

## THOMPSON-NICOLA REGIONAL DISTRICT

### BYLAW NO. 2239

#### “A BYLAW TO ESTABLISH ZONING REGULATIONS FOR ALL ELECTORAL AREAS IN THE THOMPSON-NICOLA REGIONAL DISTRICT “ ---

WHEREAS a review of the existing Thompson-Nicola Regional District Zoning Bylaw No. 940, 1985 was deemed desirable;

AND WHEREAS the Board of Directors wish to repeal Zoning Bylaw No. 940, 1985 and amendments thereto and to adopt a new Zoning Bylaw in accordance with the Regional Growth Strategy and *Local Government Act*;

NOW THEREFORE the Board of Directors of the Thompson-Nicola Regional District, in open meeting assembled, enacts as follows:

#### 1. CITATION

- 1.1 This Bylaw shall be cited as the "Thompson-Nicola Regional District Zoning Bylaw No. 2239, 2008" and shall apply to all Electoral Areas of the Thompson-Nicola Regional District.

#### 2. PURPOSE

- 2.1 The Electoral Areas of the Thompson-Nicola Regional District are hereby divided into the following zones:

One	Definitions	
Two	General Provisions	
Three	Special Provisions	
Four	Agricultural/Forestry	AF-1
Five	Agricultural/Forestry Two	AF-2
Six	Rural	RL-1
Seven	Small Holding	SH-1
Eight	Country Residential	CR-1
Nine	Lakeshore Residential Single Family	LR-1
Ten	Lakeshore Residential Multi-Family	LR-2
Eleven	New Lakeshore Resort	LRT-1
Twelve	Existing Lakeshore Resort	LRT-2
Thirteen	Recreational Residential/Commercial	RC-1
Fourteen	Residential Single and Two Family	R-1
Fifteen	Residential Multi-Use	R-2

Sixteen	Residential Multi-Family	R-3
Seventeen	Mobile Home Park	MH-1
Eighteen	Retail Commercial	C-1
Nineteen	Service Commercial	C-2
Twenty	Highway Commercial	C-3
Twenty-One	Recreational Commercial	C-4
Twenty-Two	Local Commercial	C-5
Twenty-Three	Rural Service Commercial	C-6
Twenty-Four	Destination Resort Commercial One	C-7
Twenty-Five	Destination Resort Commercial Two	C-8
Twenty-Six	Limited General Commercial	C-9
Twenty-Seven	Comprehensive Entertainment Commercial	C-10
Twenty-Eight	Auto Wrecking	I-1
Twenty-Nine	Light Industrial	I-2
Thirty	General Industrial	I-3
Thirty-One	Heavy Industrial	I-4
Thirty-Two	Independent Power Project	IPP-1
Thirty-Three	Recreational	P-1
Thirty-Four	Institutional	P-2
Thirty-Five	Civic Works	P-3
Thirty-Six	Comprehensive Development One	CD-1
Thirty-Seven	Resort Accommodation Two	RA-2
Thirty-Eight	Resort Accommodation Four	RA-4
Thirty-Nine	Resort Recreation One	RR-1

- 2.2 The zones so classified are shown on the zoning maps bearing the following certificate duly signed by the Chairman and the Clerk and the zoning maps, including all the explanatory matters on the same, shall be incorporated in and form part of this Bylaw:

“Certified that the zoning map is incorporated in and forms part of Bylaw No. 2239”

- 2.3 The zones so created shall be subject to the detailed regulations included in Part One to Part Thirty-Nine, inclusive, which form part of this Bylaw.
- 2.4 The zoning classification on all properties described on Schedule “B” attached hereto is changed from the AF-1 (Agricultural/Forestry) or RL-1

(Rural) Zones respectively to the LRT-2 (Existing Lakeshore Resort) Zone.

- 2.5 The following schedules described below and attached hereto are incorporated in and form part of this Bylaw:
  - Schedule “A” – The Zoning Bylaw Maps
  - Schedule “B” – List of Resort Properties whose zoning designation will change from the AF-1 and RL-1 Zones respectively to the LRT-2 Zone.
- 2.6 Zoning Bylaw No. 940, 1985, the Zoning Bylaw for lands in Electoral Areas “A”, “B”, “E”, “I”, “J”, “L”, “M”, “N”, “O” and “P” (excluding Sun Peaks Resort) and all amendments thereto, is hereby repealed.
- 2.7 This Bylaw shall come into force and binding upon all persons on and from the date of its adoption.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 201 .

PUBLIC HEARING this                      day of                      , 201 .

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 201 .

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 201 .

RECEIVED the approval of the Ministry of Transportation and Infrastructure this      day  
of      , 201 .

APPROVED by the Ministry of Community and Rural Development this \_\_\_\_\_ day  
of \_\_\_\_\_, 201 .

RECONSIDERED AND ADOPTED this                      day of                      , 201 .

Clerk

Chair



**THOMPSON-NICOLA**

**REGIONAL DISTRICT**

**ZONING BYLAW NO. 2239**

Thompson-Nicola Regional District  
300-465 Victoria Street  
Kamloops, BC V2C 2A9  
Telephone: 1-250-377-8673  
Toll Free in BC: 1-877-377-8673  
Facsimile: 1-250-372-5048

March 2010

## **ZONING BYLAW NO. 2239**

### **TABLE OF CONTENTS**

Amendments to Text of Zoning Bylaw No. 2239

Bylaw No. 2239

<b><u>PART</u></b>			<b><u>PAGE</u></b>
One	Definitions		1 - 14
Two	General Provisions		15 - 18
Three	Special Provisions		19 - 47
Four	Agricultural/Forestry	AF-1	48 - 51
Five	Agricultural/Forestry Two	AF-2	52
Six	Rural	RL-1	53 - 57
Seven	Small Holding	SH-1	58
Eight	Country Residential	CR-1	59 - 60
Nine	Lakeshore Residential Single Family	LR-1	61 - 63
Ten	Lakeshore Residential Multi-Family	LR-2	64 - 66
Eleven	New Lakeshore Resort	LRT-1	67 - 68
Twelve	Existing Lakeshore Resort	LRT-2	69 - 70
Thirteen	Recreational Residential/Commercial	RC-1	71 - 72
Fourteen	Residential Single and Two Family	R-1	73 - 75
Fifteen	Residential Multi-Use	R-2	76 - 78
Sixteen	Residential Multi-Family	R-3	79 - 81
Seventeen	Mobile Home Park	MH-1	82
Eighteen	Retail Commercial	C-1	83 - 85
Nineteen	Service Commercial	C-2	86 - 89
Twenty	Highway Commercial	C-3	90 - 92
Twenty-One	Recreational Commercial	C-4	93 - 95
Twenty-Two	Local Commercial	C-5	96 - 97
Twenty-Three	Rural Service Commercial	C-6	98 - 99
Twenty-Four	Destination Resort Commercial One	C-7	100 - 101
Twenty-Five	Destination Resort Commercial Two	C-8	102 - 103
Twenty-Six	Limited General Commercial	C-9	104 - 105
Twenty-Seven	Comprehensive Entertainment Commercial	C-10	106 - 107
Twenty-Eight	Auto Wrecking	I-1	108 - 109
Twenty-Nine	Light Industrial	I-2	110 - 111

## **ZONING BYLAW NO. 2239**

### **TABLE OF CONTENTS**

<b><u>PART</u></b>			<b><u>PAGE</u></b>
Thirty	General Industrial	I-3	112 - 113
Thirty-One	Heavy Industrial	I-4	114
Thirty-Two	Independent Power Project	IPP-1	115 - 116
Thirty-Three	Recreational	P-1	117 - 118
Thirty-Four	Institutional	P-2	119
Thirty-Five	Civic Works	P-3	120
Thirty-Six	Comprehensive Development One	CD-1	121 - 126
Thirty-Seven	Resort Accommodation Two	RA-2	127 - 128
Thirty-Eight	Resort Accommodation Four	RA-4	129 - 130
Thirty-Nine	Resort Recreation One	RR-1	131 - 132

### **LIST OF SCHEDULES**

Schedule A – Zoning Maps

Schedule B – List of Resort Properties being changed from the AF-1 and RL-1 Zones to the LRT-1 Zone.

## **PART ONE - DEFINITIONS**

- 1.1 All words or phrases shall have their normal or common meaning except where they are changed, modified or expanded by the definitions in this **Part**.
- 1.2 **"Accessory Building or Structure"** means a building or structure that is ancillary or subordinate to the principal building or buildings on a parcel which is:
- a) used for the better enjoyment of the principal building or manufactured home to which it is accessory; and
  - b) situated upon the same parcel as the one on which the principal building or manufactured home is located or is being erected, and without restricting the generality of the foregoing, includes toolsheds, separate carports, private garages, but not attached carports or attached garages.
- 1.3 **"Accessory/Ancillary Use"** means a use that is customarily incidental, subordinate and exclusively devoted to a principal use on the same parcel.
- 1.4 **"Affordable Housing"** means a segment of the housing market where a proportion of housing is targeted at or reserved for people who are unable to compete effectively in the existing housing market. The term covers a wide range of providers and tenures.
- 1.5 **"Agricultural and Horticultural Uses"** means a use for the storage, sale and processing of agricultural products produced on the individual farm on which the storage, sale and processing is taking place in accordance with the Farm Practices Protection (Right to Farm) Act; and excludes an intensive agricultural use.
- 1.6 **"Agri-tourism"** means a tourist activity, service or facility that is accessory to a farm operation.
- 1.7 **"Automotive Service Centre"** means a facility for the repair, service of automobiles including the sale and installation of parts related thereto but does not include autobody repairs, auto wrecking or storage of damaged vehicles.
- 1.8 **"Auxiliary Residential Dwelling Unit"** means a dwelling unit that is contained within a resort home or equestrian home **in the case of Tobiano Resort only**; and which is ancillary to the principal use being made of the site upon which the auxiliary residential dwelling unit is located.
- 1.9 **"Bed and Breakfast"** means an ancillary use within a principal single family dwelling that provides temporary lodging for tourists and visitors where not more than four bedrooms are rented for rental periods of less than one month by the principal owner/occupant of the single family dwelling and may include shared common living space.

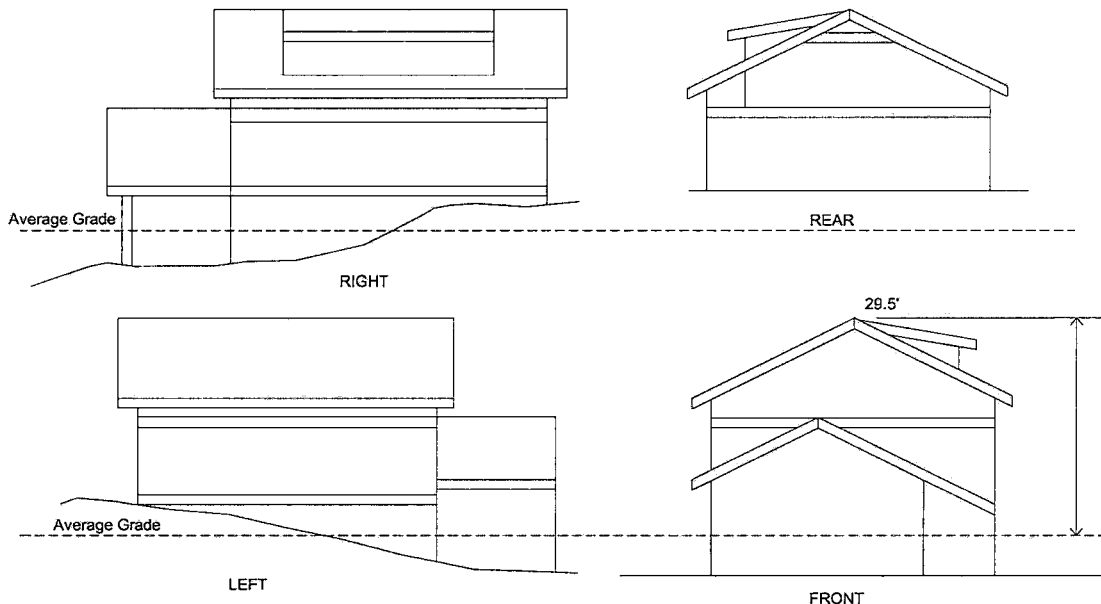
- 1.10 **"Building"** means a structure, having a roof supported by columns or walls.
- 1.11 **"Campground"** means a site used for the temporary accommodation of the travelling public in trailers, motor homes, campers or tents but does not include a manufactured home park, motel, non-profit or service camp.
- 1.12 **"Cluster Design"** means a development of 3 or more dwelling units wherein the dwelling units are grouped together as a whole or in smaller groups. Cluster design may or may not include a strata title subdivision.
- 1.13 **"Community Recreation Facilities"** means recreational facilities ancillary to a residential or resort development such as marinas, swimming pools, play grounds, tennis courts, recreation centers, trails or other similar communal recreational assets.
- 1.14 **"Community Sewer System"** means a domestic sewage collection, treatment and disposal system under the Health Act or the Waste Management Act which is owned, operated and maintained by an Improvement District, Regional District, Municipality, Greater Board, Federal Government agency, Provincial Government agency or a Strata Corporation.
- 1.15 **"Community Water System"** means a system of waterworks which serves two (2) or more parcels or sites, complies with the Drinking Water Protection Act and which is owned, operated and maintained by an Improvement District under the Health Act, Water Act, or the Local Government Act; or a municipality, a Regional District, a Greater Board, or by a Strata Corporation, or which is regulated under the Water Utilities Act.
- 1.16 **"Compost and Yard Waste Depots"** means a site for the drop-off of organic yard waste and compostable materials such as prunings, grass clippings and can provide receiving areas for chipped wood waste, household and commercial organic materials and biosolids from municipal sewage treatment.
- 1.17 **"Daycare Facility"** means a facility licensed as may be required to provide care, education services, and supervision for children.
- 1.18 **"Density Bonus"** means a development that permits a greater development density within a zone provided an approved community amenity, affordable or special needs housing is provided to the Regional District in accordance with a registerable development agreement.
- 1.19 **"Designated Flood"** means:
- (a) A flood which has a statistical frequency of occurrence of once every 200 years; or
  - (b) A flood with recorded levels equal to or greater than those of a 200 year flood as determined in this bylaw.



- 1.20 **"Domesticated Pet"** means an animal that has been tamed and adapted to a human environment but excludes livestock and exotic animals.
- 1.21 **"Dwelling, Multi-Family"** means a detached building, used exclusively for residential purposes, consisting of 3 or more dwelling or resort accommodation units, either with private individual access or common access. Dwelling, Multi-Family shall include apartments, condominiums, row houses and town houses and two family dwelling units in the case of the Tobiano Resort only.
- 1.22 **"Dwelling, Single Family"** means a detached building, used exclusively for residential purposes, consisting of one dwelling unit.
- 1.23 **"Dwelling, Two Family"** means a detached building or resort accommodation units divided into 2 dwelling units, separated by a common wall or floor. Dwelling, Two Family shall include duplexes.
- 1.24 **"Dwelling Unit"** means one or more rooms with self-contained cooking, eating, living, sleeping and sanitary facilities used or intended to be used as a residence for one or more persons but does not include a recreation vehicle or a park model recreation unit.
- 1.25 **"Equestrian Home"** means in the case of Tobiano Resort only, a detached resort accommodation unit which is situated in close proximity and linked by design and purpose to an integral equestrian facility.
- 1.26 **"Farm Building"** means a building or part thereof which does not contain residential occupancy and which is associated with and located on land devoted to the practice of farming, and used essentially for the housing of equipment or livestock, the production, storage or processing of agricultural produce or feed.
- 1.27 **"Farm Product"** means a commodity or good derived from the cultivation or husbandry of land plants or animals that are grown, reared, raised or produced on the farm unit.
- 1.28 **"Fence"** means a tangible barrier, constructed to stop passage as well as to stop or obstruct view across the barrier.
- 1.29 **"Flood Construction Level"** means the Designated Floor Level plus the allowance for freeboard (normally 0.6 metres) and is used to establish the elevation of the underside of a floor system of any area used for habitation, business or storage of goods damageable by floodwaters, or in the case of a manufactured home, the ground level or top of the concrete or asphalt pad upon which a manufactured home rests.

- 1.30 **"Floodplain Setback"** means the required minimum horizontal distance from the natural boundary of a watercourse, lake, or other body of water to any fill or structural support required to elevate a floor system or pad above the Flood Construction Level, so as to maintain a floodway and allow for potential land erosion.
- 1.31 **"Floor Area Ratio"** means the figure obtained when the gross floor area of all buildings on a parcel or strata plan is divided by the gross parcel area of that parcel or strata plan.
- 1.32 **"Food and Beverage Establishment"** means a commercially operated facility where prepared foods and beverages are offered for sale to the public for consumption on or off site.
- 1.33 **"Forestry Practice"** means a use including silviculture, harvesting and the processing of timber grown on the property on which the processing is taking place.
- 1.34 **"Golf Course"** means an area landscaped and developed for the playing of the game of golf but does not include a stand alone miniature golf course or stand alone driving range. A golf course includes no buildings or structures other than the following ancillary uses:
- (a) Clubhouse;
  - (b) Professional golf shop and necessary equipment storage;
  - (c) A maximum of ten (10) sleeping units for short term tourist accommodation for paying guests; and
  - (d) Storage of equipment required for golf course use and its maintenance.
- Use of the facilities a) to c) above shall be limited to members, guests and daily greens fee players.
- 1.35 **"Gross Floor Area"** means the total area of all floors in all buildings on a parcel measured to the exterior walls of the buildings including corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies and mezzanines, enclosed porches or verandahs, and basements, but excluding parking areas, elevators, chimneys and ventilating shafts, areas occupied by fixed machinery or equipment and any other space less than 2 metres in height.
- 1.36 **"Guest Ranch, Full Service"** means a comprehensive, western oriented recreational tourist development operating in conjunction with or independently as a resort which provides a broad range of year around rentable units, food and beverage facilities, social/recreational activities, facilities and horseback riding.

- 1.37 **"Guest Ranch, Rustic"** means an ancillary landowner/family operated component of a bona-fide horse or cattle ranch in a predominantly rural natural setting which provides rentable units, a limited range of social/recreational activities and facilities including horseback riding.
- 1.38 **"Height of Building"** means the vertical distance from the average finished ground level of all exterior walls of the building, structure or manufactured home to the highest point of the building, structure or manufactured home excluding chimneys, ventilators, vent-pipes, antennas, lightning rods, spires, elevator machinery and roof top heating/cooling units.



- 1.39 **"Home Occupation"** means in the case of Tobiano resort only, a craft or occupation conducted as an accessory use subordinate to the principal use of a residential dwelling.
- 1.40 **"Hostel"** means a building used as a temporary place of lodging containing one or more dormitories with common areas for washing, cooking, dining, bathroom and social facilities; and may also contain an auxiliary residential dwelling unit for the owner or caretaker.
- 1.41 **"Independent Power Facility"** means a small-scale facility which generates more than 1 megawatt and less than 50 megawatts of electrical power for sale into an existing electricity transmission and distribution infrastructure ('the power grid').
- 1.42 **"Institutional Facility"** means a facility whereby the predominant use is of an institutional nature but is not limited to schools, health care facilities, religious buildings, community centres, fire halls, ambulance and police stations.

- 1.43 **"Intensive Agricultural Use"** means the use of land, buildings and other structures by a commercial enterprise or institution for the:
- (a) confinement of poultry, livestock or fur bearing animals;
    - i) a beef or cattle feeding enterprise which involves 200 or more cattle that are contained within the feeding area for a period of greater than 150 consecutive days in any one calendar year;
    - ii) any swine enterprise exceeding 20 head, including piglets;
    - iii) any poultry enterprise exceeding 500 birds; and
    - iv) any fur bearing animal enterprise exceeding 50 animals.
  - (b) growing of mushrooms; or
  - (c) operation of a slaughterhouse or stockyard that does not include an incinerator for the disposal of animal waste or specified risk material (SRM).
- 1.44 **"Livestock"** means any domestic animal raised for food or profit and includes ungulates and fowl, but excludes domestic pets and exotic animals.
- 1.45 **"Lodge"** means a building or group of buildings operated in conjunction with a resort and may include ancillary commercial, recreational and entertainment facilities and associated rentable units which complies with the definition of "hotel" except that a lodge is not required to include public areas for assembly, retail, entertainment or restaurant uses.
- 1.46 **"Marina"** means a commercial or government establishment or premise, containing docking or mooring facilities where boats and other water vessels and their accessories are berthed, stored, serviced, repaired, constructed or kept for sale or for rent. A marina does not include fueling facilities.
- 1.47 **"Manufactured Home"** means a factory designed and constructed dwelling unit which is transportable in one or more sections and which is intended to be occupied in a place other than its place of manufacture. Manufactured home shall not include a recreational vehicle or a park model recreational unit.
- 1.48 **"Manufactured Home Pad"** means that portion of a **manufactured** home space, designated, designed and prepared for the support of a manufactured home.

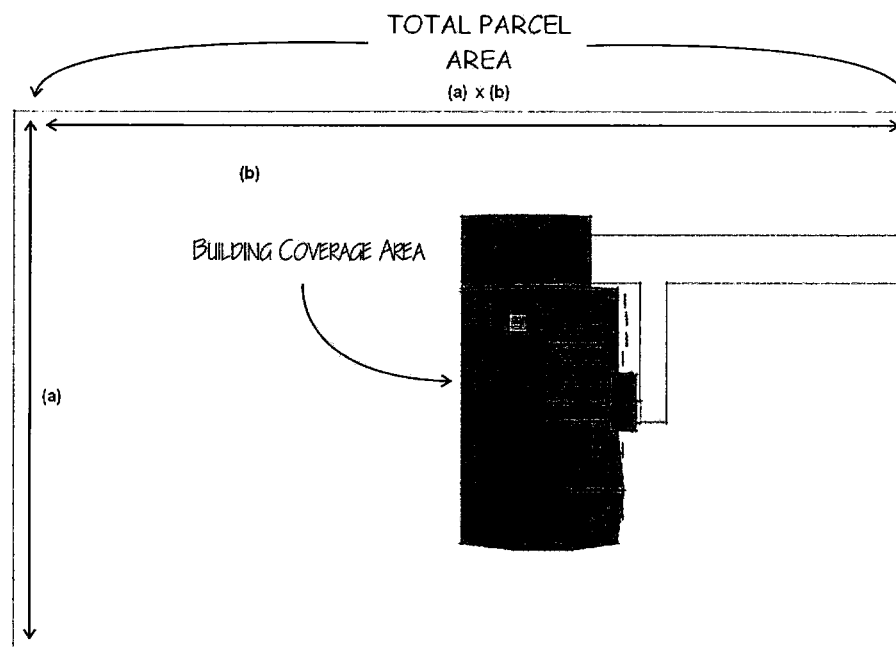
- 1.49 **"Manufactured Home Park"** means a parcel of land with spaces designated for occupation by two or more manufactured homes **for rental purposes.**
- 1.50 **"Manufactured Home Space"** means an area of land within a manufactured home park intended for the exclusive temporary use of one manufactured home and permissible additions that is clearly defined on a manufactured home park plan in a manner similar to property line boundaries.
- 1.51 **"Monastery"** means a residential building or group of buildings used by a community of persons especially monks bound by a vow to a religious life.
- 1.52 **"Moorage Facility"** means a fixed or anchored object or structure, such as an anchor, buoy, float, pier or boathouse, which is used or intended to be used as an ancillary use by resort guests. A mooring facility may consist of any combination of the above and may include a pedestrian access ramp.
- 1.53 **"Motel / Hotel / Inn"** means a building or group of buildings containing rentable units, used or intended to be used as temporary tourist accommodation, with each unit having its own parking space conveniently located on or off the site and each rentable unit being self-contained, having its own bathroom with a water closet and a bath or shower, with or without cooking facilities. Access may be by individual outside access for each unit or by common access and hallways.
- 1.54 **"Natural Boundary"** means the visible high water mark of any lake, river, stream or other body of water, where the presence and action of the water are so common and usual, and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water, a character distinct from that of the banks thereof in respect to vegetation, as well as in respect to the nature of the soil itself.
- 1.55 **"Non-Profit or Service Camp"** means a non-commercial facility that provides for a group camping experience with the participants sleeping in tents, recreational vehicles or sleeping cabins for periods of less than one (1) month. Such a camp will have minimal site improvements and may contain accessory facilities for preparation and consumption of food and recreation. Non-profit or service groups shall be registered as a society under the Society Act.
- 1.56 **"Open Land Recreation"** means passive outdoor recreational activities that utilize undeveloped tracts of land which generally do not require buildings, facilities or structures but does not include motocross tracks, marinas or golf courses.

1.57 **"Outdoor Assembly Use"** means the outdoor gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes.

1.58 **"Parcel"** means:

- (a) A single area of land with defined boundaries and registered under the provisions of the Land Title Act or Strata Property Act; or
- (b) A single area of land with defined boundaries held by way of lease or license of occupation granted by the Federal or Provincial Crown or their agencies.

1.59 **"Parcel Coverage"** means a portion of the parcel, expressed as a percentage that is covered above ground by any building or structure.



1.60 **"Park Model Recreation Unit"** means a recreational vehicle designed as living quarters for seasonal recreation accommodation, which can be relocated on occasion, and must be connected to those utilities necessary for the operation of installed fixtures and appliances, and has a Gross Floor Area, including lofts, not exceeding 50 square metres when in the setup mode, and has a width greater than 2.6 metres and less than 4.42 metres in the transit mode. A park model recreation unit shall not be considered a dwelling unit.

- 1.61 "Personal Service" means a business use that provides services to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include but are not limited to laundromat, dry cleaner, health club, spa and hairdresser.
- 1.62 **"Pet Boarding and Breeding Kennels" means premises used for the temporary boarding, breeding, buying, selling, keeping and training of dogs, cats and other domesticated pets, but excludes the keeping of livestock and exotic animals.**
- 1.63 "Presentation Centre" means **in the case of Tobiano Resort only**, a building limited to marketing, real estate sales **with ancillary use as a restaurant, office, library and art gallery.**
- 1.64 **"Processing of Aggregate Materials" means the processing of sand and gravel including the screening, crushing, watering and production of concrete and asphalt using materials extracted from the site only.**
- 1.65 **"Professional Practice, Homecraft or Occupation" means a use that is clearly ancillary and subordinate to the principal residential use of the property and that is confined to the interior of the dwelling unit or within a building that is accessory to the dwelling unit and that is carried out primarily by the owner or occupant of the property. Professional practice, homecraft or occupation shall not include any form of vehicular or equipment sale, lease, maintenance or repair.**
- 1.66 **"Qualified Environmental Professional" means an applied scientist, technician, or qualified environmental professional who is:**
- (a) **registered and is good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by the association;**
  - (b) **recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of the development proposal; and**
  - (c) **acting within that individual's area of expertise.**
- 1.67 **"Ravine" means a narrow, steep sided valley that is commonly eroded by running water and has a slope grade greater than 3:1.**
- 1.68 **"Recreational Vehicle" means a vehicle designed to be towed behind a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, fifth wheels, camper trailers, park model recreational unit, pick-up coaches, motorized campers, motorized homes and other similar vehicles, which provide temporary recreational accommodation for the traveling public.**

- 1.69 **"Recycling Depot"** means a site for the drop-off of single stream, or source separated household recyclable materials such as paper, cardboard, plastics, glass and tin cans.
- 1.70 **"Rentable Unit"** means a separate unit which may be either free standing or sharing common walls, containing one or more rooms with self-contained living, sleeping and sanitary facilities and may include cooking facilities, providing temporary accommodation for tourists or the travelling public.
- 1.71 **"Resort"** means a building or group of buildings including a principal lodge used by tourists and the travelling public for temporary accommodation and may include ancillary commercial, recreation, entertainment facilities, rentable units and a campground.
- 1.72 **"Resort Accommodation"** means a building or buildings containing resort accommodation units for visitors or for occupancy by the owner or occupier and may include hotels, resort cottages, resort homes, equestrian homes, multi-family and two family units.
- 1.73 **"Resort Accommodation Unit"** means in the case of the Tobiano Resort only, one or more resort habitable rooms or accommodation units used for accommodation by visitors or for occupancy by the owner or occupier and may contain units with cooking, eating, living, sleeping and sanitary facilities.
- 1.74 **"Resort Cottage"** means in the case of Tobiano Resort only, a detached resort accommodation unit built on a compact lot.
- 1.75 **"Resort Home"** means in the case of Tobiano Resort only, a detached resort accommodation unit built on a medium-sized lot.
- 1.76 **"Resort Hotel"** means any building used for accommodation which may include resort accommodation units and areas used for the public: lobby, restaurant, assembly, entertainment, retail purposes, indoor recreation and personal services.
- 1.77 **"Resort Real Estate Sales Centre"** means a permanent or temporary building or structure for the purpose of marketing development associated with the Tobiano Resort.
- 1.78 **"Residential Security/Operator Unit"** means a building or portion of a building used to provide on-site accommodation for a site caretaker or operator or a primary use, or for on-duty security personnel.



1.79 **"Riparian Assessment Area" means:**

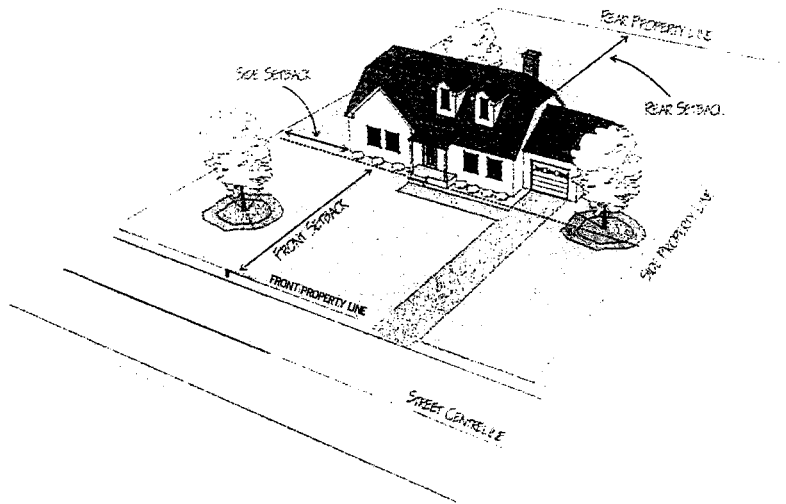
- (a) For a stream, the 30 meter strip on both sides of the stream, measured from the high water mark;
- (b) For a ravine less than 60 meters wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 meters beyond the top of the ravine bank; and
- (c) For a ravine 60 meters wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 meters beyond the top of the ravine bank.

1.80 **"Riparian Area" means the riparian assessment area or the streamside protection and enhancement area adjacent to a stream.**

1.81 **"Riparian Assessment Report" means a report prepared in accordance with the assessment methods to assess the potential impact of a proposed development in a riparian assessment area and which is certified for the purposes of this regulation by a qualified environmental professional.**

1.82 **"Service Station" means a building or structure, used or intended to be used primarily for the sale of motor fuel and automotive accessories and for automobile servicing.**

1.83 **"Setback" without restricting the generality, means a space open to the sky, except eaves, gutters, cornices, sills, chimneys, or other similar features, provided that such projections do not exceed 60 centimetres; and uncovered patios, terraces or steps.**



- 1.84 **"Setback, Front"** means a setback extending across the full width of the parcel, and measured as to depth at the least horizontal distance between the front lot line and the furthest projection of the principal building, structure or manufactured home toward the front lot line. **Where a parcel is bisected by a highway, both parcel lines abutting the highway are considered to be front lot lines.**
- 1.85 **"Setback, Rear"** means a setback which extends the full width of a parcel, and measured as to depth at the least horizontal distance between the rear lot line and the furthest projection of the principal building, structure or manufactured home toward the rear lot line.
- 1.86 **"Setback, Side"** means a setback extending from the front setback to the rear setback, lying between the side lot line and the furthest projection of the principal building, structure or manufactured home toward the side lot line.
- 1.87 **"Shipping Container"** means a temporary portable structure used for storage of materials related to the principal use of the site and includes cargo or shipping containers, but specifically excludes dumpsters, recycling receptacles, railway boxcars and semi-truck trailers.
- 1.88 **"Short Term Rental"** means the use by a tourist or the travelling public of accommodation for a period of not more than 30 consecutive days.
- 1.89 **"Slaughterhouse"** means a place where animals are killed, butchered and processed under government regulation for meat foods.
- 1.90 **"Sleeping Unit"** means one or more habitable rooms that are used for accommodation which may include a bathroom but shall not include cooking facilities.
- 1.91 **"Solid Waste Eco-Depot"** means a fenced and gated facility where municipal solid waste and recyclable materials are accepted into containers and stockpiles. These sites generally function as both terminal collection and reload centres for smaller transfer stations, recycle depots and local curbside collection services but do not include any discharge to the ground. Eco-depots can also serve as locations where provincial product stewardship programs are located.
- 1.92 **"Solid Waste Management Facility"** means a site or facility whose primary purpose is for the collection, storage, processing, transport, or disposal of solid waste or any component of solid waste that has been diverted from disposal in accordance with the TNRD Regional Solid Waste Management Plan. A solid waste management facility may include a compost and yard waste depot, recycling depot eco-depot and/or a transfer station as a component of its operation.
- 1.93 **"Solid Waste Transfer Station"** means a fenced and gated facility where municipal solid waste and recyclable materials are accepted into bins and stockpiles usually located at the terminus of the collection system. Transfer stations are primarily intended for the disposal and recycling of household refuse and recyclables and generally do not offer disposal service for commercial materials such as demolition and construction materials.
- 1.94 **"Standard Dyke"** means a dyke built to minimum crest elevation equal to the Flood Construction Level and meeting standards of design and construction approved by the Ministry of Environment and maintained by an ongoing authority such as a local government body.

- 1.95 "Stream" for the purposes of the Riparian Areas Regulation, means any of the following that provide fish habitat:
- (a) a watercourse, whether it usually contains water or not;
  - (b) a pond, lake, river, creek or brook;
  - (c) a ditch, spring or wetland that is connected by surface flow to something referred to in (a) or (b) above.
- 1.96 "Stockyard" means an enclosed space where livestock or farmed game are kept temporarily for slaughter, marketing or shipping.
- 1.97 "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 a floor and the ceiling above it.
- 1.98 "Storey, First" means the storey having its floor level not more than 2 metres above grade.
- 1.99 "Stream" means any of the following that provide fish habitat:
- (a) a watercourse, whether it usually contains water or not;
  - (b) a pond, lake, river, creek or brook; or
  - (c) a ditch, spring or wetland that is connected by surface flow to a watercourse, pond, lake, river, creek or brook.
- 2.0 "Streamside Protection and Enhancement Area" means an area:
- (a) adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream; and
  - (b) the size of which is determined according to the Riparian Areas Regulation on the basis of an assessment report provided by a qualified environmental professional in respect of a development proposal.
- 2.1 "Temporary" means in the case of Tobiano Resort only, a total of less than four consecutive weeks in a calendar year.
- 2.2 "Top of Ravine Bank" means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 meters measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.
- 2.3 "Tourist or Travelling Public" means a person who travels from place to place away from their permanent residence for pleasure or business.
- 2.4 "Utility Delivery Infrastructure" means buildings, structures and utility lines used for the delivery of utility services, but exclude electricity generation facilities and Independent Power Project facilities that feed into the Provincial power grid.
- 2.5 "Watercourse" means any natural or man-made depression with well defined banks which may provide fish habitat including: a watercourse, whether it usually contains water or not; a pond, lake, river, creek, brook, and ditch, spring or wetland that is connected by surface flow to a watercourse.

- 2.6 "Wetland" means land that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries and similar area that are not part of the active floodplain of a stream.
- 2.7 "Wineries and Cideries" means the growing, processing, storage and sale of grape or fruit based wines licensed under the Liquor Control and Licensing Act and may include an ancillary bistro and gift shop.

## **PART TWO - GENERAL PROVISIONS**

### **2.1 AGRICULTURAL LAND RESERVE**

- (a) Notwithstanding any other provisions of this bylaw, all lands within the Provincial Agricultural Land Reserve except those **excluded** under Section 16 of the Agricultural Land Commission Act or a general Order of the Commission, are subject to the provisions of the Agricultural Land Commission Act, Regulations thereto, and Orders of the Commission (thereby not permitting the subdivision of land and the development of new non-farm uses unless approved by the **Agricultural Land Commission**).
- (b) Where land is within the provincial Agricultural Land Reserve the minimum parcel size of the applicable zone shall only apply when that land is:
  - i) excluded from the Agricultural Land Reserve; or
  - ii) approved for subdivision within the Agricultural Land Reserve pursuant to the Agricultural Land Commission Act, Regulations thereto, or Orders of the Commission; or
  - iii) exempted by the Agricultural Land Commission Act, Regulations thereto, or Orders of the Commission.
- (c) Where any discrepancy may occur between the Agricultural Land Reserve boundaries shown on the official Zoning Maps and the Land Reserve Commission's certified Agricultural Land Reserve mapping, the certified Agricultural Land Reserve boundaries shall prevail.

### **2.2 BYLAW AMENDMENTS**

An Application for rezoning, **site-specific zoning or development variance** shall be treated as an application to amend this Bylaw.

### **2.3 COMPLIANCE**

No persons shall erect, construct, locate, alter, reconstruct or maintain any building or locate or carry on any industry, business, trade or calling, or use any land or building contrary to the provisions of this bylaw and any use not specifically permitted by this bylaw is hereby prohibited.

## 2.4 ENFORCEMENT

- (a) Any person who violates the provisions of this Bylaw is liable on summary conviction to a penalty not exceeding \$2000.00 and also the cost of the prosecution.
- (b) Each day that such violation is caused to continue, or allowed to continue constitutes a separate offence.
- (c) Upon conviction, the Court may direct that no prosecution under Section 2.4 (a) may be made, with respect to the continuance of the violation, for such period of time as directed.

## 2.5 INSPECTION

The Building Inspector, **Bylaw Compliance Officer** or any other official who may be appointed by the Board of Directors, is hereby authorized to enter, at all reasonable times, upon any property or premises to ascertain whether the provisions of this Bylaw are being obeyed.

## 2.6 PARCEL SIZE

- (a) Where reasons of topography, previous subdivision, physical features, including existing streets or rights-of-way, make it impractical to meet the minimum parcel size of the AF-1, RL-1, SH-1, and CR-1 Zones, a reduction in parcel size of up to 10 percent may be granted for not more than one parcel.
- (b) Where, at the date of the adoption of this Bylaw, a parcel within the AF-1 or RL-1 Zones is divided by an existing public highway constructed to the Ministry of Transportation and **Infrastructure's** standards, a reduction in the parcel size for not more than one (1) parcel may be granted provided that it has a minimum area of 8,000 square metres and it includes the entire divided part.

- (c) The minimum parcel size for subdivision requirements of this Bylaw do not apply to:
  - i) **the consolidation of existing parcels or the addition of closed streets to an existing parcel;**
  - ii) **lots created through the use of the density bonusing provisions of the Local Government Act;**
  - iii) **lots created in the AF-1, RL-1 and SH-1 zones using density averaging, provided that the lots are serviced with community water and community sewer systems.**
- (d) **Where a parcel is created under Section 946 of the Local Government Act (subdivision to provide residence for a relative), the minimum parcel size shall be 8000 square metres and in no case shall the Remainder be less than 2 hectares except in the Agricultural Land Reserve, where a smaller lot may be permitted for homesite severance subdivisions approved in accordance with the Agricultural Land Commission's Homesite Severance Policy.**

## 2.7 PURPOSE

The purpose of this bylaw is to guide the growth of the Electoral Areas of the Thompson-Nicola Regional District in a systematic and orderly manner for the ultimate benefit of the region as a whole by ensuring that the various uses made of land and structures develop in proper relationship to one another, having due regard to:

- (a) the promotion of health, safety, convenience and welfare of the public;
- (b) the prevention of the overcrowding of land and preservation of the amenities peculiar to any zone;
- (c) the securing of adequate light, air and access;
- (d) the value of the land and the nature of its present and prospective use and occupancy;
- (e) the character of each zone, the character of the buildings already erected and the peculiar suitability of the zone for particular uses; and
- (f) the conservation of property values.

## 2.8 SEVERABILITY

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

## 2.9 USE OF ANY PARCEL

**The use of any parcel of land in any zone of this bylaw shall be in accordance with the respective provisions therein and any use of buildings, structures, or land not in accordance with the provisions shall be prohibited.**

## 2.10 ZONING BOUNDARIES

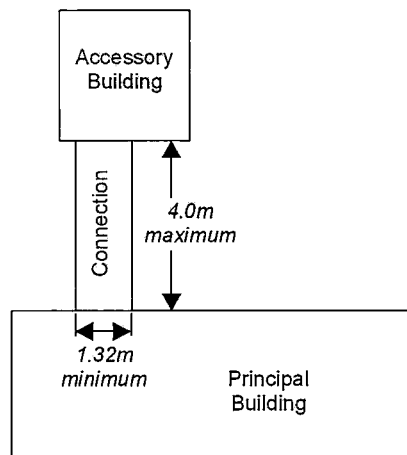
- (a) When the zoning boundary is designated on the official Zoning Map as following a road allowance, **body of water** or railway right-of-way, the centre line of such road allowance, **body of water** or railway shall be the zoning boundary.
- (b) Where a zoning boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the official Zoning Map.



## PART THREE - SPECIAL PROVISIONS

### 3.1 ACCESSORY BUILDINGS OR STRUCTURES AND USES

- (a) An accessory building **or structure** may not be erected on any parcel unless the principal building or manufactured home has been erected or will be erected within a period not to exceed the duration of the Building Permit issued for the construction of the principal building or manufactured home and the accessory building.
- (b) Notwithstanding Section 3.1 (a), a building used for the storage of tools, equipment and materials may be erected or located on a parcel where the building is to **be used to** facilitate the development of the principal building under a valid building permit on that parcel.
- (c) **Notwithstanding Section 3.1 (a), a farm building used as an accessory building to the principal agricultural land use and is on land classified as a farm by the BC Assessment Authority, may be erected or located on a parcel in the AF-1, AF-2 and RL-1 zones where that building is to be used to facilitate the development of the principal agricultural use on that parcel.**
- (d) **An accessory building or structure attached to a principal building or manufactured home shall conform to the following siting and height requirements:**
  - i) **the building shall be connected by a continuous foundation, supporting structure, and roofline of the principal building with materials conforming to the requirements of the British Columbia Building Code;**



- ii) connection shall have a minimum width of 1.32 metres and shall not exceed a maximum length of 4 metres;
- (e) When an accessory building or structure is not attached to a principal building or manufactured home, no part of any building or structure shall be closer than 3 metres to another building or structure.
- (f) An accessory building or structure shall not be used as a dwelling unit.

### 3.2 CAMPGROUNDS

Campgrounds permitted in the LRT-1, LRT-2, C-3, C-4, C-7 and P-1 Zones shall comply with the requirements of the Thompson-Nicola Regional District Campground Bylaw No. 1209 as amended.

### 3.3 CONSTRUCTION CAMPS

Notwithstanding Sections 4.1, 6.1, 19.1, 29.1, 30.1, 32.1, 33.1, 34.1, and 35.1, construction camps providing boarding and lodging facilities for employees of contractors working on major construction projects such as highways, **independent power projects**, transmission and utility lines, hydro-electric dams and mines are permitted within the AF-1, RL-1, C-2, I-2, I-3, IPP-1, P-1, P-2, and P-3 Zones provided that the:

- (a) minimum lot area is four hectares;
- (b) construction camp is setback a minimum of one hundred metres from any parcel zoned other than AF-1, RL-1, C-2, I-1, I-2, I-3, P-1, P-2, and P-3;
- (c) construction camp is for the duration of the construction only; and the site used for the construction camp is totally remediated so as to provide for other uses permitted in the zone in which the construction camp is located.

### 3.4 DENSITY AVERAGING

In considering developments, the Regional Board may consider density averaging or the clustering of housing on smaller portions of the overall site so the remainder of the property can be preserved as open space. The Regional District Board will support density averaging provided that:

- (a) The total area of the land to be subdivided, divided by the number of parcels to be created is not greater than the equivalent conventional development density permitted under this Bylaw;
- (b) The parcel configurations and sizes are adequate to accommodate buildings and structures appropriate to the intended use;
- (c) Development is serviced with community water and community sewer;
- (d) The minimum parcel size for the developments shall be 4000 square metres;

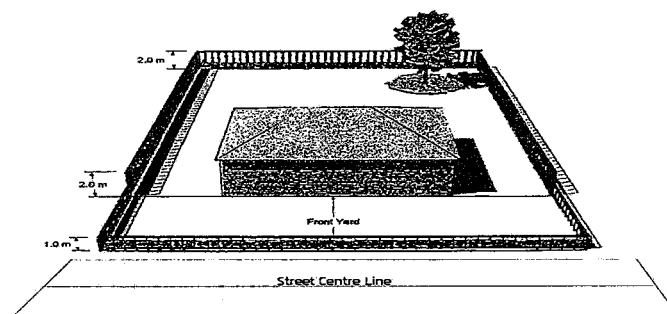
- (e) **Where a subdivision is created by means of density averaging, it will be necessary to register a restrictive covenant against the title of land under Section 219 of the Land Title Act at the time of registration of the subdivision, prohibiting the further subdivision from the parcel described under covenant. Where a development contains more than one phase, the developer will be required to submit a phasing plan to both the Regional District and the Provincial Approving Officer outlining the sequence and continuity of future phases.**

### 3.5 DWELLINGS PER PARCEL

- (a) **There shall be no more than one single family dwelling, one two family dwelling or one manufactured home on any parcel unless specifically noted otherwise in this Bylaw.**
- (b) **Notwithstanding Section 3.5 (a) above, where a parcel is used exclusively for agricultural or horticultural uses in the AF-1, AF-2 or RL-1 Zones, and the parcels classified as a farm by the British Columbia Assessment Authority, additional manufactured homes in conjunction with the agricultural or horticultural use may be permitted subject to the following conditions:**
  - i) **the parcel of land shall be a minimum of 8 hectares in size.**
  - ii) **the additional manufactured home shall be occupied only by a member of the owner's immediate family or by a person who is employed in the operation of the farm.**
  - iii) **the additional manufactured home shall be sited not less than:**
    - (i) **8 metres from any lot line; and**
    - (ii) **5 metres from the principal dwelling or any building accessory thereto nor greater than 15 metres from the principal dwelling.**
  - iv) **the additional manufactured home shall be serviced with on-site water and sewage disposal in accordance with the requirements of the appropriate Provincial authority having jurisdiction.**
  - v) **the additional manufactured home shall be removed from the parcel of land if any of the conditions specified in Section 3.5 (b) i) to vi) cease to exist.**
  - vi) **where an additional manufactured home for agricultural or horticultural practice has been permitted, it will be necessary for the property owner to register a restrictive covenant against the title of the land under Section 219 of the Land Title Act prohibiting use of an additional manufactured home for any use other than for bona fide agricultural use.**

### 3.6 FENCING, LANDSCAPING AND SCREENING REGULATIONS

- (a) Except as otherwise specifically stated in this Bylaw:
- i) The height of a fence is determined by measurement from the ground level, at the place on which the fence is to be located, to the top of the fence;
  - ii) No fence shall exceed 2.0 metres in height except in the front setback of any parcel where no fence shall exceed 1.0 metre in height.
  - iii) Notwithstanding Section 3.6(a) ii) above,
    - (i) On a corner site contiguous to a highway intersection, no fence, wall, hedge or other vegetation is permitted at a greater height than 1.0 metres above the established elevation of the centre point of intersecting highways, at or within a distance of 4.5 metres from the corner of the site at the intersection of the streets.
    - (ii) In the C-7, C-8, RA-2 and RA-4 Zones, the maximum fence height regulations do not apply to open mesh or chain link fences erected to enclose recreational amenities or entertainment uses such as swimming pools, tennis courts, golf courses, driving ranges, parks, playgrounds or amusement parks or zoos.
    - (iii) In the C-2, C-3, I-1 and I-3 Zones, all areas used for the wrecking and storage of automobiles must be completely enclosed by a well maintained, view obstructing fence or wall of not less than 2.5 metres in height and not more than 4 metres in height, unless the adjacent parcel is zones C-2, I-1, I-2, I-3 or I-4.
- (b) In the C-2, C-3, I-1 and I-3 Zones, no material shall be piled to a greater height than that of the surrounding fence or wall.
- (c) In the C-7, C-8, RA-4 and RR-1 Zones, all service or utility buildings or structures shall be fenced, screened or designed in a manner that is compatible with the character of the comprehensive resort development.
- (d) All fencing shall be designed and constructed so that it is harmonious with the principal building or structure or compatible with the character of the comprehensive resort development.



- (e) In the C-7, C-8, RA-2, RA-4 and RR-1 Zone, a landscaping plan shall be submitted to and approved by the Thompson-Nicola Regional District.

  - i) All landscaping shall be maintained in good condition and in conformance with the approved landscape plan.
  - ii) All unsurfaced parking and setback areas except for points of access at street property lines shall be landscaped as follows:

    - (i) where landscape features utilized for screening purposed are located on or adjacent to a property line, they shall comply with the height requirements for fences;
    - (ii) on every parking area providing more than 100 parking spaces, one landscaped island having minimum dimensions of 1.8 metres by 2.5 metres shall be provided.

### **3.7 FLOODPLAIN REGULATIONS**

- (a) The following land is designated as Floodplain:

  - i) Land lower than the Flood Construction Levels specified in this section.
  - ii) Land within the Floodplain Sethacks specified in this section.
- (b) The underside of any floor system, or the top of any pad supporting any space or room, including a manufactured home, that is used for dwelling purposes, business, or the storage of goods, which are susceptible to damage by floodwater must be above the applicable flood construction level specified herein:
- (c) The following elevations are specified as flood construction levels, except that where more than one flood construction level is applicable, the higher elevation shall be the flood construction level:

  - (i) the following are the flood construction levels for named lakes:

Adams Lake	5.7 metres on WSC gauge 08LD003
Badger Lake	3 metres above invert of the sluiceway of control dam
Bonaparte Lake	3 metres above the natural boundary of the lake
Grenier Lake	1.5 metres above spillway (sill) outlet
Heffley Lake	1.5 metres above the concrete spillway sill of the Heffley Lake Dam
Kamloops Lake	<del>346.2</del> metres G.S.C. datum for land adjacent to the lake
Leighwood Lake	1.5 metres above spillway elevation
Little Shuswap Lake	<del>348</del> metres G.S.C. datum for land adjacent to the lake
Loon Lake	2.5 metres above spillway crest on outlet
Monte Lake	0.6 metres above the crest of the Monte Lake Dam
Nicola Lake	<del>627.9</del> metres Geodetic Survey of Canada (G.S.C.) datum for land adjacent to the lake
Paul Lake	771.25 metres G.S.C. datum for land adjacent to the lake
Stump Lake	<del>746.5</del> metres G.S.C. datum for land adjacent to the lake

- ii) 1.5 metres above the natural boundary of any other lake, swamp or pond;
- iii) the Flood Construction Level of the Thompson, North Thompson, Nicola and Coldwater Rivers **as identified on floodplain mapping or where it has not been determined:**
  - (i) 8 metres above the natural boundary of the Fraser River;
  - (ii) **6 metres above the natural boundary of the Thompson River;**
  - (iii) **3.5 metres above the natural boundary of the Clearwater River;**
  - (iv) 3 metres above the natural boundary of the Coldwater, **Deadman River below Criss Creek**, Nicola and North Thompson Rivers, and the Danish, Siwash and Spius Creeks;
  - (v) 2.5 metres above the natural boundary of the **Barriere River and Bonaparte River (below Loon Creek) and Tranquille Rivers;**

- (vi) 2 metres above the natural boundary of **Blue River, Bonaparte River above Loon Creek, Deadman River above Criss Creek, East Barriere River, Salmon River** and Big Bar, Criss, Hat, Heffley, Guichon **Creek below Mamit Lake**, Lemieux, McGillivary, **and Paul** Creeks; and
  - (vii) 1.5 metres above the natural boundary of any other watercourse.
- (d) The specified Flood Construction Levels shall not apply to:
- i) a renovation of an existing building used as a residence that does not involve an addition thereto; or an addition to a building for residential use that would increase the size of the building by less than 25 percent of the floor area existing **prior to the adoption of Zoning Bylaw No. 2239.**
  - ii) that portion of a building or structure used exclusively as a carport, garage or entrance foyer.
  - iii) farm buildings other than dwelling units and closed-sided livestock housing. Farm dwelling units on parcel sizes of 8.1 hectares, or greater, and within the Agricultural Land Reserve are exempted from the requirements of Section 3.7 (c) but if in a floodable area shall be elevated 1 metre above the natural ground elevation. Closed-sided livestock housing behind standard dykes is exempted from the requirement to floodproof but if not behind standard dykes shall be elevated 1 metre above the natural ground elevation.
  - iv) light or heavy industrial development which is required to floodproof to the Designated Flood Level.
  - v) heavy industry behind standard dykes. Heavy industry includes such uses as manufacturing or processing of wood and paper products, metal, heavy electrical, non metallic mineral products, petroleum and coal products, industrial chemicals and by-products and allied products.
  - vi) on-loading and off-loading facilities associated with water-oriented industry and portable sawmills. Except that all main electrical switchgear for any of the uses listed above shall be no lower than the Flood Construction Level.
- (e) The required elevation may be achieved by structural elevation of a habitable, business or storage area or by adequately compacted landfill on which any building is to be constructed, or mobile home located, or by a combination of both structural elevation and landfill. No area below the

Flood Construction Level shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwater.

Where landfill is used to achieve the required elevations stated in Section 3.7 (c), the face of the landfill slope shall be adequately protected against erosion from floodwaters, and no portion of the landfill slope shall extend within any applicable Floodplain Setback specified herein.

- (f) Notwithstanding any other provisions of this Bylaw, no building or any part thereof shall be constructed, reconstructed, moved or extended, nor shall any manufactured home be located, within a specified Floodplain setback.
  - i) The following distances are specified as Floodplain Setbacks:
    - (i) **15 metres from the natural boundary of Kamloops, Nicola, Stump and Little Shuswap Lakes;**
    - (ii) 7.5 metres from the natural boundary of **any other** lake, swamp or pond;
    - (iii) 60 metres from the natural boundary or within 45 metres of the top of the bank of the Fraser **and Thompson** Rivers;
    - (iv) **45 metres from the natural boundary of the Nicola, Coldwater and Salmon Rivers and Bonaparte River below Loon Creek and Spius Creek;**
    - (v) 30 metres from the natural boundary of the Barriere, Blue, **Bonaparte River above Loon Creek**, Clearwater, East Barriere, Raft, North and South Thompson, and Tranquille Rivers; and the Criss Creek, Guichon, Lemieux, McGillivary (**below Sun Peaks Resort**), Paul, Peterson, Sinmax and Creeks; and
    - (vi) 15 metres from the natural boundary of any other watercourse.
  - ii) Where more than one Floodplain Setback is applicable, the greater distance shall be the Floodplain Setback.



- (g) Notwithstanding any other provisions of this Bylaw, no building or any part thereof shall be constructed, reconstructed, moved or extended nor shall any manufactured home be located where any watercourse has steep banks and where erosion and/or landslip may occur due to the action of floodwaters, nor within 7.5 metres of the inboard toe of a standard dyke.
- (h) **Under the Local Government Act, and subject to the Provincial regulations or a local government plan or program developed under these regulations; the Regional District may exempt types of development from the requirements of Flood Construction Levels and Floodplain Setbacks for a specific parcel of land or a permitted use, building or other structure on the parcel of land, if the Regional District has received a certified report from a professional engineer or geoscientist stating that the land may be used safely for the use intended:**
- (i) **The granting of the exemption may be made subject to terms and conditions that the Regional District considers necessary or advisable and may include:**
  - i) **The registration of a restrictive covenant against the title of land under Section 219 of the Land Title Act.**
- (j) **By the enactment, administration or enforcement of this Bylaw, the Thompson-Nicola Regional District does not represent to any person that any building or structure, including a manufactured home, located, constructed, sited or used in accordance with the provisions of this Bylaw, or in accordance with any advice, information, direction or guidance provided by the Thompson-Nicola Regional District in the course of the administration of this Bylaw will not be damaged by flooding or erosion.**

### **3.8 GARBAGE STORAGE AND COLLECTION STANDARDS**

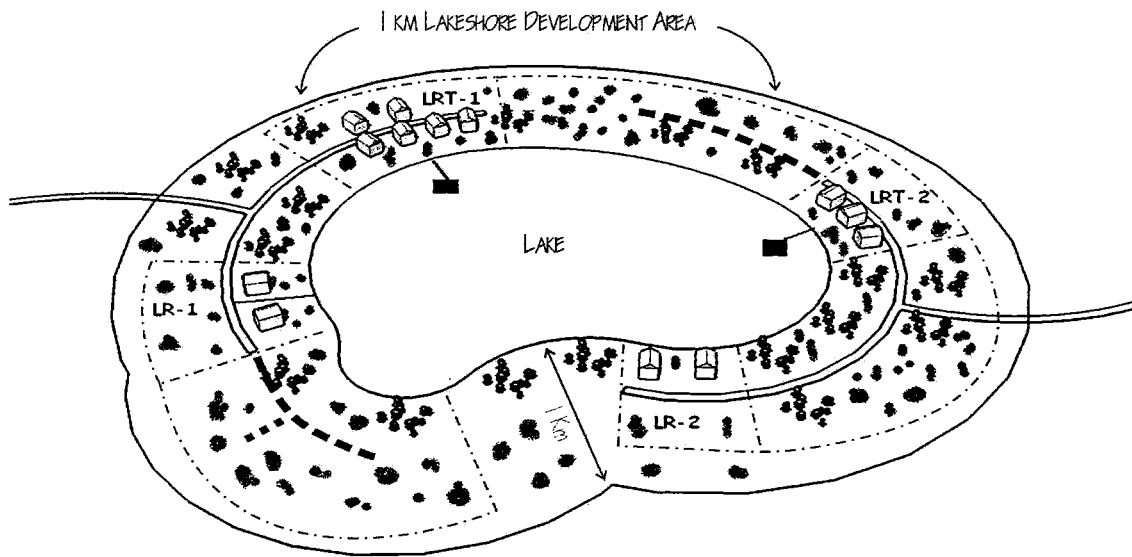
**In the C-7, C-8, RA-2, RA-4 and RR-1 Zones, all buildings shall provide for:**

- (a) **the enclosed storage of all garbage; and**
- (b) **clear and unobstructed access for garbage collection and in no case shall the access be blocked with a parking or loading space.**

### **3.9 LAKESHORE DEVELOPMENT**

**Development within one kilometer of the natural boundary of a lake in the LR-1, LR-2, C-4 and LRT-1 Zones shall conform with Part 4.0 Policies and Guidelines of the Thompson-Nicola Regional District Lakeshore Development Guidelines. Notwithstanding the above:**

- (a) Exemptions may be considered upon receipt of a certified report from a professional engineer or geoscientist concluding that the proposed development will not have a detrimental impact on the lake and its surrounding environs whereupon, it will be necessary to register the recommendations of the report in the form of a restrictive covenant against the title of the land under Section 219 of the Land Title Act.
- (b) Where a discrepancy occurs between the Lakeshore Development Guidelines and the provisions of Zoning Bylaw No. 2239, the provisions of the Zoning Bylaw shall Take precedence.



### 3.10 MULTIPLE ZONINGS

Where a parcel of land is included within two or more separate zoning classifications, each classification with its respective permitted uses, minimum parcel size, setback requirements, and conditions of use is to apply to the specific area of the parcel included within that zone **except that no parcel shall be allowed more than one single family dwelling, one two-family dwelling or one manufactured home.**

### 3.11 NON-CONFORMING USES

- (a) A lawful use of premises existing at the time of adoption of the Zoning Bylaw, although such use does not conform to the provisions of the Bylaw, may be continued subject to the provisions of Section 911 of the Local Government Act.
- (b) On any parcel of land shown on a plan duly filed in the Land Titles Office prior to the passage of this Bylaw, which has less than the required minimum parcel size, all permitted uses in the zone shall be allowed provided that all other provisions of this Bylaw are met and the method of sewage disposal is approved by the Medical Health Officer.

### 3.12 OFF-STREET PARKING AND LOADING

- (a) Off-street parking and loading shall be located on the same parcel as the building, structure or use they are to serve except as outlined in Sections 3.11 (j) and (k).**
- (b) All off-street parking and loading shall be provided in accordance with the provisions of Section 3.11.
- (c) When calculating the number of off-street parking and loading spaces required for a site, building or structure, a fractional total shall be rounded to the nearest whole number.
- (d) The number of off-street parking and loading spaces required shall be provided in accordance with the requirements of Table A or B respectively:

**Table A – ALL AREAS OF THE TNRD EXCEPT TOBIANO RESORT**  
**Off-Street Parking and Loading Requirements**

USES	REQUIRED # OF PARKING SPACES	REQUIRED # OF LOADING SPACES
Airport, rail yard and terminals	1 per employee plus 1 per 20 m <sup>2</sup> of waiting room space	Drive through drop-off zone
Amusement park, zoo and museum	1 per 4 person capacity	
Auto wrecking	1 per 2 employees	
Automotive sales and service	1 per 70 m <sup>2</sup> of sales floor area plus 1 per service bay plus 1 per 2 employees	
Bank and financial institution	1 per 20m <sup>2</sup> of gross floor area	
Barber and beauty shop	1 per chair with a minimum of 2 spaces	
Boat, marine and motorcycle sales	1 per 100 m <sup>2</sup> of display area plus 1 per 2 employees	
Building supply and hardware	1 per 200 m <sup>2</sup> of sales and storage area plus 1 per 2 employees	
Campground	1.25 per campsite	
Civic and community sewage disposal facility	1 per employee	
Community hall	1 per 4 seats	
Community recreation facility	1 per 100m <sup>2</sup> gross floor area	
Corporate suites/boxes	2 per unit	
Drive-in restaurant	1 per 4 seats with a minimum of 10 spaces	
Drive-in theatre	1 per 2 employees	
Dry cleaning	1 per 2 employees	
Elementary School	1 per employee	
Entertainment establishment	1 per 3 seats	
Extraction of aggregate materials	1 per 2 employees	
Fair, exhibition and rodeo ground	1 per 3 person capacity	
Fruit and vegetable stand	1 per 15 m <sup>2</sup> of gross floor area with a minimum of 4 spaces	
General industrial use	1 per 2 employees	
Golf Course	5 per hole	
Heavy equipment service, rental, storage and sales	1 per 100 m <sup>2</sup> of sales floor area plus 1 per 2 employees	
Heavy industrial use	1 per 2 employees	
Hospital and community care facility	1 per 2 employees plus 1 per 5 patient beds	

Independent power project facility	1 per facility	1 per facility for tridem axle trucks commercial Transport Regulations as defined under the <u>Commercial Transport Act</u>
Laundromat	1 per 3 washing machines	
Light industrial use	1 per 2 employees	
Manufactured home park	1 per manufactured home plus 1 per every 4 manufactured homes for visitor parking and 1 per manufactured home for tenant storage space	
Manufactured home park owner/operator	2 per dwelling unit	
Marina	1 per 2 boat spaces plus 1 per 2 employees	
Medical and dental clinic	5 per doctor or dentist	
Motel and hotel	1.25 per sleeping unit	
Multi-family dwelling	1.5 per dwelling unit plus 0.5 per dwelling unit for communal visitor and recreational vehicles.	
Office	1 per 30 m <sup>2</sup> of gross floor area	
Other commercial uses	6 per 100m <sup>2</sup> gross floor area	
Personal service shops excluding Laundromat, dry cleaning, barber and beauty shops	1 per 30m m <sup>2</sup> of gross floor area plus 1 per 90 m <sup>2</sup> of storage area	
Pet boarding and breeding kennel	1 per 2 employees	
Places of public assembly	1 per 4 seats	
Police and fire station	1 per 2 members	
Post office	1 per 2 employees	
Race track	1 per 4 person capacity	
Rafting operation	1 per employee plus 1 per 3 raft seats	
Religious buildings	1 per 4 seats	
Rentable unit	1.5 per unit	
Resort	1.25 per rentable unit except where there is no road access where upon no parking shall be required	
Resort ancillary commercial/recreational use	0.25 per 10m <sup>2</sup> gross floor area	
Resort staff	1 per 4 employees	
Resort staff ancillary accommodation	1 per 5 sleeping units	
Restaurant and coffee shop	1 per 3 seats	
Retail sale of grocery and household items	1 per 15 m <sup>2</sup> of gross retail floor area or 4 spaces whichever is greater	
Retail stores excluding shopping centres	0.75 per 10m <sup>2</sup> of gross floor area	

Rural service commercial use	1 per 2 employees	
Secondary School	1 per employee plus 1 per 10 students	
Service commercial use not specifically listed elsewhere	1 per 2 employees	
Service or non-profit clubs or organizations	1 per 4 seats	
Service or utility buildings or structures	1 per employee	
Service station	1 per 2 employees plus 2 per service bay plus 0.75 per 10 m <sup>2</sup> of gross floor area of convenience sales	
Shopping centre	6.5 per 100m <sup>2</sup> of gross floor area	
Single family dwelling, two family dwelling or manufactured home	2 per dwelling unit	
Ski hill	0.5 per person hourly lift capacity	
Swimming pool or arena	1 per 4 m <sup>2</sup> of water surface area or 1 per 10 m <sup>2</sup> of ice surface plus 1 per 4 player capacity for other sports	
Tire repair and sales	1 per 2 employees plus 1 per service bay	
Undertaking establishment	1 per 4 seats	
Veterinary clinic or animal hospital	1 per 2 employees plus 3 per veterinarian	
Winery and Cidery	1 per 2 employees plus 1 per 200m <sup>2</sup> of gross floor area	

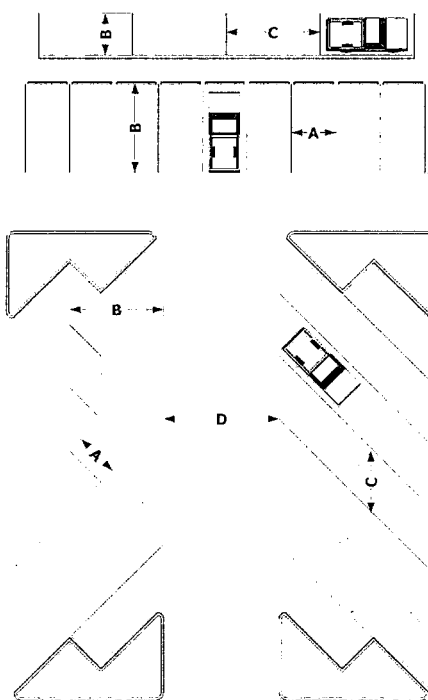
**Table B – TOBIANO RESORT ONLY**  
**Off-Street Parking and Loading Requirements**

Type of Use	Required # of Parking Spaces	Required # of Bus Parking Spaces	Required # of Loading Spaces
Accessory offices	1 per 93m <sup>2</sup> of gross floor area	Not required	Not required
Assembly use, including community centres, auditoriums, theatres, halls, arenas, indoor or outdoor amusement facilities	1 per 93 m <sup>2</sup> of gross floor area	1 per 5000 m <sup>2</sup> of gross floor area or assembly area	Not required
Auxiliary residential dwelling unit	1 per dwelling unit	Not required	Not required
Campground	1 per campsite plus 1 communal parking per 4 campsites	Not required	1
Commercial uses including retail sales and personal services	1 per 70 m <sup>2</sup> of gross floor area	Not required	1 per 6000 m <sup>2</sup> of gross floor area

Concessions or equipment rentals	1 per 70 m <sup>2</sup> of gross floor area plus 1 per 2 employees	Not required	Not required
Equestrian Centres	1 per 4 horse stalls	1	1
Equestrian home	2 per unit	Not required	Not required
Golf course	150 per 18 holes	1	1 per 6000 m <sup>2</sup> of gross floor area
Hotel and resort-oriented accommodation units, excluding related commercial services:			
0 – 25 rentable units	1 per rentable unit	1 for the first 50 units	1 (in addition to any other required loading)
25 – 100 rentable units	0.75 per rentable unit	Not required	Not required
100 or more rentable units	0.5 per rentable unit	Not required	1 (in addition to any other required loading)
Microbrewery, winery and cidery	1 per 200 m <sup>2</sup> of gross floor area plus 1 per 2 employees	Not required	Not required
Presentation centre	1 per 93 m <sup>2</sup> of assembly area plus 1 space per 2 employees	Not required	Not required
Residential security/operator unit	1 per unit	Not required	Not required
Resort cottage	2 tandem per unit	Not required	Not required
Resort home	2 per unit	Not required	Not required
Restaurant, neighbourhood pub, nightclub/cabaret or lounge	1 per 4 seats of capacity	Not required	1 per each 6000 m <sup>2</sup> of gross floor area
Retail sales	1 per 70 m <sup>2</sup> of gross floor area	Not required	1 per 6000 m <sup>2</sup> of gross floor area
Two family and multi-family	1.5 per unit plus 0.5 per unit for communal visitor parking. Communal parking spaces must be clearly marked or signed to identify them as visitor spaces	Not required	Not required

- (e) Every off-street parking **and loading** space shall have at all times convenient vehicle access to a public thoroughfare.
- (f) The minimum site maneuvering and aisle dimensions shall be as shown on the following table and diagram.

Site Maneuvering and Aisle Dimensions (metres)					
Description	Symbol	Parallel	45°	60°	90°
Stall Width	A	2.6	2.6	2.6	2.6
Stall Depth (perpendicular from curb)	B	2.6	6.0	6.3	5.8
Stall Length	C	7.0	3.7	3.0	2.6
Aisle Width, One-Way	D	3.7	3.7	4.3	7.6
Aisle Width, Two-Way	D	3.7	4.1	5.6	7.6



Note: All dimensions in metres.

Stall length may be reduced to 4.6m for isolated stalls (caused by column placement, etc.) **on** up to 5% of **the** number of stalls. Such stalls must be clearly marked "small auto only" on the pavement or wall facing. In lots exceeding 100 stalls in number, up to 20% of total stalls may be reduced to 4.6m provided those stalls are grouped in lots of at least 20 stalls marked "small auto only" on the pavement or wall facing and provided the area is signed "This section small autos only". Small stalls must still remain full width.



- (g) Where more than ten (10) parking spaces are provided, every off-street parking area shall provide 1 percent of the required spaces, with a minimum of one space, for the use of **persons with disabilities**. Each space shall be **provided in accordance with the British Columbia Building Code and amendments thereto and shall at minimum be:**
- i) 3.7 metres wide;
  - ii) **designed with slip reduction surfacing;**
  - iii) located as close as possible to a main accessible building entrance;  
and
  - iv) clearly identified for its restricted use by a freestanding sign or marking duly incorporating the universal handicapped logo.
- (h) Where a number of uses are located in the same building or on the same parcel, the number of parking spaces required shall be the total of **all required** parking spaces for each use permitted in that zone.
- (i) Where more than one standard may apply to a use, the standard requiring the greatest number of parking spaces shall be used.
- (j) **Notwithstanding Section 3.12 (a)**, off-street parking spaces required by this Bylaw may be provided and maintained off the site on which the development is located or proposed, provided the parcel containing the off-street parking is located within 500 metres of the parcel containing the development.
- (k) Notwithstanding Section 3.12 (d), off-street parking and loading spaces required in conjunction with the marina and associated commercial and recreation uses may be located within 500 metres of the use.
- (l) Where off-street parking spaces or off-street loading spaces are provided off-site, **it will be necessary for the property owner to register a restrictive covenant against the title of land under Section 219 of the Land Title Act prohibiting the sale or non-parking use of the off-site parcel.**
- (m) Every parking lot required by this Bylaw shall be hard-surfaced or graveled by the owner to render the parcel free from mud and dust at all times.

- (n) Parking lots shall be required to provide curbs or other barriers to ensure vehicular movement only from authorized points and to completely restrict the vehicles within the site so used.
- (o) Each building, structure, or site being used in a manner which involves receipt or delivery of goods or materials by vehicles, shall provide off-street loading spaces in accordance with the following requirements:
  - i) each off-street loading space **shall be a minimum of 37 square metres in area and not less than 3.0 metres in width;**
  - ii) one (1) off-street loading space shall be provided for every 2,000 square metres, or any part thereof of gross floor area; and
  - iii) every off-street loading space required by this Bylaw shall be hard-surfaced or graveled by the owner to render the space free from mud and dust at all times.
- (p) Where an **off-street parking requirement or use has** not been identified in **Tables A or B respectively** the number of parking **and loading** spaces required shall be calculated based on the requirements for a similar use that is **identified.**
- (q) Off-street loading, as required by this Bylaw, shall not be credited against the requirement for off-street parking, nor shall any off-street vehicle parking space be similarly credited against the calculated provision for off-street loading.
- (r) **When a building is enlarged, altered or a change in use occurs which requires a greater number of off-street parking or loading spaces, the additional off-street parking or loading spaces required under the provisions of the applicable Section shall be provided. In addition, any spaces removed due to the enlargement or alteration shall be replaced.**

- (s) No off-street parking space or off-street loading space shall be used for any other purpose than parking, loading, or unloading as required by this Bylaw.
- (t) Bus parking spaces shall be not less than 3.8 metres in width and 12.5 metres in length.
- (u) **All communal or visitor off-street parking spaces shall be clearly marked or signed to identify them as communal or visitor parking spaces.**
- (v) **Notwithstanding Tables A and B respectively, where a resort does not have road access, off-street parking and off-street loading shall not be required.**
- (w) **In the R-3 Zone:**
  - i) All communal **off-street** parking areas shall be paved and screened from the adjoining street or streets and from all adjoining parcels by a uniformly painting, view-obscuring fence or wall of not less than 1.25 metres in height which shall be maintained in good condition at all times.
  - ii) **Off-street** parking shall not be permitted in a required front yard.
- (x) In addition to the provisions of Section 3.12, all off-street parking **and off-street loading** spaces **within Tobiano Resort** shall:
  - i) not be considered part of or contributing to any required amenity or open space;
  - ii) be screened from adjoining streets and parcels by fencing or landscaping which shall be maintained in good condition at all times;
  - iii) be permanently delineated or marked with clearly visible painted lines;
  - iv) be illuminated in such a way so as not to throw light into streets, lands or adjacent properties;
  - v) provide adequate drainage and snow storage areas;
  - vi) be clearly signed at all parking lot entrances and exits;

- vii) be designed and maintained so that the slope of any parking space, maneuvering aisle, or access driveway does not exceed 6 percent grade; and
- viii) be surfaced with asphalt, concrete, brick or paving stones.

### 3.13 **PANHANDLE WIDTH FOR SUBDIVISION**

**A panhandle lot may be permitted provided that:**

- (a) the minimum width of the handle portion of the panhandle parcel access is 10 metres except where the parcel has the potential for further subdivision whereupon the panhandle width shall be a minimum width of 20 metres;**
- (b) no more than two panhandles abut each other.**

### 3.14 **PET BOARDING AND BREEDING KENNELS**

Pet boarding and breeding kennels permitted in the AF-1, AF-2, RL-1 and C-6 Zones shall be:

- i) setback **a minimum** of 30 metres from all property lines;
- ii) contained and screened from adjacent parcels by a solid fence or wall not less than 2 metres in height nor more than 2.5 metres in height;
- iii) maintained in a clean, dry, and well ventilated condition.

### 3.15 **PROFESSIONAL PRACTICE, HOMECRAFT OR OCCUPATION**

- (a) Professional practice, homecraft, or occupation uses permitted in the AF-1, AF-2, RL-1, SH-1, CR-1, LR-1, LRT-2, R-1 and R-2 Zones shall be carried out primarily by residents on the property and confined to the interior of the single family dwelling, two family dwelling, **manufactured** home, or in a structure **that is accessory to the dwelling unit** with a maximum height of 5 metres, provided that the floor area of the professional practice, homecraft, or occupation does not exceed 65 square metres, and shall not:**
  - i) alter the principal residential use of the property;**
  - ii) involve exterior storage of any materials used directly or indirectly in the processing or resulting from the processing of any product of such craft or occupation;**

iii) involve materials or products that produce flammable or explosive vapours or gases under ordinary temperatures; and

iv) involve advertising or identification signs exceeding 0.3 square metres in area.

- (b) Notwithstanding Section 3.15 (a) above, professional practice, homecraft, or occupation uses permitted in the LR-1 and R-1 Zones shall be confined to the interior of the single family dwelling or manufactured home.
- (c) Notwithstanding Section 3.15 (a) above, professional practice, homecraft, or occupation uses permitted in the R-2 Zone shall be confined to the interior of the single family dwelling, two family dwelling or manufactured home.
- (d) Notwithstanding Section 3.15 (a) above, professional practice, homecraft, or occupation uses permitted in the LRT-2 Zone shall be confined to the interior of a single family dwelling, two family dwelling, manufactured home or in a structure that is accessory to the principal dwelling unit with a maximum height of 9 metres.

### **3.16 RIPARIAN AREAS REGULATION**

This regulation applies to the Riparian Assessment Area (RAA) adjacent a stream.

The purpose of the requirements of Sections (a) to (d) is to provide protection for the features, functions and conditions that are vital in the natural maintenance of stream health and productivity, in order to protect fish habitat.

- (a) The following areas are defined as a RAA for the protection of fish habitat, which include all streams and adjacent lands within:
  - 30 metres of the high water mark of a stream;
  - 30 metres of the top of the bank of a ravine less than 60 metres wide; and
  - 10 metres of the top of the bank of a ravine which is 60 metres or greater in width.

Unless the proposed development is clearly outside the RAA, the owner shall have the location of the development surveyed to determine whether a Riparian Assessment Area Report is required.

- (b) A Riparian Assessment Area Report prepared by a Qualified Environmental Professional (QEP) is required, except where exempt under Section 3.16 (d), for development on land identified as a RAA. Development shall include, but may not be limited to any residential, commercial and industrial activities or ancillary activities, including:
  - i) removal, alteration, disruption or destruction of vegetation;
  - ii) disturbance of soils;
  - iii) construction or erection of buildings and structures;
  - iv) creation of nonstructural impervious or semi-impervious surfaces;
  - v) flood protection works;
  - vi) construction of roads, trails, docks, wharves and bridges;
  - vii) provision and maintenance of sewer and water services;
  - viii) development of drainage systems;
  - ix) development of utility corridor; and
  - x) subdivision as defined in section 872 of the Local Government Act.

(c) **Guidelines**

Prior to undertaking any of the activities authorized under Part 26 of the Local Government Act, and defined as development within the RAA, an owner of property or authorized agent shall apply to the Thompson-Nicola Regional District for approval, and the applicant shall meet the following guidelines:

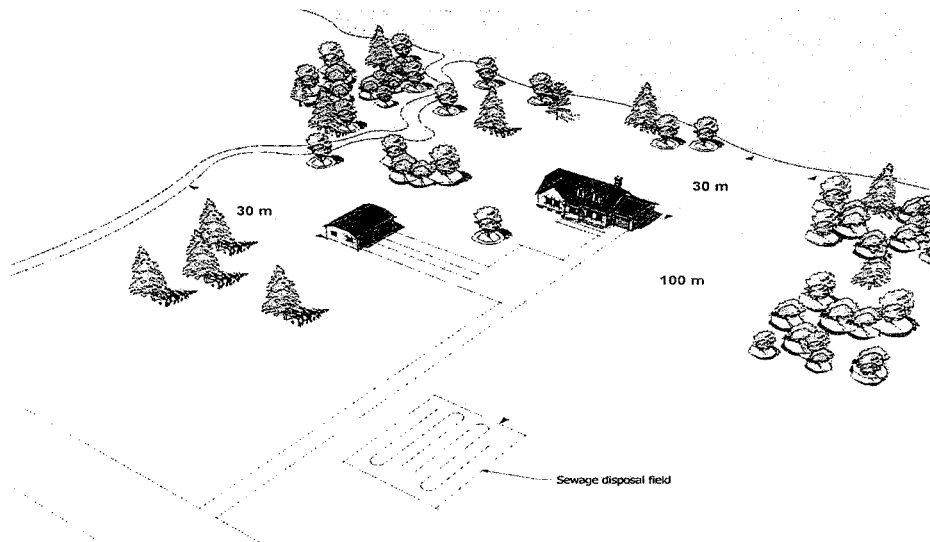
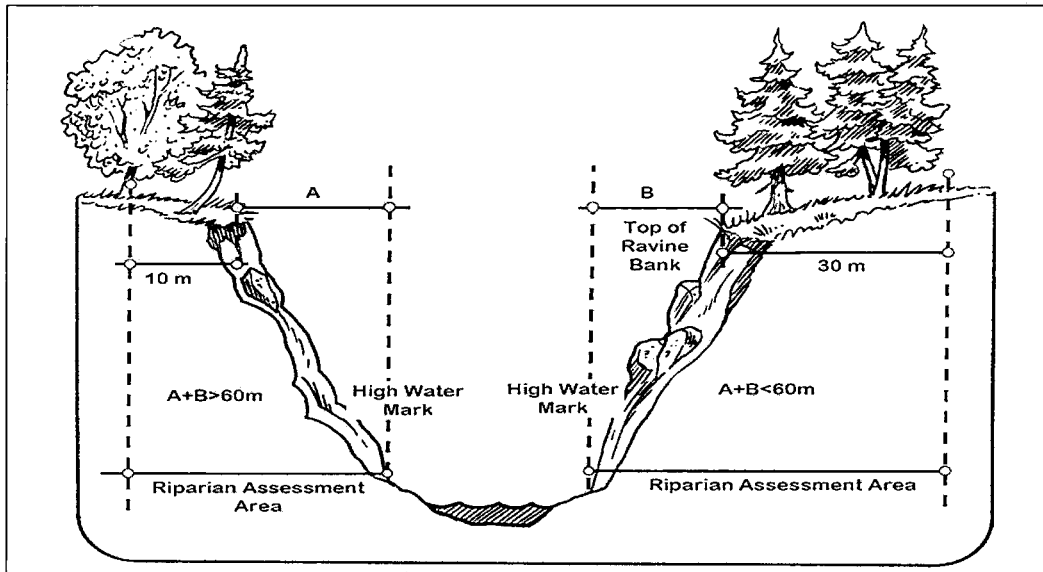
- i) the applicant shall retain a QEP to prepare a report on the proposed development in the RAA pursuant to the Riparian Areas Regulation (RAR) Assessment Methodology Guidebook, including measures to protect the integrity of the Streamside Protection and Enhancement Area (SPEA) identified in the RAR Assessment Methods Schedule. The report will be submitted to the Ministry of Environment, Fisheries and Oceans Canada, and the Regional District;
- ii) provincial notification that a QEP has submitted a report certifying that he or she is qualified to carry out the assessment, that the assessment methods have been followed, and that provides in their professional opinion that a lesser setback will not negatively affect the functioning of a stream or riparian area and that the criteria listed in the RAR has been fulfilled;
- iii) where the QEP report indicated there may be a Harmful Alteration, Disruption or Destruction (HADD) to fish habitat pursuant to the Canada Fisheries Act and/or other applicable regulations, the development shall not be permitted unless the proposed development with compensatory measures is subsequently approved by Fisheries and Oceans Canada and the Ministry of Environment;
- iv) implementation of the mitigative measures stated in the RAA report under the supervision of the QEP, in accordance with the riparian areas policies;
- v) where the QEP report describes an area as suitable for development with mitigating measures, the development must strictly comply with the measures described in the QEP report. Monitoring and regular reporting by professionals retained by the applicant may be requested in accordance with the QEP report; and
- vi) where the QEP report describes an area as a SPEA, the owner will be required to provide a mutually agreeable plan for protecting the SPEA over the long term including measures to protect the integrity of the SPEA as identified in the RAR Assessment Methods Schedule. This long term plan for protecting the SPEA shall include:
  - (i) registration of the post-development report prepared by the QEP within two years of the date of commencement of the development;
  - (ii) registration of a restrictive covenant over the SPEA under Section 219 of the Land Title Act securing it as a riparian buffer to remain free of development, including long-term measures to protect the integrity of the SPEA; and
  - (iii) consideration of gifting the area of the SPEA to a nature protection organization such as a conservation authority that will monitor the SPEA in the future.

- vii) **variances to the Zoning Bylaw may be granted in compliance with the QEP report.**
- viii) **if the nature of a proposed project in a Riparian Assessment Area changes, the applicant will be required to have the QEP re-assess the development impact on the SPEA;**
- ix) **where a parcel of land is located within one kilometer of a lake, the site development guidelines for site work and vegetation management recommended in the Lakeshore Development Guidelines shall be considered for inclusion as conditions of development approval provided they do not lessen the protection of the SPEA.**

**(d) Exemptions**

**The Riparian Area Policies do not apply to the following:**

- i) **a Development Permit or Development Variance Permit issued to enable reconstruction, renovation or repair of a permanent structure if the structure remains on its existing foundation in accordance with the provisions of Section 911 (8) of the Local Government Act;**
- ii) **existing permanent structures, roads and other developments that existed prior to the implementation of the RAR;**
- iii) **developments that have been approved but not yet built;**
- iv) **farming activities that are subject to the Farm Practices Protection (Right to Farm) Act;**
- v) **mining, hydroelectric facilities, and forest management, including the logging of the land regulated by other provincial and federal legislation;**
- vi) **federal and First Nations reserve lands;**
- vii) **parks and parkland;**
- viii) **institutional development, including public works, that contains no residential, commercial, or industrial aspect; however, these developments remain subject to the federal Fisheries Act and provincial Water Act;**
- ix) **interior and exterior renovations to existing buildings, excluding any additions or increases in building footprint or volume; and**
- x) **where a letter provided by a QEP confirms that the stream does not meet the definition of a stream in the RAR.**



### 3.17 **SHIPPING CONTAINERS**

Shipping containers shall be permitted as an accessory building or structure in the AF-1, AF-2, RL-1, SH-1, CR-1, C-2, C-6, I-1, I-2, I-3, I-4, P-1, P-2 and P-3 Zones only subject to the following:

- (a) A limit of one container per parcel in the AF-1, AF-2, RL-1, SH-1 and CR-1 Zones;
- (b) A limit of two containers per parcel in the C-6, P-1, P-2 and P-3 Zones;



- (c) A container shall not exceed 12.5 metres in length;
- (d) Siting must be confined to the rear setback of the property and shall comply with all applicable accessory building setbacks from property lines and applicable conditions of use.

### 3.18 SIGNS

- (a) These regulations apply to every sign, signboard or advertising device on a parcel. Signs are permitted only for the following purposes:
  - i) to denote a home occupation, home industry or private visitor accommodation use on the property on which the sign is located;
  - ii) to denote the name of the owner of the name or address of the parcel;
  - iii) to advertise the sale or rental of the parcel or of a building located on the parcel on which the sign is located;
  - iv) to advertise the sale of agricultural produce, livestock or product grown, raised or produced on the farm;
  - v) to denote a public facility utility use or company on the property on which the sign is located;
  - vi) to denote a church use or community hall use or building on the property on which the sign is located;
  - vii) to advertise or denote a commercial, industrial, administrative or institutional use on the property on which the sign is located; and
  - viii) to promote or advertise a political party or candidate from the date of the election call to five days after election day.
- (b) Signs, signboards or advertising devices permitted under Section 3.15 and in the C 6 Zone shall not exceed 0.3 square metres in area.
- (c) Signs, signboards and advertising devices are subject to Section 214 of the Motor Vehicle Act.

### 3.19 STORAGE OF EXPLOSIVES

- (a) Storage of explosives permitted in the AF-1 and I-4 Zones shall be subject to the provisions of the federal Explosives Act and regulations thereto.

**STRATA DEVELOPMENT**

- (a) **The setback provisions of this Bylaw apply only to the parcel lines on the perimeter of the parcel, and not to internal parcel lines for strata lots under a registered plan pursuant to the Strata Property Act.**

**Except for setbacks for strata subdivisions provided elsewhere in this Bylaw, and despite the above, detached or semi-detached residential buildings, manufactured homes, auxiliary buildings and structures located within a bare land strata subdivision must be located no closer than:**

- i) **4.5 m from an internal roadway, service building, service area and amenity area;**
- ii) **1.5 m from an interior side strata lot line, except for the property line on a common wall;**
- iii) **4.5 m from a front strata lot line;**
- iv) **1.5 m from a rear strata lot line.**

**TEMPORARY BUILDINGS**

- (a) A temporary building, **manufactured home or recreational vehicle** may be **erected or** located on a parcel being developed for a period not to exceed the duration of a valid Building Permit issued for the construction taking place on the parcel. At the expiration of such Building Permit, the temporary building shall be removed and the site thereof **remediated** as nearly as possible to its former condition.
- (b) Notwithstanding any restrictions contained in this Bylaw or any other bylaw, one **manufactured** home may be permitted on any parcel of land **for temporary use** subject to the following:
- (a) the parcel of land contains not more than one (1) single family dwelling.
  - (b) The parcel of land is:
    - i) a minimum of 4,000 square metres in area if served by a community water system; or
    - ii) a minimum of 8,000 square metres in area if not served by a community water system.
  - (c) The **manufactured** home is to be occupied by a person:
    - i) who is cared for or maintained by the owner of the said parcel of land; or

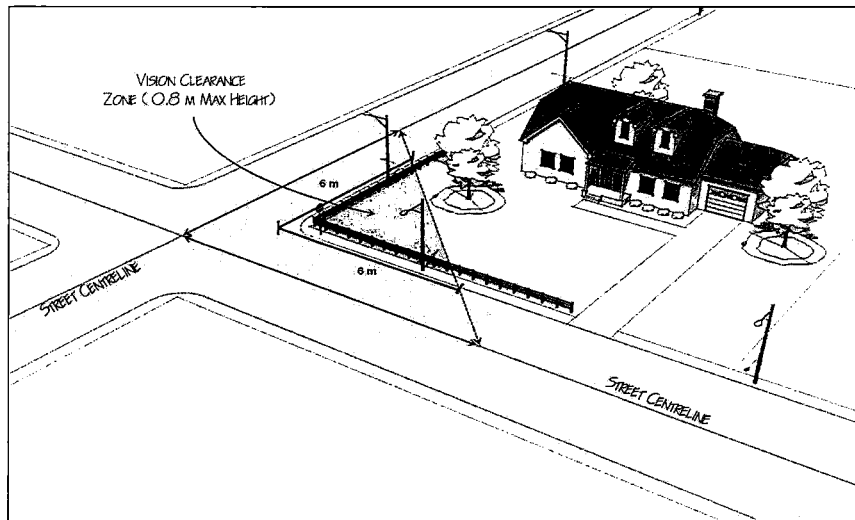
- ii) who is required to provide care or maintenance to the owner of said parcel of land; and
  - iii) for whom a physician has certified that such care or maintenance is necessary.
- (d) The **manufactured** home shall be sited not less than:
  - i) 6 metres from any lot line; and
  - ii) 5 metres from the principal dwelling.
- (e) Sewage disposal facilities in accordance with the Provincial Sewerage System Regulation shall be provided for the **manufactured** home.
- (f) **Where a temporary building has been permitted, it will be necessary to register a restrictive covenant against the title of the land under Section 219 of the Land Titles Act containing the conditions specified in Section 3.21(c).**
- (g) The **manufactured** home shall be removed from the said parcel of land if any of the conditions specified in Section 3.21 (c) cease to exist.

### 3.22 UTILITY SERVICING

**Utility delivery infrastructure including buildings, structures and utility lines for the delivery of utility services is permitted in all zones and shall have no minimum parcel size. Utility delivery infrastructure does not include electricity generation facilities which feed electrical power for sale into the Provincial electricity transmission and distribution infrastructure ('the power grid'). No exterior storage of any kind and no garages for the repair and maintenance of equipment shall be permitted except in the I-3, I-4 and P-3 zones.**

### 3.23 VISIBILITY

- (a) There shall be no obstruction to the line of vision in any zone above the height of 0.8 metres from the established grade of streets within **the sight triangle formed by the right-of-way boundaries or boundaries produced and 2 points on those boundaries 6.0 metres from the point of intersection. Utility poles, traffic signs, highway signs, open mesh or chain link fences that do not restrict visibility shall not be considered as obstructions for this purpose.**



### 3.24 **WASTE MANAGEMENT FACILITIES**

All waste management facilities such as but not necessarily limited to compost and yard waste depot, solid waste eco-depot, solid waste management facility, recycling depot and a solid waste transfer station permitted in the AF-1, RL-1, I-2 and I-3 Zones shall be approved, located and operated in compliance with the Thompson-Nicola Regional District Solid Waste Management Plan.

### 3.25 **WILDFIRE MANAGEMENT**

The Ministry of Forests and Range has identified land within the Regional District as having a High, Moderate, or Low Wildfire Hazard, or being within a two kilometer Buffer Area of a High Wildfire Hazard area where development is at risk of wildfire from airborne embers.

- (a) Within high wildfire risk areas, prior to undertaking any subdivision or land use application that will create four or more parcels or four or more dwelling units, the landowner shall provide the Regional District with a Wildfire Hazard Assessment Report for the proposed development, prepared by a Registered Professional Forester licensed in BC or an equivalent qualified professional.

The Wildfire Hazard Assessment Report shall:

- i) assess the current wildfire hazard risk;
- ii) assess conditions on and off-site including neighbouring lands;
- iii) evaluate the proposed development for wildfire susceptibility; and
- iv) provide Fire Smart wildfire hazard mitigation recommendations to reduce the risk of wildfire for the land and buildings to a moderate or lower risk.

- (b) The recommendations of the Wildfire Hazard Assessment Report shall be implemented during development and written into a restrictive covenant to be registered against the title of the land under Section 219 of the Land Title Act advising the property owner of the ongoing responsibility to manage their land and buildings in accordance with the recommendations of the Wildfire Hazard Assessment Report.

- (c) For any subdivision or land use application that will create three or less parcels or three or less dwelling units in High Wildfire Risk Areas, the property owner shall not be required to submit a Wildfire Hazard Assessment Report, but shall register a standard restrictive covenant against the title of the land under Section 219 of the Land Title Act encouraging the use of Fire Smart wildfire hazard mitigation practices for building construction and land management to reduce the wildfire hazard in their development.
- (d) Within buffer zones and moderate to low Wildfire Risk Areas during any subdivision or land use application the property owner shall register a standard restrictive covenant on the titles of the properties encouraging landowners to use Fire Smart wildfire hazard mitigation practices for building construction and land management to reduce the wildfire hazard in their development.
- (e) Where wildfire hazard mitigation requirements and Riparian Areas Regulation requirements overlap, the Riparian Areas Regulation requirements shall prevail.
- (f) All property owners are encouraged to carry out annual wildfire threat assessment of their property and to reduce identified wildfire hazards by measures described in the Ministry of Forest's Fire Smart Manual. Reducing wildfire hazards should take into account the need to balance visual, riparian and fire protection values and objectives.

## PART FOUR - AF-1 AGRICULTURAL/FORESTRY ZONE

### PURPOSE

The purpose of this zone is to permit activities associated with a broad range of agricultural, forestry, recreational, and resource uses and to preserve land from premature or inappropriate development.

#### 4.1 PERMITTED USES

- (a) Single family dwellings, two family dwellings and **manufactured** homes;
- (b) Professional practice, homecraft, or occupation;
- (c) Agricultural and horticultural uses;
- (d) Intensive agricultural uses;
- (e) Rustic guest ranches and riding stables;
- (f) Forestry practice;
- (g) Processing of aggregate materials;
- (h) The storage of explosives;
- (i) Open land recreation;
- (j) Aircraft landing fields;
- (k) Pet boarding and breeding kennels;
- (l) Accessory buildings **or structures**;
- (m) **Golf courses**;
- (n) Parks, playgrounds, cemeteries, schools, fire halls, community halls, **compost and yard waste depots, solid waste eco-depots, recycling depots and solid waste transfer stations**;
- (o) Wineries **and Cideries**;
- (p) **Bed and breakfast.**

#### 4.1.1 PERMITTED USES – SITE SPECIFIC

In the AF-1 zone, the following uses are permitted on a site specific basis only:

- (a) Fruit stand in the case of That Part of District Lot 228 shown on Plan E15708, Kamloops Division Yale District except Plan KAP46259 (2640 Trans Canada Highway, east of Monte Creek, BC).
- (b) Custom meat cutting and retail meat and produce sales in the case of the Southwest ¼ of Section 4, Township 22, Range 15, W6M, Kamloops Division Yale District except Plan H13323 (6224 Heffley Louis Creek Road, east of Heffley Creek, BC).
- (c) Monastery in the case of the E ½ of the SE ¼ of Section 18, Township 17, Range 16, W6M, Kamloops Division Yale District (south of Smith Lake, BC).
- (d) Storage and animal remains (including associated effects) crematorium in the case of the South ½ of L.S. 14, Section 10, Township 18, Range 17, W6M, Kamloops Division Yale District as shown on the Plan of the SE ¼ of said Township dated at Ottawa the 10<sup>th</sup> Day of May 1921 except Plan KAP57792 and KAP57834 and lying north of the Princeton-Kamloops Highway No. 5A (Shumway Lake, BC).
- (e) A Health Resort including spa and personal health services with guest accommodation in the case of Lot 1, Section 11, Township 22, Range 15, W6M, Kamloops Division Yale District, Plan 34648 (7046 Upper Louis Creek Road, Whitecroft, BC).
- (f) Solid Waste Management Facilities in the case of:
  - i) Block E, Part of the NE ¼, Section 24, Township 21, Range 13, W6M, Kamloops Division Yale District (577 Shuswap-Chase Creek Road, Chase, BC)
  - ii) Block A, and adjacent unsurveyed portions of Section 18, Township 22, Range 16, W6M, Kamloops Division Yale District (7381 Sullivan Valley Road, Heffley Creek, BC).

#### 4.2 PARCEL SIZE

**The minimum parcel size shall be 8 hectares except for the uses permitted under:**

- (a) **Sections 4.1 (d) where the minimum parcel size shall be 16 hectares.**
- (b) Section 4.1 (n) where no minimum parcel size shall be required.

#### 4.3 SETBACKS

(a) **Front**

The front setback shall be 6 metres.

(b) **Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres, except where varied in accordance with the Transportation Act.

(c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

(d) Notwithstanding Section 4.3 (a), (b), and (c) buildings or structures, **livestock pens, containment basins or the composting of organic matter involved with any** intensive agricultural uses permitted under Section 4.1 (d) shall be set back a minimum of:

i) 300 metres from an established residence on a parcel not in the AF-1, RL-1 or C-6 Zones; **and**

ii) 15 metres from a public road.

(e) Notwithstanding Section 4.3 (a), (b), and (c) livestock pens and containment basins used for intensive agricultural uses permitted under Section 4.1 (d) shall be set back a minimum of 90 metres from the natural boundary of a lake, river, stream, or other body of water.

(f) Notwithstanding Section 4.3 (a), (b), and (c) buildings, structures or equipment permitted under Section 4.1(f) shall be setback a minimum of:

i) 300 metres from an established residence; **and**

ii) 60 metres from a public road.

(g) Notwithstanding Section 4.3 (a), (b), and (c) buildings, structures, or equipment permitted under Section 4.1 (g) shall be set back a minimum of 300 metres from an established residence.



#### 4.4 CONDITIONS OF USE

- (a) All livestock pens used in intensive agricultural uses permitted under Section 4.1 (d) shall be designed to allow shallow ditching to collect runoff from each pen and shall slope to an impervious containment basin, and shall be designed so that runoff water from areas surrounding the pens shall be diverted away from the pens.
- (b) Rustic guest ranches permitted under Section 4.1(e) shall be subject to the following conditions:
  - i) The parcel on which the use is to be located shall be classified as a farm by the British Columbia Assessment Authority and shall be contiguous and ancillary to the principal bona-fide horse and/or cattle ranching use;
  - ii) That the use shall not be permitted on a parcel which is contiguous to a rural residential development of two or more parcels having a minimum parcel size of 4 hectares or less;
  - iii) **Accommodation is limited to a maximum of 10 rentable units.**
- (c) **The processing of timber permitted under Section 4.1 (f) may be supplemented with the processing of up to 500 cubic metres of timber grown elsewhere per year, provided that a minimum of 50 percent of the volume of timber being processed on the property is harvested from the property.**
- (d) Parcels used for open recreation uses permitted under Section 4.1 (i) and parks and playgrounds permitted under Section 4.1 (n) shall be kept in their natural state except where modifications are necessary to facilitate outdoor recreation. Without limiting the generality of the foregoing, site modifications may include earthworks required for the construction and development of fairways, greens, traps, or playing fields, or the removal of trees for ski runs.

## DIVISION FIVE - AF-2 AGRICULTURAL/FORESTRY TWO ZONE

### PURPOSE

The purpose of this zone is to permit the development of land for rural residential use only on large lots in a rural environment within Electoral Areas "J", "L" & "P".

#### 5.1 PERMITTED USES

- (a) Single family dwelling, two family dwellings, or **manufactured** homes;
- (b) Professional practice, homecraft or occupation;
- (c) Agricultural and horticultural uses;
- (d) Pet boarding and breeding kennels;
- (e) Accessory buildings **or structures**;
- (f) Parks and playgrounds;
- (g) **Bed and breakfast.**

#### 5.2 PARCEL SIZE

The minimum parcel size shall be 4 hectares except for uses permitted under 5.1 (f) where no minimum parcel size shall be required.

#### 5.3 SETBACKS

##### (a) **Front**

The front setback shall be 6 metres.

##### (b) **Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres, except where varied in accordance with the **Transportation Act**.

##### (c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

## PART SIX - RL-1 RURAL ZONE

### PURPOSE

The purpose of this zone is to permit activities associated with agricultural, forestry, recreational, and resource uses, and to provide for a rural environment.

#### 6.1 PERMITTED USES

- (a) Single family dwellings, two family dwellings and **manufactured** homes;
- (b) Professional practice, homecraft or occupation;
- (c) Agricultural and horticultural uses;
- (d) Intensive agricultural uses;
- (e) Rustic guest ranches **and** riding stables;
- (f) Forestry practice;
- (g) Processing of aggregate materials;
- (h) Open land recreation;
- (i) Aircraft landing fields;
- (j) Pet boarding and breeding kennels;
- (k) Accessory buildings **or structures**;
- (l) **Golf courses**;
- (m) Parks, playgrounds, cemeteries, schools, firehalls, community halls, **compost and yard waste depots, solid waste eco-depots, recycling depots and solid waste transfer stations**;
- (n) Wineries **and Cideries**;
- (o) **Bed and breakfast.**

### 6.1.1 PERMITTED USES - SITE SPECIFIC

In the RL-1 zone, the following uses are permitted on a site specific basis only:

- (a) Full service guest ranch and resort in the case of the District Lot 4948, Lillooet District (Jesmond, BC).
- (b) Campground and outdoor assembly uses in the case of District Lot 166, Kamloops Division Yale District except: (1) Part lying south and east of Plan A215 (2) Plans A215, 10584, 23191, 25206, 25510 and 26688.
- (c) Outdoor assembly uses including an amphitheatre in the case of the North ½, Section 4, Township 91, Kamloops Division Yale District except: (1) Part lying south and east of the Kettle Valley Railway Company Right-of-Way shown on Plan A215 (2) Plan A215 (3) Plan KAP59518.
- (c) Outdoor assembly uses including an amphitheatre in the case of the North ½, Section 4, Township 91, Kamloops Division Yale District except: (1) Part lying south and east of the Kettle Valley Railway Company Right-of-Way shown on Plan A215 (2) Plan A215 (3) Plan KAP59518.
- (d) Full service guest ranch and resort limited to a lodge facility containing 20 strata rentable units and ancillary commercial uses in the case of Lot A, District Lots 1750 and 1751, Lillooet District, Plan 39819 except Plan 40865 (Big Bar Lake, BC).
- (e) Full service guest lodge and resort in the case of District Lot 2624, Lillooet District, except Plan KAP61862 (Loon Lake, BC).
- (f) Campground in the case of District Lot 61, Kamloops Division Yale District except Plans H928 and KAP69133 (Barriere, BC).
- (g) Campground in the case of That Part of District Lot 166 shown on Plan A215, Kamloops Division Yale District (south of Merritt, BC).
- (h) Full service guest ranch in the case of District Lot 5314, Lillooet District (9550 Eagan Lake Road, northeast of 70 Mile House, BC) consisting of approximately 30 hectares.

- (i) Solid Waste Management Facilities in the case of:
  - i) Block A, District Lot 3810, Kamloops Division Yale District (1500 Barriere Lakes Road, Barriere, BC)
  - ii) Block A, District Lot 2164, Kamloops Division Yale District (1629 Clearwater Valley Road, Clearwater, BC)
  - iii) District Lots 4553, Kamloops Division Yale District (2348 Woodward Road, Lower Nicola, BC)

## 6.2 PARCEL SIZE

**The minimum parcel size shall be 4 hectares except for uses permitted under:**

- (a) **Sections 5.1 (d) where the minimum parcel size shall be 16 hectares.**
- (b) Section 5.1 (m) where no minimum parcel size shall be required.

### 6.2.1 MINIMUM PARCEL SIZE – SITE SPECIFIC

- (a) The minimum parcel size for a single family dwelling in the case of Block A, District Lot 8439, Lillooet District and Lot 3, District Lots 1405 and 1423, Lillooet District, Plan 13442 (Sharpe Lake, BC) are 1 hectare and 2 hectares.

## 6.3 SETBACKS

- (a) **Front**

The front setback shall be 6 metres.

- (b) **Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres, except where varied in accordance with the Transportation Act.

- (c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

- (d) Notwithstanding Section 6.3 (a), (b), and (c) buildings or structures, **livestock pens, containment basins or the composting of organic matter involved with any** intensive agricultural uses permitted under Section 6.1 (d) shall be set back a minimum of:
  - i) 300 metres from an established residence on a parcel not in the AF-1, RL-1, or C-6 Zones; **and**
  - ii) 15 metres from a public road.
- (e) Notwithstanding Section 6.3 (a), (b), and (c) livestock pens and containment basins used for intensive agricultural uses permitted under Section 6.1 (d) shall be set back a minimum of 90 metres from the natural boundary of a lake, river, stream, or other body of water.
- (f) Notwithstanding Section 6.3 (a), (b), and (c) buildings, structures or equipment permitted under Section 6.1(f) shall be setback a minimum of:
  - i) 300 metres from an established residence; and
  - ii) 60 metres from a public road.
- (g) Notwithstanding Section 6.3 (a), (b), and (c) buildings, structures, or equipment permitted under Section 6.1 (g) shall be set back a minimum of 300 metres from an established residence

#### 6.4 CONDITIONS OF USE

- (a) All livestock pens used in intensive agricultural uses permitted under Section 6.1 (d) shall be designed to allow shallow ditching to collect runoff from each pen and shall slope to an impervious containment basin, and shall be designed so that runoff water from areas surrounding the pens shall be diverted away from the pens.
- (b) Rustic guest ranches permitted under Section 6.1(e) shall be subject to the following conditions:
  - i) The parcel on which the use is to be located shall be classified as a farm by the British Columbia Assessment Authority and shall be contiguous and ancillary to the principal bona-fide horse and/or cattle ranching use;

- ii) That the use shall not be permitted on a parcel which is contiguous to a rural residential development of two or more parcels having a minimum parcel size of 4 hectares or less.
- iii) **Accommodation is limited to a maximum of 10 rentable units.**
- (c) **The processing of timber permitted under Section 6.1 (f) may be supplemented with the processing of up to 500 cubic metres of timber grown elsewhere per year, provided that a minimum of 50 percent of the volume of timber being processed on the property is harvested from the property.**
- (d) Parcels used for open land recreation uses permitted under Section 6.1 (h) and parks and playgrounds permitted under Section 6.1 (m) shall be kept in their natural state except where modifications are necessary to facilitate outdoor recreation. Without limiting the generality of the foregoing, site modifications may include earthworks required for the construction and development of fairways, greens, traps, playing fields, or the removal of trees for ski runs.

## PART SEVEN - SH-1 SMALL HOLDING ZONE

### PURPOSE

The purpose of this zone is to secure a rural environment so that those homeowners who seek privacy of a rural environment may be protected from the premature intrusion of higher density residential development.

#### 7.1 PERMITTED USES

- (a) Single family dwelling, two family dwellings, or **manufactured** homes;
- (b) Professional practice, homecraft or occupation;
- (c) Agricultural and horticultural uses;
- (d) Golf courses;
- (e) Accessory buildings **or structures**;
- (f) **Bed and breakfast**;
- (g) Parks and playgrounds.

#### 7.2 PARCEL SIZE

The minimum parcel size shall be 2 hectares except for uses permitted under Section 7.1 (g) where no minimum parcel size shall be required.

#### 7.3 SETBACKS

##### (a) **Front**

The front setback shall be 6 metres.

##### (b) **Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres, except where varied in accordance with the Transportation Act.

##### (c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.



## PART EIGHT - CR-1 COUNTRY RESIDENTIAL ZONE

### PURPOSE

The purpose of this zone is to permit low density residential development for those wishing to live in a semi-rural environment.

#### 8.1 PERMITTED USES

- (a) Single family dwellings, two family dwellings, or **manufactured** homes;
- (b) Professional practice, homecraft or occupation;
- (c) Agricultural and horticultural uses;
- (d) Golf courses;
- (e) Accessory buildings or structures;
- (f) **Bed and breakfast;**
- (g) Parks and playgrounds.

##### 8.1.1 PERMITTED USES – SITE SPECIFIC

In the CR-1 zone, the following uses are permitted on a site specific basis only:

- (a) Antique shop within the dwelling located on Lot A, District Lot 40, Kamloops Division Yale District, Plan 16654 to a maximum store size of 50 square metres, with no outdoor storage and no sign larger than 2 square metres (McLure, BC).

#### 8.2 PARCEL SIZE

The minimum parcel size shall be 8,000 square metres except for uses permitted under Sections 8.1 (g) where no minimum parcel size shall be required.

#### 8.3 SETBACKS

- (a) **Front**

The front setback shall be 6 metres.

(b) **Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres, except where varied in accordance with the Transportation Act.

(c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

## **PART NINE - LR-1 LAKESHORE RESIDENTIAL SINGLE FAMILY ZONE**

### **PURPOSE**

**The purpose of this zone is to permit low density lake oriented residential developments within one kilometer of a lake where such developments are considered suitable in accordance with the Thompson-Nicola Regional District's Lakeshore Development Guidelines.**

#### **9.1 PERMITTED USES**

- (a) Single family dwellings, two family dwellings and **manufactured homes**;
- (b) Professional practice, homecraft or occupation;
- (c) Community recreational facilities;
- (d) Accessory buildings **or structures**;
- (e) Golf courses;
- (f) Parks and playgrounds.

#### **9.2 DENSITY**

The maximum density permitted within this zone shall be no more than one dwelling unit per 4,000 square metres.

#### **9.3 PARCEL SIZE**

**The minimum parcel size, except for uses permitted under Section 8.1 (f) where no minimum parcel size shall be required, shall be as follows:**

- (a) **4,000 square metres for a single family dwelling or manufactured home served by a community water system and a community sewer system or an onsite sewage disposal system approved by an appropriately qualified engineer or geoscientist;**
- (b) **8,000 square metres for a two family dwelling served by a community water system and a community sewer system or an onsite sewage disposal system approved by an appropriately qualified engineer or geoscientist;**
- (c) **1 hectare for a single family dwelling, two family dwelling or manufactured home not served by a community water system or a community sewer system.**

**9.4 PARCEL COVERAGE**

**The maximum parcel coverage permitted shall be 25 percent.**

**9.5 SETBACKS**

**(a) Front**

The front setback shall be 6 metres.

**(b) Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres except where varied in accordance with the Transportation Act.

**(c) Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings or structures where it shall be 1.5 metres.

**(d) Sewer Systems**

**The minimum setback of a septic field from any waterbody shall be 100 meters. Installation of a septic field with a setback of less than 100 meters from a waterbody requires an appropriately qualified engineer or geoscientist to review the proposed siting of the septic field to ensure that there will be no detrimental impacts on adjacent waterbodies. A copy of the engineer or geoscientist's certified report must be submitted to the Regional District for approval prior to commencing any works on the property. Any remedial measures recommended by the engineer or geoscientist must be implemented by the property owner at their expense. Setback reduction for any sewer system shall be:**

- i) approved by the appropriate Provincial authority having jurisdiction; and**
- ii) subject to registration of a restrictive covenant against the title of land under Section 219 of the Land Title Act.**

**On-site septic treatment and disposal systems must be approved by the appropriate Provincial authority having jurisdiction.**

**9.6 HEIGHT OF BUILDINGS**

The maximum height permitted shall be:

- (a) 12 metres for the single family dwelling, manufactured home, or principal building;**
- (b) 9 metres for community recreational facilities permitted under Section 9.1 (c); and**
- (c) 6 metres for any accessory building or structure.**

9.7 CONDITIONS OF USE

- (a) Where the lakeshore development utilizes a cluster design, the development shall be serviced by a community water system.
- (b) **The combined floor area of all accessory buildings permitted under Section 9.1 (d) shall not exceed a maximum floor area of 65 square metres.**
- (c) **Notwithstanding Section 9.7 (b), where a parcel size is 2,500 square metres or greater, the combined floor area of all accessory buildings or structures permitted shall not exceed a maximum floor area of 130 square metres.**
- (d) Marinas permitted under Section 9.1 (c) shall be limited to 1.0 boat space per dwelling unit.

## PART TEN - LR-2 LAKESHORE RESIDENTIAL MULTI-FAMILY ZONE

### PURPOSE

The purpose of this zone is to permit comprehensive lake oriented residential developments including multi-family development **within 1 kilometer of a lake where such development is considered suitable in accordance with the Thompson-Nicola Regional District Lakeshore Development Guidelines.**

### 10.1 PERMITTED USES

- (a) Comprehensive residential housing development consisting of **single family dwellings, two family dwellings, and multi-family dwellings.**
- (b) Community recreational facilities;
- (c) Accessory buildings **or structures;**
- (d) Golf courses;
- (e) **Parks and playgrounds.**

#### 10.1.1 PERMITTED USES – SITE SPECIFIC

In the LR-2 zone, the following uses are permitted on a site specific basis only:

- (a) Transfer of density rights from the RL-1 zoned portions of District Lot 530, KDYD except Plans 17131, KAP73062, KAP73063 and KAP79399 and Lot 4, District Lot 530, KDYD, Plan KAP79399 to the LR-2 zoned portions of the same properties as follows:
  - The maximum density shall be no more than 1.59 units per 2,000 square metres for the LR-2 zone portion of District Lot 530, KDYD except Plans 17131, KAP73062, KAP73063 and KAP79399 (23 units); and
  - The maximum density shall be no more than 2.09 units per 2,000 square metres for the LR-2 zoned portion of Lot 4, District Lot 530, KDYD, Plan KAP79399 (39 units).

### 10.2 DENSITY

The maximum density permitted within this zone shall be no more than one dwelling unit per 2,000 square metres.

### 10.3 PARCEL SIZE

The minimum parcel size shall be 2 hectares.

### 10.4 SETBACKS

#### (a) **Front**

The front setback shall be 6 metres.

#### (b) **Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres except where varied in accordance with the Transportation Act.

#### (c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings or structures where it shall be 1.5 metres.

#### (d) **Notwithstanding Sections 10.4 (a) to (c), uses permitted under Section 10.1 (a) to (c) shall be set back a minimum of 30 metres from the natural boundary of a lake.**

#### (e) **Sewer Systems**

**The minimum setback of a septic field from any waterbody shall be 100 meters. Installation of a septic field with a setback of less than 100 meters from a waterbody requires an appropriately qualified engineer or geoscientist to review the proposed siting of the septic field to ensure that there will be no detrimental impacts on adjacent waterbodies. A copy of the engineer or geoscientist's certified report must be submitted to the Regional District for approval prior to commencing any works on the property. Any remedial measures recommended by the engineer or geoscientist must be implemented by the property owner at their expense. Setback reduction for any sewer system shall be:**

- i) approved by the appropriate Provincial authority having jurisdiction; and**
- ii) subject to registration covenant against the title of land under Section 219 of the Land Title Act.**

**On-site septic treatment and disposal systems must be approved by the appropriate Provincial authority having jurisdiction.**

#### 10.5 HEIGHT OF BUILDINGS

The maximum height permitted shall be:

- (a) **12 metres for single family dwellings, two family dwellings and multi-family dwellings;**
- (b) **9 metres for community recreational facilities permitted under Section 10.1 (b); and**
- (c) **6 metres for any accessory building or structure.**

#### 10.6 CONDITIONS OF USE

- (a) Development within this zone shall be serviced by a community water system and a community sewer system.
- (b) Marinas permitted under Section 10.1 (b) shall be limited to 1.0 boat space per dwelling unit.
- (c) **The maximum floor area of an accessory building or structure permitted under Section 10.1 (c) shall be 65 square metres.**



## **PART ELEVEN – LRT-1 NEW LAKESHORE RESORT ZONE**

### **PURPOSE**

The purpose of this zone is to permit new lake oriented resort developments for short-term tourist accommodation and to preserve the integrity of the shoreland and environmental attributes of lakes.

#### **11.1 PERMITTED USES**

##### **Principal Uses**

- (a) Resort;**
- (b) Rentable units**

##### **Accessory Uses**

The following uses, buildings and structures are only permitted where a use listed as a principle use exists on the parcel:

- (c) Resort staff accommodations;**
- (d) Resort related commercial and recreation uses;**
- (e) Moorage facilities;**
- (f) One single family dwelling or manufactured home for the accommodation of the resort owner or operator;**
- (g) Accessory buildings or structures.**

#### **11.2 PARCEL SIZE**

The minimum parcel size shall be 2 hectares.

#### **11.3 ROAD FRONTAGE**

The minimum parcel frontage on a road shall be 20 metres.

#### **11.4 PARCEL COVERAGE**

The maximum parcel coverage permitted shall be 40 percent.

#### **11.5 SETBACKS**

- (a) Front**

The front setback shall be 6 metres.

(b) Side

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres, except where varied in accordance with the Transportation Act.

(c) Rear

The rear setback shall be 6 metres.

**11.6 HEIGHT OF BUILDINGS**

The maximum height of buildings permitted shall be:

(a) 12 metres for a principal building; and

(b) 9 metres for any accessory building or structure.

**11.7 CONDITIONS OF USE**

(a) Development within this Zone shall be serviced by a community water system and a community sewer system approved by the appropriate Provincial authority having jurisdiction.

(b) Moorage facilities shall be limited to 1 motorized watercraft space per rentable unit.

## **PART TWELVE – LRT-2 EXISTING LAKESHORE RESORT ZONE**

### **PURPOSE**

The purpose of this zone is to recognize resorts within one kilometer of a lake in the AF-1 and RL-1 Zones that existed prior to adoption of Zoning Bylaw No. 2239 and to provide a set of regulations that allow for their continued maintenance, upgrading and expansion with the appropriate level of servicing.

#### **12.1 PERMITTED USES**

##### **Principal Uses**

- (a) Resort;
- (b) Campground;
- (c) Rentable units;
- (d) One single family dwelling, two family dwelling or manufactured home for the accommodation of the resort owner or operator.

##### **Accessory Uses**

The following uses, buildings and structures are only permitted where a use listed as a principal use exists on the parcel:

- (e) Resort staff ancillary accommodations;
- (f) Resort ancillary commercial and recreation uses;
- (g) Professional practice, homecraft, or occupation;
- (h) Moorage facilities;
- (i) One single family dwelling or manufactured home for the accommodation of the resort owner or operator;
- (j) Accessory buildings or structures.

#### **12.2 PARCEL SIZE**

The minimum parcel size shall be 1 hectare, except where a report from a registered professional engineer or geoscientist in accordance with the Drinking Water Protection Act and the applicable Municipal Sewage Regulation or the Sewerage System Regulation recommends approval of a smaller parcel size capable of accommodating on-site water and sewer servicing respectively whereupon the minimum parcel size shall be no less than 4000 m<sup>2</sup> and subject to:

- i) approval by the appropriate Provincial authority having jurisdiction; and
- ii) registration of a restrictive covenant against the title of land under Section 219 of the Land Title Act.

**12.3 PARCEL COVERAGE**

The maximum parcel coverage permitted shall be 35 percent.

Additional parcel coverage, up to a maximum of 50 percent, shall be permitted where the development is being serviced by a provincially approved community water and community sewer system.

**12.4 SETBACKS**

**(a) Front**

The front setback shall be 6 metres.

**(b) Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres, except where varied in accordance with the Transportation Act.

**(c) Rear**

The rear setback shall be 6 metres.

**12.5 HEIGHT OF BUILDINGS**

The maximum height of buildings permitted shall be:

- (a) 15 metres for a principal building;**
- (b) 9 metres for any accessory building or structure.**

**12.6 CONDITIONS OF USE**

- (a) Development within this Zone shall be serviced by a water and sewer system approved by the appropriate Provincial authority having jurisdiction.**
- (b) Resort ancillary commercial uses permitted under Section 12.1 (f) shall not exceed a cumulative total floor area of 2,500 square metres.**

## **PART THIRTEEN - RC-1 RECREATIONAL RESIDENTIAL/COMMERCIAL ZONE**

### **PURPOSE**

The purpose of this zone is to permit the comprehensive development of a destination ski resort which may provide year round recreation.

### **13.1 PERMITTED USES**

- (a) Multi-family dwellings;
- (b) Hostels, motels, and hotels;
- (c) Restaurants and coffee shops;
- (d) Entertainment establishments, including cocktail lounges, bars, nightclubs, discotheques and movie theatres;
- (e) Retail stores including gift shops, sporting good stores and convenience stores including post offices;
- (f) Sporting goods rental shops;
- (g) Communal facilities and utilities;
- (h) Indoor and outdoor recreation facilities;
- (i) Personal services shops;
- (j) Dwelling units in combination with the above permitted uses (b) to (i) inclusive; **and**
- (k) Accessory buildings or structures.**

### **13.2 DENSITY**

The maximum density permitted within this zone for residential uses shall be no more than 55 dwelling units per one hectare.

### **13.3 PARCEL COVERAGE**

The maximum parcel coverage permitted shall be 30 percent.

#### 13.4 SETBACKS

(a) **Front**

The front setback shall be 6 metres.

(b) **Side**

The side setback shall be 1.5 metres except where the side lot line abuts a street where it shall be 4.5 metres **except where varied in accordance with the Transportation Act.**

(c) **Rear**

The rear setback shall be 6 metres except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

#### 13.5 CONDITIONS OF USE

- (a) There shall be no physical access between residential and commercial uses.
- (b) Sporting goods shall not include motorized vehicles.
- (c) All buildings requiring water and sewer services shall be connected to a community water system and a community sewer system.
- (d) The gross floor area ratio shall not exceed 0.90. The floor area ratio does not include covered parking areas.

## **PART FOURTEEN - R-1 RESIDENTIAL SINGLE AND TWO FAMILY ZONE**

### **PURPOSE**

The purpose of this zone is to permit conventional, low density urban residential development.

#### **14.1 PERMITTED USES**

- (a) Single family dwellings, two family dwellings, **manufactured** homes;
- (b) Professional practice, homecraft or occupation;
- (c) **Bed and breakfast;**
- (d) Accessory buildings **or structures;**
- (e) Parks and playgrounds.

#### **14.2 PARCEL SIZE**

- (a) The minimum parcel size, except for Section 14.1 (e) where no minimum parcel size shall be required, shall be as follows:
  - i) 700 square metres for a single family dwelling or **manufactured** home served by a community water system and a community sewer system;
  - ii) **1,400 square metres for a two family dwelling served by a community water system and a community sewer system;**
  - iii) **2,000** square metres for a single family dwelling or **manufactured** home served by a community water system but no community sewer system;
  - iv) **4,000** square metres for a two family dwelling served by a community water system but no community sewer system;
  - v) **8,000** square metres for a single family dwelling, two family dwelling or **manufactured** home not served by a community water system or community sewer system;

- vi) **Notwithstanding Sections 14.2 (a) ii), where a parcel is subdivided for the purpose of subdivision of an existing two family dwelling served by a community water system and a community sewer system under the Strata Property Act, each strata lot shall have an area of not less than 700 square metres.**
- vii) **Notwithstanding Sections 14.2 (a) v), where the Regional District has received a certified report from a registered professional engineer or geoscientist stating that a parcel size less than 8000 square metres can safely accommodate both on-site sewage and water the report shall:**
  - (i) **be approved by the appropriate Provincial agency having jurisdiction;**
  - (ii) **be registered as a restrictive covenant against the title of the land under Section 219 of the Land Title Act; and**
  - (iii) **in no case, shall the parcel size reduction permitted in Section vii) above be less than 4000 square metres,**

#### 14.3 PARCEL COVERAGE

The maximum parcel coverage permitted shall be 25 percent.

#### 14.4 SETBACKS

##### (a) **Front**

The front setback shall be 6 metres.

##### (b) **Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres, except where varied in accordance with the Transportation Act.

##### (c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

#### 14.5 HEIGHT OF BUILDINGS

The maximum height permitted shall be:

- (a) **12 metres for the single family dwelling, two family dwelling or manufactured home; and**



- (b) 6 metres for any accessory building or structure.

#### 14.6 CONDITIONS OF USE

- (a) **Manufactured** homes permitted under Section 14.1 (a) shall be subject to the following conditions:
  - i) a minimum width of 6.5 metres;
- (b) **The combined floor area of all accessory buildings and structures permitted under Section 14.1 (d)** shall not exceed a maximum floor area of 65 square metres.
- (c) Notwithstanding Section 14.6 (b), where a parcel size is 4,000 square metres or greater, the combined floor area of all accessory buildings or **structures** permitted shall not exceed a maximum floor area of 130 square metres.

## PART FIFTEEN - R-2 RESIDENTIAL MULTI-USE ZONE

### PURPOSE

The purpose of this zone is to permit urban residential development including the establishment of single wide **manufactured** homes on individually owned lots in order to facilitate the housing mix.

### 15.1 PERMITTED USES

- (a) Single family dwellings or **manufactured** homes;
- (b) Two family dwellings;
- (c) Professional practice, homecraft or occupation;
- (d) **Bed and breakfast;**
- (e) Accessory buildings or structures;
- (f) Parks and playgrounds.

### 15.2 PARCEL SIZE

- (a) The minimum parcel size, except for Section 15.1 (f) where no minimum parcel size shall be required, shall be as follows:
  - i) 700 square metres for a single family dwelling or **manufactured** home served by a community water system and a community sewer system;
  - ii) 1,400 square metres for a two family dwelling served by a community water system and a community sewer system;
  - iii) **2,000** square metres for a single family dwelling or **manufactured** home served by a community water system but no community sewer system;
  - iv) **4,000** square metres for a two family dwelling served by a community water system but no community sewer system; or
  - v) **8,000** square metres for a single family dwelling, two family dwelling or **manufactured** home not served by a community water system or community sewer system.

- vi) **Notwithstanding Sections 15.2 (a) ii), where a parcel is subdivided for the purpose of subdivision of a two family dwelling served by a community water system and a community sewer system under the Strata Property Act, each strata lot shall have an area of not less than 700 square metres.**
- vii) **Notwithstanding Section 15.2 v), where the Regional District has received a certified report from a registered professional engineer or geoscientist stating that a parcel size less than 8000 square metres can safely accommodate both on-site sewage and water, the report shall:**
  - (i) **be approved by the appropriate Provincial authority having jurisdiction;**
  - (ii) **be registered as a restrictive covenant against the title of the land under Section 219 of the Land Title Act; and**
  - (iii) **in no case, shall the parcel size reduction permitted in Section vii) above be less than 4000 square metres.**

### 15.3 PARCEL COVERAGE

The maximum parcel coverage permitted shall be 25 percent.

### 15.4 SETBACKS

#### (a) **Front**

The front setback shall be 6 metres.

#### (b) **Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres, except where varied in accordance with the Transportation Act.

#### (c) **Rear**

The rear setback shall be 6 metres except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

- (d) **Notwithstanding Section 15.4 (b) for two family dwellings, side setbacks of not less than 3 metres shall be provided, except where two family dwellings are on parcels subdivided for the purpose of allowing semi-detached units, where no interior side setback between units shall be required.**

## 15.5 HEIGHT OF BUILDINGS

The maximum height permitted shall be:

- (a) 12 metres for the single family dwelling, two family dwelling, or **manufactured** home; and
- (b) 6 metres for any accessory building **or structure**.

## 15.6 CONDITIONS OF USE

- (a) **The combined floor area of all accessory buildings or structures permitted** under Section 15.1 (e) shall not exceed a maximum floor area of 65 square metres.
- (b) Notwithstanding Section 15.6 (a), where a parcel size is 4,000 square metres or greater, the combined floor area of all accessory buildings **or structures** permitted shall not exceed a maximum floor area of 130 square metres.

## **PART SIXTEEN - R-3 RESIDENTIAL MULTI-FAMILY ZONE**

### **PURPOSE**

The purpose of this zone is to permit development of multi-family dwellings in areas served by approved community water systems in order to provide an integrated mix of housing types.

### **16.1 PERMITTED USES**

- (a) Multi-family dwellings;
- (b) Accessory buildings **or structures**.

### **16.2 DENSITY**

The maximum density permitted in this zone shall be no more than one dwelling unit per 240 square metres.

### **16.3 PARCEL SIZE**

- (a) The minimum parcel size for a multi-family dwelling development shall be as follows:
  - i) 1,000 square metres if served by a community water system and a community sewer system; or
  - ii) 2,000 square metres if served by a community water system but no community sewer system.
- (b) Notwithstanding Sections 16.3 (a), where a parcel is subdivided for the purpose of allowing townhouse units, each parcel shall have an area of not less than 240 square metres per dwelling unit, except in the case of end units where the minimum parcel area shall be 320 square metres, provided that each parcel is served by a community water system and a community sewer system.

### **16.4 PARCEL COVERAGE**

The maximum parcel coverage permitted shall be 30 percent.

## 16.5 SETBACKS

### (a) **Front**

The front setback shall be 8 metres.

### (b) **Side**

- i) The side setback shall be 8 metres, except where multi-family dwellings are on parcels subdivided for the purpose of allowing townhouse units, where no interior side setback between units shall be required.
- ii) The side setback for accessory **buildings or structures** shall be 1.5 metres, except where the side lot line abuts a street where it shall be 4.5 metres.

### (c) **Rear**

The rear setback shall be 8 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

- (d) Where there are two or more buildings **or structures** on a parcel, they must be no less than 6 metres apart and have suitable provisions for safe pedestrian access.

## 16.6 HEIGHT OF BUILDINGS

The maximum height permitted shall be:

- (a) 12 metres for the multi-family dwelling; and
- (b) 6 metres for the accessory building **or structure**.

## 16.7 CONDITIONS OF USE

- (a) No more than one accessory building **or structure** shall be permitted on a parcel.
- (b) An accessory building **or structure** permitted under Section 16.1 (b) shall not exceed a maximum floor area of 65 square metres.
- (c) Each parcel shall have a minimum frontage of 30 metres, except where a parcel is subdivided for the purpose of allowing townhouse units; each parcel shall have a minimum frontage of 7 metres.

- (d) Amenity open space, meaning a landscaped area of land available to the residents of the dwelling located on that particular parcel for their personal enjoyment and recreation, shall be provided and having an area of at least 35 square metres per dwelling unit. Parking areas shall not be considered as part of or contributing to any amenity area.
- (e) The method by which sewage is disposed of shall be approved **by the appropriate Provincial authority having jurisdiction.**

## **PART SEVENTEEN - MH-1 MANUFACTURED HOME PARK ZONE**

The purpose of this zone is to encourage a high standard of **manufactured** home park development in appropriate locations.

### **17.1 PERMITTED USES**

- (a) **Manufactured** homes in **manufactured** home parks;
- (b) Accessory buildings **and structures**;
- (c) **Ancillary service or utility** buildings **or** structures related to the **manufactured** home park, including a common storage area for the storage of recreational vehicles and boats;
- (d) One single family dwelling or **manufactured** home necessary for the accommodation of the owner or operator;
- (e) Parks and playgrounds.

### **17.2 DENSITY**

The maximum density permitted in this zone shall be no more than 20 **manufactured** homes per one hectare.

### **17.3 PARCEL SIZE**

The minimum parcel size for a **manufactured** home park shall be 2 hectares.

### **17.4 CONDITIONS OF USE**

- (a) The **manufactured** home park shall comply with the requirements of the **Thompson-Nicola Regional District Manufactured Home Parks Bylaw No. 1949 as amended.**



## **PART EIGHTEEN - C-1 RETAIL COMMERCIAL ZONE**

### **PURPOSE**

The purpose of this zone is to provide for comprehensive commercial development for the sale of consumer goods and services that are commonly available in a central business area.

#### **18.1 PERMITTED USES**

- (a) Retail stores including department, grocery, and specialty stores and shopping centres;
- (b) Service stations;
- (c) Banks and financial institutions;
- (d) Personal service shops including laundromats, dry cleaning, barber and beauty shops, florist, shoe repair, and tailor shops;
- (e) Offices;
- (f) Medical and dental clinics;
- (g) Restaurants and coffee shops;
- (h) Places of assembly including theatres and fraternal lodges;
- (i) Undertaking establishments;
- (j) Motels and hotels;
- (k) Entertainment establishments including cocktail lounges, bars, neighbourhood pubs, nightclubs and discotheques;
- (l) Recreational and amusement facilities;
- (m) Dwelling units in the principal commercial building, except on parcels greater than 8,000 square metres in area, where one single family dwelling or **manufactured** home may be detached from any principal commercial building.
- (n) **Accessory buildings and structures.**

## 18.2 PARCEL SIZE

The minimum parcel size shall be as follows:

- (a) 500 square metres if the parcel is served by a community water system and a community sewer system;
- (b) 1,000 square metres if the parcel is served by a community water system but not a community sewer system; or
- (c) 2,000 square metres if the parcel is not served by a community water system and a community sewer system.

## 18.3 PARCEL COVERAGE

The maximum parcel coverage permitted shall be 60 percent.

## 18.4 SETBACKS

### (a) **Front**

No front setback shall be required, except where existing retail buildings **or structures**, on adjoining parcels zoned C-1, are set back from the front lot line, a front setback equal to the retail building having the least setback shall be required.

### (b) **Side**

- i) The side setback shall be 3 metres where the parcel abuts a parcel not zoned C-1, C-2, C-3, C-4, C-5, or C-6.
- ii) The side setback shall be 4.5 metres where the parcel abuts a street.

### (c) **Rear**

The rear setback shall be 5 metres, **except in the case of accessory buildings or structures where it shall be 1.5 metres.**

- (d) Any detached dwelling unit permitted under Section 18.1 (m) shall not be located within 3 metres of any principal commercial building.

18.5 HEIGHT OF BUILDINGS

The maximum height permitted shall be 12 metres.

18.6 CONDITIONS OF USE

- (a) Retail stores permitted under Section 18.1 (a) shall not include buildings or yards used for the sale of new or used automobiles, trucks, recreational vehicles, farm or industrial machinery.
- (b) Dwelling units, in the principal commercial building, permitted under Section 18.1 (m) shall:
  - i) have a separate entrance from that of the use permitted under Sections 18.1(a) to 18.1(l); and
  - ii) be located on the same level or above the uses permitted under Sections 18.1(a) to 18.1(l).
- (c) Uses shall be conducted within an enclosed building or structure except for parking, loading facilities, and screened storage.
- (d) Each parcel shall have a minimum frontage of 15 metres.

## **PART NINETEEN - C-2 SERVICE COMMERCIAL ZONE**

### **PURPOSE**

The purpose of this zone is to permit development of secondary or service commercial uses involving workshop type uses, commercial uses, and sales requiring larger areas of land.

### **19.1 PERMITTED USES**

- (a) Automotive and heavy equipment service, rental, storage, and sales including the sale of new and used automobiles, trucks, recreational vehicles, farm, or industrial machinery;
- (b) **Towing**, auto repair shop, paint shop, and body shop, but not including auto wrecking and storage;
- (c) Service stations, including the retail sale of gasoline, and the storage of inoperative or damaged vehicles;
- (d) Auction rooms and second hand stores;
- (e) Battery repair, tire repair or vulcanizing shop, tire sales;
- (f) Boat, marine, motorcycle sales and service;
- (g) Building supply, commercial hardware, and the sale of seed, feed, fertilizer, pesticides, herbicides, nursery products, and other products related to agricultural and horticultural uses;
- (h) Commercial cardlock facilities;
- (i) Restaurants and coffee shops;
- (j) Car washing establishments;
- (k) Contractors yard, but not including ready-mix concrete plants;
- (l) Municipal yard and workshop;
- (m) **Mini storage facilities;**
- (n) Metalwork and woodworking shops, including the sale of goods produced;

- (o) Fabrication shops, including the sale of goods produced;
- (p) Utility trailer, travel trailer, and manufactured home sales, rental, and storage;
- (q) Truck terminal, cartage express, haulage or storage yard;
- (r) Veterinary clinic or animal hospital, including pet boarding and breeding kennels;
- (s) Warehousing and cold storage, fruit and vegetable packing house; meat packaging;
- (t) Agricultural and horticultural use;
- (u) One single family dwelling or **manufactured** home in conjunction with one or more of the above uses for the accommodation of the owner or operator;
- (v) Accessory **buildings or structures**.

#### 19.2 PARCEL SIZE

The minimum parcel size shall be as follows:

- (a) 1,000 square metres if the parcel is served by a community water system;  
or
- (b) 2,000 square metres if the parcel is not served by a community water system.

#### 19.3 PARCEL COVERAGE

The maximum parcel coverage permitted shall be 60 percent.

#### 19.4 SETBACKS

##### (a) **Front**

The front setback shall be 6 metres.

##### (b) **Side**

The side setback shall be 1.5 metres, except where the side lot line abuts a street where it shall be 4.5 metres.

(c) **Rear**

The rear setback shall be 6 metres.

- (d) Notwithstanding Section 19.4 (a), service station buildings permitted within Section 19.1 (c) shall be set back a minimum of 12 metres from the front lot line, and uncovered pump islands shall be set back a minimum of 5 metres from the front lot line.

**19.5 HEIGHT OF BUILDINGS**

The maximum height permitted shall be 12 metres.

**19.6 CONDITIONS OF USE**

- (a) The storage of inoperative or damaged automobiles, in conjunction with a service station, as specified in Section 19.1 (c) is permitted, provided that:
- i) the storage area is completely enclosed by a well maintained, view obstructing fence or wall;
  - ii) the fence or wall is designed and constructed so that it is harmonious with the main structure;
  - iii) the storage area shall not cover more than 20 percent of the parcel or be larger than 600 square metres in area; and
  - iv) there is no stacking of vehicles on top of one another above the height of the fence.
- (b) Commercial cardlock facilities permitted under Section 19.1(h) shall be subject to the following conditions:
- i) the setbacks required shall be landscaped and maintained to provide an effective visual buffer to surrounding land uses;
  - ii) all areas required for vehicular movement and parking shall be paved; and
  - iii) no entrance or exit for any commercial cardlock facility shall be within 90 metres of a controlled access highway.

- (c) Car washing establishments permitted under Section 19.1 (j) shall:
  - i) be paved and adequately drained to prevent the accumulation of water; and
  - ii) have space to accommodate 8 customer vehicles on the site.
- (d) Each parcel shall have a minimum frontage of 20 metres.

## PART TWENTY - C-3 HIGHWAY COMMERCIAL ZONE

### PURPOSE

The purpose of this zone is to permit commercial development catering to the motoring public.

#### 20.1 PERMITTED USES

- (a) Service stations, including the retail sale of gasoline and convenience groceries, and the storage of inoperative or damaged vehicles;
- (b) Drive-in restaurant;
- (c) Drive-in business, where the customer normally remains within his automobile for service;
- (d) Car washing establishments in conjunction with a service station;
- (e) Gift, curio and antique shops;
- (f) Restaurants and coffee shops;
- (g) Fruit and vegetable stands;
- (h) Motels and hotels;
- (i) Campgrounds;
- (j) Recreational and amusement facilities **and golf courses**;
- (k) Automobile service centre, within the area designated Highway Commercial in the Clearwater Official Community Plan Area of Electoral Area "A" only;
- (l) One single family dwelling or **manufactured** home in conjunction with one or more of the above uses for the accommodation of the owner or operator;
- (m) Accessory buildings **or structures**;
- (n) Tourist information booth.



### 20.1.1 PERMITTED USES - SITE SPECIFIC

In the C-3 zone, the following uses are permitted on a site specific basis only:

- (a) A convenience store to a maximum floor area of 379 square metres in conjunction with a service station in the case of Lot A, District Lot 73, Kamloops Division Yale District, Plan KAP49408.

### 20.2 DENSITY

- (a) The maximum density for motels and hotels permitted under Section 20.1 (h) shall be no more than one rentable unit per 100 square metres.
- (b) Notwithstanding Section 20.2 (a), where a golf course permitted under Section 20.1 (j) is used in conjunction with a motel or hotel, the area occupied by the golf course shall not be used in the calculation of density.

### 20.3 PARCEL SIZE

The minimum parcel size shall be as follows:

- (a) 1,000 square metres if the parcel is served by a community water system;  
or
- (b) 2,000 square metres if the parcel is not served by a community water system.

### 20.4 PARCEL COVERAGE

The maximum parcel coverage permitted shall be 30 percent.

### 20.5 SETBACKS

- (a) **Front**

The front setback shall be 6 metres.

- (b) **Side**

The side setback shall be 1.5 metres, except where the side lot line abuts a street where it shall be 4.5 metres.

- (c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

- (d) Notwithstanding Section 20.5 (a), service station buildings permitted under Section 20.1 (a) shall be set back a minimum of 12 metres from the front lot line, and uncovered pump islands shall be set back a minimum of 5 metres from the front lot line.

## 20.6 CONDITIONS OF USE

- (a) Each parcel shall have a minimum frontage of 30 metres.
- (b) The sale of convenience groceries in conjunction with a service station is permitted provided that:
  - i) The sale of convenience groceries is carried out in the same building as the service station;
  - ii) The floor area for the sale of convenience groceries does not exceed 50 square metres; and
  - iii) The required off-street parking is clear of pump island circulation areas.
- (c) The storage of inoperative or damaged automobiles in conjunction with a service station as specified in Section 20.1 (a) is permitted provided that:
  - i) The storage area is completely enclosed by a well maintained view obstructing fence or wall;
  - ii) The fence or wall is designed and constructed so that it is harmonious with the main structure;
  - iii) The storage area shall not cover more than 20 percent of the parcel or be larger than 600 square metres in area; and
  - iv) There is no stacking of vehicles on top of one another above the height of the fence.
- (d) Car washing establishments permitted under Section 20.1 (d) shall:
  - i) Be paved and adequately drained to prevent the accumulation of water; and
  - ii) Have space to accommodate 8 customer vehicles on the site.
- (e) Rentable units permitted under Section 20.1 (h) shall have a minimum floor area of 15 square metres per unit.

## PART TWENTY-ONE - C-4 RECREATIONAL COMMERCIAL ZONE

### PURPOSE

The purpose of this zone is to permit commercial facilities which are primarily seasonal in nature.

#### 21.1 PERMITTED USES

- (a) Campgrounds;
- (b) Amusement parks, zoos, and museums;
- (c) Curio and antique shops;
- (d) Tourist information services;
- (e) Marinas;
- (f) Golf courses;
- (g) Drive-in Theatres;
- (h) **Full service guest ranches;**
- (i) **Resorts;**
- (j) Commercial picnic sites;
- (k) Riding stables;
- (l) Fruit and vegetable stands;
- (m) River oriented recreational facilities including whitewater rafting office, service buildings, and storage;
- (n) One single family dwelling or **manufactured** home in conjunction with one or more of the above uses for the accommodation of the owner or operator;
- (o) **Ancillary staff accommodation in conjunction with 21.1 (a), (h) and (i) uses above;**
- (p) Accessory buildings or structures.

### 21.1.1 PERMITTED USES – SITE SPECIFIC

In the C-4 zone, the following uses are permitted on a site specific basis only:

- (a) Commercial Resort, limited to:
  - a maximum of 178 recreational commercial strata lots comprising:
    - 125 rentable unit strata lots;
    - 17 strata lots for park model **recreation units**; and
    - 36 strata lots for recreational vehicles.
  - lodge and ancillary recreational commercial facilities;
  - office and registration building; and
  - equestrian center.

in the case of Lot 33, District Lot 659, YDYP, Plan 16377 and part of District Lot 587, YDYP (Brookmere, BC).

- (b) Equipment sales and repair, rolling stock only, in the case of Lot 1, District Lot 377 and of Section 7, Township 21, Range 24, W6M, Kamloops Division Yale District, Plan 28109 except Plan H14941 (495 Tumbleweed Road, south of Cache Creek, BC).

### 21.2 PARCEL SIZE

- (a) The minimum parcel size shall be 2,000 square metres.
- (b) Notwithstanding Section 21.2 (a), the minimum parcel size for fruit and vegetable stands permitted under Section 21.1 (l) shall be 1,000 square metres.
- (c) **Notwithstanding Section 21.2 (a), the minimum parcel size for a resort shall be 2 hectares, except where a report from a registered professional engineer or geoscientist in accordance with the Drinking Water Protection Act and the Sewerage System Regulation recommends approval of a smaller parcel size capable of accommodating on-site water and sewer servicing where upon the minimum parcel size shall be no less than 4,000 square metres subject to:**
  - i) **approval by the appropriate Provincial authority having jurisdiction; and**
  - ii) **registration of a restrictive covenant against the title of land under Section 219 of the Land Title Act.**

### 21.3 PARCEL COVERAGE

**The maximum parcel coverage permitted shall be 35 percent.**

#### 21.4 SETBACKS

(a) **Front**

The front setback shall be 6 metres.

(b) **Side**

The side setback shall be 1.5 metres, except where the side lot line abuts a street where it shall be 4.5 metres.

(c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

#### 21.5 CONDITIONS OF USE

- (a) Fruit and vegetable stands permitted under Section 21.1 (l) shall not exceed 60 square metres in floor area, except where a parcel is used exclusively for agricultural or horticultural uses and is classified as a farm by the British Columbia Assessment Authority, the floor area may be greater than 60 square metres.
- (b) **Resorts** permitted under Section 21.1 (i) shall be serviced by an approved community water and community sewer system.
- (c) The number of rentable units permitted in a **resort** permitted under Section 21.1 (i) shall not exceed 30 per gross hectare.

## **PART TWENTY-TWO - C-5 LOCAL COMMERCIAL ZONE**

### **PURPOSE**

The purpose of this zone is to provide sites that serve the day to day needs for convenience items and services in a small community or rural area.

#### **22.1 PERMITTED USES**

- (a) Retail sale of groceries and household items catering to the day to day needs of residents;
- (b) Retail sale of gasoline;
- (c) Restaurants and coffee shops;
- (d) One single family dwelling or **manufactured** home in conjunction with one or more of the above uses for the accommodation of the owner or operator;
- (e) One accessory building **or structure** in conjunction with the single family dwelling or **manufactured** home permitted in Section 22.1 (d).

#### **22.2 PARCEL SIZE**

The minimum parcel size shall be 2,000 square metres.

#### **22.3 PARCEL COVERAGE**

The maximum parcel coverage permitted shall be 30 percent, provided that the net area for retail sales and covered storage shall not be more than 240 square metres.

#### **22.4 SETBACKS**

##### **(a) Front**

The front setback shall be 6 metres.

##### **(b) Side**

The side setback shall be 1.5 metres, except where the side lot line abuts a street where it shall be 4.5 metres.

(c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

**22.5 HEIGHT OF BUILDINGS**

The maximum height permitted shall be 12 metres.

**22.6 CONDITIONS OF USE**

(a) There shall be no open storage permitted in this zone.

## PART TWENTY-THREE - C-6 RURAL SERVICE COMMERCIAL ZONE

### PURPOSE

The purpose of this zone is to permit development of isolated intensive agricultural and service commercial facilities in rural areas.

#### 23.1 PERMITTED USES

- (a) Agricultural and horticultural uses;
- (b) Intensive agricultural uses;
- (c) Meat packaging plant;
- (d) Agricultural and farm equipment servicing and repair;
- (e) The production of seed, feed, and fertilizer;
- (f) Sale of seed, feed, fertilizer, pesticides, herbicides, nursery products, and other products related to agricultural and horticultural uses;
- (g) Truck and equipment servicing and repair;
- (h) Veterinary clinic or animal hospital;
- (i) Pet boarding and breeding kennels;
- (j) One single family dwelling or **manufactured** home in conjunction with one or more of the above uses for the accommodation of the owner or operator;
- (k) A coffee shop in conjunction with a stockyard;
- (l) Accessory buildings **or structures**.

#### 23.2 PARCEL SIZE

The minimum parcel size shall be 8,000 square metres, except for uses permitted under Section 23.1 (b) where the minimum parcel size shall be 16 hectares **and those uses permitted under Section 23.1 (i) where the minimum parcel size shall be 4 hectares.**



### 23.3 SETBACKS

(a) **Front**

The front setback shall be 8 metres.

(b) **Side**

i) The side setback shall be 8 metres.

ii) The side setback for accessory **buildings or** structures shall be 1.5 metres, except where the side lot line abuts a street where it shall be 4.5 metres.

(c) **Rear**

The rear setback shall be 8 metres, except in the case of accessory buildings **and structures** where it shall be 1.5 metres.

(d) Notwithstanding Section 23.3 (a), (b) and (c) buildings or structures required for intensive agricultural uses permitted under Section 23.1 (b) shall be set back a minimum of:

i) 300 metres from an established residence on a parcel not in the AF-1, RL-1, or C-6 Zone; **and**

ii) 15 metres from a public road.

(e) Notwithstanding Section 23.3 (a), (b) and (c) livestock pens and containment basins permitted under Section 23.1 (b) shall be set back a minimum of 90 metres from the natural boundary of a lake, river, stream, or other body of water.

### 23.4 CONDITIONS OF USE

(a) Buildings or structures permitted in Section 23.1 (d) to 23.1 (f) shall not exceed 250 square metres in floor area.

(b) All livestock pens permitted under Section 23.1 (b) shall be designed to allow shallow ditching to collect runoff from each pen and shall slope to an impervious containment basin and shall be designed so that runoff water from areas surrounding the pens shall be diverted away from the pens.

**PART TWENTY-FOUR - C-7 DESTINATION RESORT**  
**COMMERCIAL ONE ZONE**

**PURPOSE**

The purpose of this zone is to permit recreational and entertainment oriented uses and activities within the **Tobiano Resort** area designated Comprehensive Resort Development in the Cherry Creek-Savona Official Community Plan Area of Electoral Area “J”.

**24.1 PERMITTED USES**

- (a) Campgrounds;
- (b) Train station and shelters;
- (c) Equestrian centres, including lounge facility, meeting rooms, indoor area with bleachers and ancillary recreation vehicle parking and service hook-ups for patrons of the equestrian centre;
- (d) Tourist information services;
- (e) Retail sales associated with equestrian centres, marinas and restaurants;
- (f) Marinas including sale of marine and aviation fuels;
- (g) Heliports;
- (h) Sporting equipment rental and repairs;
- (i) Restaurants and food concessions;
- (j) Indoor and outdoor recreational facilities;
- (k) Entertainment establishments and licensed facilities;
- (l) Assembly uses;
- (m) Parks and playgrounds;
- (n) **Service** buildings, utilities, including community sewer and water systems, and communication equipment;

- (o) Offices accessory to and located within the principal recreational or entertainment facility;
- (p) Accessory buildings **or structures** in conjunction with one or more of the above recreational or entertainment uses.

#### 24.2 PARCEL SIZE

- (a) The minimum parcel size shall not be applicable provided each parcel is serviced by a community sewer and community water system.

#### 24.3 PARCEL COVERAGE

The maximum permitted parcel coverage is not applicable.

#### 24.4 HEIGHT OF BUILDINGS

The maximum permitted height is not applicable.

#### 24.5 SETBACKS

- (a) The minimum permitted setbacks except marina and related facilities located above water shall be:
  - i) front setback 6 metres;
  - ii) side setback 3 metres; and
  - iii) rear setback 6 metres, except where the rear lot line abuts a golf course where it shall be 3 metres.
- (b) Notwithstanding Section 24.5(a), where a lot line abuts a street, the setback shall be a minimum of 4.5 metres except where varied in accordance with the **Transportation Act**.

DIVISION **TWENTY-FIVE** - C-8 DESTINATION RESORT  
COMMERCIAL TWO ZONE

PURPOSE

The purpose of this zone is to permit a mixed but integral range of accommodation, commercial, recreational and entertainment oriented uses and activities within the **Tobiano Resort** area designated Comprehensive Resort Development in the Cherry Creek-Savona Official Community Plan Area of Electoral Area “J”.

25.1 PERMITTED USES

- (a) Hotels;
- (b) Assembly uses including community centres, auditoriums, theatres, conference centres, convention facilities and halls;
- (c) Restaurants and coffee shops, bakeries and delicatessens;
- (d) Entertainment establishments and licensed facilities excluding neighbourhood pubs;
- (e) Micro breweries and wineries;
- (f) Retail stores including gift, antique and curios shops, post offices, artisan and craft workshops, sporting goods sale, rental and repair, fruit and vegetable stands, general stores, convenience stores and pedestrian retail malls;
- (g) **Institutional uses** including schools, health and child care facilities, veterinary clinics, chapels, churches, fire halls, ambulance and police stations;
- (h) **Service** or utility buildings and structures;
- (i) Indoor and outdoor recreation and amusement facilities, including petting zoos, playgrounds, parks and picnic sites;
- (j) Personal services shops, laundromats, dry cleaners, health clubs or spas;
- (k) Golf cart storage and repair;

- (l) Offices;
- (m) Accessory buildings **or structures** in conjunction with one or more the above principal commercial or recreation uses.

#### 25.1.1 PERMITTED USES – SITE SPECIFIC

In the C-8 Zone, the following uses are permitted on a site specific basis only:

- (a) Multi-family units above the ground floor in the case of Lot 7, Section 34, Township 20, Range 20, W6M, Kamloops Division Yale District, Plan KAP70224 (Kamloops Lake, BC), and subject to the following:
  - i) Maximum Density – The maximum permitted density for multi family unit developments shall be no more than 41.0 units per hectare; and
  - ii) Off-Street Parking – The number of off-street parking spaces required shall be as follows:
 

Multi-family unit development	1.5 parking spaces per unit plus 0.5 parking spaces per unit for communal visitor parking. Communal parking spaces must be clearly marked or signed to identify them as visitor spaces.
-------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

#### 25.2 PARCEL SIZE

The minimum parcel size is not applicable provided each parcel is serviced by a community water and sewer system.

#### 25.3 PARCEL COVERAGE

The maximum permitted parcel coverage is not applicable.

#### 25.4 HEIGHT OF BUILDINGS

The maximum permitted height shall be 18 metres.

#### 25.5 SETBACKS

- (a) The minimum setbacks shall be:
  - i) 4.5 metres, except where varied in accordance with the **Transportation Act**.

## **PART TWENTY-SIX - C-9 LIMITED GENERAL COMMERCIAL**

### **PURPOSE**

The purpose of this zone is to provide for a limited range of general commercial uses to occur on a limited basis outside of the primary, intensive commercial zones of the core area within the area designated Limited Commercial in the Barriere Official Community Plan of Electoral Area "O".

### **26.1 PERMITTED USES**

- (a) Service stations, including the retail sale of gasoline, alternative fuels and convenience groceries;
- (b) Motels;
- (c) Restaurants and coffee shops;
- (d) Funeral homes;
- (e) Recreational and amusement facilities;
- (f) Offices in conjunction with and necessary for the operation of any of the above uses;
- (g) Dwelling units in the principal commercial building.

### **26.2 PARCEL SIZE**

The minimum parcel size shall be as follows:

- (a) 1,000 square metres if the parcel is served by a community water system but not a community sewer system;
- (b) 2,000 square metres if the parcel is not served by a community water system and a community sewer system.

### **26.3 PARCEL COVERAGE**

The maximum permitted parcel coverage shall be 50 percent.

### **26.4 HEIGHT OF BUILDINGS**

The maximum height permitted shall be 7.6 metres.

## **26.5 SETBACKS**

### **(a) Front**

The front setback shall be 6 metres.

### **(b) Side**

The side setback shall be 1.5 metres unless the side lot abuts a street where it shall be 4.5 metres.

### **(c) Rear**

The rear setback shall be 6 metres.

## **26.6 CONDITIONS OF USE**

### **(a) The sale of convenience groceries in conjunction with a service station permitted under Section 26.1 (a) is permitted provided that:**

- i) The sale of convenience groceries is carried out in the same buildings as the service station;
- ii) The floor area for sale of convenience groceries does not exceed 50 square metres; and
- iii) The required off-street parking is clear of pump island circulation areas.

### **(b) Dwelling units, in the principal commercial building, permitted under Section 26.1(g) shall:**

- i) have a separate entrance from that of the use permitted under Sections 26.1(a) to 26.1(f); and
- ii) be located on the same level or above the uses permitted under Sections 26.1(a) to 26.1(f).

**PART TWENTY-SEVEN – C-10 COMPREHENSIVE ENTERTAINMENT  
COMMERCIAL ZONE**

**PURPOSE**

The purpose of this zone is to accommodate a comprehensive entertainment complex including commercial, recreational and entertainment oriented uses and activities within the **Active Mountain Entertainment** area designated Comprehensive Entertainment Commercial in the Nicola Valley Official Community Plan Area of Electoral Area “N”.

**27.1 PERMITTED USES**

- (a) Comprehensive entertainment/recreational complex including:
  - i) paved automobile racetrack
  - ii) grandstands and associated corporate suites/boxes
  - iii) auto repair/storage/maintenance garage facility for racing vehicles
  - iv) food and dry good concession units
  - v) restaurants, catering/conference and licensed facilities
  - vi) sound and film industry studios
  - vii) amusement park
  - viii) water slide park
  - ix) parking lots
  - xi) administration offices
  - xii) assembly uses
- (b) Accessory buildings **and structures** and uses in conjunction with one or more of the uses permitted in Section 27.1(a).

**27.2 PARCEL SIZE**

The minimum parcel size shall be 50 hectares.

**27.3 SETBACKS**

(a) **Front**

The front setback shall be 6 metres.



(b) **Side**

The side setback shall be 1.5 metres, unless the side lot abuts a street where it shall be 4.5 metres, except where varied in accordance with the **Transportation Act**.

(c) **Rear**

The rear setback shall be 6 metres.

## **PART TWENTY-EIGHT - I-1 AUTO WRECKING ZONE**

### **PURPOSE**

The purpose of this zone is to provide for the establishment of auto wrecking and storage compounds in areas where they will not appear unsightly and where other industrial uses may not be suitable.

### **28.1 PERMITTED USES**

- (a) **Towing**, wrecking and storage of automobiles;
- (b) Auto repair and body shops in conjunction with (a) above;
- (c) Accessory buildings **or structures** related to (a) above;
- (d) One office and/or dwelling unit in conjunction with (a) above;
- (e) Agricultural and horticultural uses.

### **28.2 PARCEL SIZE**

The minimum parcel size shall be 1 hectare.

### **28.3 SETBACKS**

#### **(a) Front**

The front setback shall be 8 metres.

#### **(b) Side**

The side setback shall be 8 metres.

#### **(c) Rear**

The rear setback shall be 8 metres.

### **28.4 HEIGHT OF BUILDINGS**

No building shall exceed the height of 10 metres.

### **28.5 CONDITIONS OF USE**

- (a) All areas used for wrecking and storage of automobiles must be completely enclosed by a well maintained, view obstructing fence or wall:

- i) not less than 2.5 metres in height; and
  - ii) not more than 4 metres in height, unless the adjacent parcel is zoned C-2, I-1, I-2, I-3 or I-4.
- (b) No material shall be piled to a greater height than that of the surrounding fence or wall.
- (c) No nuisance shall be created.
- (d) There shall be no storage of automobiles permitted within 30 metres of the natural boundary of a lake or any other natural watercourse.
- (e) Battery acid neutralization and waste oil storage facilities must be provided.
- (f) All areas used for wrecking and storage of automobiles shall be graded so that no oil or gas shall drain into any lake or other natural watercourse.

## PART TWENTY-NINE - I-2 LIGHT INDUSTRIAL ZONE

### PURPOSE

The purpose of this zone is to provide for the accommodation of light industrial operations in locations and under development standards and conditions which minimize the conflict with adjacent uses.

### 29.1 PERMITTED USES

- (a) Manufacturing industry;
- (b) Wholesale commercial;
- (c) Service industries, including warehousing;
- (d) Restaurants and coffee shops;
- (e) Workshops, storage buildings, and yards for contractors;
- (f) Agricultural and horticultural uses;
- (g) Offices in conjunction with and necessary for the operation of any of the above uses;
- (h) Accessory buildings or structures;
- (i) **Compost and yard waste depots, solid waste eco-depots, recycling depots and solid waste transfer stations;**
- (j) One single family dwelling or **manufactured** home in conjunction with one or more of the uses permitted in Sections 29.1 (a) to (f).

### 29.2 PARCEL SIZE

The minimum parcel size shall be 1,000 metres square.

### 29.3 PARCEL COVERAGE

The maximum parcel coverage permitted shall be 60 percent.

### 29.4 SETBACKS

#### (a) **Front**

The front setback shall be 8 metres.

(b) **Side**

- i) The side setback shall be 8 metres.
- ii) The side setback for accessory buildings **or structures** shall be 1.5 metres, except where the side lot line abuts a street where it shall be 4.5 metres.

(c) **Rear**

- i) The rear setback shall be 8 metres, except in the case of accessory buildings where it shall be 1.5 metres.
- ii) Notwithstanding Section 29.4 (c) i), where the rear boundary of a site abuts a railway line, no rear setback shall be required.

**29.5 CONDITIONS OF USE**

- (a) Each parcel shall have a minimum frontage of 30 metres.

## PART THIRTY - I-3 GENERAL INDUSTRIAL ZONE

### PURPOSE

The purpose of this zone is to permit a variety of industrial operations requiring extensive areas for open storage, and employee parking, and to minimize conflict with adjacent uses.

### **30.1** PERMITTED USES

- (a) Manufacturing industry including sawmills;
- (b) Ready-mix concrete plants and asphalt plants;
- (c) Storage of logs, lumber, wood chips, sand, gravel, ore, concentrates, gas and petroleum products;
- (d) Workshops, storage buildings, and yards for contractors;
- (e) **Municipal service yards;**
- (f) **Compost and yard waste depots, solid waste eco-depots, recycling depots and solid waste transfer stations;**
- (g) Airports, railyards, and terminal facilities;
- (h) Restaurants and coffee shops;
- (i) Agricultural and horticultural uses;
- (j) Wrecking and storage of automobiles;
- (k) Offices in conjunction with and necessary for the operation of any of the above uses;
- (l) Accessory buildings or structures, including materials handling equipment, and scales;
- (m) One single family dwelling or **manufactured** home in conjunction with one or more of the uses permitted in Sections 30.1 (a) to 30.1 (j), **excluding 30.1 (f).**

### **30.2** PARCEL SIZE

The minimum parcel size shall be 4,000 square metres.

### **30.3 PARCEL COVERAGE**

The maximum parcel coverage permitted shall be 60 percent.

### **30.4 SETBACKS**

#### **(a) Front**

The front setback shall be 8 metres.

#### **(b) Side**

i) The side setback shall be 8 metres.

ii) The side setback for accessory buildings **or structures** shall be 1.5 metres, except where the side lot line abuts a street where it shall be 4.5 metres.

#### **(c) Rear**

i) The rear setback shall be 8 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

ii) Notwithstanding Section 30.4 (c) i) where the rear boundary of a parcel abuts a railway line, no rear setback shall be required.

(d) Notwithstanding Section 30.4 (a), (b) or (c) no industrial building or use shall be located within 30 metres of land within a CR-1, LR-1, LR-2, RC-1, R-1, R-2, R-3, or MH-1 zone.

### **30.5 CONDITIONS OF USE**

(a) Each parcel shall have a minimum frontage of 30 metres.

## **PART THIRTY-ONE - I-4 HEAVY INDUSTRIAL ZONE**

### **PURPOSE**

The purpose of this zone is to establish land for mining development including processing of ore and all related facilities, in a manner which will minimize conflict with adjacent uses.

#### **31.1 PERMITTED USES**

- (a) Open pit and underground mining;
- (b) Mineral concentrator and all related accessory facilities;
- (c) Storage of explosives;
- (d) Towers, transmission and utility delivery infrastructure;
- (e) Agricultural and horticultural uses.

#### **31.2 SETBACKS**

No operational area or development of any of the uses permitted in Section 31.1 shall be placed or carried out within 30 metres of any highway.

#### **31.3 CONDITIONS OF USE**

- (a) For all uses permitted in this zone, the perimeter of the site shall be fenced sufficient to restrict the movement of people and livestock into the operational area, and such fence shall at all times be maintained in sound and good condition.
- (b) The operational area and development shall be screened by a visually effective barrier from the traffic lanes of any highway.
- (c) Uses permitted within this zone shall comply with all applicable regulations, requirements, restrictions, and standards as set forth by the **Environmental Management Act** and the **Ministry of Energy, Mines and Petroleum Resources**.
- (d) All buildings or structures except those required for agricultural and horticultural uses shall be removed when the mineral concentrator is no longer required for the processing of ore as determined by the **Ministry of Energy, Mines and Petroleum Resources**.



## **DIVISION THIRTY-TWO – IPP-1 INDEPENDENT POWER PROJECT ZONE**

### **PURPOSE**

The purpose of this Zone is to permit small scale (less than 50 megawatts) power project facilities that generate electricity for commercial sale into an electricity transmission and distribution infrastructure ('the power grid').

#### **32.1 PERMITTED USES**

- (a) Independent power facility;
- (b) Accessory buildings or structures.

#### **32.2 PARCEL SIZE**

The minimum parcel size shall be 16 hectares.

#### **32.3 SETBACKS**

- (a) The setbacks shall be 7.5 metres;
- (b) Notwithstanding Section 32.3 (a), independent power facilities shall be setback a minimum of five hundred metres (500 m) from the property line of any parcel not zoned AF-1, AF-2 or RL-1;
- (c) Notwithstanding Section 32.3 (a), independent power facilities shall be setback a minimum of one thousand metres (1000 m) from any established dwelling unit or institutional use;
- (d) Notwithstanding Section 32.3 (a), independent power facilities shall be setback a minimum of 1 kilometre from a lake, that serves as a reservoir for a source of community water, except where a certified report from a registered professional engineer or geoscientist recommends a reduced setback whereupon, the recommendations will be required to be approved by a development variance permit and registered in a restrictive covenant against the title of land under Section 219 of the Land Title Act or incorporated into any associated Crown lease or license of occupation.

#### **32.4 PARCEL COVERAGE**

The maximum parcel coverage shall be 25 percent.

**32.5     CONDITIONS OF USE**

- (a)     An independent power facility permitted under Section 32.1(a) shall be subject to the following conditions:**
- i)        The facility shall not be capable of generating more than 50 megawatts of electricity;**
  - ii)       The facility shall be designed to generate electricity for sale into the Provincial electrical transmission and distribution infrastructure;**
  - iii)      Dewatering ponds and lagoons shall be fenced, screened and properly engineered to protect surrounding environs including surface and groundwater resources; and**
  - iv)      Where additional site specific conditions of use are identified in conjunction with the zoning amendment process, it may be necessary to register a restrictive covenant against the title of the land in favour of the Regional District ensuring compliance with the specified conditions of use.**

## **PART THIRTY-THREE - P-1 RECREATIONAL ZONE**

### **PURPOSE**

The purpose of this zone is to identify and preserve areas used for open land recreational purposes.

#### **33.1 PERMITTED USES**

- (a) Playgrounds, parks, and zoos;
- (b) Fair, exhibition, and rodeo grounds;
- (c) Open land recreation;
- (d) Provincial parks, campgrounds, and picnic areas;
- (e) One single family dwelling or **manufactured** home, in conjunction with one or more of the above uses, for the accommodation of the caretaker;
- (f) Accessory buildings **or structures**.

#### **33.2 PARCEL SIZE**

The minimum parcel size shall be 1,000 square metres.

#### **33.3 PARCEL COVERAGE**

The maximum parcel coverage permitted shall be 10 percent.

#### **33.4 SETBACKS**

##### **(a) Front**

The front setback shall be 6 metres.

##### **(b) Side**

The side setback shall be 1.5 metres, except where the side lot line abuts a street where it shall be 4.5 metres.

(c) **Rear**

The rear setback shall be 6 metres, except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

**33.5** CONDITIONS OF USE

- (a) Parcels used for open land recreational purposes shall be kept in their natural state except where modifications are necessary to facilitate outdoor recreation. Without limiting the generality of the foregoing, site modifications may include earthworks required for construction and development of access roads, trails, picnic sites, camping pads, playing fields, or the removal of trees for ski runs.

## **PART THIRTY-FOUR - P-2 INSTITUTIONAL ZONE**

### **PURPOSE**

The purpose of this zone is to provide for community uses related to requirements of government, education, recreation, religion, health, and utilities.

### **34.1 PERMITTED USES**

- (a) Community halls and recreational facilities, including curling rinks;
- (b) Religious buildings and cemeteries;
- (c) Service or non-profit clubs or organizations;
- (d) Institutional uses including schools, hospitals, community care facilities, police stations and fire halls;
- (e) Government offices, ancillary storage structures or compounds;
- (f) Single family dwellings or **manufactured** homes in conjunction with one or more of the above uses for the accommodation of employees.

#### **34.1.1 PERMITTED USES – SITE SPECIFIC**

In the P-2 zone, the following use is permitted on a site specific basis only:

- (a) Library on a 704 square metre parcel in the case of Lot 1, Block 12, District Lot 368, Kamloops Division Yale District, Plan 158 (at the corner of Savona and Tingley Streets, Savona, BC).

### **34.2 PARCEL SIZE**

The minimum parcel size shall be 1,000 square metres.

### **34.3 SETBACKS**

#### **(a) Front**

The front setback shall be 6 metres.

#### **(b) Side**

The side setback shall be 1.5 metres, except where the side lot line abuts a street where it shall be 4.5 metres.

#### **(c) Rear**

The rear setback shall be 6 metres.

## **PART THIRTY-FIVE - P-3 CIVIC WORKS ZONE**

### **PURPOSE**

The purpose of this zone is to identify areas suitable for community sewage disposal and **community** service or utility purposes in defined areas.

### **35.1 PERMITTED USES**

- (a) Community sewage disposal facilities including sewage lagoons, sewage treatment plants and other sewage disposal facilities regulated by the **Environmental Management Act**;
- (b) Agricultural and horticultural uses;

### **35.2 PARCEL SIZE**

The minimum parcel size shall be 1 hectare.

### **35.3 SETBACKS**

- (a) **Front**  
The front setback shall be 8 metres.
- (b) **Side**  
The side setback shall be 8 metres.
- (c) **Rear**  
The rear setback shall be 8 metres.

## **PART THIRTY-SIX - CD-1 COMPREHENSIVE DEVELOPMENT ZONE**

### **PURPOSE**

The purpose of this zone is to permit comprehensive resort oriented land use and development within the **Tobiano Resort** area designated Comprehensive Resort Development in the Cherry Creek-Savona Official Community Plan Area of Electoral Area "J".

The following definitions shall be incorporated in and form part of the CD-1 Zone:

The CD-1 zone shall divided into two Sub-Zones A and B. Schedule "A" shows the location of the CD-1 zone and the sub-zones within.

### **CD-1 Sub-Zone A**

#### **36.1 PERMITTED USES**

- (a) Accessory building **or** structure;
- (b) Auxiliary residential dwelling unit;
- (c) Equestrian home;
- (d) Golf course and associated accessory services and buildings;
- (e) Heliport and helipad;
- (f) Multi-family;
- (g) Presentation centre;
- (h) Recreational amenities and facilities;
- (i) Resort accommodation;
- (j) Resort cottage
- (k) Resort home;
- (l) Resort real estate sales centre;
- (m) Two family.

## **CD-1 Sub-Zone B**

### **36.2 PERMITTED USES**

The use of any parcel of land in this zone shall be in accordance with the provisions herein and any use of buildings, structures, or land not in accordance with these provisions shall be prohibited:

- (a) Accessory building **or structure**;
- (b) Assembly use;
- (c) Bakery;
- (d) Beer and wine store;
- (e) Daycare facility;
- (f) Golf course and associated accessory buildings and services;
- (g) Heliport and helipad;
- (h) Home occupation;
- (i) Institutional facility;
- (j) Microbrewery, winery and cidery;
- (k) Multi-family;
- (l) Neighbourhood pub, nightclub and lounge;
- (m) Office;
- (n) Personal service;
- (o) Presentation centre;
- (p) Recreational amenity and facility;
- (q) Recreation equipment storage;
- (r) Residential security/operator unit;



- (s) Resort accommodation;
- (t) Resort real estate sales centre;
- (u) Resort Hotel;
- (v) Restaurant;
- (w) Retail sales;
- (x) Tourist information service;
- (y) Train station and associated passenger service;
- (z) Two family.

### 36.3 PARCEL SIZE

Provided each parcel is serviced by a community water and community sewer system, the minimum parcel size for:

- (a) Resort cottage shall be 350 square metres;
- (b) Resort home shall be 560 square metres;
- (c) Equestrian home shall be 930 square metres;
- (d) Two family and multi-family shall be:
  - i) 1000 square metres;
  - ii) Notwithstanding 36.3 (d) i) above, where a parcel is subdivided for the purpose of allowing individual two family or multi-family, each parcel shall have an area of not less than 240 square metres per unit, except in the case of end units where the minimum parcel area shall be 320 square meters;
  - iii) Notwithstanding 36.3 (d) i) and ii), where a parcel is subdivided for the purposes of allowing individual multi-family units above commercial uses, each parcel shall have an area of not less than 50 square metres per unit.

#### 36.4 SETBACKS

- (a) All setbacks below shall apply to fee simple and strata properties.
- (b) For resort cottages the minimum permitted setbacks shall be:
  - i) front setback 3 metres;
  - ii) side setback 1.5 metres; and
  - iii) rear setback 3 metres except in the case of accessory buildings **or structures** where it shall be 1.5 metres
- (c) For resort homes and equestrian homes the minimum permitted setbacks shall be:
  - i) front setback 4.5 metres;
  - ii) side setback 1.5 metres; and
  - iii) rear setback 4.5 metres except in the case of accessory buildings **or structures** where it shall be 1.5 metres
- (d) For two family and multi-family the minimum permitted setbacks shall be:
  - i) front setback 3 metres in Sub-Zone A;  
0 metres in Sub-Zone B;
  - ii) side setback 1.5 metres in Sub-Zone A except where a two family or multi-family is subdivided for the purpose of allowing individual two family or multi-family accommodation units, where no interior side setback between units shall be required;  
0 metres in Sub-Zone B; and
  - iii) rear setback 3 metres except in the case of accessory buildings **or structures** where it shall be 1.5 metres.
- (e) For all other uses within Sub-Zone A:
  - i) front setback 4.5 metres;
  - ii) side setback 1.5 metres; and
  - iii) rear setback 4.5 metres except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

- (f) For all other uses within Sub-Zone B:
  - i) front setback 0 metres;
  - ii) side setback 0 metres; and
  - iii) rear setback 4.5 metres except in the case of accessory buildings **or structures** where it shall be 1.5 metres.

### 36.5 CONDITIONS OF USE

- (a) All uses permitted in the CD-1 zone shall be serviced by a community water system and a community sewer system.
- (b) The maximum floor area of an accessory building for a resort cottage and resort home is 65 square metres.
- (c) The maximum floor area of accessory building for an equestrian home is 100 square metres.
- (d) Auxiliary residential dwelling units shall only be permitted within resort homes and equestrian homes.
- (e) A maximum of one auxiliary residential dwelling unit shall be permitted per parcel and only on parcels having a minimum parcel size of 1200 square metres or greater.
- (f) The maximum permitted gross floor area of an auxiliary residential dwelling unit is 80 square metres and shall not exceed 40% of the gross floor area of the principal building.
- (g) An auxiliary residential dwelling unit shall not be used for temporary lodging by visitors and all other uses not expressly permitted are prohibited.
- (h) The maximum number of presentation centres permitted in Sub-Zone A is one.
- (i) The maximum number of residential security/operator units permitted is one and maximum permitted gross floor area is 80 square metres.
- (j) Home occupations shall not alter the residential character of the dwelling unit and shall be compatible with surrounding uses.
- (k) Home occupations are only permitted by the owner or occupier.

### 36.6 DWELLING UNITS

- (a) The maximum total number of resort cottage, resort home, equestrian home, auxiliary residential dwelling, multi-family and two family units is 1952.
- (b) The maximum number of hotel units is 500.

## **PART THIRTY-SEVEN - RA-2 RESORT ACCOMMODATION TWO ZONE**

### **PURPOSE**

The purpose of this zone is to permit resort home occupancy and accommodation **within the Tobiano Resort** area designated Comprehensive Resort Development in the Cherry Creek-Savona Official Community Plan Area of Electoral Area "J".

#### **37.1 PERMITTED USES**

- (a) Resort home units;
- (b) Accessory buildings **or structures**;
- (c) Recreational amenities in conjunction with a resort home unit development.

#### **37.2 PARCEL SIZE**

The minimum permitted parcel size shall be 560 square metres provided each parcel is serviced by a community water and community sewer system.

#### **37.3 DENSITY**

The maximum permitted density for resort home units shall be no more than 17.0 units per hectare.

#### **37.4 PARCEL COVERAGE**

The maximum permitted parcel coverage shall be 50 percent.

#### **37.5 HEIGHT OF BUILDINGS**

The maximum permitted height shall be 12 metres.

### 37.6 SETBACKS

- (a) For resort home units the minimum permitted setbacks shall be:
- |      |               |                                                                                                                                                                                                      |
|------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| i)   | front setback | 4.5 metres;                                                                                                                                                                                          |
| ii)  | side setback  | 1.5 metres, unless a side lot line abuts a street where it shall be 4.5 metres except where varied in accordance with the <u>Transportation Act</u> ; and                                            |
| iii) | rear setback  | 4.5 metres except where the rear lot line abuts open space or a golf course where it shall be 3 metres, except in the case of accessory buildings <b>or structures</b> where it shall be 1.5 metres. |

### 37.7 CONDITIONS OF USE

- (a) Accessory buildings **or structures** permitted under Section 37.1(b) shall not exceed a maximum floor area of 65 square metres.

## **PART THIRTY-EIGHT - RA-4 RESORT ACCOMMODATION FOUR ZONE**

### **PURPOSE**

The purpose of this zone is to permit multi-family occupancy and accommodation within the **Tobiano Resort** area designated Comprehensive Resort Development in the Cherry Creek-Savona Official Community Plan Area of Electoral Area "J".

### **38.1 PERMITTED USES**

- (a) Multi-family units;
- (b) Accessory buildings **and structures**;
- (c) Recreational amenities in conjunction with a multi-family unit development including playgrounds, swimming pools and tennis courts.

### **38.2 PARCEL SIZE**

- (a) The minimum parcel size shall be 1000 square metres provided each parcel is serviced by a community water and community sewer system.
- (b) Notwithstanding Section 38.2(a), where a parcel is subdivided for the purpose of allowing individual multi-family units, each parcel shall have an area of not less than 240 square metres per unit, except in the case of end units where the minimum parcel area shall be 320 square metres.

### **38.3 DENSITY**

The maximum permitted density for multi-family unit developments shall be no more than 41.0 units per hectare.

### **38.4 PARCEL COVERAGE**

The maximum permitted parcel coverage shall be 50 percent.

### **38.5 HEIGHT OF BUILDINGS**

The maximum permitted height shall be:

- (a) 15 metres for a multi-family unit; and
- (b) 8 metres for an accessory building.

## 38.6 SETBACKS

- (a) For multi-family units the minimum permitted setbacks shall be:
- i) front setback 3 metres;
  - ii) side setback 3 metres except where a multi-family development unit on a parcel is subdivided for the purpose of allowing individual multi-family units, where no interior side setback between units shall be required;
  - iii) side setback for accessory buildings 1.5 metres; and
  - iv) rear setback 3.0 metres except in the case of accessory building **or structure** where it shall be 1.5 metres.
- (b) Notwithstanding Section 38.6(a), where a lot line abuts a street, the setback shall be a minimum of 4.5 metres except where varied in accordance with the **Transportation Act**.

## 38.7 CONDITIONS OF USE

- (a) Multi-family unit development shall not exceed a maximum of two communal accessory buildings **or structures** per development.



## **PART THIRTY-NINE - RR-1 RESORT RECREATION ONE ZONE**

### **PURPOSE**

The purpose of this zone is to permit golf courses and compatible open land recreational uses within the **Tobiano Resort** area designated Comprehensive Resort Development in the Cherry Creek-Savona Official Community Plan Area of Electoral Area "J".

#### **39.1 PERMITTED USES**

- (a) Golf courses including driving ranges, putting greens, maintenance facilities, proshops and clubhouses;
- (b) Accessory buildings or structures;
- (c) Storage and work yards, community sewer and water systems, storage reservoirs, towers, transmitters and communication equipment;
- (d) Concessions;
- (e) Recreational amenities in conjunction with a golf course development including parks, playgrounds, swimming pools, tennis courts, health clubs and spas;
- (f) Open land recreational uses including equestrian and pedestrian trails.

#### **39.2 PARCEL SIZE**

- (a) The minimum parcel size shall be 16 hectares provided each parcel is serviced by a community water and community sewer system, except for uses permitted under Section 39.1(c) where no minimum parcel size shall be required.

#### **39.3 PARCEL COVERAGE**

The maximum permitted parcel coverage is not applicable.

#### **39.4 HEIGHT OF BUILDINGS**

The maximum permitted height shall be 15 metres.

#### **39.5 SETBACKS**

The minimum permitted setback shall be 6 metres.

#### 39.6 CONDITIONS OF USE

- (a) For uses permitted under Section 39.1(c), no exterior storage of any kind shall be permitted.
- (b) Parcels used for golf courses or open land recreational uses permitted under Section 39.1(a) and (f) and parks and playgrounds permitted under Section 39.1(e) shall be kept in their natural state except where modifications are necessary to facilitate outdoor recreation. Without limiting the generality of the foregoing, site modifications may include earthworks required for the construction and development of fairways, greens, traps, or playing fields, or the removal of trees for golf course or trail development and maintenance respectively.

## SCHEDULE "B"

### LIST OF TNRD RESORT PROPERTIES IN THE AF-1 (AGRICULTURAL/FORESTRY) OR RL-1 (RURAL) ZONES

Electoral Area	Community	Folio	Zoning	Bylaw No.	Civic Address	Legal Description
A	Clearwater	726.06690.000	RL-1	940	STAR LAKE	DL 2301, KDYD LEASE/PERMIT/LICENCE # 331804.
A	Vavenby	726.06739.000	RL-1, C-3	940	3781 YELLOWHEAD HWY S	DL 2608, KDYD EXCEPT PLAN KAP47709 & H926.
B	Albreda	726.18007.000	RL-1	940		DL 6310, KDYD LEASE/PERMIT/LICENCE # 341750.
B	Blue River	726.06773.000	RL-1	940		DL 2743, KDYD LEASE/PERMIT/LICENCE # 332217.
E	Empire Valley	727.41153.250	RL-1	940	CHURN CREEK	THAT PART OF DL 2709 BEING MAY 2 MINERAL CLAIM, LILLOOET DIST LEASE/PERMIT/LICENCE # 3410675.
E	Clinton	730.06000.000	C-4, MH-1, RL-1	940	CARIBOO HWY	DL 7343, LILLOOET DIST EXCEPT PLAN H242, FOR REF TO WILLOW SPRINGS MHP BAYS SEE FOLIOS 75400.000 ET AL.
E	Jesmond	730.05350.001	RL-1	940	5960 BIG BAR RD	BLOCK B, DL 4887, LILLOOET DIST
E	Jesmond	730.05480.000	RL-1	940	10635 JESMOND RD	DL 4948, LILLOOET DIST
E	Little Big Bar Lk	730.04165.000	RL-1	940	LITTLE BIG BAR LAKE	S 1/2 OF FRACTIONAL S 1/2 OF DL 2736, LILLOOET DIST
E	Loon Lake	730.00690.000	RL-1	940	HIHIUM LAKE	DL 4651, KDYD LEASE/PERMIT/LICENCE # 337316.
E	Loon Lake	730.00700.000	RL-1	940	HIHIUM LAKE	DL 4653, KDYD LEASE/PERMIT/LICENCE # 337316.
E	Loon Lake	730.00725.000	C-4, RL-1	940	HIHIUM LAKE	DL 5465, KDYD LEASE/PERMIT/LICENCE # 337316.
E	Loon Lake	730.00795.000	RL-1	940	HIHIUM LAKE	DL 5992, KDYD LEASE/PERMIT/LICENCE # 332920.
E	Loon Lake	730.05710.000	C-4, RL-1	940	2726 LOON LAKE RD	DL 5244, LILLOOET DIST MANUFACTURED HOME REG. # B10079.
E	Loon Lake	730.06030.000	C-4, RL-1	940	1815 LOON LAKE RD	DL 7368, LILLOOET DIST EXCEPT PLAN 2994, MANUFACTURED HOME REG. # B03222, LOT 1, PLAN 2994, DL 7368

## SCHEDULE "B"

### LIST OF TNRD RESORT PROPERTIES IN THE AF-1 (AGRICULTURAL/FORESTRY) OR RL-1 (RURAL) ZONES

I	Clapperton	731.06771.000	RL-1	940	CHATAWAY LAKE	DL 2795, KDYD LEASE/PERMIT/LICENCE # 332311, COMMERCIAL FISHING & HUNTING CAMP.
I	Clapperton	731.06772.000	RL-1	940	CHATAWAY LAKE	DL 2796, KDYD LEASE/PERMIT/LICENCE # 332311, COMMERCIAL FISHING & HUNTING CAMP.
I	Goldpan	730.11702.000	C-4, RL-1	940	2668 TRANS CANADA HWY	KDYD, SEC 8, TWP 16, RGE 25, LEGAL SUBDIVISION 1, EXCEPT PLAN 287 & H755, PT E OF RIVER.
I	Goldpan	730.12049.000	C-3, RL-1	940	2915 TRANS CANADA HWY	LOT 1, PLAN KAP62529, LILLOOET DIST, SEC 8, TWP 16, RGE 25, & SEC 9 & 16, MANUFACTURED HOME REG. # B10883.
I	Lytton	730.12004.000	RL-1, C-3, C-1	940	1145 TRANS CANADA HWY	KDYD, SEC 7, TWP 15, RGE 26 EXCEPT PLAN 287 & 32050, FR LS 10 & EXC MOBILE HOME - SEE 95044.000.
I	Spatsum	730.04057.500	C-4, RL-1	940	PIMAINUS LAKE	DL 2356, KDYD LEASE/PERMIT/LICENCE # 331365, CAMPSITE W OF PIMAINUS LAKE.
I	Spatsum	730.04057.502	RL-1	940	PIMAINUS LAKE	KDYD, SEC 33, TWP 16, RGE 23, LEASE/PERMIT/LICENCE # 338410, PART NW 1/4, SATELLITE CAMP PIMAINUS FISHING CAMP.
I	Spences Bridge	730.00275.000	RL-1, C-4	940	TRANS CANADA HWY	DL 379, KDYD EXCEPT PLAN B540 27674 & 5375RS.
J	Deadman	724.12958.062	AF-1	940		LOT 2, PLAN 29056, KDYD, SEC 14, TWP 23, RGE 22, & SEC 15.
J	Lac Le Jeune	724.07031.000	AF-1	940	5485 LAC LE JEUNE RD	BLOCK B, DL 6286, KDYD
J	Paska Lake	724.06625.000	AF-1	940	DOMINIC LAKE	DL 5832, KDYD
J	Savona	724.00500.001	AF-1, C-4, R-1	940	6100 TRANS CANADA HWY	PLAN 244302F, DL 399, KDYD EXCEPT PLAN 8814 A10496 21524 33089 H302 & KAP48717.
J	Tranquille Valley	724.02538.000	AF-1	940	5000 FLYNN RD	DL 2542, KDYD

## SCHEDULE "B"

### LIST OF TNRD RESORT PROPERTIES IN THE AF-1 (AGRICULTURAL/FORESTRY) OR RL-1 (RURAL) ZONES

J	Tranquille Valley	724.18043.000	AF-1	940	TRANQUILLE LAKE	KDYD LEASE/PERMIT/LICENCE # 338725, ADJACENT TO DL 2542 (ADJ TO FOLIO 724.02538.000)
J	Tunkwa Lake	724.12795.084	AF-1	940	4405 TUNKWA LAKE RD	BLOCK W, KDYD, SEC 9, TWP 19, RGE 21
J	Vidette Lake	724.05425.000	C-4, AF-1	940	9425 DEADMAN-VIDETTE RD	DL 4744, LILLOOET DIST SEARCHER NO 1 MC. DL 7792, LILLOOET DIST
J	Vidette Lake	724.07625.000	AF-1	940	ELBOW LAKE	LEASE/PERMIT/LICENCE # 331830.
J	Vidette Lake	724.08300.000	AF-1	940	ELBOW LAKE	DL 8493, LILLOOET DIST
J	Vidette Lake		AF-1	940	WILDERNESS LAKE	LEASE/PERMIT/LICENCE # 333177.
L	Chase Creek	724.02770.000	AF-1	940	4745 CHASE-FALKLAND RD	ALL THAT UNSURVEYED CROWN LAND IN THE VICINITY OF DL 8477, LILLOOET DISTRICT
L	Trapp Lake	724.00760.000	AF-1	940	ROCHE LAKE	LEASE/PERMIT/LICENCE # 338971
L	Trapp Lake	724.12039.020	AF-1	940	ROCHE LAKE RD	DL 2792, KDYD
M	Glimpse Lake	731.07088.100	C-4, RL-1	940	5400 LAUDER RD	DL 559, KDYD LEASE/PERMIT/LICENCE # 336887.
M	Minnie Lake	731.05470.000	RL-1, C-4	940	STONE LAKE RESORT	BLOCK A, KDYD, SEC 33, TWP 17, RGE 16, LEASE/PERMIT/LICENCE # 337054, OF NE 1/4.
M	Pennask Lake	731.07438.000	RL-1	940		DL 3368, KDYD EXCEPT PLAN KAP73999.
M	Pennask Lake	731.07920.000	RL-1	940	PARADISE LAKE	DL 695, KDYD
M	Quilchena	731.00201.000	RL-1, C-4, C-1	940	6500 KAML-MERRITT 5A HW	DL 4822, KAMLOOPS DIVISION OF YALE DIST
M	Salmon River	731.05509.000	C-4, RL-1	940		DL 6364, KDYD LEASE/PERMIT/LICENCE # 336948, VICINITY OF DL 5159.

# SCHEDULE "B"

## LIST OF TNRD RESORT PROPERTIES IN THE AF-1 (AGRICULTURAL/FORESTRY) OR RL-1 (RURAL) ZONES

M	Surrey Lake	731.07237.050	RL-1	940	SURREY LAKE	BLOCK C, DL 4046, KDYD LEASE/PERMIT/LICENCE # 334913, & DL 6308.
N	Coldwater	731.00326.000	RL-1	940	837 MIDDAY VALLEY RD	DL 166, KDYD EXCEPT PLAN A215 10584 23191 25206 25510 26688 KAP59518, & EXC PL KAP84526 & KAP84527 & EXC PT LYING S & E OF PL A215 AND PART LYING WITHIN CITY OF MERRITT EXC MOBILE HOME SEE 94000.100.
N	Voght Valley	731.00143.005	RL-1	940		LOT A, PLAN 30621, DL 70, YALE DIVISION OF YALE DIST
O	Chinook Cove	724.01430.000	RL-1	940	HOOPATATKWA LAKE	DL 1472, KDYD LEASE/PERMIT/LICENCE # 30611.
O	Chinook Cove	724.02732.005	RL-1	940	BONAPARTE LAKE	KDYD LEASE/PERMIT/LICENCE # 338435, ADJACENT TO DL 2754 - SEPTIC TANK PURPOSES.
O	Chinook Cove	724.18014.005	RL-1	940	BONAPARTE LAKE	KDYD LEASE/PERMIT/LICENCE # 341107, ADJ TO DL 2758 (ADJ TO FOLIO 724.02736.000)
O	Darfield	724.01795.000	RL-1	940	8400 AKEHURST LAKE	DL 1807, KDYD LEASE/PERMIT/LICENCE # 334626.
O	Darfield	724.02725.000	RL-1	940	7800 CAVERHILL LAKE	DL 2747, KDYD
O	Dunn Lake	724.04290.010	RL-1	940	DUNN LAKE	LOT A, PLAN 16737, DL 3730, KDYD
O	East Barriere Lake	724.04225.025	RL-1	940	RIDGE RESORT E LK	LOT 1, PLAN KAP63618, DL 3700, KDYD & DL 3701, MANAGED FOREST 0331.
O	Little Fort	724.01630.288	C-4, RL- 1, R-1	940	9972 SANDHILL RD	LOT 5, PLAN 2681, DL 1658, KDYD EXCEPT PLAN 13095 13277 H689 & H861, EXC MOBILE HOME-SEE FOLIO 01630.289, MANUFACTURED HOME REG. # 84491.
O	Little Fort	724.02402.000	RL-1	940	TAWHEEL LAKE	DL 2749, KDYD LEASE/PERMIT/LICENCE # 332105.

## SCHEDULE "B"

### LIST OF TNRD RESORT PROPERTIES IN THE AF-1 (AGRICULTURAL/FORESTRY) OR RL-1 (RURAL) ZONES

						DL 2354, KDYD LEASE/PERMIT/LICENCE # 335046, COMMERCIAL RESORT NEHALLISTON FOREST RESERVE.
O	Little Fort	724.02500.000	RL-1	940	MEADOW LAKE	
O	Little Fort	724.02727.000	RL-1	940	TAWHEEL LAKE	DL 2302, KDYD
						DL 2752, KDYD LEASE/PERMIT/LICENCE # 333602, THOSE PARCELS OF LAND SITUATED W OF LAUREL LATREMOUILLE & EMAR LAKES.
O	Little Fort	724.02730.000	RL-1	940	LYNN LAKE	
O	Little Fort	724.02731.000	RL-1	940	ROCK ISLAND LAKE	DL 2753, KDYD
					4304 BIRCH LAKE	
O	Little Fort	724.02738.000	RL-1	940	DUMP RD	DL 2760, KDYD
						DL 2761, KDYD LEASE/PERMIT/LICENCE # 332294.
O	Little Fort	724.02739.000	RL-1	940	3460 JANICE LAKE RD	DL 3369, KDYD LEASE/PERMIT/LICENCE # 331898.
O	Little Fort	724.03741.000	RL-1	940	THUYA LAKE	BLOCK A, DL 3433, KDYD LEASE/PERMIT/LICENCE # 332456.
O	Little Fort	724.03848.050	RL-1	940	TULOOD LAKE	
					4950 EAGLE ISLAND	
O	Little Fort	724.13192.000	RL-1	940	RD	DL 6367, KDYD
						KDYD LEASE/PERMIT/LICENCE # 338145, SATELLITE FISHING CAMPS ADJACENT TO THUMB LAKE.
O	Little Fort	724.18025.400	RL-1	940	EMAR LAKE	BLOCK A, DL 6043, KDYD
O	North Barriere Lake	724.06910.010	RL-1	940	8820 BARRIERE NORTH RD	LEASE/PERMIT/LICENCE # 333326.
					6000 ADAMS W-	
O	Skwaam Bay	724.03875.075	RL-1	940	JOHNSON LK	DL 2355, KDYD
	Westsyde					DL 2203, KDYD LEASE/PERMIT/LICENCE # 336528, COMMERCIAL FISHING CAMP.
O	North	724.02309.000	RL-1	940	BARE LAKE	DL 2211, KDYD LEASE/PERMIT/LICENCE # 330734.
	Westsyde					
O	North	724.02310.000	RL-1	940	HOOVER LAKE	
	Westsyde					
O	North	724.14159.000	RL-1	940	DAGGER LAKE	DL 2212, KDYD PUP TR9910170.
P	Hyas Lake	724.02728.000	AF-1	940	4380 HYAS LAKE FSR	DL 2750, KDYD

## SCHEDULE "B"

### LIST OF TNRD RESORT PROPERTIES IN THE AF-1 (AGRICULTURAL/FORESTRY) OR RL-1 (RURAL) ZONES

P	McGillivray Lake	724.18051.500	AF-1	940	MCGILLIVRAY LAKE	KDYD LEASE/PERMIT/LICENCE # 337506, W SIDE OF MCGILLIVARY LAKE.
P	Pinantan Lake	724.11940.070	AF-1	940	3352 PINANTAN-PRITCHARD	LOT 1, PLAN 38326, KDYD, SEC 27, TWP 20, RGE 15, & SEC 28.
No Mapping		724.18015.000			TRIANGLE LAKE	KDYD LEASE/PERMIT/LICENCE # 338576.
No Mapping		724.18025.000			THUMB LAKE	KDYD LEASE/PERMIT/LICENCE # 338145, SATELLITE FISHING CAMP VICINITY OF LAUREL, LATREMOUILLE & EMAR LAKES.
No Mapping		724.18025.300			EAST GEM LAKE	KDYD SATELLITE FISHING CAMPS VICINITY OF LAUREL, LATREMOUILLE & EMAR LAKES.