

# THE CORPORATION OF THE VILLAGE OF SALMO

## ZONING BYLAW #717, 2023

**V8.0 DRAFT** – December 13, 2022

## **VILLAGE OF SALMO**

### **ZONING BYLAW No. 717, 2023**

WHEREAS Council wishes to repeal Bylaw No. 489, 2001, cited as "The Village of Salmo Land Use Bylaw No. 489, 2001" and amendments thereto, and wishes to adopt a new Zoning Bylaw to regulate land use, pursuant to Part 14, Divisions 3, 5, 6, 8 and 9 of the *Local Government Act*, which divides the municipality into zones and which sets regulations for each zone;

AND WHEREAS Council has held a Public Hearing pursuant to Part 14, Divisions 3, 5, 6, 8 and 9 of the *Local Government Act*.

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

#### **1. APPLICABILITY**

This Bylaw applies to lands within the Village of Salmo, British Columbia.

#### **2. SCHEDULES**

The following schedules attached hereto are hereby made part of this Bylaw and adopted as the Zoning Bylaw for the Village of Salmo:

- (a) Schedule "A" (Zoning Bylaw Text)
- (b) Schedule "B" (Zoning Bylaw Map)

#### **3. SEVERABILITY**

If any section, subsection, sentence, clause, definition, or phrase of this Bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity shall not affect the remaining portions of the Bylaw.

#### **4. REPEAL**

Bylaw 489 its amendment Bylaws 540, 633, 698 and 708 thereto as they apply to the Village of Salmo are hereby repealed and replaced.

#### **5. CITATION**

This Bylaw may be cited as the "The Village of Salmo Zoning Bylaw No. 717, 2023".

#### **6. EFFECTIVE DATE**

This Bylaw comes into full force and effect and is binding on all persons as and from the date of adoption.

**PUBLIC HEARINGS:**

WHEREAS A PUBLIC HEARING WAS HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2023

**READINGS:**

READ A FIRST TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2023

READ A SECOND TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2023

READ A THIRD TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2023

APPROVED PURSUANT TO THE HIGHWAY ACT THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

Original Signed by

\_\_\_\_\_  
Approving Officer – Ministry of Transportation & Highways

RECONSIDERED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE & CORPORATE OFFICER

## **SCHEDULE “A”**

### **VILLAGE OF SALMO ZONING BYLAW TEXT**

This is Schedule “A” referred to in “The Village of Salmo Zoning Bylaw No. 717, 2023”.

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MAYOR

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CHIEF ADMINISTRATIVE & CORPORATE OFFICER

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# 1. INTRODUCTION

## 1.1. Definitions

In this Bylaw, unless the content otherwise requires:

### 1.1.1. A

ACCESSORY TO means customarily incidental to the permitted use of land, building, or structures located on the same lot or site.

ACCESSORY TOURIST ACCOMMODATION means accessory bed and breakfast operations or short-term rental facilities providing temporary accommodation for the travelling public.

ACCESSORY USE, BUILDING OR STRUCTURE means any building within a plot on which a main building stands, other than a delimiting wall or fence, which is ancillary or subordinate to the principal use, building or structure. Any building is deemed to be an accessory building unless it is attached to and shares a foundation with the principal building for at least the full length of one side of either building, representing not less than 10% of the total perimeter of the other building.

ACTIVITIES DESIGNATED AS FARM USE means those permitted uses as listed in the *“Agricultural Land Reserve Use, Subdivision and Procedure Regulation”* in the *Agricultural Land Commission Act*.

AFFORDABLE HOUSING means housing that is affordable to low or moderate-income households, for either purchase or rental, including dwelling units which are price subsidized or price controlled, and limited equity dwelling units. See also *Special Needs Housing*.

AGRICULTURE means the use of land, buildings or structures for a farm operation.

ALCOHOL PRODUCT means beer, ale, cider, spirits, mead or wine.

ALCOHOL PRODUCTION FACILITY means a brewery, cidery, distillery, meadery or winery.

ALTERATION OF LAND means, but is not necessarily limited to:

- i. soil relocation due to building or parking lot construction or alteration;
- ii. removal, alteration, disruption or destruction of vegetation; soil removal or filling;
- iii. construction or alteration of retaining walls, patios, lawns, agricultural activity or any structural change to a building or structure that results in an increase or decrease in the area or volume of the building or structure;
- iv. a change in the area, frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements under this Bylaw; or
- v. discontinuance or change, where the new use is defined differently from the original property use, for the principal use of the lot, building or structure.

AMENITY SPACE means the total passive or active recreational area provided on a lot or in an apartment building for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, exclusive of the areas occupied by entrance hallways, driveways, and parking areas and does not include indoor laundry or locker facilities.

ANCILLARY means subordinate or assisting and in the case of a building or structure, would include essential structural components necessary to the building function such as mechanical penthouses, elevator housing, mechanical rooms, communication structures, or chimneys.

ANIMAL SHELTERS means a lot and/or building or part thereof, used for the temporary care of lost, abandoned or neglected animals.

ANTENNA means a structure designed for the purpose of receiving and transmitting communication signals.

APARTMENT HOUSING means any physical arrangement of attached dwelling units, intended to be occupied by separate households, which does not conform to the definition of any other residential use class.

ARTISAN CRAFTS PRODUCTION AND SALES means the production or manufacturing of products by skilled craft workers, usually by hand, for retail sale.

ATTIC means the unfinished space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof.

AUTOBODY REPAIR AND PAINT SHOPS means those premises where automobiles, trucks, and other vehicles undergo body repair and painting.

AUTOMOTIVE AND EQUIPMENT REPAIR SHOPS means the servicing and mechanical repair of automobiles, motorcycles, snowmobiles, and similar vehicles or the sale, installation, or servicing of related accessories and parts. This includes but is not limited to transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops but does not include autobody repair, paint shops, or wrecking yards.

AUTOMOTIVE AND MINOR RECREATION VEHICLE SALES/RENTALS means the retail sale or rental of new or used automobiles, bicycles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles, vehicle insurance services, incidental maintenance services, and sales of parts. It includes automobile dealerships but does not include dealerships for the sale of trucks with a gross vehicle weight of more than 4,100 kg. or the sale of motorhomes with a gross vehicle weight of more than 5,500 kg. or a length of more than 6.7m.

AUXILARY BUILDING – see *Accessory Use, Building or Structure*.

#### **1.1.2. B**

BACHELOR APARTMENT OR SUITE means an apartment consisting of a single large room serving as bedroom, living room and kitchen, with a separate bathroom, which is not reasonably capable of being developed as a unit containing a separate bedroom or bedrooms. Also referred to as an efficiency apartment or studio apartment.

BALCONY means a covered or uncovered platform, attached to and projecting from the face of a building, above the first storey, which is generally only accessed from within a building. Per *BC's Illustrated Guide for Building Safe and Durable Wood Decks and Balconies*, a balcony does not have occupied interior space below it. Balconies may be cantilevered or rely on a ledger attachment (and posts) for support. See also *deck, porch and veranda*.

BARN means a structure used to house livestock as well as equipment and fodder.

**BASEMENT** means a storey of a building located below the first storey which is partially or fully underground.

**BASEMENT, WALKOUT** means a storey of a building located below the ground floor and having at least one wall above grade.

**BAY WINDOW** means a glazed window that within Village setback requirements protrudes from the wall to which it is attached and may be structurally supported other than by a foundation wall.

**BED AND BREAKFAST (B&B) HOMES** means the accessory use of a residence in which temporary overnight accommodation and breakfast is provided to tourists. This includes accommodation use booked through AirBnB or other home-share groups and organizations.

**BEDROOM** means a room, with a closet, located within a dwelling and where the primary function is for sleeping. It may include, but is not limited to dens, lofts, studies and libraries.

**BINGO FACILITIES** means any place that is used for bingo pursuant to a licence issued by or under the authority of the provincial government.

**BOARD OF VARIANCE** means the Board established under Bylaw by the Council of the Village of Salmo.

**BOARDER** means a non-family member who is a lodger, roomer, or person who pays for and takes regular lodging, with or without meals.

**BOARDING KENNEL** means any building, structure, compound, group of pens or cages used to provide pet daycare services or overnight boarding to dog or cat owners for financial gain.

**BOARDING OR LODGING HOUSES** means a building in which the owner or manager may supply accommodation to members of the general public with sleeping unit accommodation, for remuneration. It may or may not include meal service. It includes lodges for senior citizens but does not include hotels, motels, temporary shelter services, congregate housing, or bed and breakfast homes.

**BREWERIES AND DISTILLERIES** means the brewing or distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume. This production must be licensed by the *Liquor Control and Licensing Act*. The public tasting and retail sale of alcoholic product is limited to that which is produced on-site. All processes, functions and mechanical equipment associated with the use must be contained indoors and are limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public. The total area for manufacturing shall be limited to a maximum of 275m<sup>2</sup> (2,960ft<sup>2</sup>).

**BUFFER STRIP** means a landscaped or natural area intended to visibly separate and screen one use from another to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage and wildlife movement. This also refers to the use of vegetation.

**BUILDING** means a structure having a roof supported by columns, posts or walls used or intended for supporting or sheltering any use or occupancy.

**BUILDING ENCLOSURE** see *Building Envelope*.

**BUILDING ENVELOPE** means and includes all the building components that separate the indoors from the outdoors. Building envelopes include the exterior walls, foundations, roof, windows and doors.

**BUILDING FOOTPRINT** means the horizontal area as seen in the Building Plan, measured from outside of all exterior walls and supporting columns. It includes dwellings and any area of attached garage that exceeds 18.6m<sup>2</sup> (200ft<sup>2</sup>). It does not include detached garages or carports; accessory structures; trellises; patios; areas of porch, deck, and balcony less than 76.2cm (30") from finished grade; cantilevered covers, porches or projections; or ramps and stairways required for access.

**BUILDING HEIGHT** means the vertical distance measured from the *average natural ground level* at all *building faces* surrounding a building to:

- i. the highest point on a flat roof;
- ii. the average level between the eaves and ridge of a gable, hip or gambrel roof or other type of pitched roof; or
- iii. the greater of the two measurements referred to in (a) and (b) above in the case of a building with more than one type of roof.

**BUILDING INSPECTOR** means the person or persons appointed by Village Council to administer and enforce this Bylaw and the provisions of the Village of Salmo Building Bylaw #618 and other development and building-related bylaws.

**BUILDING PERMIT** means a permit issued in accordance with the Village of Salmo's OCP Bylaw #687, Zoning Bylaw #717, Building Bylaw #618 and other development and building-related bylaws.

**BUILDING SETBACK** means the closest distance that any exterior portion of a building or structure can be to a designated lot line according to the zoning of the property.

**BUSINESS** means an establishment for carrying on a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other service for gain or profit. This includes a home-based business.

**BUSINESS SUPPORT SERVICES** means professional or retail services that provide support services to businesses and which are characterized by one or more of the following: use of minor mechanical equipment for printing, duplicating, binding or photographic processing; secretarial or bookkeeping services; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair, or servicing of office equipment, furniture and machines. Typical uses include but are not limited to printing establishments, testing laboratories, film processing establishments, janitorial firms and office equipment sales, repair establishments, and sign shops.

**BYLAW ENFORCEMENT OFFICER** means the officers or employees appointed by Council as such to enforce the provisions of the Village of Salmo Bylaws.

### **1.1.3. C**

**CABIN** means a one-storey self-contained or non-self-contained (no kitchen) building or structure no larger than 55.7m<sup>2</sup> (600ft<sup>2</sup>) intended for the purposes of long-term rental or temporary or seasonal residential purposes or temporary lodging for tourists and visitors. Actual size is dependant on lot coverage and setbacks.

**CAMPGROUND** means a lot used or intended to be used for temporary accommodation of persons in their own recreational vehicles or tents, but excludes a manufactured home park (as defined by

this Bylaw); campgrounds may offer central washrooms or full or partial hook ups, in addition to common amenity areas and facilities, such as a sani-dump, showers, laundry facilities, playgrounds, picnic and day use areas, recreational trails, swimming pools, recreational facilities, retail stores or other similar uses.

CANNABIS means cannabis as defined in the *Controlled Drugs and Substances Act* or the *Cannabis Act* and includes any products containing cannabis.

CANNABIS OPERATION means the cultivating, growing, producing, packaging, storing, distributing, dispensing, advertising, trading or selling of cannabis or its derivatives.

CANNABIS PRIMARY ESTABLISHMENT means an establishment licensed by the *BC Liquor and Cannabis Regulation Branch* where the sale of cannabis is the primary focus of the business.

CANNABIS-RELATED BUSINESS means carrying on of activity where one or more of the following takes place:

- i. Cannabis is sold or otherwise provided to persons for medical or recreational purposes;
- ii. medical Cannabis is stored for the purpose of sale;
- iii. recreational Cannabis is stored for the purpose of sale; or
- iv. Cannabis or its derivatives is cultivated, grown, produced, packaged, stored, distributed, dispensed, advertised, traded or sold.

CANNABIS RETAIL STORE means the premises specified in a retail cannabis license where the retail sale of cannabis is authorized.

CARPORT CLOSED IN means a roofed structure, free-standing or attached to the principal building, used for the storage or parking of one or more cars or light trucks, such as a pick-up, with at least 40 percent of the total perimeter unobstructed by walls.

CARPORT OPEN means a roofed structure, free-standing or attached to the principal building, used for the storage or parking of one or more cars or light trucks, such as a pick-up, with all of its perimeter unobstructed, except for open railings when required by the *British Columbia Building Code*.

CARRIAGE HOUSE also called Coach House, see also *Laneway House, Garage with Suite Above*.

CAR WASH means a structure with specialized equipment intended for the washing of vehicles.

CHILD CARE FACILITY means a facility providing group child care, family child care, child minding, out of school care, or specialized child care in accordance with the provisions of the *Community Care and Assisted Living Act* or any subsequent Act or Acts which may be enacted in substitution therefor. (See also *Day Care Facility*)

CHILD CARE CENTRE, MAJOR means an establishment licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services, and supervision for more than eight (8) children.

CHILD CARE CENTRE, MINOR means an establishment licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services, and supervision to no more than eight (8) children. The care must be provided by a principal resident that resides at the dwelling for more than 240 days of a year.

CLEAR VISION AREA see SIGHT TRIANGLE.



COACH HOUSE also called Carriage House, see also *Laneway House, Garage with Suite Above*.

COMMERCIAL SCHOOL means a school conducted for profit or gain other than a private school.

COMMERCIAL SPACE BUILDING means a building structure intended for commercial use. This includes, for example: restaurants and bars, professional services offices, retail sales, manufacturing, business offices, microbrewery, hotels and motels, and including, but not limited to uses described in zones C-1, C-2, C-3, M-1 and P-1.

COMMON WALL means a wall or set of walls in a single structure jointly owned and jointly used by two or more dwelling or commercial units. The common wall must be shared for at least 25 percent of the length of the side of the building of the dwelling units. The common wall may be any wall of the building, including the walls of attached garages. See also *Party Wall*.

COMMUNITY CARE FACILITY means:

- i. a premises or part of a premises in which a person provides care to 3 or more persons who are not related by blood or marriage to the person and includes any other premises or part of a premises that, in the opinion of the medical health officer, is used in conjunction with the community care facility for the purpose of providing care; or
- ii. premises designated by the Lieutenant Governor in Council to be a community care facility.

COMMUNITY WASTEWATER SYSTEM means a system for the collection, treatment and disposal of sanitary waste, which serves two (2) or more lots and is operated under the *Public Health Act* or the *Environmental Management Act*.

COUNCIL means the Council of The Corporation of the Village of Salmo.

#### **1.1.4. D**

DAYCARE FACILITY means a building licensed as a community care facility under *Community Care and Assisted Living Act* in which care, supervision or any form of educational or social training not provided under the *School Act* is provided to three (3) or more children under six years of age not forming part of the operator's family for any portion of the day. (See also *Child Care Facility*)

DECK means an uncovered platform, which may include visual partitions and railings or trellis work for privacy and partial shade. Per *BC's Illustrated Guide for Building Safe and Durable Wood Decks and Balconies* a deck may be classified as an Open Deck or a Roof Deck. (See also *balcony, patio, porch and veranda*)

DECOMMISSION means the decommissioning of a dwelling where required and verified by the Village of Salmo Building Authority and includes removal of the following: all kitchen facilities; including cabinets, counter tops, sinks and associated plumbing; all kitchen appliances, including stoves, fan hoods, microwaves and hot plates; all 220 volt electrical connections for the kitchen; all laundry facilities and associated plumbing; and all bathroom fixtures including toilets, bathtub/shower facilities and associated plumbing.

DECORATIVE FAÇADE EXTENSION means an extension to the front of a commercial building to give it an illusion of greater height and to allow it to simulate the Village's western heritage.

DENSITY means a measure of the intensity of development to the area of the site, including the number of units on a site measured in units/area or floor area ratio, as the case may be. When



calculation of density involves a number of units per site and yields a fractional number, the required number of units permitted shall be rounded down to the lowest whole number.

DEVELOPMENT means an activity that requires a Building Permit and, if required, both a Building Permit and a Development Permit.

DEVELOPMENT PERMIT AREA means an area requiring a Development Permit per the *Local Government Act Section 488* as designated in the Village's Official Community Plan Bylaw #687, 2020 and as described in this Bylaw.

DWELLING, ACCESSORY means a dwelling unit, either detached or attached, which is permitted as an accessory use in conjunction with a principal use. The accessory dwelling is a complete living unit and includes a private kitchen and bath. Common accessory dwellings include, but are not limited to Secondary Suites, cabins, laneway houses and garage suites.

DWELLING UNIT means one (1) or more rooms with self-contained sleeping, living, eating, cooking and sanitary facilities used or intended for use as a residence by one or more persons.

#### **1.1.5. E-F-G**

EARLY CHILDHOOD DEVELOPMENT CENTRE means a building used to provide community services for children and includes parent support programs such as workshops or support groups, parent-child literacy programs, toy lending library and childminding services.

EATING AND DRINKING ESTABLISHMENT means the use of land, buildings or structures where prepared foods and beverages are offered for sale to the public for consumption within the premises or off the lot, such as neighborhood pubs, licensed restaurants, lounges, cafes, delicatessens, tea rooms, dining rooms, drive in food services, refreshment stands, take out restaurants, and mobile catering food services.

EAVE means that portion of the roof projecting beyond the outside wall or supports of a structure.

EDUCATIONAL FACILITIES means building(s) including residences, structures and grounds associated with the operation of a school, college, university or training centre.

ENERGY FACILITIES, RENEWABLE means facilities and infrastructure designed to convert energy from renewable resources which are naturally replenished, such as sunlight, wind, rain and geothermal heat to provide for electricity generation, air and water heating and cooling, transportation and off grid energy services.

ENTERTAINMENT FACILITY means the use of a building or structure for assembly and entertainment including auditoriums, billiard halls, bowling alleys, dance halls, karaoke, night clubs, theatres, and cinemas.

ENVIRONMENTAL DESIGN means the process of addressing surrounding environmental parameters when devising plans, programs, policies, buildings, or products. It seeks to create spaces that will enhance the natural, social, cultural and physical environment of particular areas.<sup>1</sup>

EXTENDED MEDICAL TREATMENT SERVICES means a facility providing room, board and surgical or other medical treatment for the sick, injured or infirm including out-patient services and accessory staff residences. Typical uses include but are not limited to hospitals, nursing homes with health

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<sup>1</sup> Wikipedia and definitions.net

care for dependant residents, hospices, and diagnostic imaging or laboratory services.

FAÇADE means an exterior wall, or face, of a building. The front facade of a building contains the building's main entrance, the rear facade is the building's rear exterior wall, and the side facades are a building's side exterior walls.

FAMILY means one (1) or more persons related by blood, marriage, adoption or foster parenthood, occupying one dwelling unit.

FENCE means a structure used as an enclosure or for screening purposes surrounding all or part of a lot or a swimming pool. Fences may be erected on the lot lines and are not subject to any setbacks apart from traffic sight lines.

FIRE SEPARATION means a construction assembly that acts as a barrier against the spread of fire as defined in the *BC Building Code*.

FLOOR AREA means the total of the space on each floor of a building between exterior walls, including the space occupied by interior walls and partitions, but not including exits and vertical service spaces that pierce the storey.

FOOTPRINT see *Building Footprint*.

GAMBREL ROOF or MANSARD ROOF means a symmetrical two-sided roof with two slopes on each side. The upper slope is positioned at a shallow angle, while the lower slope is steep.

GARAGE means any one-storey totally enclosed and roofed structure, free standing or attached to the principal building, for the parking or storage of a car or light truck.

GARAGE WITH RV STORAGE means a one storey enclosed and roofed structure, free standing or attached to the principal building, for the parking or storage of a car, light truck or RV, having a maximum height not exceeding 7m (23').

GARAGE WITH SUITE ABOVE means two-storey self-contained building or structure having a footprint no larger than 92.9m<sup>2</sup> (1,000ft<sup>2</sup>) and not exceeding 6.6m (21'7") in height, which is generally accessed via a Village laneway. A garage or workshop is located on the ground floor and a residential or studio suite on the second storey. The residential suite is intended for the purposes of a long-term rental or, temporary or seasonal residential purposes or, temporary lodging for tourists and visitors. Actual size is dependant on lot coverage and setbacks in applicable zones. See also *Laneway House*.

GREEN ROOF means a layered roofing system that includes approved waterproof and root-resistant membranes, a drainage system, filter cloth, growing medium, and plants designed to create a roofing system.

GROSS FLOOR AREA (GFA) means the total gross floor area of each individual floor measured from the perimeter of a building, excluding the following: crawl spaces, sundecks, carports, and parking garages.

GROUP HOME, MAJOR means a care facility licensed as required under the *Community Care and Assisted Living Act* to provide room and board for more than six (6) residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision, but does not include boarding or lodging houses or temporary shelter services.

GROUP HOME, MINOR means the use of one dwelling unit as a care facility licensed as required under the *Community Care and Assisted Living Act* to provide room and board for not more than six

(6) residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision. A group home, minor may include, to a maximum of four (4), any combination of staff and residents not requiring care. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen. This use does not include boarding or lodging houses or temporary shelter services.

**1.1.6. H**

HALF STOREY – *see Storey, Half.*

HEALTH SERVICES means services provided by a licensed, professional health practitioner including, but not limited to; doctors, dentists, chiropractors, physio therapists, registered massage therapists and acupuncturists.

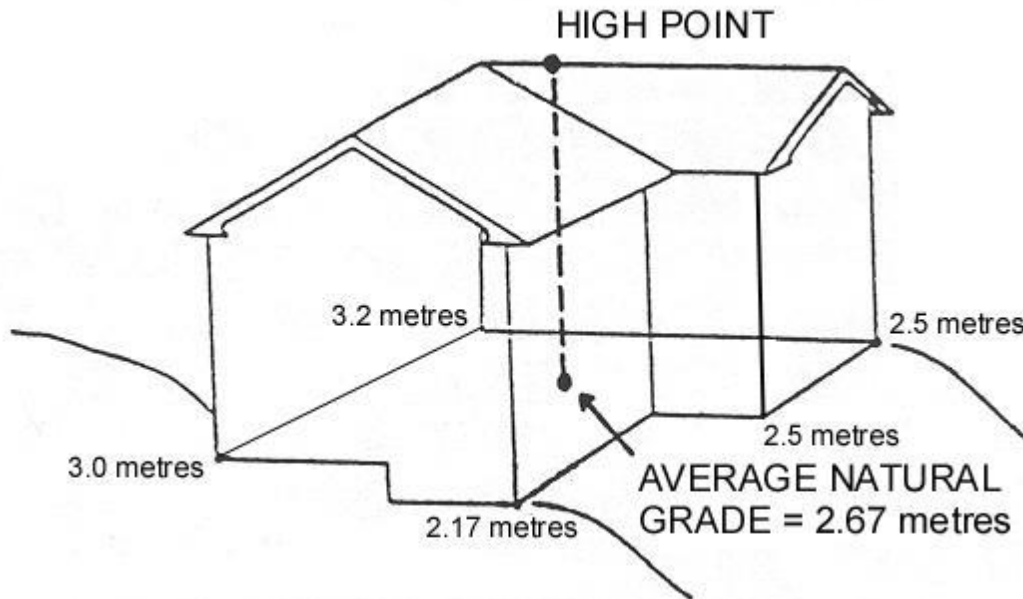
HEIGHT, BUILDING - except as otherwise defined in a zone means:

- a) In residential zones:
  - i. The distance measured vertically from the final lot grading plan or finished grade, whichever is lower, recorded at the outermost corners of the building, as determined by survey and reference benchmark prior to site preparation, to the highest part of the building where a final lot grading plan has been approved by the Approving Officer at Subdivision stage.
  - ii. Where Council has approved a development permit for the building, the subdivision grading plan grade is replaced by the grade as shown on the approved development permit.
  - iii. Where no development permit or final lot grading plan exists, height means the distance measured vertically from the average natural or finished grade level, whichever is lower.
- b) In all other zones height is the distance measured vertically from the average finished grade, recorded at the outermost corners of the building, to the highest part of the building.

EXAMPLE: CALCULATING HEIGHT<sup>2</sup>

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<sup>2</sup> Courtesy City of Nanaimo



**HIGH TECHNOLOGY RESEARCH AND PRODUCT DESIGN** means the research and/or design, but not manufacturing or distribution, of products used in the fields of computer software and programming, electronics, telecommunications, aeronautics, precision engineering, robotics, biochemistry, health care, and related industries.

**HIGHWAY**, under the *Highway Act Part 1 (1)*, includes all public streets, roads, ways, trails, lanes, bridges, trestles, ferry landings and approaches and any other public right of way which is ordinarily used for vehicular traffic, parking, and pedestrians and is located on publicly owned lands. It includes sidewalks, curbs, boulevards, ditches and traffic lanes. (All roads, other than private roads, are deemed common and public highways<sup>3</sup>).

**HIGH WATER MARK** means the visible high-water mark of a watercourse where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the watercourse a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain.<sup>4</sup>

**HILLSIDE AREA** means land in its natural state having a slope angle of 10% and greater for a height of 6 metres or more.

**HOME-BASED BUSINESS** means development consisting of the use of a dwelling unit and, in some cases, the use of an accessory building for a business by a resident who resides at that dwelling unit. The business must be secondary to the residential use of the property and does not change the residential character of the dwelling or accessory building. Examples include but are not limited to professional service provider, crafter, artist, caterer, plumber, electrician, household or small equipment repair services, e-business sales and shipping of merchandise.

**HOTEL** means a building with a common entrance lobby and shared corridors, which provides sleeping accommodation for transient visitors based on rental periods of less than one month. The hotel may include public facilities, such as retail and convenience stores, restaurants, banquet

<sup>3</sup> *Highway Act, Part 1 (2)*

<sup>4</sup> Section 1(1) of the provincial *Riparian Areas Regulation (RAR)*

facilities, beverage facilities, meeting and convention rooms, recreation facilities and personal service establishments for the convenience of guests.

HOUSEHOLD means:

- i. a person;
- ii. two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- iii. a group of persons who occupy the same dwelling and do not have a usual place of residence elsewhere in Canada or abroad. The dwelling may be either a collective dwelling or a private dwelling. The household may consist of a family group such as a census family, of two or more families sharing a dwelling, or a group of unrelated persons<sup>5</sup>.

HOUSEHOLD REPAIR SERVICES means development used for the provision of repair to goods, equipment and small appliances normally found within the residence. Typical uses include but are not limited to radio, television, and appliance repair, furniture refinishing, and upholstery shops.

HOUSEKEEPING UNIT means a dwelling unit for the temporary residential use of tourists and other members of the travelling public.

#### **1.1.7. I-J-K-L**

IMMEDIATE FAMILY means, with respect to an owner, the owner's:

- i. parents, grandparents and great grandparents;
- ii. spouse, parents of spouse and stepparents of spouse;
- iii. brothers and sisters; and
- iv. children or stepchildren, grandchildren and great grandchildren.

INDUSTRIAL HEMP means the growing of industrial hemp plants (those containing 0.3 percent THC or less) and associated activities.

INDUSTRIAL HIGH TECHNOLOGY RESEARCH AND PRODUCT DESIGN means the research and/or design, including the manufacture and/or distribution, of products used in the fields of computer software and programming, electronics, telecommunications, aeronautics, precision engineering, robotics, biochemistry, health care, and related industries. Related industries may include business services such as data storage, provision of server space, and servicing of computer equipment. This use may include up to 25% of the space to be used for an office component.

INDUSTRIAL-SCALE COMPUTING means the use of premises for the purpose of housing computer systems that collect, maintain, store, and/or process data for profit, exceeding an electricity consumption of 9 megawatt-hours per month. Typical uses include but are not limited to blockchain/cryptocurrency mining and data centres.

JUNK YARD means the collection or accumulation of rubbish, garbage, bottles, broken glass or other discarded materials or unwholesome materials or ashes on real property, except where the owner of the real property holds a valid permit respecting those items under the *Waste Management Act*.

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<sup>5</sup> <https://www12.statcan.gc.ca/census-recensement/2016/ref/dict/households-menage007-eng.cfm>

KENNEL see Boarding Kennel.

LANDSCAPE SCREEN means a fence, wall, compact hedge or combination thereof, broken only by access drives, walks and lanes, that visually screens the property which it encloses.

LANE means a highway under the *Local Government Act*, that is defined in Salmo Subdivision Bylaw #588 as being more than 4.8 m (15'9") but not greater than 10 m (32'10") in width, intended to provide secondary means of access to a lot, at the side or rear of a property.

LANEWAY HOUSE means a one- or two-storey, self-contained building or structure generally accessed via a Village lane, no larger than 92.9m<sup>2</sup> (1,000ft<sup>2</sup>), intended for the purposes of long-term rental or temporary or seasonal residential purposes or temporary lodging for tourists and visitors. Actual size is dependant on lot coverage and setbacks. Also called Carriage or Coach House. See also *Cabin and Garage with Suite Above*.

LEGAL SERVICES means the provision of legal and paralegal services to the public in an office setting.

LICENSEE RETAIL STORE means an establishment licensed by the British Columbia Liquor and Cannabis Regulation Branch (LCRB) to sell beer, wine, coolers, ciders, and all types of packaged liquor.

LIQUOR PRIMARY ESTABLISHMENT, MAJOR means development where alcoholic beverages are offered for sale to the public from establishments which are characterised by one or more of dancing, musical or cabaret-type entertainment; and facilities primarily intended for the provision and consumption of alcoholic beverages which have a person capacity of more than 100. Typical uses include but are not limited to beverage rooms, cocktail lounge, cabarets, nightclubs. Must hold a Liquor Primary License. Off-sales of alcoholic beverages are a permitted ancillary use, liquor license permitting.

LIQUOR PRIMARY ESTABLISHMENT, MINOR means development where food and alcoholic beverages are offered for sale to the public, for consumption within the premises or off the site. Typical uses include neighbourhood pubs and restaurants and may feature musicians or other entertainment from time to time. The person capacity of such establishments will be 100 or less. Must hold a Liquor Primary License. Off-sales of alcoholic beverages are a permitted ancillary use, liquor license permitting.

LIQUOR PRIMARY LICENSE means a liquor license issued the Province of British Columbia *Liquor and Cannabis Regulation Branch* (LCRB) for a business in the hospitality, entertainment or beverage industry including bars, pubs, nightclubs, recreation centres and stadiums, where the service of liquor is the primary focus of the business. License types vary depending on the business.

LIVE/WORK UNIT means premises divided into two distinct spaces, consisting of both a commercial office, retail or studio space and a residential component that is occupied by the same resident. Live work premises are typically, but not necessarily, two storeys. The live/work unit shall be the primary dwelling of the occupant where the premises are used together as a residential unit and a commercial unit providing:

- i. professional services including, but not limited to a medical, dentistry, or veterinary clinic, accounting practice, insurance or real estate services, health services, spa or beauty services, dog grooming;
- ii. a retail store;

- iii. business support services;
- iv. in the production and sale of products and services including, but not limited to dance classes, live music, creative writing, painting, drawings, pottery or sculpture, video, moving or still photography; or
- v. a live/work multi-family complex consisting of multiple live/work units.

LOADING SPACE means an open area used to provide access for vehicles to a loading door, platform or bay for the purpose of loading and unloading.

LODGE means an establishment consisting of three or more attached or detached sleeping units, and which includes a restaurant and recreation facilities for the use of tourists.

LOT (or Parcel) means an area of land designated as a separate and distinct entity on a legally recorded subdivision plan or description filed under the *Land Title Act* in the Land Title Office or surveyed under the *Land Act* and includes the following types of lots:

- i. LOT, BARELAND STRATA means the smallest unit of land defined on a horizontal plane according to a bare land strata plan under the provisions of regulations pursuant to the *Strata Property Act*.
- ii. LOT, CORNER means a lot situated at the intersection of two or more streets, or a lot that has two adjoining lot lines abutting a street which substantially changes direction at any point where it abuts the lot.
- iii. LOT, DOUBLE FRONTING, (or THROUGH) means a lot which abuts two streets which are parallel or nearly parallel to the lot.
- iv. LOT, INTERIOR means a lot other than a corner lot.
- v. LOT, PANHANDLE means a lot which has its primary legal access from a street through a narrow strip of land which is an integral part of the lot. This narrow strip is referred to as the panhandle.
- vi. LOT, PIE means a lot which is generally configured such that its width at the rear lot line is greater than at its front lot line.
- vii. LOT, REVERSE PIE means a lot which is generally configured such that its width at the rear lot line is less than at its front lot line.
- viii. LOT, STRATA means a lot shown on a strata plan according to the *Strata Property Act*.

LOT AREA means the total horizontal area within the lot lines of a lot.

LOT COVERAGE means the area of land on a lot covered by structures and their exterior perimeter. See *Lot Coverage Diagram*<sup>6</sup>.

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<sup>6</sup> Courtesy City of Nelson



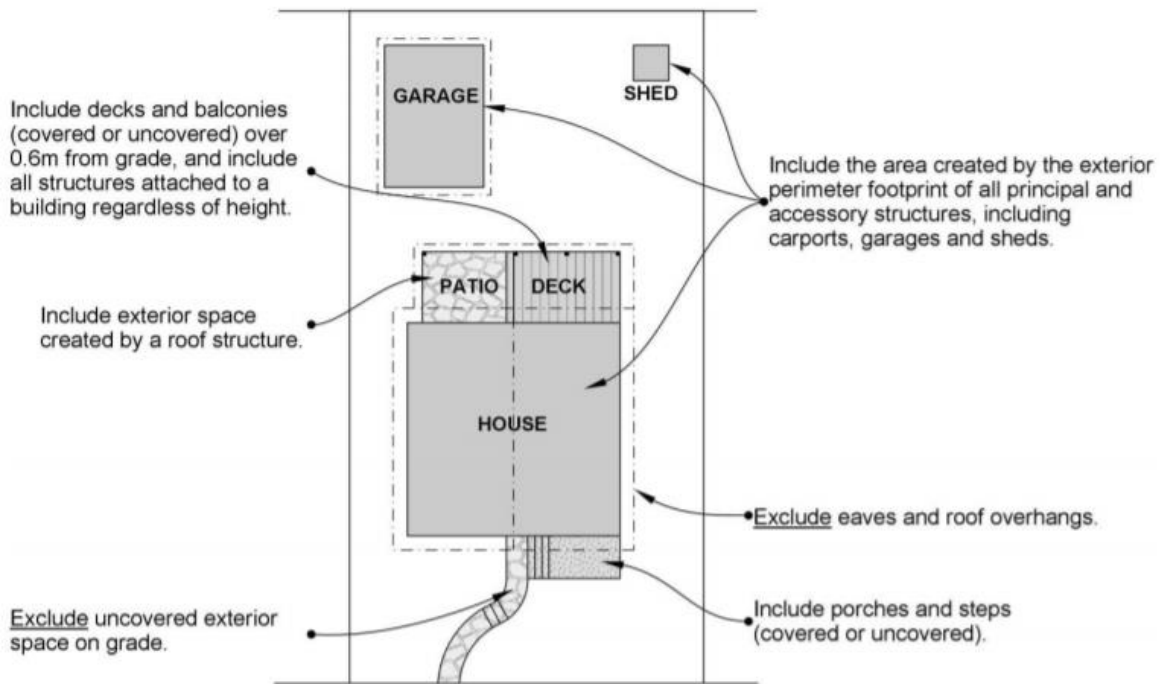


Diagram: Lot Coverage

LOT DEPTH means the horizontal distance between the mid-points of the front and rear lot lines.

LOT LINE means the legally defined boundary of any lot or property line.

LOT LINE, EXTERIOR means the lot line or lines, other than the front lot line or rear lot line, common to the parcel and an abutting highway but specifically excludes linear pathway or lane. (**Note:** Exterior Side Yards exist only on corner lots. For a typical corner lot, the shorter lot line abutting the street is considered the front yard, and the longer lot line abutting the street is considered the Exterior Side Yard.)

LOT LINE, FRONT means:

- i. the lot line common to the lot and an abutting street;
- ii. where there is more than one (1) lot line common to abutting streets, the shortest of these lines shall be considered as the front lot line;
- iii. the lot line common to the lot and an abutting lane, where there is no abutting street; or
- iv. in the case of a lot abutting two (2) parallel or approximately parallel streets, the lot lines abutting these two (2) streets shall be considered as front lot lines.

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

LOT LINE, REAR means the lot line opposite to, and most distant from the front lot line, or, where the rear portion of the lot is bounded by intersecting side lot lines, the rear lot line shall be deemed to be the point of such intersection.

LOT, STRATA means a lot shown on a strata plan according to the *Strata Property Act* Section 1(1).



LOT WIDTH means the distance between side lot lines at the front building setback line.

**1.1.8. M**

MAIN WALL means the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully or partially enclosed space or roof.

MANSARD ROOF *see Gambrel Roof*.

MANUFACTURED HOME SPACE means an area set aside and designated within a manufactured home park for the installation and placement of a mobile or modular manufactured home, including space for the exclusive accessory use by the owner or occupant of that manufactured home.

MANUFACTURED HOME means a structure, other than a float home, whether or not ordinarily equipped with wheels, that is:

- i. designed, constructed or manufactured to be moved from one place to another by being towed or carried;
- ii. used or intended to be used as living accommodation;
- iii. is a single-detached dwelling unit suitable for year-round occupancy; and
- iv. which arrives at the site where it is occupied complete and ready for occupancy except for placing on supports, connection of utilities and some incidental assembly.

MANUFACTURED HOME PARK (MHP) means any parcel or parcels, as applicable, of land on which are located two (2) or more manufactured homes as described in the *Manufactured Home Act*, that the same landlord rents or intends to rent and any common areas are located.

MANUFACTURED HOME PARK TYPES in Salmo means:

- i. EXISTING MOBILE HOME PARK means any mobile home park within the bounds of the Village developed and occupied by single- or double-wide mobile homes prior to the adoption of Official Community Plan Bylaw #687, 2020.
- ii. NEW MANUFACTURED HOME PARK means any manufactured modular home park within the bounds of the Village developed after the adoption of Official Community Plan Bylaw #687, 2020.

MARIJUANA means cannabis in any form or for any use.

MEDICAL HEALTH OFFICER means the Medical Health Officer appointed pursuant to the *Public Health Act*.

MICRO-BREWERY means a small-scale brewery dedicated to producing less than 12,500 hectolitres (330,215 gallons) of beer, hard or soft cider, kombucha or other craft alcoholic or non-alcoholic beverages per year for sale to a number of licensed establishments and/or liquor or retail stores as applicable to the product. Production of any product containing alcohol over 1% volume must be licensed by the *Liquor Control and Licensing Act*. Ancillary sales and tasting of product brewed on-site shall be permitted.

MICRO CULTIVATION, CANNABIS means the authorized small scale growing of cannabis plants and harvesting material from those plants, and associated activities.

MICRO PROCESSING, CANNABIS means the authorized small-scale manufacturing, packaging and

labelling of cannabis products destined for sale to customers and intra-industry sales of those products, including to provincially authorized distributors, as well as associated activities.

MINIMUM SITE AREA means the minimum area of a lot or part thereof sufficient to satisfy the provisions of each principal permitted use as set out in the applicable zone.

MIXED USE DEVELOPMENT means the use of a building or buildings on a lot involving more than one (1) permitted use as defined in the appropriate zone, subject to meeting the minimum lot size requirements as set out in the applicable zone.

MOBILE VENDOR means a transportable business consisting of food or other goods or services being sold, using a cart or stand or a mobile business operating from a motorized vehicle or a trailer designed to be pulled by a motor vehicle on a highway. Vendors must hold a Salmo business license or be covered under a Farmers Market license. This does not include licensed delivery vehicles.

- i) MOBILE FOOD VENDOR means an independently operated vehicle or mobile food vending apparatus that does not require a building permit for the purpose of providing prepared food and beverages in an outdoor setting to passers-by. Mobile food vendors must follow BC *Food Premises Regulation* and the BC Centre for Disease Control's *Mobile Food Premises Guidelines*.
- ii) MOBILE RETAIL VENDOR means an independently operated vehicle or mobile vending apparatus that does not require a building permit for the purpose of retailing goods in an outdoor setting to passers-by.

MOTEL means a building or a group of buildings containing three (3) or more sleeping units for temporary occupancy by transient persons with each unit having direct access to the outside and its own parking spaces conveniently near the units.

MOTOR HOME see *Recreational Vehicle*.

MULTI-FAMILY DWELLING means a building or series of buildings consisting of three (3) or more dwelling units, each separated by common party walls. Examples include apartment building, row housing/townhome.

MUNICIPALITY means The Corporation of the Village of Salmo.

MUSEUM means the use of land, buildings or structures in which objects of historical, scientific, artistic, or cultural interest are stored and exhibited.

#### **1.1.9. N-O**

NATURAL RESOURCE DEVELOPMENT means development for the on-site removal, extraction, and primary processing of raw materials found on or under the Site, or accessible from the lot. Typical uses include gravel pits, sandpits, clay pits, and stripping of topsoil. This includes the processing of raw materials transported to the lot.

NATURE SANCTUARY means a reserved area in which plants, birds, and other animals, are protected from hunting or disturbance.

NON-ALCOHOLIC PRODUCTION FACILITY means a micro-brewery type facility dedicated to producing less than 12,500 hectolitres (330,215 gallons) of non-alcoholic craft beverages such as non-alcoholic beer, cider, mead, kombucha, non-alcoholic wine, and other speciality bottled beverages. Ancillary sales and tasting of product brewed on-site shall be permitted.

NUISANCE (CONTROLLED SUBSTANCE) BYLAW #563, or subsequent issues, means the Village bylaw that regulates prohibits and imposes requirements respecting nuisances, noxious or offensive trades, and health and safety matters.

NURSERY, CANNABIS means the authorized growing of cannabis plants to produce the starting material (seed and seedlings) and associated activities.

OFFICE means a place where a particular kind of business is transacted or a service is supplied, such as:

- i. a place in which the functions of a public officer are performed;
- ii. the directing headquarters of a business or organization; or
- iii. the place in which a professional person conducts business.

OFFICIAL COMMUNITY PLAN (OCP) means the Official Community Plan Bylaw #687 for the Village of Salmo.

OFF-ROAD VEHICLE (ORV) means a vehicle as regulated by the Province of British Columbia in the *Motor Vehicle Act* and the *Off-Road Vehicle Act* and Off-Road Vehicle Regulation<sup>7</sup>, and covers a wide range of vehicles operated for both work and leisure, including, but not limited to:

- i. all-terrain vehicles;
- ii. motorcycles;
- iii. off-road side-by-side vehicles (e.g., “argos”, “rhinos” and “razors”);
- iv. snowmobiles; or
- v. on-highway motor vehicles (Jeeps, trucks, SUVs and other small on-highway motor vehicles)

OUTDOOR RECREATIONAL ACTIVITIES means development that provides facilities for use by the public at large for sports and active outdoor recreation.

#### **1.1.10. P-Q**

PARK means any public outdoor land specifically for passive or active recreation including tot-lots, playgrounds, walkways, trails, environmentally sensitive areas, band shells, forest reserve, wildlife sanctuary, greenbelts, conservation areas, buffers, nature interpretation areas, and similar land uses. It includes all natural and man-made landscaping, facilities, playing fields, access, trails, accessory concession stands, nurseries, buildings and structures consistent with the general purpose of public park land.

PARKING LOT means a lot or part of a lot or a building available to be used for the temporary parking of more than one vehicle by customers, employees and the public at large.

PARKING SPACE means an off-street space of the size and dimensions to park one vehicle, exclusive of driveways, aisles or ramps.

PARTY WALL means a common wall jointly owned and jointly used by two parties under easement agreement or by right in law and erected at or upon a line separating two parcels of land, each of which is, or is capable of being, a separate real estate entity. For example: the dividing wall in a

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<sup>7</sup> Part 1, section 2 ORV Regulation -

[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/193\\_2015](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/193_2015)

duplex or townhome. See also *Common Wall*.

PATIO means a platform, which may or may not be attached and projecting from the face of a building, with a surface height that does not exceed 0.6m (2') from grade at any point.

PERSONAL SERVICE ESTABLISHMENT means uses that provide personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include but are not limited to barber shops, hairdressers, manicurists, spa services, shoe repair shops, dry cleaning establishments and laundries, but does not include health services.

PET DAYCARE means premises in which care is provided to domesticated animals during the day and may include the provision of pet training services but does not include breeding or animal boarding facilities.

PLACE OF WORSHIP means land, buildings or structures used for religious worship, which is maintained and controlled by a religious body organized to sustain public worship.

PLAYING FIELDS includes baseball diamonds, soccer, football and hockey fields, ice rinks, basketball, volleyball, badminton, tennis and pickle ball courts, track and field, shuffleboard, bocce ball, and other similar sports played on a field, court or track.

PORCH means a raised, covered, sometimes partly closed, area on the front, side or back of a building. Also called a veranda. See also *balcony, deck and patio*.

POULTRY means any domesticated birds kept for eggs, meat, feathers, hide or cosmetic or medicinal purposes.

PRINCIPAL BUILDING means the building on a lot in which the majority of the floor space is used as a permitted principal use or uses.

PRINCIPAL RESIDENCE means the place the homeowner lives for the majority of the year.

PRINCIPAL USE means the main purpose for which land, buildings or structures are ordinarily 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 organisation. Private clubs may include rooms for eating, drinking and general assembly and may hold a Liquor Primary License.

PRIVATE SCHOOL means a school operated mainly by private funds and offering the same basic curriculum and certificates as a public school as defined in the *Independent School Act*.

PROFESSIONAL AND BUSINESS OFFICES means a building or part thereof, primarily designed, intended or used for the practice of a profession, the carrying on of a business, or where not conducted on the site thereof, the administration of an industry, but shall not include any industrial use, or place of assembly. Typical uses include but are not limited to lawyer, accountant, insurance, real estate, and health professionals (doctor, dentist, chiropractor, physio therapist, registered massage therapist, counsellor, acupuncturist).

PROPERTY LINE means a legal boundary of a lot. See *Lot Line*.

PUBLIC SCHOOL means an elementary or secondary school as defined in the *School Act*.

PUBLIC UTILITY means a privately owned or publicly owned infrastructure, including buildings and

equipment, providing for the essential and emergency servicing of the region, such as electricity, water, waste management, sanitary and storm sewers, where such use is established or authorized pursuant to legislative authority by any governmental body.

QEP means a Qualified Environmental Professional.

QP means a Qualified Professional.

**1.1.11. R**

RECREATIONAL FACILITY means the use of land, buildings or structures for gymnasiums, indoor or outdoor racquet courts, curling rinks, skating rinks, swimming pools, dance studios, aerobic studios or weight rooms, billiard halls, bowling alleys and the like.

RECREATIONAL VEHICLE (RV) means any camper, travel trailer, fifth wheel or motor home with a maximum width of 2.6m (8'6") in transit mode which can be used to provide sleeping accommodation during travel or recreation, and which is capable of being licensed for highway use pursuant to the *Motor Vehicle Act* or any subsequent *Act* or *Acts* which may be enacted. An RV is not to be considered to be a manufactured home.

RECREATIONAL VEHICLE PARK means a site intended for the temporary accommodation of persons in recreational vehicles, and excludes a mobile home park or campground, but may include an accessory laundry facility, washroom and shower facility, convenience store, office, storage area, and recreational facilities provided such uses are limited to the occupants of the recreational vehicle park.

RECREATIONAL VEHICLE SPACE means the area of a recreational vehicle park intended for the occupation of recreational vehicles, but does not include roadways, amenity areas, required setbacks, and accessory use areas.

RECYCLING DEPOT means a facility designed for the purposes of collecting and temporarily storing recyclable materials.

REGISTERED PLAN means a subdivision plan registered in the *Provincial Land Title Office*.

REPAIR SHOP means a shop in which household items or other small motors or electronic devices may be repaired, but specifically excludes vehicle and equipment repair.

REPAIR GARAGE means a garage in which vehicle and equipment repairs are performed. The business may incorporate office or retail space.

RESTAURANT means a building or premises where food and beverages are sold to the public for immediate consumption within or on the premises or outside of the premises, or delivered to other premises, and may be licensed to serve beer, wine or spirits, and includes cafes, take-out establishments and coffee shops, but excludes Drive-Thru Restaurants.

RESTAURANT, DRIVE THRU means a restaurant catering to customers arriving in motor vehicles, who drive onto the site, and where the customer is served in the vehicle or from a drive-up window and may also include indoor or outdoor seating.

RESIDENTIAL DWELLING means one of the following types of residences:

- i. MULTI-UNIT means any detached building divided into three (3) or more dwelling units each of which is occupied or intended to be occupied as the home or residence of one (1)

household and may include shared entrances, exits and other essential facilities and services and/ or dwelling units separated by common party walls each with its own separate entrance and exit with private space at grade level. This includes apartments or condos.

- ii. SINGLE-DETACHED means any detached building consisting of one (1) dwelling unit which is occupied or intended to be occupied as the home or residence of one (1) household.
- iii. DUPLEX or SEMI-DETACHED means any detached or semi-detached building divided into two (2) dwelling units each of which is occupied or intended to be occupied as the home or residence of one (1) household.
- iv. SECONDARY SUITE means a dwelling unit provided within and accessory to a single-detached dwelling unit and is contained within the same single-detached dwelling unit having a total floor space of no more than 92.9m<sup>2</sup> (1,000ft<sup>2</sup>) in area, having a floor space less than 40% of the total habitable floor space of that building. This use does not include duplex housing, semi-detached housing, apartment housing, or boarding and lodging houses.
- v. SEMI-DETACHED HOUSING see Duplex.
- vi. SECONDARY SUITE READY means a single-detached residential use that is designed and constructed to accommodate a future conversion to a Secondary Suite.
- vii. TOWNHOME means any development with three or more dwelling units, with each dwelling unit having a direct entrance at grade.

RETAIL CANNABIS LICENSE means a license issued under the Liquor and Cannabis Regulation Branch (LCRB) of British Columbia.

RETAIL STORE means premises where goods, merchandise and other materials are sold or rented to the final consumer, provided that the product may be stored and sold from within the building and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. It may include limited on-site processing or manufacturing of goods for sale. Typical uses include, but are not limited to grocery stores, jewellery, hardware, pharmaceutical, retail liquor sales, clothing, home furnishing, bakeries, meat markets, fish markets, and sporting goods stores. This use **excludes** warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, manufacturing or on-site processing, and retail stores requiring outdoor storage.

RETAIL, WAREHOUSE means premises where goods, merchandise or other materials are offered for sale at retail to the general public and for the wholesaling of goods to retailers. The use typically requires extensive on-site storage to support the store's operations, either for product storage, or for processing, manufacturing or repairing goods sold on site. Typical uses include but are not limited to sales of food, home furnishings and appliances.

RIPARIAN AREA means the protection and enhancement area that connects land to a lake, river, creek, stream or wetland as defined under the *Riparian Areas Protection Act* and regulated under BC's *Riparian Areas Regulation* (RAR).

RIPARIAN ASSESSMENT AREA per BC's *Riparian Areas Regulation* (RAR) means:

- a) For a stream, the 30m (98'6") strip on both sides of the stream, measured from the high-water mark, stream includes any of the following that provides fish habitat:
  - i. a watercourse, whether it usually contains water or not;
  - ii. a pond, lake, river, creek or brook; or
  - iii. a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (i) or (ii).
- b) For a ravine less than 60m (196'11") wide, a strip on both sides of the stream measured from the high-water mark to a point that is 30m (98'6") beyond the top of the ravine bank, and
- c) For a ravine 60m (196'11") wide or greater, a strip on both sides of the stream measured from the high-water mark to a point that is 10m (32'10") beyond the top of the ravine bank.

ROADWAY means an allowance within a private subdivision or manufactured home park, part or all of which is made suitable for normal vehicular use so vehicles can gain access or egress to abutting manufactured home sites.

**1.1.12. S**

SECONDARY SUITE *see Residential Dwelling.*

SERVICE STATION means land used for the retail sale of motor fuels and lubricants as accessory uses, automobile diagnostic centres, the servicing and minor repairing of motor vehicles and the sale of automobile accessories. A service station may also include electric vehicle charging stations and the sale of food, beverages and sundry items.

SETBACK means the required minimum distance between where a building structure may be erected and a lot line, road or water course.

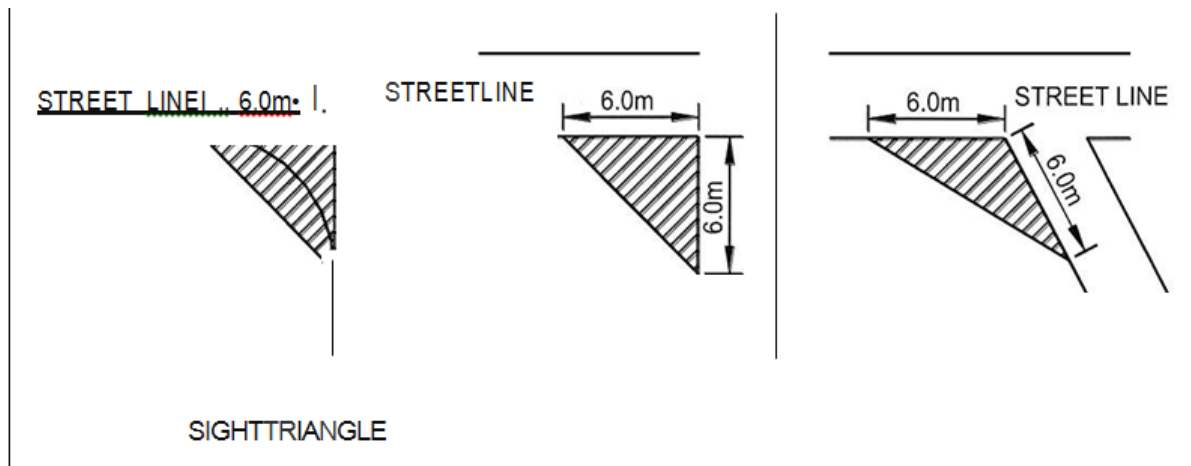
SHIPPING CONTAINER/SEA CAN means a standardized, reusable sea/land/rail shipping container placed either temporarily or permanently within a property for the purpose of storing, holding or providing protection for various items, products, belongings or equipment and includes, but is not limited to, metal or corrugated steel containers or refrigerated shipping containers.

SHOPPING CENTRE means one or more buildings designed as an integrated unit to be used for, but not limited to, retail stores, restaurants, arcades, internet centres, exercise studios, personal service establishments, appliance repair shops, auto repair shops, garden centres, and bus terminals.

SHORT-TERM RENTAL ACCOMMODATION means the use of a dwelling unit or one (1) or more sleeping units within a dwelling unit wherein accommodation is offered for rent, or rented, to the travelling public on a temporary basis for overnight accommodation for a period of 29 days or less. This use does not include bed and breakfast homes, hotels or motels.

SIGHT-TRIANGLE also called a CLEAR VISION AREA means the area formed by a triangle in the angle formed by the projections of two intersecting street right-of-way boundaries and a line joining two points of those boundaries 6m (19'9") from the point of intersection. (See illustration following)





SINGLE-FAMILY DWELLING *see Residential Dwelling.*

SITE means one or more lots containing a principal use.

SITE AREA means the area of a site required to satisfy the provisions for a specific use in this Bylaw.

SLEEPING UNIT means a room or suite of rooms containing sleeping and shared or private sanitary facilities.

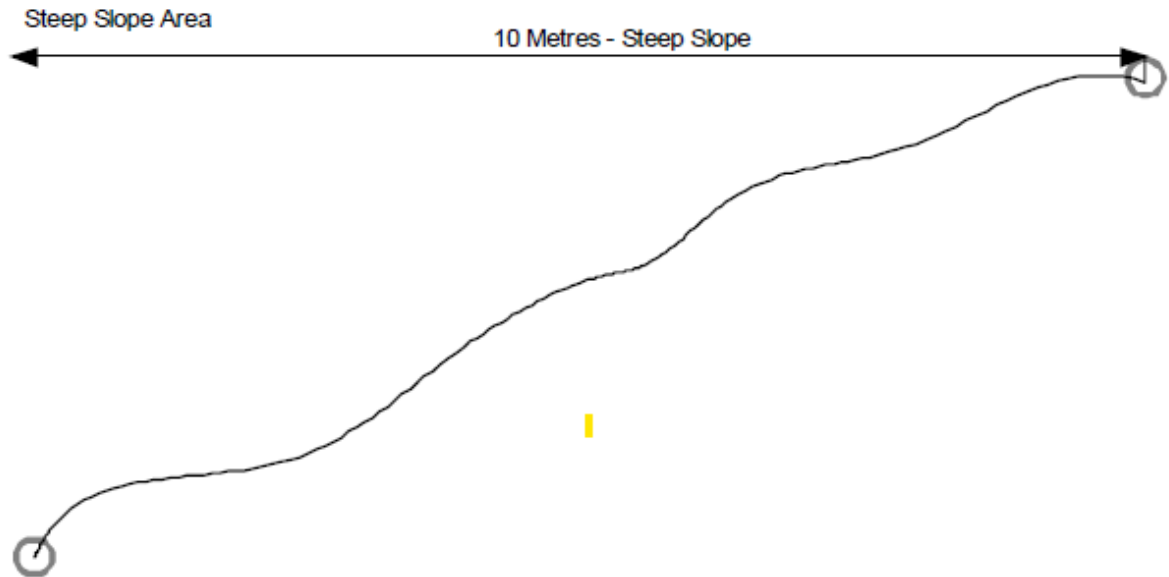
SOCIAL SERVICES CENTRE means the use of premises for the purpose of providing information, referral, counselling, advocacy services; or dispensing aid in the nature of food or clothing; emergency overnight shelter or providing drop-in or activity space.

SPEA means a Streamside Protection and Enhancement Area.

SPECIAL NEEDS HOUSING means housing for households that need special housing as described in the OCP Bylaw #687 Section 2.7 “Affordable Housing Strategy” and includes seniors or persons with or without children who lack safe and secure housing or are leaving an abusive relationship, single parents and children who are at risk, street youth or homeless persons, or people with mental or physical disabilities, illnesses, or dependencies. *See also Affordable Housing.*

STEEP SLOPE AREA means any part of a lot within which the incline is 30% or greater for a horizontal distance of 10m (32’10”) or greater, as measured from natural grade. A lot may include more than one Steep Slope Area. A Slope Development Permit per OCP Bylaw #687 Section 6.8 may be required.





A Steep Slope area exists where a slope of 30% or more exists over a horizontal distance of 10 metres (or more).

**SELF-STORAGE FACILITY** means a Building or group of Buildings containing separate, individual, and private, self-contained storage spaces of varying sizes available for lease or rent.

**STORAGE YARD** means an area outside an enclosed building where construction materials and equipment, solid fuels, lumber and new building materials and stone products, public service and utility equipment or other goods, materials, products, vehicles, equipment or machinery are stored, baled, piled, handled, or sold.

**STOREY** means that portion of a 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<sup>8</sup>. The height of each storey in a building is based on ceiling height, floor thickness, and building material. In Salmo a typical residential storey height is between a minimum 2.4m (7'10") to a maximum of 3.65m (12').

**STOREY, HALF or HALF STOREY** means the portion of a building situated wholly or partly within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.25m (7'5") over an area of such floor of at least 10m<sup>2</sup> (108ft<sup>2</sup>). A half storey also includes a basement with walls between 0.6m (2') and 2.0m (6'8") high, lying between building grade and the level of the finished floor directly above it.

**STRATA** means a strata development which can be buildings or land, divided into separate units, called strata lots. This allows for individual ownership of a strata lot. All the strata lot owners together own the common property as a strata corporation.<sup>9</sup>

**STREAM**<sup>10</sup> includes a natural watercourse or source of water supply, whether usually containing

<sup>8</sup> BC Building Code section 1.4.1.2

<sup>9</sup> <https://www2.gov.bc.ca/gov/content/housing-tenancy/strata-housing/understanding-stratas>

<sup>10</sup> BC Water Act, part 1

water or not, ground water, and a lake, river, creek, spring, ravine, swamp and gulch.

STREAMSIDE PROTECTION AND ENHANCEMENT AREA (SPEA) means an area adjacent to a stream that links aquatic to terrestrial ecosystems and includes both the riparian area vegetation and the adjacent upland vegetation that exerts an influence on the stream, the width of which is determined by assessment by a Qualified Environmental Practitioner (QEP).

STRUCTURE means any construction fixed to, supported by, or sunk into land excluding fences, landscape screens, concrete and asphalt paving or similar surfacing.

SUB-DIVIDE means the division of a lot of land into two (2) or more lots, whether by plan, apt descriptive words or otherwise as defined in the *Land Title Act* Section 1(1) and a bare land subdivision as defined in the *Strata Property Act* Part 1(1) or any subsequent Act or Acts which may be enacted in substitution therefore.

SUBDIVISION means new subdivision creation and development as regulated in the Village's Subdivision Bylaw #588.

SUPPORTIVE HOUSING means subsidized housing<sup>11</sup> consisting of dwellings with support services on-site that may or may not include collective dining facilities, laundry facilities, counselling, educational, homemaking and transportation services for residents.

SURVEYOR'S CERTIFICATE means a site plan certified by a registered British Columbia Land Surveyor showing the locations of improvements on a lot relative to the lot lines.

#### **1.1.13. T-U-V**

TEMPORARY BUILDING means a building which is not supported on permanent foundations, such as metal storage containers.

TEMPORARY SHELTER means a pre-manufactured structure consisting of wood, tubular metal or tubular plastic frame covered with fabric, reinforced plastic, vinyl or similar material.

TOWNHOME *see Residential Dwelling.*

TRANSITION HOUSE means a single-detached dwelling that is used to provide temporary accommodation, care, supervision, guidance, or counselling for, but not limited to, victims of family violence and people suffering from substance use disorder or people in recovery. The primary purpose or mission of the transitional living environment is to help the resident(s) receive the supports and services they need to live dignified, resilient and hopeful lives.

TWO-FAMILY DWELLING *see Residential Dwelling.*

UNATTENDED PUBLIC UTILITY OR PARKS BUILDING OR STRUCTURE means a building or structure containing unattended equipment necessary for the operation of a park area; a community water, sewer or gas distribution or collection system; a radio or television antenna; a telecommunication relay station; an automatic telephone exchange; a navigational aid; electrical substation or generating station; or other similar facility or utility.

USE, ACCESSORY means a use which is normally ancillary, incidental, subordinate, and located on the same lot as the principal use. Parking may be an accessory use when it serves the principal use and does not serve uses on other sites. Accessory uses include recreational amenities in

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<sup>11</sup> <https://www.bchousing.org/housing-assistance/housing-with-support/supportive-housing>

residential developments that are devoted to the exclusive use of residents living on the same site.

USE, PRIMARY means the purposes for which land or a building is arranged or intended, or for which either land, a building, or a structure is, or may be, occupied and maintained.

USE, SECONDARY means those uses in the lists of secondary uses in the zones of this Bylaw which must be in conjunction with a principal use. For example, a home-based business is a secondary use, not a principal use.

UTILITY SERVICES, MAJOR IMPACT means development for utility infrastructure purposes which is likely to have a major impact on adjacent uses by virtue of their potential emissions or effects, or their appearance. Typical uses include but are not limited to sewage treatment plants, water treatment plants, major pumphouses, water towers or tanks, sewage lagoons, snow dumping sites, sludge disposal beds, garbage transfer and compacting stations, power terminal and distributing stations, power generating stations, cooling plants, equipment and material storage yards for vehicles, utilities and services, district heating plants, incinerators, and waste recycling plants.

UTILITY SERVICES, MINOR IMPACT means development for utility infrastructure purposes which is likely to have only minor impact on the environment or adjacent land uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical uses in this class include but are not limited to telephone exchanges, wire centres, switching centres, surface reservoirs or storm water lakes including adjacent landscaping and walkways, minor pumphouses, communication towers, gate stations for natural gas distribution, and transit terminals.

VERANDA means a roofed, open-air gallery or porch, attached to the outside of a building. A veranda is often partly enclosed by a railing and frequently extends across the front and sides of the structure. *See also Porch.*

VETERINARY CLINIC means a facility designed for the care and treatment of animals under the supervision of a Doctor of Veterinary Medicine.

- i. VETERINARY CLINICS, MINOR means those premises where domestic pets and small emotional support animals are treated inside a building and kept for medical or surgical purposes and are directly or indirectly under the care of a veterinarian. This use also includes animal grooming, training, and pet care, but does not include an animal shelter. Animals are kept inside on the premises overnight only when required for medical supervision.
- ii. VETERINARY CLINICS, MAJOR means those premises where large (cows, horses, pigs, sheep, llamas, etc.) and small animals (domestic pets - dogs, cats, birds, hamsters, etc. or small emotional support animals) are given medical and surgical care and may include outdoor shelter. This use also includes Animal Clinics, Minor.

VILLAGE MARKET means a market whose vendors may either make, bake or grow the majority of the products, where area residents and/or their families display and sell locally grown or processed foods, locally produced artisan crafts or re-sell flea market items such as used clothing or antiques and collectibles, with a limited number of imported products.

**1.1.14. W-X-Y-Z**

**WATERCOURSE** means any drainage course or source of water in a channel with defined continuous banks, whether usually containing water or not, and includes any lake, river, creek, spring, wetland, the sea, or source of ground water and includes portions that may be within a conduit or culvert.

**WESTERN FALSE FRONT ARCHITECTURE**<sup>12</sup> or false front commercial architecture is a type of commercial architecture used in the Old West of the United States and Canada. Often used on two-storey buildings, the style includes a vertical facade with a square top, often hiding a gable roof.

**WETLAND**<sup>13</sup> means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries and similar areas that are not part of the active floodplain of a stream.

**WIDTH** means the distance from a main wall to the opposite main wall of a building or structure as measured from outside to outside. In reference to mobile homes, width means the outside width of the mobile home when it is placed on the site, before any vestibules, porches, garages or other structures are added to the mobile home.

**WRECKING OR SALVAGE YARD** means an open area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to metals, paper, rags, rubber tires and bottles.

**YARD – FRONT** means an open space unoccupied to the sky lying between the principal building and the Front lot Line.

**YARD – SIDE** means an open space unoccupied to the sky lying between the principal building and an exterior or interior side lot line.

**YARD – REAR** means an open space unoccupied to the sky lying between the principal building and the rear lot line.

**ZONE** means a zone established under Division 5, Section 479 of the *Local Government Act* and this Bylaw.

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<sup>12</sup> Wikipedia

<sup>13</sup> A Users' Guide to Working in and Around Water, BC Ministry of the Environment

**1.1.15. Short Forms for Units of Measure**

Short forms and symbols used in this document mean the following:

Acronym or Symbol	Meaning		Acronym or Symbol	Meaning
m	metres		m <sup>2</sup>	square metres
			m <sup>3</sup>	cubic metres
ft. or ‘	feet		ft <sup>2</sup>	square feet
cm	centimetres		in. or “	inches
kg.	Kilograms		lb. or lbs.	pounds
Ha	Hectare		ac	acre
			%	percentage

## **2. GENERAL PROVISIONS**

### **2.1. Application**

This Bylaw shall apply to the whole of the Village of Salmo.

### **2.2. Purpose**

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 Salmo having regard for the provisions of the Village of Salmo's Official Community Plan.

### **2.3. Administration**

The Chief Administrative Officer, Building Clerk, Building Inspector, Bylaw Officer(s) or other person or persons authorized by Council shall administer this Bylaw.

### **2.4. Permitted Uses**

Except where specifically excluded, the following uses, buildings, and structures are permitted in all zones:

- (a) highway and transportation rights-of-way held by, or on behalf of, a government;
- (b) parks, including playgrounds and playfields, walking, bicycling and equestrian trails, and paths and ecological reserves;
- (c) public utilities, such as electrical and telephone lines, pipelines, traffic control devices, public utility poles, and underground utility systems;
- (d) radio, television, cellular and transmission towers;
- (e) community water system facilities, including reservoirs, treatment plants, pumping station intake structures, and supply lines; community sewage system facilities, including treatment plants, sewage pumping stations, storm drainage retention ponds, and sewer service lines;
- (f) ditches and culverts; and
- (g) temporary use of a building or structure as a polling station for government or school board elections, referenda, or census providing such a use does not exceed 60 days.

### **2.5. Prohibited Uses**

Except where specifically permitted in this Bylaw, the following uses, buildings and structures are prohibited in all zones:

- (a) a tent or recreational vehicle (RV) used for habitation;
- (b) single-wide Mobile Homes;
- (c) shed or accessory building used for habitation;

- (d) storage of refuse or waste disposal/processing not produced on the property;
- (e) the disposal or storage of hazardous, contaminated, biomedical or toxic waste;
- (f) commercial composting facility;
- (g) the production, storage, and application of Class A compost, untreated and unprocessed wood residuals, in compliance with the *Organic Matter Recycling Regulation, B.C. Reg. 18/2002, Division 5, 12*, except for wood chips produced and used for mulch when trees or branches are removed from a property;
- (h) the storage of contaminated soil, if the contaminated soil did not originate on the same legal parcel of land;
- (i) kennels, breeding pets, or a boarding facility;
- (j) vehicle wrecking yard;
- (k) slaughtering of livestock and food processing;
- (l) commercial laundry facility;
- (m) manufacturing personal care products such as soaps, salves, shampoo and conditioners;
- (n) chemical manufacturing;
- (o) petrochemical refining;
- (p) explosives/ammunition manufacturing facility;
- (q) battery manufacturing;
- (r) outdoor chemical treatment of poles, fence posts, and wood products;
- (s) metal smelting/electroplating;
- (t) water, soft drink, or fermented beverage bottling facilities except for micro-breweries; and
- (u) cannabis production.

## **2.6. Density Regulations**

- (a) Where two or more adjoining lots registered prior to adoption of this Bylaw have less than the minimum site area required by this Bylaw, the lots may be consolidated into fewer lots than existed at the time of application as long as no new lot created is smaller than any previously existing lot.
- (b) Where it is not possible to create a lot that has the minimum site area required for a zone, the minimum site area requirement will be reduced where the proposed subdivision involves any one of the following and meets Village requirements and, if applicable, in the case of a property not served by municipal water or wastewater systems, regional health authority requirements:
  - i. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;

- ii. a lot that, at the time of adoption of this Bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots; or
  - iii. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this Bylaw and any previous applicable land use bylaw.
- (c) The minimum site area for a lot created under 2.6 (a) shall be 334.5m<sup>2</sup> (3,600ft<sup>2</sup>) where serviced by a community water and wastewater systems and 548m<sup>2</sup> (5,898ft<sup>2</sup>) where not serviced by a community sewer system.
- (d) Where a dwelling has been constructed across a legal property line prior to the adoption of this Bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in site area.
- (e) Where a zone includes provisions for maximum floor area or gross floor area of all buildings on the lot, including accessory buildings, the ratio of that area divided by the total area of the lot must not exceed the coverage ratio identified for the zone in which the lot is located.
- (f) Where a zone includes provisions for minimum site area for each 'Principal Use', no lot may be used for more than one principal use unless the lot contains the applicable minimum site area specified within the zone for each principal use.
- (g) Where a zone includes provisions for maximum site coverage, the lot coverage of all buildings and structures on the lot must not exceed the percentage specified for the zone in which the lot is located.
- (h) Where more than one of the above density provisions applies to any given lot, the most restrictive governs but all remain applicable.

## **2.7. Development Permits & Areas**

The Village of Salmo Official Community Plan (OCP) Bylaw # 687, 2020 establishes Development Permit Areas and Development Permit guidelines in which best management requirements are provided for property development in relation to aquifer protection, flood plain and natural hazard areas, downtown revitalization in the Village centre, and ecologically sensitive areas. Such requirements will take precedence over any Setback or other requirements contained in this Bylaw.

The OCP designates the following Development Permit Areas (DPAs):

- (a) DPA 1 - Aquifer Protection Development Permit Area (OCP Section 6.4);
- (b) DPA 2 - Downtown Revitalization Development Permit Area (OCP Section 6.5); and Design Guidelines Bylaw #716
- (c) Natural Hazards Development Permit Areas (OCP Section 6.6):
  - i. DPA 3 - Flood Plain Development Area Permit (OCP Section 6.7);
  - ii. DPA 4 – Slope Stability Permit Areas (OCP Section 6.8); and



- iii. DPA 5 - Wildfire Protection Permit Area (OCP Section 6.9).

## **2.8. Development Variance Permits**

Property owners may apply for a development variance through the Village's Development Variance Permit (DVP) process, as governed by the *Local Government Act*, Division 9, Section 498.1 (a) (i) and (ii), in the following circumstances:

- (a) A variance regarding an exception or modification to a zoning bylaw requirement as mandated in this Bylaw. This includes a variance regarding property size/area, density, buildings per lot, site coverage or building width.
- (b) A variance to alleviate a perceived hardship caused by a zoning bylaw requirement.
- (c) A variance regarding a multi-lot subdivision development requirement as mandated in the Village's Subdivision Development Bylaw.

Applications are public and may be reviewed and ruled on by either Council or the Board of Variance.

## **2.9. Water and Wastewater Utilities**

All zones are serviced by the Village's water and wastewater utility services. Connection is mandatory unless, for geographical or engineering reasons, a lot cannot be serviced by either the Village's water and/or wastewater utility service.

## **2.10. Severability**

If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, the validity of the remaining portions of this Bylaw shall not be affected.

## **2.11. Units of Measure**

All units of measure contained within this Bylaw are metric standards. The approximate imperial measurement equivalents are provided for convenience only.

### 3. ENFORCEMENT

#### 3.1. Uses and Regulations

- (a) Except for legal non-conforming uses or development approved by Council for a Development Variance Permit or a Board of Variance ruling, or another agreement or permit as authorized by the *Local Government Act*, the use and development in each zone or area shall be in accordance with the uses listed in the zone and all the appropriate regulations and requirements of this Bylaw.
- (b) No land, building, or structure, within the Village of Salmo shall be developed, used, constructed, erected, modified, converted, enlarged, reconstructed, altered, placed, or maintained except in conformity with the provisions of this Bylaw.
- (c) Prior to development or modification any property within the Village limits requires planning permission per the Development Approval Bylaw #688 and/or the Subdivision Bylaw #588 (for new, multi-unit subdivisions), and a Building Permit issued by the Village with the exception of items described in subsection 3.1 (d) following.
- (d) This Bylaw does not apply to the following developments:
  - i. Alterations, maintenance and repair to any building or structure, provided that such work does not involve structural alterations, nor significant façade alterations; and does not change the use or intensity of use of the building or structure.
  - ii. The use of a building or part thereof as a temporary polling station, election official's headquarters, candidate's campaign office, and any other official temporary use in connection with a federal, provincial, or municipal election, referendum or census.
  - iii. A temporary structure which is incidental to the erection, maintenance, alteration, or sales of a building, structure or utility for which a Building or Development Permit has been issued provided that they are removed within 30 days of project completion or one year following the issuance of a building permit.
  - iv. Landscaping, where the existing grade and surface drainage pattern is not materially altered and will not create off-site impacts, except where required by Section 2.7(c).

#### 3.2. Right of Entry<sup>14</sup>

- (a) Per the *Community Charter* Part 2, Division 3, 16 (2), persons appointed under subsection 3.2 (b) and (c) may enter a property at any reasonable time for the purpose of determining whether the regulations of this Bylaw are being observed.

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<sup>14</sup> *Community Charter* Part 2, Division 3, section 16, parts (1), (2), (3), (4), (5) and (6).

- (b) Land: The Chief Administrative Officer, Building Official, Bylaw Enforcement Officers, or other officers or employees of the Municipality or other persons authorized by Council, shall have the right of entry and may enter onto any land at all reasonable hours in order to inspect the same and to ascertain whether the provisions of this Bylaw have been carried out.
- (c) Buildings: The Chief Administrative Officer, Building Official, Bylaw Enforcement Officers, or officers or employees of the Municipality or other persons authorized by Council shall have the right of entry at all reasonable hours and may enter into any building and shall obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry; in order to inspect the same and to ascertain whether the provisions of this Bylaw have been carried out.
- (d) No person shall interfere with or obstruct the entry of a Bylaw Enforcement Officer or any authorized Village representative onto any land or into any building to which entry is made or attempted pursuant to the provisions of this Bylaw.

### **3.3. Violation**

Every person who:

- (a) violates any of the provisions of this Bylaw;
- (b) commences or undertakes a use which is not permitted by this Bylaw;
- (c) contravenes a condition of a permit issued under this Bylaw;
- (d) authorizes or does any development that is at variance with the description, specifications or plans that were the basis for the issuance of a Building Permit;
- (e) constructs, makes an addition to or alters a building or structure, which is not permitted by this Bylaw;
- (f) carries out, causes or permits to be carried out any act or development in a manner prohibited by or contrary to any of the provisions of this Bylaw;
- (g) neglects or omits to do anything required under this Bylaw;
- (h) modifies any description, specifications, or plans that were the basis for the issuance of any permit by the Village of Salmo or a Building Inspector; fails to comply with an order, direction or notice given under this Bylaw; or
- (i) prevents or obstructs or attempts to prevent or obstruct the authorized entry of an officer onto property under Section 3.2,

shall be deemed guilty, upon summary conviction, of an offence under this Bylaw.

### **3.4. Offence**

Each day's continuance of an offence under this Bylaw constitutes a new and distinct offence.

### **3.5. Penalty**

Any person who violates Bylaw provisions may, on summary conviction, be liable to the maximum penalty under the *Offense Act*, plus the cost of prosecution, for each offense. The penalties imposed under this Section are a supplement and not a substitute for any other remedy to an infraction of this Bylaw.

## **4. GENERAL REQUIREMENTS**

### **4.1. Minimum Lot Area and Frontage Exceptions**

The minimum lot area and the minimum frontage requirements do not apply to parks and playgrounds, unattended public utility structures, or park buildings or structures.

### **4.2. Minimum Lot Width**

Except for existing lots 30' lots, unless otherwise specified in Sections 5.8 or 5.13.3, the minimum lot width for new lots it is 13.7m (45').

### **4.3. Uses Permitted on Parcel Regardless of Size**

All of the uses permitted in a zone are permitted on any parcel within the zone, regardless of the area or frontage of the parcel provided minimum lot size and setback requirements for the zone are met.

### **4.4. Minimum Parcel Area Requirements**

Minimum parcel area requirements, as described in the Village of Salmo Subdivision and Development Bylaw #588, apply upon creation of the parcel at subdivision.

### **4.5. Services**

No building, structure, or lot in any zone shall be used for any purpose that requires street access or services unless:

- (a) the owner has obtained proper authorization to have the required services installed and has installed such services in accordance with the Village of Salmo Subdivision and Development Bylaw #588 or any subsequent issues; and
- (b) the lot has actual physical access from the street.

### **4.6. Lighting**

- (a) Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties or interfere with the effectiveness of any traffic control device.
- (b) Site areas with public access shall be lit in keeping with the principles of crime prevention through environmental design and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings and streets of parking areas and walkways.

### **4.7. Property Use During & After Construction**

- (a) During a home construction or Permitted home refurbishment period the property owner may:
  - i. erect an accessory structure for storage provided it is shown on the site plan when applying for a Building Permit;

- ii. if a laneway house is planned, erect the planned laneway house first, as shown and described as part of an approved Building Permit, provided it meets zoning requirements, and live in it while the principal residence is being constructed for a period of no more than 12 months; or
  - iii. use a Recreational Vehicle (RV) for their own accommodation during construction of the principal residence for a period of up to 12 months as described in the Village of Salmo's Building Bylaw #618.
- (b) After a period of 12 months from the issue of the Building Permit and commencement of construction:
- i. any accessory buildings constructed pre-construction are no longer permitted on a lot that does not yet have a principal residence and the Village shall require that they be removed; and
  - ii. property owners may no longer live on the property in a laneway house or RV.
- Property owners may however apply for an extension of up to 6 months maximum to complete construction.

#### **4.8. Use of Recreational Vehicles as a Residence**

Recreational Vehicles are not considered to be a residential structure and may only be used for residential purposes in the circumstances described in the Village of Salmo's Building Bylaw #618.

#### **4.9. Vacant Lots**

##### **4.9.1. Property Maintenance Vacant Lots**

- (a) Property owners may not use a vacant undeveloped lot to:
- i. store goods or equipment, including recreational, derelict or uninsured vehicles; or
  - ii. store materials or wood products.
- (b) Property owners must maintain the property in order not to contravene the Village's Unsightly Premises Bylaw #649, Section 4.

##### **4.9.2. Exemptions**

For undeveloped lots adjacent to the property owners' home or business, which form part of the yard of said adjacent property, property owners must follow the uses allowed for the primary use of the property and shall not erect accessory buildings on the vacant property without applying for and obtaining a building permit. The Village reserves the right to deny a Building Permit for an accessory building on said property.

#### **4.10. Property Maintenance Developed Lots**

Property owners must:

- (a) keep developed lots tidy;
- (b) mow the grass and weeds regularly in keeping with neighbouring properties; and

- (c) remove or paint over graffiti.

#### 4.11. Swimming Pools

- (a) Swimming pools must be built in accordance with the Village of Salmo Building Bylaw #618 or subsequent issue and the *BC Guidelines for Pool Design*.
- (b) At grade swimming pools shall be located at a minimum of 0.9m (2'11") from side and rear property lines and 1.5m (4'11") from any street.
- (c) Swimming pools are not allowed in a required front yard.
- (d) Above ground swimming pools and associated decks greater than 0.6m (2') in height shall meet the siting requirements of accessory buildings.
- (e) Fencing around swimming pools shall be in accordance with the requirements specified in the Village of Salmo Building Bylaw #618 or subsequent issue and the *BC Guidelines for Pool Design*.

#### 4.12. Yards

- (a) All measurements are to be taken from the applicable property line.
- (b) A part of a lot reserved as a yard shall not be deemed to form part of any abutting lot for the purpose of computing the area available for building purposes or any other purpose.
- (c) Where a lot which is not a corner lot has frontage on more than one street, any building, structure or accessory building shall be located on such lot to maintain a front yard on each street frontage so as to be consistent with the predominant front yard setback in the block.
- (d) In the case of a corner lot in an urban residential zone, the front yard shall be the narrower of the two frontages.
- (e) The minimum front yard depth is 9m (29'6"), except in the RR-1 zone the minimum front yard is 12m (39'4") deep. For double fronting lots, the minimum front yard shall be in accordance with the regulations for a principal building in that zone.
- (f) The minimum side yard is 1.5m (4'11"), except:
  - i. for an accessory building or structure on an interior lot line and with a gross floor area of less than 9.24m<sup>2</sup> (100ft<sup>2</sup>) and a height of less than 2m (6'7") there is no minimum side yard; and
  - ii. for mechanical equipment on an interior lot line the minimum side yard is 1.22m (4'), except it is 0.2m (8") in the C-2, C-3, and M-1 zones.
- (g) The minimum rear yard is 1.5m (4'11") deep, except where there is a rear lane the minimum rear yard is 0.9m (2'11"), and in the R-1 and RR-1 zones the minimum rear yard is 3m (9'10").

#### 4.13. Riparian Management Area (RMA) Setbacks

- (a) In all zones where Riparian Management Area Setbacks are required along watercourses, as specified by the *Riparian Areas Protection Act*, the specified setback distance shall be measured from the top-of-bank, or from the natural boundary where the top-of-bank is not clearly defined. The specified setback distance shall be measured to the foundation of the building or structure including roofs, eaves, and any over-hanging components or cantilevered portions of a building.
- (b) When the Riparian Areas Regulation applies to a development, the property shall be assessed by a Qualified Environmental Professional (QEP). The assessment will determine the width of the Streamside Protection and Enhancement Area (SPEA) on the property. Development may be restricted in this area if it has the potential to damage vegetation and/or interfere with the ability of the riparian area to provide fish habitat. Additional measures to maintain riparian habitat such as sediment and erosion control, may be included in the assessment.
- (c) No development shall be permitted within a riparian area that does not conform to the setbacks as prescribed by the BC Ministry of Forests, Land and Natural Resource operations *Riparian Areas Regulations* per the *Riparian Areas Protection Act* without an authorized Aquifer Protection Development Permit (DPA-1).
- (d) When new lots are created abutting a watercourse where an Aquifer Protection Development Permit Area setback is required, the land within the RMA may be used for calculating the minimum lot area and for the determination of permitted density and site coverage.

#### 4.14. Setbacks

- (a) Where a zone includes provisions for minimum setbacks, no building or structure may be placed, constructed, sunk into, erected, sited, altered or enlarged closer to the lot line than the distance specified for the zone in which the building or structure is located, and further:
  - i. setbacks may vary according to any combination of use, building, structure or location within a zone or adjacent zone; and
  - ii. any portion of a building or structure located below finished grade is subject to all setbacks for the zone in which the building or structure is located.
- (b) Where the top surface of an underground structure projects no more than 0.6m (2') above the average finished ground elevation, that structure may be sited in any portion of a lot.

#### 4.15. Setback Exceptions

##### Projections

No features shall project into the setback required by this Bylaw, except the following:

- (a) Chimneys, cornices, leaders, gutters, columns, belt courses, sills, bay windows, or other similar features may intrude no more than 0.6m (2') into the required setback area.



- (b) Free-standing lighting poles, warning devices, antennas, masts, solar collectors, utility poles, wires, flag poles, signs, and sign structures, may be sited on any portion of a lot that does not interfere with a clear vision area.
- (c) Uncovered steps, eaves, sunlight control projections, canopies, balconies, or porches may project no more than:
  - i. 1.2m (3'11") into a front or rear yard; or
  - ii. 0.6m (2') into a side yard.
- (d) Entrance canopies or awnings for commercial structures in zones C-2, C-3 and M-1 for weather protection or building ornamentation may project no more than 3m (9'10") into a front yard or a flanking side yard or no closer than 1.5m (4'11") to a side lot line. Residential canopies or awnings in these zones shall project no more than 2m (6'7") into a front yard or no closer than 1.5m (4'11") to a side lot line.
- (e) All canopies and awnings shall be designed to direct run-off and snow away from the sidewalk below.
- (f) The total area of structural projections, excluding purely architectural or aesthetic features, shall not comprise of more than 30% of the total area of the exterior wall in which they are located.
- (g) The total area of the exterior wall is to be calculated based on the total area of the wall, generally parallel to the side lot line, measured from the front to the rear of the building, not including decks, trellises, or other open structures.
- (h) For buildings or structures that are more than one storey, the area of the structural projection shall be calculated per storey. No individual structural projection shall exceed 3m (9'10") in length. No two structural projections shall be closer than 1.5m (4'11") apart.
- (i) In the case of a Laneway House proposed to be contained within an existing building constructed prior to the adoption of Bylaw #717, 2023, the Village of Salmo Council may exempt the Laneway House from the minimum lot line setbacks prescribed in this Bylaw, provided that the height, siting, and building footprint of the said structure are not increased.

#### **4.16. Common Walls**

Where a common wall shared by two or more units within a building for a residential use or a commercial use coincides with an interior side lot line of a parcel or of a strata parcel shown on a registered strata plan as provided in the *Strata Property Act*, the setbacks for the principal building specified in the Bylaw with respect to the side lot line shall not apply.

#### **4.17. Live/Work Units**

In any zone in which a Live/Work unit is permitted, the following conditions shall be satisfied:

- (a) each storey used for a dwelling unit(s) shall not exceed the gross floor area of the work or studio space;

- (b) in the case of a single floor live/work dwelling the dwelling unit shall not exceed 50% of the gross floor area; and
- (c) each dwelling unit and each work unit must have an independent entrance into the unit.

#### **4.18. Height and Grade**

##### **4.18.1. Determining Height**

In determining whether a development conforms to the maximum height permitted in any zone the following structures shall not be considered for the purpose of determining the height:

- (a) flag pole;
- (b) floodlight, lighting pole;
- (c) water tower;
- (d) spire, steeple, belfry;
- (e) western false front in zone C-3;
- (f) chimney, smoke stack;
- (g) dome, cupola;
- (h) monument or sculpture;
- (i) retaining walls;
- (j) industrial cranes;
- (k) elevator shafts;
- (l) skylights; or
- (m) ventilating equipment,

provided that no exempted structure;

- (n) exceeds 12m (39'4") in height;
- (o) covers more than 20% of the parcel; and
- (p) if located on a building, covers more than 10% of the roof area of the building.

##### **4.18.2. Maximum Allowable Heights**

- (a) The following maximum heights shall apply in all zones:
  - i. no principal building including a fire hall, library, school, community or recreation centre may exceed three (3) storeys, 10m (32'10") in height;
  - ii. maximum half storey height is 2m (6'7");
  - iii. no accessory buildings or structures may exceed 4.5m (14'9") in height, unless approved and a Building Permit is issued for a two-storey structure as described in Sections 5.4.4 and 5.7.3 of up to 7m (23') in height;
  - iv. a one-and one-half storey dwelling or commercial space building shall not exceed 5.67m (18'6") in height at peak;
  - v. a one-storey dwelling (primary residence, Cabin, laneway house, or commercial

- space building shall not exceed 4.6m (15'1") in height;
  - vi. an RV storage shelter or garage shall not exceed 7m (23') in height at peak;
  - vii. a place of worship shall not exceed 10m (32'10") in height, exclusive of a steeple or cupola; and
  - viii. a western false front façade extension in Zone C-3 may not exceed 1.98m (6'6") in height.
- (b) In no case, shall the height of a building or structure exceed the Ministry of Transportation flight path regulations.

#### **4.18.3. Walkout Basements**

Walkout basements oriented to the rear yard shall not be considered for the purpose of determining height for single-detached, duplex or semi-detached housing. Where a single-detached, duplex or semi-detached housing unit has a walkout basement oriented to the rear yard, height shall be determined as follows:

- (a) the maximum height of any building elevation facing a front yard or, flanking street is the lesser of 8.6m (28'2") from grade or 3 storeys; and
- (b) the height for the lowest floor or walkout basements at the rear elevation cannot exceed 3.6m (11'10") measured from approved building grade to the top of the finished floor above the slab.

### **4.19. Slopes**

Buildings to be constructed on a slope may require a Slope Development Area Permit (DPA 4) as described in Section 2.7(c)ii Development Area Permits in the OCP Section 6.8.

### **4.20. Building Inspector Approval**

- (a) No building or structure shall be erected in any zone without first obtaining the approval of the Building Inspector as to the proposed building grade. The proposed building grade shall, to the extent possible, retain the natural contour of the land, minimize the necessity to use retaining walls and ensure positive drainage away from abutting properties.
- (b) Small accessory buildings up to 3.05m x 3.05m, 9.3m<sup>2</sup> (10' x 10', 100ft<sup>2</sup>) do not require a Building Permit and are permitted on all lots. All accessory buildings over 9.3m<sup>2</sup> (100ft<sup>2</sup>) require a Building Permit.

### **4.21. Parking**

Overnight street or lane parking is not permitted. All parking for residents and overnight guests must be accommodated on the property. Parking requirements are noted in each zone.

### **4.22. Siding**

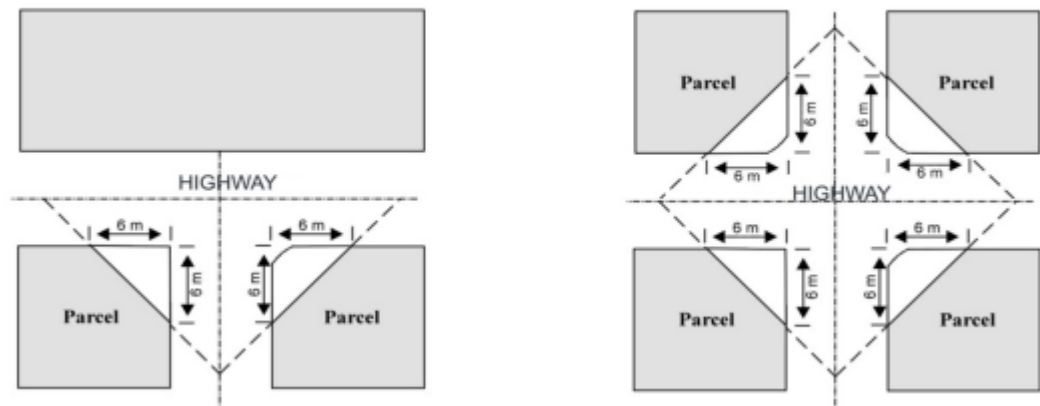
Buildings may not remain un-sided with plastic wrap air or moisture barriers exposed. Homes and businesses are required to complete all siding on the outside of structures as part of the construction process per Building Bylaw #618.

## 4.23. Dormers

Where the width of the dormer or dormers exceeds 50% of the width of the roof on which they are located the height of the dormer will be measured as if it was the main roof.

## 4.24. Clear Vision Area

- (a) No person who owns or occupies land at the intersection of two (2) or more highways may place or grow any tree, shrub, plant, fence or other structure within the sight triangle illustrated below above an elevation such that an eye 1.22m (4') above the surface elevation on one highway cannot see an object 1.22m (4') above the surface elevation of the other highway as shown on the sight triangle on the following diagram<sup>15</sup>.



**SIGHT TRIANGLE**

- (b) The Ministry of Transportation and Infrastructure is the final authority for sight distance on the roads under their jurisdiction and for the purpose of subdivision.

## 4.25. Utility Cabinets

Minor utility cabinets for the provision of telephone, power, cable television or other utility services, when located outside a statutory right-of-way, shall comply with the following:

- a cabinet less than 1.8m (5'11") in height with no horizontal dimension exceeding 1m (3'3") need not comply with any yard requirements in any zone;
- a cabinet less than 1.8m (5'11") in height with a horizontal dimension between 1m (3'3") and 2m (6'7") must be set back at least 1m (3'3") from a lot line;
- a cabinet greater than 1.8m (5'11") in height or with a horizontal dimension exceeding 2m (6'7") shall comply with the setbacks for accessory structures in that zone; and
- EV charging stations are excluded from utility cabinet height restrictions.

<sup>15</sup> Courtesy RDCK

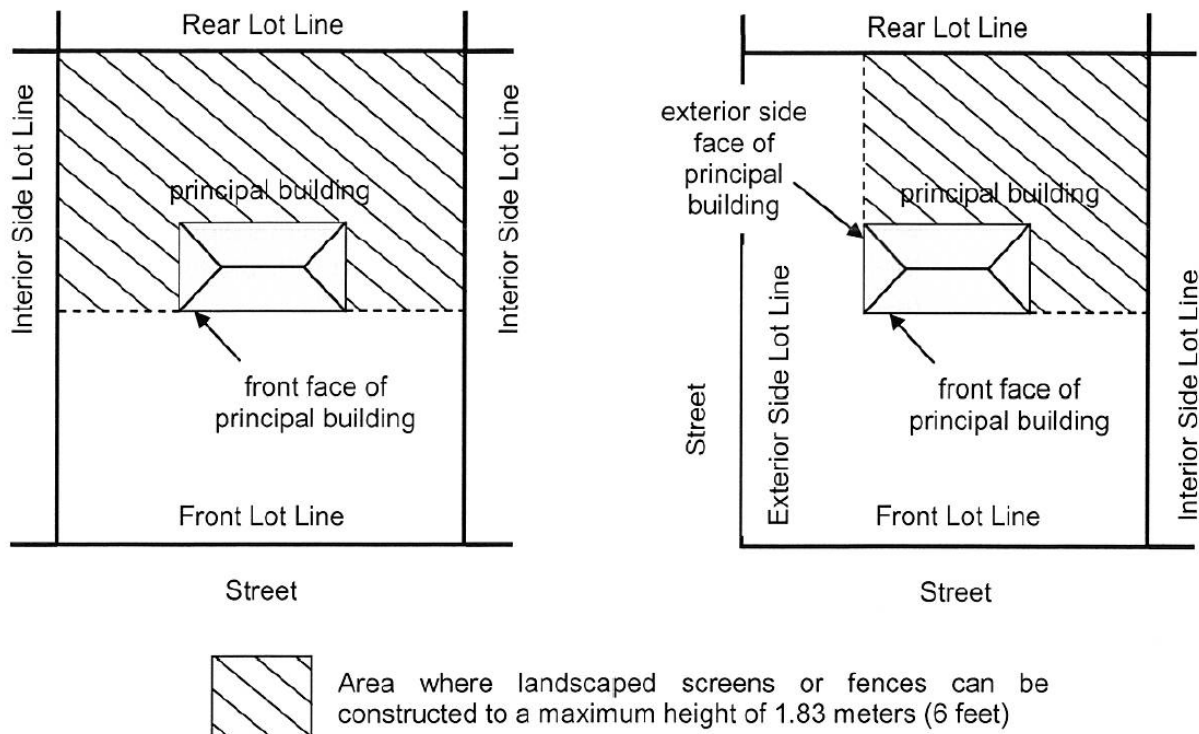
## 4.26. Rooftop Screening

Rooftop, mechanical, and electrical equipment in zones other than agricultural zones shall be screened from view from a public roadway or adjacent property at grade. Fans, vents and solar panels are excluded from this requirement.

## 4.27. Fences and Landscape Screens

Unless otherwise noted in the requirements for a particular zone:

- (a) Landscape screens or fences 1.22m (4') or less in height may be sited on any portion of a lot.
- (b) Landscape screens or fences 1.83m (6') or less in height may be sited to the rear of the front face or exterior side face of a principal building on the lot.



## 4.28. Accessory Development

### 4.28.1. General Regulations

- (a) Despite any other provisions of this Bylaw, accessory buildings and structures are permitted on any lot where a principal building or structure exists as described in 4.28.3 non-residential zones or 4.28.4 residential zones, whichever is applicable.
- (b) An accessory building larger than 9.3m<sup>2</sup> (100ft<sup>2</sup>) requires a Building Permit.
- (c) Except where specifically permitted by this Bylaw, an accessory building or structure may not be used for residential or tourist accommodation.

- (d) Except where specifically permitted by this Bylaw, an accessory building or structure may not contain a shower enclosure, a bathtub, a kitchen or more than three separate rooms.

#### **4.28.2. Secondary Dwelling Units**

- (a) Where specifically permitted by this Bylaw, subject to approval from the Village and/or the regional health authority for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as an accessory use subject to the following:
  - i. the dwelling can be either attached or detached from the principal dwelling;
  - ii. the accessory dwelling shall not be a recreational vehicle or other vehicle except as circumstances described in Sections 4.7(a) iii and 4.8
- (b) One (1) additional off-street parking space must be provided for an accessory dwelling.
- (c) Secondary dwelling units shall comply with all relevant Village Bylaws, and the *BC Building Code*.
- (d) A boarding or lodging house and/or group home minor/major shall not be permitted to operate within a Secondary Suite.
- (e) A Secondary Suite shall not be permitted on a parcel which also has a bed and breakfast or a boarding or lodging house or a group home, major/minor.
- (f) Where a Secondary Suite is permitted, a minimum area of 30m<sup>2</sup> (323ft<sup>2</sup>) of private or shared open space shall be provided per dwelling unit. The open space shall have a direct connection to a Secondary Suite entrance.

#### **4.28.3. Accessory Buildings in Non-Residential Zones**

- (a) An accessory building or structure in any non-residential zone is subject to the development regulations for that zone.
- (b) Notwithstanding Section 4.28.1, an accessory building or structure on a lot in a non-residential zone which abuts a lot in a residential zone shall not be less than 1.5m (4'11") from the boundary of the lot in a residential zone.
- (c) Notwithstanding Section 4.28.1, one (1) half bathroom with a toilet and sink is permitted to a maximum area of 3m<sup>2</sup> (32ft<sup>2</sup>). Bedrooms, sleeping units and/or full bathrooms are not permitted within an accessory building or structure, except one full bathroom is permitted in an accessory building or structure used exclusively as a pool house.

#### **4.28.4. Accessory Buildings in Residential Zones**

- (a) Maximum footprint for a Laneway House or Cabin is 92.9m<sup>2</sup> (1,000ft<sup>2</sup>) on lots under 0.2 hectare (.5 acre) or 111.5m<sup>2</sup> (1,200ft<sup>2</sup>) on lots greater than 0.2 hectare (.5 acre).
- (b) The maximum site coverage for all accessory buildings on a lot in residential zones is the lesser of 14% or a footprint of 92.9m<sup>2</sup> (1,000ft<sup>2</sup>). Except in Rural Resource zone RR-1 the maximum site coverage for accessory buildings is 10%.
- (c) A Laneway House, Cabin, Garage with Suite Above, Workshop or Carport must be complimentary in design, colour and exterior finishes to the principal residence.

- (d) One half bathroom with a toilet and sink is permitted to a maximum area of 3m<sup>2</sup> (32ft<sup>2</sup>) in a garage or workshop. Bedrooms, sleeping units and/or full bathrooms are not permitted, except one full bathroom is permitted in an accessory building or structure used exclusively as a pool house.
- (e) An accessory building or structure may not be situated closer to the front lot line or the exterior side lot line than the principal building. Woodshed, toolsheds, and other types of sheds or small storage unit type buildings are only permitted in the side yard or backyard in residential zones, setbacks permitting.
- (f) The minimum distance to the principal dwelling is 3m (9'10"), except if the gross floor area of the accessory building is less than 20m<sup>2</sup> (215ft<sup>2</sup>), the minimum distance is 1m (3'3").

#### **4.29. Cannabis-Related Businesses**

- (a) Cannabis-related businesses are allowed to locate and operate within the Village of Salmo. This includes, but is not limited to, medical cannabis processing sites, medical cannabis dispensaries, recreational cannabis processors, recreational cannabis wholesalers, and recreational cannabis retailers.
- (b) Cannabis processing businesses and wholesalers for retail or medical use are allowed in Zones M-1 Mixed Use Commercial and C-2 Service Commercial.
- (c) Medical cannabis dispensaries, retail stores and consulting businesses are allowed in Zones C-2 Service Commercial and C-3 Village Centre.
- (d) All cannabis-related businesses require the applicable provincial licences and approvals from, but not limited to, the BC Liquor and Cannabis Regulation Branch, the Ministry of Health, the R.C.M.P., or the Salmo Fire Department, and a Village of Salmo business licence to operate per the Village's Business Licence Bylaw #645 and its amendments.
- (e) A Village of Salmo business licence can only be issued once all required provincial and municipal approvals and fees have been obtained.

#### **4.30. Home-Based Businesses**

##### **4.30.1. General Requirements Home-Based Business**

A home-based business, where permitted, is subject to the requirements that:

- (a) No variation from the residential character and appearance of land or buildings shall be permitted and no external structural change to any principal building or structure which would indicate that a home-based business is being conducted therein; except for an un-illuminated sign not exceeding 0.2m<sup>2</sup> (2.15ft<sup>2</sup>), signage advertising the home-based business must comply with the Village of Salmo Signs Bylaw #260.
- (b) There shall be no outdoor display of materials, equipment or finished products and no exterior storage or operation of the home-based business shall be permitted, and the home must be kept in a manner to comply with Unsightly Premises Bylaw #649.
- (c) No nuisance from noise, vibration, smoke, dust, odours, heat, glare, electrical or radio



disturbance shall be produced by the home-based business, and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved, and the home-based business shall not adversely affect the amenities of the neighbourhood.

- (d) All home-based businesses shall be secondary uses and shall comply with the following:
  - i. a home-based business shall only be conducted within a principal building and/or one accessory building or structure;
  - ii. at any given time, the home-based business shall not generate more than four (4) clients to the site from which the business is being operated; and
  - iii. this use does not include the repair or painting of vehicles, trailers or boats; cabinet making; welding or machine shops; care centres; or cutting and wrapping wild game.
- (e) No more than one (1) to two (2) persons other than residents of the principal residence shall be engaged in the home-based business at the residence, except as noted in Sections 4.30.2 and 4.30.3.
- (f) The home-based business shall not occupy a required residential dwelling parking space and no parking of commercial vehicles larger than 4,100 kg (9,031 lb.) gross vehicle weight on or about the site is allowed for a home-based business.
- (g) The home-based business shall not occupy more than 25% of the floor area of the dwelling unit, and in no case shall the combined area of the residence used for the business and an accessory building used for the business exceed 92.9m<sup>2</sup> (1,000ft<sup>2</sup>). This shall be limited to 10% if the dwelling also contains a bed and breakfast home.
- (h) General retail sales of products not produced on the premises, except for products incidental to the service provided, e-commerce mail order sales, telephone sales, or goods where the customer does not enter the premises to inspect or pick up the goods, or products incidental to the service provided, shall not be permitted in a home-based business.
- (i) A home-based business shall not involve the sale or display of any goods on the site other than those goods constituting the finished principal product of the home-based business and displayed in the residence or accessory building only.
- (j) Cannabis and Cannabis products may not be produced and offered for sale in a home-based business.

#### **4.30.2. Bed and Breakfast Accommodation**

Bed and Breakfast (B&B) accommodation, where permitted, is subject to the requirements that:

- (a) the owner or primary resident is in compliance with the licensing requirements of Salmo's Business Licence Bylaw #645;
- (b) the B&B proprietor must reside on the property;
- (c) the activity shall be confined to the dwelling;



- (d) not more than two (2) adult guests shall be accommodated per Guest Room, not more than four (4) adult guests shall be accommodated per Guest Suite;
- (e) no more than one (1) person who is not a resident of the premises shall be employed in the business;
- (f) no more than two (2) sleeping units may be used for bed and breakfast accommodation in a dwelling;
- (g) noise and activity levels are in compliance with Section 4.30.1(c);
- (h) no change is made in the external appearance of the building which indicates a bed and breakfast operation is being conducted on the premises, except for one un-illuminated sign not exceeding 0.2m<sup>2</sup> (2.15ft<sup>2</sup>). Signage advertising the home-based business must comply with the Village of Salmo Signs Bylaw #260; and
- (i) one (1) off-street parking space is provided per sleeping unit in excess of those required for the dwelling unit.

#### **4.30.3. Short-Term Vacation Rentals**

Short-term Vacation Rental accommodation, where permitted, is subject to the requirements that:

- (a) the owner or primary resident is in compliance with the licensing requirements of Salmo's Business Licence Bylaw #645;
- (b) a homeowner or primary resident (with the homeowner's permission) can legally rent their principal residence for periods of 29 days or less;
- (c) the proprietor may reside elsewhere;
- (d) the activity shall be confined to the property;
- (e) not more than two (2) adult guests shall be accommodated per Guest Room, not more than four (4) adult guests shall be accommodated per Guest Suite, and not more than six (6) adult guests shall be accommodated per Guest Home;
- (f) no more than two (2) people who are not a resident of the premises shall be employed in the business;
- (g) noise and activity levels are in compliance with Section 4.30.1(c);
- (h) no change is made in the external appearance of the building which indicates a vacation home rental operation is being conducted on the premises, except for one un-illuminated sign not exceeding 0.2m<sup>2</sup> (2.15ft<sup>2</sup>). Signage advertising the home-based business must comply with the Village of Salmo Signs Bylaw #260;
- (i) one (1) off-street parking space is provided per sleeping unit; and
- (j) only one annual Short-Term Rental is permitted per lot.

#### **4.31. Conditions of Use in the C-2, C-3 and M-1 Zones**

- (a) C-2 Service Commercial – All requirements of Zoning Bylaw #717 Sections 5.10.3 to 5.10.7 must be followed and met.
- (b) C-3 Village Centre – All requirements of Zoning Bylaw #717 Sections 5.11.4 to 5.11.12 must be followed and met.
- (c) M-1 Mixed Use Commercial – All requirements of Zoning Bylaw #717 Sections 5.12.4 to 5.12.11 must be followed and met.
- (d) Floor to ceiling walls must physically separate the premises from any other business.

#### **4.32. Emissions Across Lot Lines**

No property shall discharge or emit the following across lot lines:

- (a) odorous, toxic or noxious matter or vapours;
- (b) heat, glare, electrical interference or radiation;
- (c) recurring ground vibration; or
- (d) noise levels exceeding 65 decibels measured over a one (1) hour period.

#### **4.33. Storage of Materials**

No storage of materials shall be permitted in any front yard or vacant lot. No lot may be used as a junk yard, auto-wrecking yard, or for the outdoor storage of vehicles which have been unlicensed for more than one year.

## 5. ZONES

### 5.1. Zone Designations

For the purpose of this Bylaw, the Village of Salmo is divided into the following zones:

<u>Zone Description</u>	<u>Zone</u>
Single and Two-Family Residential	R-1
Manufactured Home Park	R-3
Multi-Family Residential	RM-1
Rural Resource	RR-1
Environmental Reserve	RR-2
Mixed Use Neighbourhood	C-1
Service Commercial	C-2
Village Centre	C-3
Mixed Use Commercial	M-1
Park, Open Space and Institutional	P-1

### 5.2. Zone Extent

The extent of each zone is shown on Schedule “B” Zoning Map, which is incorporated in and forms part of this Bylaw.

### 5.3. Zone Boundaries

- (a) Where a zone boundary is designated as following a street allowance, creek or other body of water, the centre line of the street allowance, creek or body of water shall be the zone boundary.
- (b) Where a zone boundary does not follow a legally defined line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from Schedule B - Zoning Map.

## 5.4. SINGLE AND TWO-FAMILY RESIDENTIAL (R-1)

### 5.4.1. Purpose

The primary purpose of this zone is to provide an area for residential housing. The following uses, buildings and structures, and no others, are permitted in the R-1 zone:

### 5.4.2. Primary Permitted Uses

- (a) Single-Family Dwellings
- (b) Two-Family Dwellings

### 5.4.3. Secondary Permitted Uses

- (a) Public and Private Schools
- (b) Place of Worship
- (c) Child Care Facilities
- (d) Home-Based Businesses
- (e) Bed and Breakfast Accommodations

### 5.4.4. Buildings & Secondary Structures Permitted per Lot

Lot size permitting, the following combination of buildings and major secondary structures are permitted per lot:

- (a) one (1) single detached house, (which may contain a Secondary Suite) with attached Garage or Carport;
- (b) one (1) duplex (two-family dwelling) with attached Garages or Carports;
- (c) one (1) structure for a School, Place of Worship or Child Care facility; or
- (d) permitted accessory buildings or structures – one of:
  - i. a two-storey Laneway House or Garage with suite above, maximum footprint  $92.9\text{m}^2$  ( $1,000\text{ft}^2$ ) residential space (for example a 33' x 30' structure);
  - ii. a stand-alone one-storey Laneway House maximum footprint  $92.9\text{m}^2$  ( $1,000\text{ft}^2$ ) residential space;
  - iii. a stand-alone one storey Cabin maximum footprint  $55.7\text{m}^2$  ( $600\text{ft}^2$ );
  - iv. a stand-alone single storey Garage maximum footprint  $92.9\text{m}^2$  ( $1,000\text{ft}^2$ ); or
  - v. a stand-alone Garage up to one- and one-half stories in height to accommodate RV storage maximum 7m (23').

Only one (1) secondary dwelling unit is permitted (e.g.: a Secondary Suite in the house or a separate Laneway House). An exception may be made to permit two secondary dwellings if parking and all other site requirements can be met.

### 5.4.5. Minimum Site Area & Frontage

- (a) The minimum lot area is:
  - $334.5\text{m}^2$  ( $3,600\text{ft}^2$ ) for a single-family dwelling on an existing 9.14m (30') lot,

- 501.7m<sup>2</sup> (5,400ft<sup>2</sup>) for a 13.7m (45' lot),
- 657.8m<sup>2</sup> (7,080ft<sup>2</sup>) for a single-family or duplex dwelling on an existing 18m (59') lot, or
- 836m<sup>2</sup> (8,999ft<sup>2</sup>) for other permitted uses.

on sites serviced by community water and sewer systems.

- (b) The minimum lot frontage is 9.14m (30') for existing lots, 13.7m (45') for new lots.

**5.4.6. Site Coverage**

- (a) Single family buildings and structures shall not cover more than 33% of the site.
- (b) Two-family buildings and structures shall not cover more than 60% of the site.

**5.4.7. Buildings Per Lot**

No more than one building per lot containing a dwelling unit or duplex unit may be located on a lot, unless a Building Permit is granted for a Laneway House, Cabin, or a Garage with suite above.

**5.4.8. Width of Buildings**

- (a) The minimum width of a single-family or two-family dwelling on a lot greater than 9.14m (30') wide shall not be less than 6m (19'9").
- (b) The minimum width of a single-family or two-family dwelling on an existing lot 9.14m (30') wide shall not be less than 5.5m (18').

**5.4.9. Setbacks**

- (a) No principal building may be located within:
- 7.6m (24'11") of the front line,
  - 4.5m (14'9") of the rear or exterior side lot lines, or
  - 1.5m (4'11") of an interior side lot line.
- (b) No accessory building or structure may be located within:
- 4.5m (14'9") of the front or exterior side lot lines, or
  - 1.5m (4'11") of the rear or interior side lot lines.

**5.4.10. Parking**

No less than two (2) off-street parking spaces shall be provided in conjunction with a primary dwelling unit, and one (1) off-street parking spaces shall be provided in conjunction with each secondary dwelling unit.

**5.4.11. Other Requirements**

Lots zoned R-1 may require one or more Development Permits as outlined in Section 2.7.

## **5.5. MANUFACTURED HOME PARK (R-3)**

### **5.5.1. Purpose**

The purpose is to provide a zone for manufactured mobile or modular homes on individual home sites (pads) in a manufactured home park setting where the home sites are rented from the property owner.

The following uses, buildings and structures, and no others, are permitted in the R-3 zone:

### **5.5.2. Primary Permitted Uses**

- (a) Manufactured Home Parks
- (b) one dwelling unit for the owner or operator of the Manufactured Home Park

### **5.5.3. Secondary Permitted Uses**

- (a) Office for the operation and management of the Mobile Home Park
- (b) Recreation areas and buildings
- (c) Common storage areas
- (d) Home-Based Businesses<sup>16</sup>
- (e) Common green space

### **5.5.4. Servicing**

A Manufactured Home Park shall be serviced by the community water system and the community sewer system.

### **5.5.5. Other Regulations**

- (a) Development in the R-3 zone shall conform to the provisions of the Salmo Manufactured Home Park Bylaw #424 and amendments thereto and the provincial *Manufactured Home Act*.
- (b) The following additions to a manufactured home site are permitted: garages or carports, sun or rain shelters, porches, rooms, and storage sheds. The additions, inclusive of a carport or garage, shall not be larger in area than 50% of the floor area of a single section manufactured home or 20% of the floor area of a multi-section home.
- (c) The Village of Salmo OCP Bylaw #687 stipulates that no additional single-wide Manufactured Home Parks are to be developed within the Village. Development of a park for multiple section single or semi-detached manufactured dwelling units is permitted.
- (d) New or used mobile manufactured homes (trailers) are only permitted in those mobile home parks existing as of April 1, 2020 to replace an existing home. (Reference OCP Bylaw #687 Section 5.3 [h]). All mobiles manufactured prior to 1995 will require an inspection prior to issuance of a Building Permit. Based on the discretion of the Building Inspector, homes manufactured prior to 1995 may require certification that the home meets acceptable standards for health and safety and may also require a

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<sup>16</sup> Subject to the requirements of the park owner and the pad rental agreement.

Professional Engineer to certify that the mobile is safe to move.

#### 5.5.6. Minimum Areas

##### (a) Existing Manufactured Home Park – Mobile Homes

Minimum	Metres or Square Metres	Feet & Inches or Square Feet
Overall Site Area	1 Ha	2.47 acres
Lot Width – Interior Lot	10m	32'10"
Exterior Lot	12m	39'4"
Lot Depth	25m	82'
Area, total lot	320m <sup>2</sup> .03 ha	3,444.5ft <sup>2</sup> .079 ac
Front yard depth	3.5m	11'5"
Side yard depth	1.22m	4'
- except from a flanking street it is	3.5m	11'5"
Side or front yard depth abutting main road	7.5m	24'7"
Rear yard	6m	19'9"
<b>Maximum</b>		
Site coverage	55%	
Building envelope <u>or</u> maximum site coverage of 55%, whichever is the lessor.	139.4m <sup>2</sup>	1,500ft <sup>2</sup>
Secondary structure - height	7m	23'
Secondary structure - area	9.3m <sup>2</sup>	100ft <sup>2</sup>

**(b) New Manufactured Modular Home Park**

<b>Minimum</b>	<b>Metres or Square Metres</b>	<b>Feet &amp; Inches or Square Feet</b>
Overall Park Site Area	1 Ha	2.47 acres
Lot Width	15m	49' 2"
Lot Depth	25m	82'
Area, total lot	375m <sup>2</sup> .04 ha	4,036ft <sup>2</sup> .09 ac
Front yard depth	3.5m	11'5"
Side yard depth	1.22m	4'
Side or front yard depth abutting main road	7.5m	24'7"
Rear yard	6m	19'9"
<b>Maximum</b>		
Site coverage	55%	
Building envelope <u>or</u> maximum site coverage of 55%, whichever is the lessor.	204.4m <sup>2</sup>	2,220ft <sup>2</sup>
Secondary structure - height	7m	23'
Secondary structure - area	9.3m <sup>2</sup>	100ft <sup>2</sup>

**5.5.7. Other Requirements**

Lots zoned R-3 may require one or more Development Permits as outlined in Section 2.7.

The park owner may also place restrictions on what accessory buildings are and are not allowed in the manufactured home park.



## 5.6. MULTI-FAMILY RESIDENTIAL (RM-1)

### 5.6.1. Purpose

The primary purpose of this zone is to provide an area for a mix of multi-family and single-family residential housing. The following uses, buildings and structures, and no others, are permitted in the RM-1 zone:

### 5.6.2. Primary Permitted Uses

- (a) Multi-Family Dwellings – townhomes, apartments or condos
- (b) Single-Family Dwellings
- (c) Two-Family Dwellings
- (d) Live/Work Units

### 5.6.3. Secondary Permitted Uses

The secondary permitted uses in this zone are:

- (a) Group Home and private hospitals
- (b) Public and Private Schools
- (c) Places of Worship
- (d) Child Care Facilities
- (e) Home-Based Businesses
- (f) Bed and Breakfast accommodations

### 5.6.4. Buildings & Secondary Structures Permitted

Lot size permitting, the following combination of buildings and major secondary structures are permitted.

- (a) one (1) single detached house, (which may contain a Secondary Suite or suite above the Garage) with attached Garage or Carport;
- (b) one (1) duplex (Two-Family Dwelling) with attached Garages or Carports;
- (c) one (1) Townhouse complex with a minimum of three (3) connected dwellings;
- (d) one (1) structure for a School, Place of Worship or Child Care Facility; or
- (e) permitted Accessory buildings or structures – one of:
  - i. a two-storey Laneway House/Garage combo, maximum footprint  $92.9\text{m}^2$  ( $1,000\text{ft}^2$ ) residential space (for example a 33' x 30' structure);
  - ii. a stand-alone one-storey Laneway House maximum footprint  $92.9\text{m}^2$  ( $1,000\text{ft}^2$ ) residential space;
  - iii. a stand-alone one storey Cabin maximum footprint  $55.7\text{m}^2$  ( $600\text{ft}^2$ );
  - iv. a stand-alone single storey Garage maximum footprint  $83.6\text{m}^2$  ( $900\text{ft}^2$ ); or
  - v. a stand-alone Garage up to 7m (23') high to accommodate RV storage,

maximum footprint 92.9m<sup>2</sup> (1,000ft<sup>2</sup>).

Only one (1) secondary dwelling unit is permitted per lot (e.g.: a Secondary Suite in the house or a separate Laneway House or a Garage with suite above). An exception may be made to permit two secondary dwellings if parking and all other site requirements can be met.

#### **5.6.5. Minimum Site Area and Frontage**

- (a) The minimum lot area is:
  - 334.5m<sup>2</sup> (3,600ft<sup>2</sup>) for a single-family dwelling on an existing 9.14m (30') wide lot,
  - 501.7m<sup>2</sup> (5,400ft<sup>2</sup>) for a dwelling on a 13.7m (45') wide lot,
  - 657.8m<sup>2</sup> (7,080ft<sup>2</sup>) for a single-family dwelling on an existing 18m (59') wide lot, or
  - 836m<sup>2</sup> (8,999ft<sup>2</sup>) for other permitted uses.
- (b) The minimum lot frontage is 9.14m (30') for existing lots.
- (c) The minimum lot frontage is 13.7m (45') for a new lot for a single-family dwelling.

#### **5.6.6. Site Coverage**

- (a) Building and structures for uses stated in Section 5.6.2 parts (a), (c) and (d), including driveways and parking areas shall not cover more than 60% of the site.
- (b) Building and structures for uses stated in Section 5.6.2 part (b), including driveways and parking areas, shall not cover more than 33% of a single-family the site.
- (c) Building and structures for uses stated in Section 5.6.3 parts (a), (b), (c) and (d), including driveways and parking areas, shall not cover more than 60% of the site.
- (d) Building and structures for uses stated in Section 5.6.3 parts (e) and (f), including driveways and parking areas, are included in the primary permitted uses described in 5.6.2 (a), (b) and (c).

#### **5.6.7. Density/Residential Buildings Per Lot**

- (a) In zone RM-1 the maximum density for Multi-Family Dwellings or Live/Work dwellings shall be 54 dwelling units per hectare (21 units per acre) of site.
- (b) Where underground parking is provided, the maximum density shall be increased to 70 units per hectare (27 units per acre) of site area.
- (c) For single- or two-family use, no more than one (1) Single-Family or one (1) Two-Family Dwelling may be located on a lot.
- (d) Where lot size and other requirements are met, a Laneway House, a Cabin, a Garage with suite above, or a Secondary Suite may be permitted.

#### **5.6.8. Setbacks**

- (a) No principal building may be located within:
  - 7.6m (24'11") of the front line,
  - 4.5m (14'9") of the rear or exterior side lot lines, or

- 1.5m (4'11") of an interior side lot line.
- (b) No Accessory building or structure may be located within:
- 4.5m (14'9") of the front or exterior side lot lines, or
  - 1.5m (4'11") of the rear or interior side lot lines.

**5.6.9. Amenity Areas for Multi-Family Dwellings**

At a minimum, amenity areas for each dwelling unit in a Multi-Family dwelling shall be provided in accordance with the following schedule:

i.	bachelor unit	10m <sup>2</sup> (108ft <sup>2</sup> )
ii.	one-bedroom unit	15m <sup>2</sup> (161ft <sup>2</sup> )
iii.	two-bedroom unit	20m <sup>2</sup> (215ft <sup>2</sup> )
iv.	three-bedroom unit	30m <sup>2</sup> (323ft <sup>2</sup> )
v.	four-bedroom unit or over	40m <sup>2</sup> (431ft <sup>2</sup> )

**5.6.10. Width of Buildings**

- (a) The minimum width of a single-family or two-family dwelling on a lot greater than 9.14m (30') wide shall not be less than 6 m (19'9").
- (b) The minimum width of a single-family or two-family dwelling on an existing lot 9.14m (30') wide shall not be less than 5.5m (18').

**5.6.11. Parking**

No less than two off street parking spaces shall be provided in conjunction with each dwelling, and one (1) off-street parking space shall be provided in conjunction with each secondary dwelling unit.

**5.6.12. Other Requirements**

Lots zoned RM-1 may require one or more Development Permits as outlined in Section 2.7.

## **5.7. RURAL RESOURCE (RR-1)**

### **5.7.1. Purpose**

The primary purpose of this zone is to provide an area for single-family and two-family residential housing.

### **5.7.2. Primary Permitted Uses**

The following uses, buildings and structures, and no others, are permitted in the RR-1 zone:

- (a) Single-Family Dwellings
- (b) Two-Family Dwellings
- (c) Multi-Family Dwellings – apartments, condos, townhomes
- (d) Live/Work dwellings
- (e) Hotel/Motel/resort
- (f) Restaurants
- (g) Professional, Business or Personal Services establishment
- (h) Social Services Centre
- (i) Veterinary Clinic, Minor
- (j) Public and Private Schools
- (k) Child Care Facilities
- (l) Group Homes, Minor & Major
- (m) Place of Worship
- (n) Agriculture
- (o) Forestry
- (p) Extraction of mineral resources, including preliminary grading, washing and crushing of materials, provided no further processing takes place on the site

### **5.7.3. Buildings and Secondary Structures Permitted**

The following combination of buildings and major secondary structures are permitted:

- (a) one (1) single detached house (which may contain a Secondary Suite or suite above the Garage) with attached or separate Garage or Carport;
- (b) one (1) duplex (Two-Family Dwelling) with Garages or Carports;
- (c) one (1) Townhouse complex with a minimum of three (3) connected dwellings;
- (d) one (1) structure for a uses described in Sections 5.7.2 (e) and 5.7.4 (a), (b) and (m); or
- (e) permitted accessory buildings or structures – one (1) of:
  - i. a two-storey Garage with residential suite or studio above, maximum 92.9m<sup>2</sup> (1,000ft<sup>2</sup>);
  - ii. a stand-alone one-storey Laneway House maximum footprint 92.9m<sup>2</sup> (1,000ft<sup>2</sup>)

residential space;

- iii. a standalone residential Cabin maximum footprint 55.7m<sup>2</sup> (600ft<sup>2</sup>);
- iv. a stand-alone single storey Garage or workshop maximum 92.9m<sup>2</sup> (1,000ft<sup>2</sup>); or
- v. a stand-alone Garage up to 7m (23') in height to accommodate RV storage, maximum footprint 92.9m<sup>2</sup> (1,000ft<sup>2</sup>).

Only one (1) secondary dwelling unit is permitted (e.g., a Secondary Suite in the house or a separate Laneway House.) An exception may be made to permit two secondary dwellings if parking and all other site requirements can be met.

#### **5.7.4. Secondary Permitted Uses**

The secondary uses in the RR-1 zone are:

- (a) Home-Based businesses
- (b) Bed and Breakfast accommodations

#### **5.7.5. Minimum Site Area and Frontage**

- (a) The lot area shall not be less than .2Ha (.5ac) 2,023.4m<sup>2</sup> (21,780ft<sup>2</sup>).
- (b) The minimum lot frontage is 13.7m (45').

#### **5.7.6. Site Coverage**

- (a) Single-Family buildings and structures shall not cover more than 33% of the site.
- (b) Two-family buildings and structures shall not cover more than 60% of the site.

#### **5.7.7. Width of Buildings**

The minimum width of a primary structure, a single-family or two-family dwelling on a lot greater than 9.14m (30') wide shall not be less than 6m (19'9").

#### **5.7.8. Setbacks**

- (a) No principal building may be located within:
  - 7.6m (24'11") of the front line
  - 4.5m (14'9") of the rear or exterior side lot lines, or
  - 1.5m (4'11") of an interior side lot line.
- (b) No Accessory building or structure may be located within:
  - 4.5m (14'9") of the front or exterior side lot lines, or
  - 1.5m (4'11") of the rear or interior side lot lines.

**5.7.9. Amenity Areas for Multi-Family Dwellings**

At a minimum, amenity areas for each dwelling unit in a Multi-Family dwelling shall be provided in accordance with the following schedule:

i.	bachelor unit	10m <sup>2</sup> (108ft <sup>2</sup> )
ii.	one-bedroom unit	15m <sup>2</sup> (161ft <sup>2</sup> )
iii.	two-bedroom unit	20m <sup>2</sup> (215ft <sup>2</sup> )
iv.	three-bedroom unit	30m <sup>2</sup> (323ft <sup>2</sup> )
v.	four-bedroom unit or over	40m <sup>2</sup> (431ft <sup>2</sup> )

**5.7.10. Parking**

No less than two (2) off-street parking spaces shall be provided in conjunction with each dwelling unit, and one (1) off-street parking space shall be provided in conjunction with each secondary dwelling unit.

**5.7.11. Other Requirements**

Lots zoned RR-1 may require one or more Development Permits as outlined in Section 2.7.

## **5.8. ENVIRONMENTAL RESERVE (RR-2)**

### **5.8.1. Purpose**

The purpose of this zone is to protect designated natural wetlands, riparian areas and forests within the Village of Salmo.

### **5.8.2. Primary Permitted Uses**

The following uses, buildings and structures, and no others, are permitted in the RR-2 zone:

- (a) Nature centre
- (b) Nature Sanctuary
- (c) Natural Wetland or forest area
- (d) Park

Associated principal buildings must be for the purposes of managing or showcasing the natural attraction.

As described in the OCP, Section 6, Development Area Permits are required for all properties in RR-2 areas.

### **5.8.3. Site Coverage**

Parks, Sanctuaries, Wetlands and forest areas have no minimum or maximum size. Building and structures shall not cover more than 10% of the site.

### **5.8.4. Setbacks**

- (a) All setbacks will be in accordance with the requirements of the Riparian Management Area (RMA) setbacks as described in Section 4.13.
- (b) No principal building may be located within 7.6m (24'11") of a lot line.
- (c) No accessory building or structure may be located within:
  - 7.6m (24'11") of the front or exterior side lot lines, or
  - 1.5m (4'11") of the rear or interior side lot lines.

### **5.8.5. Principal Buildings Per Lot**

No more than one principal building per lot.

### **5.8.6. Width of Buildings**

The width of the principal structure shall not be less than 6m (19'9").

### **5.8.7. Parking**

No less than two (2) off-street parking spaces shall be provided in conjunction with the primary structure.

### **5.8.8. Other Requirements**

Lots zoned RR-2 may require one or more Development Permits as outlined in Section 2.7.

## **5.9. MIXED USE NEIGHBOURHOOD (C-1)**

### **5.9.1. Purpose**

The purpose is to provide a zone that allows for a range of services needed by residents on a day-to-day basis to be integrated within their neighbourhoods and to provide the opportunity for those offering the services to live in the neighbourhood.

### **5.9.2. Primary Permitted Uses**

The following uses, buildings and structures and no others, are permitted in the C-1 zone:

- (a) Single Family Dwelling
- (b) Multi-Family Dwelling – apartments, condos
- (c) Multi-Family Dwelling - townhomes
- (d) Bed and Breakfast Homes
- (e) convenience store
- (f) Professional, Business or Personal Services Establishment, includes Veterinary Clinic, Minor
- (g) laundromat
- (h) Repair Shop

### **5.9.3. Secondary Permitted Uses**

The following secondary uses, buildings and structures, and no others, are permitted in the C-1 zone:

- (a) Public and Private Schools
- (b) Places of Worship
- (c) Child Care Facilities
- (d) Group Homes, Minor
- (e) Home Based Businesses

### **5.9.4. Principal Buildings & Structures Permitted**

#### **(a) Residential Use**

Residential lot coverage and other requirements apply:

- i. one (1) single detached house (which may contain a Secondary Suite or a suite above an attached Garage) with attached or separate Garage or Carport;
- ii. one (1) Duplex (Two-Family Dwelling) with Garages or Carports;
- iii. one (1) Townhouse complex with a minimum of three (3) connected dwellings;



- iv. School;
- v. Place of Worship; or
- vi. Child Care Facility.

(b) Secondary Structures Permitted

The following accessory buildings and structures, and no others, are permitted in C-1, lot size and coverage permitting per Section 4.28., one (1) of:

- i. Garage or Carport;
- ii. Garage/with upper-level suite to maximum footprint 92.9m<sup>2</sup> (1,000ft<sup>2</sup>);
- iii. Laneway house to maximum footprint 92.9m<sup>2</sup> (1,000ft<sup>2</sup>);
- iv. A stand-alone one storey Cabin maximum footprint 55.7m<sup>2</sup> (600ft<sup>2</sup>);
- v. Tool or garden sheds; or
- vi. Greenhouses.

Properties over 0.4 Ha (1ac) in size may also include a barn.

An exception may be made to permit two secondary dwellings if parking and all other site requirements can be met.

**5.9.5. Setbacks**

- (a) No principal residential building may be located within:
- 7.6m (24'11") of the front line,
  - 4.5m (14'9") of the rear or exterior side lot lines, or
  - 1.5m (4'11") of an interior side lot line.
- (b) Except as otherwise provided, no permitted commercial uses may be located within:
- 0m (0') of the front, exterior side or interior side lot lines,
  - 4.5m (14'9") from the front, exterior side or interior side lot lines when they abut a residence,
  - 1.5m (4'11") of an interior side lot line, or
  - 4.5m (14'9") of the rear lot line.
- (c) No accessory building or structure may be located within:
- 4.5m (14'9") of the front or exterior side lot lines, or
  - 1.5m (4'11") of the rear or interior side lot lines.

Except as noted in Section 4.12(f) i and ii.

**5.9.6. Site Coverage**

- (a) Single-Family buildings and structures shall not cover more than 33% of the site.
- (b) Two-Family buildings and structures shall not cover more than 60% of the site.
- (c) Commercial buildings and structures shall not cover more than 50% of the site in this

zone.

#### **5.9.7. Minimum Site Area and Frontage**

(Note: Not all lots in this zone are able to be serviced by community water and/or wastewater systems.)

- (a) The minimum lot area on sites serviced by community water and wastewater systems is:
  - 334.5m<sup>2</sup> (3,600ft<sup>2</sup>) for a Single-Family Dwelling on an existing 9.14m (30') lot,
  - 501.7m<sup>2</sup> (5,400ft<sup>2</sup>) for a Duplex Dwelling,
  - 657.8m<sup>2</sup> (7,080ft<sup>2</sup>) for a Single-Family Dwelling on an existing 18m (59') lot, or
  - 836m<sup>2</sup> (8,999ft<sup>2</sup>) for other permitted uses.
- (b) The minimum lot area for a site not serviced by Village water and/or wastewater is:
  - 657.8m<sup>2</sup> (7,080ft<sup>2</sup>) for a Single-Family Dwelling, or
  - 836m<sup>2</sup> (8,999ft<sup>2</sup>) for other permitted uses.
- (c) The minimum lot frontage is 9.14m (30') for existing lots and 13.7m (45') for new lots.

#### **5.9.8. Regulations for a New Subdivision**

- (a) The minimum lot frontage is 13.7m (45') for a new lot.
- (b) The minimum lot depth is 30m (98'6").
- (c) The minimum lot area in a new subdivision is 539.4m<sup>2</sup> (5,806ft<sup>2</sup>).

#### **5.9.9. Width of Buildings**

- (a) The minimum width of a Single-Family or Two-Family Dwelling on a lot greater than 9.14m (30') wide shall not be less than 6m (19'9").
- (b) The minimum width of a single-family or two-family dwelling on an existing lot 9.14m (30') wide shall not be less than 5.5m (18').

#### **5.9.10. Amenity Areas for Multi-Family Dwellings**

At a minimum, amenity areas for each dwelling unit in a multi-family dwelling shall be provided in accordance with the following schedule:

vi.	bachelor unit	10m <sup>2</sup> (108ft <sup>2</sup> )
vii.	one-bedroom unit	15m <sup>2</sup> (161ft <sup>2</sup> )
viii.	two-bedroom unit	20m <sup>2</sup> (215ft <sup>2</sup> )
ix.	three-bedroom unit	30m <sup>2</sup> (323ft <sup>2</sup> )
x.	four-bedroom unit or over	40m <sup>2</sup> (431ft <sup>2</sup> )

#### **5.9.11. Commercial Requirements**

- (a) Lots zoned C-2 may require one or more Development Permits as outlined in Section 2.7.
- (b) The maximum commercial floor area for a store or Professional Services Offices in Section 5.9.1 shall be 130.06m<sup>2</sup> (1,400ft<sup>2</sup>).

#### **5.9.12. Buildings/Density Per Lot**

- (a) The maximum density for Multi-Family Dwellings shall be 54 dwelling units per hectare (21 units per acre) of site.
- (b) For single or two-family use, no more than one (1) Single-Family or one (1) Two-Family Dwelling may be located on a lot. Lot size permitting, a Secondary Suite or separate Laneway House is permitted.

#### **5.9.13. Amenity Areas for Multi-Family Dwellings**

At a minimum, amenity areas for each dwelling unit in a multi-family dwelling shall be provided in accordance with the following schedule:

i.	bachelor unit	10m <sup>2</sup> (108ft <sup>2</sup> )
ii.	one-bedroom unit	15m <sup>2</sup> (161ft <sup>2</sup> )
iii.	two-bedroom unit	20m <sup>2</sup> (215ft <sup>2</sup> )
iv.	three-bedroom unit	30m <sup>2</sup> (323ft <sup>2</sup> )
v.	four-bedroom unit or over	40m <sup>2</sup> (431ft <sup>2</sup> )

#### **5.9.14. Parking**

- (a) No less than two (2) off street parking spaces shall be provided in conjunction with each principal residential dwelling unit.
- (b) No less than one (1) off street parking space shall be provided in conjunction with a secondary residential dwelling unit.
- (c) No less than two (2) off street parking spaces shall be provided in conjunction with each commercial unit, and a minimum of two (2) off-street parking spaces for customer use per unit.

#### **5.9.15. Loading Requirements**

- (a) One (1) off-street loading space per building shall be provided for any retail commercial floor area.
- (b) Each loading space shall have a minimum length of 12m (39'4"), a minimum width of 3.5m (11'5") and a minimum height of 4m (13'1").
- (c) Each loading space shall have a convenient vehicular access to a street or lane by means other than through an area designated for off-street parking.

## **5.10. SERVICE COMMERCIAL (C-2)**

### **5.10.1. Purpose**

The purpose of this zone is to provide areas suitable for service commercial type businesses.

### **5.10.2. Permitted Uses**

The following uses, buildings and structures and no others, are permitted in the C-2 zone:

- (a) Hotels, Motels, and Lodges
- (b) Restaurants
- (c) Service Stations
- (d) Micro-Brewery
- (e) The retail sale of personal goods, food, souvenirs, arts and crafts
- (f) Retail Warehouse
- (g) Sale and service of vehicles including automobiles, trucks, motor cycles, recreational vehicles and boats
- (h) Sales of automotive parts and accessories
- (i) Off-street parking lots and parking structures
- (j) Bus terminals
- (k) Car Washes
- (l) Home improvement businesses including building supply stores; small equipment, machinery and tool rentals, plumbing, heating and electrical sales and service, paint, floor and covering stores and upholstering shops
- (m) Antiques and second-hand sales
- (n) Laundromats
- (o) Professional, Business or Personal Services Establishment
- (p) Business Support Services
- (q) Repair Shop
- (r) Health clubs and recreational facilities
- (s) High-Technology Research and Design
- (t) Industrial-Scale Computing
- (u) Call centre
- (v) Museum
- (w) Live-Work dwellings

- (x) Cannabis-Related Businesses, including:
  - i. medical cannabis processing sites;
  - ii. medical cannabis dispensaries;
  - iii. recreational cannabis processors;
  - iv. recreational cannabis wholesalers;
  - v. recreational cannabis retailers; and
  - vi. cannabis-related consulting.

**5.10.3. Standards**

Uses permitted under Section 5.10.2 (w) shall conform to the standards established for Multi-Family Residential (RM-1) uses in Sections 5.6.4 through 5.6.11.

**5.10.4. Minimum Site Area and Frontage**

- (a) The site area shall not be less than 836m<sup>2</sup> (8,999ft<sup>2</sup>).
- (b) The minimum lot frontage is 18m (59').

**5.10.5. Setbacks**

- (a) No principal building may be located within:
  - 7.6m (24'11") of the front lot line,
  - 4.5m (14'9") of the exterior side lot lines, or
  - 3.0m (9'10") of a rear or interior side lot line.
- (b) No service station may be located within 7.6m (24'11") of a front or exterior side lot line or 4.5m (14'9") of the rear or interior side lot line;
- (c) Gasoline pumps or pump islands shall be located in accordance with the *Fire Services Act*.

**5.10.6. Site Coverage**

Buildings and structures shall not cover more than 60% of the site.

**5.10.7. Width of Buildings**

The minimum width of the primary building shall not be less than 6m (19'9").

**5.10.8. Loading Requirements**

- (a) One (1) off-street loading space shall be provided for every 2,800m<sup>2</sup> (30,139ft<sup>2</sup>) of commercial floor area.
- (b) Each loading space shall have a minimum length of 12m (39'4"), a minimum width of 3.5m (11'5") and a minimum height of 4m (13'1").
- (c) Each loading space shall have a convenient vehicular access to a street or lane by means other than through an area designated for off-street parking.

## **5.11. VILLAGE CENTRE (C-3)**

### **5.11.1. Purpose**

The primary purpose of this zone is to provide a defined core commercial area for the Village's businesses that support the day to day needs of villagers and visitors. It also encompasses rental and residential housing.

### **5.11.2. Primary Permitted Uses**

The following uses, buildings and structures, and no others, are permitted in the C3 zone:

#### **Businesses and Services:**

- (a) Businesses catering to the day-to-day needs of local residents including:
  - i. Retail sale of household and personal goods including appliances, bakery products, books, camera, clothing, groceries, hardware, shoes and electronic devices such as televisions and cell phones
  - ii. Pharmacies, medicinal and health-care product sales and services business, professional, personal services and government offices
  - iii. Business Support Services
  - iv. Services such as banks, funeral homes, dry cleaners, Veterinary Clinic, Minor and photography studios
  - v. The repair of household goods such as appliances, electrical products and shoes
  - vi. Liquor stores
  - vii. Restaurants
- (b) Cannabis-Related Businesses, including:
  - i. medical cannabis dispensaries
  - ii. Cannabis Retailer Stores
  - iii. cannabis-related consulting
- (c) Recreation and entertainment facilities such as theatres, night clubs, health clubs, bowling alleys, arcades and pool halls
- (d) Printing and publishing establishments
- (e) Social services centre
- (f) Commercial schools
- (g) Micro-Brewery
- (h) Community halls, libraries, hospitals, fire halls, first aid stations and museums
- (i) Private clubs for a fraternal lodge or service organization
- (j) Hotels and Motels

#### **Residential:**

- (k) Single-Family Dwellings

- (l) Multi-Family Dwelling housing
- (m) Townhomes/Duplexes
- (n) Live/Work – retail, artisan or professional live/work buildings (above or behind).
- (o) Group Home and private hospitals
- (p) Accessory buildings and structures.

**5.11.3. Uses Not Permitted**

- (a) Laneway Homes

**5.11.4. Design Guidelines**

Properties within the Village Centre C-3 zone must follow Design Guidelines Bylaw #716 and require a Downtown Revitalization Development Permit Area (DPA-2) per OCP Bylaw #687 Section 6.5.

**5.11.5. Standards**

- (a) Uses permitted under Section 5.11.2 Sections (k) and (m) shall conform to the standards established for Single and Two-family Residential (R-1) uses in Sections 5.4.5 through 5.4.11.
- (b) Uses permitted under Section 5.11.2 (l) shall conform to the standards established for Multi-Family Residential (RM-1) uses in Sections 5.6.4 through 5.6.11, lot size and adjacent property uses permitting – for example, if neighbouring properties are single family dwellings, any new additions should compliment the neighbourhood in design.
- (c) Uses permitted under 5.11.2 Sections (a) through (j) shall conform to the standards established for Service Commercial (C-2) uses in Sections 5.10.3 through 5.10.8.

**5.11.6. Minimum Site Area and Frontage**

- (a) Commercial and Commercial/Residential use:
  - i. the site area shall not be less than 300m<sup>2</sup> (3,229ft<sup>2</sup>); and
  - ii. the minimum lot frontage is 9.14m (30') for existing lots, 13.7m (45') for new lots.
- (b) Residential only use: The site area shall not be less than:
  - i. 334.5m<sup>2</sup> (3,600ft<sup>2</sup>) Single-Family Dwelling; or
  - ii. 836m<sup>2</sup> (8,999ft<sup>2</sup>) for other permitted residential uses.

**5.11.7. Width of Buildings**

- (a) The minimum width of a primary structure, or a Single-Family or Two-Family Dwelling on a lot greater than 9.14m (30') wide shall not be less than 6 m (19'9").
- (b) The minimum width of a primary structure, or a single-family or two-family dwelling on an existing lot 9.14m (30') wide shall not be less than 5.5m (18').

**5.11.8. Site Coverage**

- (a) Commercial and Live/Work buildings and structures shall not cover more than 90% of the site in this zone.

- (b) Single-Family residential buildings and structures shall not cover more than 33% of the site.
- (c) Two-Family and Multi-Family buildings and structures shall not cover more than 60% of the site.

#### **5.11.9. Setbacks**

- (a) Commercial - Except as otherwise provided, no permitted uses may be located within:
  - 0 m (0') of the front, exterior side or interior side lot lines, or
  - 4.5m (14'9") from the front, exterior side or interior side lot lines when they abut on Highway 6 or a residential zone; or
  - 4.5m (14'9") of the rear lot line.

#### **5.11.10. Buildings Per Lot**

No more than one principal building per lot containing a dwelling unit or commercial unit may be located on a lot.

#### **5.11.11. Dwelling Units**

Dwelling unit uses in conjunction with permitted general commercial uses shall be located in the same building above or behind the commercial use and shall have separate entrances from the outside.

#### **5.11.12. Amenity Areas for Multi-Family Dwellings**

At a minimum, amenity areas for each dwelling unit in a multi-family dwelling shall be provided in accordance with the following schedule:

xi.	bachelor unit	10m <sup>2</sup> (108ft <sup>2</sup> )
xii.	one-bedroom unit	15m <sup>2</sup> (161ft <sup>2</sup> )
xiii.	two-bedroom unit	20m <sup>2</sup> (215ft <sup>2</sup> )
xiv.	three-bedroom unit	30m <sup>2</sup> (323ft <sup>2</sup> )
xv.	four-bedroom unit or over	40m <sup>2</sup> (431ft <sup>2</sup> )

#### **5.11.13. Parking**

No less than two (2) off-street parking spaces shall be provided in conjunction with each primary structure or dwelling unit, and one (1) off-street parking space shall be provided in conjunction with each secondary dwelling unit.

#### **5.11.14. Loading Requirements**

- (a) One (1) off-street loading space shall be provided for every 2,800m<sup>2</sup> (30,139ft<sup>2</sup>) of commercial floor area.
- (b) Each loading space shall have a minimum length of 12m (39'4"), a minimum width of 3.5m (11'5") and a minimum height of 4m (13'1").
- (c) Each loading space shall have a convenient vehicular access to a street or lane by means other than through an area designated for off-street parking.



#### **5.11.15. Other Requirements**

Lots zoned C-3 require a Downtown Revitalization Development Area Permit (DPA-2) and may require an Aquifer Development Permit (DPA-1) as outlined in Section 2.7.

## 5.12. MIXED USE COMMERCIAL (M-1)

### 5.12.1. Purpose

To provide an area of land in the Village for the use of a variety of commercial businesses varying from light industrial to professional service providers, including an area dedicated to the Salmo's history and other items of interest to residents and tourists travelling along Highway #6.

### 5.12.2. Primary Permitted Uses

The following uses, buildings and structures, and no others, are permitted in the M-1 zone:

- (a) The manufacturing, repair and storage of boats, finished concrete products, signs, trailers and prefabricated buildings, wood and fibreglass products, ceramic products or other products where the manufacturing, repair or storage does not:
  - i. create unusual fire, explosion or safety hazards
  - ii. produce noise in excess of average intensity of street and traffic noise in the area
  - iii. emit smoke, dust, dirt, toxic or offensive odours or gases
  - iv. produce heat or glare perceptible from any boundary of the site
- (b) Businesses catering to the day-to-day needs of local residents including:
  - i. in retail sale of household and personal goods including appliances, bakery products, books, camera, clothing groceries, hardware, shoes and televisions
  - ii. services such as banks, barber shops, funeral homes, hairdressers, dry cleaners, Restaurants and photography studios
  - iii. the repair of household goods such as appliances, electrical products and shoes
- (c) Recreation and entertainment facilities such as theatres, night clubs, health clubs, bowling alleys, arcades and pool halls
- (d) Business, professional and government offices
- (e) Printing and publishing establishments
- (f) Commercial schools
- (g) Community halls, libraries, hospitals, fire halls, first aid stations, museums and fraternal lodges
- (h) Veterinary Clinics, Minor
- (i) Professional or Personal Services
- (j) Museum
- (k) Packing, crating, moving and storage businesses
- (l) Micro-brewery
- (m) Contractors' offices, shops and yards
- (n) Fuel storage

- (o) Service Stations
- (p) Automobile repair shops including body shops, muffler shops, transmission shops and tire sales and service
- (q) Car Washes
- (r) Machine shops and parts manufacturing, machining and assembly not involving forging, casting, punch presses or drop forges
- (s) Electrical and electronic equipment manufacturing and assembly
- (t) Farm machinery and heavy equipment repairs and sales
- (u) Electroplating, sheet metal workshops and welding shops
- (v) Repair Shop
- (w) Sales and service of vehicles including automobiles, trucks, motorcycles, recreational vehicles and boats
- (x) Sales of automotive parts and accessories
- (y) Off-street parking lots and structures
- (z) Home improvement businesses including building supply stores, small equipment, machinery and tool rentals, plumbing, heating and electrical sales and service, paint, floor and covering stores and upholstering shops
- (aa) Wholesale and retail sales accessory to the uses permitted
- (bb) Cannabis-Related Businesses, including:
  - i. medical cannabis processing sites
  - ii. medical cannabis dispensaries
  - iii. recreational cannabis processors
  - iv. recreational cannabis wholesalers
  - v. recreational cannabis retailers
  - vi. Cannabis-related consulting

#### **5.12.3. Secondary Permitted Uses**

The secondary uses in the M-1 zone are:

- (a) Live/Work dwellings, for example business below/residence on top or business in front, residence in back of dwelling. One dwelling unit per site in conjunction with a principal use.
- (b) Accessory buildings and structures

#### **5.12.4. Minimum site Area and Frontage**

- (a) The site area per lot shall not be less than 822.2m<sup>2</sup> (8,850ft<sup>2</sup>).
- (b) The minimum lot frontage is 13.7m (45').

#### **5.12.5. Site Coverage**

Buildings and structures shall not cover more than 90% of the site.

#### **5.12.6. Setbacks**

- (a) No principal residential building may be located within:
- 7.6m (24'11") of the front line,
  - 4.5m (14'9") of the rear or exterior side lot lines, or
  - 1.5m (4'11") of an interior side lot line.
- (b) Except as otherwise provided, no permitted commercial uses may be located within:
- 0 m (0') of the front, exterior side or interior side lot lines,
  - 4.5m (14'9") from the front, exterior side or interior side lot lines when they abut a residence,
  - 1.5m (4'11") of an interior side lot line, or
  - 4.5m (14'9") of the rear lot line.
- (c) No service station may be located within 7.6m (24'11") of a front or exterior side lot line or 4.5m (14'9") of the rear or interior side lot line.
- (d) Gasoline pumps or pump islands shall be located in accordance with the *Fire Services Act*.

#### **5.12.7. Width of Buildings**

The minimum width of a primary structure on a lot shall not be less than 6m (19'9").

#### **5.12.8. Parking**

- (a) No less than one (1) off-street parking spaces shall be provided in conjunction with each dwelling unit.
- (b) No less than two (2) off-street parking spaces shall be provided in conjunction with each business unit.
- (c) All parking must take into consideration whether customer/visitor parking should be located at the front or back of a building and how best to minimize increased traffic on Hutcheson and maximize tourist stoppage on Railway.

#### **5.12.9. Screening**

All commercial activity and storage areas not contained in a building shall be enclosed by a landscape screen or tight board fence not less than 2m (6'7") in height.

#### **5.12.10. Loading Requirements**

- (a) One (1) off-street loading space shall be provided for every 2,800m<sup>2</sup> (30,139ft<sup>2</sup>) of commercial floor area.
- (b) Each loading space shall have a minimum length of 12m (39'4"), a minimum width of 3.5m (11'5") and a minimum height of 4m (13'1").
- (c) Each loading space shall have a convenient vehicular access to a street or lane by means other than through an area designated for off-street parking.

#### **5.12.11. Other Requirements**

Lots zoned M-1 may require an Aquifer Development Permit as outlined in Section 2.7.

## **5.13. PARK, OPEN SPACE AND INSTITUTIONAL (P-1)**

### **5.13.1. Purpose**

To provide park and recreational space for residents and visitors and institutional space for schools, hospitals and places of worship.

### **5.13.2. Primary Permitted Uses**

The following uses, buildings and structures, and no others are permitted in the P-1 zone:

- (a) Parks and playgrounds
- (b) Campgrounds
- (c) Community halls, libraries, arenas, Museums, fire halls, first aid stations and fraternal lodges
- (d) Concession stands
- (e) Farmers, flea or village markets
- (f) Playing fields
- (g) Public and Private schools
- (h) Post secondary educational Facilities
- (i) Early Childhood Development Centres
- (j) Group Home and public and private hospitals
- (k) Places of worship
- (l) Residences for members of staff of uses permitted in 5.13.2 (g), (h), (i), (j) and (k).

### **5.13.3. Minimum Site Area and Frontage**

The site area for uses in Section 5.13.2 (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k) shall not be less than 836m<sup>2</sup> (8,999ft<sup>2</sup>). Parks and playgrounds have no minimum or maximum size.

### **5.13.4. Site Coverage**

Buildings and structures shall not cover more than 70% of the site.

### **5.13.5. Setbacks**

No buildings or structure may be located within:

- (a) 4.5m (14'9") of a lot line; or
- (b) 15m (49'2") of a rear or side lot line where it abuts a residential zone.

### **5.13.6. Screening**

All storage areas not contained in a building shall be enclosed by a landscape screen not less than 2m (6'7") in height.

### **5.13.7. Loading Requirements**

- (a) One (1) off-street loading space shall be provided for every 2,800m<sup>2</sup> (30,139ft<sup>2</sup>) of institutional floor area.

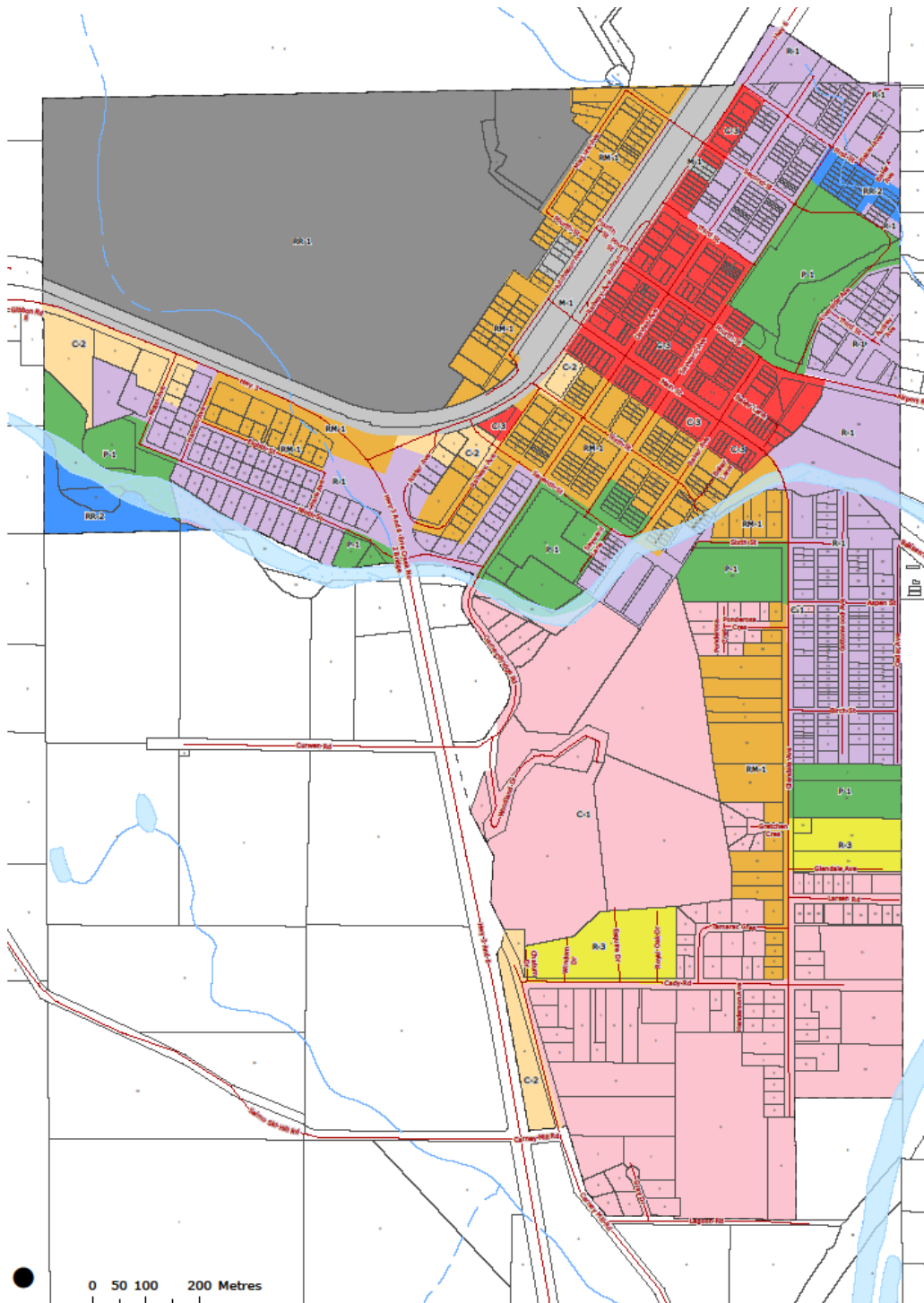
- (b) Each loading space shall have a minimum length of 12m (39'4"), a minimum width of 3.5m (11'5") and a minimum height of 4m (13'1").
- (c) Each loading space shall have a convenient vehicular access to a street or lane by means other than through an area designated for off-street parking.

**5.13.8. Other Requirements**

Lots zoned P-1 may require one or more Development Permits as outlined in Section 2.7.

## SCHEDULE "B"– ZONING MAP

This is Schedule "B" referred to in "The Village of Salmo Zoning Bylaw No. 717, 2023".



### SCHEDULE B, VILLAGE OF SALMO ZONING BYLAW #717, 2023

Friday, December 2, 2022  
 Datum/Projection:  
 NAD83/UTM Zone11N  
 The map data shown are  
 approximate representations  
 for reference purposes only.  
 The Regional District of  
 Central Kootenay is not  
 responsible for any errors or  
 omissions on this map.

Municipal Boundary  
 Cadastre  
 Road  
 Lake and River  
 Stream or Shoreline

**ZONING CLASS**  
 Rural Resource RR-1  
 Single and Two Family Residential R-1  
 Manufactured Home Park R-3  
 Multi-Family Residential RM-1  
 Mixed Use Neighborhood C-1

Service Commercial C-2  
 Village Centre C-3  
 Mixed Use Commercial M-1  
 Park, Open Space and Institutional P-1  
 Environmental Reserve RR-2

