



**PUBLIC HEARING AGENDA**  
**Zoning Bylaw No. 2864**  
**Rosland Council Chambers - 1920 Third Avenue**  
**MONDAY, JUNE 15, 2026**  
**AT 6:00 P.M.**

**(1) CALL TO ORDER**

The Chair calls the June 15, 2026 Public Hearing to order to consider the proposed Zoning Bylaw No. 2864 and reads a short statement on how he will preside over the meeting. The Chair read the following land acknowledgement:

We acknowledge and respect that we live, work, and play on the traditional, ancestral and unceded territory of the sngaytskstx (Sinixt) People and honor all other Indigenous people who walked on and cared for these lands before us and continue to do so. We also support and add our voices to the Truth and Reconciliation Commission of Canada's Calls to Action in order to redress the legacy of residential schools and advance the process of Canadian reconciliation.

**(2) PUBLIC HEARING PUBLICATION AND SUBMISSIONS**

**a) Public Hearing Notice & Written Submissions Received**

The Deputy Corporate Officer provides information as to how the public hearings were publicized and if any correspondence or petitions have been received for the record. If requested by the Chair, Staff may provide a brief description. The Chair will call for representations from the public in attendance. The public may ask questions, through the Chair, to clarify details of the proposals.

[Public Hearing Notice Bylaw No. 2864](#)

[Building Width Redacted](#)

[EmployeeHousingDefinition Redacted](#)

[FAR Redacted](#)

[Feedback RR parcel size Redacted](#)

[Parking Redacted](#)

[STR Redacted](#)

[Trees Redacted](#)

**(3) ITEM CONSIDERATION AND PUBLIC COMMENTS**

**a) Zoning Bylaw No. 2864**

Zoning Bylaw No. 2864 is a comprehensive update to the City of Rossland's Zoning Bylaw, which regulates how land may be used and developed throughout the community.

[Rossland Zoning Bylaw No. 2864 \(2nd Reading\)](#)

**(4) ADJOURNMENT**

**a) Adjournment of the June 15, 2026 Public Hearing**

**THAT** the June 15, 2026 Public Hearing be adjourned.

## What is Zoning Bylaw No. 2864 about?

Zoning Bylaw No. 2864 is a comprehensive update to the City of Rossland's Zoning Bylaw, which regulates how land may be used and developed throughout the community.

### Why is it being updated?

The current Zoning Bylaw was adopted in 2011 and has been amended several times since. This update replaces the existing bylaw to reflect current community goals, updated policy direction, and new provincial legislation.

### How will this affect me?

Zoning Bylaw No. 2864 may affect property owners, residents, and developers by changing what types of development are permitted on a property and what standards apply. Depending on the location and zoning of a property, the bylaw may introduce new housing opportunities, updated parking requirements, revised building regulations, or additional flexibility in how land is used.

The bylaw includes updates such as allowing more density on residential lots, updating parking requirements, clarifications on accessory buildings, landscaping regulations and more.

#### **WHEN:**

Monday, June 15th,  
2026  
6:00 p.m.

#### **WHERE:**

Council Chambers  
1920 Third Avenue

**Can't Make the Public  
Hearing?  
We Have You Covered!**

#### **HOW TO MAKE A SUBMISSION:**

**email** | [zoning@rossland.ca](mailto:zoning@rossland.ca)

**phone** | (250) 362-7396

**mail** | Rossland City Hall  
PO Box 1179  
Rossland, BC V0G 1Y0

#### **FOR MORE INFORMATION:**

A copy of the proposed bylaw and relevant background documents may be inspected at the City of Rossland office on regular working days from 9:00 a.m. to 4:00 p.m. and also online at [www.rossland.ca/buzz-items/zoning-bylaw-update](http://www.rossland.ca/buzz-items/zoning-bylaw-update)

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**FW: New Modular Home- under 4.5m**

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**From** Todd Harris <building.official@rossland.ca>

**Date** Thu 5/28/2026 10:29 AM

**To** Stacey Lightbourne <planner@rossland.ca>; Kristen Spearman <development.services@rossland.ca>

**Cc** Parry LaFond <building.inspector@rossland.ca>

Hi All,

Please read the chain below. After receiving this inquiry and looking into the new zoning bylaw I have noticed that there is no mention of a factory built modular home CSA A277 mentioned at all. I believe this is going to be a new normal and we should include modular CSA A277 home language in at the new zoning bylaw. There is potentially 4 modular CSA A277 builds in Rossland this year.

This inquiry also brings up the minimum width of a house at 4.5m which is in the new zoning bylaw. Should we reduce the minimum width from 4.5m to allow modular CSA A277 to be placed in at least R1 zone? What is the reason for the minimum width of 4.5 m? Do we need a minimum width? I propose that we reduce the minimum width to at least 3.5m (11'-5 3/16). Maybe 2.4m (8')?

This is the modular unit that Ian is looking at <https://www.modernmod.ca/can/models/mod-two> Looks like a good modular unit. There could be the need/desire for someone to have 4 of these units on a property and by reducing the width could make this possible.

Thanks

Todd

-----Original Message-----

  
Sent: May 27, 2026 3:00 PM

To: Todd Harris <building.official@rossland.ca>

Subject: Re: New Modular Home

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Todd,

Thanks for your quick reply to my enquiry. My understanding of the new bylaw is that it is meant to encourage more housing construction. Do you think it may be more flexible on the width requirement, or will we just have to wait and see?

Thanks again,

[REDACTED] from my iPhone

> On May 27, 2026, at 12:59, Todd Harris <building.official@rossland.ca> wrote:

>

> Hi Ian,

>

> Thanks for your inquiry.

>

> We do allow modular factory-built homes (CSA-A277) to be placed on a permanent foundation on residential lots. The minimum building width is 4.5m as per the zoning bylaw, the modular home link you provided shows a width of 3.7m (12ft), therefore would not be allowed. I have attached the current zoning bylaw for reference, please note that there is a new zoning bylaw in process, possibly being adopted in July.

>

> If you have any further questions, feel free to contact me.

>

> Kind Regards,

> Todd Harris

> Building & Plumbing Official

>

> [REDACTED].ca<mailto:Building.official@rossland.ca>

>

> \_\_\_\_\_

> From: Fulcrum <no-reply@fulcrumapp.io<mailto:no-reply@fulcrumapp.io>>

> Sent: Wednesday, May 27, 2026 10:12 AM

> To: no-reply@fulcrumapp.io<mailto:no-reply@fulcrumapp.io>

> <no-reply@fulcrumapp.io<mailto:no-reply@fulcrumapp.io>>

> Subject: [EXTERNAL] [Contact Form] New Home

>

> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>

> From: [REDACTED]

[REDACTED]

>

> Department: Planning & Development

>

> Message:

> Good morning, I am in the early stages of exploring the possibility of  
> building a new home in Rossland. One of the options I am considering  
> is a modular factory built structure. I would like to know if this is  
> permitted under Rossland's building code and also if there is a  
> minimum required net area for such a structure.

> <https://www.modernmod.ca/can/models/mod-two> The above link will take  
> you to an example of the type of home I am considering. Regards [REDACTED]

[REDACTED]

Fw: [EXTERNAL] Definition Questions for you...

From Stacey Lightbourne <planner@rossland.ca>  
Date Thu 5/28/2026 1:17 PM  
To Zoning Bylaw Feedback <zoning@rossland.ca>



**Stacey Lightbourne (she/her) RPP, MCIP**  
**Manager of Planning and Development/Approving Officer**

Email: [planner@rossland.ca](mailto:planner@rossland.ca)  
Phone: (778) 457-5034

P.O. Box 1179  
1920 Third Ave  
Rossland BC, V0G 1Y0

[www.rossland.ca](http://www.rossland.ca)



*We acknowledge and respect that we live, work, and play on the traditional, ancestral and unceded territory of the sngaytskstx (Sinixt) People and honor all other Indigenous people who walked on and cared for these lands before us and continue to do so. We also support and add our voices to the Truth and Reconciliation Commission of Canada's Calls to Actions in order to redress the legacy of residential schools and advance the process of Canadian reconciliation.*

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**From:** [REDACTED]  
**Sent:** Thursday, May 21, 2026 4:29 PM  
**To:** Stacey Lightbourne <planner@rossland.ca>  
**Subject:** Re: [EXTERNAL] Definition Questions for you...

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Stacey,

Thank you for the clarification.

Regarding the staff housing definitions, we want to ensure that a three-bedroom house dedicated to employee housing would count as more than one unit, as it could accommodate three or more employees depending on the configuration.

It would be great to have your proposed clarifications included in the next round of updates to the draft bylaw. Additionally, [REDACTED] and I hope to have a short meeting with you and Bryan as mentioned in my other email.

Thanks again for your response and for your help with this.  
Have a nice evening,

[REDACTED]  
[REDACTED]  
[REDACTED]

Fw: [EXTERNAL] Re: Draft Zoning Bylaw

From Stacey Lightbourne <planner@rossland.ca>  
Date Mon 6/1/2026 11:33 AM  
To Zoning Bylaw Feedback <zoning@rossland.ca>



**Stacey Lightbourne (she/her) RPP, MCIP**  
**Manager of Planning and Development/Approving Officer**

Email: [planner@rossland.ca](mailto:planner@rossland.ca)  
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**From:** [REDACTED]  
**Sent:** Monday, June 1, 2026 10:52 AM  
**To:** [REDACTED]  
**Subject:** Re: [EXTERNAL] Re: Draft Zoning Bylaw

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Stacey,

Thank you for your note. I understand that schedules are tight this time of year and unfortunately won't allow the four of us to meet to discuss the recent council meeting.

We also hoped to discuss the proposed minor changes below regarding the definitions for "Employee Housing Unit" and "Sleeping Unit":

EMPLOYEE HOUSING UNIT means a Dwelling Unit, a **Sleeping Unit or an individual bed within Employee Housing**; that is provided by a company, for temporary or permanent accommodation of an employee of that company, or by persons related to or living with that employee as a spouse, common-law partner, foster parent, or family member by blood or adoption.

**SLEEPING UNIT: means one or more habitable rooms used or intended to be used for the purpose of sleeping. A sleeping unit shall also have access to an individual or shared washroom.**

If you have a moment, I would appreciate the opportunity to speak with you briefly before you depart for your conference today. I [REDACTED]

Many thanks,

[REDACTED]

**From:** [REDACTED]

**Sent:** May 23, 2026 12:59 PM

**To:** Parry LaFond <building.inspector@rossland.ca>; Parry LaFond <building.inspector@rossland.ca>

**Cc:** Todd Harris <building.official@rossland.ca>

**Subject:** [EXTERNAL] Rossland Bylaw Change Inquiry

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Parry and Todd,

I'm designing an addition that might begin after the new bylaws come into effect. Do you have an idea when this will be? I ask because it appears the definition of "Floor Area Ratio" is becoming more restrictive with changing from "net" to "gross". I'm also curious if this is intentional as it would prevent this design from moving forward.

Please also advise if snow stops, gutters, and downspouts routed to perimeter drainage meet the intent of:

"The minimum Setback from the Interior Side Parcel Line for a Parcel with an area less than 550m<sup>2</sup> may be reduced to 1.2 m under the following conditions:

- a) The roof of the Building is designed to retain all snow on the roof; and
- b) All rainwater and snow melt is managed through on-site run-off detention best management practices and not discharged directly to storm drains or adjacent Parcels."

I've interpreted this as sloping the roof away from those setbacks but am hoping the above could work. I understand the City would like feedback. I think clarity on the item above would be beneficial because it is unique to Rossland.



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[EXTERNAL] Submission re Draft Zoning Bylaw No. 2864 — RR Zone Minimum Parcel Size

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From [REDACTED]

Date Fri 5/29/2026 10:56 AM

To Bryan Teasdale <CAO@rossland.ca>; Andy Morel <mayor@rossland.ca>; Council <council@rossland.ca>; Sustainability Commission <sustainability@rossland.ca>; Stacey Lightbourne <planner@rossland.ca>; Zoning Bylaw Feedback <zoning@rossland.ca>

 1 attachment (28 KB)

Rossland RR Zone Council Submission v2.docx;

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Dear Mayor and Members of Council,

I am writing to request that Council reconsider the minimum parcel size prescribed for the Rural Residential (RR) zone in Draft Zoning Bylaw No. 2864. I have attached a detailed submission for your consideration.

In brief, my concerns are as follows:

The draft bylaw retains a 2.0 ha minimum parcel area for the RR zone — unchanged from the existing Bylaw No. 2518 (2011). This standard has rendered many R-1R-zoned properties legally non-conforming for over 15 years. The preparation of Bylaw 2864 is a natural opportunity to remedy this long-standing inequity.

The City's own GIS zoning data demonstrates the problem clearly: 11 of the 22 R-1R zone polygons — exactly half — are themselves smaller than 2.0 ha. The individual title parcels within those polygons are smaller still. The 2 ha minimum is inconsistent with the actual lot fabric of the zone and with the historical pattern of development the City itself approved through prior subdivision.

Comparable BC municipalities in the Kootenay region apply significantly lower thresholds: Castlegar sets its rural mixed-use minimum at 1.2 ha; Grand Forks applies approximately 1.0 ha. The 2 ha standard belongs to the RDCK's unserved Electoral Areas — not to an urban municipality like Rossland.


I also note that the draft does make one change to the RR zone: it increases the maximum permitted building coverage from 200 m<sup>2</sup> to 350 m<sup>2</sup>. This demonstrates Council's willingness to update zone parameters where appropriate. I respectfully submit that the minimum parcel size warrants the same attention.

My submission requests that Council reduce the RR minimum parcel size to **0.4 ha (4,000 m<sup>2</sup>)**, or as a conservative alternative, **1.0 ha**. All other zone regulations — setbacks, height limits, coverage caps, and density controls — would remain unchanged and continue to protect the natural setting the RR zone is intended to preserve.

I am happy to attend a Council meeting or similar to speak to this submission if that would be helpful.

Thank you for your time and consideration.

Yours sincerely,

A black rectangular redaction box covering the signature of the sender.

Rossland, BC

*Attachment: Rossland\_RR\_Zone\_Council\_Submission\_v2.docx*

# Submission to Rossland City Council

## Review of Rural Residential (RR) Zone — Minimum Parcel Size

Zoning Bylaw No. 2864 (Draft) | May 2026

### 1. Executive Summary

The minimum parcel size of 2.0 ha prescribed for the Rural Residential (RR) zone in Draft Bylaw No. 2864 perpetuates a long-standing mismatch between the bylaw standard and the existing rural residential lot fabric and is out of step with comparable BC municipalities. The City's own GIS zoning data shows that half of the 22 R-1R zone polygons are themselves smaller than 2 ha — a standard many rural residential parcels have not met for over 15 years. We request that Council reduce the RR minimum parcel size to 0.4 ha (4,000 m<sup>2</sup>), or at minimum 1.0 ha, and adopt a transitional provision that clarifies the status of existing lawfully created parcels below the amended minimum.

### 2. Background and Current Bylaw Provisions

Draft Bylaw No. 2864 establishes the Rural Residential (RR) zone under Section 8.1. Its stated intent is:

*“The intent of this Zone is to allow for Single Detached and Duplex Dwellings, Agricultural Uses and other related uses, on large rural Parcels. Emphasis is placed on the preservation of the existing natural setting.”*

Section 8.1(4) sets the minimum parcel area at 2.0 ha. No subdivision plan may be approved that creates a parcel below this threshold. The RR zone (currently designated R-1R) covers approximately 181.10 ha in 22 distinct zoning polygons — peri-urban properties on the fringes of the developed city established through historical subdivision decades before any 2 ha standard was contemplated.

#### 2.1 What Actually Changed in Draft Bylaw 2864

The 2.0 ha minimum is not a new proposal. It is carried forward unchanged from Zoning Bylaw No. 2518 (2011). Of the key zone parameters, only one was amended in the draft:

Regulation	Bylaw 2518 (Current)	Draft Bylaw 2864	Changed?
Minimum Parcel Area	2.0 ha	2.0 ha	No
Min. Building Width	4.5 m	4.5 m	No
Front / Rear Setback	4.0 m / 2.0 m	4.0 m / 2.0 m	No
Interior Side Setback	1.8 m	1.8 m	No

Regulation	Bylaw 2518 (Current)	Draft Bylaw 2864	Changed?
Max Coverage	15% / 200 m <sup>2</sup>	15% / 350 m <sup>2</sup>	<b>YES — expanded</b>
Max Height	10.0 m	10.0 m	No
Max Dwelling Units	2 per parcel	2 per parcel	No

Council has already shown it will update zone parameters when the case is made — increasing the maximum building coverage from 200 m<sup>2</sup> to 350 m<sup>2</sup>. The same logic applies with at least equal force to the minimum parcel size. The preparation of a replacement bylaw is the natural moment to address this long-standing mismatch between the standard and reality.

It is also worth noting the direction of the change that was made. Increasing the maximum building footprint from 200 m<sup>2</sup> to 350 m<sup>2</sup> — on lots that already require 2.0 ha — accommodates larger, more expensive homes on large rural estates. It does not promote housing availability or affordability. By contrast, a reduction in the minimum parcel size would allow existing land within the RR zone to support more dwellings, making rural residential living accessible to a broader range of households. This is consistent with the direction set by the Province under the Housing Statutes (Residential Development) Amendment Act, which signals that local governments should avoid using minimum parcel sizes and other regulatory tools to unnecessarily restrict housing supply. The coverage change addresses one aspect of development flexibility. A reduction in the minimum parcel size would address another: aligning the bylaw with existing rural residential lots while supporting modest additional housing opportunity in a manner consistent with provincial housing policy.

### 3. Parcel Size Analysis: The Reality on the Ground

#### 3.1 The R-1R Zone Polygon Distribution

An analysis of the City's own Land Use (Zoning) GIS layer — the authoritative dataset underlying Bylaw 2864 — reveals the following for the 22 R-1R zone polygons:

Zone Polygon Size	No. of Polygons	Meets 2 ha Min?	Notes
< 0.5 ha	3	No	Smallest polygons (min. 0.20 ha).
0.5 ha – 1.0 ha	4	No	Residential pockets well below threshold.
1.0 ha – 2.0 ha	4	No	Substantial properties; still non-conforming.
2.0 ha – 5.0 ha	5	Yes	Meets proposed minimum.
5.0 ha – 20.0 ha	4	Yes	Larger areas, typically steep forested terrain.
> 20.0 ha	2	Yes	Includes 55.6 ha heavily wooded polygon.

Zone Polygon Size	No. of Polygons	Meets 2 ha Min?	Notes
<b>TOTAL</b>	<b>22</b>	<b>11 of 22 (50%) non-conforming</b>	Total zone area: 181.10 ha. Range: 0.20 ha – 55.6 ha.

The result is unambiguous. Exactly half of the zone polygons the City has drawn for rural residential land are themselves smaller than 2 ha. These 11 polygons range from 0.20 ha to 1.9 ha and represent identifiable residential pockets — clusters of homes on lots established lawfully when no 2 ha threshold existed.

It bears emphasising that zone polygons are not parcels — they are collections of individual titles sharing the same designation. The individual lots within a 1.5 ha zone polygon may themselves be 0.3–0.5 ha. The polygon data therefore understates the number of non-conforming titles; it is a lower bound, not an upper one. At the zone level alone, the evidence is already decisive.

## 4. Comparative Analysis: Peer Municipality Standards

The following table summarises minimum parcel sizes for the rural residential equivalent zone in comparable BC municipalities:

Municipality	Zone	Min. Parcel Area	Notes
<b>City of Rossland (Draft Bylaw 2864)</b>	RR	<b>2.0 ha</b>	Subject of this submission. Most existing lots already non-conforming.
City of Castlegar	RMU (Rural Mixed-Use)	1.2 ha	Bylaw 1428 (2024). Similar size; same regional district.
City of Grand Forks	R-4 (Rural Residential)	~1.0 ha	Bylaw 2039. Small interior BC mountain city; no community services required.
RDCK Electoral Areas F, I, J, K	R3 (Rural Residential)	2.0 ha	Bylaw 1675. For large unserved rural hinterlands — the standard Rossland's draft mirrors.

Rossland's draft mirrors the RDCK's standard for unserved Electoral Areas — large rural hinterlands with fundamentally different land use pressures, service levels, and lot fabric. Applying this standard to an urban municipality is inappropriate. Castlegar, a city of comparable size in the same regional district, uses 1.2 ha. Grand Forks applies approximately 1.0 ha. Neither has abandoned rural character as a result.

## 5. The Case for a Lower Minimum Parcel Size

### 5.1 The Standard Is Borrowed from the Wrong Context

The 2.0 ha figure originates in the RDCK Regional Zoning Bylaw No. 1675, written for Electoral Areas: large, unserved, low-density rural districts. Those areas have different infrastructure, different development pressures, and a fundamentally different lot pattern than Rossland's urban

fringe. The rationale for importing this number wholesale into a city bylaw without adjustment is not apparent.

## 5.2 The Lot Fabric and Provincial Policy Support a Lower Standard

Zoning bylaws are most equitable when they reflect and regularise the existing pattern of development rather than retroactively rendering it non-conforming. The City’s own data confirms that the existing lot fabric of the R-1R zone is inconsistent with a 2 ha minimum — and has been so since at least 2011. Provincial housing policy reinforces this: the BC Housing Statutes (Residential Development) Amendment Act signals clearly that local governments should not use regulatory tools to unnecessarily restrict land use or housing supply. A 2 ha minimum applied to already-developed residential lots does precisely that.

A minimum of 0.4 ha (0.99 acres) is a substantial rural residential lot. It is consistent with preserving natural settings and rural character. It is not a radical proposal. A 0.4 ha minimum would still require parcels of approximately one acre, would not change the two-dwelling-unit limit, and would leave all existing setback, height, and coverage controls in place.

## 5.3 Zone Protections Are the Right Tool — Not Lot Size

The bylaw’s natural setting objective is served by its site-level controls: a 4.0 m front setback, 1.8 m interior sides, 15% maximum building coverage capped at 350 m<sup>2</sup>, a 10.0 m height limit, and a maximum of two dwelling units per parcel. These provisions remain fully effective at a 0.4 ha minimum. The natural setting is preserved by enforcing what can be built on a lot.

## 6. Recommendation

We respectfully request that Council amend Section 8.1(4) of Draft Zoning Bylaw No. 2864 as follows:

Parameter	Current Draft (Bylaw 2864)	Proposed Amendment
<b>Minimum Parcel Area — Section 8.1(4)</b>	<b>2.0 ha</b>	<b>0.4 ha (4,000 m<sup>2</sup>)</b>
All other RR zone regulations	As drafted (setbacks, coverage, height, density)	Unchanged

If Council is not prepared to adopt 0.4 ha at this stage, we respectfully invite Council to consider a conservative interim position of 1.0 ha — consistent with Grand Forks, a significant improvement on the status quo, and sufficient to bring the majority of existing R-1R lots into conformance.

We also request a transitional conformance provision for lots already below the amended minimum, bringing them into formal compliance. This would be consistent with the purpose of reducing a pre-existing non-conformity, and it is the fair outcome for owners who have lived with this uncertainty for over 15 years.

## 7. Summary

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- The 2.0 ha minimum has been in force since Bylaw 2518 (2011). Bylaw 2864 is a verbatim carry-forward. The mismatch between this standard and the actual lot fabric of the R-1R zone has persisted for over 15 years. The bylaw review is the appropriate moment to address it.
- The City's own GIS data shows 11 of 22 R-1R zone polygons (50%) are below 2 ha. Zone boundaries drawn by the City itself do not meet the minimum it imposes on landowners. Individual title parcels within those polygons are smaller still.
- The only parameter changed in Bylaw 2864 is maximum building coverage (200 m<sup>2</sup> to 350 m<sup>2</sup>). Council has already shown it will amend zone standards when the case is made. The case for adjusting the minimum parcel size is stronger.
- Peer municipalities — Castlegar (1.2 ha) and Grand Forks (~1.0 ha) — demonstrate that lower thresholds are workable in comparable Kootenay cities. The 2.0 ha figure is borrowed from an RDCK rural Electoral Area standard that does not fit Rossland's context.
- All site-level protections — setbacks, height limits, coverage caps, density limits — remain unchanged. The natural setting objective is met by those controls, not by lot size. A reduction to 0.4 ha (or 1.0 ha) brings the standard into alignment with the existing lot fabric without compromising the zone's character.

Respectfully submitted,

May 28, 2026

## Appendix A: Sources and Data Notes

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**Zoning Bylaw under review:** City of Rossland, Draft Zoning Bylaw No. 2864, May 20, 2026.

**Existing Zoning Bylaw:** City of Rossland, Zoning Bylaw No. 2518, 2011 (Consolidated). Section 6.3 (R-1R Detached Residential Rural); Section 4.1.1 (Non-Conforming Uses).

**Zoning layer data:** City of Rossland Land Use (Zoning) Feature Service (ArcGIS, services2.arcgis.com/MdQGqKoSXWzxRMkz). R-1R zone: 22 polygons, 181.10 ha total; range 0.20 ha to 55.6 ha; 11 of 22 polygons below 2.0 ha. Queried May 28, 2026.

**Parcel data:** City of Rossland Parcel Viewer 2025 (Public), same ArcGIS host. Queried May 28, 2026.

**Castlegar:** City of Castlegar, Zoning Bylaw No. 1428, adopted June 2024. Section 7.7 (Rural Mixed-Use Zone).

**Grand Forks:** City of Grand Forks, Zoning Bylaw No. 2039, 2018 (consolidated to 2023). R-4 Rural Residential Zone.

**RDCK:** Regional District of Central Kootenay, Zoning Bylaw No. 1675, 2004 (Consolidated 2025). Division 15, Rural Residential (R3), Electoral Areas F, I, J, K.

**Provincial policy:** BC Housing Statutes (Residential Development) Amendment Act, 2023 (Bill 44).

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[EXTERNAL] Zoning

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**From** [REDACTED]  
**Date** Sun 5/17/2026 10:15 AM  
**To** Zoning Bylaw Feedback <zoning@rossland.ca>  
**Cc** Andy Morel <mayor@rossland.ca>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello planning team,

I wanted to ensure my concerns regarding parking requirements for rental housing are clearly shared and considered during policy review discussions.

Current requirements, particularly the expectation of two parking spaces for secondary suites or rentals within existing homes, should be reconsidered. Many older Rossland homes were simply not built with this kind of parking capacity in mind. These rules can unintentionally prevent homeowners from renting suites or portions of their homes, even when there is a real housing need in our community.

I would encourage the City to:

- Review and potentially reduce parking requirements for rentals and secondary suites in existing homes.
- Make parking and rental policies easier for residents to access and understand online.
- Consider residential street permit parking on streets with recurring parking pressure.
- Explore subcontracted towing and clearer winter parking enforcement during snow removal periods.

Most importantly, I hope the City approaches this issue with equity in mind — not only from the perspective of developers, but also for longtime residents, single parents, seniors, and families with modest homes who are trying to make housing more affordable and make ends meet.

We need policies that make it possible to rent out part of your home again in a reasonable and practical way.

Thank you for your consideration.



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[EXTERNAL] Draft zoning bylaw and Short Term Rentals

---

From [REDACTED]  
Date Mon 5/18/2026 8:37 AM  
To Zoning Bylaw Feedback <zoning@rossland.ca>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

May 15, 2026

[REDACTED]

May 15, 2026

Dear City Zoning:

I appreciated the answers I received from the City on March 5, 2026 regarding STRs (short terms rentals). The City did not respond to my follow-up questions.

The City stated that duplexes and triplexes, and multi family housing in the residential zone are excluded from STRs to maintain 'affordability'.

The City stated that BC Assessment did not agreed to a stratification of the residential assessment rate.

## QUESTIONS

Question 1. What is the reasoning behind categorizing townhouses (duplex, triplex, etc) with condominiums? *(Townhouses (duplexs, triplex etc) are significantly different from condominiums (multi-family housing), yet the draft bylaw has placed them in the same category.)*

Question 2. What is the definition of 'affordable' that is used to exclude townhouses and condos from being eligible for STRs?

Question 3. What is the average assessed value of each of the following: single detached dwellings; townhouses; and condos? *(I'm looking for data that supports the contention that townhouses and condominiums are 'affordable'.)*

Question 4. Did the City research other scenarios for maintaining 'affordability'. *(For example: All dwellings in the residential zone that are less than the **average** housing cost are not eligible for STRs.)*

## COMMENTS

**The draft bylaw is unfair.** Existing townhouse and condo owners should be treated the same as detached homeowners and permitted to operate STRs. The bylaw permits 'grandfathering' in other instances. New townhouse and condo development could be excluded from operating STRs and in that case, a buyer would know prior to purchase and can make their decision with that knowledge.

**The draft bylaw should be based on value rather than structure in deciding 'affordability'.** If the City is determined to have a bylaw that excludes certain homeowners and yet purports to support 'affordability', then base the exclusion from STRs on value (assessed value) rather than structure (detached, townhouse, condo).

For example, all residences below the average assessed value are not eligible for STRs.

**The draft bylaw creates winner and loser categories.** Based on the City's statement of 'affordable', the poorest homeowners, the residential zone townhouse and condominiums owners, will not have the opportunity to increase their income through STRs while the wealthier residential detached dwelling homeowners and all the residential commercial detached dwellings, townhouse, and condominium owners have the potential to rake in the cash. The City appears to be taking from the poor and giving to the rich....a reverse Robin Hood. There is also the impact on housing values with the potential to lower the resale value of residential zone townhouses and condominiums while increasing the value of residential detached dwellings.... again a scenario of taking from the poor and giving to the rich.

**The draft bylaw is backwards.** Rather than providing an incentive for the construction of townhouses and condos, the bylaw proposes a penalty, no STR. In contrast at Red Mountain with STR availability, townhouses and condominiums are under development.

## RECOMMENDATIONS

a) In fairness to ALL homeowners, that existing townhouse and condominium owners located in 'residential' be permitted to engage in STRs.

b) The bylaw not be implemented unless BC Assessment agrees to stratify the residential tax rate, that is differential tax rates for residential commercial STR allowed (the highest tax rate), residential STR allowed (middle tax rate), and STR not allowed (lowest tax rate).

c) Draft a bylaw that provides an incentive rather than a penalty for the construction of townhouses and condominiums.

I look forward to having my questions answered.



---

[EXTERNAL] New zoning bylaw and trees

---

**From** [REDACTED]  
**Date** Tue 5/19/2026 10:12 AM  
**To** Zoning Bylaw Feedback <zoning@rossland.ca>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings.

I am concerned that neither the zoning bylaw nor the tree retention bylaw address certain safety issues about establishing trees.

I suggest that a bylaw should prohibit the planting of trees (especially coniferous trees) where they will grow up to be close to, or interfere with, utility lines, or where their roots are likely to invade storm or sanitary sewers.

(If there is already such a prohibition, I have been unable to find it ... )

I also suggest there should be a prohibition against planting coniferous trees where their mature branches are likely to extend to within 30 feet of a residence I believe this is in line with FireSmart rules ... and, having read "Fire Weather" by John Vaillant, I'm deeply impressed by the hazard of trees near buildings in the event of wildfire. Anyone who hasn't yet read this book ought to do so.

Rossland already has many large coniferous trees with utility lines snaking through their branches, and many that are hazardously close to buildings. Trees are lovely, and we need more of them but not coniferous trees placed where they can endanger utility lines or homes and lives.

Thank you for considering this.

[REDACTED]

# ZONING BYLAW

Bylaw No. 2864  
2026



**THE CORPORATION OF THE CITY OF ROSSLAND**

**BYLAW #2864**

WHEREAS Council wishes to repeal Bylaw No. 2518 "Zoning Bylaw" as amended and wishes to adopt a new Zoning Bylaw pursuant to the *Local Government Act*.

AND WHEREAS Council has held a Public Hearing pursuant to the *Local Government Act*.

NOW THEREFORE Council of the City of Rossland, in open meeting assembled hereby enacts as follows:

**SHORT TITLE**

- 1. This Bylaw shall be cited as the "City of Rossland Zoning Bylaw No. 2864, 2026."

**ATTACHMENTS**

- 2. a) The following schedules attached hereto are hereby made part of this bylaw and adopted as the Zoning Bylaw for the City of Rossland:
  - 1. Schedule A: Zoning Bylaw Text
  - 2. Schedule B: Enforcement Fee Schedule
  - 3. Schedule C: Zoning Bylaw Map

**ENACTMENT**

- 3. Bylaw No. 2518 cited as "The City of Rossland Zoning Bylaw" and amendments thereto as it applies to the City of Rossland is hereby repealed.

READ A FIRST TIME,	this 7th day of April, 2026
READ A SECOND TIME	this 19 <sup>th</sup> day of May, 2026
PUBLIC HEARING HELD ON	this day of, 2026
READ A THIRD TIME	this day of, 2026
APPROVED PURSUANT TO THE <i>TRANSPORTATION ACT</i> ,	this day of 2026

Signed Original Approving Officer \_\_\_\_\_  
Ministry of Transportation and Highways

RECONSIDERED AND FINALLY ADOPTED, this - day of \_\_\_\_, 2026

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# SECTION 1: BASIC PROVISIONS

## 1.1 Application

1.1.1 This Bylaw applies to all land, Buildings and Structures and the surface of water within the boundaries of the City of Rossland.

## 1.2 Conformity

1.2.1 Land, including the surface of water, shall not be used and Buildings and Structures shall not be constructed, altered, located or used except as specifically permitted in this Bylaw. shall not be constructed, altered, located or used except as specifically permitted in this Bylaw.

## 1.3 Severability

1.3.1 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.

## 1.4 Units of Measure

1.4.1 Metric units are used for all measurements in this Bylaw.

## 1.5 Applicable Regulations

1.5.1 Where this bylaw sets out two or more regulations that could apply to a situation, the most stringent regulation shall apply.

1.5.2 Where this bylaw sets out both general and specific regulations that could apply to a situation, the specific regulation shall apply.

## 1.6 Non-Conforming Uses

1.6.1 A lawful use of land, Buildings or Structures existing or lawfully under construction at the time of the adoption of this Bylaw, although such use does not conform to the provisions of this Bylaw, may be continued, subject to the provisions of the *Local Government Act*.

## 1.7 Rules of Interpretation

- 1.7.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word "person" includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.
- 1.7.2 The words "shall" and "is" require mandatory compliance except where a variance has been granted pursuant to the *Local Government Act*.
- 1.7.3 The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".
- 1.7.4 Words, phrases, and terms neither defined in this section nor in the *Local Government Act*, *Community Charter* or the *Interpretation Act*, shall be given their usual and customary meaning for the purpose of interpreting this bylaw.
- 1.7.5 Where a regulation involves two or more conditions, provisions, or events connected by the conjunction "and" means all the connected items shall apply in combination; "or" indicates that the connected items may apply singly or in combination; and "either-or" indicates the items shall apply singly but not in combination.

## SECTION 2: ADMINISTRATION

### 2.1 Inspection

- 2.1.1 The Corporate Officer, the Building Official, or other officer of the Municipality who may be appointed by Council, in accordance with the *Community Charter*, is hereby authorized to enter any property that is subject to regulations under this Bylaw to ensure compliance with the requirements of this Bylaw, any day of the week.

### 2.2 Violation

- 2.2.1 A person commits an offence if they:
- a) contravene or violate any provision of this Bylaw;
  - b) cause, permit, or allow any act or thing to be done in contravention of this Bylaw;
  - c) neglect or omit to do anything required by this Bylaw;
  - d) carry out, cause, or permit development contrary to this Bylaw;
  - e) fail to comply with an order, direction, or notice issued under this Bylaw; or
  - f) obstruct or attempt to obstruct an authorized person in the lawful exercise of powers under this Bylaw.

### 2.3 Offence

- 2.3.1 Each day that a violation of this Bylaw continues constitutes a separate and distinct offence.

### 2.4 Penalty

- 2.4.1 A person who commits an offence under this Bylaw is liable, upon conviction, to one or more of the following:
- a) upon summary conviction following a prosecution under the *Offence Act*, to a fine no less than \$2000 and not more than \$50,000, together with the cost of the prosecution and any other penalty or order imposed pursuant to the *Community Charter*, the *Local Government Act*, or the *Offence Act*, as amended from time to time,
  - b) if a Bylaw Notice is issued, to the fine amount specified in the City of Rossland's Bylaw Notice Enforcement Bylaw or the fees set out in Schedule 1 – Enforcement Fee Schedule and/or
  - c) if an offence continues for more than one day, each day that the offence continues constitutes a separate and distinct offence, and in the case of a continuing offence, for each day that the offence continues either or both of,

- (i) a minimum fine of \$2000, or
- (ii) a maximum fine of \$50,000
- d) imprisonment for not more than 6 months

## 2.5 Bylaw Notice Enforcement

- 2.5.1 This Bylaw may be enforced by Bylaw Notice issued under the *Community Charter* and the City of Rossland Bylaw Notice Enforcement Bylaw, as amended from time to time.

## 2.6 Compliance with Other Legislation

- 2.6.1 In addition to this Bylaw, a person is responsible for ascertaining and complying with the requirements of all other applicable municipal Bylaws, or Provincial or Federal statutes and regulations.
- 2.6.2 The requirements of the Development Permit Areas included within the Official Community Plan apply in addition to the regulations in this Bylaw.

## 2.7 Bylaw Amendment

- 2.7.1 Any person applying to amend this Bylaw shall apply in writing to the Corporate Officer of the City of Rossland.
- 2.7.2 Any application for the amendment of this Bylaw shall be accompanied by:
  - a) a completed and signed application form in the format approved by the City of Rossland.
  - b) maps, plans, or other material describing the location of the land to be rezoned.

## SECTION 3: DEFINITIONS

In this Bylaw all words or phrases shall have their normal or common meaning except where this is changed, modified or expanded by the definitions set forth below:

<b>ACCESSORY BUILDING</b>	means a detached <u>Building</u> or <u>Structure</u> , the use or intended use of which is customarily incidental, subordinate, and exclusively devoted to the use of a permitted <u>Principal Building</u> or a <u>Principal Use</u> situated on the same <u>Parcel</u> , and does not contain a residential use.
<b>ACCESSORY USE</b>	means a use subordinate, customarily and normally incidental to and exclusively devoted to a <u>Principal Use</u> of land on the same <u>Parcel</u> .
<b>ACCESSORY DWELLING UNIT</b>	means a self-contained <u>Dwelling Unit</u> with its own cooking, sleeping and bathing facilities, and which is located on the same property as the <u>Principal Residence</u> . An <u>Accessory Dwelling Unit</u> has a separate entrance, either from a common indoor landing or directly from the outside. This may include a garden suite, coach house, or laneway home.
<b>ACCOMMODATION UNIT</b>	including <u>Commercial Short-Term Rentals</u> , means one or more <u>Sleeping Units</u> , together that: <ul style="list-style-type: none"> <li>a) may or may not contain cooking facilities;</li> <li>b) contain at least one bathroom; have a private</li> <li>c) entrance either from outside or from a common hall</li> <li>d) inside a <u>Building</u>; and</li> <li>e) provides temporary accommodation.</li> </ul>
<b>AFFORDABLE HOUSING</b>	means housing that is attainable to a household without requiring more than 30% of its gross income to be spent on housing costs and includes non-market or special-needs housing that is secured through a covenant and/or regulated by a housing agreement.
<b>AGRICULTURAL STANDS</b>	means <u>Accessory</u> or <u>Temporary Buildings and Structures</u> for retailing agricultural products.
<b>AGRICULTURAL USE</b>	means a use providing for the growing, rearing, cultivating, producing, harvesting, and processing of agricultural products, including horses, cattle, other livestock, swine, furbearing animals, poultry, pigeons, doves, bees, rabbits and other animals and birds.

<b>AISLE</b>	means the area used by motor vehicles for access to and from all <u>Off-Street Parking Spaces</u> , but does not include required <u>Parking Spaces</u> .
<b>ALTERATION</b>	means a structural change to a <u>Building</u> and includes: <ul style="list-style-type: none"> <li>f) an addition to <u>Gross Floor Area</u> or <u>Height</u>;</li> <li>g) the removal of a portion of the <u>Building</u>;</li> <li>h) construction of, cutting into, or removal of a wall, partition, column, beam, joist or floor;</li> <li>i) a change to, or closing of, any required means of access; and</li> <li>j) a change to the exterior fixtures, equipment, cladding or trim.</li> </ul>
<b>ALTERNATIVE FUEL INFRASTRUCTURE</b>	means facilities for refueling or recharging vehicles powered by alternative clean energy sources such as hydrogen, propane, or other clean energy sources.
<b>ANIMAL PROOF CONTAINER</b>	means a container featuring sturdy construction and an animal-proof latching system on the lid and door.
<b>ANIMAL PROOF ENCLOSURE</b>	means a <u>Structure</u> that has four enclosed sides, a roof, door(s) and a self-latching device, of a design and strength sufficient to prevent access by animals.
<b>ARTIST STUDIO</b>	means a <u>Building</u> or <u>Structure</u> for the production of dance, live music, creative writing, painting, drawing, pottery or sculpture, video, moving or still photography. Amplified sound may not be audible beyond the property line.
<b>AUTOMOBILE REPAIR, MAJOR</b>	means general repairs, rebuilding, or reconditioning of engines, motor vehicles, or trailers such as collision service, body repair and frame straightening, painting and upholstering, vehicle steam cleaning, and undercoating.
<b>AUTOMOBILE WRECKING YARD</b>	means an outdoor area where motor vehicles are disassembled, dismantled or junked or where inoperable motor vehicles or used parts of motor vehicles are stored.
<b>BASEMENT</b>	means the part of a <u>Building</u> partly or wholly below <u>Finished Grade</u> .

**BED AND BREAKFAST**

means the licensed use of a Single Detached Dwelling unit occupied by the owner or a manager as their Principal Residence, for the provision of temporary lodging of paying guests in not more than four guest rooms in the Dwelling and the serving of a morning meal to such guests and includes the use of common living and dining areas in the Dwelling by such guests. Bed and Breakfast use is prohibited in conjunction with a Secondary Suite or an Accessory Dwelling Unit.

**BICYCLE PARKING, LONG-TERM**

means bicycle parking intended for residents, employees, or other regular users, located in a secure, weather-protected area such as a locked room, enclosure, or individual locker and has adequate lighting.

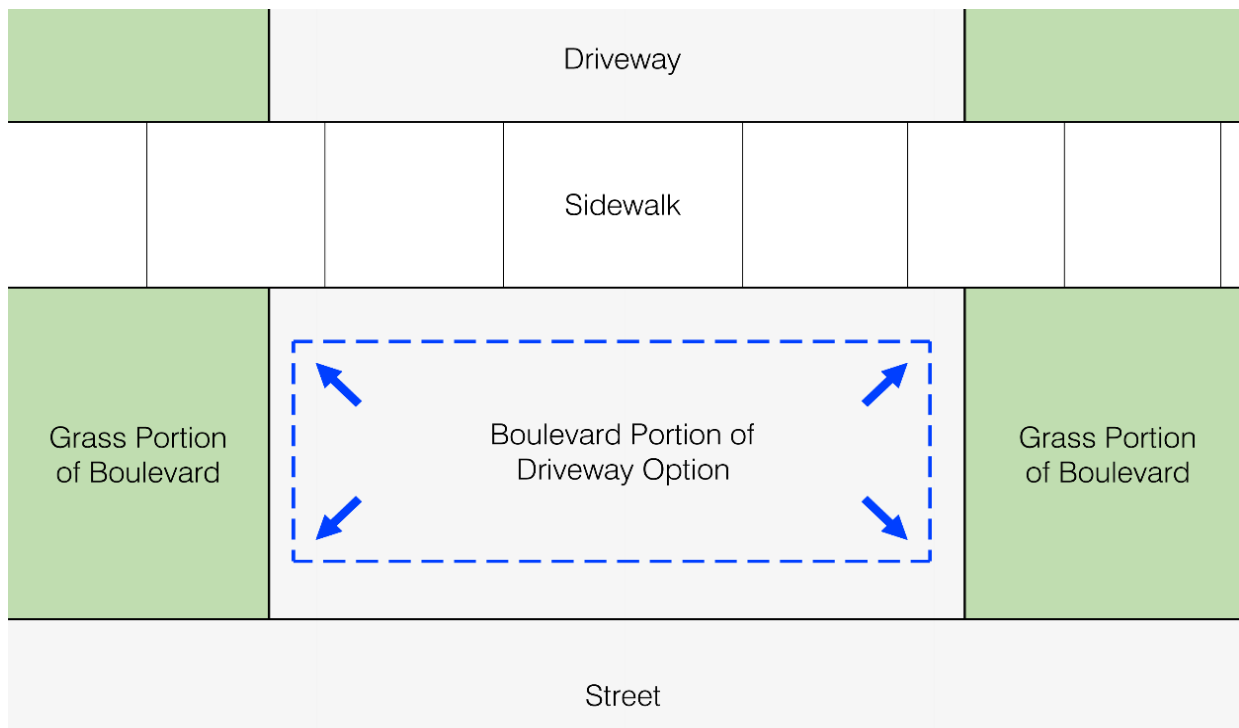
**BICYCLE PARKING, SHORT-TERM**

means bicycle parking intended for visitors or customers, located in publicly accessible areas near Building entrances, and typically consisting of racks or posts that allow bicycles to be secured.

**BOULEVARD PARKING**

means parking on the section of a Driveway located between the property lot line and the edge of the asphalted roadway, as illustrated in **Figure 3-1: Boulevard Parking**.

**Figure 3-1: Boulevard Parking**



<b>BUILDING</b>	means a <u>Structure</u> used or intended for supporting or sheltering any use or occupancy by persons, animals or property and which is permanently affixed to the land.
<b>BUILDING, PRINCIPAL</b>	means a <u>Building</u> which: <ul style="list-style-type: none"> <li>a) occupies the major or central portion of a <u>Parcel</u>;</li> <li>b) is the chief or main <u>Building</u> on a <u>Parcel</u>; or</li> <li>c) constitutes, by reason of its use, the primary purpose for which the <u>Parcel</u> is used.</li> </ul>
<b>BUILDING OFFICIAL</b>	means the Building Official of the City of Rossland duly appointed by Council.
<b>BUILDING SUPPLY OUTLET</b>	means a <u>Building</u> or <u>Structure</u> in which <u>Building</u> or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvement.
<b>BULK FUEL DEPOT</b>	means lands, <u>Buildings</u> and <u>Structures</u> for the storage, distribution of fuels, oils but not including retail sales or key lock operations.
<b>BUS TERMINAL</b>	means a <u>Building</u> where <u>Commercial Vehicles</u> pick up and discharge fare paying, intercity passengers. Uses may include ticket sales, luggage checking facilities and similar uses.
<b>BUSINESS SUPPORT SERVICES</b>	means a <u>Building</u> used to provide support services to businesses and which are characterized by one or more of the uses of minor mechanical equipment for printing, duplicating, binding or photographic processing; secretarial services; the provision of <u>Office</u> maintenance or custodial services; the provision of <u>Office</u> security; and the sale, rental, repair, or servicing of <u>Office</u> equipment, furniture and machines. Typical uses include but are not limited to printing establishments, testing laboratories, film processing establishments, janitorial firms and <u>Office</u> equipment sales, repair establishments, and <u>Sign</u> shops.
<b>C ZONE</b>	means all commercial <u>Zones</u> with only the letter C as a prefix in the <u>Zone</u> name, including but not limited to, C-1, C-2, C-3 and C-4 <u>Zones</u> .
<b>CAMPGROUND</b>	means an area of land, managed as a unit, providing short-term accommodation for tents, tent trailers, travel trailers, <u>Recreational Vehicles</u> , campers and <u>Tourist Cabins</u> and may include, in conjunction with campsites:

- a) Recreational Facilities intended for the use of overnight guests only;
- b) Limited Resort Commercial Use intended for the use of overnight guests only;
- c) Administration Office;
- d) Common washrooms, laundry, kitchen facilities intended for the use of overnight guests only; and
- e) Accessory Buildings and Structures.

**CANNABIS**

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

**CANNABIS OPERATION**

means the cultivating, growing, producing, packaging, storing, distributing, dispensing, advertising, trading, consumption, or selling of Cannabis or its derivatives but excludes a City-approved Cannabis Retail Store, Cannabis Standard Processing or Cannabis Micro Processing establishment.

**CANNABIS RETAIL STORE**

means a retail establishment licensed under provincial authority for the sale of Cannabis for consumption off-premises.

**CAR WASH ESTABLISHMENT**

means a commercial establishment for washing or cleaning motor vehicles.

**CARTAGE**

means a Building or Structure where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration or from which trucks or transports are dispatched for hire as common carriers. These facilities may also include a Warehouse.

**CHILDCARE FACILITY**

means premises licensed as required under the *Community Care and Assisted Living Act* to provide care, educational services, or supervision for three or more children.

**CHURCH**

means a Building wherein persons regularly assemble for religious worship, and which is maintained and controlled by a religious body organized to sustain public worship.

**CIVIC USE**

means the use of a Building, Structure or Parcel for public functions which are under the auspices of a public body, including but not limited to fire halls, community centres, community halls, government Offices, Libraries, Museums, public works and sewer and water pumping stations and reservoirs.

<b>CLUB OR LODGE</b>	means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for cooperation and conviviality. <u>Club or Lodge</u> shall also mean, where the context requires, a <u>Building</u> or establishment owned or occupied by members of such association and their guests within which the activities of the <u>Club or Lodge</u> are conducted.
<b>CLUSTER DEVELOPMENT</b>	means a design technique whereby <u>Buildings</u> in a development are located in limited areas (clustered) on a site to allow the rest of the site to be used for <u>Open Space</u> .
<b>COMMERCIAL, DOWNTOWN USE</b>	means a use intended to stabilize, maintain, and enhance the unique commercial character of Downtown Rossland as an attractive, lively main street environment. Specifically, the Commercial Downtown provides for land uses downtown that have a strong pedestrian-oriented character, with a mixture and concentration of specialty shopping, <u>Personal Service</u> , <u>Restaurant</u> , cultural, and entertainment uses limited to: <u>Artist Studio and Gallery</u> , <u>Business Support Services</u> , <u>Bus Terminal</u> , <u>Clubs or Lodges</u> , <u>Craft Brewery or Distillery</u> , dance studios, <u>Eating and Drinking Establishments</u> , <u>Financial Institutions</u> , fitness clubs, <u>Health Services</u> , <u>Household Repair Services</u> , <u>Hotels</u> , <u>Hostel</u> , <u>Institution</u> , <u>Liquor Licensed Premises</u> , <u>Offices</u> , <u>Personal Services</u> , Radio and Television Studios, <u>Restaurants</u> , <u>Retail Stores</u> , <u>Retail Store</u> associated with <u>Small Scale Food and Beverage Processing Establishment</u> , <u>Schools</u> , <u>Veterinarian's Clinics</u> , video rental store, and generally excludes a use providing for the sale or servicing of non-household or non-personal goods or things.
<b>COMMERCIAL, ENTERTAINMENT USE</b>	means facilities for entertainment and recreational activities indoors including pool halls, amusement arcades, bowling alleys, racquet sport facilities, <u>Theatres</u> and other similar indoor facilities.
<b>COMMERCIAL, NEIGHBOURHOOD ORIENTED USE</b>	means a <u>Retail Store</u> , not exceeding 150 m <sup>2</sup> of <u>Gross Floor Area</u> , for the retail sale of groceries, meat, fish, bakery goods, flowers, magazines and newspapers, a limited pharmacy, a post <u>Office</u> , and the rental of videos to supply daily household necessities to the surrounding area.
<b>COMMERCIAL, RESORT USE</b>	means uses intended primarily to serve visitors and users of resort accommodations and recreational facilities, including spas, <u>Restaurants</u> , <u>Eating and Drinking Establishments</u> , <u>Conference Facilities</u> , the retail sale of tourist-oriented goods, merchandise, other materials and services, including but not

limited to clothing, footwear, sports equipment, sporting goods, sports accessories, souvenir shops, and personal care items.

These uses are intended to be limited in scale and type to ensure they do not compete with or detract from the commercial role and vitality of the designated Downtown area.

**COMMERCIAL, SERVICE USE**

means uses that are primarily of a non-retail character, some of which require Outdoor Storage or activity areas. Retail and Office uses are allowed to the extent that they are compatible with the service commercial uses; Uses are limited to: automobile sales, Automobile Repairs-Major, Car Wash Establishment, Building Supply Outlet, Business Support Services, Garden Supply sales, Schools, Clubs or Lodges, construction and trades, delivery terminal, fruit and vegetable stand, Gasoline Service Stations, glass sales, fitness clubs, heating shops, Hostels, Hotels, Household Repair Services, light machinery sales, light marine sales, Motel, mortuaries, nurseries, plumbing shops, Public Parking Area, Restaurants, Retail Store, sheet metal shops, Equipment Rental, Storage Yard, Small scale light assembly operations, small scale Warehouse and distribution, Theatres, and Veterinarian’s Clinic. Uses are generally providing for the sale or service of non-household and non-personal goods, or for the sale or servicing of any goods that necessitate access by motor vehicle.

**COMMERCIAL, TRANSITION SERVICE USE**

means a use providing limited commercial activity that complements, not competes with the Commercial, Downtown Uses; and is limited to: Artist Studios, Bus Terminal, Business Support Services, Clubs or Lodges, dance studios, Eating and Drinking Establishments, fitness clubs, Health Services, Household Repair Services, Hostels, Hotels, Personal Service Establishments, Offices, radio and television studio, Restaurants and Schools.

**COMMERCIAL UNIT**

means a separate or self-contained area or areas in a Building used or intended to be used by one Commercial Use.

**COMMERCIAL USE**

means an occupation, employment or enterprise that is carried on for gain or monetary profit by any person.

**COMMERCIAL VEHICLE**

means a vehicle defined as such by and licensed under the *Commercial Transport Act*, and a vehicle not so licensed but which is used for the collection or delivery, or both, of merchandise or other commodity in the ordinary course of a business undertaking.

<b>COMPREHENSIVE MIXED-USE DEVELOPMENT</b>	means a comprehensively planned development project containing both commercial and residential floor space designed as a single development.
<b>COMPREHENSIVE RESIDENTIAL DEVELOPMENT</b>	means a comprehensively planned development which may be located on one or more lots designed as a single site with respect to <u>Off-Street Parking</u> and accesses and includes one or more <u>Buildings</u> .
<b>CONFERENCE FACILITY</b>	means a facility used for the holding of conferences, conventions, seminars, workshops, meetings, or similar public or private assembly activities, and includes <u>accessory uses</u> such as administrative <u>offices</u> , facilities for the preparation and serving of food and beverages, and ancillary storage.
<b>CONGREGATE HOUSING</b>	means housing in which residents share common areas, particularly a dining facility.
<b>COUNCIL</b>	means the duly elected <u>Council</u> of the City of Rossland.
<b>CRAFT BREWERY or DISTILLERY</b>	means a <u>Building</u> used for production of alcoholic beverages for retail and wholesale sales, with a maximum <u>Gross Floor Area</u> of 1,000m <sup>2</sup> . The facility may include retail sales, tours and tastings and food consumption. No more than two tractor-trailer type vehicles shall be allowed for pick-up or delivery to the facility within any 24-hour period.
<b>CREMATORY</b>	means a <u>Building</u> fitted with the proper appliances for the purposes of the cremation of human remains and may include all things incidental or ancillary to this process.
<b>DENSITY</b>	is measured by the number of units in a given area, <u>Floor Area Ratio</u> , or unit ratio(units/area); none of which can be altered through a Variance.
<b>DENSITY BONUS</b>	is an incentive outlined in a Zoning Bylaw that allows developers to build at a higher density than otherwise permitted in exchange for the provision of a community amenity, contribution, or public benefit.
<b>DRIVEWAY</b>	means the primary access route from a <u>Highway</u> to the <u>Parcel</u> or <u>Building</u> .
<b>DWELLING</b>	means one or more <u>Sleeping Units</u> , including living, cooking, and sanitary facilities, used or intended to be used as residential accommodation by a household or individual(s), but shall not include <u>Hotels</u> or <u>Institutions</u> .

<b>DWELLING, MULTIPLE CONVERSION</b>	means a <u>Single Detached Dwelling</u> converted to contain up to three (3) or four (4) residential units and does not include a <u>Single Detached Dwelling</u> with an <u>Accessory Dwelling Unit</u> . Conversions do not include reconstruction of the <u>Building</u> .
<b>DWELLING, MULTIPLE UNIT</b>	means a residential use where a <u>Building</u> on a <u>Parcel</u> consists of five (5) or more <u>Dwelling Units</u> including but not limited to townhouses or apartment <u>Buildings</u> .
<b>DWELLING, SINGLE DETACHED</b>	means a detached <u>Building</u> consisting of one <u>Dwelling Unit</u> used or intended for use as a permanent home or residence.
<b>DWELLING, DUPLEX</b>	means a <u>Building</u> that is divided horizontally and/or vertically into two separate <u>Dwelling Units</u> , each of which has separate heating, plumbing, and wiring systems and an independent entrance.
<b>DWELLING UNIT</b>	means a <u>Building</u> or a portion of a <u>Building</u> designed for use as a residence by one household, with its own cooking, sanitary, and sleeping facilities.
<b>EATING AND DRINKING ESTABLISHMENT</b>	means the use of land, <u>Buildings</u> and <u>Structures</u> where foods and beverages are prepared and offered for sale to the public, for consumption within the premises or off the site, including but not limited to neighbourhood pubs, bars, lounges, licensed <u>Restaurants</u> , cafes, and refreshment stands.
<b>EMPLOYEE HOUSING</b>	means a <u>Dwelling</u> or group of <u>Dwellings</u> used to provide temporary or permanent accommodation for employees of a company, or by persons who are related to or living with that employee as a spouse, common-law partner, foster parent, or family member by blood or adoption, and contains access to individual or shared washroom and kitchen facilities.
<b>EMPLOYEE HOUSING UNIT</b>	means a <u>Dwelling Unit</u> that is provided by a company, for temporary or permanent accommodation of an employee of that company, or by persons related to or living with that employee as a spouse, common-law partner, foster parent, or family member by blood or adoption.

**EQUIVALENT UNITS**

means the ratio utilized to equate the impacts of various land uses to one Single Detached Dwelling.

**Table 3-1: Equivalency Factors**

EQUIVALENCY FACTORS		
LAND USE	UNITS	EU's
<u>Single Detached</u>	<u>Dwelling Unit</u>	1.00
<u>Duplex</u> (i.e., 1 Duplex = 2 <u>Dwelling Units</u> = 2 EU)	<u>Dwelling Unit</u>	1.00
<u>Small-Scale Multi-Unit Housing</u>	<u>Dwelling Unit</u>	0.66
<u>Employee Housing Unit</u>	<u>Dwelling Unit</u>	0.33
<u>Multiple Unit Residential</u> (Townhouse, Apartment greater than 50 m <sup>2</sup> )	<u>Dwelling Unit</u>	0.66
Apartment less than 50 m <sup>2</sup> .	<u>Dwelling Unit</u>	0.33
<u>Hotel or Motel unit</u>	<u>Accommodation Unit</u>	0.33
<u>Commercial</u>	200 m <sup>2</sup> <u>Gross Floor Area</u>	1.00

**EV-READY STALL**

means a Parking Space with electrical infrastructure capable of supporting Level 2 electric vehicle charging (240 volts, 40 amps minimum).

**FARMER'S MARKET**

means a market whose vendors either make, bake or grow the products they produce, where farmers and/or their families display and sell locally grown or processed foods with only a limited number of non-food crafts and no imported products.

**FENCE**

means a Structure or visual barrier used as an enclosure or screening along Parcel boundaries and may include a gate, screen or trellis, but does not include a Retaining Wall.

**FINANCIAL INSTITUTION**

means the premises of a bank, trust company, investment dealer, credit union, mortgage broker or related business.

**FLOOR AREA, GROSS**

means the total floor area of a Building on a Parcel measured to the exterior limits of a Building including all areas giving access thereto, such as corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies and mezzanines, and enclosed porches or verandahs.

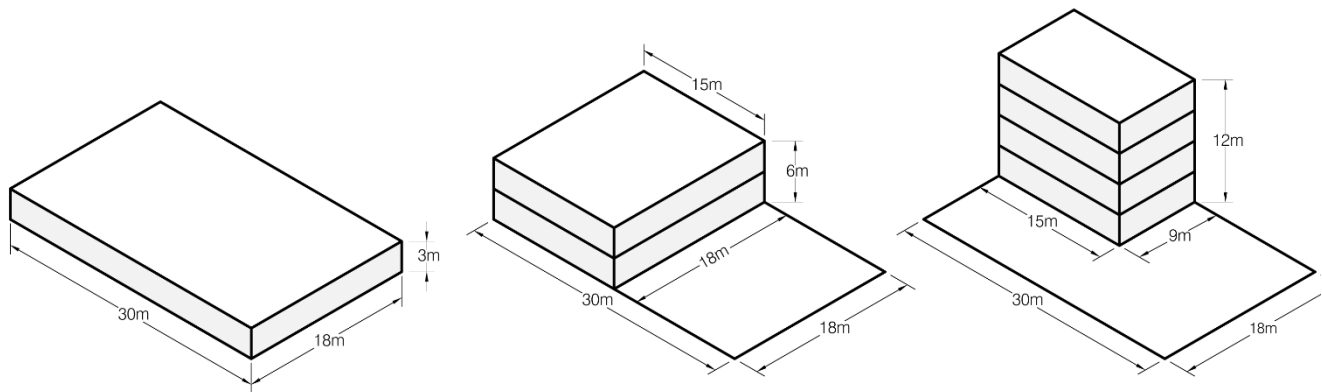
**FLOOR AREA, NET**

means the sum of the horizontal areas of each Storey of the Building measured from the interior faces of the exterior walls providing that in the case of a wall containing windows, the glazing line of the windows may be used. The net floor area measurement is exclusive of Basement areas used exclusively for storage or service to the Building, attics, Garages, carports, breezeways, unenclosed porches, balconies and sundecks, exit stairways, corridors, and Terraces. In the case of multiple Dwelling housing, public corridors, common amenity spaces, and Building mechanical systems are also excluded. In the case of Congregate Housing, communal dining and kitchen facilities are excluded.

**FLOOR AREA RATIO**

as illustrated in **Figure 3-2** means the numerical value of the Gross Floor Area on all levels of all Buildings and Structures on a lot, divided by the area of the lot. The three scenarios depicted in **Figure 3-2** (below) all have a Floor Area Ratio (FAR) of 1.0, in that the Gross Floor Area is equal to the area of the lot.

**Figure 3-2: Three Scenarios Where Floor Area Ratio Equals 1.0**



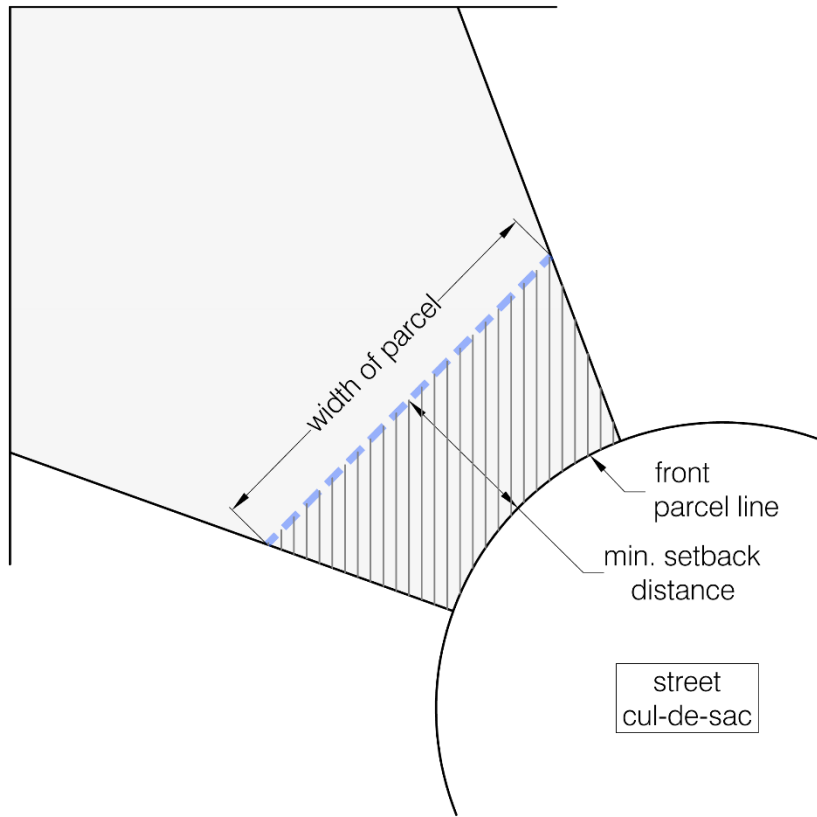
**FOOD PROCESSING ESTABLISHMENT**

means a commercial establishment in which food is processed or otherwise prepared for human consumption but not consumed on the premises.

**FRONTAGE**

as illustrated in **Figure 3-3: Frontage** means the horizontal distance between two side Parcel lines measured at the minimum Building Setback from the Front Parcel Line.

**Figure 3-3: Frontage**



**GARAGE, PRIVATE**

means an Accessory Building or part of the Principal Building designed and used primarily for the storage of motor vehicles and includes a car port. An Accessory Dwelling Unit may be included within a private garage.

**GARDEN SUPPLY**

means a Building, Structure and land used for growing, display and retail sale of plants and seeds together with gardening tools and equipment, gardening chemicals, landscaping materials, and related uses.

**GASOLINE SERVICE STATION**

means a Building or land used or intended to be used for the retail sale of motor fuels and lubricants and may include a Car Wash Establishment, the servicing and minor repairing of motor vehicles and the sale of automobile accessories.

**GOLF COURSE**

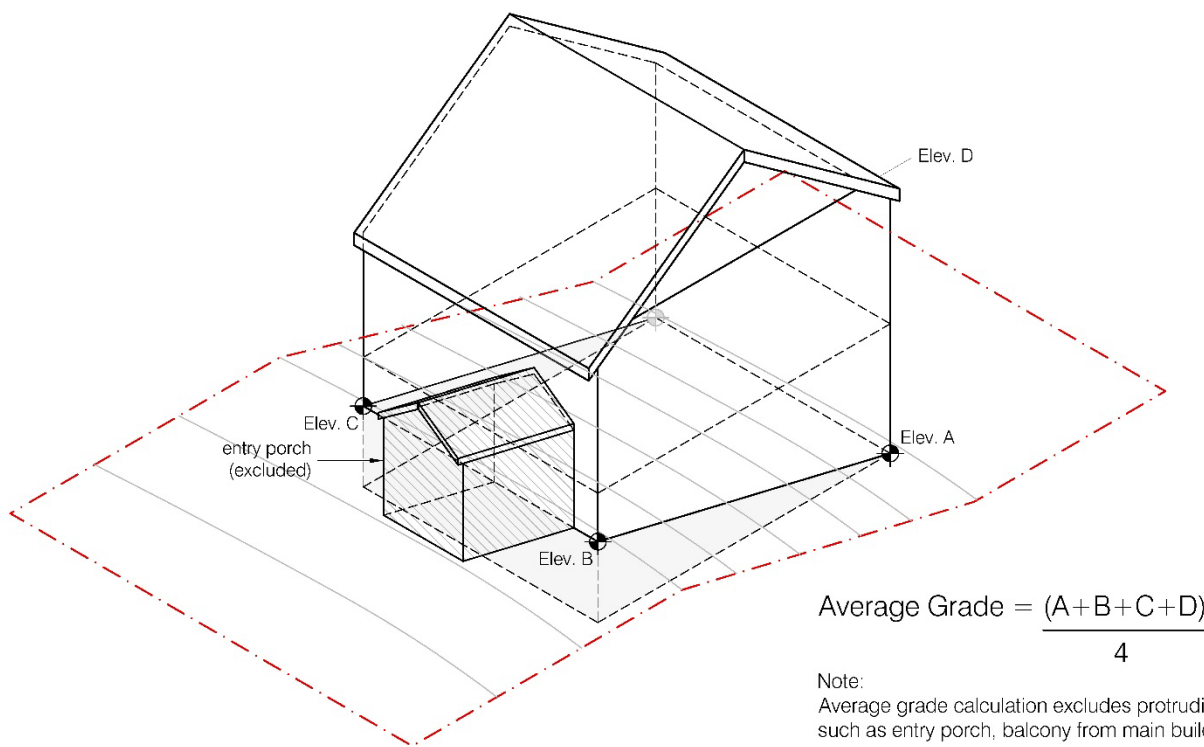
means a public or private area operated for the purpose of playing golf. May include a par 3 Golf Course, club house, Accessory driving ranges and miniature Golf Courses.

**GRADE, AVERAGE**

means the average of the Finished Grade, as illustrated in **Figure 3-4**, calculated by referencing the Finished Grade at the outermost corners of the principal exterior walls or columns. The following are excluded from the calculation:

- Minor projections and recesses (including window bays, chimneys, pilasters, entryways, porches, and façade jogs) are ignored.
- Localized depressions immediately adjacent to the building (e.g., window wells) are excluded.
- Artificial features attached to the building and intended to raise the grade, including but not limited to, a berm, retaining wall, window well, or steps are excluded from the calculation.

**Figure 3-4: Average Grade, Measured at Exterior Corners**



**GRADE, FINISHED**

means:

- a) the grading elevation as identified on a lot grading plan, where such a plan has been approved by the City;
- b) where there is no approved lot grading plan, the lowest Natural Grade elevation existing prior to construction, such grade elevation to include fill materials placed on the lot to raise the grade elevation up to but not above the Natural Grade elevation of adjacent lots.

**GRADE, NATURAL**

means the elevation of the ground surface in its natural state, before man-made Alteration; or on sloping or irregular sites, the angled plane, before man-made Alteration.

**HEALTH SERVICES**

means a Building used for the provision of physical or mental Health Services on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical uses include but are not limited to medical and dental Offices, chiropractors, massage therapists and acupuncture clinics, health clinics, and counseling services.

**HEAT PUMP**

means a mechanical device that transfers heat from one location to another, typically used for space heating and cooling or water heating, drawing heat from the air, ground, or water.

**HECTARE, GROSS**

means a hectare of land which includes developable and undevelopable areas given over for the dedication of streets, Lanes and Open Space.

**HECTARE, NET**

means the total land area calculated within a Parcel boundary minus the total land area within the same Parcel boundary that is likely to be occupied by road right of ways and Park dedications.

**HEIGHT**

(in metres) means the vertical distance measured from Average Grade to the highest point of a roof.

(in Storeys) means the number of Storeys contained between the roof and the floor of the first Storey.

**HIGHWAY**

includes a street, road, Lane, bridge, viaduct and any other way open to public use, but does not include a private right-of-way on private property.

<b>HILLSIDE TERRAIN</b>	means land with inclines of 12% or more for a minimum horizontal distance of 10.0 m.
<b>HOME OCCUPATION</b>	means a <u>Commercial Use</u> that is not a <u>Short-Term Rental</u> , carried out by an occupant of a <u>Dwelling Unit</u> for remuneration which is accessory to the residential use of the <u>Dwelling</u> and subject to <u>Section 4.1.2 (d)</u> .
<b>HOSPITAL</b>	means any <u>Institution</u> , <u>Building</u> or other premises or place established for the maintenance, observation, medical and dental care and supervision and skilled nursing care of persons afflicted with or suffering from sickness, disease or injury or for the convalescence of chronically ill persons.
<b>HOSTEL</b>	means a <u>Building</u> used as a temporary place of lodging containing one or more dormitories and includes common area and facilities for washing, cooking, dining, and socializing.
<b>HOTEL</b>	means a <u>Building</u> which contains <u>Sleeping Units</u> having a common entrance and providing accommodations for the traveling public. It may contain <u>Public Assembly</u> , commerce, entertainment, indoor recreation or <u>Restaurant</u> uses and premises licensed for on-site consumption of alcoholic beverages, with or without private cooking facilities in <u>Sleeping Units</u> .
<b>HOUSEHOLD REPAIR SERVICES</b>	means a <u>Building</u> used for the provision of repair to goods, equipment and small appliances normally found within the home. Typical uses include but are not limited to radio, television, and appliance repair, furniture refinishing, and upholstery shops. This use class does not include <u>Personal Services</u> establishments.
<b>INSTITUTION</b>	includes an arena, college, court of law, community centre, federal <u>Office</u> , fire hall, <u>Library</u> , municipal <u>Office</u> , provincial <u>Office</u> , <u>Museum</u> , <u>Park</u> , playground, police station, <u>Hospital</u> , <u>School</u> , stadium or swimming pool.
<b>JUNK</b>	means used or discarded worn out or scrapped machinery, vehicles, vehicle parts, scrap metal, chains, used pipes, waste paper, rags, enamelware, furniture, bottles, cans, rope, iron, copper or other scrap or discarded materials.
<b>JUNKYARD</b>	means any <u>Parcel</u> of land or <u>Building</u> for which the <u>Principal</u> or <u>Accessory Use</u> is the abandonment, collection, demolition, dismantlement, keeping, storage, bailment, salvage or sale of <u>Junk</u> .

<b>KENNEL</b>	means an establishment for the boarding or breeding of dogs or cats.
<b>LANDSCAPE BUFFER</b>	means a continuous strip planted in lawns, shrubs, and/or trees with or without <u>Fences</u> , walkways or other <u>Structures</u> or materials as used in landscape architecture.
<b>LANDSCAPE SCREEN</b>	means an opaque visual barrier formed by a row of shrubs or trees or by a wooden <u>Fence</u> or masonry wall or by a combination of these.
<b>LANE</b>	means a road allowance less than six meters in width which is intended to provide only a secondary means of access to a site, at the side or rear of the property.
<b>LEISURE FACILITIES</b>	means <u>Buildings</u> , <u>Structures</u> or venues that accommodate community leisure activities and services including arts, cultural and recreational programs.
<b>LIBRARY</b>	means a <u>Building</u> containing printed, pictorial, audio, video and other reference materials for public use for purposes of study, reference and recreation.
<b>LIGHT MANUFACTURING</b>	means fabricating, processing, assembling and finishing that does not produce hazardous wastes, is undertaken completely within an enclosed <u>Building</u> and results in finished products that generally weigh less than about 200 kg per unit.
<b>LIQUOR LICENSED PREMISES</b>	means any <u>Building</u> , <u>Structure</u> or premises licensed to sell liquor under the <i>B.C. Liquor Control and Licensing Act</i> , including a bar, cabaret, cold beer and wine store, liquor store, nightclub or neighbourhood pub.
<b>LOADING SPACE</b>	means an open area used to provide free access for vehicles to a loading door, platform or bay for the purpose of loading or unloading.
<b>M ZONE</b>	means all <u>Zones</u> with the letter M as a prefix in the <u>Zone</u> name, including but not limited to the M-1 <u>Zone</u> .
<b>MAUSOLEUM</b>	means a <u>Building</u> used as a place for the interment of the dead in sealed crypts or compartments.

<b>MICRO PROCESSING, CANNABIS</b>	means the small-scale manufacturing, packaging and labelling of <u>Cannabis</u> products destined for sale to customers and intra-industry sales of those products, including to provincially authorized distributors, as well as associated activities as authorized under the Cannabis Act (Canada).
<b>MINING USE</b>	means the extraction of minerals from the surface or subsurface.
<b>MOBILE HOME</b>	means a transportable, single or multiple section <u>Single Detached Dwelling</u> conforming to the MH Standards at the time of manufacture and in accordance with CAN/CSA Z240 MH installation requirements. It is ready for occupancy upon completion of setup in accordance with required factory-recommended installation instructions.
<b>MOBILE HOME PARK</b>	means a <u>Parcel</u> of land under one ownership which has been planned, divided into <u>Mobile Home Park Spaces</u> , and improved for the placement of <u>Mobile Homes</u> for permanent residential use, containing three or more <u>Mobile Home Park Spaces</u> or upon which is located three or more <u>Mobile Homes</u> and includes all <u>Buildings</u> , <u>Structures</u> , or accessories used or intended to be used as equipment for the <u>Mobile Home Park</u> .
<b>MOBILE HOME PARK SPACE</b>	means a <u>Parcel</u> of land within a <u>Mobile Home Park</u> on which <u>Mobile Homes</u> may be placed for permanent residential use.
<b>MOTEL</b>	means accommodation primarily for transients traveling by automobile, with a <u>Parking Space</u> on the lot for each lodging unit, which may or may not provide cooking facilities for individual <u>Sleeping Units</u> , and with access to each such unit directly from the outside.
<b>MUNICIPALITY</b>	means the Corporation of the City of Rossland or the area within the municipal boundaries as the context may require.
<b>MUSEUM</b>	means a <u>Building</u> or <u>Buildings</u> used, or to be used, for the preservation of a collection of paintings, works of art, objects of natural history, mechanical, scientific or philosophical inventions, instruments, models or designs, dedicated to the recreation of the public, together with <u>Libraries</u> , reading rooms, laboratories or other <u>Offices</u> and premises used or to be used in connection therewith.
<b>NON-MARKET HOUSING</b>	means housing owned or operated by a government, non-profit, or co-operative entity and offered at below-market rents or prices and is secured by covenant and/or subject to a housing agreement.

<b>OFFICE</b>	means a <u>Building</u> or part thereof, designed, intended or used for the provision of professional, management, administrative or consulting in an office setting. Typical uses include but are not limited to the <u>Offices</u> of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies or, where not conducted on the site thereof, the administration of an industry, but shall not include a retail <u>Commercial Use</u> , any industrial use, <u>Health</u> or <u>Personal Service</u> , <u>Financial Institution</u> , place of amusement, the servicing and repair of goods, and the manufacture or handling of a product.
<b>OFF-STREET PARKING SPACE</b>	means any space on a <u>Parcel</u> , excluding <u>Highways</u> and <u>Aisles</u> , for the parking of one vehicle.
<b>OPEN SPACE</b>	means the open, unobstructed space on a <u>Parcel</u> , including the open unobstructed space accessible to all occupants of any residential or commercial <u>Building</u> or <u>Structure</u> on the <u>Parcel</u> including the required set back areas, which is intended for passive or active recreational purposes and provides for greenery, the growth and maintenance of grass, flowers, bushes, gardens, community gardens and other landscaping and may include, permeable-surfaced pedestrian walks, <u>Patios</u> , pools or similar areas, but does not include any storage, <u>Driveway</u> , ramp or parking areas.
<b>OPEN SPACE, NATURAL</b>	means <u>Open Space</u> for the conservation, preservation and passive or active recreational appreciation of natural features and may include a <u>Watercourse</u> , grasslands, stands of mature trees, <u>Trails</u> , wildlife habitat and sanctuaries or other land forms deemed worthy of protection for their unique value unto itself, the surrounding area and the community as a whole.
<b>OUTDOOR STORAGE</b>	means the keeping, placing, or storing of goods, materials, vehicles, equipment, or products outside of a <u>Building</u> , whether or not for sale, rental, or distribution, and does not include temporary placement for loading or unloading purposes.
<b>PARCEL</b>	means any lot, block or other area in which land is held or into which it is subdivided but does not include a <u>Highway</u> .
<b>PARCEL AREA</b>	means the total extent of the <u>Parcel</u> .

<b>PARCEL COVERAGE, BUILDING</b>	means the total ground level of all primary and auxiliary impermeable <u>Buildings</u> , additions, carports, canopies and <u>Structures</u> of any kind located on a <u>Parcel</u> , measured to the outside of the foundations or footings, divided by the total <u>Parcel Area</u> and expressed as a percentage. The roof, canopy or other raised sheltering surface can extend to a maximum of .6.0 m from the outside of the foundations or footings over the <u>Parcel</u> , beyond which the additional extension of the roof, canopy or other raised sheltering surface over the <u>Parcel</u> is also included in the measurement.
<b>PARCEL COVERAGE, SURFACE</b>	means the percent of the <u>Parcel Area</u> covered by <u>Buildings</u> or <u>Structures</u> , parking areas, <u>Driveways</u> and walkways. Permeable or semi-permeable surfaces are exempt.
<b>PARCEL LINE</b>	means the legally surveyed boundary that defines the extent of a <u>Parcel</u> as registered in the Provincial land title system.
<b>PARCEL LINE, EXTERIOR SIDE</b>	means a <u>Parcel</u> line that is common to the <u>Parcel</u> and a street, other than a rear or <u>Front Parcel Line</u> .
<b>PARCEL LINE, FRONT</b>	means a <u>Parcel</u> boundary contiguous to a <u>Highway</u> but not a <u>Lane</u> , provided that in respect of a corner <u>Parcel</u> , the <u>Front Parcel Line</u> shall be the shortest <u>Parcel</u> boundary contiguous to a <u>Highway</u> other than a <u>Lane</u> .
<b>PARCEL LINE, INTERIOR SIDE</b>	means a <u>Parcel</u> line between two or more <u>Parcels</u> or a <u>Lane</u> , other than a front or <u>Rear Parcel Line</u> .
<b>PARCEL LINE, REAR</b>	means the boundary of a <u>Parcel</u> which lays the most opposite to and is not connected to the <u>Front Parcel Line</u> .
<b>PARK</b>	means an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features, and used for both passive and active forms of recreation. It includes all landscaping, facilities, playing fields, access, <u>Trails</u> , <u>Buildings</u> and <u>Structures</u> consistent with the general purpose of parkland.
<b>PARKING SPACE</b>	means a space, exclusive of <u>Aisles</u> and <u>Driveways</u> , to park one motor vehicle.
<b>PARKING SPACE, ACCESSIBLE</b>	means a <u>Parking Space</u> that is accessible for those with mobility needs.

<b>PATIO</b>	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 0.6 m from natural grade at any point..
<b>PEAK WORKFORCE</b>	means the maximum number of employees required for resort operations during any consecutive two-week period within the previous 12 months, as demonstrated to the satisfaction of the City.
<b>PERSONAL SERVICES</b>	means uses that provide <u>Personal Services</u> to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects and where the sale of retail goods is only <u>Accessory</u> to the provision of such services. Typical uses include but are not limited to barber shops, hairdressers, manicurists, spas, tailors, dress makers, shoe repair shops, dry cleaning establishments, and Laundromats; but do not include <u>Health Services</u> .
<b>PRINCIPAL RESIDENCE</b>	means a single <u>Dwelling Unit</u> where an individual makes their home for the majority of a calendar year and lives within the residence a minimum 240 days per year and is the <u>Dwelling Unit</u> with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver’s licenses, personal identification, and vehicle registration. For these purposes a person cannot normally reside at more than one <u>Dwelling</u> or location.
<b>PRINCIPAL USE</b>	means the main purpose for which land, <u>Buildings</u> or <u>Structures</u> are used or intended to be used.
<b>PUBLIC ASSEMBLY</b>	means a gathering space for civic, cultural, political, religious, social, educational, and recreational or like purposes within a <u>Building</u> .
<b>PUBLIC PARKING AREA</b>	means a <u>Parcel</u> or part of a <u>Parcel</u> or a <u>Building</u> for parking public, customer or employee vehicles.
<b>PUBLIC UTILITY USE</b>	means facilities for local transmission, storage or treatment of water, sewage, electrical power, telephone, natural gas, cable television and other similar services compatible with surrounding land uses. Does not include the storage or treatment of sewage, nor towers or data centres.
<b>QUARRY USE</b>	means the extraction of sand, gravel and rock from the surface or subsurface.

**R ZONE**

means all Zones with only the letter R as a prefix in the Zone name, including but not limited to RR, R-1, R-1BB, R-1GH, R-1GS, R-2, R-3, and R-MH Zones.

**RECREATION CABIN**

A free standing Accessory Building not connected to utility services (water, sewer, electricity, gas) which does not serve a Principal Residence with the following restrictions:

- a) Maximum 80 m<sup>2</sup> footprint
- b) May feature both an enclosed indoor area and an outdoor deck area
- c) maximum 60 m<sup>2</sup> max. indoor floor space
- d) must be one level; no second story or Basement
- e) Maximum Height of 6.0 m or 2 Storeys, whichever is less
- f) May contain a CSA certified heat source
- g) May not feature a septic system but should feature a composting toilet or equivalent.
- h) Must meet all relevant Building/fire/safety codes
- i) Utilized principally for recreation activity
- j) Not utilized as a domicile or residence for any individual for any period of time.

**RECREATION FACILITIES**

means the use of land, Buildings or Structures to accommodate public or private indoor and outdoor recreational activities, including but not limited to ball diamonds, bike parks, tennis courts, hockey arenas, swimming pools, skate parks, racquet courts, and weight rooms.

**RECREATION VEHICLE**

means a vehicle, trailer or coach, constructed or equipped to be used as a temporary living or sleeping quarters by travelers.

**RESORT OPERATOR**

means the owner or operator of a ski resort and associated on-mountain and base area facilities, including affiliated or successor entities

**RESTAURANT**

means a Building where prepared food is offered for sale to the public and includes cafes, coffee shops, cafeterias, dairy bars, refreshment stands, fast food take-out establishments, or tea rooms.

**RETAIL STORE**

means a Building or Commercial Unit where goods, merchandise, substances, articles or things are offered or kept for sale at retail, including storage of limited quantities of such goods,

merchandise, substances articles or things, sufficient only to service such store. Typical uses include but are not limited to bakery shops, book shops, camera shops, clothing stores, drug stores, fish markets, florist shop, grocery stores, hardware, home furnishing stores, jewelry store, meat markets, optical shop, pet store, second-hand stores, stationery stores, supermarkets, toy stores and variety stores.

**RETAINING WALL**

means a Structure constructed to hold back, stabilize or support an earthen bank or Structure as a result of differences in lot grades or slope of terrain.

**SECONDARY SUITE**

means a self-contained Dwelling Unit located within a Building or portion of a Building pursuant to the British Columbia Building Code.

**SENIORS HOUSING**

means a multiple unit residential Building or group of Buildings designed and intended for occupancy by elderly persons, often with common living facilities, services, or supports appropriate to senior residents, and may include independent living, assisted living, or residential care facilities under the *Community Care and Assisted Living Act*.

**SCHOOL**

means a public School, a separate School, a community School, a university, a college or a private School authorized by the authority having jurisdiction.

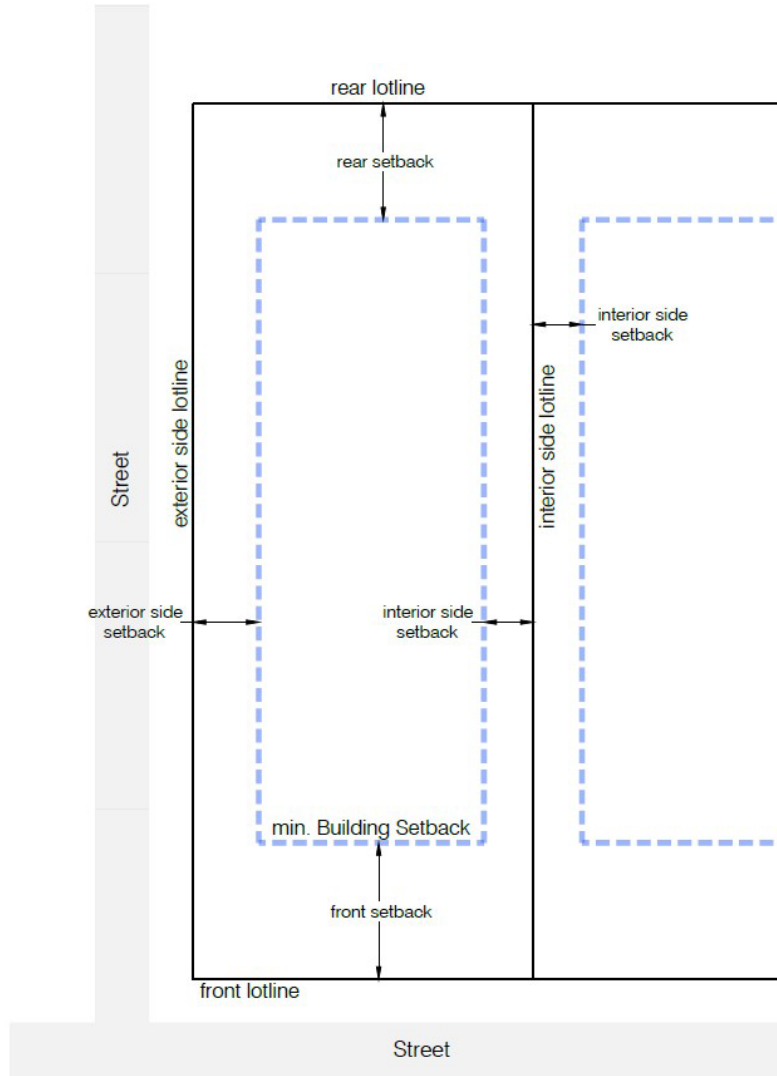
**SELF STORAGE**

means a Building or group of Buildings containing individual, secured units that are leased or rented to individuals or businesses for the storage of personal or business goods, and is not used for manufacturing, retail, or residential purposes.

**SETBACK**

as illustrated in **Figure 3-5** means the horizontal distance measured at right angles to the Parcel line, between the Parcel line and the Building, Structure, or use.

**Figure 3-5: Setback (Front, Rear, Interior, Exterior)**



**SHIPPING CONTAINER**

means an enclosed unit, typically constructed of steel, designed for or intended to be used for storing and transporting goods via ship, rail, or truck, whether or not it is actually being used for such a purpose (commonly referred to as an intermodal shipping container, metal storage container, sea can, or ISO container).

<b>SHORT-TERM RENTAL - COMMERCIAL</b>	means an <u>Accessory Use</u> of a <u>Dwelling Unit</u> that is not a <u>Principal Residence</u> for overnight guest sleeping accommodation for temporary accommodation for a paying guest for a period of less than 30 consecutive days, and for clarity does not include a <u>Bed and Breakfast</u> accommodation or <u>Short Term Rental - Residential</u> .
<b>SHORT-TERM RENTAL - RESIDENTIAL</b>	means an <u>Accessory Use</u> of a <u>Principal Residence</u> , or a portion of one, as temporary accommodation for a paying guest for a period of less than 30 consecutive days, and for clarity does not include a <u>Bed and Breakfast</u> accommodation or <u>Short Term Rental - Commercial</u> . Short term rental - Residential use is prohibited in conjunction with a <u>Secondary Suite</u> or an <u>Accessory Dwelling Unit</u> .
<b>SIGN</b>	means a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a <u>Building</u> , <u>Structure</u> or <u>Parcel</u> and which directs attention to an object, product, place activity, person, institute, organization or business.
<b>SIGN, ANIMATED, FLASHING OR MOVING</b>	means a <u>Sign</u> which has movement produced either mechanically or electrically which gives the effect of movement or flashing lights.
<b>SIGN, FASCIA</b>	means a flat wall <u>Sign</u> that does not project more than 0.4 m from the surface of a <u>Building</u> .
<b>SIGN, NEON</b>	means a <u>Sign</u> illuminated by a combination of electricity and neon gas which may or may not move while the <u>Sign</u> is in operation.
<b>SKI FACILITIES</b>	means the use of land, <u>Buildings</u> or <u>Structures</u> to provide cross-country ski <u>Trails</u> , downhill ski <u>Trails</u> ; ski lifts and towers; and may include <u>Skier Services</u> and <u>Resort Commercial Uses</u> .
<b>SKIER SERVICES</b>	means to equip, service, and teach skiers and snowboarders and may include but not be limited to ticket sales, equipment rental and repair, ski school, ski patrol, and change rooms.
<b>SLEEPING UNIT</b>	means a self-contained room intended for sleeping or sleeping and living purposes that may include bathroom facilities but exclude individual kitchen/cooking facilities.
<b>SMALL-SCALE FOOD AND BEVERAGE PROCESSING ESTABLISHMENT</b>	includes, but is not limited to, a bakery, a butcher shop, a wine or beer making enterprise but does not include a <u>Craft Brewery</u> or <u>Distillery</u> .

**SMALL-SCALE MULTI-UNIT HOUSING**

means a range of ground-oriented housing types compatible in scale with single-family neighbourhoods containing up to 4 units in any configuration, which may include a Single Detached Dwelling, a Duplex, Triplex, Fourplex, Secondary Suite and/or Accessory Dwelling Unit.

**SOLAR ENERGY SYSTEM**

a system that uses solar radiation to produce electricity or heat for on-site use, which may include components such as solar panels, inverters, and mounting, or support equipment.

**STANDARD PROCESSING, CANNABIS**

means the large-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 authorized under the Cannabis Act (Canada).

**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.

**STOREY, FIRST**

means the Storey having its floor level not more than 2 m above grade.

**STORAGE YARD**

means an area outside of an enclosed Building where construction, contractor and/or trade related materials and equipment, lumber and new Building materials, monuments and stone products, public service and utility equipment or other goods, material, products, vehicles, equipment, or machinery are stored, baled, piled, handled, sold or distributed, but shall not include an Automobile Wrecking Yard or Junkyard.

**STRUCTURE**

means any construction fixed to, supported by or sunk into land or water but not concrete or asphalt paving or similar surfacing.

**SUBDIVISION**

means the division of a Parcel by an instrument, including a strata plan, as well as the consolidation of, or boundary change to, two (2) or more adjoining Parcels; subdivide has a corresponding meaning.

**SUBDIVISION, PARTY WALL**

means a Subdivision using a shared fire-rated wall (party wall) that vertically separates Buildings, jointly owned and used by two parties under an easement agreement or by right in law, and erected at or upon a lot line separating two Parcels of land, each of which is, or is capable of being, a separate real-estate entity.

<b>SUB-ZONE</b>	means the individual areas of land with specified permitted uses and regulations as shown in the comprehensive development <u>Zones</u> .
<b>TANDEM PARKING</b>	means two <u>Parking Spaces</u> , one behind the other, with a common or shared point of access to a maneuvering <u>Aisle</u> , <u>Lane</u> or street.
<b>TEMPORARY BUILDING or STRUCTURE</b>	means a <u>Building</u> or <u>Structure</u> which is not supported on permanent foundations, and which may or may not be connected to municipal services.
<b>TERRACE</b>	means an open, uncovered level space either natural or man-made directly adjacent to a <u>Principal Building</u> and is at an elevation of not more than 0.4 m above grade.
<b>TOURIST CABIN</b>	means a <u>Building</u> used for commercial guest accommodation. The maximum <u>Gross Floor Area</u> per tourist cabin shall not exceed 60m <sup>2</sup> and may include kitchen and washroom facilities.
<b>THEATRE</b>	means a <u>Building</u> or <u>Structure</u> devoted to showing motion pictures, or for dramatic, musical or live performances.
<b>TRAIL</b>	means an area used for walking, running, hiking, horseback riding, cross-country skiing, bicycling or other forms of non-motorized recreational travel.
<b>VETERINARIAN'S CLINIC</b>	means a <u>Building</u> or part of a <u>Building</u> used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention. Such clinics may or may not also provide short-term lodging for sick animals. Such clinics may include a pet crematorium.
<b>WAREHOUSE</b>	means a <u>Building</u> or part of a <u>Building</u> used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a truck or transport terminal or yard.
<b>WATERCOURSE</b>	means a natural source of water supply including a lake, pond, river, creek, spring, ravine, gulch, or wetland, whether or not containing water, including ice, but does not include an aquifer.
<b>WOOD FIBER PRODUCTION</b>	means planting and harvesting of trees.
<b>ZONE</b>	means a <u>Zone</u> established under the <i>Local Government Act</i> and this Bylaw.

## SECTION 4: GENERAL REGULATIONS

Except as otherwise specified in this Bylaw, Section 4 applies to all Zones established under this Bylaw.

### 4.1 Use of Land, Buildings, and Structures

#### 4.1.1 Non-Conforming Uses

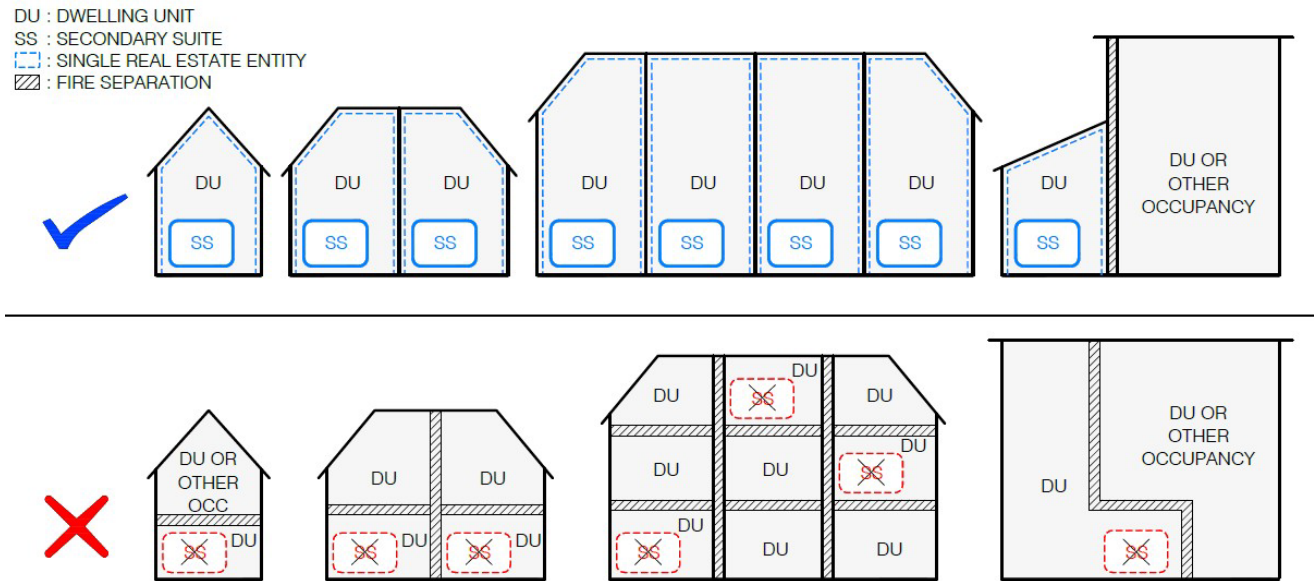
- a) Where the use of land, Buildings or Structures or portions thereof does not conform with this Bylaw and was lawfully used prior to the enactment of the prohibition in this Bylaw, the use of the land, Building or Structure or portion thereof may be continued as a non-conforming use subject to the *Local Government Act RSBC 2015*, as amended or replaced from time-to-time.

#### 4.1.2 Permitted Uses

- a) The following uses are permitted in all Zones:
  - 1) Parks, Trails, playgrounds, Open Space and Natural Open Space;
  - 2) Food production such as fruit, vegetable, community gardens, and other plant production uses excluding Cannabis production;
  - 3) Childcare Facility, provided that site conditions do not pose a safety risk;
  - 4) Home Occupations (subject to Section 4.1.2 (d));
  - 5) Solar Energy System for use on-site; and
  - 6) Public Utility facilities for local transmission of water, sewage, electrical power, telephone, natural gas, cable television and other similar services (but not including sewage treatment plants, electrical substations, Storage Yards, works yards, maintenance Buildings, or Offices, towers and data centres) are permitted in all Zones, and individual Parcels for the facilities are exempt from minimum Parcel Area requirements provided that:
    - i. The location of the Structure or use on the Parcel is necessary for the safe and efficient operation of the utility;
    - ii. A Landscape Screen having a Height of not less than 2 m and a 1.5 m wide Landscape Buffer shall be provided along all Parcel boundaries, and
    - iii. Fencing having a Height of not less than 1.5 m shall be erected where danger to the public exists.

- b) Secondary Suites and Accessory Dwelling Units are subject to the following regulations:
- 1) In developing a Secondary Suite or an Accessory Dwelling Unit, the owner shall comply with all applicable provisions of the current British Columbia Building Code (BCBC) at the time of application.
  - 2) A Secondary Suite, shown in **Figure 4-1**, may be permitted on the same parcel as a Single Detached Dwelling, a Duplex, Small-Scale Multi-Unit Housing, or a Multiple Unit Dwelling where Dwelling Units are horizontally adjacent, and are not located above or below each other. Not more than one Secondary Suite shall be permitted within each Dwelling Unit.

**Figure 4-1: Secondary Suites**



- 3) A Secondary Suite or an Accessory Dwelling Unit must have a separate entrance, either from a common indoor landing or directly from the outside.
- 4) An Accessory Dwelling Unit must not exceed a Height of 6.0 m or 2 Storeys, whichever is less.
- 5) Notwithstanding Section 4.1.2 (b), where a detached Accessory Dwelling Unit is constructed, either wholly or in part, in a detached Private Garage, the Building Height may be increased to 7.5 m or 2.5 Storeys, whichever is less.
- 6) An Accessory Dwelling Unit must be located fully above ground.
- 7) A Secondary Suite or an Accessory Dwelling Unit shall be located on the same lot as the Principal Residence and must form part of a single real estate entity. No strata titling will be permitted.

c) Small-Scale Multi-Unit Housing

Small-Scale Multi-Unit Housing developments are subject to the following regulations:

- 1) Small-Scale Multi-Unit Housing developments containing 3-4 units are permitted where all applicable zoning, servicing, and engineering standards are met.
- 2) For any proposed Small-Scale Multi-Unit Housing development containing 3-4 units, the applicant must show that the local fire flow is adequate for the proposal and identify any additional servicing requirements prior to submitting a Building Permit.

d) Home Occupation

A Home Occupation is subject to the following regulations:

- 1) A Home Occupation shall be licensed by the City of Rossland.
- 2) The Home Occupation shall not occupy more than 46 m<sup>2</sup> of the Dwelling Unit or Accessory Building, or 25% of the Gross Floor Area of the Dwelling Unit, whichever is less.
- 3) No retail sales other than the sale of goods produced on the premises are permitted.
- 4) The Home Occupation shall be carried out within the Principal Residence, or within an Accessory Building, with no external storage of materials, containers or finished products.
- 5) A Home Occupation shall not be permitted to have a Commercial Vehicle exceeding 5 tonnes (5,000 kgs.) gross vehicle weight (GVW), located outside an unenclosed Building.
- 6) Only the inhabitants of the Dwelling Unit and three other people may carry on the Home Occupation on the site occupied by the Principal Residence.
- 7) A Home Occupation shall not operate beyond the hours of 07:00 to 19:00 and not generate traffic congestion or parking problems with the Municipality or the immediate neighbourhood and shall not produce a public offence or nuisance of any kind.
- 8) A Home Occupation shall not involve manufacturing, welding, light industries or other uses which create a noise, vibration, smoke, dust or fume nuisance.
- 9) A Home Occupation shall not involve materials or products that produce flammable or explosive vapours or gases under normal City of Rossland temperature extremes.
- 10) There shall be no exterior indication that the Building is being used for any other purpose other than the Dwelling, except one Sign may be attached to the wall of the Principal Residence or Accessory Building and which shall not exceed 0.5 m<sup>2</sup>.

e) Short Term Rental - Residential

A Short Term Rental - Residential is subject to the following regulations:

- 1) Must only occur in a Principal Residence as an Accessory Use and the principal resident must be present anytime the Short Term Rental - Residential use is occurring.
- 2) Is not permitted on a Lot where a Childcare Facility, Home Occupation; or Bed and Breakfast use is operating.
- 3) Is not permitted on a Lot where a Secondary Suite and an Accessory Dwelling Unit exists;
- 4) Is only permitted within Single Detached Dwelling;
- 5) Is not to exceed one Residential Short-Term Rental per Lot;
- 6) Residential Short Term Rental is not permitted in Recreational Vehicles, motor vehicles, tents, boats or any other Structures that is not a Dwelling Unit.
- 7) Compliance with the licensing requirements of the Business License Bylaw as amended.
- 8) Off Street Parking and Loading requirements are subject to the provisions of Section 5.
- 9) Subject to Section 4.6, one Sign shall be permitted on a Parcel advertising the short-term rental operation subject to the following regulations:
  - i. The Sign type may be either free standing or Fascia;
  - ii. The only permitted Sign lighting is external;
  - iii. The content of the Sign shall be limited to the name of the Short Term Rental – Residential, a telephone number for the contact and an accompanying graphic design.
  - iv. The size of the Sign shall not exceed 0.5 m<sup>2</sup>.
- 10) The Residential Short Term Rental has a maximum of three Sleeping Units within any Dwelling Unit and a maximum of 6 guests within any Dwelling Unit at any one time
- 11) Must not change the residential character or external appearance of the Single Detached Dwelling
- 12) Shall not create a nuisance for surrounding properties, including, but not limited to, noise, light pollution or traffic that is disruptive to surrounding residents' use and enjoyment of their properties.
- 13) Temporary Use Permits will not be considered for this use.

f) Short Term Rental – Commercial

A Short Term Rental – Commercial is subject to the following regulations:

- 1) Compliance with the licensing requirements of the Business License Bylaw as amended.

- 2) Is not permitted on a Lot where a Childcare Facility, Home Occupation; or Bed and Breakfast use is operating.
- 3) Off Street Parking and Loading requirements are subject to the provisions of Section 5.
- 4) Must provide contact information for one local contact as the individual available on a 24/7 basis during the use of Short- Term Rental by a guest to respond within fifteen minutes to any telephone enquiries regarding the Short-Term Rental, and who have consented to the applicant to allow their contact information to be made publicly available, including on-line and to guests of the Short-Term Rental;
- 5) Subject to Section 4.6, one Sign shall be permitted on a Parcel advertising the short-term rental operation subject to the following regulations:
  - i. The Sign type may be either free standing or Fascia;
  - ii. The only permitted Sign lighting is external;
  - iii. The content of the Sign shall be limited to the name of the Short-Term Rental, a telephone number for the contact and an accompanying graphic design.
  - iv. The size of the Sign shall not exceed 0.5 m<sup>2</sup>.
- 6) The Commercial Short Term Rental has a maximum of four Sleeping Units within any Dwelling Unit and a maximum of 8 guests within any Dwelling Unit at any one time
- 7) Commercial Short Term Rental is not permitted in Recreational Vehicles, motor vehicles, tents, boats or any other Structure that is not a Dwelling Unit.
- 8) Shall not create a nuisance for surrounding properties, including, but not limited to, noise, light pollution or traffic that is disruptive to surrounding residents' use and enjoyment of their properties.
- 9) Temporary Use Permits will not be considered for this use.

g) Bed and Breakfast

A Bed and Breakfast is subject to the following regulations:

- 1) Must only occur in a Principal Residence as an Accessory Use and the principal resident (owner or manager) must be present anytime the Bed and Breakfast use is occurring and not permitted on a lot where a Child Care Facility or Home Occupation exists;
- 2) Compliance with the licensing requirements of the Business License Bylaw as amended;
- 3) Off Street Parking and Loading requirements are subject to the provisions of Section 5;
- 4) Subject to Section 4.6, one Sign shall be permitted on a Parcel advertising the Bed and Breakfast operation subject to the following regulations:
  - i. the Sign type may be either free standing or Fascia;
  - ii. the only permitted Sign lighting is external;

- iii. the content of the Sign shall be limited to the name of the Bed and Breakfast.
  - iv. a telephone number for the contact and an accompanying graphic design.
  - v. the size of the Sign shall not exceed 0.5 m<sup>2</sup>.
- 5) The Bed and Breakfast has a maximum of four Sleeping Units;
  - 6) Must not change the residential character or external appearance of the Single Detached Dwelling;
  - 7) Shall not create a nuisance for surrounding properties, including, but not limited to, noise, light pollution or traffic that is disruptive to surrounding residents' use and enjoyment of their properties;
  - 8) Temporary Use Permits will not be considered for this use;

h) Buildings and Structures

Accessory Buildings and Structures shall be permitted in all Zones provided that:

- 1) The Height of an Accessory Building or Structure in any R Zone shall not exceed 4.5 m or 1.5 Storeys, whichever is less.
- 2) Notwithstanding the Setback requirements of this Bylaw:
  - i. the Setback for the vehicle entrance of a Private Garage or carport may be reduced to not less than 0.3 m from the Parcel line facing the vehicle entrance, provided that the reduced Setback applies only across a width not exceeding the maximum permitted Driveway width on the Parcel
  - ii. Where the Principal Building is attached to a Private Garage or carport, no portion of the Principal Building which serves a purpose other than motor vehicle storage will be permitted to encroach upon the Setbacks required in that Zone.

i) Farmer's Market

A Farmer's Market is subject to the following regulations:

- 1) A Farmer's Market shall be licensed by the City of Rossland.
  - 2) The site of a Farmer's Market shall not include any permanent Structures.
  - 3) A vendor at a Farmer's Market shall only display and/or sell products and foods that were made, baked or grown locally with only a limited number of non-food crafts and no imported products.
- j) Cannabis Retail Store
- 1) A Cannabis Retail Store is not permitted within 150 m of the property line of a site containing a School or a youth centre.
  - 2) A Cannabis Retail Store must install and maintain an air filtration system that effectively minimizes odour impacts on neighbouring properties.

k) Employee Housing

- 3) Following the issuance of a Building Permit for the 890th equivalent unit the CD-1 Zone, no owner of land in this zone shall be entitled to construct or occupy any tourist accommodation unit or dwelling unit in this zone unless the resort operator has provided a number of employee housing units equal to 20% of the peak workforce. Employee Housing Units provided shall be protected by a covenant under the *Land Title Act* in favour of the City of Rossland and shall be subject to a housing agreement between the owner and the City of Rossland under of the *Local Government Act*, to ensure long-term availability to Eligible Employees.
- 4) The Employee Housing requirement may be satisfied by one or more of the following, subject to City approval:
  - (a) Construction of Employee-Restricted Housing on lands within the resort;
  - (b) Construction or acquisition of dwelling units on other lands within the City, provided such housing is reasonably proximate to the resort or transit-accessible; or
  - (c) Other arrangements approved by Council that demonstrably provide housing for Eligible Employees and meet the intent of this section.

l) Solar Energy System

- 1) A Solar Energy System is permitted in all Zones in accordance with the following criteria:
- 2) Roof mounted Solar Energy Systems are encouraged where feasible, may not project beyond the outermost edge of the roof, and require a building permit;
- 3) A ground mounted system must be sited in accordance with the applicable maximum Height, minimum Parcel line, lot coverage, and Setback requirements for Accessory Buildings and Structures.

## 4.2 Temporary Uses, Buildings, Or Structures

The following uses, Buildings or Structures are permitted to the extent specifically stated:

### 4.2.1 Temporary Residential Use

- a) Except on a Parcel in a Zone permitting a Campground use, the use of any Parcel or public space for camp site purposes is prohibited.
- b) Notwithstanding the provision of this section, a camp site use by not more than one trailer, truck camper, camper, tent or Recreation Vehicle, but not a Mobile Home, shall be permitted on a single detached residential Parcel for a stay not to exceed fourteen days.
- c) Following a stay of fourteen days or more on a single detached residential Parcel, a camp site use on that single detached residential Parcel shall not be permitted for the following five days.

### 4.3 Temporary Structures or Buildings

4.3.1 Temporary Buildings or Structures for construction-related purposes connected to an active Building permit or application may be erected in all Zones, provided that:

- a) the Temporary Buildings or Structures meets the requirements of the British Columbia Building Code, and amendments thereto;
- b) the Temporary Buildings or Structures is removed within 30 days of completion of the permanent facility or 12 months after the Temporary Buildings or Structures is erected or installed, whichever is the lesser period

4.3.2 Temporary Buildings or Structures for any use may be erected in any Zone provided that:

- a) the use is permitted in the Zone;
- b) the Temporary Buildings or Structures meets the requirements of the British Columbia Building Code, and amendments thereto;
- c) the use meets the parking requirements of this bylaw; and
- d) the Temporary Buildings or Structures is removed within 30 days of completion of the permanent facility or 12 months after the Temporary Buildings or Structures is erected or installed, whichever is the lesser period.

### 4.4 Conversion of Buildings

4.4.1 Buildings may be converted, altered or remodeled for another use, provided that:

- a) The Building Official certifies that the Building is structurally suitable for such conversion. The owner of the Parcel or Building to be converted may be required to provide the City with a report prepared by Structural Engineer.
- b) The converted Building shall comply with all relevant requirements of the British Columbia Building Code and conform to all the provisions and regulations prescribed for the zoning district in which it is located.

### 4.5 Prohibited Uses

- a) Helicopter landing facilities (except as required for emergency medical evacuations).
- b) Drive-through commercial facilities including but not limited to financial services, Restaurants and other retail.
- c) Dumping and or waste disposal except for managed organic waste that is being composted.
- d) Cannabis Operation

## 4.6 Regulation of the Size, Shape, and Siting of Buildings and Structures

### 4.6.1 General Development Standards

- a) A development must not exceed the maximum height, density, site coverage, or fail to comply with the minimum setback requirements applicable to the zone in which the development is located, as set out in this Bylaw.

### 4.6.2 Non-Conforming Size, Shape, and Siting

- a) Where the use and Density of a Building or Structure conform to this Bylaw, but the size, shape or dimensions, or siting of a Building or Structure or portions thereof does not conform with this Bylaw and was lawfully constructed prior to the enactment of the prohibition in this Bylaw, the Building or Structure or portions thereof may be repaired, extended or altered, subject to the BC Building Code, both as amended or replaced from time to time, provided that:
  - 1) The Building or Structure does not encroach on public property or public right of way;
  - 2) The repair, extension or Alteration would, when completed, involve no further contravention of the Bylaw than that existing at the time the repair, extension or Alteration was started except where the repair, extension or Alteration is permitted or authorized through a Council approved variance.

### 4.6.3 Siting Exceptions and Permitted Projections

- a) When calculating the minimum required distance to an abutting lot line as required elsewhere in this Bylaw, all items attached to such Building or Structure which project out from the exterior wall of such Building or Structure, shall be deemed to be part of such Building or Structure for the purpose of measurement of the Setback.
- b) No features shall project into the Setback required by this Bylaw, except the following as outlined in **Table 4-1**:

**Table 4-1: Features and Allowable Projections**

FEATURES	ALLOWABLE PROJECTION
Fence and retaining wall	Allowed subject to <a href="#">Section 6.2</a> .
Steps, stairs, eaves, gutters, leaders, cornices, pilasters, belt courses, sills, bay windows, chimneys, and other ornamental features	May project 0.6 m into required <a href="#">Setback</a> when prescribed <a href="#">Setback</a> is 1.8 m or greater (projection applies only to the feature).
Unenclosed balconies, porches, sundecks, canopies, and awnings	May project 1.2 m into Front or Exterior Side <a href="#">Setback</a> (projection applies only to the feature).
At-grade patio or terrace	Allowed if constructed no more than 0.6 m above grade.
Clothesline poles	Allowed
Fixed(to the principal building) external shading devices	Allowed if: Building Official approves design for solar rejection; device is cantilevered; projection is ≤ 1.2 m into <a href="#">Setback</a> and remains ≥ 1.0 m from Interior Side Parcel Line.
<a href="#">Heat Pump</a>	May project into <a href="#">Setback</a> up to 1.5m from any lot line.
Underground parking / similar fully below-grade structures ( <a href="#">Multi-Unit &amp; Commercial Zones</a> )	May encroach into <a href="#">Setback</a> if grade matches adjacent parcels and landscaping can be supported.
Non-occupied <a href="#">Buildings and structures</a> less than 10sq m (garden tool storage shed, greenhouse, pergola or other <a href="#">Accessory Building</a> , etc.) not placed on permanent foundation, measuring not more than 3.1 m in width and 2.5 m or 0.75 <a href="#">Storeys</a> , whichever is less, in <a href="#">Height</a>	May project into <a href="#">Rear Setback</a> where a <a href="#">Lane</a> exists, and Front and Exterior Side <a href="#">Setbacks</a> , but not into Interior Side <a href="#">Setback</a> .
Shared inside wall by two or more units or <a href="#">Party-Wall</a> within a <a href="#">Building</a> for Residential Use, a <a href="#">Commercial Use</a> , or an Industrial Use, coinciding with <a href="#">Interior Side Parcel Line</a> or a Strata Parcel (shown on a registered strata plan) as provided in the <a href="#">Strata Property Act</a>	<a href="#">Setbacks</a> for the <a href="#">Principal Building</a> specified in this Bylaw with respect to the side <a href="#">Parcel</a> line shall not apply.

#### 4.6.4 Height Regulation Exceptions

- a) The following Structures are exempt from the Height limitations specified in this Bylaw and in no way shall contain or support habitable use:
- 1) flagpole
  - 2) clothesline pole;
  - 3) water tower;
  - 4) antenna or mast for the transmission or reception of radio and television signal;
  - 5) chimney, smokestack;
  - 6) spire, steeple, belfry;
  - 7) dome, cupola;
  - 8) monument or sculpture;
  - 9) industrial cranes
  - 10) elevator penthouses
  - 11) ventilation machinery, provided they are screened from view
  - 12) wind turbines or machines and accessory mounting equipment, including racks, poles and posts.
  - 13) solar panels, solar collectors or other solar technology and Accessory mounting equipment, including racks, poles and posts, up to a maximum of 1.0m above the maximum Building Height allowed under the designated Zone.

## 4.7 Consolidation of Parcels Prior to Development

- 4.7.1 Where the construction of a Building that will straddle two or more Parcels is proposed, development shall not proceed until the separate Parcels are consolidated to form one property with a single Certificate of Indefeasible Title.

## 4.8 Exemption of Existing Parcels

- 4.8.1 The Parcel Area and Parcel width requirements of this Bylaw shall not apply to any Parcel which has an area or width less than that required by this Bylaw if such a Parcel was described on the official records on file in the Land Registry Office on or before the effective date of this Bylaw.

## 4.9 Exemption from Minimum Parcel Area

4.9.1 The provisions of this Bylaw pertaining to minimum Parcel Area do not apply in the case where:

- a) two or more Parcels are to be consolidated into one Parcel;
- b) the Parcel being created is to be used solely for an unattended Building or equipment necessary for the operation of:
  - 1) a community water system;
  - 2) a community sewer system;
  - 3) a community gas distribution system;
  - 4) a radio or television receiving or broadcasting antenna;
  - 5) an air navigation aid;
  - 6) an electrical substation or power generating station;
  - 7) Parks or playgrounds; or
  - 8) any other similar public service facility or utility.

## 4.10 Cluster, Comprehensive Mixed Use, and Comprehensive Residential Development

4.10.1 Where a Cluster, Comprehensive Mixed Use or Comprehensive Residential Development project is proposed, a comprehensive development plan shall be prepared and may include:

- a) An application form;
- b) A letter of intent explaining the proposal;
- c) A project statistics summary sheet;
- d) An up-to-date certificate of title;
- e) Copies of documents and/or legal plans related to all easements, statutory rights-of-way and covenants;
- f) Dimensioned site plan;
- g) Dimensioned architectural drawings including floor plans with use notations, elevations, sections and potentially details;
- h) Detailed land use plan;
- i) Design guidelines, if applicable;
- j) Landscape plans including grading plans, planting plans and planting schedule;
- k) A comprehensive Sign plan;
- l) A servicing plan;

- m) A phasing plan;
- n) Applicable Engineering reports;

4.10.2 Where a comprehensive development plan is approved in principle, a site-specific comprehensive development Zone shall be established that addresses matters specified in the *Local Government Act* for the subject site. The Zone may include flexible Setback, Frontage and parking regulations that enable creative development, clustering and settlement design. Density bonus provisions may be incorporated into the comprehensive development Zone as an incentive for developers to incorporate greenways, Trails, Parks and other common Open Spaces, facilities, or amenities into the development design.

## 4.11 Signs

4.11.1 Except for street identification and numbering Signs, traffic control devices, safety and hazard warning Signs, parking instruction Signs, political Signs, private sale or event Signs and prohibitive Signs, all Signs posted shall be in accordance with the regulations of this section.

- a) The following types of Signs shall not be permitted:
  - 1) Roof Sign;
  - 2) Flashing or Moving Sign;
  - 3) Animated Sign;
  - 4) Electronic Message Board;
  - 5) Neon Sign.
  - 6) Balloon Sign
  - 7) Vehicle Sign
  - 8) A Sign or poster placed on the wall of any Building or Structure, post, pole, Fence or tree, except as otherwise approved by this Bylaw
  - 9) Billboards and temporary Signs with the exception of sandwich board type Signs that are no higher than 1m and no wider than 1m.
- b) Illuminated Signs shall not be illuminated from a light source within the Sign.
- c) In a commercial Zone or industrial Zone, business identification Signs are permitted provided that:
  - 1) there shall be not more than one free-standing Sign per Parcel, except where the Parcel is bounded by more than one Highway, one free-standing Sign shall be permitted on each Parcel boundary abutting a Highway;
  - 2) a free-standing Signs shall not exceed the Height of the Principal Building on that Parcel;
  - 3) there shall not be more than one Fascia Sign for each business occupying the Parcel;

- 4) business identification Signs shall not exceed 5 m<sup>2</sup>.

- 5) In an industrial Zone, a directional Sign which may consist of a primary Sign as well as individual business identification Signs is permitted provided that the Sign shall not exceed 5 m<sup>2</sup>, and that each individual business Sign shall not exceed 1 m<sup>2</sup>.
- 6) No person shall erect or locate or cause or permit to be erected or located a Sign that interferes with traffic or obstructs the visibility of a traffic control device.

## 4.12 Riparian Area Regulations

- 4.12.1 The Rossland Official Community Plan (OCP) Bylaw establishes Development Permit Areas and Development Permit guidelines in which best management requirements are provided for the site design, construction and post-construction of Buildings and Structures in relation to all riparian areas, streams, ravines and other ecologically sensitive areas. Such requirements will take precedence over any Setback or other requirements contained in this Bylaw for Principal and Accessory Buildings and Structures.

## 4.13 Lighting

- 4.13.1 Any outdoor lighting for any development on a Parcel shall be located, arranged and shielded so that no direct rays of light are oriented upwards, so that no light is directed at any adjoining properties or interfere with the effectiveness of any traffic control device.
  - a) No flashing or blinking exterior lighting shall be permitted.
  - b) No exterior neon lighting shall be permitted in Residential Zones.
  - c) All direct and ambient lighting shall be shielded in Residential Zones to not shine beyond the boundaries of the lot.
- 4.13.2 Where lighting is not for emergency egress or other safety measure, lighting must be either:
  - a) Downcast;
  - b) Projected, downward, onto the Building; or
  - c) Utilizing other “dark sky” techniques.
- 4.13.3 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, streets, Public Parking Areas and walkways.

## 4.14 Hillside Terrain

- 4.14.1 For development on Hillside Terrain, applicants may be required to submit to the City a report prepared by a Geotechnical Engineer prior to any removal of trees, slope Alteration, or other Parcel work as well as provide innovation in the design for roads and Structures with an emphasis on slope stability and minimizing cut and fill.
- 4.14.2 Alternative development standards may be applicable for these Parcels.

## 4.15 Snow Management

- 4.15.1 Rooflines shall be designed so as not to deposit snow on parking areas, trash storage areas, stairways, decks and balconies, or entryways. Secondary roofs, snow clips, and snow guards should be utilized to protect these areas from roof snow shedding if necessary.
- 4.15.2 No owner, occupant or manager of any real property or improvement thereon shall allow or permit ice or snow to accumulate on the roof or any other part of the Structure or Building owned, occupied or managed by him or her where the accumulated ice or snow constitutes a hazard or reasonable possibility of sliding off the Building onto an adjacent property or any sidewalk, street, alley, public way, Park or any other publicly used way.

## 4.16 Heat Pumps

- 4.16.1 A Building permit is required to install Heat Pumps and all other heating or central air conditioning systems; whether placed at grade or a balcony or deck.
- a) When placed at the finished or natural grade, Heat Pumps and central air conditioning units shall (refer to **Figure 4-2**):
- 1) not be located more than 1.2m from a Principal Building, Principal Residence, an Accessory Building or Accessory Dwelling;
  - 2) not be closer than 1.5 m from any lot line; and
  - 3) not interfere with parking or Dwelling Unit access.
- b) Balcony- or deck-mounted Heat Pumps and central air conditioning units shall:
- 1) have written permission from a strata, if applicable;
  - 2) be located at least 1.07 m away from the top of a guardrail and shall not facilitate climbing; and
  - 3) not penetrate through the floor assembly where or any horizontal surface or additional suites.



4.17.2 Where a Shipping Container is intended to be used as a Building or component of a Building, it shall be:

- a) constructed in accordance with the current edition of the British Columbia Building Code in effect at the time of Building Permit application; and
- b) has received a valid Building permit.
- c) shall not be considered a Shipping Container and is instead a Building or portion of a Building.

## SECTION 5: OFFSTREET PARKING AND LOADING

### 5.1 Application of Regulations

- 5.1.1 Space for the Off-Street Parking and Loading of motor vehicles in respect of a use permitted under this Bylaw shall be provided and maintained in accordance with the regulations of this section.

### 5.2 Exemptions from Parking and Loading Requirements

- 5.2.1 The regulations contained in this section shall not apply with respect to land, a Building or a Structure existing at the date of adoption of this Bylaw, so long as the land, Building or Structure continues to be put to a use that does not require more parking or Loading Spaces than were required for the use existing at the date of adoption of this Bylaw.

### 5.3 Calculating the Number of Required Parking and Loading Spaces

- 5.3.1 The number of required parking and Loading Spaces, including Off-Street Parking Spaces required for a use, Building, or Structure, shall be calculated according to **Table 5-1**.
- 5.3.2 Where the calculation of the required Off-Street Parking Spaces results in a fraction, the required number of stalls shall be rounded down to the next full number.
- 5.3.3 Where seating is the basis for determining the number of Off-Street Parking Spaces and seating consists of benches, pews, booths or similar seating arrangements, each 0.5 m of width of such seating shall be deemed to be one seat.
- 5.3.4 In the case of mixed uses (i.e., residential and commercial uses), the total requirements for Off-Street Parking shall be the sum of the requirements for the various uses computed separately.

**Table 5-1: Required Off-Street Parking Spaces**

CLASS OF BUILDING	REQUIRED NUMBER OF PARKING SPACES
<b>RESIDENTIAL DWELLINGS</b>	
<b>Single Detached Dwelling;</b> <b>Duplex;</b> <b>Small-Scale Multi-Unit Housing;</b> <b>Secondary Suite;</b> <b>Accessory Dwelling Unit</b>	1 space per <u>Dwelling Unit</u> 2 spaces per <u>Dwelling Unit</u> with 3 or more <u>Sleeping Units</u>
<b>Residential Short-Term Rental</b>	1 space per <u>Sleeping Unit</u>
<b>Commercial Short-Term Rental</b>	Each <u>Accommodation Unit</u> must have 1 dedicated parking stall
<b>Bed and Breakfast Accommodation</b>	1 space per <u>Sleeping Unit</u>
<b>Multiple Conversion Dwelling</b>	1 space per <u>Dwelling Unit</u>
<b>Mobile Home</b>	1 space per <u>Dwelling Unit</u>
<b>Multiple Unit Dwellings</b>	1 space per <u>Dwelling Unit</u> with one or two <u>Sleeping Units</u> ; 1.5 spaces per <u>Dwelling Unit</u> with three <u>Sleeping Units</u> ; 2 spaces per <u>Dwelling Unit</u> with 4 or more <u>Sleeping Units</u> ; plus 0.2 spaces per <u>Dwelling Unit</u> for visitor parking
<b>Rental, Affordable Housing, Seniors Housing,</b>	0.5 spaces per <u>Dwelling Unit</u>
<b>COMMERCIAL</b>	
<b>Art Studio</b>	1.0 space per 100 m <sup>2</sup> of <u>Gross Floor Area</u>
<b>Automotive or vehicle sales</b>	2.0 space per 100 m <sup>2</sup> of <u>Gross Floor Area</u>
<b>Automotive or vehicle repair</b>	2 space per service bay
<b>Broadcasting Studios</b>	2.0 space per 100 m <sup>2</sup> of <u>Gross Floor Area</u>
<b>Building and Garden Supply</b>	1 space per 37 m <sup>2</sup> of commercial floor area

<b><u>Campground</u></b>	1 space per site/Tourist Cabin
<b><u>Conference Facility</u></b>	1 space per 50 fixed seats or 4 spaces per 100 m <sup>2</sup> of <u>Gross Floor Area</u> used for <u>Public Assembly</u> , except where such a facility is located within 400 m of a day skier parking lot
<b><u>Financial Institutions</u></b>	2.5 spaces per 100 m <sup>2</sup> of <u>Gross Floor Area</u>
<b><u>Funeral Home</u></b>	1 space per 5 seats
<b><u>General Office</u></b>	2.0 space per 100 m <sup>2</sup> of <u>Gross Floor Area</u>
<b><u>Golf Course</u></b>	3 spaces per hole
<b><u>Hostel</u></b>	1 space per 4 beds
<b><u>Hotel</u></b>	1 space per 2 guest rooms
<b><u>Motel</u></b>	1 space per guest room
<b><u>Medical and Dental Clinics</u></b>	1 space per 50 m <sup>2</sup> of <u>Gross Floor Area</u>
<b><u>Neighbourhood Oriented Store</u></b>	2 spaces per 100 m <sup>2</sup> of retail floor area
<b><u>Nurseries, Greenhouses</u></b>	1 space per 30 m <sup>2</sup>
<b><u>Personal Service Establishments</u></b>	1 space per 45 m <sup>2</sup> of <u>Gross Floor Area</u>
<b><u>Restaurants, Cafes, Public Houses, Clubs or Lodges</u></b>	1 space per 6 seats
<b><u>Retail Stores</u></b>	
<b><u>Gross Floor Area less than 1000 m<sup>2</sup></u></b>	2.0 spaces per 100 m <sup>2</sup> of <u>Gross Floor Area</u>
<b><u>Gross Floor Area 1000 m<sup>2</sup> to 2000 m<sup>2</sup></u></b>	2.3 spaces per 100 m <sup>2</sup> of <u>Gross Floor Area</u>
<b><u>Gross Floor Area 2000 m<sup>2</sup> to 20,000 m<sup>2</sup></u></b>	2.4 spaces per 100 m <sup>2</sup> of <u>Gross Floor Area</u>
<b><u>Gross Floor Area greater than 20,000 m<sup>2</sup></u></b>	2.5 spaces per 100 m <sup>2</sup> of <u>Gross Floor Area</u>
<b><u>Service stations, vehicle washes</u></b>	1 space per 2 employees on duty, plus 1 per service bay, plus additional required spaces for other associated uses (e.g., retail)
<b><u>Ski Resort</u></b>	1 space per 4 units of Comfortable Carrying Capacity (As determined by the Canadian Alpine Ski Policy Guidelines.)
<b><u>Theatres</u></b>	1 space per 4 seats

Definitions ■ General Regulations ■ Off-Street Parking & Loading ■ Screening & Landscaping ■ Establishment of Zones

Residential

Commercial

Light Industrial

Public, Institutional,  
Parks & Open Space

Comprehensive  
Development

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<b>Unspecified Commercial Uses</b>	1 space per 30 m <sup>2</sup> of <u>Gross Floor Area</u>
<b>INDUSTRIAL</b>	
<b>All light industrial uses on all <u>Parcels</u></b>	1 space per 50 m <sup>2</sup> of <u>Gross Floor Area</u>
<b>PUBLIC AND INSTITUTIONAL</b>	
<b>Community Halls and <u>Churches</u></b>	1 space per 3 seats
<b><u>Childcare Facility</u></b>	1 space per employee on duty
<b><u>School</u></b>	1 space per classroom
<b><u>Hospital</u></b>	1 per employee per shift plus 1 per 5 beds
<b>Intermediate Care Facility</b>	1 space per 2 employees plus 1 per 3 beds
<b><u>Libraries, Civic and Public Service Buildings</u></b>	1 space per 90 m <sup>2</sup>
<b><u>Nursing and Extended Care Homes</u></b>	1 space per employee on shift
<b><u>Recreation Facility</u></b>	1 space per 45 m <sup>2</sup> <u>Gross Floor Area</u> plus 1 per 10 seats
<b>Stadium or Arena</b>	1 space per 4 seats
<b>Unspecified <u>Institutional</u></b>	1 space per 50 m <sup>2</sup> of <u>Gross Floor Area</u>

5.3.5 Notwithstanding 5.3.4, cumulative parking requirements for mixed-use occupancies may be reduced where it can be determined that the peak requirements of the occupancies occur at different and non-conflicting times, subject to the following conditions:

- a) The applicant shall submit a parking demand summary sheet identifying the greatest shared parking demand for all uses by using the demand calculations provided in **Table 5-2: Parking Occupancy Rates**. The calculations shall be completed as follows:
  - 1) The minimum number of Parking Spaces to be provided for each use shall be determined by using **Table 5-1: Required Off-Street Parking Spaces**.
  - 2) The minimum number of Parking Spaces for each use shall be multiplied by the "occupancy rate" for each weekday and weekend time period.
  - 3) For each time period, determine the combined total number of Parking Spaces required for all uses.
  - 4) Identify the greatest minimum number of Parking Spaces required amongst the various time periods to establish the period of greatest shared demand

- 5) Once the greatest shared parking demand for all weekday and weekend time periods is determined, Council will consider the following factors in consideration of any reduction in parking requirements:
- i. Distance between sharing uses and the parking facility;
  - ii. Pedestrian connections among sharing uses and the parking facility;
  - iii. Vehicular connections;
  - iv. Whether parking will be paid;
  - v. Location and proximity to the town centre area;
  - vi. General surrounding development Density;
  - vii. Proximity to transit corridors or stations;
  - viii. Special trip reduction programs, such as vanpooling, transit, shuttle, or telecommuting;
  - ix. Need for any reserved Parking Spaces.

**Table 5-2: Parking Occupancy Rates**

USES	M-F	M-F	M-F	SAT. & SUN.	SAT. & SUN.	SAT. & SUN.
	8am-5pm	6pm-12am	12am-6am	8am-5pm	6pm-12am	12am-6am
<b>Residential</b>	60%	100%	100%	80%	100%	100%
<b>Office/ Warehouse/Industrial</b>	100%	20%	5%	5%	5%	5%
<b>Commercial</b>	90%	80%	5%	100%	70%	5%
<b>Hotel</b>	70%	100%	100%	70%	100%	100%
<b>Restaurant</b>	70%	100%	10%	70%	100%	20%
<b>Movie Theatre</b>	40%	80%	10%	80%	100%	10%
<b>Entertainment</b>	40%	100%	10%	80%	100%	50%
<b>Conference/Convention</b>	100%	100%	5%	100%	100%	5%
<b>Institutional (non-Church)</b>	100%	20%	5%	10%	10%	5%
<b>Institutional (Church)</b>	10%	5%	5%	100%	50%	5%

*Note: This table defines the percent of the basic minimum needed during each time period for shared parking. (M-F = Monday to Friday); Source: VTPI 2008*

- b) The number of on-street parking stalls adjacent to land, a Building or a Structure in the C1 Zone shall be credited against the number of required Off-Street Parking Spaces.

- c) Developments may not exceed minimum parking requirements beyond a maximum of 20%.

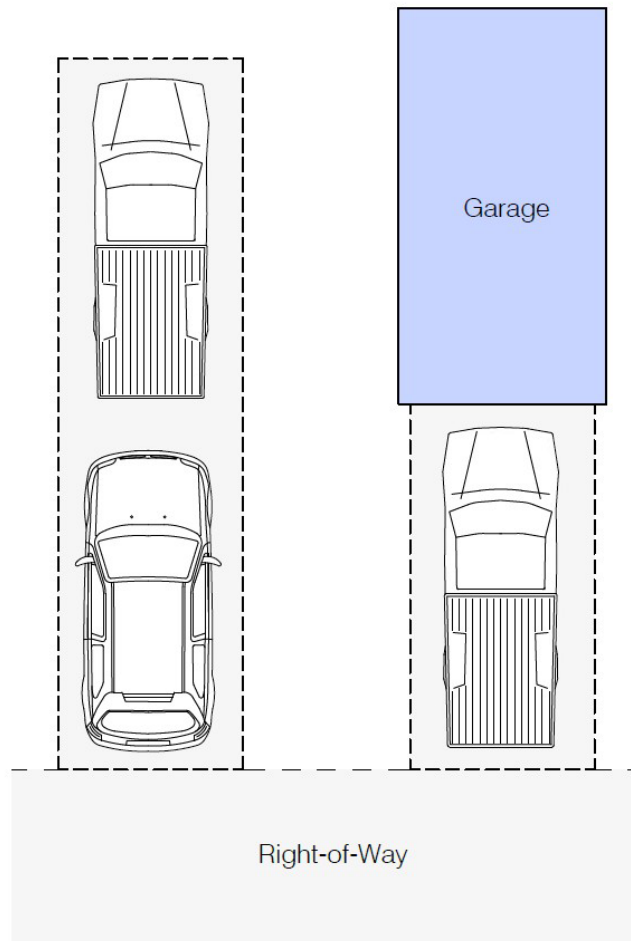
## 5.4 Access and Circulation

- 5.4.1 Each Off-Street Parking or Loading Space shall be accessible by vehicle from a Highway.
- 5.4.2 Where more than 10 Off-Street Parking and Loading Spaces are provided, access to these spaces from an Aisle which intersects with a Highway shall be provided.
- 5.4.3 Where more than 30 Off-Street Parking Spaces are provided, access to these spaces from an Aisle that intersects with a Highway at least at two points shall be provided.

## 5.5 Tandem Parking

- 5.5.1 Tandem Parking spaces may be provided for residential developments with four (4) or fewer Dwelling Units, provided:
  - d) Only one Tandem Parking space is permitted in front of any Private Garage or carport;

**Figure 5-1: Tandem Parking**



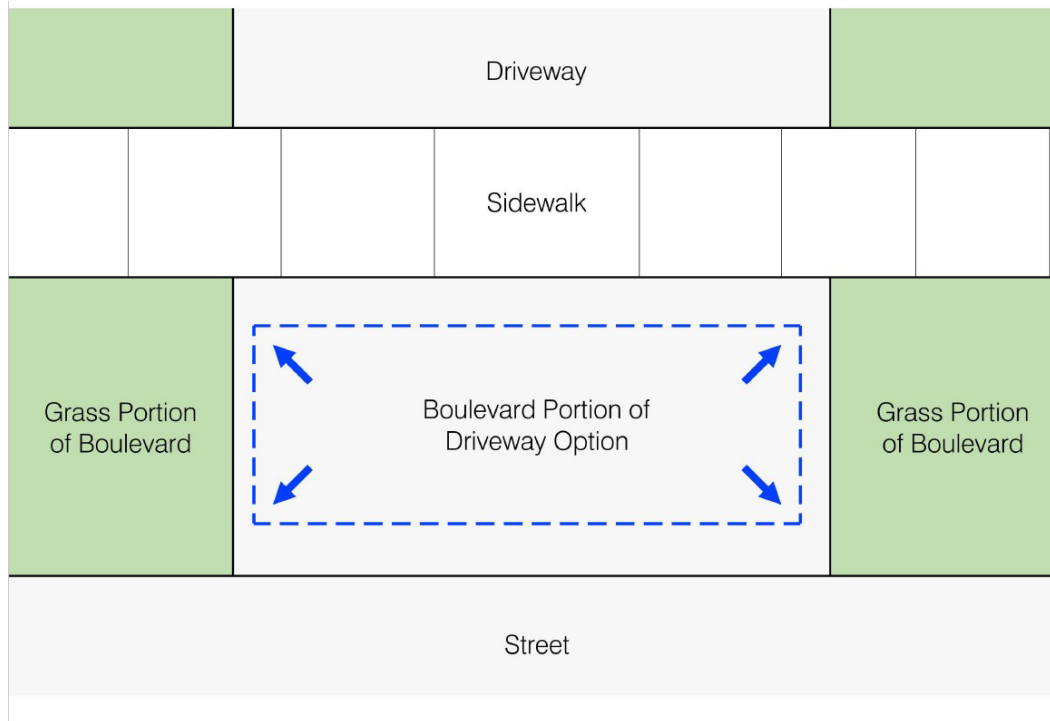
- e) Tandem Parking spaces can be counted to meet the required parking for each dwelling unit, including Principal Residences; and

- f) Visitor parking stalls may not be configured as Tandem Parking.

## 5.6 Boulevard Parking

- 5.6.1 A maximum of 1 required parking space may be configured as Boulevard Parking, see **Figure 5-2** for visual reference.

**Figure 5-2: Boulevard Parking**



- 5.6.2 A Boulevard Parking space may be permitted on residential developments with four (4) or fewer Dwelling Units, Small-Scale Multi-Unit Housing or Townhouse Dwellings only, and must:
  - a) Not obstructing sidewalks, bike Lane, or intersecting roadways, or be located on a landscaped boulevard.
  - b) Maintain a minimum of 1.0m of clearance from the edge of the roadway.

## 5.7 Electric Vehicle (EV) Charging

- a) For new residential developments with five (5) or more units:
  - 1) 100% of required Parking Spaces must be EV-Ready with Level 2 charging.
- b) For new residential developments with four (4) or fewer Dwelling Units, at least 1 EV-Ready Stall must be included.
- c) For Commercial and Institutional Uses, a minimum of 10% of the required Parking Spaces must include a Level 2 EV charging station.

- d) A required EV-Ready or EV Stall may be substituted at a 1:1 ratio if Alternative Fuel Infrastructure is provided.

## 5.8 Payment of Money in Lieu of Parking Spaces

- 5.8.1 With the exception of Parcels, Buildings or Structures located in Rural Residential (RR) or Low Density Residential (R-1) zones, payment of money instead of providing required Off-Street Parking Spaces may be made, at the option of the owner or occupier of the land, Building or Structure, provided that in residential and commercial zones, 70% of required off-street parking is provided.
- a) Where payment of money instead of providing required Off-Street Parking Spaces is made it shall be in the amount of \$10,000.00 per Off-Street Parking Spaces, subject to annual review, which amount shall be placed in the City’s parking facilities reserve fund.

## 5.9 Surfacing of Off-Street Parking and Loading Spaces

- 5.9.1 Except for areas of adverse soil conditions as determined by the Building Official, 40% of the total parking area required by this bylaw shall be permeable or semi permeable surface.
- a) The installation of permeable surfaces shall:
  - 1) Follow manufacturer specifications for minimum and maximum slopes.
  - 2) Include the construction of a sub-grade to allow adequate drainage and prevent frost heave.
  - 3) Ensure drainage shall not directly discharge onto neighbouring lands.
  - 4) Include the installation of perforated sub-drains below permeable surfaces, as required, to store, filter or convey water to additional stormwater facilities.
  - 5) If permeable surfaces are planned for use along Driveways leading to public streets or other heavily traveled routes, the surface material and base course must be selected, designed and certified to withstand the anticipated traffic loading stresses and maintenance impacts.
- b) Landscaped islands, containing trees, shall be provided every 4 (four) vehicle surface spaces within a surface parking area.

## 5.10 Dimension of Parking Spaces

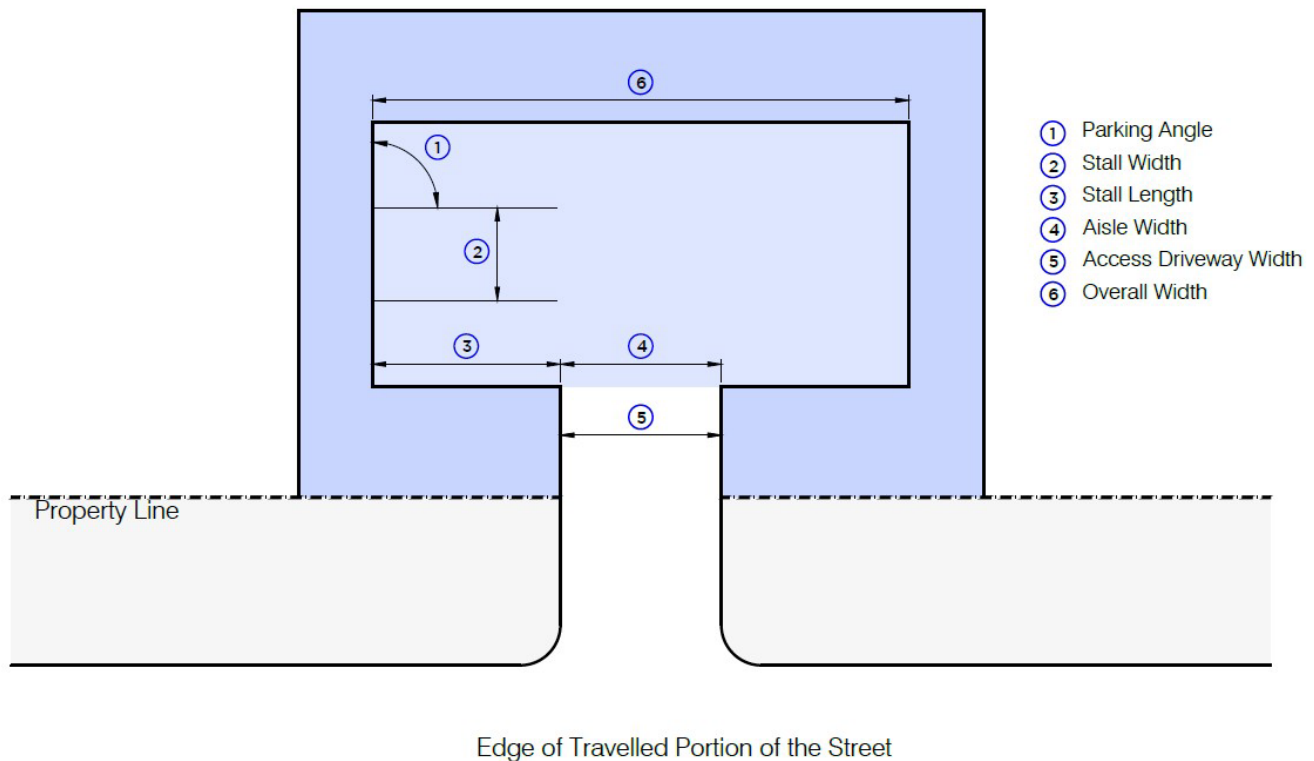
5.10.1 In Zones other than R-Zones, each Off-Street Parking Spaces and parking lot shall be provided in accordance with the following minimum specifications:

**Table 5-3: Minimum Specifications for Off-Street Parking**

PARKING ANGLE	90°	75°	60°	45°	PARALLEL	TANDEM
Stall Width	2.9m	2.9m	2.9m	2.9m	2.9m	2.9m
Stall Length	5.5m	5.5m	5.5m	5.5m	6.5m	11.0m
Aisle Width	6.0m	6.0m	5.0m	4.0m	5.0m	6.0m
Access Driveway Width	4.0m	4.0m	4.0m	4.0m	4.0m	4.0m

5.10.2 In R-Zones, the minimum parking space shall be 3.0m wide by 5.0m long

**Figure 5-3: Specifications for Parking Spaces and Structures**



5.10.3 For Parcels containing 4 or more Parking Spaces:

- a) Except for Parallel and Tandem Parking, a parking stall length may be reduced to a minimum of 4.9 m for a maximum of 30% of the required parking stalls. Each reduced parking stall must be clearly identified with the words “small car”.

## 5.11 Location of Parking Spaces

5.11.1 In all Residential Zones, required Off-Street Parking Spaces shall be provided and maintained on the same land as the use, Building or Structure they serve.

5.11.2 In Zones other than Residential Zones, Off-Street Parking Spaces may be located on a site not more than 70 metres from the site on which the use, Building or Structure is located, provided that the owner enters into a restrictive covenant, approved by City Council and registered on title, providing the use of the site for parking in conjunction with the site on which the use, Building or Structure is located.

## 5.12 Parking for Visitors of Multi-Unit and Mixed-Use Dwellings

5.12.1 Visitor parking shall be identified by a Sign with the words “VISITOR PARKING”, and shall be at a location that is safe, convenient and easily found.

5.12.2 Pedestrian access to visitor parking areas and from the visitor parking area to the main lobby or an individual residential unit shall be adequately identified with signage that is clear in its directions to the visitor.

## 5.13 Accessible Parking

5.13.1 Accessible parking shall be provided in the compliance with the requirements of the *British Columbia Building Code* and successor codes or, in the event such requirements do not apply, where more than 20 parking stalls are required every Off-Street Parking facility shall provide 1% of the required stalls, with a minimum of 1 stall, for the use of disabled persons. Each stall shall:

- a) be at least 4.0 m in width and at least 6.0 m in length;
- b) be located as close as possible to a main disabled-accessible Building entrance;
- c) be clearly identified for the exclusive use of people with mobility challenges.

## 5.14 Snow Removal

5.14.1 For Parcels containing four (4) or more Parking Spaces, the following regulations shall apply:

- a) If the parking area is required to be used in the winter, an additional area equal to 20% of the required parking area shall be provided for snow storage on-site. Specific areas to be cleared shall include the full dimensions of roadways, walkways, and parking areas and Aisles.
- b) Areas required for snow storage may not be counted towards parking requirements.

- c) A 50% reduction in the required snow storage area shall be permitted if an adequate snow melt system is constructed for any parking area.
- d) A 70% reduction in the required snow storage area shall be permitted if solar technology is used for the snow melt system constructed for any parking area.
- e) These snow storage and melt elements shall be designed so that snow is not stored in a manner where, when melting, it directly discharges into riparian areas or other public drainage ways or in any way harms the quality of the City's water. Snow shall not be placed in any creek or other public drainage ways within the City.
- f) Provide snow storage areas away from public streets and other areas where motorist and pedestrian sight lines are essential.
- g) Sod areas, portions of landscaped areas, bio-retention areas and overflow parking areas may be identified for snow storage with any plant material selected accordingly.
- h) Permeable surfaces are encouraged for use in snow storage areas.
- i) The owner or occupier of the site shall, at its cost, make arrangements to remove the snow from the parking area to a location acceptable to the City of Rossland in a timely manner and no later than 24 hours after a snowfall.

## 5.15 Other Regulations

- 5.15.1 Where a Dwelling Unit or units are located in a non-residential Zone in conjunction with non-residential use, on-site parking must be located in such a way as not to impair access to the premises for the non-residential use.
- 5.15.2 No on-street parking is permitted within the Red Mountain Resort Village Area.

## 5.16 Driveway

- 5.16.1 In a residential Zone, Off-Street Parking shall have access from a street or Lane and shall be graded and surfaced pursuant to the surfacing requirements for parking stated in Section 5.
  - a) Driveway Width Based on Lot Frontage:
    - 1) Lots with 10 m or less Frontage: Maximum one Driveway with a width not exceeding 4.0 m
    - 2) Lots with Frontage greater than 10 m up to 20 m: Maximum one Driveway with a width not exceeding 6.0 m
    - 3) Lots with Frontage greater than 20 m: Maximum one Driveway with a width not exceeding 7.0 m, OR two single Driveways each not exceeding 4.0 m in width
  - b) All Driveways shall have a minimum width of 2.4 m.
  - c) All access configurations require Public Works approval.
  - d) Shared access Driveways are encouraged for adjacent properties.

## 5.17 Loading Space Area

- 5.17.1 No use may be undertaken in any Zone unless the off-street loading requirements in this Bylaw have been met for that use.
- 5.17.2 The number of off-street Loading Spaces required for any use is calculated according to **Table 5-4** of this Bylaw:

**Table 5-4: Required Off-Street Parking Loading Spaces**

SPACE REQUIREMENTS	NO. OF SPACES
<b>Retail Store, Manufacturing, Fabricating, Processing, Warehousing, and Wholesaling Establishment</b>	
a) less than 300 m <sup>2</sup> in <u>net floor area</u>	0
b) 300 to 465 m <sup>2</sup> in <u>net floor area</u>	1
c) 465 to 2,300 m <sup>2</sup> in <u>net floor area</u>	2
d) greater than 2,300 m <sup>2</sup> in <u>net floor area</u>	3

- 5.17.3 In cases of Mixed-Use (i.e., residential and commercial uses), required Loading Spaces for one use shall not be considered as required Loading Spaces for any other use, unless it can be determined that the peak loading requirements of the various uses occur at different and not conflicting times, subject to the terms and conditions set out in Section 5.
  - a) Off-Street Parking Spaces shall not be credited as off-street Loading Spaces.
  - b) Each off-street Loading Space shall be not less than 7.5m in length, 3.0 m in width and shall provide no less than 4.0 m of vertical clearance. In no case shall the length of a Loading Space be such that a vehicle in the process of loading or unloading shall extend into any Highway.
  - c) Off-street loading facilities shall be located on the same site as the use, Building or Structure served, but not within the required front or side Setback or closer than 7.5 m to the nearest intersection of any two Highways.
  - d) Each off-street Loading Space shall have vehicular access to a Highway.
  - e) Off-street Loading Space surfaces shall be subject to Section 5.
  - f) Where illumination of off-street loading areas is provided, lighting fixtures shall be located, arranged and shielded so that no direct rays of light are oriented upwards or shine beyond the boundaries of the Parcel.
  - g) Off-street Loading Spaces shall be sited at an elevation convenient to a floor level used for loading purposes in the Building.
  - h) Off-street Loading Spaces existing on the adoption date of this Bylaw shall not be reduced below the applicable requirements for off-street loading in this Bylaw.

## 5.18 Storage of Vehicles and Materials

5.18.1 No Commercial Vehicle; disassembled or wrecked vehicle; trailer; Recreational Vehicle or trailer; construction or heavy equipment of any kind or any Building material shall be parked or stored in an R Zone or CD Zone except as follows:

- a) one Commercial Vehicle not exceeding 4,000 kg Gross Vehicle Weight (GVW) or manufacturer's rated capacity of one (1) tonne;
- b) one Recreational Vehicle or trailer per unit;
- c) Commercial Vehicles or equipment required for the construction, repair, servicing or maintenance of the premises during regular working hours;
- d) Building materials when the owner, lessee or occupier of the premises is in possession of a valid Building permit, provided that the materials stored are in connection with the construction or development of the Building pursuant to the Building permit.

5.18.2 No site in a Zone other than an industrial Zone shall be used for:

- a) the storage of Junk or for the wrecking of a motor vehicle;
- b) the storage of a motor vehicle which has been without a license under the Motor Vehicle Act for a period of more than one year and is not housed in a Private Garage or carport, and which is intended to be self-propelled but is not capable of moving under its own power.

## 5.19 Bicycle Parking

5.19.1 For a Parcel in a multi-unit residential Zone containing six (6) or more residential units, at least two (2) Long-Term Bicycle Parking spaces per unit and at least 0.2 per number of units Short-Term Bicycle Parking space per unit shall be provided.

5.19.2 For commercial and Institutional Buildings, at least one (1) Long-Term Bicycle Parking space shall be provided for every 50m<sup>2</sup> of Net Floor Area and at least four (4) Short-Term Bicycle Parking spaces per entrance shall be provided.

5.19.3 Where Long-Term Bicycle Parking spaces are required, at least one (1) 120v outlet shall be provided per every 10 required bicycle parking spaces. Each outlet must have access to a secure mounting system and may be timer controlled.

5.19.4 Payment of money instead of providing the required bicycle parking spaces may be made, at the option of the owner or occupier of the Parcel, Building or Structure, to the City of Rossland when the City of Rossland determines compliance otherwise with these regulations would be undesirable or impractical.

- a) Where payment of money instead of providing the required bicycling parking space is made it shall be in the amount of \$125 per bicycle space, which amount shall be placed in the City's parking facilities reserve fund.

## SECTION 6: SCREENING & LANDSCAPING

### 6.1 Screening and Landscaping

6.1.1 Landscaping and screening regulations are intended to:

- a) ensure a reasonable standard of livability, aesthetic, and placement of landscaping;
- b) protect and strengthen the City’s urban tree canopy;
- c) support a healthy and resilient environment through microclimate stabilization, improved on-site stormwater management, and habitat protection and enhancement in support of increased biodiversity; and
- d) mask or separate incompatible land uses;
- e) mitigate the risk to property and people from wildfire hazards

6.1.2 For all landscape screening, landscaped buffers or other landscaped areas required by this Bylaw, the following landscape requirements shall apply:

- a) Existing landscaped areas of healthy woody plants (trees and shrubs) shall be preserved and protected during construction unless demonstrated to the satisfaction of the City that removal is required to accommodate a use, building or structure on the lot or if the plants pose a safety hazard. Existing landscaping or natural vegetation that is to be retained must be protected to the furthest extent of the drip line and the final grading of the site should not alter the natural grade within the root zone more than 20 cm, unless an arborist report indicates otherwise and is approved by the City;
- b) New landscape plantings shall consist of native xeric or water conserving herbaceous and/or woody plant species proven to be enduring in the Rossland area and shall exclude invasive species;
- c) Appropriate means of irrigation, with an emphasis on high-efficiency water reducing systems, shall be provided by the owner of the parcel with particular attention paid to adequate watering during the establishment period to ensure survival of the newly planted areas;
- d) Plant selection must comply with the following criteria:
  - 1) FireSmart BC guidelines to avoid use of wildfire hazardous coniferous vegetation;
  - 2) WildSafeBC guidelines to avoid plant species that are wildlife attractants;
  - 3) Weed Control Act to identify, prevent, manage, and reduce harm caused by non-native species whose introduction is likely to cause negative impacts to the environment, economy, or human health.
- e) No new or additional coniferous evergreen trees/plants, such as junipers and cedars, are to be planted such that coniferous tree branches remain further than 3 metres of a Dwelling Unit, principal or accessory building as well as other structures such as decks.
- f) The minimum number of trees required by Section 6.1.4 is inclusive of any existing trees on the lot that are to be retained, provided they comply with above criteria

6.1.3 Where landscaping is required according to Section 6.1.4, all applications for development shall include a landscape plan that illustrates the following:

- a) The location or proposed footprint of all buildings and structures on the lot.
- b) Location of any vegetation to be retained.
- c) Soft landscaping details including proposed plant species, size, number, and location.
- d) Method of irrigation.
- e) Hard landscaping details and location of all hard surfaced areas such as driveways, parking areas, sidewalks, site lighting, and fencing.
- f) All landscaping shall meet or exceed the BC Nursery Trades Association Standards and be regularly maintained, including replacement of all specimens that do not survive transplantation.

6.1.4 Minimum Landscaping and Screening Requirements Use Landscaping and Screening Requirements:

- a) Single Detached Dwelling/Duplex: 1 tree per Dwelling Unit.
- b) Multi-Unit Dwellings, mixed-use buildings, and all commercial uses: 1 tree per 10.0 square metres of landscape area (i.e., portions of a property that are maintained with vegetation and/or aesthetic elements).
  - 1) All portions of the lot (excluding natural areas) not covered by Buildings, structures, or paved areas shall be landscaped with either hard landscaping or soft landscaping.
  - 2) Notwithstanding above for a phased development, all portions of the area of each phase (excluding natural areas) not covered by buildings, structures, or paved areas shall be landscaped with either hard landscaping or soft landscaping
  - 3) Communal surface parking areas with ten (10) or more spaces abutting a street shall be screened with a 1.5 m wide landscape buffer.
  - 4) Lots abutting a Residential (R) Zoned lot shall provide a 2.0 m screen in the form of a fence, wall, hedge, or landscaped area along the lot line abutting the Residential (R) Zoned lot.
  - 5) All outdoor storage shall be screened by a solid 2.0 m landscape buffer, fence or wall, which shall be uniformly painted
  - 6) All solid waste receptacles shall be screened from view and constructed using wildlife proof materials.
- a) All industrial uses: 1 tree per 10.0 square metres of landscape area.
  - 1) A minimum of 10% of the lot area (excluding natural areas) shall be landscaped.
  - 2) Surface parking areas abutting a street shall be screened with a 1.5 m wide landscape buffer.

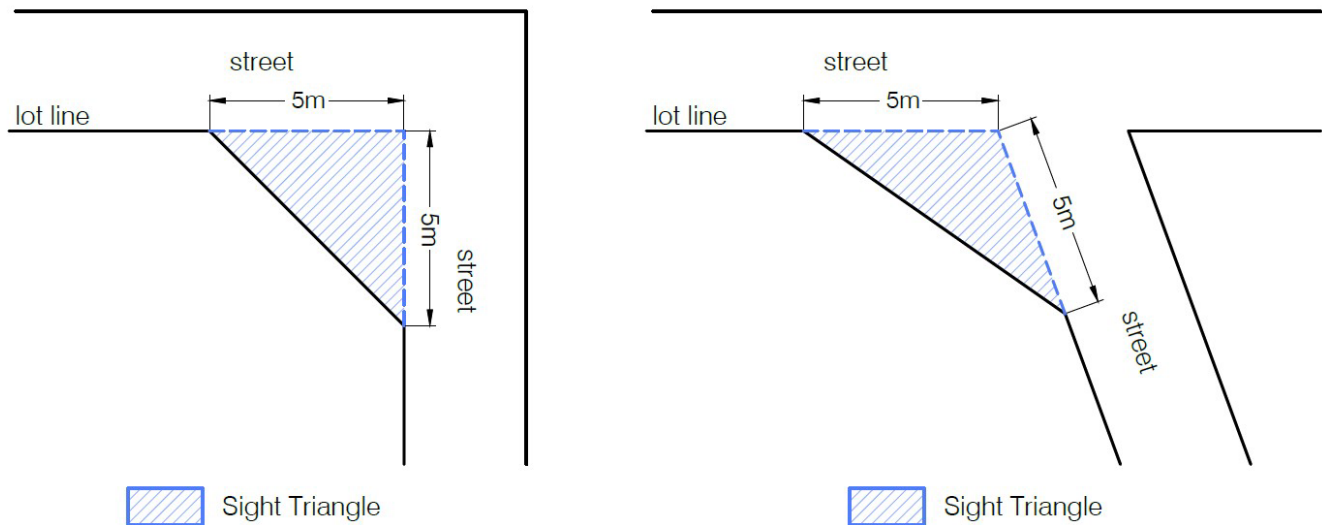
- 3) Lots abutting a Residential (R) Zoned lot shall provide a 3.0 m screen in the form of a fence, wall, hedge, or landscaped area along the lot line abutting the Residential (R) Zoned lot.
- 4) All outdoor storage shall be screened by a solid 2.5 m landscape buffer, fence or wall, which shall be uniformly painted
- 5) All solid waste receptacles shall be screened from view and constructed using wildlife proof materials.
- 6) All public use and institutional uses,
- 7) All solid waste receptacles shall be screened from view and constructed using wildlife proof materials.

## 6.2 Fencing and Retaining Walls

6.2.1 As illustrated in **Figure 6-3**, on a Parcel abutting a Highway intersection:

- a) No Structures, Fences, Retaining Walls, screens or landscaping exceeding 1 meter in Height above the established grade as measured at the centre of the intersection shall be permitted within 5.0 m of an exterior Parcel corner, as defined by the intersection of an Exterior Side Parcel Line and a Front Parcel Line;
- b) All screening or landscaping, including trees and other vegetation, must be trimmed so that there is no visual obstruction between 1 m and 3 m above the established grade as measured at the centre of the intersection;

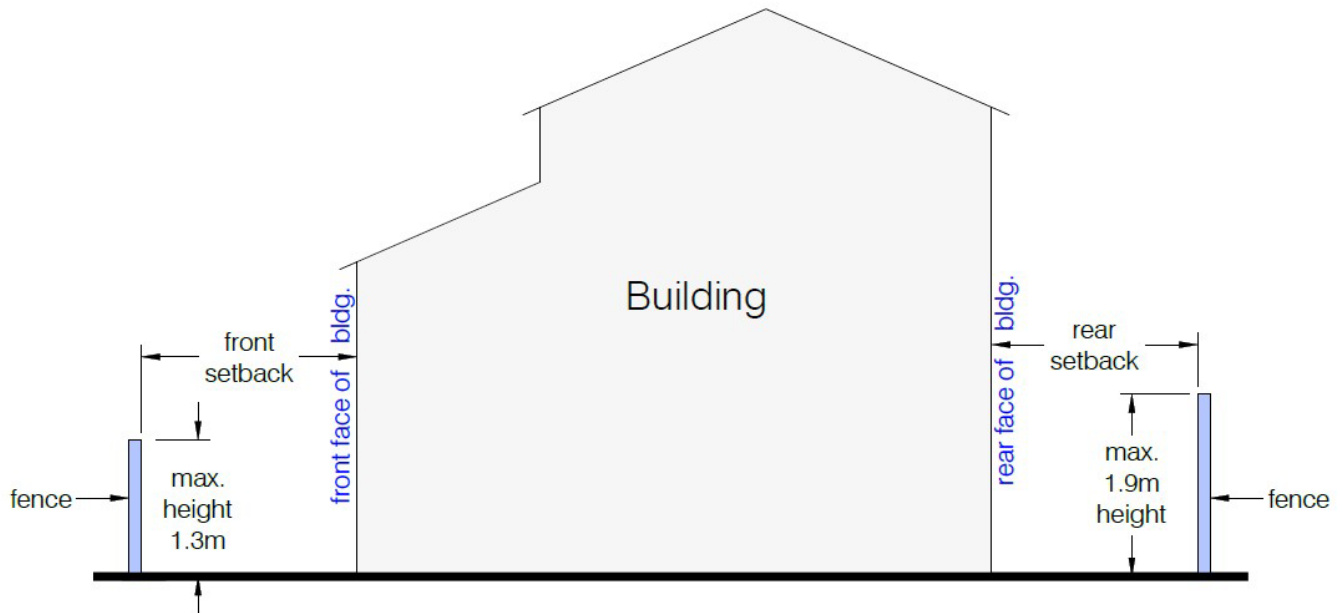
**Figure 6-1: Vision Clearance at Intersections (Sight Triangles)**



6.2.2 In any Residential, Commercial, Public, Institutional, Park and Open Space or CD Zone, as illustrated in **Figure 6-4**, a Fence:

- a) must not exceed a Height of 1.3 m when sited to the front of the front face of a Building;
- b) must not exceed a Height of 1.9 m when sited to the rear of the front face of a Building.

**Figure 6-2: Fence Heights (in select zones)**



- 6.2.3 In any industrial Zone, a Fence must not exceed a Height of 3.0 m.
- 6.2.4 Materials used in the construction of a Fence are limited to wood, masonry materials (excluding poured concrete and interlocking concrete blocks), metal, pre-cast manufactured perforated or decorative concrete blocks or panels, and any combination thereof.
- 6.2.5 Barbed wire, razor wire and similar materials are prohibited in all Zones on Fences, Buildings or otherwise, except in industrial Zones where the wire is located on a Fence above a Height of 1.9 m.
- 6.2.6 Retaining Walls on all Parcels, except those required as a condition of Subdivision approval, must not exceed a Height of 1.2 m measured from the base of the wall, and must be constructed so that multiple Retaining Walls are spaced to provide at least a 1.2 m horizontal separation between them up to a maximum of 2 Retaining Walls.
- 6.2.7 Notwithstanding Section 6.2.6, and where a topographic survey and elevations of the subject lot and Structures, showing adjacent affected lots, are prepared in advance, the Building Official may permit a higher Retaining Wall, up to a maximum of 2.4 m or may permit multiple (more than 2) Retaining Walls. provided that:
- a) the adjacent properties are not adversely affected in regard to overshadowing, sightlines or safety; and
  - b) the appearance of the subject Retaining Wall is generally compatible with the traditional streetscape; (e.g., masonry systems, natural finishes, staining, vegetative/Landscape Screening).

- 6.2.8 Interlocking concrete blocks (lock blocks) used in the construction of a Retaining Wall are not permitted in Residential Zones.
- 6.2.9 Subject to Section 6.2.1, the combined Height of a Fence on top of a Retaining Wall at the property line or within 1.2 m of the property line shall not exceed 1.9 m.
- 6.2.10 Subject to Section 6.2.1, on a Parcel located within Multiple Unit residential, commercial, industrial, public, Institutional, Park and Open Space or CD Zone, a Landscape Screen having a Height of not less than 2.0 m shall be provided to screen from view all Outdoor Storage areas, including refuse, waste and recycling container storage areas.
- 6.2.11 Subject to Section 6.2.1, on a Parcel located within a commercial, industrial or public, Institutional, Park and Open Space Zone, a Landscape Screen having a Height of not less than 2.0 m and a Landscape Buffer of not less than 1.5 m wide shall be provided along all Parcel boundaries abutting a residential Zone.

# SECTION 7: ESTABLISHMENT OF ZONES

## 7.1 Establishment of Zones

- 7.1.1 The area within the boundaries of the City of Rossland shall be divided into Zones identified in **Table 7-1**.
- 7.1.2 The correct name of each Zone provided for this Bylaw is set out in **Table 7-1** and the inclusion of the description contained in **Table 7-1** is for convenience only.

**Table 7-1: Zone Names and Descriptions**

NAME	DESCRIPTION	NAME	DESCRIPTION
RR	<u>Rural Residential</u>	P-1	<u>Public and Institutional</u>
R-DT	<u>Downtown Residential</u>	P-2	<u>Parks and Open Space</u>
R-1	<u>Low Density Residential</u>	P-3	<u>Resort Recreation</u>
R-2	<u>Medium Density Residential</u>	P-4	<u>Resource Management Area</u>
R-3	<u>Resort Mixed Density Residential</u>	P-5	<u>Resource Management Area Residential</u>
R-1BB	<u>Single Detached Bed &amp; Breakfast</u>	CD-1	<u>Comprehensive Development Zone 1</u>
R-1GH	<u>Guest Home</u>	CD-2	<u>Comprehensive Development Zone 2</u>
R-1GS	<u>Guest Suite</u>	CD-3	<u>Comprehensive Development Zone 3</u>
R-MH	<u>Residential Mobile Home Park</u>	CD-4	<u>Comprehensive Development Zone 4</u>
C-1	<u>Commercial Downtown Core</u>	CD-5	<u>Comprehensive Development Zone 5</u>
C-2	<u>Commercial Service</u>	CD-6	<u>Cook Ave-Mixed Residential</u>
C-3	<u>Commercial Resort Accommodation/ Commercial</u>	CD-7	<u>Evergreen Multi Unit Residential</u>
C-4	<u>Commercial Transition</u>	CD-8	<u>Midtown Mixed Use</u>
M-1	<u>Light Industrial</u>	CD-9	<u>Commercial Tourist Cabins</u>

## 7.2 Location of Zones

- 7.2.1 The location of each Zone is established on the [Interactive City Map](#).

## 7.3 Zone Boundaries

- 7.3.1 Where a Zone boundary is shown on the [Interactive City Map](#), as following a Highway or rail right-of-way or Watercourse, the centre line of the right-of-way or Watercourse shall be the Zone boundary.
- 7.3.2 Where the Zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the Zoning boundary shall be determined by scaling from the [Interactive City Map](#).

## SECTION 8: RESIDENTIAL

### 8.1 RR: RURAL RESIDENTIAL

#### 1. INTENT

The intent of this Zone is to allow for Single Detached and Duplex Dwellings, Agricultural Uses and other related uses, on large rural Parcels. Emphasis is placed on the preservation of the existing natural setting.



#### 2. PERMITTED USES

The following uses and no others shall be permitted in the RR Zone:

- a) Single Detached Dwelling
- b) Duplex Dwelling
- c) Secondary Suite
- d) Accessory Dwelling Unit
- e) Agricultural Use
- f) Agriculture Stand
- g) Kennel
- h) Residential Short-Term Rental
- i) Accessory Buildings and Uses

#### 3. CONDITIONS OF USE

- a) A Secondary Suite or an Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- b) Off Street Parking and Loading requirements are subject to the provisions of Section 5;
- c)

#### 4. PARCEL SIZE

On a Parcel located in an area Zoned RR, no plan of Subdivision shall be approved which contravenes the regulations set out below:

##### Min Parcel Area

2 ha

##### Min Building Width

4.5 m

Definitions ■ General Regulations ■ Off-Street Parking & Loading ■ Screening & Landscaping ■ Establishment of Zones

Residential

Commercial

Light Industrial

Public, Institutional,  
Parks & Open Space

Comprehensive  
Development

## 5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

Front	Rear	Interior Side	Exterior Side
4.0 m	2.0 m	1.8 m	3.0 m

## 6. PARCEL COVERAGE

For Single Detached Dwellings and Duplex uses:

Max Building Parcel Coverage	Max Building Parcel Coverage (dwellings only)
15%	350 m <sup>2</sup>

## 7. HEIGHT

- The maximum Height for Single Detached Dwelling or Duplex is 10.0 m or 3 Storeys, whichever is less.
- Notwithstanding Section 4.1.2 (h), the maximum Height for Accessory Buildings is 8.0 m or 2.5 Storeys, whichever is less.

## 8. DENSITY

- Maximum number of Dwelling Units per Parcel: two (2), inclusive of all Principal Buildings and Accessory Dwelling Units or Secondary Suites.

## 8.2 R-DT: DOWNTOWN RESIDENTIAL

### 1. INTENT

The intent of this Zone is to allow the development or infill of Multiple Unit Dwelling or apartment developments with five (5) or more Dwelling Units, while meeting the form and character of downtown Rossland.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the R-DT Zone:

- a) Multiple Unit Dwellings
- b) Accessory Buildings and Uses
- c) Seniors Housing
- d) Affordable Housing

### 3. CONDITIONS OF USE

- a) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 4. PARCEL SIZE

Min Parcel Area	Min Parcel Frontage	Max Parcel Frontage
270 m <sup>2</sup>	9.0 m	18.0 m

### 5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

- a) No front Setback is required, with the maximum front Setback of 1 m.
- b) No rear Setback is required except where the Parcel abuts a detached or multi-unit residential Building, in which case 3.0 m from the Rear Parcel Line.
- c) No side Setback is required except where the Parcel abuts a detached residential use, in which case 1.2 m from the Interior Side Parcel Line.
- d) 0.8 from the Exterior Side Parcel Line.

### 6. PARCEL COVERAGE

Max Building Parcel Coverage	Max Surface Parcel Coverage
90%	90%

## 7. HEIGHT

- a) The maximum Height is 15.0 m or 4.5 Storeys, whichever is less for Principal Buildings.
- b) The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

## 8. DENSITY

- a) For Multiple Unit Dwellings the Floor Area Ratio shall not exceed a factor of 2.0.
- a) Affordable Housing Density Bonus:

Where a development provides a minimum of 20% Affordable Housing units, the following density bonus may be applied:

- i) The maximum permitted Floor Area Ratio may be increased by up to 50%, allowing a total FAR of up to 3.0.
- ii) To qualify, the applicant must demonstrate that at least 20% of the total Dwelling Units meet the municipality's definition and eligibility criteria for Affordable Housing.
- iii) All Affordable Housing units must be secured through a housing agreement registered on title under the applicable legislative authority, ensuring long-term affordability and compliance with municipal policies.

## 8.3 R-1: LOW DENSITY RESIDENTIAL

### 1. INTENT

The intent of this Zone is to allow for a variety of ground-oriented housing forms ranging from one (1) to four (4) Dwelling Units and for compatible Accessory Uses.

Emphasis is placed on encouraging the neighbourly development of a variety of housing forms that preserve the surrounding residential character, streetscape, landscaped and permeable surfaces.



Single Detached Dwelling with Suite



Single Detached with Suite & ADU



Duplex



Duplex with Suites



Triplex



Fourplex

### 2. PERMITTED USES

The following uses and no others shall be permitted in the R-1 Zone:

- a) Single Detached Dwelling
- b) Duplex Dwelling
- c) Small-Scale Multi-Unit Housing
- d) Multiple Conversion Dwelling
- e) Secondary Suite
- f) Accessory Dwelling Unit
- g) Residential Short-Term Rental
- h) Accessory Buildings and Uses

### 3. CONDITIONS OF USE

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b).
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b).
- c) A Small-Scale Multi-Unit Housing development shall be permitted subject to the provisions of Section 4.1.2 (c).
- d) A Multiple Conversion Dwelling shall comply with all relevant requirements of the British Columbia Building Code and may be permitted subject to:
  - i) An approval of a Building permit;
  - ii) No additions (except for egress only) shall be permitted;
  - iii) The number of Dwelling Units is limited to four (4); and
- e) A Residential Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (e).
- f) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 4. PARCEL SIZE

	<b>Min Parcel Area</b>	<b>Max Parcel Area</b>	<b>Min Parcel Frontage</b>	<b>Min Building Width</b>
For <u>Party-Wall Subdivisions</u> :	180 m <sup>2</sup>	2,400 m <sup>2</sup>	6.0 m	4.5 m
For all other <u>Subdivisions</u> :	275 m <sup>2</sup>	2,400 m <sup>2</sup>	9.0 m	4.5 m

### 5. SETBACKS

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	2.0 m	1.8 m	3.0 m

The minimum Setback from the Interior Side Parcel Line for a Parcel with an area less than 550 m<sup>2</sup> may be reduced to 1.2 m under the following conditions:

- a) The roof of the Building is designed to retain all snow on the roof; and
- b) All rainwater and snow melt is managed through on-site run-off detention best management practices and not discharged directly to storm drains or adjacent Parcels.

## 6. PARCEL COVERAGE

	Max Building Parcel Coverage	Max Surface Parcel Coverage
For a <u>Parcel</u> containing one (1) <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> :	40%	50%
For a <u>Parcel</u> containing one (1) <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> :	35%	40%
For a <u>Parcel</u> containing two (2) <u>Dwelling Units</u> :	40%	50%
For a <u>Parcel</u> containing three (3) to four (4) <u>Dwelling Units</u> :	50%	60%

## 7. HEIGHT

- The maximum Height for a Single Detached Dwelling or Duplex is 10.0 m or 3 Storeys, whichever is less.
- The maximum Height for a Small-Scale Multi-Unit Housing is 11.0 m or 3.5 Storeys, whichever is less.
- The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

## 8. DENSITY

	FAR
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing one (1) <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing one (1) <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> is:	0.5
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing two (2) <u>Dwelling Units</u> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing three (3) to four (4) <u>Dwelling Units</u> :	1.0
<ol style="list-style-type: none"> <li>Maximum number of <u>Principal Buildings</u>: one (1) <u>Single Detached Dwelling</u>, or one (1) <u>Duplex Dwelling</u> or one (1) <u>Small-Scale Multi-Unit Housing</u> development.</li> <li>For <u>Parcels</u> equal to or less than 280 m<sup>2</sup> in size, a maximum of three (3) <u>Dwelling Units</u> are permitted per <u>Parcel</u>.</li> <li>For <u>Parcels</u> greater than 280 m<sup>2</sup> in size, a maximum of four (4) <u>Dwelling Units</u> are permitted per <u>Parcel</u>.</li> <li>The maximum number of <u>Equivalent Units</u> permitted in the <u>R-1 Zone</u> is 70, allocated only to the areas identified in <b>Figure 8-1</b>. <u>Parcels</u> located outside areas shown remain subject to regulations (a) to (c).</li> </ol>	

Definitions ■ General Regulations ■ Off-Street Parking & Loading ■ Screening & Landscaping ■ Establishment of Zones

Residential

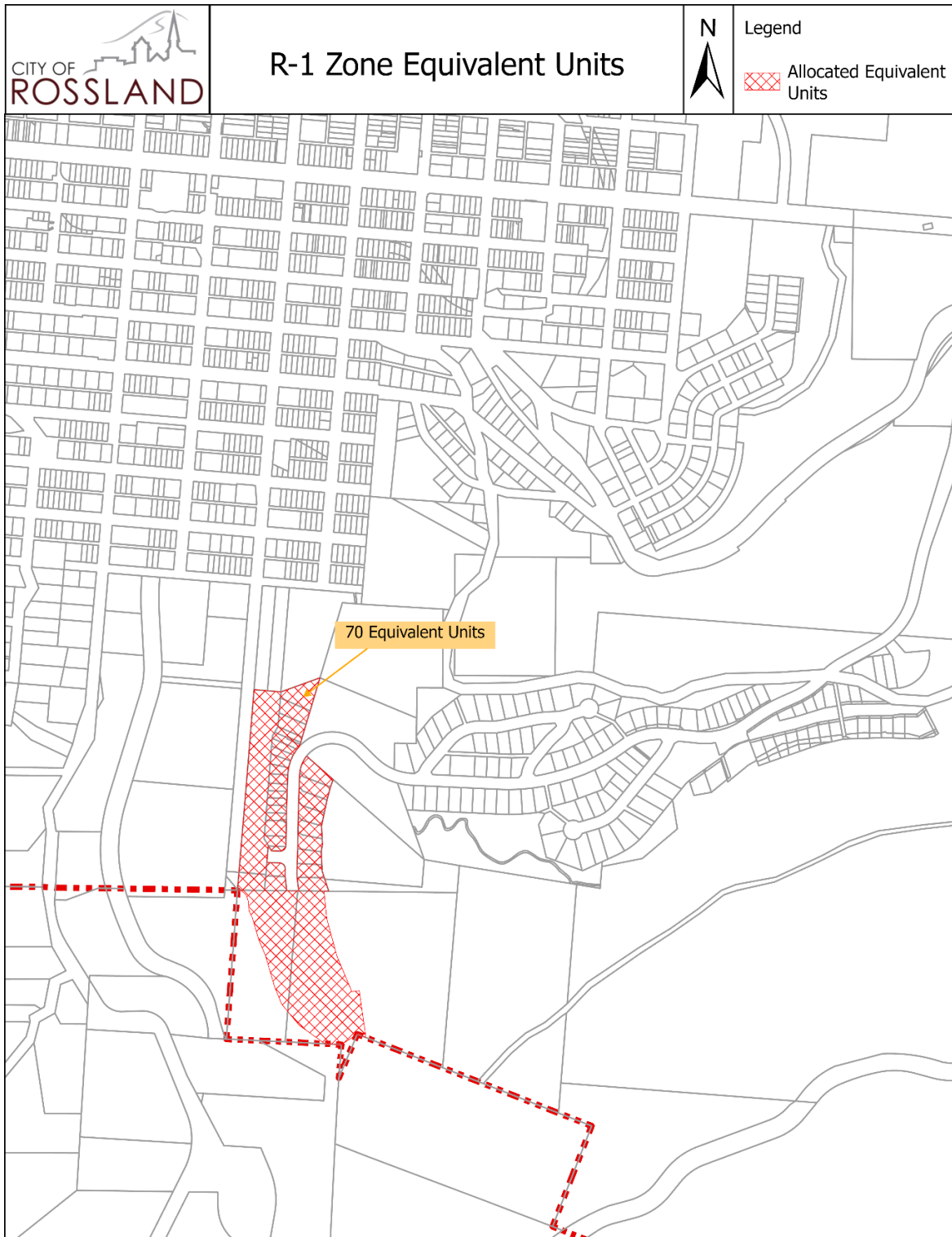
Commercial

Light Industrial

Public, Institutional,  
Parks & Open Space

Comprehensive  
Development

**Figure 8-1: R-1 Zone Equivalent Units**



## 8.4 R-2: MEDIUM DENSITY RESIDENTIAL

### 1. INTENT

The intent of this Zone is to allow the development or infill of Multiple Unit Dwelling or apartment developments with five (5) or more Dwelling Units.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the R-2 Zone:

- a) Multiple Unit Dwellings
- b) Accessory Buildings and Uses
- c) Seniors Housing
- d) Affordable Housing

### 3. CONDITIONS OF USE

- a) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 4. PARCEL SIZE

Min Parcel Area	Min Parcel Frontage
750 m <sup>2</sup>	18 m

### 5. SETBACKS

Front	Rear	Interior Side	Exterior Side
4.0 m	4.0 m	3.0 m	3.0 m

### 6. PARCEL COVERAGE

Max Building Parcel Coverage	Max Surface Parcel Coverage
60%	65%

### 7. HEIGHT

- a) The maximum Height is 13.0 m or 4 Storeys, whichever is less for a Multiple Unit Dwelling.
- b) The maximum Height for Accessory Buildings is 4.5 m.

## 8. DENSITY

- c) For Multiple Unit Dwellings the Floor Area Ratio shall not exceed a factor of 1.0
- d) Affordable Housing Density Bonus:
- e) Where a development provides a minimum of 20% Affordable Housing units, the following density bonus may be applied:
  - i) The maximum permitted Floor Area Ratio may be increased by up to 50%, allowing a total FAR of up to 1.5.
  - ii) To qualify, the applicant must demonstrate that at least 20% of the total Dwelling Units meet the municipality's definition and eligibility criteria for Affordable Housing.
  - iii) All Affordable Housing units must be secured through a housing agreement registered on title under the applicable legislative authority, ensuring long-term affordability and compliance with municipal policies.

## 8.5 R-3: RESORT MIXED DENSITY RESIDENTIAL

### 1. INTENT

The intent of this Zone is to allow mixed housing types within a common neighbourhood featuring short term tourist accommodation.



### 2. PERMITTED USES

The following uses only shall be permitted in the R-3 Zone:

- a) Recreation Facilities
- b) Single Detached Dwelling
- c) Duplex Dwelling
- d) Small-Scale Multi-Unit Housing
- e) Multiple Unit Dwelling
- f) Seniors Housing
- g) Commercial Short-Term Rental
- h) Accessory Dwelling Unit
- i) Accessory Buildings and Uses

### 3. CONDITIONS OF USE

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b).
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b).
- c) A Small-Scale Multi-Unit Housing development shall be permitted subject to the provisions of Section 4.1.2 (c);
- d) A Commercial Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (f).
- e) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 4. PARCEL SIZE

	Min Parcel Area	Max Parcel Area	Min Building Width
For <u>Party-Wall Subdivisions</u> :	180 m <sup>2</sup>	2,400 m <sup>2</sup>	4.5 m
For all other <u>Subdivisions</u> :	275 m <sup>2</sup>	2,400 m <sup>2</sup>	4.5 m

For Parcels containing 4 or more Dwelling Units, no maximum Parcel Area shall apply, provided the Parcels are created by Subdivision and secured by a restrictive covenant registered on title, to the satisfaction of the Approving Officer

## 5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	2.0 m	1.8 m	3.0 m

The minimum Setbacks from Parcel lines for Multiple Unit Dwellings are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	4.0 m	3.0 m	3.0 m

## 6. PARCEL COVERAGE

	<b>Max Building Parcel Coverage</b>	<b>Max Surface Parcel Coverage</b>
For a <u>Parcel</u> containing one (1) <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> :	40%	50%
For a <u>Parcel</u> containing one (1) <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> :	35%	40%
For a <u>Parcel</u> containing two (2) <u>Dwelling Units</u> :	40%	50%
For a <u>Parcel</u> containing three (3) to four (4) <u>Dwelling Units</u> :	50%	60%
For a <u>Parcel</u> containing more than five (5+) <u>Dwelling Units</u> :	60%	65%

## 7. HEIGHT

- The maximum Height for Single Detached Dwelling or Duplex is 10.0 m or 3 Storeys, whichever is less.
- The maximum Height for Small-Scale Multi-Unit Housing is 11.0 m or 3.5 Storeys, whichever is less.
- The maximum Height is 13.0 m or 4 Storeys, whichever is less for a Multiple Unit Dwelling.
- The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for Accessory Buildings.

## 8. DENSITY

### FAR

The maximum Floor Area Ratio for a Parcel containing one (1) Dwelling Unit with a Parcel Area less than 550 m<sup>2</sup> is:

0.6

The maximum Floor Area Ratio for a Parcel containing one (1) Dwelling Unit with a Parcel Area equal to or greater than 550 m<sup>2</sup> is:

0.5

The maximum Floor Area Ratio for a Parcel containing two (2) Dwelling Units is:

0.6

The maximum Floor Area Ratio for a Parcel containing four (4) or more Dwelling Units is:

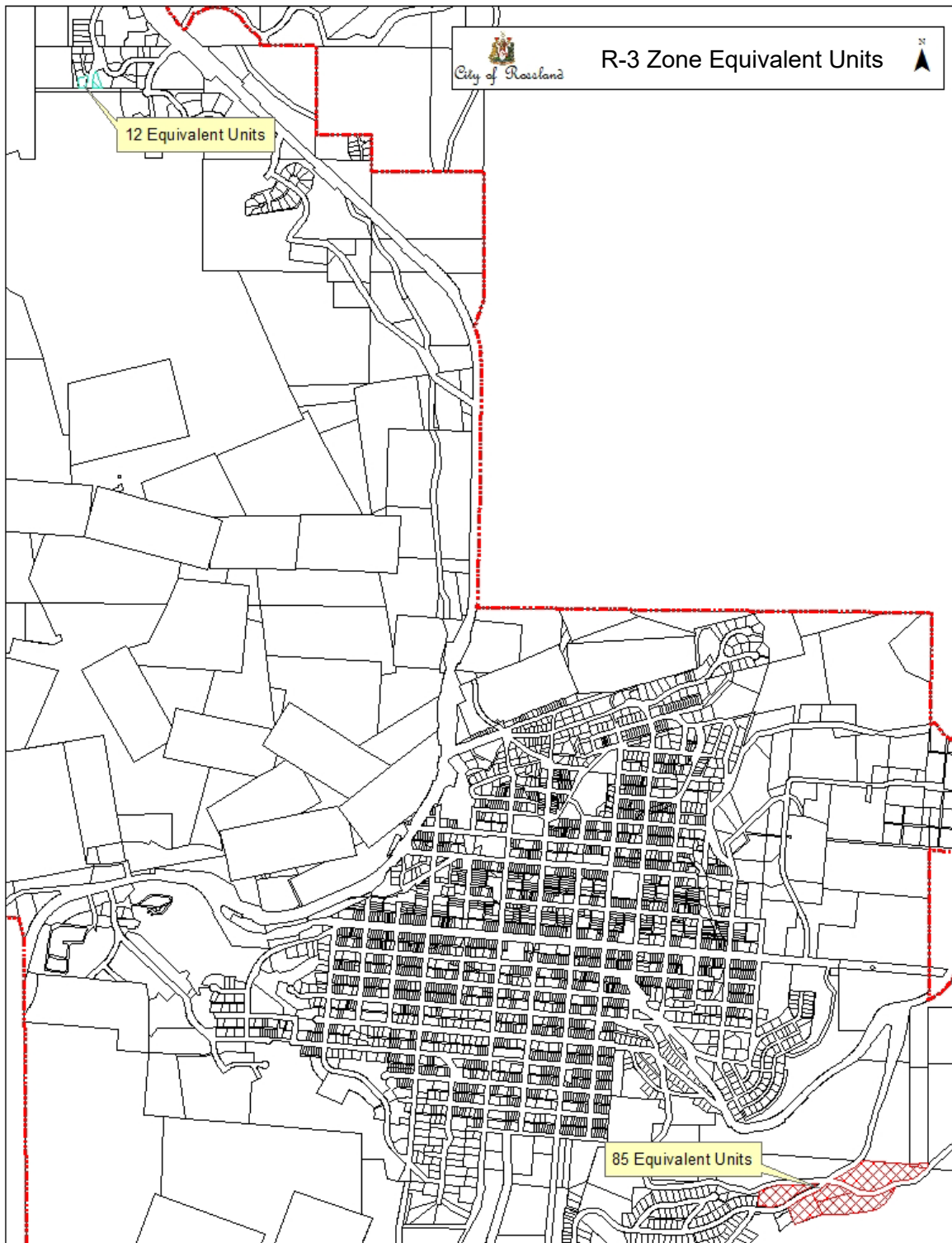
1.0

- a) Equivalent Units permitted in the R-3 Zone are separated into specific areas as shown on **Figure 8-2** below, the map entitled “R-3 Zone Equivalent Units”.
- b) Affordable Housing density bonus:

Where a development provides a minimum of 20% Affordable Housing units, the following density bonus may be applied:

- i) The maximum permitted Floor Area Ratio may be increased by up to 50%, allowing a total FAR of up to 1.5.
- ii) To qualify, the applicant must demonstrate that at least 20% of the total Dwelling Units meet the municipality’s definition and eligibility criteria for Affordable Housing.
- iii) All Affordable Housing units must be secured through a housing agreement registered on title under the applicable legislative authority, ensuring long-term affordability and compliance with municipal policies.

Figure 8-2: R-3 Zone Equivalent Units



Definitions ■ General Regulations ■ Off-Street Parking & Loading ■ Screening & Landscaping ■ Establishment of Zones

Residential

Commercial

Light Industrial

Public, Institutional,  
Parks & Open Space

Comprehensive  
Development

## 8.6 R-BB: SINGLE DETACHED BED & BREAKFAST

### 1. INTENT

The intent of this Zone is for a Bed and Breakfast operation in a residential neighbourhood.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the R-1BB Zone:

- a) Single Detached Dwelling
- b) Bed and Breakfast
- c) Accessory Buildings and Uses

### 3. CONDITIONS OF USE

- a) A Bed and Breakfast shall be permitted subject to compliance with the provisions of Section 4.1.2 (g).
- b) Off Street Parking and Loading requirements are subject to the provisions of Section 5;

### 4. PARCEL SIZE

On a Parcel located in an area Zoned R-BB, no plan of Subdivision shall be approved which contravenes the regulations set out below:

<u>Min Parcel Area</u>	<u>Max Parcel Area</u>	<u>Min Parcel Frontage</u>	<u>Min Building Width</u>
550 m <sup>2</sup>	1,250 m <sup>2</sup>	18 m	4.5 m

### 5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<u>Front</u>	<u>Rear</u>	<u>Interior Side</u>	<u>Exterior Side</u>
4.0 m	2.0 m	1.8 m	3.0 m

### 6. PARCEL COVERAGE

<u>Max Building Parcel Coverage</u>	<u>Max Surface Parcel Coverage</u>
35%	40%

## 7. HEIGHT

- a) The maximum Height for Single Detached Dwelling or Duplex is 10.0 m or 3 Storeys, whichever is less.
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for other Accessory Buildings.

## 8. DENSITY

- a) For Single Detached Dwellings, the Floor Area Ratio shall not exceed a factor of 0.5.

DRAFT

## 8.7 R-GH: GUEST HOME

### 1. INTENT

The intent of this Zone is to allow for Commercial Short-Term Rental use in a residential area for properties that have been previously approved.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the R-GH Zone:

- a) Single Detached Dwelling
- b) Commercial Short-Term Rental
- c) Accessory Buildings and Uses

### 3. CONDITIONS OF USE

- a) A Commercial Short-Term Rental lawfully established prior to the adoption of this bylaw may continue to be permitted subject to the provisions of Section 4.1.2(g);
- b) Off Street Parking and Loading requirements are subject to the provisions of Section 5;

### 4. PARCEL SIZE

On a Parcel located in an area Zoned R-GH, no plan of Subdivision shall be approved which contravenes the regulations set out below:

<u>Min Parcel Area</u>	<u>Max Parcel Area</u>	<u>Min Parcel Frontage</u>	<u>Min Building Width</u>
550 m <sup>2</sup>	1,250 m <sup>2</sup>	18 m	4.5 m

### 5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<u>Front</u>	<u>Rear</u>	<u>Interior Side</u>	<u>Exterior Side</u>
4.0 m	2.0 m	1.8 m	3.0 m

**6. PARCEL COVERAGE**

**Max Building Parcel Coverage**

35%

**Max Surface Parcel Coverage**

40%

**7. HEIGHT**

- a) The maximum Height for Single Detached Dwelling or Duplex is 10.0 m or 3 Storeys, whichever is less.
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for all other Accessory Buildings.

DRAFT

## 8.8 R-GS: GUEST SUITE

### 1. INTENT

The intent of this Zone is to allow for a Commercial Short-Term Rental of a Secondary Suite or an Accessory Dwelling Unit in a residential area for properties that have been previously approved.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the R-GS Zone:

- a) Single Detached Dwelling
- b) Secondary Suite
- c) Accessory Dwelling Unit
- d) Commercial Short-Term Rental
- e) Accessory Buildings and Uses

### 3. CONDITIONS OF USE

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b).
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b).
- c) A Commercial Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (f).
- d) Notwithstanding Section 4.1.2 (e), Commercial Short-Term Rental use is only permitted in a Secondary Suite or an Accessory Dwelling Unit. The principal resident must be present anytime the Commercial Short-Term Rental use is occurring.
- e) Off Street Parking and Loading requirements are subject to the provisions of Section 5;

### 4. PARCEL SIZE

On a Parcel located in an area Zoned R-GS, no plan of Subdivision shall be approved which contravenes the regulations set out below:

Min Parcel Area	Max Parcel Area	Min Parcel Frontage	Min Building Width
550 m <sup>2</sup>	1,250 m <sup>2</sup>	18 m	4.5 m

## 5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

Front	Rear	Interior Side	Exterior Side
4.0 m	2.0 m	1.8 m	3.0 m

## 6. PARCEL COVERAGE

Max Building Parcel Coverage	Max Surface Parcel Coverage
35%	40%

## 7. HEIGHT

- a) The maximum Height for Single Detached Dwelling or Duplex is 10.0 m or 3 Storeys, whichever is less.
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for all other Accessory Buildings.

## 8.9 R-MH: RESIDENTIAL MOBILE HOME PARK

### 1. INTENT

The intent of this Zone is to allow the development of Mobile Homes in the Mobile Home Park.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the R-MH Zone:

- a) Mobile Home Park
- b) Accessory Buildings and Uses

### 3. CONDITIONS OF USE

- a) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 4. PARCEL SIZE

On a Parcel located in an area Zoned R-MH, no plan of Subdivision shall be approved which contravenes the regulations set out below:

Min Parcel Area	Min Parcel Frontage
2 ha	10 m

### 5. SETBACKS

The minimum Setback from Parcel lines are as follows:

- a) 8.0 m of any Parcel line abutting a Highway
- b) 4.0 m of all other Parcel lines
- c) 3.0 m of any Mobile Home Park Space lot line abutting an internal road right-of-way or common parking area
- d) 2.0 m of all other Mobile Home Park Space lot lines

### 6. HEIGHT

- a) The maximum Building Height is 4.0 m or 1 Storey, whichever is less.

## SECTION 9: COMMERCIAL

### 9.1 C-1: COMMERCIAL DOWNTOWN CORE

#### 1. INTENT

The intent of this Zone is to allow for Commercial Uses to provide personal goods, services and entertainment, along with residential uses, within the Downtown Core Area. Emphasis is placed on developments being compatible with the historical character of the area and the provisions of a pedestrian-friendly streetscape.



#### 2. PERMITTED USES

The following uses and no others shall be permitted in the C-1 Zone:

- a) Downtown Commercial Use
- b) Entertainment Commercial Use
- c) Neighbourhood Oriented Commercial Use
- d) Multiple Unit Dwelling(s) in conjunction with a Principal Commercial Use
- e) Commercial Short-Term Rental
- f) Hotel
- g) Hostel
- h) Farmer's Market
- i) Cannabis Retail Store
- j) Accessory Buildings and Uses

#### 3. CONDITIONS OF USE

- a) Multiple Unit Dwelling(s) use shall be permitted in conjunction with a Commercial Use in an area Zoned C-1, provided that the residential Dwelling(s):
  - i) is contained in the same Building as the Commercial Use;
  - ii) has separate direct at-grade entrance to the outside of the Building, which when fronting onto a Front or Exterior Parcel Line shall not exceed 0.25 times the exterior face of the First Storey.
- b) A Commercial Short-Term Rental use shall be permitted, subject to subject to Section 4.1.2(g) and:
  - i) A Commercial Short-Term Rental use shall be contained within a Multiple Unit Dwelling.
- c) A Farmer's Market shall be permitted subject to the provisions of Section 4.1.2 (i);
- d) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

#### 4. PARCEL SIZE

On a Parcel located in a C1 Zone, no plan of Subdivision shall be approved which contravenes the regulations set out below:

<b>Min Parcel Area</b>	<b>Min Parcel Frontage</b>	<b>Max Parcel Frontage</b>
270 m <sup>2</sup>	9.0 m	18 m

#### 5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

- a) No front Setback is required, with the maximum front Setback of 1 m.
- b) No rear Setback is required except where the Parcel abuts a detached or multiple-unit residential Building, in which case 3.0 m from the Rear Parcel Line.
- c) No side Setback is required except where the Parcel abuts a detached residential use, in which case 1.2 m from the Interior Side Parcel Line.
- d) 0.8 from the Exterior Side Parcel Line.

#### 6. PARCEL COVERAGE

<b>Max Building Parcel Coverage</b>	<b>Max Surface Parcel Coverage</b>
90%	90%

#### 7. HEIGHT

- a) The maximum Height is 15.0 m or 4.5 Storeys, whichever is less for Principal Buildings.
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for Accessory Buildings.

## 8. OTHER REGULATIONS

- a) A Small-Scale Food And Beverage Processing Establishment in a C-1 Zone shall have an associated retail use occupying a minimum floor area of 30% of the total floor area.
- b) The retail use associated with the Small-Scale Food And Beverage Processing Establishment shall be located in the portion of the Building closest to the Front Parcel Line.
- c) The floor area occupied by a retail use associated with a Small-Scale Food And Beverage Processing Establishment shall be located in one contiguous area.
- d) Clubs or Lodges shall only be permitted above the First Storey of a Building.
- e) Outdoor Storage areas shall not be permitted in the front Setback.
- f) Outdoor Storage areas shall be surfaced with either pervious pavers placed over a reservoir base course of fractured drain rock or an asphalt or concrete surface. Pervious pavers shall not be used where surface contaminants may be concentrated and enter the groundwater.
- g) Off-Street Parking shall be located either underground or behind the Principal Building and shall not be accessed from the front of the Parcel where a Lane is present.
- h) All development in this Zone is subject to the goals and standards of the applicable Development Permit Area as set forth in the Downtown Rossland Design Guidelines.

## 9.2 C-2: COMMERCIAL SERVICE

### 1. INTENT

The intent of this Zone is to allow Commercial Uses to provide a variety of non-household and non-personal goods and services.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the C-2 Zone:

- a) Service Commercial Use
- b) Entertainment Commercial Use
- c) Recreation Facilities
- d) Neighbourhood Oriented Commercial Use
- e) Hotel
- f) Motel
- g) Hostel
- h) Self Storage
- i) Multiple Unit Dwelling(s) in conjunction with a Principal Commercial Use
- j) Secondary Suite in conjunction with a Principal Commercial Use
- k) Accessory Dwelling Unit in conjunction with a Principal Commercial Use
- l) Accessory Buildings and Uses

### 3. CONDITIONS OF USE

- a) A Multiple Unit Dwelling(s) use shall be permitted in conjunction with a Commercial Use in an area Zoned C-2, provided that the residential Dwelling(s):
  - i) is contained in the same Building as the Commercial Use;
  - ii) has separate direct at-grade entrance to the outside of the Building, which when fronting onto a Front or Exterior Parcel Line shall not exceed 0.25 times the exterior face of the First Storey.
- b) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b);
- c) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- d) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

#### 4. PARCEL SIZE

On a Parcel located in an area zoned C-2, no plan of Subdivision shall be approved which contravenes the regulations set out below:

- a) The minimum Parcel Area is 500 m<sup>2</sup>.
- b) For an automobile service station use, the minimum Parcel Area shall be 1,100 m<sup>2</sup>.

The minimum Parcel Frontage is 15.0 m.

Min Parcel Area	Max Parcel Area	Min Parcel Frontage
500 m <sup>2</sup>	5,000m <sup>2</sup>	15.0 m

#### 5. SETBACKS

The minimum Setback from Parcel lines are as follows:

Front	Side
5.0 m	3.0 m

- a) No rear Setback is required except where the Parcel abuts an R Zone, in which case 3.0 m from the Rear Parcel Line.

#### 6. HEIGHT

- a) The maximum Height is 12.0 m or 3.5 Storeys, whichever is less for Principal Buildings.
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for Accessory Buildings.

#### 7. OTHER REGULATIONS

- a) Outdoor Storage areas shall not be permitted in the front Setback.
- b) Outdoor Storage areas shall be surfaced with either pervious pavers placed over a reservoir base course of fractured drain rock or an asphalt or concrete surface. Pervious pavers shall not be used where surface contaminants may be concentrated and enter the groundwater.

### 9.3 C-3: COMMERCIAL RESORT ACCOMMODATION /COMMERCIAL

#### 1. INTENT

The intent of this Zone is to allow for a mix of Multiple Unit Dwelling and Commercial Uses adjacent to the resort areas.



#### 2. PERMITTED USES

The following uses and no others shall be permitted in the C-3 Zone:

- a) Hotel
- b) Hostel
- c) Recreational Facilities
- d) Personal Service Establishment
- e) Commercial Resort Use
- f) Commercial Short-Term Rental
- g) Multiple Unit Dwelling
- h) Accessory Buildings and Uses

#### 3. CONDITIONS OF USE

- a) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

#### 4. PARCEL SIZE

On a Parcel located in an area Zoned C-3, no plan of Subdivision shall be approved which contravenes the regulations set out below:

Min Parcel Area	Min Parcel Frontage
550 m <sup>2</sup>	18.0 m

#### 5. SETBACKS

The minimum Setback from Parcel lines are as follows:

Front	Rear	Interior Side	Exterior Side
4.0 m	2.0 m	1.8 m	3.0 m

## 6. PARCEL COVERAGE

### Max Building Parcel Coverage

65%

### Max Surface Parcel Coverage

75%

## 7. HEIGHT

- a) The maximum Height is 15 m or 4.5 Storeys, whichever is less for Principal Buildings
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for Accessory Buildings.

## 8. OTHER REGULATIONS

- a) Outdoor Storage areas shall not be permitted in the front Setback.
- b) Outdoor Storage areas shall be surfaced with either pervious pavers placed over a reservoir base course of fractured drain rock or an asphalt or concrete surface. Pervious pavers shall not be used where surface contaminants may be concentrated and enter the groundwater.
- c) Where illumination of Outdoor Storage and display areas is provided, lighting fixtures shall be located, arranged and shielded so that no direct rays of light are oriented upwards or shine beyond the boundaries of the Parcel.

## 9. DENSITY

- a) Equivalent Units permitted in the C-3 Zone are separated into specific areas as shown on **Figure 9-1** below, the map entitled "C-3 Zone Equivalent Units".

**Figure 9-1: C-3 Zone Equivalent Units**



Definitions ■ General Regulations ■ Off-Street Parking & Loading ■ Screening & Landscaping ■ Establishment of Zones

Residential

Commercial

Light Industrial

Public, Institutional,  
Parks & Open Space

Comprehensive  
Development

## 9.4 C-4: COMMERCIAL TRANSITION

### 1. INTENT

The intent of this Zone is to allow for Commercial Uses to provide limited Personal Services and entertainment, within the Washington Street Mid-Town Area as a transition to the lower Density surrounding Residential Zones.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the C-4 Zone:

- a) Transition Commercial Use
- b) Entertainment Commercial Use
- c) Multiple Unit Dwelling(s) in conjunction with a primary Commercial Use
- d) Secondary Suites and Accessory Dwelling Units
- e) Commercial Short-Term Rental
- f) Accessory Buildings and Uses

### 3. CONDITIONS OF USE

- a) Multiple Unit Dwelling(s) use shall be permitted in conjunction with a Commercial Use in an area Zoned C-4, provided that the residential Dwelling(s):
  - i) is contained in the same Building as the Commercial Use;
  - ii) has separate direct at-grade entrance to the outside of the Building, which when fronting onto a Front or Exterior Parcel Line shall not exceed 0.25 times the exterior face of the First Storey.
- b) A Commercial Short-Term Rental use shall be permitted in conjunction with a Commercial Use and Multiple Unit Dwelling use, subject to Section 4.1.2(g) and:
  - i) A Commercial Short-Term Rental use shall be contained within a Multiple Unit Dwelling.
- c) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 4. PARCEL SIZE

On a Parcel located in an area Zoned C-4, no plan of Subdivision shall be approved which contravenes the regulations set out below:

Min Parcel Area	Min Parcel Frontage	Max Parcel Frontage
270 m <sup>2</sup>	9.0 m	18.0 m

## 5. SETBACKS

The minimum Setback from Parcel lines are as follows:

- a) No front Setback is required, with the maximum front Setback of 1 m;
- b) No rear Setback is required except where the Parcel abuts a detached or multiple-unit residential Zone, in which case 3.0 m from the Rear Parcel Line.
- c) No side Setback is required except where the Parcel abuts a detached residential Zone, in which case 1.2 m from the Interior Side Parcel Line.
- d) 1.8 from the Exterior Side Parcel Line.

## 6. HEIGHT

- a) The maximum Height is 10.0 m or 3 Storeys, whichever is less for Principal Buildings.
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for Accessory Buildings.

## 7. PARCEL COVERAGE

### Max Building Parcel Coverage

60%

### Max Surface Parcel Coverage

70%

## 8. OTHER REGULATIONS

- a) Clubs or Lodges shall only be permitted above the First Storey of a Building in a C-4 Zone.
- b) Outdoor Storage areas shall not be permitted in the front Setback.
- c) Outdoor Storage areas shall be surfaced with either pervious pavers placed over a reservoir base course of fractured drain rock or an asphalt or concrete surface. Pervious pavers shall not be used where surface contaminants may be concentrated and enter the groundwater.
- d) Where illumination of Outdoor Storage and display areas is provided, lighting fixtures shall be located, arranged and shielded so that no direct rays of light are oriented upwards or shine beyond the boundaries of the Parcel.
- e) Off-Street Parking shall be located either underground or behind the Principal Building and shall not be accessed from the front of the Parcel where a Lane is present.
- f) All development in this Zone is subject to the goals and standards of the Development Permit Area in the Official Community Plan.

## SECTION 10: LIGHT INDUSTRIAL

### 10.1 M-1: LIGHT INDUSTRIAL

#### 1. INTENT

The intent of this Zone is to provide an area for economic activities which demand larger spaces and involve primary processing and storage.



#### 2. PERMITTED USES

The following uses and no others shall be permitted in the M-1 Zone:

- a) Automobile Wrecking Yard;
- b) Bulk Fuel Depot
- c) Cartage Operation;
- d) Food Processing Establishment
- e) Light equipment sales and rental establishment
- f) Light Manufacturing, processing and assembly
- g) Public Utility Use
- h) Self Storage
- i) Warehouse, shipping, wholesale and rental storage facilities
- j) Accessory Buildings and Uses
- k) Single Detached Dwelling
- l) Micro Processing, Cannabis
- m) Standard Processing, Cannabis
- n) Commercial, Service Use

#### 3. PARCEL SIZE

On a Parcel located in an area Zoned M-1, no plan of Subdivision approved which contravenes the regulations set out below:

##### Min Parcel Area

950 m<sup>2</sup>

##### Min Parcel Frontage

12.0 m

Notwithstanding the above regulations, the minimum Parcel size for residential only uses is 5 ha. For mixed residential and light industrial uses, the minimum Parcel Area is 2 ha.

#### 4. SETBACKS

The minimum Setback from Parcel lines are as follows:

<u>Front</u>	<u>Rear</u>	<u>Interior Side</u>	<u>Exterior Side</u>
4.0 m	2.0 m	3.5 m	3.5 m

#### 5. PARCEL COVERAGE

<u>Max Building Parcel Coverage</u>	<u>Max Surface Parcel Coverage</u>
60%	70%

#### 6. HEIGHT

- a) The maximum Height for Principal Buildings is 12 m or 3.5 Storeys, whichever is less
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for Accessory Buildings.

#### 7. OTHER REGULATIONS

- a) Outdoor Storage will be permitted in an area Zoned M-1 based on the regulations provided below
- b) Outdoor Storage areas shall not be permitted in the front Setback.

# SECTION 11: PUBLIC, INSTITUTIONAL, PARKS & OPEN SPACE

## 11.1 P-1: PUBLIC AND INSTITUTIONAL

### 1. INTENT

The intent of this Zone is to allow for Institutional and public uses to provide civic and community-oriented services and facilities. Emphasis is placed on developments that enhance the community.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the P-1 Zone:

- a) Mausoleum and Crematory
- b) Church
- c) Civic Use
- d) Hospital
- e) Nursing Home, Intermediate Care Facility, and Extended Care Facility
- f) Congregate Housing
- g) Police Station
- h) School
- i) Tourist Information Booth
- j) Farmer's Market
- k) Accessory Buildings and Uses
- l) Recreation Facilities
- m) Trails

### 3. PARCEL SIZE

On a Parcel located in an area Zoned P-1, no plan of Subdivision shall be approved which contravenes the regulations set out below:

#### Min Parcel Area

550 m<sup>2</sup>

#### Min Parcel Frontage

18.0 m

### 4. HEIGHT

- a) The maximum Height is 13.0 m for Principal Buildings
- b) The maximum Height is 4.5 m for Accessory Buildings

**5. PARCEL COVERAGE**

**Max Building Parcel Coverage**

60%

**Max Surface Parcel Coverage**

70%

**6. SETBACKS**

The minimum Setback from Parcel lines are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	2.0 m	1.8 m	3.0 m

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## 11.2 P-2: PARKS AND OPEN SPACE

### 1. INTENT

It is the intent of this Zone to allow Parks, Trails, Open Space and Natural Open Space to provide areas for passive and active recreational purposes, as well as for the protection of Open Space corridors and ecologically sensitive areas. These areas are not intended for development beyond facilities required to support recreation activities.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the P-2 Zone:

- a) Parks
- b) Trails
- c) Playgrounds
- d) Natural Open Space
- e) Recreation Facilities

### 3. PARCEL SIZE

On a Parcel located in an area Zoned P-2, no plan of Subdivision shall be approved which contravenes the regulations set out below:

- a) No minimum Parcel Area is required.
- b) No minimum Parcel Frontage is required.

### 4. HEIGHT

- a) The maximum Height is 10.0 m or 3 Storeys, whichever is less for Principal Buildings
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for Accessory Building.

### 5. SETBACKS

The minimum Setback from Parcel lines are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>
6.0 m	3.0 m	3.0 m

- a) Where the abutting Parcel is in a detached residential Zone, a setback of not less than 5 meters from the side Parcel line shall be required.

## 11.3 P-3: RESORT RECREATION

### 1. INTENT

The intent of this Zone is to provide areas to support resort recreational uses. Development should be limited to facilities required to support the use and maintenance of the recreation areas.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the P-3 Zone:

- |                                   |                              |
|-----------------------------------|------------------------------|
| a) <u>Campground</u> ;            | f) <u>Parks</u>              |
| b) <u>Golf Course</u> ;           | g) <u>Trails</u>             |
| c) <u>Leisure Facilities</u> ;    | h) <u>Playgrounds</u>        |
| d) <u>Ski Facilities</u>          | i) <u>Natural Open Space</u> |
| e) <u>Recreation Facilities</u> ; |                              |

### 3. PARCEL SIZE

On a Parcel located in an area Zoned P-3, no plan of Subdivision approved which contravenes the regulations set out below:

#### Min Parcel Area

650 m<sup>2</sup>

#### Min Parcel Frontage

15.0 m

### 4. HEIGHT

- The maximum Height is 15.0 m or 4.5 Storeys, whichever is less for Principal Buildings
- The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for Accessory Buildings.

### 5. SETBACKS

The minimum Setback from Parcel lines are as follows:

#### Front

6.0 m

#### Rear

3.0 m

- 3.0 m from an Interior Parcel Line, provided that where the abutting Parcel is in a detached residential Zone, a Setback of not less than 5 meters from the side Parcel line shall be required.

## 11.4 P-4: RESOURCE MANAGEMENT AREA

### 1. INTENT

The intent of this Zone is to ensure that the undeveloped resource management, ecologically sensitive, riparian and habitat areas within the City boundaries are protected and preserved.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the P-4 Zone:

- a) Parks
- b) Trails
- c) Natural Open Space
- d) Forestry, logging and other forest management activities including but not limited to silviculture, log sorting and storage, slash and prescribed burning, but no manufacturing except portable wood processing.
- e) Extracting of raw materials from the land, including the preliminary grading, temporary storage, sorting or crushing of materials provided that no further processing is permitted on the site, except where the product is regulated by the *BC Mines Act*.

### 3. PARCEL SIZE

On a Parcel located in an area Zoned P-4, no plan of Subdivision approved which contravenes the regulations set out below:

#### Min Parcel Area

20ha

### 4. REGULATIONS

No specific regulations apply to Parcels located in areas Zoned P-4 with respect to Parcel Frontage, Maximum Height, or Setback.

## 11.5 P-5: RESOURCE MANAGEMENT AREA - RESIDENTIAL

### 1. INTENT

The intent of this Zone is to permit Single Detached Dwellings to appear within areas primarily suited for resource management but accessible to Red Mountain skiing terrain.



### 2. PERMITTED USES

The following uses and no others shall be permitted in the P-5 Zone:

- a) Parks
- b) Trails
- c) Natural Open Space
- d) Forestry, logging and forest management activities including but not limited to silviculture, log sorting and storage, slash and prescribed burning; no manufacturing except portable wood processing.
- e) Extracting of raw materials from the land, including the preliminary grading, temporary storage, sorting or crushing of materials provided no further processing is permitted on the site, except where the product is regulated by the *BC Mines Act*.
- f) Single Detached Dwelling
- g) Accessory Buildings and Uses

### 3. PARCEL SIZE

On a Parcel located in an area Zone P-5, no plan of Subdivision approved which contravenes the regulations set out below:

#### Min Parcel Area

20 ha

### 4. COVERAGE

The maximum Building Parcel Coverage is 120 m<sup>2</sup>

## 5. SETBACKS

The minimum Setback from Parcel lines are as follows:

Front	Rear	Interior Side	Exterior Side
4.0 m	2.0 m	2.0 m	3.0 m

## 6. HEIGHT

- a) The maximum Height for Principal Buildings is 10.0 m or 3 Storeys, whichever is less
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for all other Accessory Buildings.

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## SECTION 12: COMPREHENSIVE DEVELOPMENT

### 12.1 CD-1: COMPREHENSIVE DEVELOPMENT ZONE 1

#### 1. INTENT

The purpose of this Zone is to provide for the development of a variety of land uses integrated into a planned resort village. The Comprehensive Development One Zone is divided into ten (10) separate Sub-Zones. Each Sub-Zones in the Comprehensive Development 1 Zone has regulations pertaining to the Sub-Zones.



#### 2. SUB-ZONES

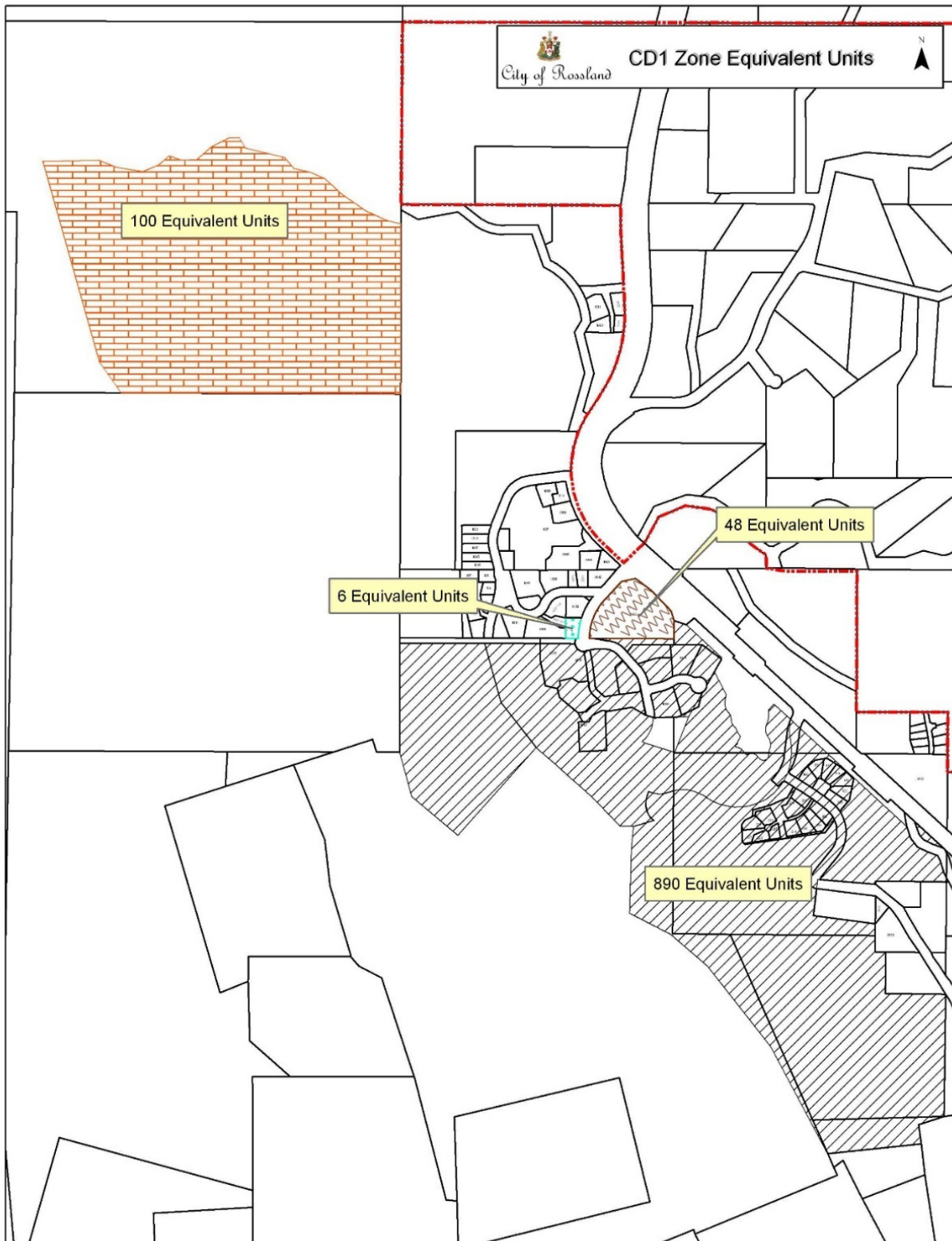
- |   |  |
|---|--|
| (1) Low Density Residential – LDR-1     | (7) Mountain Activity Area – MA-1          |
| (2) Multiple-Unit Residential – MUR-1   | i) Mountain Activity Area – MA-1 Jumbo     |
| (3) Alpine Village Core – AVC-1         | ii) Mountain Activity Area – MA-1 Paradise |
| (4) Lower Alpine Village Core A – AVC-2 | (8) Open Space – OS-1                      |
| (5) Lower Alpine Village Core B – AVC-3 | (9) Resort Parking – RP-1                  |
| (6) Upper Alpine Village Core – AVC-4   | (10) Resort Light Industrial- RLI-1        |

#### 3. REGULATIONS

The general regulations shall be applicable to all Sub-Zones contained within this CD-1 Zone.

- a) Permitted Uses of land, Buildings and Structures in all Sub-Zones. Except as otherwise stated in this Bylaw, the following uses are permitted in all Zones;
  - i) Highways;
  - ii) Storage of materials required for an approved construction project on the same parcel or adjoining parcel provided that the materials are removed within thirty days of completion of the approved construction, and
  - iii) Trails and lifts.
- b) Total Equivalent Units permitted in the CD-1 Zone are separated into specific areas as shown on **Figure 12-1** the map entitled “CD-1 Zone Equivalent Units”.
- c) Temporary parking may be permitted on parcels within the CD-1 -Zone without a Temporary Use Permit, provided:
  - i) The area has an approved Development Permit for residential or commercial development.
  - ii) No additional clearing or grading occurs outside the designated development permit area.
  - iii) The temporary parking use ceases upon expiration of the development permit or commencement of construction on the Parcel.

**Figure 12-1: CD-1 Zone Equivalent Units**



### 12.1.1. CD-1 LDR-1: Low Density Residential

#### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 LDR-1 Sub-Zone:

- a) Single Detached Dwelling;
- b) Duplex;
- c) Small-Scale Multi-Unit Housing;
- d) Commercial Short-Term Rental;
- e) Secondary Suites
- f) Accessory Dwelling Units; and
- g) Accessory Buildings, Structures and Uses

#### 2. CONDITIONS OF USE

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b);
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- c) Small-Scale Multi-Unit Housing shall be permitted subject to the provisions of Section 4.1.2 (c);
- d) A Commercial Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (f)
- e) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

#### 3. PARCEL SIZE

On a Parcel located in an area Zoned CD-1 LDR-1, no plan of Subdivision shall be approved which contravenes the regulations set out below.

	Min Parcel Area	Max Parcel Area
For <u>Party-Wall Subdivisions</u>	180 m <sup>2</sup>	2,400 m <sup>2</sup>
For all other <u>Subdivisions</u>	275 m <sup>2</sup>	2,400 m <sup>2</sup>

#### 4. PARCEL COVERAGE

	Max Building Parcel Coverage	Max Surface Parcel Coverage
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> :	40%	50%
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> :	35%	40%
For a <u>Parcel</u> containing 2 <u>Dwelling Units</u> :	40%	50%
For a <u>Parcel</u> containing 3 to 4 <u>Dwelling Units</u> :	50%	60%

## 5. SETBACKS

The minimum Setbacks from Parcel lines in the CD-1 LDR-1 Sub-Zone are as follows:

Front	Rear	Interior Side	Exterior Side
4.0 m	2.0 m	1.8 m	3.0 m

## 6. HEIGHT

- The maximum Height for Single Detached Dwelling or Duplex is 10.0 m or 3 Storeys, whichever is less.
- The maximum Height for Small-Scale Multi-Unit Housing is 11.0 m or 3.5 Storeys, whichever is less.
- The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

## 7. DENSITY

	FAR
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> is:	0.5
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 2 <u>Dwelling Units</u> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 3 to 4 <u>Dwelling Units</u> is:	1.0
<ol style="list-style-type: none"> <li>The maximum number of <u>Equivalent Units</u> permitted on all <u>Parcels</u> within the CD-1 LDR-1 <u>Sub-Zone</u> is 100 and must not exceed maximum <u>Equivalent Units</u> as shown on <b>Figure 12-1</b>.</li> <li>For <u>Parcels</u> equal to or less than 280 m<sup>2</sup> in size, a maximum of three (3) <u>Dwelling Units</u> are permitted per <u>Parcel</u>.</li> <li>For <u>Parcels</u> greater than 280 m<sup>2</sup> in size, a maximum of four (4) <u>Dwelling Units</u> are permitted per <u>Parcel</u>.</li> <li>Density Bonus                             <ol style="list-style-type: none"> <li>Density may increase up to 1.5 FAR where cluster development provides additional open space or meets environmental objectives.</li> </ol> </li> </ol>	

## 12.1.2. CD-1 MUR-1: Multi-Unit Residential

### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 MUR-1 Sub-Zone:

- a) Single Detached Dwelling;
- b) Duplex;
- c) Small-Scale Multi-Unit Housing;
- d) Multiple Unit Dwelling;
- e) Commercial Short-Term Rental;
- f) Secondary Suites
- g) Accessory Dwelling Units; and
- h) Accessory Buildings, Structures and Uses.

### 2. CONDITIONS OF USE

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b);
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- c) A Small-Scale Multi-Unit Housing development shall be permitted subject to the provisions of Section 4.1.2 (c).
- d) A Commercial Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (f);
- e) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 3. PARCEL SIZE

On a Parcel located in an area Zoned CD-1 – MUR-1, no plan of Subdivision shall be approved which contravenes the regulations set out below

	<b>Min Parcel Area</b>	<b>Max Parcel Area</b> (for parcels containing 4 or less <u>Dwelling Units</u> )
For <u>Party-Wall Subdivisions</u>	180 m <sup>2</sup>	2,400 m <sup>2</sup>
For all other <u>Subdivisions</u>	275 m <sup>2</sup>	2,400 m <sup>2</sup>

For Parcels containing 5 or more Dwelling Units, no maximum Parcel Area shall apply, provided the parcels are created by Subdivision and secured by a restrictive covenant registered on title, to the satisfaction of the Approving Officer.

#### 4. COVERAGE

	<b>Max Building Parcel Coverage</b>	<b>Max Surface Parcel Coverage</b>
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> :	40%	50%
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> :	35%	40%
For a <u>Parcel</u> containing 2 <u>Dwelling Units</u> :	40%	50%
For a <u>Parcel</u> containing 3 to 4 <u>Dwelling Units</u> :	50%	60%
For a <u>Parcel</u> containing 5+ <u>Dwelling Units</u> :	60%	65%

#### 5. HEIGHT

- a) The maximum Height for a Single Detached Dwellings or Duplex is 10.0 m or 3 Storeys, whichever is less.
- b) The maximum Height for Small-Scale Multi-Unit Housing is 11.0 m or 3.5 Storeys, whichever is less.
- c) The maximum Height for Multiple Unit Dwellings with more than 5 units is 15.0 m or 4.5 Storeys whichever is less.
- d) The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

#### 6. SETBACKS

The minimum Setbacks from Parcel lines in the CD-1 MUR-1 Sub-Zone are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	2.0 m	1.8 m	3.0 m

The minimum Setbacks from Parcel lines for Multiple Unit Dwellings are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	4.0 m	3.0 m	3.0 m

**7. DENSITY**

**FAR**

The maximum Floor Area Ratio for a Parcel containing 1 Dwelling Unit with a Parcel Area less than 550 m<sup>2</sup> is:

0.5

The maximum Floor Area Ratio for a Parcel containing 1 Dwelling Unit with a Parcel Area equal to or greater than 550 m<sup>2</sup> is:

0.5

The maximum Floor Area Ratio for a Parcel containing 2 Dwelling Units is:

0.6

The maximum Floor Area Ratio for a Parcel containing 3 to 4 Dwelling Units is:

1.0

The maximum Floor Area Ratio for a Parcel containing 5+ Dwelling Units is:

2.0

- a) Where topography makes possible, direct Multiple Unit Dwellings to land on the outer edge of the Village Core (Sub Zones AVC-1, AVC-2, AVC-3, and AVC-4).
- b) The maximum number of Equivalent Units permitted on all Parcels within the MUR-1 Sub-Zone is 295 and must not exceed maximum Equivalent Units as shown on **Figure 12-1**.
- c) For parcels equal to or less than 280 m<sup>2</sup> in size, a maximum of three (3) Dwelling Units are permitted per parcel.

### 12.1.3. CD-1 AVC-1: Alpine Village Core

#### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 AVC-1 Sub-Zone:

- |  |  |
|--|--|
| a) <u>Multiple Unit Dwelling</u> ;             | g) <u>Personal Service Establishment</u> ;         |
| b) <u>Hostel</u> ;                             | h) <u>Skier Services</u> ;                         |
| c) <u>Hotel</u> ;                              | i) <u>Public Assembly</u> ;                        |
| d) <u>Commercial Short-Term Rental</u> ;       | j) <u>Recreation Facilities</u> ;                  |
| e) <u>Resort Commercial Use</u> ;              | k) <u>Offices (&lt;200 m<sup>2</sup>)</u> ; and    |
| f) <u>Eating and Drinking Establishments</u> ; | l) <u>Accessory Uses, Buildings and Structures</u> |

#### 2. PARCEL SIZE

The minimum Parcel Area required in the CD-1 AVC-1 Sub-Zone is 1,200 m<sup>2</sup>.

#### 3. SETBACKS

No Setback is required in the CD-1 AVC-1 Sub-Zone, except where the Parcel abuts a lower Density residential Zone, in which case a Setback of 3.0 m from the Parcel line is required.

#### 4. PARCEL COVERAGE

##### Max Surface Parcel Coverage

85%

#### 5. HEIGHT

- The maximum Height for Principal Buildings is 20.0 m or 6 Storeys, whichever is less.
- The maximum Height for Accessory Buildings is 6.0 m or 2 Storeys, whichever is less.

## 6. PARKING

- a) Parking within AVC-1 shall be on-site and underground or under Building to reflect the pedestrian orientation of the Sub-Zone. Up to 10% of the required parking or 10 spaces, whichever is less, may be provided as surface parking for short term, visitor, or Accessible Parking. For non-residential uses, up to fifty percent (50%) of required Parking Spaces may be located on another Parcel of privately owned land within 400 m of the subject Parcel, subject to the following conditions:
- i) In no case shall any transfer under this regulation reduce or otherwise compromise the availability of required on-site Parking Spaces for the Parcel to which the on-site parking requirement has been transferred; and,
  - ii) The landowners of the Parcel being developed and the Parcel, to which the parking is being transferred, shall enter into an agreement with the City under the Land Title Act, registered in priority over any other charges, restricting the use of the necessary portion of the Parcel to which the parking is being transferred, to “parking.”
- b) On street parking is not permitted in this Sub-Zone.

## 7. DENSITY

- a) The maximum number of Equivalent Units permitted on all Parcels within the AVC-1 Sub-Zone is 370 and must not exceed maximum Equivalent Units.
- b) Commercial Uses in the CD-1 Zone shall comply with the tier in which they are categorized, including any associated floor area limitations and use-specific restrictions.

### Tier 1 - Resort-Specific Services (Unlimited Scale, Subject to Maximum Equivalent Units)

- Equipment rental/repair (ski, bike, outdoor recreation)
- Resort Commercial Use
- Recreation instruction and guiding services

### Tier 2 -Convenience Services (Limited to 200m<sup>2</sup> per Commercial Unit)

- Neighbourhood Oriented Commercial Use
- General merchandise retail
- Entertainment Commercial Use
- Outdoor recreation retail
- Personal Services establishments
- Offices

- c) The following uses are prohibited in the CD-1 AVC-1 Sub-Zone:
- i) General merchandise retail over 200m<sup>2</sup>
  - i) Service Commercial Use
  - ii) Furniture, appliances, and major retail categories
  - iii) Financial Institutions

### 12.1.4. CD-1 AVC-2: Lower Alpine Village Core ‘A’

#### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 AVC-2 Sub-Zone:

- a) Multiple Unit Dwelling;
- b) Recreation Facilities;
- c) Hostel
- d) Commercial Short-Term Rental; and
- e) Accessory Uses, Buildings and Structures.

#### 2. PARCEL SIZE

The minimum Parcel Area required in the CD-1 AVC-2 Sub-Zone is 1,200 m<sup>2</sup>.

#### 3. SETBACKS

No Setback is required in the CD-1 AVC-2 Sub-Zone, except where the Parcel abuts a lower Density residential Zone, in which case a Setback of 3.0 m from the Parcel line is required.

#### 4. PARCEL COVERAGE

##### Max Surface Parcel Coverage

85%

#### 5. HEIGHT

- a) The maximum Height for Principal Buildings is 18.0 m or 6 Storeys, whichever is less.
- b) The maximum Height for Accessory Buildings is 6.0 m or 2 Storeys, whichever is less.

## 6. PARKING

- a) Parking within AVC-2 shall be on-site and underground or under Building to reflect the pedestrian orientation of the Sub-Zone. Up to 10% of the required parking or 10 spaces, whichever is less, may be provided as surface parking for short term, visitor, or Accessible Parking. For non-residential uses, up to fifty percent (50%) of required Parking Spaces may be located on another Parcel of privately owned land within 400 m of the subject Parcel, subject to the following conditions:
- i) In no case shall any transfer under this regulation reduce or otherwise compromise the availability of required on-site Parking Spaces for the Parcel to which the on-site parking requirement has been transferred; and,
  - ii) The landowners of the Parcel being developed and the Parcel, to which the parking is being transferred, shall enter into an agreement with the City under the *Land Title Act*, registered in priority over any other charges, restricting the use of the necessary portion of the Parcel to which the parking is being transferred, to “parking.”
- b) On street parking is not permitted in this Sub-Zone.

## 7. DENSITY

- a) The maximum number of Equivalent Units permitted on all Parcels within the CD-1 AVC-2 Sub-Zone is 71 and must not exceed maximum Equivalent Units.

## 12.1.5. CD-1 AVC-3: Lower Alpine Village Core ‘B’

### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 AVC-3 Sub-Zone:

- a) Multiple Unit Dwelling;
- b) Resort Commercial Use;
- c) Eating and Drinking Establishments;
- d) Personal Service Establishment;
- e) Commercial Short-Term Rental;
- f) Public Assembly;
- g) Recreation Facilities;
- h) Offices; and
- i) Accessory Uses, Buildings and Structures.

### 2. PARCEL SIZE

The minimum Parcel Area required in the CD-1 AVC-3 Sub-Zone is 1,200 m<sup>2</sup>.

### 3. SETBACKS

No Setback is required in the CD-1 AVC-3 Sub-Zone, except where the Parcel abuts a lower Density residential Zone, in which case a Setback of 3.0 m from the Parcel line is required.

### 4. PARCEL COVERAGE

#### Max Surface Parcel Coverage

85%

### 5. HEIGHT

- a) The maximum Height for Principal Buildings is 20.0 m or 6 Storeys, whichever is less.
- b) The maximum Height for Accessory Buildings is 6.0 m or 2 Storeys, whichever is less.

## 6. PARKING

- a) Parking within AVC-3 shall be on-site and underground or under Building to reflect the pedestrian orientation of the Sub-Zone. Up to 10% of the required parking or 10 spaces, whichever is less, may be provided as surface parking for short term, visitor, or Accessible Parking. For non-residential uses, up to fifty percent (50%) of required Parking Spaces may be located on another Parcel of privately owned land within 400 m of the subject Parcel, subject to the following conditions:
- i) In no case shall any transfer under this regulation reduce or otherwise compromise the availability of required on-site Parking Spaces for the Parcel to which the on-site parking requirement has been transferred; and,
  - ii) The landowners of the Parcel being developed and the Parcel, to which the parking is being transferred, shall enter into an agreement with the City under the *Land Title Act*, registered in priority over any other charges, restricting the use of the necessary portion of the Parcel to which the parking is being transferred, to “parking.”
- b) On street parking is not permitted in this Sub-Zone.

## 7. DENSITY

- a) The maximum number of Equivalent Units permitted on all Parcels within the CD-1 AVC-3 Sub-Zone is 45 and must not exceed maximum Equivalent Units.

### Tier 1 - Resort-Specific Services (Unlimited Scale, Subject to Maximum Equivalent Units)

- Equipment rental/repair (ski, bike, outdoor recreation)
- Resort Commercial Use
- Recreation instruction and guiding services

### Tier 2 - Convenience Services (Limited to 200m<sup>2</sup> per Commercial Unit)

- Neighbourhood Oriented Commercial Use
- Retail Stores
- Entertainment Commercial Use
- Personal Services establishments
- Offices

- b) The following uses are prohibited in the CD-1 AVC-3 Sub-Zone:
- i) General merchandise retail over 200m<sup>2</sup>
  - ii) Service Commercial Use
  - iii) Furniture, appliances, and major retail categories
  - iv) Financial Institutions

## 12.1.6. CD-1 AVC-4 : Upper Alpine Village Core

### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 AVC-4 Sub-Zone:

- a) Multiple Unit Dwelling;
- b) Hostel;
- c) Commercial Short-Term Rental;
- d) Resort Commercial Use;
- e) Eating and Drinking Establishments;
- f) Personal Service Establishment;
- g) Public Assembly;
- h) Skier Services;
- i) Recreation Facilities;
- j) Offices; and
- k) Accessory Uses, Buildings and Structures.

### 2. PARCEL SIZE

The minimum Parcel Area required in the CD-1 AVC-4 Sub-Zone is 1,200 m<sup>2</sup>.

### 3. SETBACKS

No Setbacks is required in the CD-1 AVC-4 sub-Zone, except where the Parcel abuts a lower density residential Zone, in which case a Setback of 3.0 m from the Parcel line is required.

### 4. PARCEL COVERAGE

#### Max Surface Parcel Coverage

85%

### 5. HEIGHT

- a) The maximum Height for Principal Buildings is 20.0 m or 6 Storeys, whichever is less.
- b) The maximum Height for Accessory Buildings is 6.0 m or 2 Storeys, whichever is less.

## 6. PARKING

- a) Parking within AVC-4 shall be on-site and underground or under Building to reflect the pedestrian orientation of the Sub-Zone. Up to 10% of the required parking or 10 spaces, whichever is less, may be provided as surface parking for short term, visitor, or Accessible Parking. For non-residential uses, up to fifty percent (50%) of required Parking Spaces may be located on another Parcel of privately owned land within 400 m of the subject Parcel, subject to the following conditions:
- i) In no case shall any transfer under this regulation reduce or otherwise compromise the availability of required on-site Parking Spaces for the Parcel to which the on-site parking requirement has been transferred; and,
  - ii) The landowners of the Parcel being developed and the Parcel, to which the parking is being transferred, shall enter into an agreement with the City under the *Land Title Act*, registered in priority over any other charges, restricting the use of the necessary portion of the Parcel to which the parking is being transferred, to “parking.”
- b) On street parking is not permitted in this Sub-Zone.

## 7. DENSITY

### Tier 1 - Resort-Specific Services (Unlimited Scale, Subject to Maximum Equivalent Units)

- Equipment rental/repair (ski, bike, outdoor recreation)
- Resort Commercial Use
- Recreation instruction and guiding services

### Tier 2 - Convenience Services (Limited to 200m<sup>2</sup> per Commercial Unit)

- Neighbourhood Oriented Commercial Use
- Retail Stores
- Entertainment Commercial Use
- Outdoor recreation retail
- Personal Services establishments
- Offices

- a) The following uses are prohibited in the CD-1 AVC-4 Sub-Zone:
- i) General merchandise retail over 200m<sup>2</sup>
  - ii) Service Commercial Use
  - iii) Furniture, appliances, and major retail categories
  - iv) Financial Institutions
- b) The maximum number of Equivalent Units permitted on all Parcels within the CD-1 AVC-4 Sub-Zone is 163.

## 12.1.7. CD-1 MA-1: Mountain Activity Area

### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 MA-1 Sub-Zone:

- a) Cross-country and downhill ski Trails;
- b) Eating and Drinking Establishments;
- c) Ski lifts and towers;
- d) Skier Services Buildings; and
- e) Accessory Uses, Buildings and Structures.
- f) Recreation Cabin – Maximum 1 per Parcel

### 2. REGULATIONS

Buildings and Structures within the MA-1 Sub-Zone must have their own self-contained liquid waste disposal system or be connected to the City Sewer System; any self-contained liquid waste disposal system must be approved by the Interior Health Authority. Ground disposal of liquid waste will not be permitted.

### 3. SETBACKS

No Building or Structures shall be located within 5.0 m of any lot line.

### 4. HEIGHT

- a) The maximum Height for Principal Buildings is 15.0 m or 4.5 Storeys, whichever is less.
- b) The maximum Height for Accessory Buildings is 6.0 m or 2 Storeys, whichever is less.

### 5. PARKING

Section 5 (Offstreet Parking & Loading) does not apply to the permitted uses in this Sub-Zone.

## 12.1.8. CD-1 MA-1 Jumbo: Mountain Activity Area

### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 MA-1 JUMBO Sub-Zone:

- a) Cross-country and downhill ski Trails;
- b) Eating and Drinking Establishments;
- c) Ski lifts and towers;
- d) Skier Services Buildings; and
- e) Accessory Uses, Buildings and Structures.
- f) Recreation Cabin – Maximum 1 per Parcel
- g) Accessory Recreation Cabin – Maximum 1 per Parcel

### 2. REGULATIONS

Buildings and Structures within the MA-1 Sub-Zone must have their own self-contained liquid waste disposal system or be connected to the City Sewer System; any self-contained liquid waste disposal system must be approved by the Interior Health Authority. Ground disposal of liquid waste will not be permitted.

### 3. SETBACKS

No Building or Structures shall be located within 5.0 m of any lot line.

### 4. HEIGHT

- a) The maximum Height for Principal Buildings is 15.0 m or 4.5 Storeys, whichever is less.
- b) The maximum Height for Accessory Buildings is 6.0 m or 2 Storeys, whichever is less.

### 5. PARKING

Section 5 (Offstreet Parking & Loading) does not apply to the permitted uses in this Sub-Zone.

## 12.1.9. CD-1 MA-1 Paradise: Mountain Activity Area

### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 MA-1 Paradise Sub-Zone:

- a) Cross-country and downhill ski Trails;
- b) Eating and Drinking Establishments;
- c) Ski lifts and towers;
- d) Skier Services Buildings; and
- e) Accessory Uses, Buildings and Structures.
- f) Tourist Cabins
- g) Accommodation Units

### 2. REGULATIONS

Buildings and Structures within the MA-1 Sub-Zone must be connected to a liquid waste disposal system that is approved by the Interior Health Authority.

### 3. DENSITY

Maximum 11 Accommodation Units.

### 4. HEIGHT

- a) The maximum Height for Principal Buildings is 15.0 m or 4.5 Storeys, whichever is less.
- b) The maximum Height for Accessory Buildings is 6.0 m or 2 Storeys, whichever is less.

### 5. PARKING

Section 5 (Offstreet Parking & Loading) does not apply to the permitted uses in this Sub-Zone.

## 12.1.10. CD-1 OS-1: Open Space

### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 OS-1 Sub-Zone:

- a) Natural Open Space;
- b) Open Space;
- c) Park;
- d) Accessory Buildings and Structures.

### 2. REGULATIONS

1. These areas are not intended for development beyond Accessory Buildings or Structures required to support the use and maintenance of Natural Open Space.
2. Buildings and Structures within the OS-1 Sub-Zone must have their own self-contained liquid waste disposal system or be connected to the City Sewer System; any self-contained liquid waste disposal system must be approved by the Interior Health Authority. Ground disposal of liquid waste will not be permitted.

### 3. HEIGHT

- a) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for Accessory Buildings and Structures.

## 12.1.11. CD-1 RP-1: Resort Parking

### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-1 RP-1 Sub-Zone:

- a) Parking;
- b) Skier Services;
- c) Employee Housing;
- d) Accessory Buildings and Uses;

### 2. REGULATIONS

- a) Buildings and Structures within the RP-1 Sub-Zone must have their own self-contained liquid waste disposal system or be connected to the City Sewer System; any self-contained liquid waste disposal system must be approved by the Interior Health Authority. Ground disposal of liquid waste will not be permitted.
- b) A Landscape Buffer at least 10.0 m in width shall be maintained around the parking lot located east of Highway 3B.

### 3. SETBACKS

The minimum Setbacks from Parcel lines for Employee Housing are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior</b>	<b>Exterior</b>
4.0 m	3.0 m	4.0 m	3.0 m

### 4. HEIGHT

- a) The maximum Height for Principal Buildings is 10.0 m or 3 Storeys, whichever is less.
- b) The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

## 12.1.12. CD-1 RI-1: Resort Light Industrial

### 1. PERMITTED USES

The following uses and no others shall be permitted in the RI-1 Sub-Zone of the CD-1 Zone:

- a) Equipment Maintenance;
- b) Storage Facilities;
- c) Accessory Buildings and Structures.

### 2. REGULATIONS

- a) Buildings and Structures within the RI-1 Sub-Zone must have their own self-contained liquid waste disposal system or be connected to the City Sewer System; any self-contained liquid waste disposal system must be approved by the Interior Health Authority. Ground disposal of liquid waste will not be permitted.
- b) A Landscape Buffer at least 10.0 m in width shall be maintained around the storage facilities.

### 3. PARCEL AREA

The minimum Parcel Area is 950 m<sup>2</sup>.

### 4. SETBACKS

No Buildings or Structures shall be located within 7.5 m of any lot line.

### 5. HEIGHT

The maximum permitted Height for all Buildings and Structures shall be 12.0 m or 3.5 Storeys, whichever is less.

## 12.2 COMPREHENSIVE DEVELOPMENT CD-2

### 1. INTENT

The purpose of this Zone is to provide for the development of a variety of land uses integrated into a planned resort village. The Comprehensive Development Two Zone is divided into two (2) separate Sub-Zones. Each Sub-Zone in the Comprehensive Development Two Zone has regulations pertaining to the Sub-Zone.



### 2. SUB ZONES

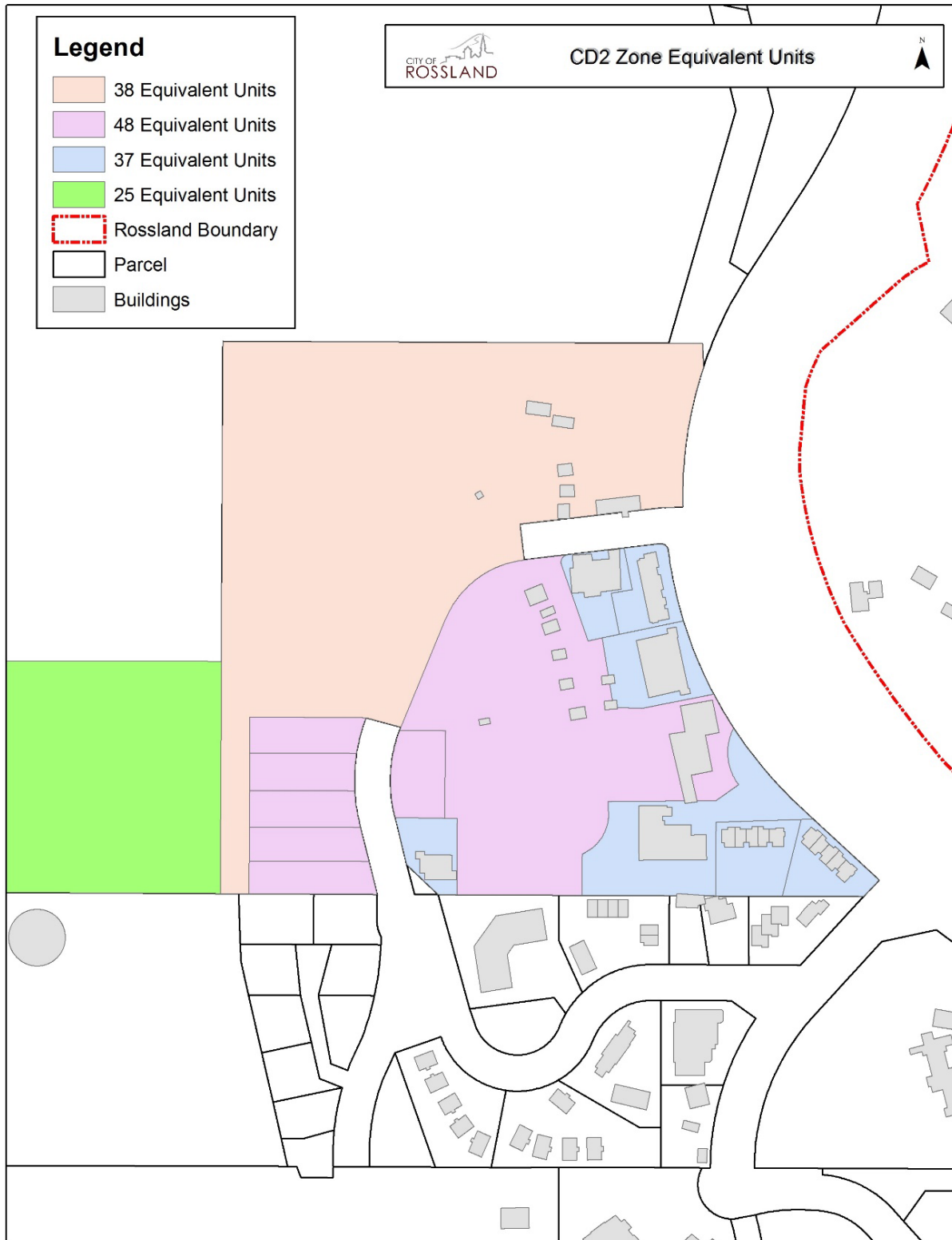
- (1) GATEWAY RESIDENTIAL 1 – GW-1
- (2) GATEWAY RESIDENTIAL 2 – GW-2

### 3. REGULATIONS

The general regulations shall be applicable to all Sub-Zones contained within this CD-2 Zone.

- a) Permitted Uses of Land, Buildings and Structures in all Sub-Zones. Except as otherwise stated in this Bylaw, the following uses are permitted in all Zones;
  - i) Highways;
  - ii) Storage of materials required for an approved construction project on the same Parcel or adjoining Parcel provided that the materials are removed within thirty days of completion of the approved construction;
  - iii) Trails and lifts.
- b) The maximum number of Equivalent Units permitted on all Parcels within the CD-2 Zone is 148 as shown on **Figure 12-3** the map entitled “CD-2 Zone Equivalent Units”.

**Figure 12-2: CD-2 Zone Equivalent Units**



## 12.2.1. CD-2 GW-1: Gateway Residential 1

### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-2 GW-1 Sub-Zone:

- a) Single Detached Dwelling;
- b) Duplex;
- c) Multiple Unit Dwelling;
- d) Small-Scale Multi-Unit Housing;
- e) Public Assembly;
- f) Commercial Short-Term Rental;
- g) Recreation Facilities;
- h) Secondary Suites
- i) Accessory Dwelling Units; and
- j) Accessory Buildings, Structures and Uses.

### 2. CONDITIONS OF USE

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b);
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- c) A Commercial Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (f);
- d) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 3. PARCEL SIZE

On a Parcel located in an area Zoned CD-2 GW-1, no plan of Subdivision shall be approved which contravenes the regulations set out below.

	<b>Min Parcel Area</b>	<b>Max Parcel Area</b> (for <u>parcels</u> containing 4 or less <u>Dwelling Units</u> )
For <u>Party-Wall Subdivisions</u> :	180 m <sup>2</sup>	2,400 m <sup>2</sup>
For all other <u>Subdivisions</u> :	275 m <sup>2</sup>	2,400 m <sup>2</sup>

For Parcels containing 5 or more Dwelling Units, no maximum Parcel Area shall apply, provided the parcels are created by Subdivision and secured by a restrictive covenant registered on title, to the satisfaction of the Approving Officer.

#### 4. SETBACKS

The minimum Setbacks from Parcel lines in the CD-Zoned CD-2 GW1 Sub-Zone are as follows:

<u>Front</u>	<u>Rear</u>	<u>Interior Side</u>	<u>Exterior Side</u>
4.0 m	2.0 m	1.8 m	3.0 m

The minimum Setbacks from Parcel lines for Multiple Unit Dwellings are as follows:

<u>Front</u>	<u>Rear</u>	<u>Interior Side</u>	<u>Exterior Side</u>
4.0 m	4.0 m	3.0 m	3.0 m

#### 5. COVERAGE

	<u>Max Building Parcel Coverage</u>	<u>Max Surface Parcel Coverage</u>
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> :	40%	50%
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> :	35%	40%
For a <u>Parcel</u> containing 2 <u>Dwelling Units</u> :	40%	50%
For a <u>Parcel</u> containing 3 to 4 <u>Dwelling Units</u> :	50%	60%
For a <u>Parcel</u> containing 5+ <u>Dwelling Units</u> :	60%	65%

#### 6. HEIGHT

- a) The maximum Height for Single Detached Dwelling or Duplex is 10.0 m or 3 Storeys, whichever is less.
- a) The maximum Height for a Small-Scale Multi-Unit Housing is 11.0 m or 3.5 Storeys, whichever is less.
- b) The maximum Height for Multiple Unit Dwellings is 15.0 m or 4.5 Storeys, whichever is less.
- c) The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

**7. DENSITY**

	<b>FAR</b>
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> is:	0.5
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> is:	0.5
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 2 <u>Dwelling Units</u> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 3 to 4 <u>Dwelling Units</u> is:	1.0
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 5+ <u>Dwelling Units</u> is:	2.0
a) For <u>parcels</u> equal to or less than 280 m <sup>2</sup> in size, a maximum of three (3) <u>Dwelling Units</u> are permitted per <u>parcel</u> .	

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## 12.2.2. CD-2 GW-2: Gateway Residential 2

### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-2 GW-2 Sub-Zone:

- a) Commercial Short-Term Rental Use;
- b) Multiple Unit Dwelling;
- c) Resort Commercial Use
- d) Personal Service Use;
- e) Recreation Facilities Accessory Buildings, Structures and Uses.
- f) Offices less than 200 m<sup>2</sup>.

### 2. CONDITIONS OF USE

- a) A Commercial Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (f);
- b) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 3. PARCEL SIZE

The minimum Parcel Area required in the CD-2 GW-2 Sub-Zone is 1,200 m<sup>2</sup>.

### 4. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<u>Front</u>	<u>Rear</u>	<u>Interior Side</u>	<u>Exterior Side</u>
4.0 m	4.0 m	3.0 m	3.0 m

### 5. PARCEL COVERAGE

#### **Max Surface Parcel Coverage**

75%

## 6. HEIGHT

- a) The maximum Height for Principal Buildings and Multiple Unit Housing is 18 m or 5.5 Storeys, whichever is less.
- b) The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

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## 12.3 COMPREHENSIVE DEVELOPMENT CD-3

### 1. INTENT

The purpose of this Zone is to provide for the development of a variety of land uses integrated into a planned resort village. The Comprehensive Development Three Zone is divided into four (4) separate Sub-Zones. Each Sub-Zone in the Comprehensive Development Three Zone has regulations pertaining to the Sub-Zone as outlined below.



### 2. SUB-ZONES

- (1) RESIDENTIAL FRINGE AREA – RFA
- (2) RESORT RURAL RESIDENTIAL – RRR
- (3) RESORT HOLIDAY PARK - RHP
- (4) RESORT MIXED USE - RMU

### 3. REGULATIONS

The general regulations shall be applicable to all Sub-Zones contained within this CD-3 Zone are outlined in Section 4.10, General Regulations, Cluster, Comprehensive Mixed Use, and Comprehensive Residential Development.

### 12.3.1. CD-3 RFA: Residential Fringe Area

#### 1. PERMITTED USES

The following uses and no others shall be permitted in the CD-3 RFA Sub-Zone:

- a) Single Detached Dwelling;
- b) Duplex;
- c) Small-Scale Multi-Unit Housing
- d) Multiple Unit Dwelling;
- e) Commercial Short-Term Rental;
- f) Secondary Suites
- g) Accessory Dwelling Units; and
- h) Accessory Buildings and Structures.

#### 2. CONDITIONS OF USE

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b);
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- c) A Small-Scale Multi-Unit Housing development shall be permitted subject to the provisions of Section 4.1.2 (c);
- d) A Commercial Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (f);
- e) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

#### 3. PARCEL SIZE

On a Parcel located in an area Zoned CD-3 RFA no plan of Subdivision shall be approved which contravenes the regulations set out below

	<b>Min Parcel Area</b>	<b>Max Parcel Area</b> (for <u>parcels</u> containing 4 or less <u>Dwelling Units</u> )
For <b>Party-Wall Subdivisions</b>	180 m <sup>2</sup>	2,400 m <sup>2</sup>
For all other <b>Subdivisions</b>	275 m <sup>2</sup>	2,400 m <sup>2</sup>

For Parcels containing 4 or more Dwelling Units, no maximum Parcel Area shall apply, provided the parcels are created by Subdivision and secured by a restrictive covenant registered on title, to the satisfaction of the Approving Officer.

#### 4. COVERAGE

	<b>Max Building Parcel Coverage</b>	<b>Max Surface Parcel Coverage</b>
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> :	40%	50%
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> :	35%	40%
For a <u>Parcel</u> containing 2 <u>Dwelling Units</u> :	40%	50%
For a <u>Parcel</u> containing 3 to 4 <u>Dwelling Units</u> :	50%	60%
For a <u>Parcel</u> containing 5+ <u>Dwelling Units</u> :	60%	65%

#### 5. HEIGHT

- a) The maximum Height for a Single Detached Dwellings or Duplex is 10.0 m or 3 Storeys, whichever is less.
- b) The maximum Height for Small-Scale Multi-Unit Housing is 11.0 m or 3.5 Storeys, whichever is less.
- c) The maximum Height for Multiple Unit Dwellings is 15.0 m or 4.5 Storeys whichever is less.
- d) The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

#### 6. SETBACKS

The minimum Setbacks from Parcel lines in the CD-3 RFA Sub-Zone are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	2.0 m	1.8 m	3.0 m

The minimum Setbacks from Parcel lines for Multiple Unit Dwellings are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	4.0 m	3.0 m	3.0 m

## 7. DENSITY

### FAR

The maximum Floor Area Ratio for a Parcel containing 1 Dwelling Unit with a Parcel Area less than 550 m<sup>2</sup> is:

0.5

The maximum Floor Area Ratio for a Parcel containing 1 Dwelling Unit with a Parcel Area equal to or greater than 550 m<sup>2</sup> is:

0.5

The maximum Floor Area Ratio for a Parcel containing 2 Dwelling Units is:

0.6

The maximum Floor Area Ratio for a Parcel containing 3 to 4 Dwelling Units is:

1.0

The maximum Floor Area Ratio for a Parcel containing 5+ Dwelling Units is:

2.0

- a) Where topography makes possible, direct Multiple Unit Dwellings to land on the outer edge of the Village Core (Sub Zones AVC-1, AVC-2, AVC-3, and AVC-4).
- b) The maximum number of Equivalent Units permitted on all Parcels within the CD-3 RFA Sub-Zone is 44.
- c) For parcels equal to or less than 280 m<sup>2</sup> in size, a maximum of three (3) Dwelling Units are permitted per parcel.

## 12.3.2. CD-3 RRR: Resort Rural Residential

### 1. PERMITTED USES

The following uses and no others shall be permitted in the Resort Rural Residential Zone:

- a) Single Detached Dwelling;
- b) Duplex;
- c) Small-Scale Multi-Unit Housing
- d) Commercial Short-Term Rental;
- e) Secondary Suites
- f) Accessory Dwelling Units;
- g) Accessory Buildings and Uses.

### 2. CONDITIONS OF USE

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b);
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- c) Small-Scale Multi-Unit Housing shall be permitted subject to the provisions of Section 4.1.2 (c);
- d) A Commercial Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (f)
- e) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 3. SETBACKS

- a) The minimum Setbacks from Parcel lines are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	2.0 m	1.8 m	3.0 m

- b) 30 metres from a Provincial highway right-of-way boundary line.
- c) 30 metres from Topping Creek.

#### 4. PARCEL COVERAGE

	<b>Max Building Parcel Coverage</b>	<b>Max Surface Parcel Coverage</b>
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> :	40%	50%
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> :	35%	40%
For a <u>Parcel</u> containing 2 <u>Dwelling Units</u> :	40%	50%
For a <u>Parcel</u> containing 3 to 4 <u>Dwelling Units</u> :	50%	60%

#### 5. HEIGHT

- a) The maximum Height for Single Detached Dwellings or Duplexes is 10 m or 3 Storeys, whichever is less.
- b) The maximum Height for Small Scale Multi Unit Housing Dwellings is 11 m or 3 Storeys, whichever is less.
- c) The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

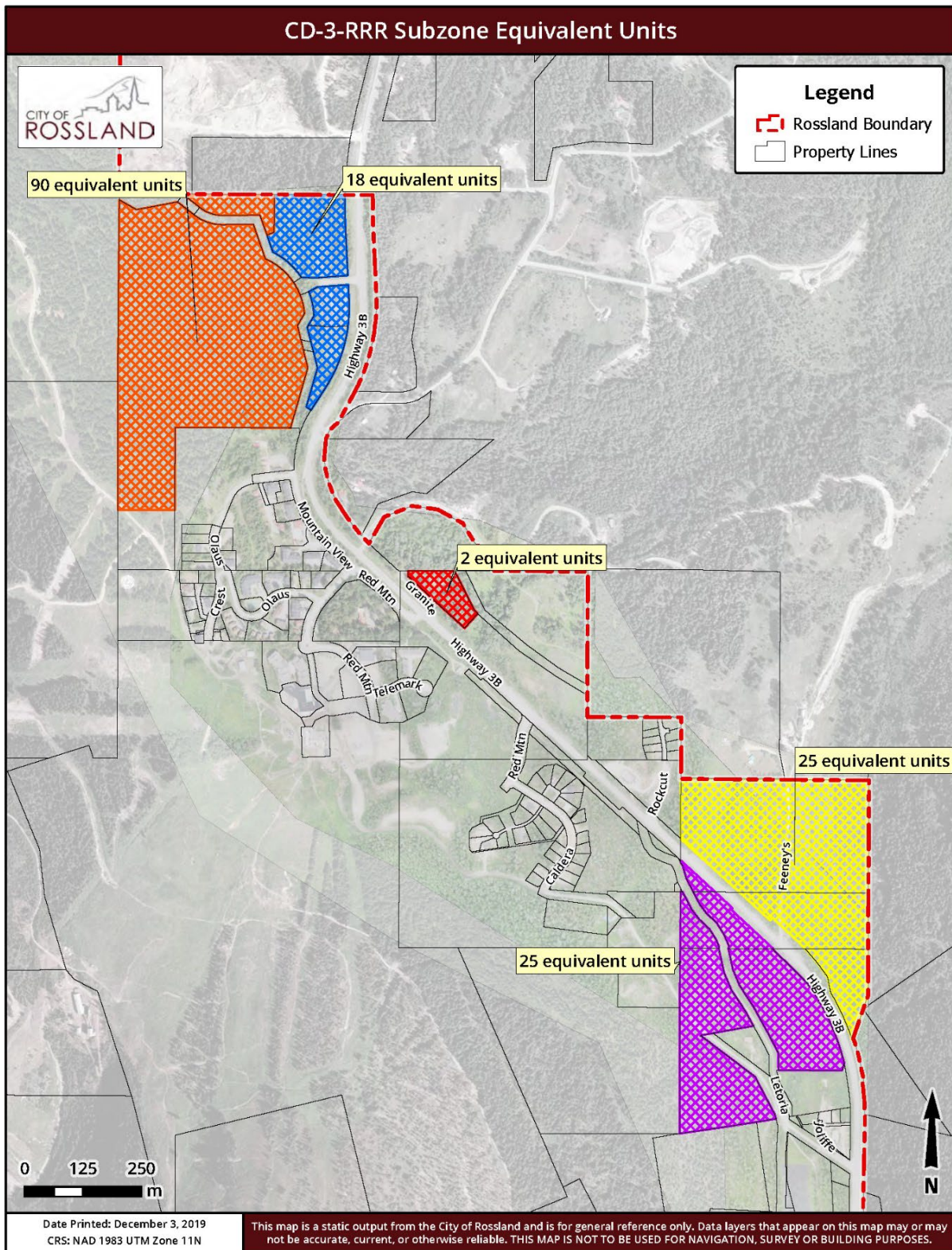
#### 6. DENSITY

Total Equivalent Units permitted in the RRR Zone are separated into specific areas as shown on **Figure 12-4**, the map entitled “RRR Sub-Zone Equivalent Units”.

- a) For Parcels equal to or less than 280 m<sup>2</sup> in size, a maximum of three (3) Dwelling Units is permitted per Parcel.
- b) For Parcels greater than 280 m<sup>2</sup> in size, a maximum of four (4) Dwelling Units is permitted per Parcel.

	<b>FAR</b>
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> is:	0.5
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 2 <u>Dwelling Units</u> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 3 to 4 <u>Dwelling Units</u> is:	1.0

**Figure 12-3: RRR Sub-Zone Equivalent Units**



Definitions ■ General Regulations ■ Off-Street Parking & Loading ■ Screening & Landscaping ■ Establishment of Zones

Residential

Commercial

Light Industrial

Public, Institutional,  
Parks & Open Space

Comprehensive  
Development

### 12.3.3. CD-3 RHP: Resort Holiday Park

#### 1. INTENT

The intent of this Zone is to permit a variety of forms of accommodation including cabins, tents, RV's or similar. A holiday Park also provides facilities such as laundry, showers, picnic/barbeque facilities, and limited commercial and Recreation Facilities.

#### 2. PERMITTED USES

The following uses and no others shall be permitted in the CD-3 RHP Zone:

- a) Campground;
- b) Commercial Resort Use
- c) Single Detached Dwelling;
- d) Duplex;
- e) Commercial Short-Term Rental;
- f) Agriculture Use;
- g) Agriculture Stand;
- h) Secondary Suites
- i) Accessory Dwelling Units; and
- j) Accessory Buildings, Structures and Uses.

#### 3. CONDITIONS OF USE

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b);
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- c) A Commercial Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (f); and
- d) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

#### 4. PARCEL SIZE

On a Parcel located in an area Zoned CD-3 RHP, no plan of Subdivision approved which contravenes the regulations set out below:

##### Min Parcel Area

2.0 ha

#### 5. COVERAGE

Maximum 20% of the Parcel Area may be covered by Buildings and Structures combined.

#### 6. SETBACKS

The minimum Setback from Parcel lines are as follows:

Front	Rear	Interior Side
4.0 m	2.0 m	2.0 m

#### 7. HEIGHT

The maximum Height for Principal and Accessory Buildings is 10.0 m or 3 Storeys, whichever is less.

#### 8. DENSITY

- Maximum 20 campsites per hectare,
- Maximum 15 Tourist Cabins per hectare.
- Maximum 1 Single Detached Dwelling per Parcel.

#### 9. OTHER REGULATIONS

- Outdoor Storage areas must be surrounded by a solid Landscape Screen not less than 2.0m in Height.
- A Landscape Buffer at least 2 metres in width shall be maintained in the interior and rear Setbacks.

## 12.3.4. CD-3 RMU: Resort Mixed-Use

### 1. INTENT

The intent of this Zone is to permit a variety of forms of accommodation including cabins, tents, RV's, Hostels and other Dwellings. The Zone also provides facilities such as laundry, showers, and picnic/barbeque facilities, and limited commercial and Recreation Facilities to serve guests.

### 2. PERMITTED USES

The following uses and no others shall be permitted in the CD-3 RMU Zone:

- a) Campground;
- b) Small-Scale Multi-Unit Housing
- c) Single Detached Dwelling;
- d) Duplex;
- e) Commercial Short-term Rental;
- f) Tourist Cabin;
- g) Hostel;
- h) Resort Commercial Use;
- i) Neighbourhood Oriented Commercial Use;
- j) Secondary Suites
- k) Accessory Dwelling Units; and
- l) Accessory Buildings, Structures and Uses.

### 3. CONDITIONS OF USE

- m) A Small-Scale Multi-Unit Housing Development shall be permitted to the provisions of Section 4.1.2 (c);
- n) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b);
- o) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- p) Short-term Rental Accommodation shall be permitted subject to Section 4.1.2 (f) provisions;
- q) Off Street Parking and Loading requirements are subject to the provisions of Section 5.
- r) All Resort and Neighbourhood Commercial Uses in the Zone shall be limited to a total of 200 m<sup>2</sup>;

#### 4. PARCEL SIZE

On a Parcel located in an area Zoned CD-3 RMU, no plan of Subdivision approved which contravenes the regulations set out below:

##### Min Parcel Area

550 m<sup>2</sup>

#### 5. COVERAGE

	Max Building Parcel Coverage	Max Surface Parcel Coverage
For <u>Single Detached Dwellings</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> :	35%	40%
For <u>Duplexes</u> :	40%	50%
For <u>Small Scale Multiple Unit Dwellings</u> and all other uses:	50%	60%

#### 6. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

Front	Rear	Interior Side	Exterior Side
4.0 m	2.0 m	1.8 m	3.0 m

#### 7. HEIGHT

- The maximum Height for Principal Buildings is 10 m or 3 Storeys, whichever is less;
- The maximum Height for Small Scale Multiple Unit Dwellings is 11 m or 3 Storeys, whichever is less.
- The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

## 8. DENSITY

- a) Maximum 15 Tourist Cabins per hectare.
- b) Maximum 25 Equivalent Units per hectare.
- c) For Parcels equal to or less than 280 m<sup>2</sup> in size, a maximum of three (3) Dwelling Units is permitted per Parcel.
- d) For Parcels greater than 280 m<sup>2</sup> in size, a maximum of four (4) Dwelling Units is permitted per Parcel.

	<b>FAR</b>
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> is:	0.5
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 2 <u>Dwelling Units</u> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing 3 to 4 <u>Dwelling Units</u> is:	1.0

## 9. OTHER REGULATIONS

- a) Outdoor Storage areas must be surrounded by a solid Landscape Screen not less than 2 metres in Height.
- b) A Landscape Buffer at least 2 metres in width shall be maintained in the interior, exterior and rear Setbacks.

## 12.4 CD-4: Comprehensive Development 4 - Multiple Unit/Limited Commercial

### 1. INTENT

The purpose of this Zone is to provide for the development of Multiple Unit Dwellings and limited commercial space in the old Hospital Building at 1961 Georgia St.

### 2. PERMITTED USES

- a) Clinic subject to section 3 below;
- b) Office subject to section 3 below;
- c) Personal Service establishment subject to section 3 below;
- d) Multiple Unit Dwelling subject to section 7 below;
- e) Ambulance Services;
- f) Parking area;
- g) Accessory Buildings

### 3. REGULATIONS

- a) Commercial Uses are permitted on the first and second floor only.
- b) In this Zone, Office use is limited to Medical/Professional Services, which means the provision of services by an individual who is registered or duly licensed as such to practice under the provisions of the authority of appropriate jurisdiction. Without restricting the generality of the above, this includes but is not limited to the following:
  - i) Doctors and Dentists;
  - ii) Chiropractors;
  - iii) Physiotherapists;
  - iv) Other health professionals;
  - v) Lawyers;
  - vi) Accountants;
  - vii) Engineers;
  - viii) Architects.
- c) Where parking areas are adjacent to other Parcels, a Landscape Buffer must be provided to screen parking areas.

#### 4. SETBACKS

The minimum Setback from Parcel lines immediately adjacent to R-Zones is 1.5 m.

#### 5. COVERAGE

The maximum Building Parcel Coverage is 55%.

#### 6. HEIGHT

The maximum Height is 15 metres or 4.5 Storeys, whichever is less for Principal Buildings and 5 metres or 1.5 Storeys, whichever is less for Accessory Buildings.

#### 7. DENSITY

Multiple Unit Dwellings are permitted in the CD-4 Zone, provided that the Multiple Unit Dwelling(s) have a maximum Density of 46 units per Net Hectare.

## 12.5 CD-5: Comprehensive Development 5 – Mixed Single Detached/Duplex Dwellings

### 1. INTENT

The purpose of this Zone is to provide for the development of Single Detached Dwellings and Duplexes on a large Parcel located on Spokane St to the south of the City Centre.

### 2. PERMITTED USES

- a) Single Detached Dwellings;
- b) Duplex;
- c) Secondary Suite
- d) Accessory Dwelling Unit
- e) Residential Short-Term Rental
- f) Accessory Buildings and Uses.

### 3. REGULATIONS

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b);
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- c) A Residential Short-Term Rental shall be permitted subject to the provisions of Section 4.1.2 (e).
- d) Off Street Parking and Loading requirements are subject to the provisions of Section 5.

### 4. COVERAGE

	<u>Min Parcel Area</u>	<u>Min Parcel Frontage</u>	<u>Min Building Width</u>
For <u>Single Detached Dwellings</u> :	550 m <sup>2</sup>	18 m	4.5 m
For <u>Duplexes</u> :	800 m <sup>2</sup>	18 m	4.5 m

### 5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<u>Front</u>	<u>Rear</u>	<u>Interior Side</u>	<u>Exterior Side</u>
7.0 m	7.0 m	1.8 m	3.0 m

## 6. COVERAGE

	Max <u>Building Parcel Coverage</u>	Max <u>Surface Parcel Coverage</u>
For <u>Single Detached Dwellings</u> :	35%	45%
For <u>Duplexes</u> :	40%	50%

## 7. HEIGHT

The maximum Height is 10 metres or 3 Storeys, whichever is less for Principal Buildings and 4.5 metres or 1.5 Storeys, whichever is less for Accessory Buildings.

## 8. DENSITY

- a) Up to a maximum of five Single Detached Dwellings;
- b) Up to a maximum of three Duplexes;

## 12.6 CD-6: Comprehensive Development 6 – Cook Avenue - Mixed Residential

### 1. INTENT

The intent of this Zone is to allow mixed housing types within specific area formerly known as Cook Avenue School.

### 2. PERMITTED USES

The following uses only shall be permitted in the CD-6 Cooke Ave Mixed Residential Zone:

- a) Single Detached Dwelling;
- b) Duplex;
- c) Small-Scale Multi-Unit Housing;
- d) Multiple Unit Dwellings;
- e) Secondary Suite
- f) Accessory Dwelling Units; and
- g) Accessory Buildings and Uses.

### 3. REGULATIONS

In this Zone, Height means the vertical distance from the lowest Natural Grade adjacent to an exterior wall of a Building to the highest point of the roof.

### 4. CONDITIONS OF USE

- a) A Secondary Suite shall be permitted subject to the provisions of Section 4.1.2 (b);
- b) An Accessory Dwelling Unit shall be permitted subject to the provisions of Section 4.1.2 (b);
- c) A Small-Scale Multi-Unit Housing development shall be permitted subject to the provisions of Section 4.1.2 (c).
- d) Off Street Parking and Loading requirements are subject to the provisions of Section 5 except that the access must only be provided on Cook Ave and is limited to 2 Driveways. The Driveway width may increase to 6.0 metres.

### 5. PARCEL SIZE

On a Parcel located in an area Zoned CD-6, no plan of Subdivision shall be approved which contravenes the regulations set out below.

	Min Parcel Area	Max Parcel Area	Min Parcel Frontage	Min Building Width
For <u>Party-Wall Subdivisions</u> :	180 m <sup>2</sup>	2,400 m <sup>2</sup>	6.0 m	4.5 m
For all other <u>Subdivisions</u> :	275 m <sup>2</sup>	2,400 m <sup>2</sup>	9.0 m	4.5 m

Definitions ■ General Regulations ■ Off-Street Parking & Loading ■ Screening & Landscaping ■ Establishment of Zones

Residential

Commercial

Light Industrial

Public, Institutional,  
Parks & Open Space

Comprehensive  
Development

## 6. COVERAGE

	<b>Max Building Parcel Coverage</b>	<b>Max Surface Parcel Coverage</b>
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> :	40%	50%
For a <u>Parcel</u> containing 1 <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> :	35%	40%
For a <u>Parcel</u> containing 2 <u>Dwelling Units</u> :	40%	50%
For a <u>Parcel</u> containing 3 to 4 <u>Dwelling Units</u> :	50%	60%
For a <u>Parcel</u> containing 5+ <u>Dwelling Units</u> :	60%	65%

## 7. HEIGHT

- a) The maximum Height for a Single Detached Dwellings or Duplex is 10.0 m or 3 Storeys, whichever is less.
- b) The maximum Height for Small-Scale Multi-Unit Housing is 11.0 m or 3.5 Storeys, whichever is less.
- c) The maximum Height for a Multiple Unit Dwelling is 12 m or 3.5 Storeys, whichever is less.
- d) The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

## 8. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	2.0 m	1.8 m	3.0 m

The minimum Setbacks from Parcel lines for Multiple Unit Dwellings are as follows:

<b>Front</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Exterior Side</b>
4.0 m	4.0 m	3.0 m	3.0 m

- a) The exterior side Setback along the undeveloped Cliff St Right of Way may be reduced to 2.0 m.

## 9. DENSITY

	<b>FAR</b>
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing one (1) <u>Dwelling Unit</u> with a <u>Parcel Area</u> less than 550 m <sup>2</sup> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing one (1) <u>Dwelling Unit</u> with a <u>Parcel Area</u> equal to or greater than 550 m <sup>2</sup> is:	0.5
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing two (2) <u>Dwelling Units</u> is:	0.6
The maximum <u>Floor Area Ratio</u> for a <u>Parcel</u> containing three (3) and more <u>Dwelling Units</u> is:	1.0
<p>a) The maximum number of <u>Equivalent Units</u> permitted in the <u>CD-6 Zone</u> is 16 with a maximum number of 24 <u>Dwelling Units</u>. The maximum number of <u>Dwellings</u> within a <u>Multiple Unit Dwelling</u> is 6 <u>Dwelling Units</u>.</p> <p>b) Density Bonus</p> <p>i) The <u>Density</u> may be increased to 28 <u>Dwelling Units</u> provided that the 4 additional units are each less than 50 m<sup>2</sup>.</p>	

## 12.7 CD-7: Comprehensive Development 7 – Evergreen Multi-Unit

### 1. INTENT

The intent of this Zone is to allow the development of multiple unit development at the end of Cedar Crescent in an area known as Evergreen.

### 2. PERMITTED USES

The following uses and no others shall be permitted in the CD7 Zone:

- a) Multiple Unit Dwellings;
- b) Accessory Buildings and Uses.

### 3. CONDITIONS OF USE

- c) Off Street Parking and Loading requirements are subject to the provisions of Section 5.
- d) A Landscape Buffer at least 3 metres in width shall be maintained around any parking areas.

### 4. PARCEL SIZE

- a) On a Parcel located in an area Zoned CD-7, no plan of Subdivision shall be approved which contravenes the regulations set out below:

<u>Min Parcel Area</u>	<u>Min Parcel Frontage</u>
950 m <sup>2</sup>	18 m

### 5. FLOOR AREA RATIO

For Multiple Unit Dwellings the Floor Area Ratio shall not exceed a factor of 1.0.

### 6. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<u>Front</u>	<u>Rear</u>	<u>Exterior Side</u>
4.0 m	4.0 m	3.0 m

- a) Interior side Setback: 2 metre is required except where the Parcel abuts a R-1 Residential Zone, in which case 10.0 m from the Interior Parcel Line.

## 7. PARCEL COVERAGE

### Max Building Parcel Coverage

50%

### Max Surface Parcel Coverage

60%

## 8. HEIGHT

- a) The maximum Height for Multiple Unit Dwellings is 13 m or 4 Storeys, whichever is less.
- b) The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

## 9. DENSITY

- a) The total number of Dwelling Units permitted in this Zone is 18 units.
- b) A Building may not contain more than 6 Dwelling Units.

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## 12.8 CD-8: Comprehensive Development 8 – Midtown Mixed-Use

### 1. INTENT

The intent of this Zone is to allow a mixed-use Building comprising Affordable Housing units and City Hall on the ground floor.

### 2. PERMITTED USES

The following uses and no others shall be permitted in the CD-8 Zone:

- a) Affordable Housing units;
- b) Accessory Buildings and Uses

### 3. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<u>Front</u>	<u>Rear</u>	<u>Exterior Side</u>	<u>Interior Side</u>
4.0 m	2.0 m	2.6 m	3.0 m

- a) Unenclosed balconies, porches, or sundecks, canopies and awnings, may intrude into the Setback area, provided that such reduction shall apply only to the projecting feature.

### 4. PARCEL COVERAGE

<u>Max Building Parcel Coverage</u>	<u>Max Surface Parcel Coverage</u>
50%	60%

### 5. HEIGHT

- a) No Principal Building shall exceed a Height of 13 m or 4 Storeys, whichever is less.
- b) The maximum Height is 4.5 m or 1.5 Storeys, whichever is less for Accessory Buildings.

### 6. PARCEL SIZE

The Parcel size shall remain at 3,587 m<sup>2</sup>, for the subject Parcel to which the CD-8 Zone is applied.

## 7. DENSITY

- a) The total number of Dwelling Units permitted in this Zone is 37 units.

## 8. OFFSTREET PARKING

Notwithstanding regulations in Part 11 of the Zoning Bylaw, the following are regulations for Off Street Parking and Loading in the CD8 Zone.

- a) Required Off-Street Parking Spaces - Affordable Housing units
- i) 1.0 Off-Street Parking stall per Dwelling Unit with one or two Sleeping Units;
  - ii) 1.5 Off-Street Parking stalls per Dwelling Unit with three Sleeping Units;
  - iii) 2.0 Off-Street Parking stalls per Dwelling Unit with 4 or more Sleeping Units;
  - iv) plus 0.2 per Dwelling Units for visitor parking
- b) The number of on-street parking stalls adjacent to land, a Building or a Structure in the CD8 Zone shall be credited against the number of required Off-Street Parking Spaces.
- c) Access to the parking area shall be provided by one access point with access Driveway width and an Aisle width of 6 metres.
- d) Due to adverse soil conditions, the total parking area required by this bylaw shall not be permeable.
- e) In lieu of landscaped islands, the area surrounding the parking area will be landscaped.

## 12.9 CD-9 CTC: Comprehensive Development 9 – Commercial Tourist Cabins

### 1. INTENT

The intent of this Zone is to permit a limited number of Tourist Cabins for commercial guest accommodation use.

### 2. PERMITTED USES

The following uses and no others shall be permitted in the CD9-CTC Zone:

- a) Tourist Cabin;
- b) Single Detached Dwelling; and
- c) Accessory Buildings, Structures and Uses.

### 3. CONDITIONS OF USE

- a) Required Off-Street Parking Spaces: One (1) space per Tourist Cabin.

### 4. PARCEL SIZE

On a Parcel located in an area Zoned CD-9 CTC, no plan of Subdivision approved which contravenes the regulations set out below:

<b>Min Parcel Area</b>	0.5 ha
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### 5. SETBACKS

The minimum Setbacks from Parcel lines are as follows:

<u>Front</u>	<u>Rear</u>	<u>Interior Side</u>
4.0 m	1.0 m	1.8 m

### 6. HEIGHT

- a) The maximum Height for Principal Buildings is 8 m or 2.5 Storeys, whichever is less.
- b) The maximum Height for Accessory Buildings is 4.5 m or 1.5 Storeys, whichever is less.

### 7. DENSITY

- a) Maximum 3 Tourist Cabins.

## Schedule B : Enforcement Fee Schedule

OFFENCE	SECTION	FINE	FINE REDUCTION (if paid within 30 days)
Unauthorized Land Use or Development	<u>4.1</u>	\$500.00	\$500.00
Unauthorized Short-Term Rental (STR) Use	<u>4.1.2 (e) &amp; (f)</u>	\$500.00	\$500.00
Non-Conforming Structures or Additions	4.6.2	\$500.00	\$500.00
Unauthorized Temporary Use	<u>4.2</u>	\$500.00	\$500.00
Violation of Setback, Height, Parcel Coverage or Density Requirements	4.6.1	\$500.00	\$500.00
Failure to Comply with STR Use Requirements	<u>4.1.2 (e) &amp; 4.12 (f)</u>	\$500.00	\$500.00
Non-Compliance with Parking Requirements	<u>5.0</u>	\$500.00	\$500.00
Violation of Landscaping Requirements	<u>6.0</u>	\$500.00	\$500.00
Unauthorized Signage	<u>4.11</u>	\$500.00	\$500.00
Violation of Home Occupation Regulations	<u>4.1.2 (d)</u>	\$500.00	\$500.00
Obstruction of an officer, authorized entry or inspection	2.2	\$500.00	\$500.00
Contravention of Outdoor Lighting Requirements	4.13	\$500.00	\$500.00