

THE CORPORATION OF THE VILLAGE OF SALMO

ZONING BYLAW NO. 489, 2001

As Amended by Bylaws #540, 633, 698, 708, 754 and 757

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| CONSOLIDATED FOR CONVENIENCE ONLY Not Official Version |
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| Bylaw No. | Adopted | Amendment | Purpose |
|------------------|-----------------|---|---|
| 540 | April 26, 2005 | Section 1.1 & Section 4.4.1 subsection .11 | Add definition of Secondary Suites |
| 633 | August 9, 2011 | Section 4.4.7, Section 4.7.9 & 4.8.7 | Minimum width of SFD must be 6m |
| 698 | October 5, 2018 | Sections 1.1, 3.9 & 3.10 | Add additional definitions to include cannabis-related items; permissions around cannabis sale, distribution, processing and growth; updated formatting. |
| 708 | June 18, 2019 | Sections 3.9, 3.12, 3.13, 4.10, 4.11 and 4.12 | Revise permissions around cannabis sale, distribution, processing and growth; add two sections regarding cannabis related businesses; revise Permitted Uses in zones C2, C3 and M1. |
| 754 | May 28, 2024 | Sections 1.1, 3.11, 4.5.1, 4.7.1 and 4.8.1 | Add definition of short-term rental and business license requirement; add secondary suite allowance to Estate Residential R-2, Multi-Family Residential RM-1 & Rural RR-1. |
| 757 | August 27, 2024 | Sections 1.1, 4.4.1 and 4.4.6 | Add definition of accessory dwelling unit (ADU) and an allowance for an ADU at 740 Davies Avenue. |

VILLAGE OF SALMO

ZONING BYLAW No. 489, 2001

As Amended by Bylaws 540, 633, 698 and 708

CONSOLIDATED FOR CONVENIENCE ONLY
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WHEREAS Council wishes to repeal Bylaw No. 321, 1988, cited as "The Village of Salmo Land Use Bylaw No. 321, 1988" and amendments thereto, and wishes to adopt a new Zoning Bylaw, pursuant to Part 26 of the *Local Government Act*.

AND WHEREAS Council has held a Public Hearing pursuant to Part 26 of the *Local Government Act*. NOW THEREFORE Council of the Village of Salmo, in open meeting assembled hereby enacts as follows:

1. This Bylaw shall be cited as "The Village of Salmo Zoning Bylaw No. 489, 2001"
2. The following schedules attached hereto are hereby made part of this bylaw and adopted as the Zoning Bylaw for the Village of Salmo:
 1. Schedule A (Zoning Bylaw text)
 2. Schedule B (Zoning Bylawmap)
3. The Bylaw cited as the "The Village of Salmo Land Use Bylaw No. 321, 1988" and amendments thereto as it applies to the Village of Salmo is hereby repealed.

| | | | |
|-----------------------------|------------------|--------|-----------------|
| READ A FIRST TIME THIS | 18 th | DAY OF | September, 2001 |
| READ A SECOND TIME THIS | 9 th | DAY OF | October, 2001 |
| PUBLIC HEARING HELD ON THIS | 23 rd | DAY OF | October, 2001 |
| READ A THIRD TIME THIS | 23 rd | DAY OF | October, 2001 |

APPROVED PURSUANT TO HIGHWAY ACT THIS 24TH DAY OF JANUARY, 2002.

Original Signed by

Approving Officer – Ministry of Transportation & Highways

ADOPTED THIS 12TH DAY OF FEBRUARY, 2002

MAYOR

CLERK

SCHEDULE "A"

CONSOLIDATED ZONING BYLAW TEXT

This is Schedule "A" referred to in "The Village of Salmo Zoning Bylaw No. 489, 2001" and bylaw amendments 540, 633, 698, 708, 754 and 757.

MAYOR

CLERK

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PART 1 INTREPRETATION

1.1 Definitions

In this bylaw, unless the content otherwise requires:

ACCESSORY DWELLING UNIT (ADU) means a self-contained dwelling located on the same legal lot as another dwelling (BL 757);

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

ACCESSORY USE, BUILDING OR STRUCTURE means a use, building or structure on the same lot or site, with and of a nature customarily incidental and subordinate to, the principal use, building or structure;

AMENITY AREA means that the part of an apartment building or lot intended for the recreational use of the occupants exclusive of the areas occupied by entrance hallways, driveways, and parking areas;

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

CANNABIS means cannabis as defined in the *Controlled Drugs and Substances Act* or the *Cannabis Act* and includes any products containing cannabis; (BL 698)

CANNABIS OPERATION means the cultivating, growing, producing, packaging, storing, distributing, dispensing, advertising, trading or selling of cannabis or its derivatives; (BL 698)

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;(BL 698)

CANNABIS-RELATED BUSINESS means carrying on of activity where; (BL 698)

- (a) Cannabis is sold or otherwise provided to persons for medical or recreational purposes;
- (b) Medical cannabis is stored for the purpose of sale;
- (c) Recreational cannabis is stored for the purpose of sale.
- (d) 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; (BL 698)

COMMERCIAL SCHOOL means a school conducted for hire or gain other than a private school;

COMMUNITY SEWER SYSTEM means a system waterworks which is owned, operated and maintained by the municipality;

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

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 or more children under six years of age not forming part of the operator's family for any portion of the day;

DENSITY means the number of dwelling units per hectare;

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;

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

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

FAMILY means (a) one (1) or more persons related by blood, marriage, adoption or foster parenthood, occupying one dwelling unit and (b) not more than five (5) unrelated persons sharing one dwelling unit;

FENCE means a barrier or other such structure enclosing, bordering or dividing a parcel of land;

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;

FRONT LOT LINE means the lot line common to the lot and an abutting street, or where there is more than one lot line common to abutting streets, the shortest of these lines shall be considered as the front lot lines, or in the case of a lot abutting two parallel or approximately parallel street, the lot lines abutting these two streets shall both be considered as front lot lines;

HEIGHT means the vertical distance measured from the average finished ground level at the perimeter of the building structure to the highest point of the structure;

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

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

INDUSTRIAL HEMP means the growing of industrial hemp plants (those containing 0.3 percent THC or less) and associated activities; (BL 698)

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

JUNK YARD means an open area where materials including, but not limited to metals, paper, rags, rubber tires and bottles are bought, sold, exchanged, stored, baled, packed, disassembled or handled

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 street which affords a secondary means of access to a lot, at the side or rear;

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 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*;

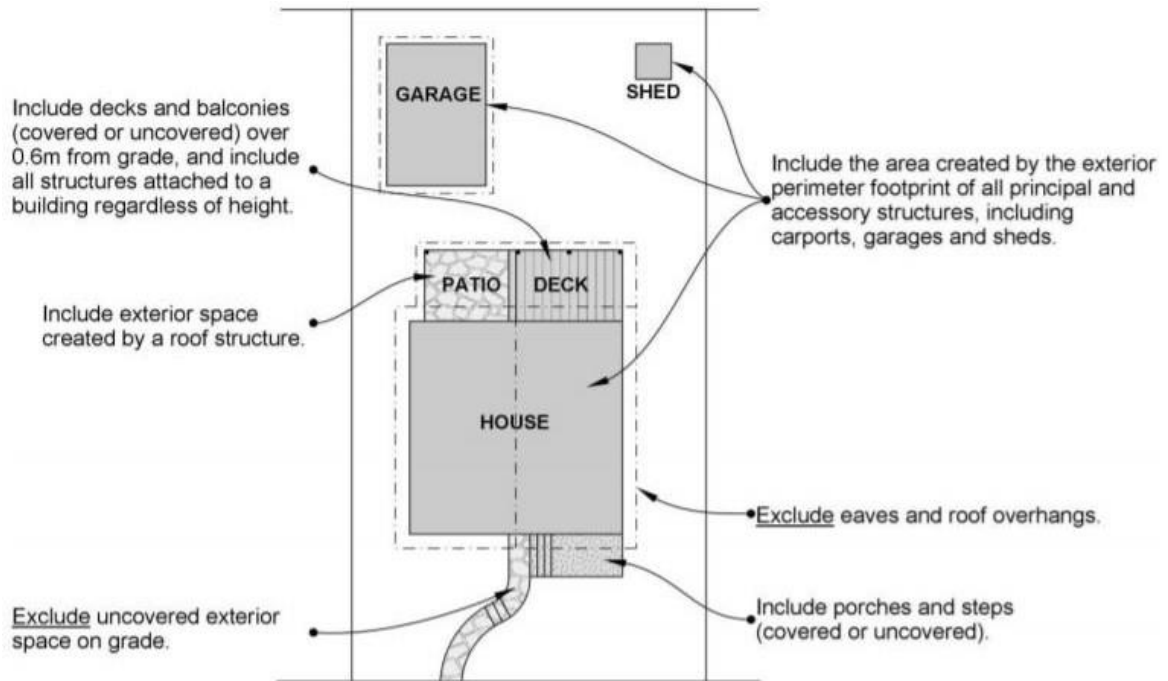


Diagram: Lot Coverage

LOT LINE means the legal boundary of a lot;

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;

MARIJUANA means cannabis in any form or for any use; (BL 698)

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

MICRO CULTIVATION, CANNABIS means the authorized small scale growing of cannabis plants and harvesting material from those plants, and associated activities; (BL 698)

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; (BL 698)

MOBILE HOME PARK means land used for the purpose of providing for rent, spaces for the accommodation of two (2) or more mobile homes;

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

MULTI FAMILY DWELLING means a building divided into three (3) or more dwelling units, each separated by a common party wall;

MUNICIPALITY means The Corporation of the Village of Salmo;

NUISANCE (CONTROLLED SUBSTANCE) BYLAW means the Village bylaw that regulates prohibits and imposes requirements respecting nuisances, noxious or offensive trades, and health and safety matters; (BL 698)

NURSERY, CANNABIS means the authorized growing of cannabis plants to produce the starting material (seed and seedlings) and associated activities; (BL 698)

PANHANDLE LOT means a lot where street access is gained through the use of a narrow strip of land which is an integral part of the lot;

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 USE means a use permitted as an outright use in a zone;

PRIVATE SCHOOL means a school operated mainly by private funds and offering the same basic curriculum and certificates as a public school;

PUBLIC SCHOOL means a public or secondary school as defined in the *School Act*;

PUBLIC UTILITY means a privately owned or publicly owned use providing right-of-way and sites for the essential and emergency servicing or the region where such use is established, authorized and administered pursuant to legislative authority by a governing body;

REAR LOT LINE means the lot line opposite to, and most distant from 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.

RECREATIONAL VEHICLE means a vehicle, travel trailer, motor home, camper or structure or conveyance designed to travel or to be transported on the street and constructed or equipped to be used as a temporary living or sleeping quarter by travellers;

RETAIL CANNABIS LICENSE means a license issued under the Liquor and Cannabis Regulation Branch of British Columbia; (BL 698)

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 Restaurant;

SECONDARY SUITE (BL 540) means a dwelling unit which is accessory to a one-family dwelling use and is contained within the same house as the one-family dwelling;

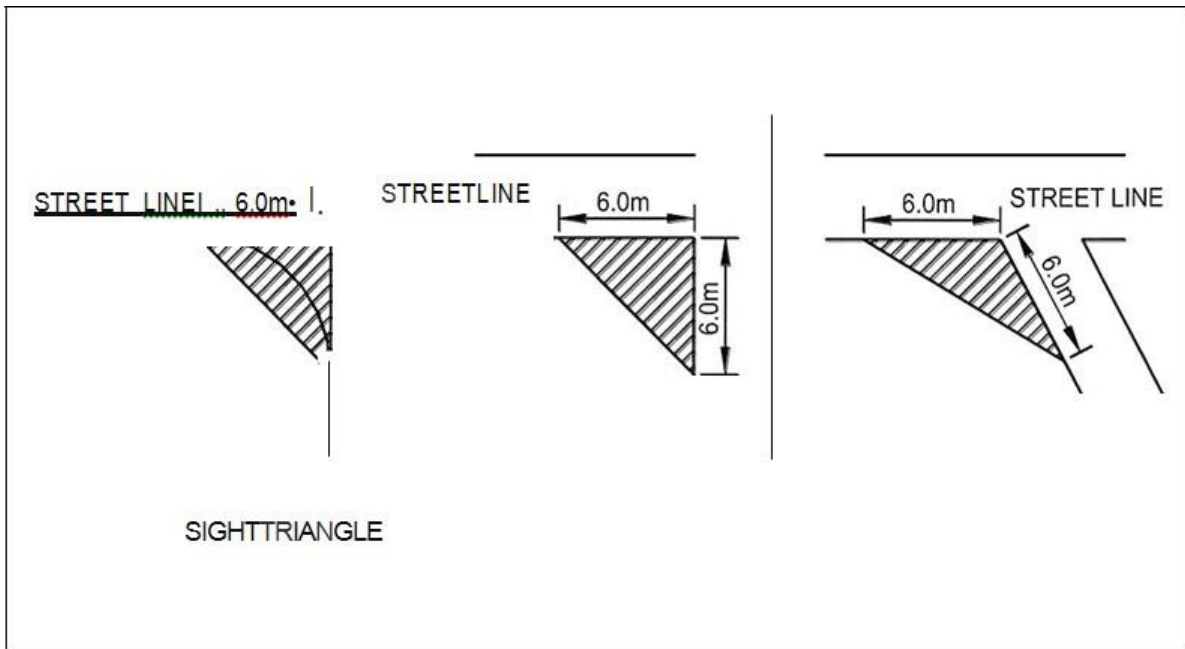
SERVICE STATION means land used for the retail sale of motor fuels and lubricants as accessory

uses, automobile diagnostic centres, the servicing and minor repairing of motor vehicles and the sale of automobile accessories;

SETBACK means the required minimum distance between a building structure or use of a lot line;

SHORT-TERM RENTAL means accommodations provided to members of the public in a host's property, in exchange for money, for a period of less than 90 consecutive days and may also be referred to as bed and breakfast (BL 754);

SIGHT-TRIANGLE 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 six (6) meters (19.69 feet) from the point of intersection; (see illustration following)



SINGLE-FAMILY DWELLING means a building consisting of one dwelling unit which is occupied or intended to be occupied as the residence of one family;

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 sanitary facilities;

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, sold or disturbed;

STREET means any highway, road, boulevard, square or other improved thoroughfare which has been dedicated or deed for public use;

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

TWO-FAMILY DWELLING means a building divided into two distinct dwelling units sharing a common

wall or ceiling, each side or floor of which is occupied or intended to be occupied as the residence of one family;

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; and electrical substation or generating station; or other similar facility or utility;

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

WIDTH means the distance from a main wall to the opposite main wall of a building or structure; in reference to mobile homes, width means the 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.

PART 2 GENERAL PROVISIONS

2.1 Application

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

2.2 Administration

- (1) The Chief Administrative Officer, Building Inspector or other person authorized by council shall administer this bylaw.
- (2) Persons appointed under subsection (1) may enter a property at any reasonable time for the purpose of determining whether the regulations of this bylaw are being observed.

2.3 Violation

Every person who:

- (a) violates any of the provisions of this bylaw;
- (b) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this bylaw;
- (c) neglects or omits to do anything required under this bylaw;
- (d) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this bylaw;
- (e) fails to comply with an order, direction or notice given under this bylaw; or
- (f) prevents or obstructs or attempts to prevent or obstruct the authorized entry of an officer onto property under section 2.1;

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

2.4 Offence

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

2.5 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.

2.6 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.

2.7 Units of Measure

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

PART 3 GENERAL REQUIREMENTS

3.1 Setback Siting Exceptions

- (1) Where the top surface of an underground structure projects no more than 0.6 metres (1.97 feet) above the average finished ground elevation, that structure may be sited in any portion of a lot.
- (2) 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.

3.2 Minimum Lot Area and Frontage Exceptions

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

3.3 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.

3.4 Minimum Parcel Area Requirements

Minimum parcel area requirements apply upon creation of the parcel at subdivision.

3.5 Setback Exceptions

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

1. Chimneys, cornices, leaders, gutters, columns, belt courses, sills, bay windows, or other similar features may intrude no more than 0.6m (2.0 ft.) into the required setback area.
2. Uncovered steps, eaves, sunlight control projections, canopies, balconies, or porches may project no more than;
 - a. 1.2m (3.9 ft.) into a front or rear yard; or
 - b. 0.6m (2.0 ft.) into a side yard
3. 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 parcel 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 parcel line shall not apply.
4. An accessory building or structure 9.3m² (100 sq. ft.) or less may project no more than 0.9m (2.9 ft.) into a side or rear yard measured from the eaves of the accessory building or structure.

3.6 Height Regulation Exemptions

The following structures are exempt from the height limitations specified in each zone in this bylaw:

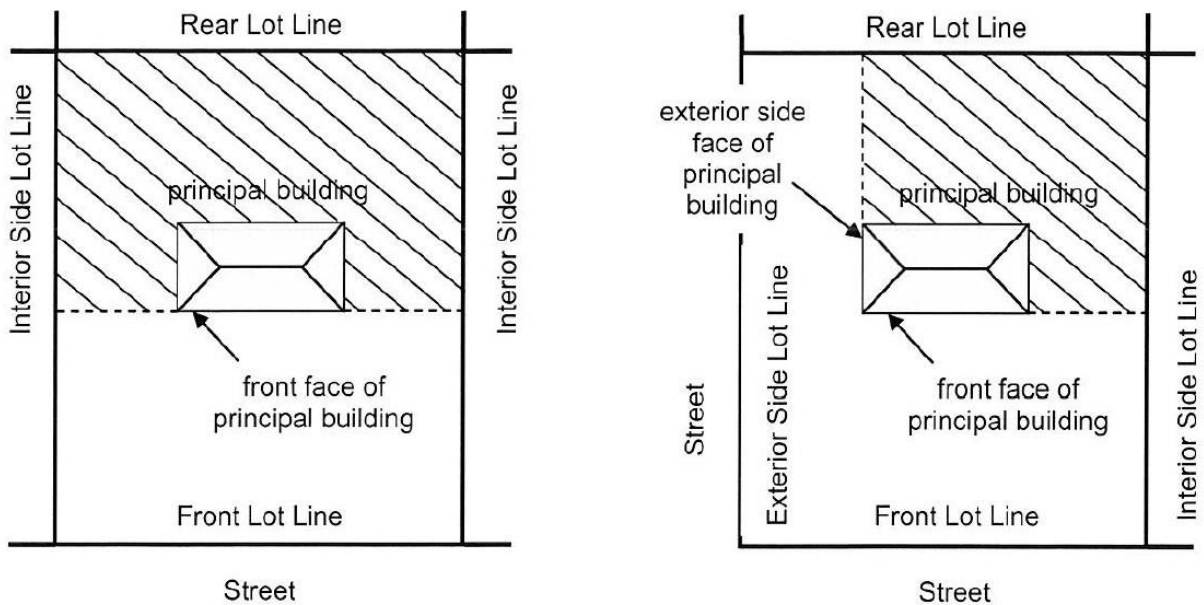
1. flag pole;
2. floodlight, lighting pole;
3. water tower;
4. spire, steeple, belfry;
5. chimney, smoke stack;
6. dome, cupola;
7. monument or sculpture;
8. retaining walls;
9. stadium bleachers;
10. industrial cranes;
11. elevator shafts;
12. antenna or mast for the transmission or reception of radios and television signal;

Provided that no exempted structure;

- a. exceeds 20 metres (39.37 feet) in height;
- b. covers more than 20% of the parcel; or
- c. if located on a building, covers more than 10% of the roof area of the building.

3.7 Fences and Landscape Screens

- (1) Landscape screens or fences 1.22 meters (4 feet) or less in height may be sited on any portion of a lot.
- (2) Landscape screens or fences 1.83 meters (6 feet) 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.



Area where landscaped screens or fences can be constructed to a maximum height of 1.83 meters (6 feet)

3.8 Clear Vision Area

No person may place or grow, any tree, shrub, plant, fence or other structure within the site triangle above an elevation such that an eye 1.22 metres (4 feet) above the surface elevation on one street cannot see an object 1.22 metres (4 feet) above the surface elevation of the other street.

3.9 Cannabis-Related Businesses (BL 708)

- (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 M1-General Industrial and C2-Service Commercial.
- (c) Medical cannabis dispensaries, retail stores and consulting businesses are allowed in Zones C2-Service Commercial and C3-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 License Bylaw 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.

3.10 Home-Based Businesses

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

- (a) the activity shall be conducted in a dwelling unit or accessory building;
- (b) the floor area devoted to the home-based business shall not exceed fifty percent (50%) of the floor area of the dwelling unit;
- (c) no more than one (1) person who is not a resident of the dwelling may be employed in the home-based business;
- (d) Cannabis and Cannabis products may not be produced and offered for sale in a home-based business; (BL 698)
- (e) no change is made in the external appearance of the building which would indicate that a home-based business is being conducted therein; except for on unilluminated sign not exceeding 0.2 square metres (2.15 square feet);
- (f) no commodities may be offered for sale except those produced on the premises;
- (g) there shall be no external storage or outdoor display of materials equipment or finished products; and

- (h) there shall be no noise, traffic, vibration, smoke, odour, glare or electrical interference other than that normally associated with a dwelling.

3.11 Bed and Breakfast Accommodation

Bed and breakfast accommodation, where permitted, is subject to the requirements that;

- (a) The activity shall be confined to the dwelling;
- (b) On more than one (1) person who is not a resident of the premises shall be employed in the business;
- (c) No more than two (2) sleeping units may be used for bed and breakfast accommodation in a dwelling;
- (d) 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 unilluminated sign not exceeding 0.2 meters (2.15 square feet); and
- (e) Two (2) off-street parking spaces are provided in excess of those required for the dwelling unit.
- (f) That operator must apply for a Business License under Section 2 Building Rentals of the Village of Salmo Business License Bylaw and amendments from time to time, to operate a Bed and Breakfast accommodation, also referred to as short-term rental (BL 754).

3.12 Conditions of use in the C2, C3 and M1 zones (BL 708):

- (a) C2 – All requirements of Zoning Bylaw #489 sections 4.10.2 to 4.10.8 must be followed and met.
- (b) C3 – All requirements of Zoning Bylaw #489 sections 4.11.2 to 4.11.9 must be followed and met.
- (c) M1 - All requirements of Zoning Bylaw #489 sections 4.12.2 to 4.12.9 must be followed and met.
- (d) Floor to ceiling walls must physically separate the premises from any other business.

3.13 No property shall discharge or emit the following across lot lines (BL 708):

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

PART 4 ZONES

4.1 Zone Designations

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

| <u>Zone Elaboration</u> | <u>Zone</u> |
|------------------------------------|-------------|
| Single and Two-Family Residential | R-1 |
| Estate Residential | R-2 |
| Mobile Home Park | R-3 |
| | RM- |
| Multi-Family Residential | 1 |
| Rural | RR-1 |
| Neighbourhood Commercial | C-1 |
| Service Commercial | C-2 |
| Village Centre | C-3 |
| General industrial | M-1 |
| Park, Open Space and Institutional | P-1 |

4.2 Zone Extent

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

4.3 Zone Boundaries

- (1) 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.
- (2) 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 ‘A’ Zoning Map.

4.4 SINGLE AND TWO-FAMILY RESIDENTIAL (R-1)

4.4.1 Permitted Uses

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

1. single-family dwellings;
2. two-family dwellings;
3. parks and playgrounds;
4. public and private schools;
5. churches;
6. day care facilities;
7. unattended public utility or park buildings or structures;
8. home-based businesses;
9. bed and breakfast accommodations;
10. accessory buildings and structures;
11. secondary suite contained within a building whose primary use is that of a single-family dwelling (BL 540).
12. accessory dwelling unit applicable only to the parcel legally known as 740 Davies Avenue (Lot D Plan NEP6291 District Lot 206 Kootenay District PID 006-770-274) (BL 757)

4.4.2 Minimum Site Area and Frontage

(1) The minimum lot area is:

- 464 square metres (4,995 square feet) for a single-family dwelling, or
 - 836 square metres (8,999 square feet) for other permitted uses
- on sites serviced by community water and sewer systems.

(2) The minimum lot frontage is 18 metres (59 feet).

4.4.3 Setbacks

(1) No principal building may be located within:

- 7.6 metres (24.93 feet) of the front line
- 4.5 metres (14.76 feet) of the rear or exterior side lot lines, or
- 1.5 metres (4.92 feet) of an interior side lot line.

(2) No accessory building or structure may be located within:

- 4.5 metres (14.76 feet) of the front or exterior side lot lines, or
- 1.5 metres (4.92 feet) of the rear or interior side lot lines.

4.4.4 Height

(1) No principal building may exceed 10 metres (32.81 feet) in height.

(2) No accessory buildings or structures may exceed 4.5 metres (14.76 feet) in height.

4.4.5 Site Coverage

Building and structures shall not cover more than thirty-three percent (33%) of the site.

4.4.6 Buildings Per Lot

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

An accessory dwelling unit is also permitted on the parcel legally known as 740 Davies Avenue (Lot D Plan NEP6291 District Lot 206 Kootenay District PID 006-770-274) (BL 757)

4.4.7 Width of Buildings – BL 633

The width of a single-family dwelling shall not be less than 6.0 metres (19.69 feet).

4.4.8 Storage

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.

4.4.9 Parking

No less than two (2) off-street parking spaces shall be provided in conjunction with each dwelling unit.

4.5 ESTATE RESIDENTIAL (R-2)

4.5.1 Permitted Uses

The following uses, buildings and structures, and no others, are permitted in the R2 zone:

1. single-family dwellings;
2. two-family dwellings;
3. parks and playgrounds;
4. public and private schools;
5. churches;
6. day care facilities;
7. unattended public utility or park buildings or structures;
8. home-based businesses;
9. bed and breakfast accommodations;
10. accessory buildings and structures;
11. secondary suite contained within a building whose primary use is that of a single-family dwelling (BL 754).

4.5.2 Minimum Site Area and Frontage

(1) The site area shall not be less than the following:

| | Community Water Supply & Community Sewer System | Community Sewer System Only |
|------------------------|--|---|
| Single-family Dwelling | 1,672 square metres (17,998 square feet) | 2,025 square metres (21,798 square feet) |
| Other Permitted Uses | 2,025 square Metres (21,798 square feet) | 3,000 square metres (32,292 square feet) |

(2) The minimum lot frontage is 18 metres (59 feet).

4.5.3 Setbacks

(1) No principal building may be located within:

- 7.6 metres (24.93 feet) of the front lot line,
- 4.5 metres (14.76 feet) of the rear or exterior side lot lines, or
- 1.5 metres (4.92 feet) of an interior side lot line.

(2) No accessory building or structure may be located within:

- 4.5 metres (14.76 feet) of the front or exterior side lot lines, or
- 1.5 metres (4.92 feet) of the rear or interior side lot lines.

4.5.4 Height

(1) No principal building may exceed 10 metres (32.81 feet) in height.

(2) No accessory buildings or structures may exceed 4.5 metres (14.76 feet) in height.

4.5.5 Site Coverage

Building and structures shall not cover more than 33% of the site.

4.5.6 Buildings Per Lot

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

4.5.7 Storage

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.

4.5.8 Parking

No less than two (2) off-street parking spaces shall be provided in conjunction with each dwelling unit.

4.6 MOBILE HOME PARK (R-3)

4.6.1 Permitted Uses

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

1. Mobile home parks;
2. One dwelling unit for the owner or operator of the mobile home park;
3. Recreation areas and buildings;
4. Common storage areas;
5. Home-based businesses;
6. Accessory buildings and structures.

4.6.2 Servicing

A mobile home park shall be serviced by the community water system and the community sewer system.

4.6.3 Minimum Site Area

The site area shall not be less than 1 hectare (2.47 acres).

4.6.4 Other Regulations

Development in the R-3 zone shall conform to the provisions of the Salmo Manufactured Home Park Bylaw and amendments thereto.

4.7 MULTI-FAMILY RESIDENTIAL (RM-1)

4.7.1 Permitted Uses

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

1. multi-family dwellings;
2. assisted living facilities and private hospitals;
3. single-family dwellings;
4. two-family dwellings;
5. parks and playgrounds;
6. public and private schools
7. churches;
8. day care facilities;
9. unattended public utility or park buildings or structures;
10. home-based businesses;
11. bed and breakfast accommodations;
12. accessory buildings and structures;
13. secondary suite contained within a building whose primary use is that of a single-family dwelling (BL 754).

4.7.2 Minimum Site Area and Frontage

(1) The lot area shall not be less than:

- 464 square metres (4,995 square feet) single-family dwelling; or
- 836 square metres (8,999 square feet) for other permitted uses.

(2) The minimum lot frontage is 18 metres (59 feet).

4.7.3 Density

(1) The maximum density for multi-family dwellings shall be sixty dwelling units per hectare (24 units per acre) of site.

(2) Where underground parking is provided, the maximum density shall be increased to seventy-four units per hectare (30 units per acre) of site area.

(3) 4.7.4 Amenity Areas

Amenity areas for each dwelling unit in a multi-family dwelling shall be provided in accordance with the following schedule:

| | | |
|----|---------------------------|--------------------------------|
| 1. | bachelor unit | 10m ² (108 sq. ft.) |
| 2. | one bedroom unit | 15m ² (161 sq. ft.) |
| 3. | two bedroom unit | 20m ² (215 sq. ft.) |
| 4. | three bedroom unit | 30m ² (323 sq. ft.) |
| 5. | four bedroom unit or over | 40m ² (431 sq. ft.) |

4.7.5 Setbacks

(1) No principal building may be located within:

- 7.6 metres (24.93 feet) of the front lot line,
- 4.5 metres (14.76 feet) of the rear or exterior side lot lines, or
- 1.5 metres (4.92 feet) of an interior side lot line.

(2) No accessory building or structure may be located within:

- 4.5 metres (14.76 feet) of the front or exterior side lot lines, or
- 1.5 metres (4.92 feet) of the rear or interior side lot lines.

4.7.6 Height

(1) No principal building may exceed three (3) stories in height.

(2) No accessory buildings or structures may exceed 4.5 metres (14.76 feet) in height.

4.7.7 Site Coverage

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

4.7.8 Buildings Per Lot

No more than one (1) single-family or one (1) two-family dwelling may be located on a lot.

4.7.9 Width of Buildings BL633

The width of a single-family dwelling shall not be less than 6.0 metres (19.69 feet).

4.7.10 Storage

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.

4.7.11 Parking

No less than two off-street parking spaces shall be provided in conjunction with each dwelling.

4.8 RURAL (RR-1)

4.8.1 Permitted Uses

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

1. single-family dwellings;
2. two-family dwellings;
3. agriculture and forestry;
4. extraction of mineral resources, including preliminary grading, washing and crushing of materials, provided no further processing takes place on the site;
5. campgrounds;
6. parks and playgrounds;
7. unattended public utility or park buildings or structures;
8. home-based businesses;
9. bed and breakfast accommodations;
10. accessory buildings and structures;
11. secondary suite contained within a building whose primary use is that of a single-family dwelling (BL 754).

4.8.2 Minimum Site Area and Frontage

(1) The lot area shall not be less than 8 hectares (19.77 acres)

(2) The minimum lot frontage is 18 metres (59 feet).

4.8.3 Setbacks

(1) No principal building may be located within 7.6 metres (24.93 feet) of a lot line,

(2) No accessory building or structure may be located within:

- 7.6 metres (24.93 feet) of the front or exterior side lot lines, or
- 1.5 metres (4.92 feet) of the rear or interior side lot lines.

4.8.4 Height

(1) No principal building may exceed 10 metres (32.81 feet) in height.

(2) No accessory buildings or structures may exceed 4.5 metres (14.76 feet) in height.

4.8.5 Site Coverage

Building and structures shall not cover more than 10% of the site.

4.8.6 Buildings Per Lot

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

4.8.7 Width of Buildings (BL 633)

The width of a single-family dwelling shall not be less than 6.0 metres (19.69 feet).

4.8.8 Storage

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.

4.8.9 Parking

No less than two (2) off-street parking spaces shall be provided in conjunction with each dwelling unit.

4.9 NEIGHBOURHOOD COMMERCIAL (C-1)

4.9.1 Permitted Uses

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

1. grocery store;
2. convenience store;
3. gasoline pumps, excluding service bays;
4. retail sale of products accessory to gasoline sales;
5. one dwelling unit per site
6. accessory buildings and structures.

4.9.2 Commercial Floor Area

- (1) The maximum commercial floor area for a store in Section 4.9.1 shall be 150 square metres (1,615 square feet).
- (2) The maximum commercial floor area for the retail sales of products accessory to gasoline sales shall be 10 square metres (108 square feet).

4.9.3 Minimum Site Area

- (1) The site area shall not be less than 557 square metres (5,996 square feet).
- (2) The minimum lot frontage is 18 metres (59 feet).

4.9.4 Setbacks

- (1) No principal building may be located within:
 - 7.6 metres (24.93 feet) of the front lot line,
 - 4.5 metres (14.76 feet) of the exterior side lot lines, or
 - 3.0 metres (9.84 feet) of a rear or interior side lot line.

4.9.5 Height

No buildings or structures may exceed 10 metres (32.81 feet) in height.

4.9.6 Site Coverage

Buildings and structures shall not cover more than 50% of the site.

4.9.7 Storage

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.

4.10 SERVICE COMMERCIAL (C-2)

4.10.1 Permitted Uses

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

1. hotels, motels, and lodges;
2. campgrounds;
3. restaurants;
4. service stations;
5. neighbourhood public houses;
6. the retail sale of personal goods, food, souvenirs, arts and crafts;
7. sale and service of vehicles including automobiles, trucks, motor cycles, recreational vehicles and boats;
8. sales of automotive parts and accessories;
9. off-street parking lots and structures;
10. bus terminals;
11. car washes;
12. 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;
13. antiques and second-hand sales;
14. laundromats;
15. barber shops and beauty salons;
16. health clubs and recreational facilities;
17. parks and playgrounds;
18. unattended public utility or park buildings and structures;
19. uses permitted in the multi-family residential (RM-1) zone;
20. accessory buildings and structures.
21. cannabis-related businesses, including (BL 708):
 - a. medical cannabis processing sites,
 - b. medical cannabis dispensaries,
 - c. recreational cannabis processors,
 - d. recreational cannabis wholesalers,
 - e. recreational cannabis retailers,
 - f. cannabis-related consulting.

4.10.2 Standards

Uses permitted under Section 4.10.1 (19) shall conform to the standards established for Multi-Family Residential (RM-1) uses in Sections 4.7.2 through 4.7.11.

4.10.3 Minimum Site Area and Frontage

- (1) The site area shall not be less than 836 square metres (8,999 square feet).
- (2) The minimum lot frontage is 18 meters (59 feet).

4.10.4 Setbacks

- (1) No principal building may be located within:
 - 7.6 metres (24.93 feet) of the front lot line,
 - 4.5 metres (14.76 feet) of the exterior side lot lines, or
 - 3.0 metres (9.84 feet) of a rear or interior side lot line.

4.10.5 Height

No buildings or structures may exceed 10 metres (32.81 feet) in height.

4.10.6 Site Coverage

Buildings and structures shall not cover more than 50% of the site.

4.10.7 Storage

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.

4.10.8 Loading Requirements

- (1) One (1) off-street loading space shall be provided for every 2,800 square metres (20,140 square feet) of commercial floor area.
- (2) Each loading space shall have a minimum length of 12 metres (39.37 feet), a minimum width of 3.5 metres (11.48 feet) and a minimum height of 4 metres (13.12 feet).
- (3) 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.

4.11 VILLAGE CENTRE (C-3)

4.11.1 Permitted Uses

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

1. businesses catering to the day-to-day needs of local residents including:
 - in retail sale of household and personal goods including appliances, bakery products, books, camera, clothing groceries, hardwares, shoes and televisions;
 - services such as banks, barber shops, funeral homes, hairdressers, dry cleaners, restaurants and photography studios;
 - the repair of household goods such as appliances, electrical products and shoes;
2. recreation and entertainment facilities such as theatres, night clubs, health clubs, bowling alleys, arcades and pool halls;
3. business, professional and government offices;
4. printing and publishing establishments;
5. commercial schools;
6. assisted living facilities and private hospitals;
7. community halls, libraries, hospitals, fire halls, first aid stations, museums and fraternal lodges;
8. veterinary clinics;
9. uses permitted in the multi-family residential (RM-1) zone;
10. uses permitted in the Neighbourhood Commercial (C-1) and Service Commercial (C-2) zones;
11. accessory buildings and structures.
12. Cannabis-related businesses, including (BL 708):
 - a. medical cannabis dispensaries,
 - b. recreational cannabis retailers,
 - c. cannabis-related consulting.

4.11.2 Standards

Uses permitted under Section 4.11.1 (9) shall conform to the standards established for Multi-Family Residential (RM-1) uses in Sections 4.7.2 through 4.7.11.

4.11.3 Minimum Site Area and Frontage

- (1) The site area shall not be less than 300 square metres (3,552 square feet).
- (2) The minimum lot frontage is 18 metres (59 feet).

4.11.4 Setbacks

- (1) Except as otherwise provided, no permitted uses may be located within:

- 0.0 metres (0 feet) of the front, exterior side or interior side lot lines, or
- 4.5 metres (14.76 feet) from the front, exterior side or interior side lot lines when they abut on Highway 6 or a residential zone; or
- 4.5 metres (14.76 feet) of the rear lot line.

(2) No service station may be located within 7.6 metres (24.93 feet) of a front or exterior side lot line or 4.5 metres (14.76 feet) of the rear or interior side lot line.

(3) Gasoline pumps or pump islands shall be located in accordance with the *Fire Services Act*.

4.11.5 Height

No building or structures may exceed 12 metres (39.37 feet), or three (3) storeys in height.

4.11.6 Site Coverage

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

4.11.7 Dwelling Units

Dwelling units 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.

4.11.8 Storage

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.

4.11.9 Loading Requirements

- (1) One (1) off-street loading space shall be provided for every 2,800 square metres (20,140 square feet) of commercial floor area.
- (2) Each loading space shall have a minimum length of 12 metres (39.37 feet), a minimum width of 3.5 metres (11.48 feet) and a minimum height of 4 metres (13.12 feet).
- (3) 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.

4.12 GENERAL INDUSTRIAL (M-1)

4.12.1 Permitted Uses

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

1. the manufacturing, repair and storages 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:
 - create unusual fire, explosion or safety hazards;
 - produce noise in excess of average intensity of street and traffic noise in the area;
 - emit smoke, dust, dirt, toxic or offensive odours or gases, or
 - produce heat or glare perceptible from any boundary of the site;
2. railway rights-of-way and related facilities;
3. the manufacturing, processing and packing of dairy, food and meat products excluding fish and including only pre-dressed meat products excluding fish and including pre-dressed meats and eviscerated poultry;
4. warehousing, including frozen food lockers, cold storage plants, feed and storage and distribution;
5. packing, crating, moving and storage businesses;
6. bottling and distribution plants;
7. contractors offices, shops and yards;
8. fuel storage;
9. machine shops and parts manufacturing, machining and assembly no involving forging , casting, punch presses or drop forges;
10. electrical and electronic equipment manufacturing and assembly;
11. farm machinery and heavy equipment repairs and sales;
12. electroplating, sheet metal workshops and welding shops;
13. parks and playgrounds;
14. unattended public utility or park buildings and structures;
15. sales and service of vehicles including automobiles, trucks, motorcycles, recreational vehicles and boats;
16. sales of automotive parts and accessories;
17. service stations;
18. automobile repair shops including body shops, muffler shops, transmission shops and tire sales and service;
19. off-street parking lots and structures;
20. car washes;
21. 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;
22. wholesale and retail sales accessory to the uses permitted;
 23. one dwelling unit per site in conjunction with a principal use;
 24. accessory buildings and structures;
 25. Cannabis-related businesses, including (BL 708):
 - a. medical cannabis processing sites,
 - b. medical cannabis dispensaries,
 - c. recreational cannabis processors,
 - d. recreational cannabis wholesalers,
 - e. recreational cannabis retailers.
 - f. Cannabis-related consulting.

4.12.2 Minimum site Area and Frontage

- (1) The site area shall not be less than 836 square metres (8,999 square feet).
- (2) The minimum lot frontage is 18 metres (59 feet).

4.12.3 Setbacks

- (1) Except as otherwise provided, no permitted uses may be located within:
 - 7.6 metres (24.93 feet) of the front, exterior side or interior side lot lines, or
 - 4.5 metres (14.76 feet) from the rear or interior side lot lines or 7.6 metres (24.93 feet) from the rear or interior side lot lines where they abut a residential zone;
- (2) Gasoline pumps or pump islands shall be located in accordance with the *Fire Services Act*.

4.12.4 Height

No building or structures may exceed 12 metres (39.37 feet) in height.

4.12.5 Site Coverage

Buildings and structures shall not cover more than seventy percent (70%) of the site.

4.12.6 Screening

All industrial activity and storage area not contained in a building shall be enclosed by a landscape screen or tight board fence not less than 2 metres (6.56 feet) in height.

4.12.8 Storage

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.

4.12.9 Loading Requirements

- (1) One (1) off-street loading space shall be provided for every 2,800 square metres (20,140 square feet) of commercial floor area.
- (2) Each loading space shall have a minimum length of 12 metres (39.37 feet), a minimum width of 3.5 metres (11.48 feet) and a minimum height of 4 metres (13.12 feet).
- (3) 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.

4.13 PARK, OPEN SPACE AND INSTITUTIONAL (P-1)

4.13.1 Permitted Uses

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

1. Parks and playgrounds;
2. Campgrounds;
3. Community halls, libraries, arenas, museums, fire halls, first aid stations and fraternal lodges;
4. Public and private schools;
5. Assisted living facilities and public and private hospitals;
6. Churches;
7. Public utility buildings and structures;
8. Residences for members of staff of uses permitted;
9. Accessory buildings and structures.

4.13.2 Minimum Site Area and Frontage

The site area for uses in clauses 2, 3, 4, 5 and 6 of Section 4.13.1 shall not be less than 836 square metres (8,999 square feet).

4.13.3 Setbacks

No buildings or structure may be located within:

- 4.5 metres (14.76 feet) of a lot line, or
- 15 metres (49.21 feet) of a rear or side lot line where it abuts a residential zone.

4.13.4 Height

No building or structures may exceed 12 metres (39.37 feet) or three (3) storeys in height.

4.13.5 Storage

All storage areas not contained in a building shall be enclosed by a landscape screen not less than 2 metres (6.56 feet) in height.

SCHEDULE B – ZONING MAP

