- .3 Accessory Permitted Uses:
- (a) accessory buildings and structures;
  - (b) congregate housing combined with commercial;
  - (c) home occupation as part of a multiple dwelling unit;
  - (d) residential use, combined with commercial, subject to subsection 9.1.11; and
  - (e) special needs housing, combined with commercial.

**Regulations**

- .4 Minimum Lot Area: 464 m<sup>2</sup>.
- (a) despite Section 9.1.4(a) hotel or motel - 1,800 m<sup>2</sup>; and
  - (b) despite Section 9.1.4(a) gas bar - 1,200 m<sup>2</sup>, and gas bar in shopping centre - 1,000 m<sup>2</sup>.
- .5 Minimum Lot Width: 15 m.
- .6 Minimum Setbacks to Lot Line:
- (a) principal and accessory buildings and structures:
    - i. front yard – 0 m;
    - ii. interior side yard – 0 m;
    - iii. exterior side yard – 0m; and
    - iv. rear yard – 0 m.
  - (b) despite the setback provisions of 9.1.6(a) above, where a development is adjacent a low density residential zone, 3 m, or one half the height of the building, to a maximum of 6 m setback to the interior side lot line.
- .7 Maximum Height: 16.5 m or up to 4 storeys.
- .8 Maximum Density:
- (a) floor area ratio of 3.2; and
  - (b) despite 9.1.8(a), where provision for special needs housing is provided, as defined in Section 2.3 and regulated in Section 3.17 of this Bylaw, the density may be increased to a floor area ratio of 4.0.
- .9 Maximum Lot Coverage: for all buildings and structures – 80%.
- .10 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .11 Residential Use in C1
- (a) single family, duplex and semi-detached residential use shall be permitted provided that the residential dwelling(s) shall not be a new purpose built structure; only the use of an existing building is permitted
  - (b) any residential use, congregate housing and special needs housing combined with commercial or other permitted uses must:



- (a) be contained in the same building except in the case of a motel;
- (b) be located above or behind the permitted use;
- (c) shall not exceed density of 40 units per ha;
- (d) have a floor area not less than 50 m<sup>2</sup>.
- (e) provide access to the ground level from a separate access from the commercial or other permitted use; and
- (f) provide amenity area of at least 7 m<sup>2</sup> per bachelor unit; 12 m<sup>2</sup> per one bedroom unit; and 18 m<sup>2</sup> per each two or more bedroom units.

- .12 General Regulations: in accordance with Section 3.0 of this Bylaw.
- .13 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

## 9.2 Highway Commercial Zone (C2)

### .1 Purpose:

The purpose of this zone is to designate sites for the development of business areas intended to serve vehicular traffic. The C2 zone will be reserved for those sites located adjacent to Highways 16 and 35, arterial and collector roadways in order to minimize the intrusion of vehicular traffic into residential areas and to promote the orderly flow of vehicular traffic using these sites.

### .2 Principal Permitted Uses:

- (a) amusement establishment, indoor and outdoor;
- (b) animal care;
- (c) assembly hall;
- (d) automotive carwash;
- (e) automotive and equipment repair shop;
- (f) automotive and minor recreation vehicle sales and rental;
- (g) business support services;
- (h) catering food services;
- (i) commercial and trade school;
- (j) contractor services, limited;
- (k) duplex, subject to subsection 9.2.11.2;
- (l) eating and drinking establishment;
- (m) equipment rentals;
- (n) farmer's market;
- (o) fast food outlet;
- (p) financial services;
- (q) fleet services;
- (r) funeral services;
- (s) gas bar;
- (t) government services;
- (u) hardware and home improvement store;
- (v) health services;

- (w) hotel;
- (x) household repair services;
- (y) impact utility services, minor;
- (z) licensee retail store;
- (aa) liquor primary;
- (bb) motel;
- (cc) office;
- (dd) participant recreation services, indoor;
- (ee) personal service establishment;
- (ff) pet store;
- (gg) private club;
- (hh) public library and cultural exhibits;
- (ii) recycling depot;
- (jj) retail store, convenience;
- (kk) secondhand store;
- (ll) service station;
- (mm) semi-detached dwelling, subject to subsection 9.2.11.2;
- (nn) single detached dwelling, subject to subsection 9.2.11.2;
- (oo) spectator entertainment establishment;
- (pp) truck and mobile home sale and rental; and
- (qq) warehouse sales.

.3 Accessory Permitted Uses:

- (a) accessory buildings and structures;
- (b) accessory business office; and
- (c) residential use, combined with commercial, subject to subsection 9.2.11;

**Regulations**

.4 Minimum Lot Area:

- (a) 464 m<sup>2</sup>;
- (b) despite Section 9.2.4(a) hotel or motel - 1,800 m<sup>2</sup>;
- (c) despite Section 9.2.4(a) gas bar - 1,200 m<sup>2</sup>, gas bar in shopping centre - 1,000 m<sup>2</sup>; and
- (d) despite Section 9.2.4(a) service stations - 1,400 m<sup>2</sup>.

.5 Minimum Lot Width:

- (a) 15 m; and
- (b) despite Section 9.2.5(a) hotel and motel - 30 m.

.6 Minimum Setbacks to Lot Line:

- (a) principal and accessory buildings and structures:
  - i. front yard - 6 m;
  - ii. interior side yard - 3 m;
  - iii. exterior side yard - 6 m; and
  - iv. rear yard - 3 m.

- (b) despite Section 9.2.6(a) all hotel and motel buildings – 7.5 m from all lot lines; and
- (c) despite Section 9.2.6(a), fuel pump islands - 4.5 m from all lot lines.

.7 Maximum Height:

- (a) 12 m or up to 2 storeys; and
- (b) despite Section 9.2.7(a), a hotel - 16.5 m or up to four storeys.

.8 Maximum Density:

- (a) floor area ratio - 0.5; and
- (b) despite Section 9.2.8(a), hotel - floor area ratio of 1.0.

.9 Maximum Lot Coverage: all buildings and structures - 55%.

.10 Off-street Parking and Loading: In accordance with Schedule 2 of this Bylaw.

.11 Residential Use in C2:

- (a) single family, duplex and semi-detached residential use shall be permitted provided that the residential dwelling(s) shall not be a new purpose built structure; only the use of an existing building is permitted.

(b) shall be permitted in conjunction with a commercial use provided that the residential dwelling(s):

- i. be contained in the same building as the permitted use except in the case of a motel;
- ii. be located above or behind the permitted use;
- iii. shall not exceed a density of 40 units per ha;
- iv. have a floor area not less than 50 m<sup>2</sup>;
- v. provide access to the ground level from a separate access from the commercial or other permitted use; and
- vi. provide amenity area of at least 7 m<sup>2</sup> per bachelor unit; 12 m<sup>2</sup> per one bedroom unit; and 18 m<sup>2</sup> per each two or more bedroom units.

.12 General Regulations: in accordance with Section 3.0 of this Bylaw.

.13 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

### 9.3 Shopping Centre Commercial Zone (C3)

.1 Purpose:

The purpose of this zone is to designate land for shopping centres which service both the community and the regional trading area, and has direct access to Highway 16 and arterial roadways in order to minimize the intrusion of vehicular traffic into residential areas.

.2 Principal Permitted Uses:

- (a) amusement establishment, indoor;
- (b) animal care;
- (c) business support services;
- (d) care centre, minor;
- (e) catering food service;
- (f) eating and drinking establishment;
- (g) farmer's market;
- (h) fast food outlet;
- (i) financial services;
- (j) gas bar;
- (k) government services;
- (l) health services;
- (m) hotel;
- (n) household repair services;
- (o) licensee retail store
- (p) liquor primary;
- (q) office;
- (r) participant recreation services, indoor;
- (s) personal service establishment;
- (t) retail store, convenience;
- (u) retail store, general; and
- (v) spectator entertainment establishment.

.3 Accessory Permitted Uses:

- (a) accessory buildings and structures.

**Regulations**

.4 Lot Area:

- (a) 0.8 ha;
- (b) maximum - 4 ha.

.5 Minimum Lot Width: 30 m.

.6 Minimum Setbacks to Lot Lines:

- (a) principal and accessory buildings and structures:

- i. front yard – 7.5 m;
- ii. interior side yard – 7.5 m;
- iii. exterior side yard – 7.5 m; and
- iv. rear yard – 7.5 m.

- (b) despite Section 9.3.6(a), commercial retail unit buildings having a floor area up to 280 m<sup>2</sup> may encroach within 4.5 m of a non-residential lot line in order to achieve the objectives of the Highway 16 corridor development permit guidelines.

.7 Maximum Height:

- (a) 12 m or up to 2 storeys; and

(b) despite Section 9.3.7(a) hotel - 16.5 m or four storeys.

- .8 Maximum Density:
  - (a) floor area ratio - 0.5; and
  - (b) despite Section 9.3.8(a), hotel – floor area ratio of 0.8.
- .9 Maximum Site Coverage: all buildings and structures - 50%.
- .10 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .11 General Regulations: in accordance with Section 3.0 of this Bylaw.
- .12 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

#### **9.4 Tourist Commercial Zone (C4)**

.1 Purpose:

The purpose of this zone is to provide for short-term tourist accommodation and recreation facilities.

.2 Principal Permitted Uses:

- (a) amusement establishment, indoor and outdoor;
- (b) assembly hall;
- (c) campground;
- (d) catering food service;
- (e) eating and drinking establishment;
- (f) farmer's market;
- (g) government services;
- (h) hotel;
- (i) impact utility services, minor;
- (j) licensee retail store;
- (k) liquor primary;
- (l) motel;
- (m) participant recreation services, indoor and outdoor;
- (n) personal service establishment;
- (o) public library and cultural exhibits;
- (p) spectator entertainment establishment; and
- (q) wharf.

.3 Accessory Permitted Uses:

- (a) accessory buildings and structures;
- (b) equipment rentals; and
- (c) retail store, convenience.

#### **Regulations**

- .4 Minimum Parcel Area: 0.5 ha.

- .5 Minimum Lot Width: 30 m.
- .6 Minimum Setbacks to Lot Lines:
  - (a) principal and accessory buildings and structures:
    - i. front yard – 7.5 m;
    - ii. interior side yard – 3 m;
    - iii. exterior side yard – 4.5 m; and
    - iv. rear yard – 6 m.
- .7 Maximum Height:
  - (a) all buildings and structures – 10.5 m; and
  - (b) despite 9.4.7(a), a hotel – 16.5 m or up to four storeys.
- .8 Maximum Density: floor area ratio – 1.0.
- .9 Maximum Lot Coverage: all buildings and structures – 50%.
- .10 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .11 General Regulations: in accordance with Section 3.0 of this Bylaw.
- .12 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

## **SECTION 10.0: INDUSTRIAL ZONES**

### **10.1 Light Industrial Zone (M1)**

#### **.1 Purpose:**

The purpose of this zone is to designate sites for the manufacturing, processing, assembly, distribution, service and repair uses which carry out a portion of their operation outdoors or require outdoor storage areas.

#### **.2 Principal Permitted Uses:**

- (a) agricultural sales and services;
- (b) animal care;
- (c) auctioneering establishment;
- (d) autobody repair and paint shop;
- (e) automotive carwash;
- (f) automotive and equipment repair shop;
- (g) automotive and minor recreation vehicle sales and rental;
- (h) bulk fuel storage and distribution;
- (i) business support services;
- (j) catering food services;
- (k) commercial and trade school;
- (l) contractor services, general;
- (m) contractor services, limited;
- (n) eating and drinking establishment;
- (o) equipment rentals;
- (p) fleet services;
- (q) government services;
- (r) greenhouse and plant nursery;
- (s) health services;
- (t) heavy equipment, machinery and tool sales and rental;
- (u) household repair services;
- (v) impact utility services, major and minor;
- (w) industrial storage;
- (x) industrial uses, general;
- (y) industrial/utilities-oriented office;
- (z) kennel;
- (aa) licensee retail store;
- (bb) liquor primary;
- (cc) manufacturing establishment, minor;
- (dd) moving and cartage services;
- (ee) recycling depot;
- (ff) secondhand store;
- (gg) service station; and
- (hh) truck and mobile home sales and rental.

.3 Accessory Permitted Uses:

- (a) accessory buildings and structures;
- (b) accessory business office; and
- (c) accessory dwelling.

**Regulations**

- .4 Minimum Lot Area: 1,000 m<sup>2</sup>.
- .5 Minimum Lot Width: 30 m.
- .6 Minimum Setbacks to Lot Line:
  - (a) principal and accessory buildings and structures:
    - i. front yard – 7.5 m;
    - ii. interior side yard – 3 m;
    - iii. exterior side yard – 4.5 m; and
    - iv. rear yard – 6 m.
- .7 Maximum Height: 15.5 m.
- .8 Maximum Density: floor area ratio of 1.2.
- .9 Maximum Site Coverage: all buildings and structure - 60%.
- .10 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .11 General Regulations: in accordance with Section 3.0 of this Bylaw.
- .12 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

**10.2 Heavy Industrial Zone (M2)**

.1 Purpose:

The purpose of this zone is to designate sites for those industries containing significant primary processing, resource extraction, and outside storage of materials and products which are generally not compatible with non-industrial uses.

.2 Principal Permitted Uses:

- (a) agricultural sales and service;
- (b) animal care;
- (c) asphalt manufacturing;
- (d) assembly halls;
- (e) auctioneering establishment;
- (f) autobody repair and paint shop;
- (g) automotive carwash;
- (h) automotive and equipment repair shop;
- (i) autowrecking;
- (j) bulk fuel storage and distribution;



- (k) business support services;
- (l) commercial and trade school;
- (m) concrete, and cement manufacturing and storage;
- (n) contractor services, limited and general;
- (o) eating and drinking establishment;
- (p) equipment rentals;
- (q) fleet services;
- (r) gas bar;
- (s) government services;
- (t) gravel processing;
- (u) greenhouse and plant nursery;
- (v) heavy equipment, machinery and tool sales and rental;
- (w) household repair services;
- (x) impact utility services, major and minor;
- (y) industrial storage;
- (z) industrial uses, general;
- (aa) industrial/utilities-oriented office;
- (bb) kennel;
- (cc) manufacturing establishment;
- (dd) moving and cartage services;
- (ee) participant recreation services, indoor;
- (ff) recycling depot;
- (gg) salvage materials and storage;
- (hh) service industry;
- (ii) service station;
- (jj) truck and mobile home sales/rentals; and
- (kk) vehicle and equipment sales/rentals, industrial.

.3 Accessory Permitted Uses:

- (a) accessory buildings and structures;
- (b) accessory business office; and
- (c) accessory dwelling.

**Regulations**

.4 Minimum Lot Area: 1,200 m<sup>2</sup>.

.5 Minimum Lot Width: 30 m.

.6 Minimum Setbacks to Lot Lines:

(a) principal and accessory buildings and structures:

- i. front yard – 10 m;
- ii. interior side yard – 4.5 m;
- iii. exterior side yard – 10 m; and
- iv. rear yard – 7.5 m.

- .7 Maximum Height:
  - (a) principal buildings – 18 m; and
  - (b) accessory buildings and structures – 26 m.
- .8 Maximum Density: floor area ratio - 0.75.
- .9 Maximum Lot Coverage: all buildings and structures - 40%.
- .10 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .11 General Regulations: in accordance with Section 3.0 of this Bylaw.
- .12 Specific Use Regulations: in accordance with Section 4.0 of this Bylaw.

## **SECTION 11.0 INSTITUTIONAL ZONE**

### **11.1 Institutional Zone (II)**

**.1 Purpose:**

The purpose of this zone is to provide for a variety of government, cultural and institutional uses.

**.2 Principal Permitted Uses:**

- (a) amusement establishment, outdoor;
- (b) assembly hall;
- (c) care center, major;
- (d) care centre, intermediate;
- (e) care centre, minor;
- (f) cemetery;
- (g) community hall;
- (h) congregate care housing;
- (i) fleet services;
- (j) funeral services;
- (k) government services;
- (l) greenhouse and plant nursery;
- (m) health services;
- (n) hospital;
- (o) impact utility service, major and minor;
- (p) participant recreation services, outdoor and indoor;
- (q) private club;
- (r) public education services;
- (s) public library and cultural exhibits;
- (t) religious assembly;
- (u) special needs housing; and
- (v) spectator entertainment establishment.

**.3 Accessory Permitted Use:**

- (a) accessory buildings and structures;
- (b) accessory business office;
- (c) accessory equipment rentals;
- (d) eating and drinking establishment; and
- (e) staff residence or dormitory.

**Regulations**

- .4 Minimum Lot Area: 464 m<sup>2</sup>.
- .5 Minimum Lot Width: 15 m.
- .6 Minimum Setbacks to Lot Lines:
  - (a) principal and accessory buildings and structures:

- i. front yard – 6 m;
  - ii. interior side yard – 3 m;
  - iii. exterior side yard – 4.5 m; and
  - iv. rear yard – 6 m.
- .7 Maximum Height: all buildings and structures – 16.5 m or up to 4 storeys.
- .8 Maximum Density: floor area ratio - 2.0.
- .9 Maximum Lot Coverage: all buildings and structures - 50%.
- .10 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .11 General Regulations: in accordance with Section 3.0 of this Bylaw.

## **SECTION 12.0 PARK ZONES**

### **12.1 Park and Recreation Zone (P1)**

**.1 Purpose:**

The purpose of this zone is to provide for the enhancement of lands for park and recreation uses.

**.2 Principal Permitted Uses:**

- (a) amusement establishment, indoor and outdoor;
- (b) assembly hall;
- (c) campground;
- (d) cemetery;
- (e) golf course;
- (f) government services;
- (g) impact utility service, minor;
- (h) participant recreation services, indoor and outdoor;
- (i) public education services;
- (j) public library and cultural exhibits;
- (k) spectator entertainment establishment;
- (l) spectator sports establishment; and
- (m) wharf.

**.3 Accessory Permitted Uses:**

- (a) accessory buildings and structures;
- (b) accessory business office;
- (c) care centre, minor;
- (d) clubhouse, accessory to a golf course;
- (e) eating and drinking establishment;
- (f) equipment rentals; and
- (g) private club.

### **Regulations**

**.4 Minimum Lot Area: 0.6 ha.**

**.5 Minimum Lot Width: 20 m.**

**.6 Minimum Setbacks to Lot Lines:**

(a) principal and accessory buildings and structures:

- i. front yard – 6 m;
- ii. interior side yard – 6 m;
- iii. exterior side yard – 6 m; and
- iv. rear yard – 6 m.

**.7 Maximum Height: all buildings and structures – 10.5 m**

- .8 Maximum Lot Coverage: all buildings and structures - 40%.
- .9 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .10 General Regulations: in accordance with Section 3.0 of this Bylaw.

### **12.2 Park and Open Space Zone (P2)**

#### **.1 Purpose:**

The purpose of this zone is to provide for the preservation and enhancement of lands for public park uses.

#### **.2 Principal Permitted Uses:**

- (a) cemetery;
- (b) public park; and
- (c) wildlife interpretive centre.

#### **.3 Accessory Permitted Uses:**

- (a) accessory buildings and structures; and
- (b) participant recreation service, outdoor.

### **Regulations**

- .4 Minimum Lot Area: 0.6 ha.
- .5 Minimum Lot Width: 20 m.
- .6 Minimum Setbacks to Lot Lines:
  - (a) principal and accessory buildings and structures:
    - i. front yard – 6 m;
    - ii. interior side yard – 6 m;
    - iii. exterior side yard – 6 m; and
    - iv. rear yard – 6 m.
- .7 Maximum Height: all buildings and structures – 10.5 m.
- .8 Maximum Lot Coverage: all buildings and structures – 10%.
- .9 Off-street Parking and Loading: in accordance with Schedule 2 of this Bylaw.
- .10 General Regulations: in accordance with Section 3.0 of this Bylaw.

## **SCHEDULE 2:**

### **SECTION 1.0: OFF-STREET PARKING AND LOADING REGULATIONS**

#### **1.1 Basic Off-street Parking and Loading Provisions**

- .1 Space for all off-street parking and loading of motor vehicles in respect of a class of building or use permitted under this Bylaw shall be provided and maintained in accordance with the regulations of this section.
- .2 The developments within 800 m of an intersection with a controlled access highway fall under the joint jurisdiction of the Ministry of Transportation and Infrastructure and the Village of Burns Lake. Accordingly such developments must comply with the requirements pursuant to the *Transportation Act*.
- .3 For developments requiring approval and/or highway access from the Ministry of Transportation and Infrastructure, the number and size of off-street parking spaces shall be in accordance with Ministry of Transportation and Infrastructure standards and specifications.
- .4 The regulations contained in this section do not apply to buildings, structures and uses existing as of the date of adoption of this Bylaw except:
  - (a) Any alteration or addition to an existing building, structure or use is governed by the *Local Government Act*; and
  - (b) The number of off-street parking or loading spaces provided prior to the date of adoption of this Bylaw must not be reduced below the applicable off-street or loading space requirements of this section.
- .5 The number of required off-street parking and loading spaces must be calculated as follows:
  - (a) The number of off-street parking required for a building or parcel is calculated according to Table 1.5 of Schedule 2 of this Bylaw;
  - (b) The number of off-street loading spaces for motor vehicles required for a class of building or use is calculated according to Table 1.6 of Schedule 2 of this Bylaw;
  - (c) Where the calculation of the required off-street parking spaces or loading spaces results in fraction, one parking or loading space must be provided in respect of that fraction;
  - (d) Where seating accommodation is the basis for a unit of measurement under this section and consists of benches, pews, booths or similar seating arrangements, each ½ m of width of such seating must be deemed to be one seat;
  - (e) Where the number of employees are used to determine the required parking spaces, the calculation must use the maximum number of employees anticipated on the site at any time;

- (f) In the case of mixed uses, the total requirements for the off-street parking or loading facility must be the sum of the requirements for the various use computed separately;
- (g) In respect of a class of building permitted under this Bylaw which is not specifically referred to in Tables 1.5 and 1.6, the number of off-street parking and loading spaces is calculated on the basis of the requirements for a similar class of building that is listed in Table 1.5 and Table 1.6; and
- (h) Any development accessing onto a controlled access highway must apply for an access permit from the Ministry of Transportation and Infrastructure. The permit would apply to the existing development. A new permit would be required if the use is changed or there are additions to buildings.



**Table 1.5  
REQUIRED OFF-STREET PARKING SPACES**

<u>Use</u>	<u>Required Off-street Spaces</u>
Residential	
Bed and Breakfast	1 space per guest room, plus spaces required for the principal dwelling
Home Occupations	1 space, or spaces (in addition to parking required for residential use) as required for the specific use if listed elsewhere in Table 1, whichever is greater
Mobile Home Park	2 per dwelling unit, plus 1 space per 7 dwelling units for visitor parking
Multiple Dwelling Residential in Commercial and Institutional Uses	1.5 per dwelling unit
Multiple Dwelling Residential	1 per bachelor unit, 1.25 per 1 bedroom unit, 1.5 per 2 or more bedroom unit plus 1 per 7 dwelling units for visitor parking
Secondary Suites	1 space per suite
Single Detached, Semi-Detached, and Duplex Dwellings	2 per dwelling unit plus 1 per 7 dwellings for visitor parking for bare land strata developments
<b><u>Commercial and Industrial</u></b>	
Amusement Arcade	2.5 per 100 m <sup>2</sup> of gross floor area
Animal Care, Kennel	1 per 100 m <sup>2</sup> of gross floor area
Auctions	1 per 10 m <sup>2</sup> of auction floor
Auto, RV and Boat Sales and Repair	1 per 70 m <sup>2</sup> of gross floor area, plus 2 per service bay
Bowling Alleys	2 per alley
Building Supplies	5.9 per 100 m <sup>2</sup> of gross leasable floor area

**Table 1.5 (con't)**  
**REQUIRED OFF-STREET PARKING SPACES**

<b>Use</b>	<b>Required Off-street Spaces</b>
<b>Commercial and Industrial (con't)</b>	
Campground	1 per camping site, plus 2 spaces for operator
Car Wash	4 per bay (storage) plus 1 space
Care Centre, Minor	1 per 35 m <sup>2</sup> gross floor area
Cold Beer and Wine Store	1 space per 45 m <sup>2</sup>
Convenience Store	1 per 15 m <sup>2</sup> of retail area, with a 10 space minimum
Delivery and Express Facility	1 per 100 m <sup>2</sup> of office area
Eating and Drinking Establishments, Nightclubs, Bars and Liquor Primary uses	1 per 3 seats
Eating and Drinking Establishments, Fast Food Outlet	2.5 per 100 m <sup>2</sup> of gross floor area with a 6 space minimum
Equipment, Machinery, Tool and Appliance Sales Rental and Repair	1.5 per 100 m <sup>2</sup> gross floor area plus 1 per 28 m <sup>2</sup> retail or display area
Food Catering Services	1 space per 45 m <sup>2</sup>
Golf Course	4 per hole
Health and Fitness Establishment	1 per 20 m <sup>2</sup> gross floor area
Hotels and Motels	1 per sleeping or kitchen unit
Laundromats	1 per 28 m <sup>2</sup> of public washing gross floor area
Laundry, Dry Cleaner	1 per 28 m <sup>2</sup> of gross floor area
Licensee Retail Store	1 space per 45 m <sup>2</sup>

**Table 1.5 (con't)**  
**REQUIRED OFF-STREET PARKING SPACES**

<b>Use</b>	<b>Required Off-street Spaces</b>
<b>Commercial and Industrial (con't)</b>	
Livestock Auction, Stockyard Abattoir	1 per 100 m <sup>2</sup> gross floor area plus 1 per 15 m <sup>2</sup> of gross floor area intended for public assembly
Manufacturing; Industrial; Laboratories; Servicing, Rental and Repair; Printing and Publishing; Display Yards; Storage; Ware-housing; and Wholesale Uses	1.5 per 100 m <sup>2</sup> plus 1 per 28 m <sup>2</sup> of display or retail sales area

Miniature Golf	1 per hole
Nursery and Greenhouse	6.7 per 100 m <sup>2</sup> of gross floor area of retail sales building
Office, Medical and Dental	1 per 28 m <sup>2</sup> of gross floor area, or 3 spaces for each full or part-time doctor, whichever is greater
Office, including Banks and Financial Institutions, Business and Professional	1 per 28 m <sup>2</sup> of gross floor area
Personal Service Establishment	1 per 28 m <sup>2</sup>
Retail Store, general, not in a Shopping Centre	4.4 per 100 m <sup>2</sup> of gross floor area
Service Station	3 per service bay or one per pump, whichever is greater
Shopping Centre with a gross leasable area of 1000 m <sup>2</sup> or less	1 per 28 m <sup>2</sup> of gross leasable area
Shopping Centre with a gross leasable area of 1000 m <sup>2</sup> to 4000 m <sup>2</sup>	4.4 per 100 m <sup>2</sup> of gross leasable area
Shopping Centre with a gross leasable area greater than 4000 m <sup>2</sup>	1 per 18 m <sup>2</sup> of gross leasable area
Supermarket, Grocery Store	4.4 per 100 m <sup>2</sup> of retail gross floor area

**Table 1.5 (con't)  
REQUIRED OFF-STREET PARKING SPACES**

<b>Use</b>	<b>Required Off-street Spaces</b>
Commercial and Industrial (con't)	
Taxi	1 per taxi plus one per 35 m <sup>2</sup> office gross floor area
Trade Contractor's Office and Storage	1 per 50 m <sup>2</sup> gross floor area
Transportation Depots, Fleet Services	1 per 15 m <sup>2</sup> of waiting room area
Video Rental	1 per 28 m <sup>2</sup> of gross floor area
Institutional	
Churches, Religious Assembly	1 per 4 seats
Dormitories	1 per 5 beds
Hospitals, Congregate Housing, Nursing Home	1 per 4 beds
Public Assembly Uses Such as Clubs, Lodges, Community Halls, Museums, Libraries, and Theatres	1 per 5 seats and 1 per 10 m <sup>2</sup> of public assembly area without fixed seats, excluding playing surfaces, whichever is greater
Recreation Uses Such as Arenas, Curling Rinks and Swimming	1 per 4 m <sup>2</sup> of swimming pool surface, and 4 per curling sheet or 1 per 10 m <sup>2</sup> of ice rink surface or recreation floor

Pools	space, plus 1 per 20 spectator seats
Care Centre, Intermediate, or Major	1 per 10 persons, plus 1 per 2 employees on duty
Schools	
-kindergarten, elementary and junior high	1 per classroom 5 per classroom
-senior high	10 per classroom
-college	
Government Services	1 per 35 m <sup>2</sup> of gross floor area

**Table 1.6**

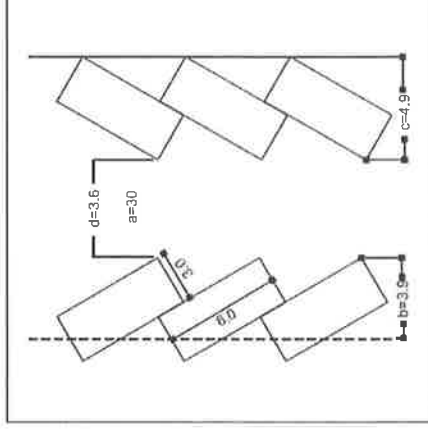
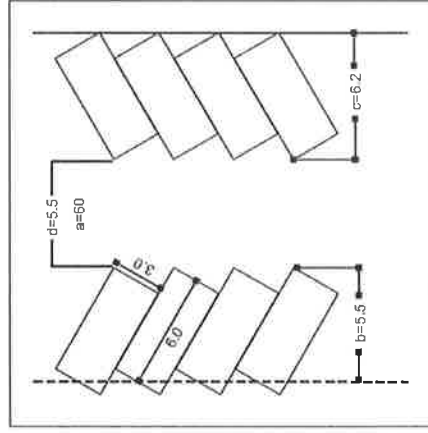
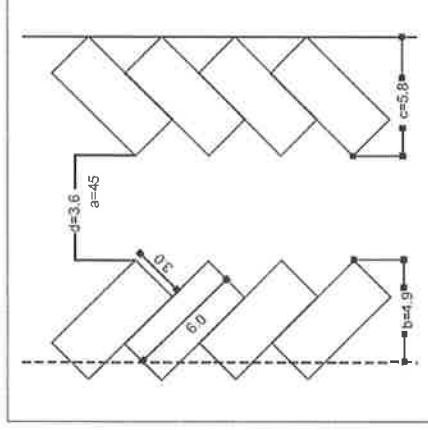
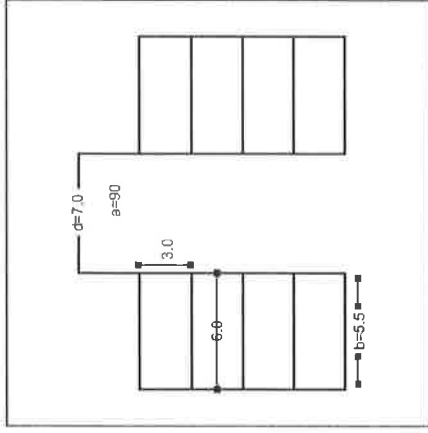
**REQUIRED OFF-STREET LOADING SPACES**

<b>Use</b>	<b>Required Loading Spaces</b>
<b>Commercial and Industrial</b>	
- buildings having less than 470 m <sup>2</sup> of gross floor area	1 loading space
- buildings having between 470 m <sup>2</sup> to 2325 m <sup>2</sup> of gross floor area	2 loading spaces
- buildings having more than 2325 m <sup>2</sup> of gross floor area	3 loading spaces
<b>Institutional</b>	
- buildings having less than 2800 m <sup>2</sup> of gross floor area	1 loading space
- buildings having 2800 m <sup>2</sup> or more gross floor area	1 loading space

**.6 Location of Parking and Loading Spaces**

- (a) In all residential zones, required off-street parking spaces must be located on the same parcel as the use or building they serve;
- (b) In commercial, industrial and institutional zones, off-street parking spaces may be located on a site within 180 m of the lot containing the building or use for which the parking spaces are intended, provided that the owner enters into a prior charge restrictive covenant on the title with the Village of Burns Lake restricting the use of the site for parking in conjunction with the lot containing the building use; and
- (c) Require off-street loading spaces must be located on the same parcel as the use or building they serve.

## .7 Minimum Parking Facility Dimensions



NOTE: All dimensions in meters

A PARKING STALLS (stall width = 3.0 m) (stall length = 6.00 m)			
Parking Angle in Degrees	Depth Perpendicular to Stall in Metres (curb overhang)	Depth Perpendicular to Aisle of Stall in Metres (abutting structure or curb over 0.3 m in height)	Aisle Width
a	b	c	d
Parallel	3.0	3.0	3.9
30	3.9	4.9	3.9
45	4.9	5.8	3.9
60	5.5	6.2	5.5
90	5.5	5.5	7.3
			ONE WAY (m)
			TWO WAY (m)

## .8 Access to Highways

- (a) Off street parking and loading must have vehicular access/egress from a highway or lane; and
- (b) Individual parking and loading spaces must not have direct access/egress from a highway or lane. Access to an internal aisle that intersects with a highway or lane must be provided.

## .9 Dimensions of Loading Spaces

- (a) Each off-street loading space required by this bylaw must not be less than 3.7 m wide or have a vertical clearance of less than 3.7 m. All loading facilities and spaces must be located entirely on-site.

## .10 Surfacing of Off-street Parking and Loading Spaces

(a) All off-street parking spaces, loading spaces and access aisles on parcels other than those located in the RR1, UR, and P zones must be surfaced with asphalt or concrete and must be graded and drained to properly dispose of surface water.

.11 Delineation and Lighting of Off-Street Parking and Loading Spaces

(a) Where more than five off-street parking and loading spaces are provided, each space must be clearly delineated by painted lines; and

(b) All off-street parking spaces, loading spaces and access aisles located on parcels other than in the UR, R1, R2, and RR1 zones must be illuminated with lighting conforming to generally accepted engineering standards.

.12 Accessible Off-Street Parking Spaces

(a) Where off-street parking is required by this Bylaw, and where access for a person with disabilities is required, parking space(s) will be provided in accordance with *B.C. Building Code*.

.13 Joint-Use Off-Street Parking Spaces

(a) Where off-street parking space is combined and used jointly by two or more uses having different standards for determining the amount of off-street parking space required, the parking space must be adequate in area to provide the sum total of off-street parking space requirements of all such uses.

**SCHEDULE 3**